



# Oakland City Planning Commission \*REVISED - AGENDA

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

**June 1, 2016**  
**Regular Meeting**

**\*Revised on May 24, 2016 (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.**

### **Council Chambers, 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.

**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,

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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**

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.**

Staff reports are also available online, generally by 3:00 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.

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 14<sup>th</sup> 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](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.

**THIS ITEM WAS CONTINUED FROM MAY 18, 2016**

<b>1.</b>	<b>Location:</b> 2633 San Pablo Avenue (APN: 003-0005-001-00)
	<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> PLN15-341
<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:dvaleska@oaklandnet.com">dvaleska@oaklandnet.com</a>



THIS ITEM HAS BEEN CONTINUED TO JUNE 15, 2016

7.	<b>Project Name:</b>	<b>Oakland Coffee Shop</b>
	<b>Location:</b>	<b>1612 International Boulevard (APN 020-0145-015-00)</b>
	<b>Proposal:</b>	Allow Full Service Restaurant with Beer/wine Service
	<b>Contact Person/Phone Number:</b>	Tra Dickerson Jr (510) 990-7600
	<b>Owner:</b>	Tra Dickerson Jr.
	<b>Case File Number:</b>	<b>PLN15-411</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit to allow a Full Service Restaurant with Alcoholic Beverage Service on a Restricted Street (San Pablo Avenue)
	<b>General Plan:</b>	Urban Residential
	<b>Zoning:</b>	RU-5 Urban Residential Zoning District
	<b>Environmental Determination:</b>	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15301 existing structures, 15183 projects consistent with adopted plans
	<b>Historic Status:</b>	Not a Potential Designated Historic Property
	<b>Service Delivery District:</b>	SDS-3
	<b>City Council District:</b>	2
	<b>Commission Action to Be Taken:</b>	Approve Staff Recommendation
	<b>Appeal:</b>	To City Council
	<b>For Further Information:</b>	<b>David Valeska at (510) 238-2075, <a href="mailto:dvaleska@oaklandnet.com">dvaleska@oaklandnet.com</a></b>

**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.



THIS ITEM HAS BEEN CONTINUED TO JUNE 22, 2016

8.	<b>Location:</b> Citywide
	<b>Proposal:</b> Comprehensive update of Off-Street Parking and Loading Regulations in the City of Oakland Planning Code. These regulations are predominantly contained in Chapter 17.116, but related changes are proposed throughout the Planning Code. The proposal also contains changes to Municipal Code Chapter 10.44 that would prohibit the distribution of Residential Parking Permits to residents of new developments that have ten units or more.
	<b>Applicant:</b> City of Oakland
	<b>Case File Number:</b> ZA16-0006
<b>Environmental Determination:</b>	The proposed amendments to the Planning and Municipal 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); Land Use and 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), Coliseum (1995), and Oakland Army Base (2002); the Historic Preservation Element of the General Plan EIR (1998); 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) and Section 21099(d) of the Public Resources Code states that parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area are not to be considered significant environmental impacts.
<b>Service Delivery District:</b>	All Districts
<b>City Council District:</b>	All Districts
	<b>Status:</b> Previously presented to the Zoning Update Committee on March 9, 2016.
	<b>Action to be Taken:</b> Recommendation to the City Council
<b>For Further Information:</b>	Contact case planner Neil Gray at (510) 238-3878 or by email:
	<a href="mailto:ngray@oaklandnet.com">ngray@oaklandnet.com</a>



9.

**Location:** CITYWIDE

**Proposal:** Establish a new citywide food vending permit program that would replace Oakland’s existing food vending permit types and programs. The new citywide food vending program would permit, with certain restrictions, individual food vending on private property and from the public right of way in selected commercial and industrial areas. The new program would also permit group site vending citywide. Ordinance would revise the definition of “Fast Food Restaurant Commercial Activities” in Section 17.10.280 of the Oakland Planning Code; and revise the following sections of the Oakland Municipal Code: Section 5.51 (“Food Vending Group Site Pilot Program”); Section 5.49 (“Pushcart Food Vending Pilot Program”); and Section 8.09 (“Vehicular Food Vending”). The Ordinance would also include revisions to other Planning and Municipal Code sections as minor conforming changes.

**Applicant:** City of Oakland

**Case File Number** ZA16009

**Environmental Determination:** The Project relies 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); Land Use and 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), Coliseum (1995), and Oakland Army Base (2002); the Historic Preservation Element of the General Plan EIR (1998); 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).

**City Council District:** All Council Districts

**Action to be Taken:** Recommendations to the City Council

**Staff Recommendation:** Recommend proposal to the City Council

**For Further Information:** Contact case planner **Devan Reiff** at **510-238-3550** or **dreiff@oaklandnet.com**



THIS ITEM WAS CONTINUED FROM MAY 18, 2016

5. **Project Location:** 5110 Telegraph Avenue. The property is also bounded by 51st Street, Clarke Street and Claremont Avenue.
- Assessor's Parcel Numbers:** 014 122600902, 014 122601300, 014 122601400, 014 122600800, 014 122600702, 014 122600901, 014122600602, 014 122600502, 014 1222600403, 014 122600303.
- Proposal:** To construct a four to six-story mixed-use residential and commercial development consisting of 204 residential units and 33,800 square feet of ground-floor retail area in a 251,541 square foot building, including two levels of parking below grade on a 72,866 square foot vacant site.
- Project Applicant/Tel. Number:** Brian Caruso for Nautilus Group, Inc. / (510) 343-5593 or (510) 213-6226
- Property Owner:** NGI 5110 Telegraph, LLC
- Case File Number:** **PLN15074 / ER16006**
- Planning Permits Required:** Major Conditional Use Permit for non-residential facilities over 25,000 square foot of floor area in the CN-2 Zone; Minor Conditional Use Permit to operate a Limited Agriculture Activity on the roof of the principal building; Regular Design Review for new construction; Minor Variances for ground-floor residential facilities in the CN-2 zone and for commercial loading berths where two berths are required within the property and no berths are proposed.
- General Plan:** Neighborhood Commercial; Mixed Use Residential
- Zoning:** CN-2 Neighborhood Commercial
- Environmental Determination:** A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies CEQA Guidelines: Sections 15332-Class 32, 15300.2-Infill Projects, 15183.3-Streamlining for Infill Projects, and 15183-Projects Consistent with a Community Plan, General Plan, or Zoning. The CEQA Analysis document may be reviewed at the Bureau of Planning offices, located at 250 Frank Ogawa Plaza, Suite 2114 on the 2nd Floor or online by 3:00pm, Friday April 29, 2016. The CEQA Analysis document for the proposed project can be viewed here under item #40:  
[http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DO\\_WD009157](http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DO_WD009157)
- Property Historic Status:** Non-Historic Property
- Service Delivery District:** 2
- City Council District:** 1
- 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](mailto:mrivera@oaklandnet.com)



**10. Location:** 226 13<sup>th</sup> Street (APN: 002-0077-001-00)  
**Proposal:** Proposal to construct a new six story mixed use building containing 262 units including approximately 13,000 square feet of ground floor retail on 14<sup>th</sup> Street, which would replace the existing surface parking lot.  
**Applicant:** WP West Acquisitions  
**Contact Person/Phone Number:** Brian Pianca – (415) 888-8537  
**Owner:** K.H Associates  
**Case File Number:** **PLN15-320**  
**Planning Permits Required:** Regular Design Review for new construction, Major Conditional Use Permits for a large project in the D-LM Zone, Minor Conditional use Permit to allow a base height of up to 85 feet, Minor Variance to allow two loading berths where three are required, and Vesting Tentative Parcel Map for new condominiums.  
**General Plan:** Central Business District  
**Zoning:** D-LM-2 Zone / D-LM-4 Zone  
Height Area D-LM 175  
**Environmental Determination:** A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions:  
15183 - Projects consistent with a community plan, general plan, or zoning;  
15183.3 – Streamlining for in-fill projects; and/or  
15164 – Addendum to the 2014 certified Lake Merritt Station Area Plan EIR;  
Each of which provides a separate and independent basis for CEQA compliance.  
The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2<sup>nd</sup> Floor or on-line at <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>  
**Historic Status:** Not a historic property – vacant parking lot  
**Planning District:** Metro  
**City Council District:** 3  
**Status:** Pending  
**Action to be Taken:** Decision on application based on Staff Report  
**Finality of Decision:** Appealable to City Council  
**For Further Information:** Contact case planner **Peterson Z. Vollmann** at (510) 238-6167 or by email: [pvollmann@oaklandnet.com](mailto:pvollmann@oaklandnet.com).





THIS ITEM WAS CONTINUED FROM MAY 18, 2016

4.                   **Location:** 280 W. MacArthur Blvd. (APN: 012 -0984-015-03)  
                      **Proposal:** Demolish and replace existing Central Utility Plant at Kaiser OMC Phase 3 site.  
                      **Applicant:** Mark Redmond, Ted Jacob Engineering Group, Inc.  
**Contact Person/Phone Number:** Mark Redmond / (510)763-4880  
                      **Owner:** Kaiser Foundation Hospital  
                      **Case File Number:** PLN16072  
                      **Planning Permits Required:** Design Review to construct a new facility (Central Utility Plant).  
                      **General Plan:** Institutional  
                      **Zoning:** D-KP-3  
**Environmental Determination:** An EIR for the Kaiser Permanente OMC Master Plan was prepared by the City of Oakland. That EIR was certified by the Oakland Planning Commission on June 6, 2006. The current project is generally consistent with that analyzed in the previously certified EIR. No additional environmental review is required. As a further separate and independent basis, this action is also exempt from CEQA pursuant to CEQA Guidelines 15301 and 15183.  
  
                      **Historic Status:** Not a Potential Designated Historic Property  
**Service Delivery District:** 2  
**City Council District:** 1  
                      **Status:** Pending  
                      **Action to be Taken:** Decision on Application  
                      **Finality of Decision:** Appealable to City Council  
**For Further Information:** Contact case planner Ann Clevenger at (510) 238-6980 or by email: [aclevenger@oaklandnet.com](mailto:aclevenger@oaklandnet.com)



THIS ITEM WAS CONTINUED FROM MAY 18, 2016

<b>2.</b>	<b>Location:</b>	<b>Public Right-of-Way across from 6387 Fairlane Drive.</b>
	<b>Assessor's Parcel Numbers:</b>	<b>Nearest lot adjacent to the project site ( 048H-7566-020-00)</b> The project involves the installation of a new wireless Telecommunications facility (AT&T Wireless) on a new 30' tall metal pole located in the public right-of-way; installation two panel antennas
	<b>Proposal:</b>	(two-foot long and ten inches wide) mounted at 30 feet above the ground; an associated equipment cabinet housing one battery backup and radio units within a 5'-3" tall, 2' wide and 2'-2" deep shroud mounted on the metal pole at 7 feet above the ground.
	<b>Applicant:</b>	Extenet Systems Inc./AT&T Mobility
	<b>Contact Person/</b>	Matthew Yergovich
	<b>Phone Number:</b>	(415) 596-3474
	<b>Owner:</b>	City of Oakland
	<b>Case File Number:</b>	<b>PLN14-049</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit and Design Review to install a new Monopole Telecommunication Facility in the residential zone, and Minor Variance to waive 1:1 ratio setback requirements for 30' tall monopole facility to be located from the adjacent residential property lot line.
	<b>General Plan:</b>	Hillside Residential
	<b>Zoning:</b>	RH-3 Hillside Residential-3 Zone
	<b>Environmental</b>	Exempt, Section 15303 of the State CEQA Guidelines; New
	<b>Determination:</b>	construction of small structures. 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>Date Filed:</b>	7/21/2015
	<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 (510) 238-4790 or <a href="mailto:jmadani@oaklandnet.com">jmadani@oaklandnet.com</a>



THIS ITEM WAS CONTINUED FROM MAY 18, 2016

<b>3.</b>	<p><b>Location:</b> Public Right-of-Way next to 6644 Ascot Drive.</p> <p><b>Assessor's Parcel Numbers:</b> Nearest lot adjacent to the project site (048D-008-03)</p> <p><b>Proposal:</b> The proposal is to remove and relocate of an existing telecommunication facility attached to the existing PG&amp;E Pole to a new location across street. The project involves installation of a new 27' tall metal pole as a telecommunication monopole facility located in the public right-of-way; installation one 24" x 16" antenna mounted on top of the pole; an associated equipment cabinet will be housing all radio equipment within 54" tall x 48" wide x 21" deep ground mounted on a new cement pad located next to the pole.</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>PLN16-090</b></p> <p><b>Planning Permits Required:</b> Major Conditional Use Permit and Design Review to install a new Monopole Telecommunication Facility within a residential zone, and Minor Variance to waive 1:1 ratio setback requirements for 27' tall monopole facility to be located from the adjacent residential property line.</p> <p><b>General Plan:</b> Hillside Residential</p> <p><b>Zoning:</b> RH-4 Hillside Residential -4 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> 3</p> <p><b>City Council District:</b> 4</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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THIS ITEM WAS CONTINUED FROM MAY 18, 2016

<b>6.</b>	<b>Location:</b>	<b>5516 San Pablo Ave.</b>
	<b>Assessor's Parcel Numbers:</b>	<b>(015 -1308-016-00)</b>
		To allow for an expansion of an existing Alcoholic Beverage Sales Activity
	<b>Proposal:</b>	"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 <b>(510) 238-3808</b> or <b>jherrera@oaklandnet.com</b>

**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.

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

*NEXT REGULAR MEETING:* June 15, 2016

\*Revised on May 19, 2016 to indicate that items 1 thru 6 were continued from the May 18, 2016 agenda.

\*Revised on May 24, 2016 to indicate that item #7 has been continued to June 15, 2016 and Item #8 has been continued to June 22, 2016.