



Adhi Nagraj, Chair  
Emily Weinstein, Vice Chair  
Tom Limon  
Clark Manus  
Amanda Monchamp  
Jahmese Myres  
Chris Pattillo

January 18, 2017  
Regular Meeting

See page 2 for Clay Street Garage closure and new parking information

### MEAL GATHERING

5:00pm

Max's Diner, 500 12<sup>th</sup> Street, City Center, 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

6:00pm

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.

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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 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.

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. Please note: Effective December 1, 2016, the Clay Street Garage will be permanently closed.**

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**

Neil Gray will discuss revisions to the Public Art Requirements for private developments.

**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>Location:</b>	<b>Utility pole in sidewalk adjacent to (fronting) 3600 Foothill Bl.</b>
	<b>Assessor’s Parcel Number(s):</b>	<b>Adjacent to 032 -2084-051-00</b>
	<b>Proposal:</b>	To establish a telecommunications facility to enhance existing services by attaching an antenna and equipment to an existing wooden utility pole located in the public right-of-way (sidewalk).
	<b>Applicant / Phone Number:</b>	Ana Gomez/Black & Veatch (for Extenet /Verizon) 913-458-9148
	<b>Owner:</b>	PG&E
	<b>Case File Number:</b>	<b>PLN16331</b>
	<b>Planning Permits Required:</b>	Regular Design Review with additional findings for Macro Telecommunications Facility
	<b>General Plan:</b>	Detached Unit Residential
	<b>Zoning:</b>	RU-5 Urban Residential
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15303 of the State CEQA Guidelines: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	<b>Historic Status:</b>	Non historic property
	<b>City Council District:</b>	5
	<b>Date Filed:</b>	October 28, 2016
	<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>Moe Hackett</b> at <b>(510) 238-3973</b> or by email at <a href="mailto:mhackett@oaklandnet.com">mhackett@oaklandnet.com</a>



<b>2.</b>	<b>Location:</b>	<b>The Public Right-of-Way adjacent to 8800 Dowling St.</b>
	<b>Assessor's Parcel Numbers:</b>	<b>Nearest adjacent lot (043 460902700)</b>
	<b>Proposal:</b>	Installation of a wireless telecommunication facility on a wooden utility pole located in the public right-of-way. The project involves replacement of an existing 38' tall wood utility pole with a 38' tall PG&E utility pole and installation of one canister antenna measuring 23.5" long and 7.9" in diameter at the height of 18' and two radio units (7.9" tall, 7.9" wide and 3.9" depth) mounted at the height of 10'-6" and 13'-11" above ground.
	<b>Applicant:</b>	Extenet Systems (California) LLC.
	<b>Contact Person/ Phone Number:</b>	Ana Gomez (913) 458-9148
	<b>Owner:</b>	Pacific Gas & Electric (PG&E)
	<b>Case File Number:</b>	PLN16377
	<b>Planning Permits Required:</b>	Major Design Review to install a wireless Telecommunication Macro Facility on a PG&E replacement pole located in RM-2 Zone.
	<b>General Plan:</b>	Mixed Housing Type Residential.
	<b>Zoning:</b>	RM-2 Mixed Housing Type Residential Zone.
	<b>Environmental Determination:</b>	Exempt, Section 15303 of the State CEQA Guidelines; New construction or conversion of small structures. Exempt, 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>City Council District:</b>	7
	<b>Finality of Decision:</b>	Appealable to City Council within 10 Days
	<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>



<b>3.</b>	<b>Location:</b>	<b>The Public Right-of-Way Adjacent to 2005 83<sup>rd</sup> Ave.</b>
	<b>Assessor's Parcel Numbers:</b>	<b>Nearest adjacent lot (043 456601300)</b>
	<b>Proposal:</b>	Installation of a wireless telecommunication facility on a 43' wooden utility pole located in the public right-of-way. The project involves the installation of one canister antenna measuring 23.5" long and 7.9" in diameter at the height of 18' and two radio units (7.9" tall, 7.9" wide and 3.9" depth) mounted at the height of 10'-6" and 13'-11" above ground.
	<b>Applicant:</b>	Extenet Systems (California) LLC.
	<b>Contact Person/ Phone Number:</b>	Ana Gomez (913) 458-9148
	<b>Owner:</b>	Pacific Gas & Electric (PG&E)
	<b>Case File Number:</b>	<b>PLN16376</b>
	<b>Planning Permits Required:</b>	Major Design Review to install a wireless Telecommunication Macro Facility on a PG&E replacement pole located in RM-1 Zone.
	<b>General Plan:</b>	Mixed Housing Type Residential.
	<b>Zoning:</b>	RM-1 Mixed Housing Type Residential Zone.
	<b>Environmental Determination:</b>	Exempt, Section 15303 of the State CEQA Guidelines; New construction or conversion of small structures. Exempt, 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>City Council District:</b>	6
	<b>Finality of Decision:</b>	Appealable to City Council within 10 Days
	<b>For Further Information:</b>	Contact case planner <b>Danny Thai</b> at <b>(510) 238-3584</b> or by email at <a href="mailto:dthai@oaklandnet.com">dthai@oaklandnet.com</a>



<b>4.</b>	<b>Location:</b>	<b>The Public Right-of-Way Adjacent to 1901 57<sup>th</sup> Ave.</b>
	<b>Assessor's Parcel Numbers:</b>	<b>Nearest adjacent lot (038 322702000)</b>
	<b>Proposal:</b>	Installation of a wireless telecommunication facility on a wooden utility pole located in the public right-of-way. The project involves replacement of an existing 38' tall wood utility pole with a 43' tall PG&E utility pole and installation of one canister antenna measuring 23.5" long and 7.9" in diameter at the height of 22' and two radio units (7.9" tall, 7.9" wide and 3.9" depth) mounted at the height of 10'-6" and 13'-11" above ground.
	<b>Applicant:</b>	Extenet Systems (California) LLC.
	<b>Contact Person/ Phone Number:</b>	Ana Gomez (913) 458-9148
	<b>Owner:</b>	Pacific Gas & Electric (PG&E)
	<b>Case File Number:</b>	<b>PLN16348</b>
	<b>Planning Permits Required:</b>	Major Design Review to install a wireless Telecommunication Macro Facility on a PG&E replacement pole located in RD-2 Zone.
	<b>General Plan:</b>	Detached Unit Residential.
	<b>Zoning:</b>	RD-2 Detached Unit Residential Zone.
	<b>Environmental Determination:</b>	Exempt, Section 15303 of the State CEQA Guidelines; New construction or conversion of small structures. Exempt, 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>City Council District:</b>	6
	<b>Finality of Decision:</b>	Appealable to City Council within 10 Days
	<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>



<b>5.</b>	<b>Location:</b>	<b>Utility guy pole in sidewalk adjacent to 2750 Foothill Blvd</b>
	<b>Assessor's Parcel Number(s):</b>	<b>Adjacent to 026 -0740-032-01</b>
	<b>Proposal:</b>	To establish a telecommunications facility, to enhance existing wireless services, by attaching an antenna and equipment to an existing wooden utility guy pole located in the public right-of-way (sidewalk).
	<b>Applicant / Phone Number:</b>	Ana Gomez / Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	<b>Owner:</b>	Joint Pole Authority (including PG&E)
	<b>Case File Number:</b>	<b>PLN16323</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility; Regular Design Review with additional findings for Macro Telecommunications Facility
	<b>General Plan:</b>	Urban Residential
	<b>Zoning:</b>	RU-5 Urban Residential Zone
	<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 property
	<b>City Council District:</b>	5
	<b>Date Filed:</b>	October 20, 2016
	<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>



## 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>6.</b>	<b>Location:</b>	<b>Citywide.</b>
	<b>Proposal:</b>	<p><b>Review proposed citywide Planning Code amendments, including proposals to:</b> 1) Revise development standards in RD, RM and RU Zones; 2) Permit ‘Group Assembly’ and ‘Personal Instruction Services’ with Conditional Use Permit (CUP) and reduce restrictions on Commercial Activities in R-80 Zone; 3) Allow Custom Manufacturing with CUP on the ground floor in CN Zones; 4) Increase minimum ground floor height in RU, CN and CC Zones; 5) Clarify that no new Residential Facilities are allowed in the CC-3 and CR-1 Zones; 6) Revise CR Zone front setback; 7) Permit ‘Group Assembly’ and ‘Personal Instruction Services’ in C-45 Zone; 8) Revise density regulations in HBX Zones; 9) Modify density ranges for the 55-ft., 60-ft. and 75-ft. height map areas in all applicable zones; 10) Standardize the Commercial and Industrial fence standards in Chapter 17.73 and Section 17.108.140; 11) Add regulations for Large-Scale Developments in the CIX-1A, CIX-1B, CIX-1C, and CIX-1D Industrial Zones without a T overlay; 12) Make the Use Permit findings the same for the S-15 and D-CO-1 Transit-Oriented Development Zones; 13) Modify the Large-Scale Development regulations in the S-15 Zones to correct references and standardize language; 14) Revise the S-19 provisions to conform to long-standing mapping practice; 15) Revise Wood Street Zone Chapter 17.101A to add Property Development Standards, and to convert Development Areas 1-9 to separate zoning districts; 16) Clarify in Chapter 17.114 that the strict discontinuance regulations in Section 17.114.050 do not apply to the CIX-1A, CIX-1B, CIX-1C, and CIX-1D Zones with a T overlay; 17) Add maximum loading requirements to the parking regulations in Chapter 17.116; 18) Change Major CUP thresholds for the RM, R-80, C-40, C-45, S-1, and S-2 Zones; 19) Revise Chapter 17.136 to clarify regulations for the demolition or removal of structures in the CIX-1A Zone, and to standardize design review threshold for Track 3 Small Project; 20) Revise mini-lot regulations; and 21) Make minor Planning Code Text changes to improve clarity.</p> <p><b>Review proposed geographically specific Zoning Map and Height Area amendments, including proposals to amend:</b> 1) map and height designations for the 3rd to 7th Street areas between West Oakland BART and Downtown; 2) map designations for the west side of Mandela Parkway from 17th to 8th St., and for the 8th St. corridor from Mandela to Wood; 3) map designations for Adeline St. between 18th and 19th; and 4) map and height designations for the corner of San Pablo Avenue and 33rd Street.</p>
	<b>Applicant:</b>	City of Oakland
	<b>Case File Numbers:</b>	<b>ZA16030</b>
	<b>Planning Permits Required:</b>	Not Applicable
	<b>General Plan:</b>	Land Use and Transportation Element (LUTE) Areas: All Estuary Policy Plan Areas: All
	<b>Zoning:</b>	All Zones 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); 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).
	<b>Historic Status:</b>	Not Applicable
	<b>City Council Districts:</b>	All
	<b>Actions to be Taken:</b>	Receive public and Planning Commission comments on the proposed Planning Code amendments, and forward a recommendation on the proposed amendments to the City Council.
	<b>For Further Information:</b>	Contact project planner <b>Ed Manasse</b> at <b>510-238-7733</b> or by email at <a href="mailto:emanasse@oaklandnet.com">emanasse@oaklandnet.com</a>



<b>7.</b>	<b>Location:</b>	<b>Citywide.</b>
	<b>Proposal:</b>	<p>Review proposed citywide Planning Code amendments regulating Secondary Units, including those changes required to comply with California Senate Bill (SB) 1069 and Assembly Bill (AB) 2299, which go into effect January 1, 2017. SB 1069 and AB 2299 requirements include: 1) Ministerial approval of all Secondary Units within existing residences or accessory structures with independent exterior access and setbacks sufficient for fire safety; 2) Elimination of parking requirements for all other Secondary Units located in the following areas: within half mile of public transit, in an historic district, in an area where on-street parking permits are required but not offered to the occupant of the secondary unit, and within one block of a dedicated car share space; 3) Allowance for tandem parking and other parking configurations so long as they do not infringe on health or safety concerns; and 4) Elimination of requirements for separate utility connections for Secondary Units within existing residences or accessory structures, or requirement for fire sprinklers if primary unit does not require them. Other proposed changes to Secondary Unit regulations include, but are not limited to: a) Require that Secondary Units be rented for terms of 30 days or more; and b) Increase the allowed maximum size of Secondary Units that are not completely within existing residences or accessory structures to 800 square feet or 75% of the primary unit, whichever is less.</p> <p>Review proposed geographically specific Zoning Map amendments, including proposal to: 1) create a new Zoning Map overlay that identifies areas in the city where street pavement widths and/or cul-de-sac lengths are not conforming to minimum standards. The initial purpose of this new zoning overlay would be to prohibit new Secondary Units in specific areas due to safety concerns.</p>
	<b>Applicant:</b>	City of Oakland
	<b>Case File Numbers:</b>	<b>ZA16031</b>
	<b>Planning Permits Required:</b>	Not Applicable
	<b>General Plan:</b>	Land Use and Transportation Element (LUTE) Areas: All Estuary Policy Plan Areas: All
	<b>Zoning:</b>	All Zones 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); 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).
	<b>Historic Status:</b>	Not Applicable
	<b>City Council Districts:</b>	All
	<b>Actions to be Taken:</b>	Receive public and Planning Commission comments on the proposed Planning Code amendments, and forward a recommendation on the proposed amendments to the City Council.
	<b>For Further Information:</b>	Contact project planner <b>Ed Manasse</b> at <b>510-238-7733</b> or by email at <a href="mailto:emanasse@oaklandnet.com">emanasse@oaklandnet.com</a>



<b>8.</b>	<b>Location:</b>	MacArthur Transit Village Parcel B
	<b>Assessors Parcel Numbers:</b>	012 102501100 and 012 102501200
	<b>Proposal:</b>	Construct final stage (Phase V) of the MacArthur Station Project which includes: development of Parcel B with a 25-story tower (260 feet tall) with up to 402 residential units, 10,000 square feet of ground-floor commercial space, and up to 260 parking spaces.
	<b>Applicant:</b>	Boston Properties
	<b>Contact Person:</b>	Aaron Fenton (415) 772-0714
	<b>Owner:</b>	BART, MacArthur Transit Community Partners, LLC
	<b>Case File Number:</b>	DA10204, PUD06058-R01, PUD06058-R01-ER01, PUD06058-R01-PUDF01, TPM10561, T1600091
	<b>Planning Permits Required:</b>	Revision to PUD, Final Development Plan for Parcel B of the MacArthur Station Project, TPM, amendment to Development Agreement to allow increased height.
	<b>General Plan:</b>	Neighborhood Center Mixed Use
	<b>Zoning:</b>	S-15 Transit-Oriented Development Zone
	<b>Environmental Determination:</b>	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA Guideline provisions: 15183 - Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for Qualified in-fill projects; and/or 15164 – Addendum (to MacArthur Transit Village 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 <a href="http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157">http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157</a> (see #50).
	<b>Historic Status:</b>	There are no Potential Designated Historic Properties located on the project site.
	<b>City Council District:</b>	1
	<b>Date Filed:</b>	June 30, 2016
	<b>Status:</b>	2 previous Design Review Committee public hearings; the project will be considered by the City Council at a future public hearing.
	<b>Action to be Taken:</b>	Recommendation to City Council
	<b>Staff Recommendation:</b>	Take public testimony, close the public hearing and recommend approval of the Project to the City Council.
	<b>Finality of Decision:</b>	No final decision will be made on the project at this time; recommendation to City Council, only.
	<b>For Further Information:</b>	Contact the case planner Catherine Payne at (510) 238-6168 or <a href="mailto:cpayne@oaklandnet.com">cpayne@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, 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

December 21, 2016 Planning Commission 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:** February 1, 2017