



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

**May 20, 2015**  
**Regular Meeting**

**Revised 05-15-15 \*(see end of Agenda)**

**MEAL GATHERING**

**5:15 P.M.**

**Saigon Restaurant, 326 Frank 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, 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.

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 check with the Department 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 be available by **3:00 p.m. the Friday before the meeting**, to any interested party, at the Planning and Zoning Division, 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.

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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 Community and Economic Development Agency, Planning and Zoning Division, 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 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.



**New web-site staff report  
download instructions**

Staff reports are also available on-line, by 3:00 p.m. the Friday before the meeting, at [www.oaklandnet.com](http://www.oaklandnet.com). Select the "Government" tab, scroll down and click on "Planning & Zoning" click on "visit the Boards and Commissions page" 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 Zoning Division, 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 is free. Attendees should see staff at the meeting for validation of parking tokens.

Applicants or members of the public that plan power point presentations: Please contact Cheryl Dunaway at [cdunaway@oaklandnet.com](mailto:cdunaway@oaklandnet.com) or 510-238-2912 or Gwen Brown at [gbrown@oaklandnet.com](mailto:gbrown@oaklandnet.com) or 510-238-6194 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, 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 will be distributed at or prior to the meeting. To ensure that material is distributed to Commissioners, a minimum of twenty-five (25) copies should be submitted to Planning staff no later than the time 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. 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 in each case. Members of the Commission may request that any item on the Consent Calendar be singled out for separate discussion and vote.

**PLEASE NOTE: ITEM NO.1 BELOW HAS BEEN REMOVED FROM THIS AGENDA AND WILL BE CONTINUED ON JUNE 17, 2015.**

1.	<b>Location:</b>	Public right-of-way adjacent to vacant lot west of 6658 Moore Drive
	<b>Assessor’s Parcel Number:</b>	Adjacent to: 048D-7310-021-00
	<b>Proposal:</b>	To install a new 36’-11” telecommunications monopole including 2 antennas and pole mounted equipment. <i>The proposal has been revised with the monopole moved to the east; this is a re-notification, the item was previously noticed for April 1, 2015</i>
	<b>Applicant/ Phone Number:</b>	Matt Yergovich (for: AT&T) (415) 596-3747
	<b>Owner:</b>	Public right-of-way: City of Oakland
	<b>Case File Number:</b>	PLN14045
	<b>Planning Permits Required:</b>	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility in a Residential Zone; Regular Design Review and additional findings; Variance for 1:1 height/setback to residential property
	<b>General Plan:</b>	Hillside Residential
	<b>Zoning:</b>	RH-4 Hillside Residential Zone
	<b>Environmental Determination:</b>	Exempt, Section 15303 of the State CEQA Guidelines: New Construction; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	<b>Historic Status:</b>	Non-historic property
	<b>Service Delivery District:</b>	2
	<b>City Council District:</b>	4
	<b>Date Filed:</b>	March 10, 2014
	<b>Action to be Taken:</b>	Decision based on staff report
	<b>Finality of Decision:</b>	Appealable to City Council within 10 days
	<b>For Further Information:</b>	Contact case planner <b>Aubrey Rose, AICP</b> at (510) 238-2071 or arose@oaklandnet.com



2.	<b>Location:</b>	7515 International Boulevard (APN: 041-4191-003-01)
	<b>Proposal:</b>	To install eight (8) new concealed telecommunication antennas, twelve (12) remote radio units (RRU's) and associated equipment on the roof of an existing building.
	<b>Applicant:</b>	Complete Wireless Consulting for Verizon Wireless
	<b>Contact Person/Phone Number:</b>	Brandon Leonard (916)747-0624
	<b>Owner:</b>	East Oakland Community Project
	<b>Case File Number:</b>	PLNPLN15042
	<b>Planning Permits Required:</b>	Regular Design Review to install eight (8) concealed tele-communication antennas and 12 remote radio units and associated equipment on the roof of an existing building. Major Conditional Use Permit for a Mini telecommunication facility within 100 feet of a residential zone.
	<b>General Plan:</b>	Community Commercial
	<b>Zoning:</b>	CC-2 Community Commercial - 2
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines; minor additions and alterations of existing facilities. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	No Historic Record
	<b>Service Delivery District:</b>	4
	<b>City Council District:</b>	7
	<b>Status:</b>	Pending
	<b>Action to be Taken:</b>	Decision of Application
	<b>Finality of Decision:</b>	Appealable to City Council within 10 days
	<b>For Further Information:</b>	Contact case planner Michael Bradley at (510) 238-6935 or by email: <a href="mailto:mbradley@oaklandnet.com">mbradley@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 Zoning Division 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 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 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 (i.e., 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 Zoning Division, 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 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 City Planning Commission prior to the close of the City 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.



3. **Location:** 2826 Myrtle Street (APN: 005-0452-015-00)  
 To construct two additional detached residential dwellings, located in the front and the rear portion of lot that already contains a single-family dwelling for a total of three detached residential condominium units; located on a 9,378 square feet parcel. There are 5 off-street parking spaces are provided at the rear portion of lot.

**Proposal:**

**Applicant:** John Newton

**Contact Person/ Phone number:** (510) 526-7370

**Owner:** Manea Ovidiu

**Case File Number:** PLN15-028/TPM10339

**Planning Permits Required:** Major Conditional Use Permit to allow three residential dwellings in the RM-2 zone; Regular Design Review to construct two new detached single family dwellings; Minor Variance to waive the required Group Open Space; and Tentative Parcel Map subdivision to create three detached residential condominiums.

**General Plan:** Mixed Housing Type Residential

**Zoning:** RM-2 Zone

**Environmental Determination:** Exempt, Section 15303 of the State CEQA Guidelines: New construction of small structures; Exempt, Section 15315 of the State CEQA Guidelines: Division of multiple family dwellings into common interest ownership; and Section 15183 of the State CEQA Guidelines: Projects consistent with a Community Plan, General Plan or Zoning

**Historic Status:** OCHS Rating : Ed2

**Service Delivery District:** I

**City Council District:** 3

**Date Filed:** 3/31/15

**Finality of Decision:** Appealable to City Council within 10 calendar days

**For Further Information:** Contact case planner Jason Madani at (510) 238-4790 or by email:jmadani@oaklandnet.com

4. **Location:** 0 10<sup>th</sup> Street (Wood Street Development Area 1 – 2.1-Acre site bounded by the Pacific Cannery Lofts and Ironhorse Apartments to the east, 14<sup>th</sup> Street to the north, 11<sup>th</sup> Street to the south and Frontage Road to the west) (006-0029-007-00)

**Proposal:** To construct a new 47-unit townhouse-style residential condominium development.

**Owner:** Build West Oakland LLC

**Applicant:** City Ventures – Molly Maybrun (510)846-6540

**Case File Number:** PLN150047-PUDF01

**Planning Permits Required:** Preliminary and Final Development Plan; Design Review for construction of 47 new townhouse-style residential condominiums; Vesting Tentative Tract Map for a one-lot subdivision to create 47 new townhouse-style residential condominium units

**General Plan:** Urban Residential

**Zoning:** D-WS - Wood Street Zoning District – Development Area 1

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**Environmental Determination:** State CEQA Guidelines: The project relies on previous EIR (ER03-0023) for Wood Street certified on March 16, 2005 and the West Oakland Specific Plan EIR certified on July 29, 2014 and Section 15183, projects consistent with a community plan, general plan or zoning.

**Historic Status:** Potential Designated Historic Property (PDHP); Survey Rating:

**Service Delivery District:** 1

**City Council District:** 3

**Status:** Pending

**Action to be Taken:** Decision on application based on staff report

**Staff Recommendation:** Approval subject to conditions

**Finality of Decision:** Appealable to City Council within 10 days

**For Further Information:** Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at [mbrenyah@oaklandnet.com](mailto:mbrenyah@oaklandnet.com)

5. **Location:** 4700 Telegraph Avenue

**Assessors Parcel Numbers:** APNs: 013-1150-017-01; 013-1150-019-02; & 013-1150-019-03

**Proposal:** Major revisions to a previously approved Interim Major Conditional Use Permit (Case File No.: CMDV06-188 & TPM9164) to allow construction of a 48-unit residential condominium building with approximately 4,662 square feet of ground floor commercial space.

**Applicant:** Jason Laub – Nautilus Group (510)343-5593

**Owner:** NGI 4700 Telegraph, LLC

**Planning Permits Required:** Major Revisions to previously-approved Interim Major Conditional Use Permit (Case File No.: CMDV06-188 & TPM9164) involving design modifications; Minor Variance to reduce required off street parking by either 12% or 42% (56 required; 33 proposed as option “A” and 46 proposed as option “B”); and Minor Variance to waive the 2-foot clearance next to wall obstructions for parking spaces located on a parking lift; and to allow some parking spaces to be located more than the required “three (3) feet but not more than five (5) feet from the maneuvering aisle or located not more than four (4) feet from the end of the parking space opposite the maneuvering aisle” to post/pillar obstructions.

**General Plan:** Neighborhood Center Mixed Use and Mixed Housing Type Residential

**Zoning:** CN-2 Neighborhood Center Mixed Use, and RM-1 Mixed Housing Type Residential (previously C-28/R-35/S-18)

**Environmental Determination:** Exempt 15332; State CEQA Guidelines, Infill development

**Historic Status:** Potential Designated Historic Property (PDHP); survey rating: C3

**Service Delivery District:** 2

**City Council District:** 1

**For further information:** Contact case planner Maurice Brenyah-Addow at 510-238-6342 or by email: [mbrenyah@oaklandnet.com](mailto:mbrenyah@oaklandnet.com)



**PLEASE NOTE: ITEM NO.6 BELOW HAS BEEN REMOVED FROM THIS AGENDA AND WILL BE CONTINUED ON JUNE 17, 2015.**

<b>6.</b>	<b>Location:</b>	<del>Siena Hill; (off of Keller Avenue, between Greenridge Drive and Rilea Way); APN: 040A-3848-001-00 through 040A-3848-032-00</del>
	<b>Proposal:</b>	<del>Amend the Siena Hill Planned Unit Development (PUD) Condition of Approval #24 and Tentative Tract Map (TTM) Condition of Approval #8 to de-annex the Siena Hill property from the Oakland Area Geologic Hazard Assessment District (GHAD).</del>
	<b>Applicant:</b>	<del>Oakland Siena LLC and Oakland Siena Home Owners Association</del>
	<b>Contact Person/Phone Number:</b>	<del>David Eckert / (510) 333-2150</del>
	<b>Owners:</b>	<del>Oakland Siena LLC, Minnie Lin, John Laforga, Mark and Nicole Schoneman, Ronald Johnson, Jessica Lai, Tracy Preston, David Newton, Sonya and David Simirl, Rachel Lozano, Golden Venters, Shevette Swayze Venters, and Federation National Mortgage Association</del>
	<b>Case File Number:</b>	<del>REV13-0017 (PUD02-217, PUDF05-081, ER02-0012, TTM7396)</del>
	<b>Planning Permit Required:</b>	<del>Amendments to PUD and TTM Conditions of Approval</del>
	<b>General Plan:</b>	<del>Mixed Housing Type (project approved under previous General Plan Designation: Detached Unit Residential)</del>
	<b>Zoning:</b>	<del>Mixed Housing Type Residential Zone-3 (project approved under previous zoning: R-50 Medium Density Residential Zone)</del>
	<b>Environmental Determination:</b>	<del>An Environmental Impact Report was previously certified by the Planning Commission on March 2, 2005. Mitigation Measures were adopted by the Planning Commission to reduce environmental impacts including nine (9) mitigations related to geologic hazards. No further environmental review is required.</del>
	<b>Service Delivery District:</b>	<del>4</del>
	<b>City Council District:</b>	<del>6</del>
	<b>Action to be Taken:</b>	<del>Planning Commission recommendation to the City Council and the GHAD Board on the amendments based on staff report.</del>
	<b>Finality of Decision:</b>	<del>Decision by City Council and GHAD Board</del>
	<b>For Further Information:</b>	<del>Contact case planner Heather Klein at 510 238-3659 or by e-mail at hklein@oaklandnet.com.</del>

**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 Zoning Division, Community and Economic Development Agency, 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 report prepared by staff. If the Commission reverses/overturns the staff decision and no alternate findings 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 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  
Planning and Zoning Division

**NEXT MEETING:** June 3, 2015

\*Revised 05-15-15 to indicate Items #1 (6658 Moore Drive) Item #6 ( Siena Hill) to be place on the June 17, 2015 agenda.