



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

**May 4, 2016  
Regular Meeting**

**ROLL CALL**

**Present:** Moore, Nagraj, Bonilla, Monchamp, Myres, Pattillo.

**Excused:** Weinstein.

**Staff:** Robert Merkamp, Jason Madani, Devan Reiff, Celena Chen, Heather Lee, Cheryl Dunaway.

**WELCOME BY THE CHAIR**

**Agenda Discussion**

**Mr. Merkamp** announced that Item 3.5 was continued from April 20, 2016 and now has been continued to May 18, 2016, Items 5 and 6 were also continued to May 18, 2016.

The minutes will be voted on first so that Commissioner Myres will be present. She will recuse herself from hearing item #7.

**Committee Reports**

**Commissioner Pattillo** gave a report on the Design Review Committee meeting on April 27, 2016.

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*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 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。



**OPEN FORUM**

**Speakers:** Wenday Markel, Barbara Thompson, Brian Geiser, Wendy Leyden, Chris Wilcox, Lesley Emmington.

**PUBLIC HEARINGS**

**\*ITEMS 1, 2 AND 3 WILL BE HEARD TOGETHER DUE TO THEIR CLOSE PROXIMITY TO EACH OTHER AND THEIR SIMILARITIES IN THE PROJECTS.**

<b>1.</b>	<p><b>Location:</b> The Public Right-of-Way adjacent to 3770 Piedmont Avenue and Yosemite Avenue. Nearest lot adjacent to the project site ( 012-0938-039-02 )</p> <p><b>Proposal:</b> The project involves the installation of a new wireless Telecommunications facility (Crown Castle) on a new 24’ tall metal light pole located in the public right-of-way; installation of two 24” wide panel antennas mounted at a height of 23 feet above the ground; an associated equipment box, one battery backup and meter boxes within shroud attached to the light pole at 9’ above ground.</p> <p><b>Applicant:</b> Crown Castle</p> <p><b>Contact Person/Phone Number:</b> Bob Gundermann &amp; Jason Osborn (925)899-1999</p> <p><b>Owner:</b> City of Oakland</p> <p><b>Case File Number:</b> <b>PLN15-386</b></p> <p><b>Planning Permits Required:</b> Major Conditional Use Permit and Design Review to install a new Monopole Telecommunication Facility within 100’ of residential zone, and Minor Variance to establish Monopole Facility within 1500 feet of another monopole facilities.</p> <p><b>General Plan:</b> Neighborhood Center Mixed Use.</p> <p><b>Zoning:</b> CN-1 Neighborhood Center Zone.</p> <p><b>Environmental Determination:</b> Exempt, Section 15303 of the State CEQA Guidelines; installation a new telecommunication/light pole. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, General Plan or zoning.</p> <p><b>Historic Status:</b> Not a Potential Designated Historic Property; Survey Rating: N/A</p> <p><b>Service Delivery District:</b> 2</p> <p><b>City Council District:</b> 1</p> <p><b>Status:</b> Pending</p> <p><b>Action to be Taken:</b> Decision of Application</p> <p><b>Finality of Decision:</b> <i>Appealable to City Council within 10 days</i></p> <p><b>For Further Information:</b> Contact case planner <b>Jason Madani</b> at (510) 238-4790 or by email: <a href="mailto:jmadani@oaklandnet.com">jmadani@oaklandnet.com</a></p>
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**COMMISSIONERS BONILLA AND MONCHAMP RECUSED THEMSELVES FROM HEARING THIS ITEM DUE CONFLICTS OF INTEREST.**

Staff Member Jason Madani gave a presentation.

**Applicant:** Bob Gundermann gave a presentation.

**Speakers:** Valerie Winemiller, Harry Eisenberg, George Horton, Phillip Pease.

**PUBLIC COMMENT SESSION CLOSED.**



Commissioner Pattillo made a motion to approve and add the following conditions of approval: From the letter received from the Piedmont Avenue Neighborhood Improvement League (PANIL) dated May 1, 2016, the second sentence in item #2 states "this site will be on a metal pole", Items 3, 4 and 5 will all be incorporated as conditions, item 6 will be incorporated with the stipulation that placards required by Federal law will be allowed and include items 7 and 9, seconded by Vice Chair Nagraj

Action on the matter: Approved 4 ayes, 0 noes.

<b>2.</b>	<p><b>Location:</b> The Public Right-of-Way adjacent to 3868 Piedmont Avenue and Montell Street. Nearest lot adjacent to the project site ( 012-0936-022-00)</p> <p><b>Proposal:</b> The project involves the installation of a new wireless Telecommunications facility (Crown Castle) on a new 24' tall metal light pole located in the public right-of-way; installation of one 24" wide panel antenna mounted at a height of 23 feet above the ground; an associated equipment box, one battery backup and meter boxes within shroud attached to the light pole at 9' above ground.</p> <p><b>Applicant:</b> Crown Castle</p> <p><b>Contact Person/Phone Number:</b> Bob Gundermann &amp; Jason Osborn (925)899-1999</p> <p><b>Owner:</b> City of Oakland</p> <p><b>Case File Number:</b> <b>PLN15-388</b></p> <p><b>Planning Permits Required:</b> Major Conditional Use Permit and Design Review to install a new Monopole Telecommunication Facility within 100' of residential zone, and Minor Variance and Minor Variance to establish Monopole Facility within 1500 feet of another monopole facilities.</p> <p><b>General Plan:</b> Neighborhood Center Mixed Use.</p> <p><b>Zoning:</b> CN-1 Neighborhood Center Zone.</p> <p><b>Environmental Determination:</b> Exempt, Section 15303 of the State CEQA Guidelines; installation a new telecommunication/light pole. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, General Plan or zoning.</p> <p><b>Historic Status:</b> Not a Potential Designated Historic Property; Survey Rating: N/A</p> <p><b>Service Delivery District:</b> 2</p> <p><b>City Council District:</b> 1</p> <p><b>Status:</b> Pending</p> <p><b>Action to be Taken:</b> Decision of Application</p> <p><b>Finality of Decision:</b> <i>Appealable to City Council within 10 days</i></p> <p><b>For Further Information:</b> Contact case planner Jason Madani at (510) 238-4790 or by email: <a href="mailto:jmadani@oaklandnet.com">jmadani@oaklandnet.com</a></p>
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Staff Member Jason Madani gave a presentation.

Applicant: Bob Gundermann gave a presentation.

Speakers: Valerie Winemiller, Harry Eisenberg, George Horton, Phillip Pease.

PUBLIC COMMENT SESSION CLOSED.



Commissioner Pattillo made a motion to approve and add the following conditions of approval: From the letter received from the Piedmont Avenue Neighborhood Improvement League (PANIL) dated May 1, 2016, the second sentence in item #2 states “this site will be on a metal pole”, Items 3, 4 and 5 will all be incorporated as conditions, item 6 will be incorporated with the stipulation that placards required by Federal law will be allowed and include items 7 and 9, seconded by Commissioner Myres.

Action on the matter: Approved 4 ayes, 0 noes.

<b>3.</b>	<b>Location:</b>	<b>The public Right of Way 41<sup>st</sup> Street and Piedmont Avenue. Nearest lot adjacent to the project site. APN: (012-0993-006-01).</b>
	<b>Proposal:</b>	The project involves replacement of an existing 23’ tall PG&E utility pole with a new 34’ tall utility pole to install new wireless telecommunication facility; installation of one 24” wide antenna panel and a 4’ wide cross arm mounted at a height of 27’-0”; and associated equipment box, one battery backup and meter box located within a faux mail box located on the ground next to the PG&E pole.
	<b>Applicant:</b>	Crown Castle
	<b>Contact Person/Phone Number:</b>	Bob Gundermann & Jason Osborn (925) 899-1999
	<b>Owner:</b>	Pacific Gas & Electric.PG&E
	<b>Case File Number:</b>	<b>PLN15-389</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit and Design Review to install a wireless Telecommunication Macro Facility located on a new PG&E pole located in the public right of way in CN-1 zone.
	<b>General Plan:</b>	Neighborhood Center Mixed Use.
	<b>Zoning:</b>	CN-1 Neighborhood Center Zone.
	<b>Environmental Determination:</b>	Exempt, Section 15301 and 15303 of the State CEQA Guidelines; minor additions and alterations to an existing utility pole. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	Not a Potential Designated Historic Property; Survey Rating: N/A
	<b>Service Delivery District:</b>	2
	<b>City Council District:</b>	1
	<b>Status:</b>	Pending
	<b>Action to be Taken:</b>	Decision of Application
	<b>Finality of Decision:</b>	<i>Appealable to City Council</i>
	<b>For Further Information:</b>	Contact case planner <b>Jason Madani</b> at (510) 238-4790 or by email: <b>jmadani@oaklandnet.com</b>

**COMMISSIONERS BONILLA AND MONCHAMP RECUSED THEMSELVES FROM HEARING THIS ITEM DUE CONFLICTS OF INTEREST.**

**Staff Member Jason Madani** gave a presentation.

**Applicant:** Bob Gundermann gave a presentation.

**Speakers:** Valerie Winemiller, Harry Eisenberg, George Horton, Phillip Pease.

**PUBLIC COMMENT SESSION CLOSED.**



Commissioner Pattillo made a motion to approve and add the following conditions of approval: From the letter received from the Piedmont Avenue Neighborhood Improvement League (PANIL) dated May 1, 2016, the second sentence in item #2 states "this site will be on a wooden pole", Items 3, 4 and 5 will all be incorporated as conditions, item 6 will be incorporated with the stipulation that placards required by Federal law will be allowed and include items 7 and 9, seconded by Vice Chair Nagraj.

Action on the matter: Approved 4 ayes, 0 noes.

THIS ITEM HAS BEEN CONTINUED TO MAY 18, 2016

<b>3.5</b>	<b>Location:</b>	<b>The Public Right of Way adjacent to 5687 Miles Ave.</b>
	<b>Assessor's Parcel Numbers:</b>	<b>(014-1266-006-00)</b>
	<b>Proposal:</b>	The installation of a micro antenna system wireless telecommunication facility on a replacement Joint Pole Authority (JPA) public utility pole in the right of way on Miles Ave.; facility includes two panel antennas mounted at approximately at 39' pole height; ; and associated equipment including one battery backup, and one meter box attached to the new pole, at a height of between 7' above ground in public right of way.
	<b>Applicant:</b>	Core Development Services for Verizon Wireless
	<b>Contact Person/Phone Number:</b>	Ashley Woods (714) 293-5075
	<b>Owner:</b>	PG&E
	<b>Case File Number:</b>	<b>PLN15358</b>
	<b>Planning Permits Required:</b>	Major Regular Design Review to install a wireless Telecommunication Facility onto a replacement utility pole located in public right of way.
	<b>General Plan:</b>	Neighborhood Center Commercial
	<b>Zoning:</b>	CN-1 Neighborhood Center Commercial 1 Zone
	<b>Environmental Determination:</b>	Exempt, Section 15303 of the State CEQA Guidelines (small facilities or structures; installation of small new equipment and facilities in small structures); and that none of the exceptions to the exemption in CEQA Guidelines section 15300.2 are not triggered by the proposal. Exempt, Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	Not A Potential Designated Historic Property (PDHP); Survey rating:
	<b>Service Delivery District:</b>	H
	<b>City Council District:</b>	4
	<b>Date Filed:</b>	11/5/15
	<b>Finality of Decision:</b>	Appealable to City Council
	<b>For Further Information:</b>	Contact case planner <b>Jose M. Herrera-Preza</b> at (510) 238-3808 or <a href="mailto:jherrera@oaklandnet.com">jherrera@oaklandnet.com</a>



<b>4.</b>	<b>Location:</b>	Citywide
	<b>Proposal:</b>	Review the 2016-2021 Oakland Local Hazard Mitigation Plan and make a recommendation to City Council on the amendment of the Safety Element of the General Plan. .
	<b>Applicant:</b>	City of Oakland
	<b>Contact Person/Phone Number:</b>	Devan Reiff, Planner III; 510-238-3550
	<b>Case File Number:</b>	<b>GP16001</b>
	<b>General Plan:</b>	All General Plan Designations
	<b>Zoning:</b>	All Zoning Districts
	<b>Environmental Determination:</b>	Local Hazard Mitigation Plan (LHMP) is exempt from CEQA pursuant to CEQA Guidelines sections 15183(projects consistent with a community plan, general plan, or zoning), 15262 (feasibility and planning studies), 15306 (information collection), and 15061(b)(3) (general rule).
	<b>Service Delivery District:</b>	All Service Delivery Districts
	<b>City Council District:</b>	All Council Districts
	<b>Action to be Taken:</b>	Planning Commission recommendation to City Council on the adoption of the 2016-2021 Local Hazard Mitigation Plan as an amendment to the Safety Element of the Oakland General Plan
	<b>Finality:</b>	Appealable to City Council within 5 days.
	<b>For Further Information:</b>	Contact case planner: <b>Devan Reiff, Planner III</b> , at <b>(510) 238-3550</b> or by email: <b>dreiff@oaklandnet.com</b>

Staff Member Devan Reiff gave a presentation.

Speaker: Brian Geiser.

**PUBLIC COMMENT SESSION CLOSED.**

Commissioner Pattillo made a motion to approve with the conditions of approval that to the extent possible, disaster and activation of the Emergency Operating System be defined and the lists in the table be separated by disaster and Emergency Operating System and other comments be considered , seconded by Vice Chair Nagraj.

Action on the matter: 6 ayes, 0 noes Approved recommendation to the City Council.



THIS ITEM HAS BEEN CONTINUED TO MAY 18, 2016

<b>5.</b>	<b>Location:</b>	<b>5516 San Pablo Ave.</b>
	<b>Assessor's Parcel Numbers:</b>	<b>(015-1308-016-00)</b>
	<b>Proposal:</b>	To allow for an expansion of an existing Alcoholic Beverage Sales Activity "Wolfhound Bar" into a portion of the adjacent commercial space. The existing bar is 968 square feet and will expand 393 square feet.
	<b>Applicant:</b>	Peadar Kelleher, Keith Mulligan, Christopher Southgate
	<b>Contact Person/Phone Number:</b>	Peadar Kelleher (415) 706-3550
	<b>Owner:</b>	Wally Whittier
	<b>Case File Number:</b>	<b>PLN14018-R01</b>
	<b>Planning Permits Required:</b>	Amendment to existing Major Conditional Use Permit to allow the expansion of an Alcoholic Beverage Sales Activity; Findings of Public Convenience or Necessity in an over-concentrated area and major variance for separation on a restricted street.
	<b>General Plan:</b>	Community Commercial
	<b>Zoning:</b>	CC-2 Community Commercial 2 Zone
	<b>Environmental Determination:</b>	Exempt, Section 15303 of the State CEQA Guidelines; new construction of small structures, 15301-existing facilities; 15183 Projects consistent with the General Plan or Zoning.
	<b>Historic Status:</b>	Potentially Designated Historic Property (DHP); Survey rating: C3
	<b>Service Delivery District:</b>	Metro
	<b>City Council District:</b>	3
	<b>Date Filed:</b>	01/19/16
	<b>Finality of Decision:</b>	Appealable to City Council
	<b>For Further Information:</b>	Contact case planner <b>Jose M. Herrera-Preza</b> at (510) 238-3808 or <a href="mailto:jherrera@oaklandnet.com">jherrera@oaklandnet.com</a>

THIS ITEM HAS BEEN CONTINUED TO MAY 18, 2016

<b>6.</b>	<b>Location:</b>	<b>2633 San Pablo Avenue (APN: 003-0005-001-00)</b>
	<b>Proposal:</b>	To establish a Full Service Restaurant that serves Alcoholic Beverages on a restricted street
	<b>Contact Person/Phone Number:</b>	Jason Herbers-804-314-4727
	<b>Owner:</b>	Evelyn Belford
	<b>Case File Number:</b>	<b>PLN15-341</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit to allow a Full Service Restaurant to provide Alcohol Beverage Service on a restricted street per OPC 17.102; Public Convenience and Necessity Findings
	<b>General Plan:</b>	Urban Residential/Mixed Housing Type Residential
	<b>Zoning:</b>	RU-5 Urban Residential Zoning District
	<b>Environmental Determination:</b>	Categorically Exempt, Section 15301 of the California Environmental Quality Act (CEQA) Guidelines; Existing Facilities; 15183 Projects Consistent with Plans
	<b>Historic Status:</b>	Not a Potential Designated Historic Property
	<b>Service Delivery District:</b>	1
	<b>City Council District:</b>	3
	<b>Staff Recommendation:</b>	Approve with Conditions
	<b>Finality of Decision:</b>	Appealable to the City Council within 10 days of decision
	<b>For Further Information:</b>	Contact <b>David Valeska</b> at (510) 238-2075 or <a href="mailto:dvalueska@oaklandnet.com">dvalueska@oaklandnet.com</a>



**APPEALS**

<b>7.</b>	<b>Location:</b> 378 11 <sup>th</sup> Street (APN: 002-0057-020-00)
	<b>Proposal:</b> Appeal of an Administrative decision to approve a 114 room, 7 story hotel on a vacant lot
	<b>Appellant:</b> Ty Hudson/ Unite Here Local 2850
	<b>Applicant:</b> Dhruv Patel / Oak 378 LLC
	<b>Owner:</b> Salvation Army
	<b>Case File Number:</b> <b>PLN15-096-A01</b>
	<b>Planning Permits Required:</b> Minor Conditional Use permits for a new Transient Habitation Commercial Activity and to allow a base height of 85 feet in the D-LM Zone Height Area 275; Regular Design Review for new construction; Minor Variance for one loading berth.
	<b>General Plan:</b> Central Business District
	<b>Zoning:</b> D-LM-3
	<b>Environmental Determination:</b> 15332 – In fill projects; 15183- Projects consistent with a Community Plan, General Plan or Zoning; 15183.3 – Streamlining for In fill projects; and 15164 – Addendum to the 2014 certified Lake Merritt Station Area Plan EIR; Each of which provides a separate and independent basis for CEQA compliance.
	<b>Historic Status:</b> Not a Historic Property
	<b>Service Delivery District:</b> Metro
	<b>City Council District:</b> 3
	<b>Status:</b> The application was approved by the Zoning Manager on March 15, 2016. The approval was subsequently appealed by the appellant on March 25, 2016.
	<b>Action to be Taken:</b> Decision on appeal
	<b>Finality of Decision:</b> Final
	<b>For Further Information:</b> Contact case planner <b>Peterson Z. Vollmann</b> at (510) 238-6167 or by email: <a href="mailto:pvollmann@oaklandnet.com">pvollmann@oaklandnet.com</a> .

**COMMISSIONER MYRES RECUSED HERSELF FROM HEARING THIS ITEM DUE TO A CONFLICT OF INTEREST.**

**Staff Member Peterson Vollmann** gave a presentation.

**Appellants:** Kristen Martin and Ty Hudson gave arguments on why this application should be denied.

**Applicants:** Dhruv Patel, Zina Patel James Heilbanner and Zack Wasserman gave a presentation.

**Speakers:** Greg McConnell, Nicholas Howard, Dorothy Green, Stuart Wong, Jessica Lyman, Aly Bonde, Rosa Guzman, Natalie Alvanez, Jean Johnstone, Patrick Mulshine, Patrick Broderick, Mai Ly, Darien Saetearn, Darren Hem, Nikki Phu, Devin Phan, Vincent Saephan, Stanley Pun, Joshua Fisher Lee, Irma Perez, Carmen Rojas, Tony Evans, Jennifer, Raul Pena, Ida Gonzalez, Elsa Portillo, Maria Aguilar, Sandra Bass, Fred Pecker, Johnathan Hintze, Kevin Clarke, Weiling Huber, Benson Wong, Krisi Laughlin, JD Covarrubias, Mark Lindquist, Sandy Dejas, Alvina Wong.

**PUBLIC COMMENT SESSION CLOSED.**

**Commissioner Monchamp** disclosed that she met with the appellant, Ty Hudson and spoke with his attorney on the phone prior to this meeting.





Vice Chair Nagraj made a motion to approve, seconded by Commissioner Monchamp.

**Action on the matter:** Approved 4 ayes, 1 no (Bonilla).

**Approval of Minutes**

Vice Chair Nagraj made a motion to approve the April 20, 2016 minutes, seconded by Commissioner Pattillo.

**Action on the matter:** Approved 3 ayes, 2 abstentions (Monchamp, Bonilla).

**ADJOURNMENT**

Meeting adjourned at approximately 10:15 P.M.

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

***NEXT REGULAR MEETING:*** May 18, 2016