



*Jim Moore, Chair  
Adhi Nagraj, Vice Chair  
Clark Manus  
Amanda Monchamp  
Jahmese Myres  
Chris Pattillo  
Emily Weinstein*

**July 6, 2016  
Regular Meeting**

**MEAL GATHERING 5:15 P.M.**

**Saigon Restaurant, 326 Frank H. Ogawa Plaza, Oakland**

Open to the public. (Members of the public may purchase their own meals if desired. Consumption of food is not required to attend.)

**BUSINESS MEETING 6:00 P.M.**

**Sgt. Mark Dunakin Hearing Room 1, City Hall, One Frank H. Ogawa Plaza, Oakland**

Persons wishing to address the Commission on any item on the agenda, including Open Forum and Director's Report, should fill out a speaker card and give it to the Secretary. **Agenda items will be called at the discretion of the Chair not necessarily in the order they are listed on the Agenda.** Speakers are generally limited to two minutes at the discretion of the Chair. Applicants and appellants are generally limited to five minutes at the discretion of the Chair.

The order of items will be determined under Agenda Discussion at the beginning of the meeting. With the exception of Open Forum, a new item will not be called after **10:15 p.m.**, and the meeting will adjourn no later than **10:30 p.m.** unless the meeting is extended by the Chair with the consent of a majority of Commissioners present.

Please work with the case planner listed for each item prior to the meeting regarding items that may be continued. Any agenda item may be continued, without the hearing on the matter being opened, or public testimony taken, at the discretion of the Chair. Persons wishing to address the continued item may do so under Open Forum.

---

*For further information on any case listed on this agenda, please contact the case planner indicated for that item. For further information on Historic Status, please contact the Oakland Cultural Heritage Survey at 510-238-6879. For other questions or general information on the Oakland City Planning Commission, please contact the Planning and Building Department at 510-238-3941.*

♿ This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening device, please call the Planning and Building Department at 510-238-3941 or TDD 510-238-3254 at least three working days before the meeting. Please refrain from wearing scented products to this meeting so attendees who may experience chemical sensitivities may attend. Thank you.

El lugar de la a reunión es accesible en silla de ruedas. Para solicitar materiales en formatos alternativos o solicitar un intérprete de lenguaje de señas o un aparato para escuchar, por favor llame al Departamento de Planificación y Construcción al 510-238-3941 o TDD 510-238-3254 al menos tres días hábiles antes de la reunión. Por favor absténgase de usar perfumes en esta reunión para que las personas sensitivas a perfume puedan asistir.

此會議場地有適合輪椅出入設施。如需要其他格式的會議資料，或ASL手語服務，或助聽器，請於會議至少三(3)天以前聯絡規劃及建設局，以便安排服務，電話510-238-3941或TDD 510-238-3254

。請勿塗搽香氛產品，參加者可能對化學成分敏感。多謝。



**New online staff report  
download instructions**

Staff reports for items listed on this agenda will generally be available by 3:00 p.m. the Friday before the meeting, to any interested party, at the Planning and Building Department, 250 Frank H. Ogawa Plaza, Oakland, California 94612. Reports are also available at the Strategic Planning Division on the 3<sup>rd</sup> floor (Suite 3315), which closes at 5:00 p.m.

Staff reports are also available online, generally by 3:00 p.m. the Friday before the meeting, at [www.oaklandnet.com/planning](http://www.oaklandnet.com/planning) (under "Planning Commission.") You will need to ensure that your computer will accept pop-ups from the host site (oaklandnet.com) and that your computer has a later version of Adobe Acrobat Reader installed. For further information, please call **510-238-3941**.

If you challenge a Commission decision in court, you will be limited to issues raised at the hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, the hearing. Any party seeking to challenge in court those decisions that are final and not administratively appealable to the City Council must do so within ninety (90) days of the date of the announcement of the final decision, pursuant to Code of Civil Procedure Section 1094.6, unless a shorter period applies.

Please note that the descriptions of the applications found below are preliminary in nature and that the projects and/or descriptions may change prior to a decision being made.

While attending Planning Commission meetings, parking in the Clay Street Garage (located at Clay Street and 14<sup>th</sup> Street) is free. Attendees should see staff at the meeting to validate parking tokens.

Applicants or members of the public that plan to make electronic presentations (e.g., PowerPoint presentations): Please contact Cheryl Dunaway at [cdunaway@oaklandnet.com](mailto:cdunaway@oaklandnet.com) or 510-238-2912 at least 48 hours prior to the meeting.

Interested parties are encouraged to submit written material on agenda items in advance of the meeting and prior to the close of the public hearing on the item. To allow for distribution to the Commission, staff, and the public, twenty-five (25) copies of all material should be submitted. Material submitted at least ten days prior to the meeting may be included as part of the agenda packet; material submitted later may be distributed at or prior to the meeting. To ensure that material submitted at the meeting is distributed to Commissioners, a minimum of twenty-five (25) copies should be submitted to Planning staff no later than the time the item is scheduled to be considered by the Commission.

***ROLL CALL***

***WELCOME BY THE CHAIR***

***COMMISSION BUSINESS***

**Agenda Discussion**

**Director's Report**

**Committee Reports**

**Commission Matters**

**City Attorney's Report**



### ***OPEN FORUM***

At this time members of the public may speak on any item of interest within the Commission's jurisdiction. At the discretion of the Chair, speakers are generally limited to two minutes or less if there are six or less speakers on an item, and one minute or less if there are more than six speakers.

### ***CONSENT CALENDAR***

The Commission will take a single roll call vote on all of the items listed below in this section. The vote will be on approval of the staff report and recommendation in each case. Members of the Commission may request that any item on the Consent Calendar be singled out for separate discussion and vote.

### ***PUBLIC HEARINGS***

The hearing provides opportunity for all concerned persons to speak; the hearing will normally be closed after all testimony has been heard. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, the public hearing.

The Commission will then vote on the matter based on the staff report and recommendation. If the Commission does not follow the staff recommendation and no alternate findings for decision have been prepared, then the vote on the matter will be considered a "straw" vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings for decision and, as applicable, conditions of approval that the Commission will consider in making a final decision.

If you wish to be notified on the decision of an agenda item, please indicate the case number and submit a self-addressed stamped envelope, for each case.

Planning Commission decisions that involve "major" cases (e.g., major variances, major conditional use permits) are usually appealable to the City Council. If any interested party seeks to challenge such decision in court, an appeal **must be filed** within ten (10) calendar days of the date of the announcement of the Planning Commission decision and by 4:00 p.m. An appeal shall be on a form provided by the Planning and Building Department, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of the case planner. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Planning Commission or wherein their decision is not supported by substantial evidence and must include payment of the required fee in accordance with the City of Oakland Master Fee Schedule. Failure to timely appeal will preclude you from challenging the City's decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so will preclude you from raising such issues during your appeal and/or in court. However, the appeal will be limited to issues and/or evidence presented to the Planning Commission prior to the close of the Planning Commission's public hearing on the matter.

Any party seeking to challenge a final decision in court must do so within ninety (90) days of the date of the announcement of a final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.



1. **Location:** 5000 Piedmont Avenue (APN: 048A700200302)  
**Proposal:** To construct a one-story, 8,500 square foot funeral home, located near the southwest of the Mountain View Cemetery (approximately 400 feet from the main entry). Note: *This project was previously approved by the Planning Commission in 2013, but the Planning Permit (REV130001) had expired for the new construction. Under the new application (PLN16170), the applicant is requesting re-approval that includes minor building design modifications.*  
**Applicant/Contact:** Jeff Lindeman  
**Phone Number:** (510) 658-2588  
**Owner/Contact:** Mountain View Cemetery Association  
**Case File Number:** PLN16170  
**Planning Permits Required:** Major Variance to operate an undertaking activity (funeral home) in the RD-1 Zone; and  
Regular Design Review for building construction.  
**General Plan:** Urban Open Space  
**Zoning:** RD-1 Detached Unit Residential Zone  
**Environmental Determination:** Exempt, Section 15332 of the State CEQA Guidelines:  
In-Fill Development Projects;  
Section 15183 of the State CEQA Guidelines:  
Projects consistent with a Community Plan, General Plan or Zoning.  
Section 15064.5 (b)(3) of the State CEQA Guidelines:  
Determining the Significance of Impacts on Historical and Unique Archeological Resources. Projects that follow the Secretary of the Interior's Standards for the Treatment of Historic Properties.  
**Historic Status:** Local Register Property  
Area of Primary Importance (API); Survey Rating: A1+  
**Service Delivery District:** 2  
**City Council District:** 1  
**Date Filed:** June 1, 2016  
**Action to be Taken:** Decision based on staff report  
**Finality of Decision:** Appealable to City Council within 10 calendar days  
**For Further Information:** Contact Case Planner: **Mike Rivera** at (510) 238-6417, or by email at [mriviera@oaklandnet.com](mailto:mriviera@oaklandnet.com)



<b>2.</b>	<p><b>Location:</b> 41 Tunnel Road (Claremont Hotel) (APN: 48H-7670-19, 48H-7670-20, 48H-7670-21, 48H-7670-22, 48H-7670-23, 48H-7670-24, 48H-7670-25, 48H-7670-27, 48H-7670-28-3, 64-4225-04, and 64-4225-05, 48H-7670-26, 48H-7670-29-2, and 64-4226-24)</p> <p><b>Proposal:</b> Scoping session for a proposal for:  (a) Site and Circulation Improvements, including: realign site access, modify on-site circulation and parking, replace the existing porte cochere, and landscape improvements;  (b) Club Expansion and Improvements, including: Update and expand existing club facilities including both indoor and outdoor facilities; increase membership by 15 percent (up to 250 new memberships), from 1,600 to a maximum of 1,850 memberships; and  (c) New Residential Units – At the southeast portion of the site, construct a 43 unit for-sale residential building on existing surface parking lots and two single-family homes adjacent to the Tunnel Road entry to the site.</p> <p><b>Applicant:</b> Signature Development Group, Inc.  <b>Contact Person/Phone Number:</b> Jamie Choy / (510)251-9276  <b>Owner:</b> Claremont Hotel Properties, LP  <b>Case File Number:</b> ER16-010</p> <p><b>Planning Permits Required:</b> The proposed project would, in part, require modifications to the existing Conditional Use Permit, a Tentative Parcel Map to provide separate parcels for the residential uses, Design Review, and possibly variances.</p> <p><b>General Plan:</b> Community Commercial, Hillside Residential  <b>Zoning:</b> RH-4, Hillside Residential Zone – 4; RU-3, Urban Residential Zone - 3</p> <p><b>Environmental Determination:</b> Staff has determined that an Environmental Impact Report (EIR) will be prepared for this project. A Notice of Preparation (NOP) to prepare the EIR was published on May 31, 2016. The comment period for the NOP ends on July 6, 2016.</p> <p><b>Historic Status:</b> The Claremont Hotel building (not including the porte cochere constructed in the 1980’s) is a local Oakland Landmark (LM01-404, Ordinance No. 12438 C.M.S.) and is rated A1+; the Claremont Hotel property is identified as an Area of Primary Importance (API). Thus the Claremont Hotel building (as a landmark) and Claremont Hotel property (as an API) are currently CEQA Historic Resources. The original landmark designating ordinance included a Design Review overlay on the entire property.</p> <p><b>Service Delivery District:</b> 2  <b>City Council District:</b> 1  <b>Action to be Taken:</b> Receive public and Planning Commission comments about what information and analysis should be included in the EIR.</p> <p><b>For Further Information:</b> Contact case planner Ann Clevenger at (510) 238-6980 or by email: <a href="mailto:aclevenger@oaklandnet.com">aclevenger@oaklandnet.com</a>.</p>
-----------	---

**APPEALS**

The Commission will take testimony on each appeal. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, to the public hearing; provided, however, such issues were previously raised in the appeal itself.

Following testimony, the Commission will vote on the staff report and recommendation. If the Commission reverses/overturns the staff decision and no alternate findings for decisions have been prepared, then the vote on the matter will be considered a “straw” vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings for decision and, as applicable, conditions of approval that the Commission will consider in making a final decision. Unless otherwise noted, the decisions in the following matters are final and not administratively appealable. Any party seeking to challenge these decisions in court must do so within ninety (90) days of the date of the announcement of the final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.



***COMMISSION BUSINESS***

**Approval of Minutes**

**Correspondence**

**City Council Actions**

**ADJOURNMENT** By 10:30 P.M. unless a later time is agreed upon by a majority of Commissioners present.

**ROBERT MERKAMP**  
**Development Planning Manager**  
**Secretary to the Planning Commission**  
**Planning and Building Department**

***NEXT REGULAR MEETING:*** July 20, 2016