



*Adhi Nagraj, Chair*  
*Jahmese Myres, Vice Chair*  
*Jonathan Fearn*  
*Tom Limon*  
*Clark Manus*  
*Amanda Monchamp*  
*Emily Weinstein*

**May 16, 2018**  
**Regular Meeting**

**MEAL GATHERING**

**5:00pm** Café 15, 597 – 15<sup>th</sup> St, Oakland (Corner of Jefferson & 15<sup>th</sup> St)

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**

**6:00pm** Council Chambers, City Hall, One Frank H. Ogawa Plaza

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 pm**, 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.

**Staff reports for items listed on this agenda will generally be available to any interested party by 3:00 p.m. the Friday before the meeting at the Planning and Building Department, 250 Frank H. Ogawa Plaza, Oakland, California 94612.**

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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。



**New online staff report  
download instructions**

Staff reports are also available online, generally by 5:00 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. If you wish to be notified of the decision of any of these cases, please provide the case planner with a regular mail or email address.

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 Dalziel Building Garage (located on 16<sup>th</sup> Street between San Pablo Ave and Clay St) 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 Jonathan Arnold at [jarnold@oaklandnet.com](mailto:jarnold@oaklandnet.com) or 510-238-6194 or 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.

<b>1.</b>	<b>Locations:</b>	City light poles in public rights-of-way adjacent to: <ul style="list-style-type: none"> <li>• a) 1138 Drury Rd (PLN17314; APN 048H-7613-011-01)</li> <li>• b) 6501 Pine Needle Dr (PLN17322; APN 048G-7429-019-00)</li> </ul> Zoning: RH-4 Zone / S-9 Fire Safety Protection Combining Zone; General Plan: Hillside Residential; Council District: 1; Submitted: 9/18/17  <i>*This is a re-notification*</i>
	<b>Proposal:</b>	To consider requests for two (2) applications to install new “small cell site” Monopole Telecommunications Facilities on City light poles by attaching antenna and equipment.
	<b>Applicant / Phone Number:</b>	Ms. Ana Gomez-Abarca / Black & Veatch (913) 458-9148
	<b>Owner:</b>	Extenet, et al.
	<b>Planning Permits Required:</b>	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in Residential Zone; Minor Variance for Monopole not meeting 1:1 height/setback to residential lot line
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15302: Replacement or Reconstruction; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	<b>Historic Status:</b>	Non-historic properties
	<b>Action to be Taken:</b>	Decision based on staff report
	<b>Finality of Decision:</b>	<i>Appealable to City Council</i>
	<b>For Further Information:</b>	Contact case planner <b>Aubrey Rose AICP</b> at (510) 238-2071 or by email at <a href="mailto:arose@oaklandnet.com">arose@oaklandnet.com</a> .



<b>2.</b>	<b>Locations:</b>	<p>City street light pole in public right-of-way (sidewalk) adjacent to:</p> <ul style="list-style-type: none"> <li>a) 644 9<sup>th</sup> St (PLN18027; APN 002-0025-015-00); Zoning: CBD-R Central Business District Residential; General Plan: Central Business District; Council District: 3; Submitted: 1/12/18</li> <li>b) 99 Embarcadero W (PLN18185; APN 018-0425-002-40); Zoning: R-80; General Plan: Estuary Plan, Waterfront Mixed Use; Council District: 3; Submitted: 4/23/18</li> </ul>
	<b>Proposal:</b>	To consider requests for two (2) applications to install new "small cell site" Monopole Telecommunications Facilities on existing City light poles by attaching an antenna and equipment to the pole.
	<b>Applicant / Phone Number:</b>	James Singleton for Mobilitie / (650) 814-0564
	<b>Owner:</b>	City of Oakland
	<b>Planning Permits Required:</b>	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in or near a Residential Zone; Minor Variance for monopole not meeting 1:1 for height / setback from a residential property line
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15302: Replacement or Reconstruction; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	<b>Historic Status:</b>	Non-historic properties
	<b>Action to be Taken:</b>	Decision based on staff report
	<b>Finality of Decision:</b>	<i>Appealable to City Council</i>
	<b>For Further Information:</b>	Contact case planner <b>Aubrey Rose AICP</b> at (510) 238-2071 or by email at <a href="mailto:arose@oaklandnet.com">arose@oaklandnet.com</a> .

<b>3.</b>	<b>Location:</b>	3136 International Blvd
	<b>Assessor's Parcel Number(s):</b>	025-0718-007-00
	<b>Proposal:</b>	Installation of a rooftop wireless telecommunications facility involving ten (10) new antennas; two GPs antennas; sixteen (16) radio units; four (4) associated equipment cabinets will be placed on the roof platform behind two screening walls measuring (12'x18' and 9'x7') located on the roof of 40' tall historic commercial building.
	<b>Applicant:</b>	Ridge Communications for Verizon Wireless.
	<b>Contact Person Phone Number:</b>	Patrick Cruzen (510) 677-1428
	<b>Owner:</b>	Foothill Blvd. LLC
	<b>Case File Number:</b>	PLN18132
	<b>Planning Permits Required:</b>	Major Conditional Use Permit and Regular Design Review to install a Macro Telecommunications Facility located within 100' of a residential zone.
	<b>General Plan:</b>	Neighborhood Center Mixed Use
	<b>Zoning:</b>	CN-2 Neighborhood Center-2
	<b>Environmental Determination:</b>	Exempt, Sections 15301: existing facilities and 15303: new construction or conversion of small structures; Section 15183: projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	Designated Historic Property; Survey Rating: B+2+
	<b>City Council District:</b>	4
	<b>Date Filed:</b>	March 8, 2018
	<b>Finality of Decision:</b>	Appealable to City Council
	<b>For Further Information:</b>	Contact Case Planner <b>Jason Madani</b> at (510) 238-4790 or by email at <a href="mailto:jmadani@oaklandnet.com">jmadani@oaklandnet.com</a> .



<b>4.</b>	<b>Locations:</b>	Utility pole in public right-of-way adjacent to: <ul style="list-style-type: none"> <li>a) 9845 B St (PLN18048; APN 044-4973-020-00)</li> <li>b) 9956 B St (PLN17393; APN 044-4975-008-00)</li> <li>c) 1302 58<sup>th</sup> Ave (PLM17494; APN 041-3880-013-00)</li> </ul>
	<b>Proposal:</b>	To establish (3) wireless "small cell site" Macro Telecommunication Facilities on existing utility poles located in the public right-of-way.
	<b>Applicant:</b>	ExteNet Systems (California) LLC
	<b>Contact Person/ Phone Number:</b>	Charles Lindsay (510) 910-7787
	<b>Owner:</b>	Pacific Gas & Electric (PG&E)
	<b>Planning Permits Required:</b>	Regular Design Reviews for Macro Telecommunication Facilities in Residential Zoning
	<b>General Plan:</b>	Mixed Housing Type Residential and Detached Unit Residential
	<b>Zoning:</b>	RM-2 Mixed Housing Type Residential 2 Zone, RD-2 Detached Unit Residential 2 Zone
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan, or Zoning
	<b>Historic Status:</b>	Not a Potentially Designated Historic Property: Wood Utility Pole
	<b>City Council District:</b>	5 and 7
	<b>Finality of Decision:</b>	Appealable to City Council
	<b>For Further Information:</b>	Contact Case Planner Jose M. Herrera-Preza at (510) 238-3808 or by email at <a href="mailto:jherrera@oaklandnet.com">jherrera@oaklandnet.com</a> .

<b>5.</b>	<b>Location:</b>	Utility pole in public right-of-way (sidewalk) adjacent to: <ul style="list-style-type: none"> <li>1984 Pleasant Valley (PLN18127, APN: 014-1242-002-03) Zone: CC-2, Land Use: Community Commercial; CD 1</li> </ul>
	<b>Proposal:</b>	To establish (1) wireless Monopole Telecommunication Facilities on existing utility light poles located in the Public Right-of-Way.
	<b>Permits Required:</b>	Regular Design Review and Major CUP for Macro Telecommunication Facilities within 300 feet of residential zoning
	<b>Applicant:</b>	Matt Yergovich/New Cingular Wireless PCS, LLC (for AT&T) (415)596-3474
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	<b>Historic Status:</b>	Non-historic poles
	<b>City Council Districts:</b>	1
	<b>Action to be Taken:</b>	Decision based on staff report
	<b>Finality of Decision:</b>	Appealable to City Council
	<b>For further information:</b>	Contact Case Planner Danny Thai at (510) 238-3584 or by email at <a href="mailto:dthai@oaklandnet.com">dthai@oaklandnet.com</a> .



<b>6.</b>	<b>Location:</b>	Utility pole in public right-of-way (sidewalk) adjacent to: <ul style="list-style-type: none"> <li>• <b>3315 Telegraph Ave (PLN18067, APN: 009 072600400)</b> Zone: CC-2, Land Use: Community Commercial; CD 3</li> </ul>
	<b>Proposal:</b>	To establish (1) wireless "small cell site" Macro Telecommunication Facilities on existing utility light poles located in the Public Right-of-Way.
	<b>Permits Required:</b>	Regular Design Reviews and Major CUP for Macro Telecommunication Facilities within 100 feet of residential zoning
	<b>Applicant:</b>	Matt Yergovich/New Cingular Wireless PCS, LLC (for AT&T) (415)596-3474
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	<b>Historic Status:</b>	Non-historic poles
	<b>City Council Districts:</b>	3
	<b>Action to be Taken:</b>	Decision based on staff report
	<b>Finality of Decision:</b>	<i>Appealable to City Council</i>
	<b>For further information:</b>	Contact Case Planner <b>Danny Thai</b> at (510) 238-3584 or by email at <a href="mailto:dthai@oaklandnet.com">dthai@oaklandnet.com</a> .

### 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.



<b>7.</b>	<b>Location:</b>	Citywide
	<b>Proposal:</b>	Planning Code amendments regulating Transient Habitation Commercial Activities (Hotels). The major substantive changes include: 1) amending Planning Code Section 17.134.020(A)(2)(a) to include Transient Habitation Commercial Activities; 2) amending the Central Business District-Commercial Zone (CBD-C) and Wood Street District Zone – 8 (D-WS-8) to require a Conditional Use Permit for Transient Habitation Commercial Activities; and 3) requiring the additional Findings in Planning Code Section 17.103.050 for several Zoning Districts where this was omitted for Transient Habitation Commercial Activities.
	<b>Applicant:</b>	City of Oakland
	<b>Case File Number:</b>	ZA18009
	<b>General Plan:</b>	Citywide
	<b>Zoning:</b>	Citywide
	<b>Environmental Determination:</b>	The proposed amendments to the Planning Code rely on the previous set of applicable CEQA documents including: the Coliseum Area Specific Plan EIR (2015); Broadway Valdez Specific Plan EIR (2014); West Oakland Specific Plan EIR (2014); Central Estuary Area Plan EIR (2013); Wood Street EIR (2005), Transportation Element of the General Plan EIR (1998); the Oakland Estuary Policy Plan EIRs (1999, 2006) and Supplemental EIR (2013); the Redevelopment Area EIRs- West Oakland (2003), Central City East (2003), and Coliseum (1995); the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (2010) and Addendum (2014); and various Redevelopment Plan Final EIRs (collectively, "Previous CEQA Documents").  No further environmental review is required under CEQA Guidelines Sections 15162 and 15163. Moreover, each 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>Action to be Taken:</b>	To receive public comments; review and discuss the proposal
	<b>Staff Recommendation:</b>	Recommendation of approval to the Oakland City Council
	<b>For Further Information:</b>	Contact Case Planner <b>Heather Klein</b> at (510) 238-3659 or by email at <a href="mailto:hklein@oaklandnet.com">hklein@oaklandnet.com</a> .

**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, 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.



<b>8.</b>	<b>Location:</b>	<b>825, 825 ½, 827 46<sup>th</sup> Street</b>
	<b>Assessor's Parcel Number(s):</b>	<b>013-1166-040-00</b>
	<b>Proposal:</b>	Appeal of the Zoning Manager's Determination.
	<b>Applicant/Owner:</b>	Alexsandr Ivanov
	<b>Case File Number:</b>	<b>DET170053-A01</b>
	<b>Original Case File Number:</b>	<b>DET170053</b>
	<b>Planning Permits Required:</b>	None
	<b>General Plan:</b>	Mixed Housing Type Residential
	<b>Zoning:</b>	RM-2
	<b>Environmental Determination:</b>	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15306, Information collection
	<b>Historic Status:</b>	Non-Historic Property
	<b>City Council District:</b>	1
	<b>Status:</b>	The Zoning Determination Letter was mailed on July 25, 2017 and again on February 02, 2018; Project appealed on February 13, 2018.
	<b>Staff Recommendation:</b>	Deny the Appeal and uphold the Zoning Manager's Determination.
	<b>Finality of Decision:</b>	Final (not administratively Appealable pursuant to OMC Sec. 17.132.030)
	<b>For Further Information:</b>	Contact Case Planner <b>Brittany Lenoir</b> at <b>(510) 238-4977</b> or by email at <b>blenoir@oaklandnet.com</b> .

<b>9.</b>	<b>Location:</b>	<b>4521 Howe Street</b>
	<b>Assessor's Parcel Number(s):</b>	<b>013-1129-005-00 and 012-1129-006-00</b>
	<b>Proposal:</b>	Appeal of Interim Zoning Manager's approval of a project to merge two lots into one lot and subdivide one lot into a (four) Mini-Lot development; remove an existing single-family dwelling, and construct four (4) detached single-family dwellings with a common driveway.
	<b>Appellants:</b>	Lewis Lopez & Heather Barrett Juliana Germak & Sean Trepanier
	<b>Phone Number:</b>	(510) 449-8766
	<b>Owner and Applicant:</b>	Tom Anthony/ John Newton Design & Development
	<b>Case File Number:</b>	<b>APL18007 (PLN17084/TPM10678)</b>
	<b>Planning Permits Required:</b>	Regular Design Review to construct four detached single-family dwellings; Minor Conditional Use Permit to allow a Mini-Lot subdivision and a Shared Access Facility (common driveway) to access the required parking spaces; Tentative Parcel Map Subdivision to merge two existing lots into one lot and create four (4) mini-lots.
	<b>General Plan:</b>	Mixed Housing Type Residential
	<b>Zoning:</b>	RM-2 Mixed Housing Type residential-2 Zone.
	<b>Environmental Determination:</b>	Exempt: Section 15303 of the State CEQA Guidelines: construction of new dwellings; Section 15315, of the State CEQA Guidelines: Minor Land Division Section; Section 15183 of the State CEQA Guidelines: Projects consistent with a Community Plan, General Plan or Zoning.
	<b>Historic Status:</b>	Not a historic property
	<b>City Council District:</b>	1
	<b>Date Filed:</b>	March 26, 2018
	<b>Staff Recommendation:</b>	Deny the Appeal and uphold the Zoning Manager's decision
	<b>Finality of Decision:</b>	Final (Not Appealable pursuant to OMC Sec. 17.132.030)
	<b>For Further Information:</b>	Contact Case Planner <b>Jason Madani</b> at <b>(510) 238-4790</b> or by email at <b>jmadani@oaklandnet.com</b> .





**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**  
**Interim Zoning Manager**  
**Secretary to the Planning Commission**  
**Planning and Building Department**

**NEXT REGULAR MEETING:** June 6, 2018