



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

**April 6, 2016
Regular Meeting**

***Revised 03-21-16 (Please see end of agenda)**

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。
。請勿塗搽香氣產品，參加者可能對化學成分敏感。多謝。



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 3rd floor (Suite 3315), which closes at 5:00 p.m.

**New online staff report
download instructions**

Staff reports are also available online, generally by 3:00 p.m. the Friday before the meeting, at 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 14th 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 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.

1.	<p>Location: 2400 Filbert Street (APN: 005-0433-018-05; &-018-06)</p> <p>Proposal: Extension of entitlements to construct a new development consisting of 55 residential townhomes.</p> <p>Applicant: Thomas Dolan</p> <p>Contact Phone Number: (510) 839-7200</p> <p>Owner: Monica Hujazi</p> <p>Case File Number: CD05116</p> <p>Planning Permits Required: Extension of the Interim Conditional Use Permit & Design Review.</p> <p>General Plan: Mixed Housing Type</p> <p>Zoning: Current Zoning: RM-4/RM-2, Mixed Housing Zones 4 & 2 Prior Zoning: M-20/R-50, Light Industrial Zone /Medium Density Residential Zone</p> <p>Environmental Determination: Infill Exemption (CEQA Guidelines Section 15332)</p> <p>Historic Status: Not Historic.</p> <p>Planning District: 1</p> <p>City Council District: 3</p> <p>Status: Planning Commission approval on November 16, 2005. The approved project was appealed to the City Council, and at the February 21, 2006 City Council hearing the appeal was denied. Entitlements extended through December 31, 2015.</p> <p>Action to be Taken: Decision on application based on Staff Report</p> <p>Finality of Decision: Appealable to City Council</p> <p>For Further Information: Contact case planner Pete Vollmann at (510) 238-6167 or by email: pvollmann@oaklandnet.com.</p>
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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.

2.	Location: Area bounded by 27th Street to the north, I-980 and Brush Street to the west, the Jack London estuary waterfront to the south, and Lake Merritt and Channel to the east
	Item: Solicit preliminary input from Planning Commission on the concepts included in the “Plan Alternatives Report” for the Downtown Oakland Specific Plan
	Applicant: City of Oakland
	Case File Number: SP16001
	General Plan: Land Use and Transportation Element (LUTE)- Business Mix; LUTE- Central Business District; LUTE- Community Commercial; LUTE-General Industry and Transportation; LUTE- Neighborhood Center Mixed Use; LUTE- Urban Park and Open Space; LUTE- Urban Residential Estuary Policy Plan (EPP)- Light Industry 1; EPP- Mixed Use District; EPP- Off-Price Retail District; EPP- Parks; EPP- Planned Waterfront Development 1; EPP- Planned Waterfront Development 4; EPP- Produce Market; EPP- Retail Dining Entertainment 1; EPP- Retail Dining Entertainment 2; EPP- Waterfront Commercial Recreation 1; EPP- Waterfront Mixed Use; EPP- Waterfront Warehouse District
	Zoning: C-40, C-45, CBD-C, CBD-P, CBD-R, CBD-X, CC-1, CC-2, CC-3, CIX-1A, CIX-1B, D-LM-2, D-LM-4, D-OTN, IG, M-20, M-30, M-40, OS (LP), OS (NP), OS (RCP), OS (RCA), OS (SU), R-80, RU-3, RU-4, RU-5, S-2
	Environmental Determination: An Environmental Impact Report (EIR) will be prepared as part of the Downtown Oakland Specific Plan
	Historic Status: 52 Landmarks, 21 Areas of Primary Importance (API); 27 Areas of Secondary Importance (ASI)
	Service Delivery District: Metro, 1 & 3
	City Council District: 2, 3
	Status: Ongoing
	Staff Recommendation: Provide feedback on the Plan Alternatives Report
	Finality of Decision: N/A
	For further information: Contact project manager Alicia Parker at (510) 238-3362 or email at aparker@oaklandnet.com



- 3.** **Location:** **2805 Park Blvd. (See map on reverse)**
Assessor's Parcel Numbers: **(023 -0404-031-00)**
Proposal: A. Construction of a six-story 20 unit residential building on a vacant 12,403 square foot parcel. B. Proposal includes 20% of the units (4 units total) be very low income affordable housing units.
Applicant: AMG & Associates LLC
Contact Person/ Phone Number: Alexis M. Gevorgian of AMG & Associates LLC
Number: (818) 380-8000 ext. 14
Owner: A&S Park Boulevard LLC
Case File Number: CMDV13321
Planning Permits Required: Major Conditional Use Permit to allow the creation of affordable housing units and receive a 35% density bonus, Regular Design Review for construction of the six-story residential building and variance to allow the project to exceed the maximum number of stories.
General Plan: Urban Residential
Zoning: RU-2 Urban Residential 2 Zone
Environmental Determination: Exempt, Section 15303 of the State CEQA Guidelines: New construction of small structures; Section 15301 existing facilities', 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
Historic Status: Not A Potential Designated Historic Property (PDHP); Survey rating:
Service Delivery District: III
City Council District: 4
Date Filed: 11/14/13
Finality of Decision: Appealable to City Council
For Further Information: Contact case planner **Jose M. Herrera-Preza** at (510) 238-3808 or jherrera@oaklandnet.com



4.	<p>Location: T12; APN 002 002700700 (block bounded by 11th Street to the south, Martin Luther King Jr. Way (MLK) to the west, 12th Street to the north, and Jefferson Street to the east)</p> <p>Proposal: Final Development Permit consistent with approved PUD (and previously approved, expired FDP).</p> <p>Applicant: Todd Sklar, T12, LLC, (415) 772-7069</p> <p>Owner: Oakland T12, LLC</p> <p>Planning Permits Required: Final Development Permit.</p> <p>General Plan: Central Business District (CBD).</p> <p>Zoning: Central Business District General Commercial Zone (CBD-C)</p> <p>Environmental Determination: A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA Guideline provisions:</p> <p>15183 - Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for Qualified in-fill projects; 15168/15180—Program EIR for Redevelopment Plans (Central District Urban Renewal Plan); and/or</p> <p>15164 – Addendum (to 2000 City Center EIR);</p> <p>Each of which provides a separate and independent basis for CEQA compliance.</p> <p>The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2nd Floor or on-line at (Item #31):</p> <p>http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157</p> <p>Historic Status: None for affected sites.</p> <p>Service Delivery District: Metro</p> <p>City Council District: 3 – Lynette Gibson McElhaney</p> <p>Action to be Taken: Adopt CEQA Findings and approve Project subject to findings and conditions of approval contained in Staff Report; and Accept the Greenhouse Gas Emissions Reduction Plan, the TDM, and the Construction Noise Reduction Plan.</p> <p>Finality of Decision: Appealable to City Council</p> <p>For further information: Contact case planner Catherine Payne at (510) 238-6168 or by e-mail at cpayne@oaklandnet.com</p>
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THIS ITEM HAS BEEN CONTINUED TO APRIL 20, 2016

5. **Project Location:** 500 Kirkham Street The property is bounded by 7th Street, Union Street and 5th Street and is near the West Oakland BART Station.
- Assessor's Parcel Numbers:** 004-0049-001-00; 004-0049-003-00
- Proposal:** To construct an eight-story mixed-use residential and commercial development consisting of 417 dwelling units and 21,961 square feet of ground-floor commercial area that will total with a 448,646 square feet building, including two levels of parking above grade on a vacant lot.
- Project Applicant/ Phone Number:** Jabari Herbert / West Oakland Development Group, LLC (510) 385-9714
- Property Owner:** State of California—Caltrans
- Case File Number:** PLN15211
- Planning Permits Required:** Major Conditional Use Permits for large scale development over 100,000 square feet of new floor area in the S-15 Zone; and Regular Design Review for new construction.
- General Plan:** Community Commercial
- Zoning:** S-15W Transit-Oriented Development Zone (West Oakland)
- Environmental Determination:** A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies CEQA Guidelines: 15162 and 15164-Addendum to the approved and certified West Oakland Specific Plan EIR, 15183.3 Qualified Infill Projects, 15183.5 Transit Priority Projects, and 15183-Projects Consistent with a Community Plan, General Plan, or Zoning.
- Property Historic Status:** Non-Historic Property
- Service-Delivery District:** 1
- City Council District:** 3
- Project Status:** Pending
- Action to be Taken:** Decision based on staff report
- Finality of Decision:** Appealable to City Council within 10 days
- For Further Information:** Contact Case Planner, Mike Rivera at (510) 238-6417, or by email at mrivera@oaklandnet.com



6. **Location:** The Public Right-of-Way adjacent to 3770 Piedmont Avenue and Yosemite Avenue. Nearest lot adjacent to the project site (012-0938-039-02)
- Proposal:** 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.
- Applicant:** Crown Castle
- Contact Person/Phone Number:** Bob Gundermann & Jason Osborn (925)899-1999
- Owner:** City of Oakland
- Case File Number:** **PLN15-386**
- Planning Permits Required:** 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.
- General Plan:** Neighborhood Center Mixed Use.
- Zoning:** CN-1 Neighborhood Center Zone.
- Environmental Determination:** 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.
- Historic Status:** Not a Potential Designated Historic Property; Survey Rating: N/A
- Service Delivery District:** 2
- City Council District:** 1
- Status:** Pending
- Action to be Taken:** Decision of Application
- Finality of Decision:** *Appealable to City Council within 10 days*
- For Further Information:** Contact case planner Jason Madani at (510) 238-4790 or by email: jmadani@oaklandnet.com



7.	Location: The Public Right-of-Way adjacent to 3868 Piedmont Avenue and Montell Street. Nearest lot adjacent to the project site (012-0936-022-00)
	Proposal: 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.
	Applicant: Crown Castle
	Contact Person/Phone Number: Bob Gundermann & Jason Osborn (925)899-1999
	Owner: City of Oakland
	Case File Number: PLN15-388
	Planning Permits Required: 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.
	General Plan: Neighborhood Center Mixed Use.
	Zoning: CN-1 Neighborhood Center Zone.
	Environmental Determination: 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.
	Historic Status: Not a Potential Designated Historic Property; Survey Rating: N/A
	Service Delivery District: 2
	City Council District: 1
	Status: Pending
	Action to be Taken: Decision of Application
	Finality of Decision: <i>Appealable to City Council within 10 days</i>
	For Further Information: Contact case planner Jason Madani at (510) 238-4790 or by email: jmadani@oaklandnet.com



8.	<p>Location: The public Right of Way 41st Street and Piedmont Avenue. Nearest lot adjacent to the project site. APN: (012-0993-006-01).</p> <p>Proposal: 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 for Crown Castle located in the public right-of-way: installation of one 24” wide antenna panel and 4’ wide cross arm mounted at a height of 27’-0” ; an associated equipment box, one battery backup and meter boxes within shroud attached to the pole at 8’ height above ground.</p> <p>Applicant: Crown Castle</p> <p>Contact Person/Phone Number: Bob Gundermann & Jason Osborn (925) 899-1999</p> <p>Owner: Pacific Gas & Electric.PG&E</p> <p>Case File Number: PLN15-389</p> <p>Planning Permits Required: Major Design Review to install a wireless Telecommunication Macro Facility located on an existing PG&E pole located in the public right of way in CN-1 zone.</p> <p>General Plan: Neighborhood Center Mixed Use.</p> <p>Zoning: CN-1 Neighborhood Center Zone.</p> <p>Environmental Determination: 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.</p> <p>Historic Status: Not a Potential Designated Historic Property; Survey Rating: N/A</p> <p>Service Delivery District: 2</p> <p>City Council District: 1</p> <p>Status: Pending</p> <p>Action to be Taken: Decision of Application</p> <p>Finality of Decision: <i>Appealable to City Council</i></p> <p>For Further Information: Contact case planner Jason Madani at (510) 238-4790 or by email: jmadani@oaklandnet.com</p>
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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.

A handwritten signature in blue ink, appearing to read 'Robert Merkamp'.

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

NEXT REGULAR MEETING: April 20 2016

*Revised 03-21-16 to indicate that item #5 has been continued to April 20, 2016.