



*Jahmese Myres, Chair*  
*Amanda Monchamp, Vice-Chair*  
*Jonathan Fearn*  
*Nischit Hegde*  
*Tom Limon*  
*Clark Manus*  
*Sahar Shirazi*

**September 5, 2018**  
**Regular Meeting**

The meeting was called to order at **6:00pm**.

## **ROLL CALL**

**Present:** Manus, Hegde, Limon, Monchamp, Myres  
**Excused:** Fearn, Shirazi

## **WELCOME BY THE CHAIR**

## **COMMISSION BUSINESS**

### **Agenda Discussion**

Item #2 was withdrawn, Items #1 & #3 moved to public hearings.

### **Director's Report**

Status Report on 2018 Mills Act Selections.

### **Committee Reports**

Commissioner Manus gave an overview of the August 8, 2018, DRC meeting.

### **Commission Matters**

### **City Attorney's Report**

## **OPEN FORUM**

Johanna Finney, David Scharff, Dennis Cathey, Cindy Cathey, Amanda Peeters, Denise Lombard, Darlene Clark, Alexis Schroeder.

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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 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。



CONSENT CALENDAR

This item has been withdrawn at the request of the Applicant.

<b>2.</b>	<b>Location:</b>	<del>Public Right of Way adjacent to 4087 Harding Way on a JPA Utility Telephone Pole</del>
	<b>Assessor's Parcel Number(s):</b>	<del>029A-1320-009-00</del>
	<b>Proposal:</b>	<del>Installation of a wireless telecommunication facility on an existing 34' 4" tall wooden utility pole located in the public right of way. The project involves to add 6' long wood pole extension to install one antenna within a canister shroud measuring 4' 0" tall at a height of 43' 8"; install two radio units and one cabinet and related equipment mounted on utility pole between 7' and 18' above ground.</del>
	<b>Applicant:</b>	<del>On Air for Verizon Wireless</del>
	<b>Contact Person/ Phone Number:</b>	<del>Jay Gruendle (707) 477-2782</del>
	<b>Owner:</b>	<del>Pacific Gas &amp; Electric (PG&amp;E)</del>
	<b>Case File Number:</b>	<del>PLN18239</del>
	<b>Planning Permits Required:</b>	<del>Major Design Review to install a wireless Macro Telecommunications Facility to a replaced PG&amp;E pole located in the public right of way in a residential zone.</del>
	<b>General Plan:</b>	<del>Detached Unit Residential</del>
	<b>Zoning:</b>	<del>RD-1 Detached Unit Residential-1</del>
	<b>Environmental Determination:</b>	<del>Exempt, Section 15303 of the State CEQA Guidelines; minor additions and alterations to an existing PG&amp;E utility pole; Exempt, Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.</del>
	<b>Historic Status:</b>	<del>No Historic Record - Utility Pole</del>
	<b>City Council District:</b>	<del>4</del>
	<b>Date Filed:</b>	<del>June 5, 2018</del>
	<b>Finality of Decision:</b>	<del>Appealable to City Council within 10 Days</del>
	<b>For Further Information:</b>	<del>Contact Case Planner Jason Madani at (510) 238-4790 or by email at <a href="mailto:jmadani@oaklandca.gov">jmadani@oaklandca.gov</a>.</del>



<b>4.</b>	<b>Location:</b>	<b>4276 Macarthur Blvd</b>
	<b>Assessor's Parcel Number(s):</b>	<b>030-1981-150-01</b>
	<b>Proposal:</b>	To allow for a Convenience Market with Alcoholic Beverage Sales. The project also involves complete remodel of an existing automotive service station. (Note: this item was previously considered by the Planning Commission on May 18 <sup>th</sup> 2018, and is returning to the Commission with the Findings for Approval).
	<b>Applicant:</b>	Jason Overman o/b/o/ Rajan Goswamy
	<b>Contact Person/Phone Number:</b>	Jason Overman (510)735-8193
	<b>Owner:</b>	Rajan Goswamy DBA MacArthur 76
	<b>Case File Number:</b>	<b>PLN17282</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit to allow for the establishment of a new 2,185 square-foot convenience market (as part of an existing service station, with automotive repair to be removed), and for the sale of alcoholic beverage within the new combination convenience market and gas station. Major Variance to allow for Alcoholic Beverage Sales within 1,000 feet of a Civic Activity (Saint Laurence O'Tool Saint Cyril church) and another existing Alcoholic Beverage Sales (Degree's Plato Limited Service Café and Tap Room), and Regular Design Review for expansion, modifications, and partial demolition of existing buildings and facilities.
	<b>General Plan:</b>	Neighborhood Center Mixed Use
	<b>Zoning:</b>	Neighborhood Center Mixed Use Zone-2
	<b>Environmental Determination:</b>	Exempt, Section 15301 and 15303 of the State CEQA Guidelines: Projects that involve minor alterations to existing mall structures and construction of new small structures. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	None
	<b>City Council District:</b>	4
	<b>Status:</b>	Pending
	<b>Action to be Taken:</b>	Decision of Application by Planning Commission
	<b>Finality of Decision:</b>	<i>Appealable to City Council</i>
	<b>For Further Information:</b>	Contact Case Planner Moe Hackett at <b>(510) 238-39730</b> or by email at <a href="mailto:mhackett@oaklandnet.com">mhackett@oaklandnet.com</a> .

The Consent Calendar (Item #4) was called at **6:38pm**.

Motion by Commissioner Manus to approve the Consent Calendar (Item #4), seconded by Commissioner Limon.

**Ayes:** Manus, Hegde, Limon, Myres

**Noes:**

**Abstentions:** Monchamp

Approved with 4 ayes, 0 noes, and 1 abstention.



PUBLIC HEARINGS

<b>6.</b>	<b>Location:</b>	<b>Citywide</b>
	<b>Proposal:</b>	Discussion of proposed citywide Planning Code amendments: Proposed changes include the following: 1) Consolidating parking regulation in Chapter 17.116 of the Planning Code; 2) Capping the number of loading berths required for work/live and live/work units; 3) Permitting emergency shelters by-right in parts of the CIX, IG, and IO Industrial Zones; 4) Removing employee parking requirements for live/work and work/live units in the CIX and HBX zones; 5) Removing the cap of four persons who can live in a joint living and quarter; 6) Requiring that nonresidential buildings be at least ten years old before they can be converted to joint living and working quarters; 7) Allowing the use of industrial buildings for commercial uses, and vice versa, without activating new parking requirements; 8) Reducing the number of parking spaces required for a single-family home in the RD-1 zone from 1.5 to 1; 8) Removing parking requirements for micro-living quarters in the D-BV-1 and D-BV-2 zones; 9) Decreasing the parking requirement for new industrial developments; 10) Allowing parking reduction measures to be applied to developments of five dwelling units or fewer; 11) Capping the number of required loading berths for civic, residential, and commercial buildings at three; 12) Increasing the minimum floor area that requires a loading berth in industrial buildings; 13) Allowing the use of intermediate and compact parking spaces on lots containing a total of two or more parking spaces; and 14) Adding a regulation that extinguishes a Conditional Use Permit if the activity that received the Conditional Use Permit has either ceased for more than a year or a different activity has subsequently replaced the activity in the same facility.
	<b>Applicant:</b>	City of Oakland
	<b>Case File Number:</b>	<b>ZA18011</b>
	<b>Environmental Determination:</b>	The proposed amendments to the Planning Code rely on the previously certified Final Environmental Impact Reports for the Coliseum Area Specific Plan (2105); Broadway Valdez Specific Plan (2014); West Oakland Specific Plan (2014); Central Estuary Area Plan EIR (2013); Land Use and Transportation Element of the General Plan (1998); the Oakland Estuary Policy Plan (1998); the West Oakland, Central City East, Coliseum, and Oakland Army Base Redevelopment Areas; the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (2010); and various Redevelopment Plan Final EIRs (collectively, "EIRs"). No further environmental review is required under CEQA Guidelines Sections 15162 and 15163. Moreover, as a separate and independent basis, this proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (general rule, no significant effect on the environment).
	<b>City Council District:</b>	All districts
	<b>For Further Information:</b>	Contact Case Planner Neil Gray at (510) 238-3878 or by email at <a href="mailto:ngray@oaklandca.gov">ngray@oaklandca.gov</a> .

Item #6 was called at 6:39pm.

Staff: Neil Gray

Public Speakers: Bob Tuck, Gadaf Zahoor



Motion by Commisisoner Myres that staff provide a list to the Planning Commission of the projects that the proposed CUP change #33 would apply to; and that the City Council amend change #19 to not more than 15 persons, and add that for more than 15 persons there would be a CUP process to come into compliance or to reach the maximum of 25 persons; and that prior to these changes moving forward to the City Council that staff provide additional information as available regarding the current landscape of joint living/working quarter conversion and development, hearing information from both joint living/working quarter proponents and the West Oakland Zoning Committee and others who would be interested in this topic, seconded by Commissioner Limon.

Item #6, continued.

**Ayes:** Manus, Hegde, Limon, Monchamp, Myres

**Noes:**

Approved with 5 ayes and 0 noes.

<b>1.</b>	<b>Location:</b>	<b>Utility Pole in sidewalk adjacent to 9678 San Leandro Street</b>
	<b>Assessor’s Parcel Number(s):</b>	<b>Adjacent to: 044-4989-006-10</b>
	<b>Proposal:</b>	To establish a telecommunications facility by attaching an antenna and accessory equipment to an existing wooden utility pole located in the public right-of-way (sidewalk).
	<b>Applicant:</b>	Eric Diamond, Nexius Solutions (on behalf of Verizon Wireless)
	<b>Owner:</b>	Joint Pole Authority (JPA) including PG&E
	<b>Case File Number:</b>	<b>PLN18251</b>
	<b>Planning Permits Required:</b>	Major Design Review with additional findings for a Macro Telecommunications Facility within 300’ of an HBX Zone
	<b>General Plan:</b>	General Industry and Transportation
	<b>Zoning:</b>	IG/S-19
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15303: New Construction of Small Structures; Exempt, Section 15183: Projects Consistent with a Community Plan, General Plan, or Zoning
	<b>Historic Status:</b>	Non-Historic Property
	<b>City Council District:</b>	7
	<b>Date Filed:</b>	June 18, 2018
	<b>Action to be Taken:</b>	Approve with Conditions
	<b>Finality of Decision:</b>	<i>Appealable to City Council within 10 days</i>
	<b>For Further Information:</b>	Contact Case Planner <b>Brittany Lenoir</b> at (510) 238-4977 or by email at <a href="mailto:blenoir@oaklandca.gov">blenoir@oaklandca.gov</a> .

Commissioner Monchamp recused herself from Items #1 and #3, and Item #1 was called at **7:32pm**.

**Staff:** Brittany Lenoir

**Applicant:** Ari Gibanov

**Public Speakers:** Lynn Derderian, Alexis Schroeder

Motion by Commissioner Limon to continue the item to a date uncertain for further review of alternative designs, seconded by Commissioner Hegde.

**Ayes:** Manus, Hegde, Limon, Myres

**Noes:**

Approved with 4 ayes and 0 noes.



<b>3.</b>	<b>Location:</b>	<b>Public Right of Way adjacent to 892 Fruitvale Ave on a JPA Utility Telephone Pole</b>
	<b>Assessor's Parcel Number(s):</b>	<b>025-0608-008-02</b>
	<b>Proposal:</b>	Installation of a wireless telecommunication facility on an existing 42'-6" tall wooden utility pole located in the public right-of-way. The project involves to add 6' long wood pole extension to install one antenna within a canister shroud measuring 4'-0" tall at a height of 54'-6"; install two radio units and one cabinet and related equipment mounted on utility pole between 7' and 18' above ground.
	<b>Applicant:</b>	Nexius Solutions for Verizon Wireless
	<b>Contact Person/ Phone Number:</b>	Eric Diamond (510) 917-8352
	<b>Owner:</b>	Pacific Gas & Electric. (PG&E)
	<b>Case File Number:</b>	<b>PLN18307</b>
	<b>Planning Permits Required:</b>	Major Design Review to install a wireless Macro Telecommunications Facility to a replaced PG&E pole located in the public right -of- way in a HBX-2 zone.
	<b>General Plan:</b>	Housing and Business Mix
	<b>Zoning:</b>	HBX-2 Housing Business Mix-2
	<b>Environmental Determination:</b>	Exempt, Section 15303 of the State CEQA Guidelines; minor additions and alterations to an existing PG&E utility pole; Exempt, Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	No Historic Record – Utility Pole
	<b>City Council District:</b>	5
	<b>Date Filed:</b>	July 19, 2018
	<b>Finality of Decision:</b>	Appealable to City Council within 10 Days
	<b>For Further Information:</b>	Contact Case Planner <b>Jason Madani</b> at <b>(510) 238-4790</b> or by email at <a href="mailto:jmadani@oaklandca.gov">jmadani@oaklandca.gov</a> .

Item #3 was called at 7:44pm.

**Staff:** Jason Madani

**Applicant:** Ari Gibanov

**Public Speakers:** Alexis Schroeder

Motion by Commissioner Manus to continue the item to a date uncertain for further review of alternative designs, seconded by Commissioner Hegde.

**Ayes:** Manus, Hegde, Limon, Myres

**Noes:**

Approved with 4 ayes and 0 noes.



**APPEALS**

**COMMISSION BUSINESS**

**Approval of Minutes**

Motion by Commissioner Manus to approve the June 6, 2019, and July 11, 2018, meeting minutes, seconded by Commissioner Limon.

**Ayes:** Manus, Limon, Myres

**Noes:**

**Abstentions:** Hegde

Approved with 3 ayes, 0 noes, and 1 abstention.

**Correspondence**

**City Council Actions**

**ADJOURNMENT**

The meeting was adjourned at **7:53pm**.

**NEXT REGULAR MEETING:** September 26, 2018

Minutes prepared by Jonathan Arnold