



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

**March 15, 2017
Regular Meeting**

Meeting called to order at **6:05pm**.

ROLL CALL

Present: Nagraj, Weinstein, Limon, Manus, Monchamp, Myres
Excused: Pattillo

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Item #7 continued to the April 5, 2017 meeting, and Item #9 continued to the April 19, 2017 meeting.

Director's Report

T12 office tower is now in building permit phase with Blue Shield as tenant. 1700 Webster and 1640 Broadway have recently broken ground.

Committee Reports

None.

Commission Matters

None.

City Attorney's Report

None.

OPEN FORUM

None.

For further information on any case listed on this agenda, please contact the case planner indicated for that item. For further information on Historic Status, please contact the Oakland Cultural Heritage Survey at 510-238-6879. For other questions or general information on the Oakland City Planning Commission, please contact the Planning and Building Department at 510-238-3941.

♿ This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening device, please call the Planning and Building Department at 510-238-3941 or TDD 510-238-3254 at least three working days before the meeting. Please refrain from wearing scented products to this meeting so attendees who may experience chemical sensitivities may attend. Thank you.

El lugar de la a reunión es accesible en silla de ruedas. Para solicitar materiales en formatos alternativos o solicitar un intérprete de lenguaje de señas o un aparato para escuchar, por favor llame al Departamento de Planificación y Construcción al 510-238-3941 o TDD 510-238-3254 al menos tres días hábiles antes de la reunión. Por favor absténgase de usar perfumes en esta reunión para que las personas sensitivas a perfume puedan asistir.

此會議場地有適合輪椅出入設施。如需要其他格式的會議資料，或ASL手語服務，或助聽器，請於會議至少三(3)天以前聯絡規劃及建設局，以便安排服務，電話510-238-3941或TDD 510-238-3254。請勿塗搽香氛產品，參加者可能對化學成分敏感。多謝。



CONSENT CALENDAR called at 6:07pm.

1.	Location:	Utility pole in sidewalk adjacent to: 2101 47 th Ave (towards Melrose Ave)
	Assessor's Parcel Number(s):	Adjacent to: 036-2411-012-00
	Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment at up to 21'-3" on a 38'-3" wooden utility pole (replacing existing 38' pole) located in the sidewalk. City light would be relocated higher up pole.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Joint Pole Authority (including PG&E)
	Case File Number:	PLN16365
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2 Mixed Housing Type Residential Zone
	Environmental Determination:	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
	Historic Status:	Non historic property
	City Council District:	5
	Date Filed:	November 20, 2016
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Aubrey Rose, AICP at (510) 238-2071 or by email at arose@oaklandnet.com .

2.	Location:	Utility pole in sidewalk adjacent to: 1301 85 th Ave (along 85 th Ave near A St)
	Assessor's Parcel Number(s):	Adjacent to: 042-4253-024-03
	Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment at up to 21'-3" to a 43' wooden utility pole (replacing a 38' pole) located in the sidewalk.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Joint Pole Authority (including PG&E)
	Case File Number:	PLN16366
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2 Mixed Housing Type Residential Zone
	Environmental Determination:	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
	Historic Status:	Non historic property
	City Council District:	7
	Date Filed:	November 20, 2016
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Aubrey Rose, AICP at (510) 238-2071 or by email at arose@oaklandnet.com .



3.	Location:	The public Right of Way in front of 2281 48th Ave on a JPA Utility Pole
	Assessor's Parcel Number(s):	(036-2416-004-00) nearest lot adjacent to the project site.
	Proposal:	Installation of a wireless telecommunication facility on a 38' tall wooden utility pole located in the public right-of-way. The project involves installation of one (1) canister antenna measuring 23.5" long and 7.9" in diameter at a height of 18' and two radio units (7.9" tall and 7.9" wide) mounted at a height of 10'-6" and 13'-11" above ground.
	Applicant:	Black & Veatch for Extenet Systems
	Contact Person / Phone Number:	Ana Gomez of Black & Veatch (913) 458-9148
	Owner:	Pacific Gas & Electric. (PG&E)
	Case File Number:	PLN16360
	Planning Permits Required:	Major Design Review to install a wireless Macro Telecommunications Facility one (1) telecommunications canister antenna on an existing PG&E pole located in the public right -of- way in a residential zone.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2 Mixed Housing Type Residential
	Environmental Determination:	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.
	Historic Status:	No Historic Record – Utility Pole
	City Council District:	4
	Date Filed:	November 20, 2016
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact case planner Jason Madani at (510) 238-4790 or by email at jmadani@oaklandnet.com .

4.	Location:	The public Right of Way in front of 2175 Vicksburg Ave on a JPA Utility Pole
	Assessor's Parcel Number(s):	(036-2419-00-100) nearest lot adjacent to the project site.
	Proposal:	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 40' tall wood utility pole with a new class 2 PG&E pole measuring 40' tall to install one (1) canister antenna measuring 23.5" long and 7.9" in diameter at a height of 18' and two radio units (7.9" tall and 7.9" wide) mounted at a height of 10'-6" above ground.
	Applicant:	Black & Veatch for Extenet Systems
	Contact Person/ Phone Number:	Ana Gomez of Black & Veatch (913) 458-9148
	Owner:	Pacific Gas & Electric. (PG&E)
	Case File Number:	PLN16361
	Planning Permits Required:	Major Design Review to install a wireless Macro Telecommunications Facility one (1) telecommunications canister antenna to a replaced PG&E pole located in the public right -of- way in a residential zone.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2 Mixed Housing Type Residential
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines; minor additions and alterations to a replaced PG&E utility pole; Exempt, Section 15302 of the State CEQA Guidelines; replacement or reconstruction of existing utility systems and/or facilities; Exempt, Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	No Historic Record – Utility Pole
	City Council District:	4
	Date Filed:	November 20, 2016
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact case planner Jason Madani at (510) 238-4790 or by email at jmadani@oaklandnet.com .



5.	Location:	The Public Right-of-Way Adjacent to 1059 86th Ave.
	Assessor's Parcel Number(s):	Nearest adjacent lot (042-4266-003-02)
	Proposal:	To establish a telecommunications facility, to enhance existing services, by attaching an antenna and equipment to a replaced wooden utility pole located in the public right-of-way (sidewalk). A new 47' tall wooden utility pole will replace an existing 47' tall wooden utility pole.
	Applicant:	Extenet Systems (California) LLC. (for T-Mobile USA, INC)
	Contact Person/ Phone Number:	Ana Gomez (913) 458-9148
	Owner:	Joint Pole Authority (JPA) including PG&E
	Case File Number:	PLN16370
	Planning Permits Required:	Major Design Review to install a wireless Telecommunication Macro Facility on a PG&E replacement pole located in RM-1 Zone.
	General Plan:	Mixed Housing Type
	Zoning:	RM-1 Mixed Housing Type Residential Zone.
	Environmental Determination:	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.
	Historic Status:	Not a Potential Designated Historic Property; Survey rating: n/a
	City Council District:	7
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact case planner Danny Thai at (510) 238-3584 or by email at dthai@oaklandnet.com .

6.	Location:	The Public Right-of-Way Adjacent to 1707 28th Ave.
	Assessor's Parcel Number(s):	Nearest adjacent lot (025 073100700)
	Proposal:	To establish a telecommunications facility, to enhance existing services, by attaching an antenna and equipment to a replaced wooden utility pole located in the public right-of-way (sidewalk). A new 47' tall wooden utility pole will replace an existing 43' tall wooden utility pole.
	Applicant:	Extenet Systems (California) LLC. (for T-Mobile USA, INC)
	Contact Person/ Phone Number:	Ana Gomez (913) 458-9148
	Owner:	Joint Pole Authority (JPA) including PG&E
	Case File Number:	PLN16385
	Planning Permits Required:	Major Design Review to install a wireless Telecommunication Macro Facility on a PG&E replacement pole located in RM-3 Zone.
	General Plan:	Mixed Housing Type
	Zoning:	RM-3 Mixed Housing Type Residential Zone.
	Environmental Determination:	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.
	Historic Status:	Not a Potential Designated Historic Property; Survey rating: D3
	City Council District:	5
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact case planner Danny Thai at (510) 238-3584 or by email at dthai@oaklandnet.com .



This item has been continued to the April 5, 2017, Planning Commission meeting.

7.	Location:	4721-4723 Tidewater Avenue, Suite C
	Assessor's Parcel Number(s):	034-2300-020-00
	Proposal:	To upgrade an approved beer club business operated weekdays with a 4:00 p.m. closing time in a 3,500 square foot warehouse space by: (1) adding liquor and (2) extending the closing time until 8:00 p.m. The business would continue to operate primarily by drop shipments with minimal on-site retail sales. (Project would require an ABC type 21 license.)
	Applicant / Phone Number:	Claude Burns / Noble Brewer Beer Company (301) 536-1934
	Owner:	The Eggen Family Trust
	Case File Number:	PLN14276-R01
	Planning Permits Required:	Revision to amend: Major Conditional Use Permit with additional findings for Alcoholic Beverage Sales Commercial Activity; Findings for Public Convenience or Necessity; Variance for alcoholic beverage sales within 1,000 feet of civic uses (park)
	General Plan:	Estuary Plan: Planned Waterfront District 3
	Zoning:	D-CE-5 Central Estuary District Zone (Food Industry Cluster/High St. Warehouse Wedge/Tidewater South)
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation); Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non historic property
	City Council District:	5
	Date Filed:	October 31, 2016
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Aubrey Rose, AICP at (510) 238-2071 or by email at arose@oaklandnet.com .

At the request of Commissioner Myres, Ana Gomez and Charles Lindsey spoke about the distance between proposed facilities in Items 1, 3, and 4.

Motion by Commissioner Myres to approve Item 6 and to continue Items 1, 2, 3, 4, and 5 to a date uncertain, and when Items 1, 2, 3, 4, and 5 return to the Commission that they include a thorough analysis of alternative locations, of alternative designs at the same locations, of existing coverage and coverage that would be created by the proposed new towers, and inclusion of a city-wide cell map in every telecom packet moving forward, seconded by Commissioner Nagraj

Ayes: Limon, Manus, Myres, Weinstein, Nagraj

Noes:

Approved with 5 ayes and 0 noes.



PUBLIC HEARINGS

Item called at 6:25pm.

8.	Project Name:	Eve's Waterfront Nightclub
	Location:	15 Embarcadero West; (APN: 018-0425-012-00)
	Proposal:	To allow a Group Assembly Activity (nightclub) and Alcohol Beverage Sales Activity in a facility that is currently a full-service restaurant.
	Applicant:	Chris Malki
	Phone Number:	(925) 788-3737
	Owner:	Capital Financial, LLC
	Case File Number:	PLN14-298-R01 (Revision)
	Planning Permits Required:	Major Conditional Use Permit for Alcohol Beverage Sales Commercial; Minor Conditional Use Permit for Group Assembly (nightclub with up to 450 persons). A Minor Conditional Use Permit (Case File: PLN14298) for a full-service restaurant with alcoholic beverage service was previously approved on January 2, 2015 and is operational.
	General Plan:	Waterfront Mixed-Use District per the Estuary Policy Plan
	Zoning:	R-80 High-Rise Apartment Residential Zone <i>A December 15, 2016 Zoning Best Fit Determination by the Zoning Manager allows Group Assembly with approval of a Conditional Use Permit (Case File: DET16-0144)</i>
	Environmental Determination:	Categorically Exempt under the California Environmental Quality Act (CEQA) Guidelines per Section 15301, Existing Facilities; Section 15332, Infill Development Projects; and Section 15183 Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Not a Potentially Designated Historic Property
	City Council district	3
	Staff Recommendation	Decision based on staff report
	Finality of Decision:	Appealable to City Council within 10 days
	For further information:	Contact case planner David Valeska at (510)238-2075 or at dvalueska@oaklandnet.com

Staff: Dave Valeska

Applicant: Chris Malki

Public Speakers: Douglas Roach

Motion by Commissioner Weinstein to affirm staff's environmental determination, approve the Major Conditional Use Permit for group assembly and expansion of alcoholic beverage services based on the attached findings and subject to the attached conditions of approval, seconded by Commissioner Limon.

Ayes: Limon, Manus, Myres, Monchamp, Weinstein, Nagraj

Noes:

Approved with 6 ayes and 0 noes.



Item called at 6:47pm.

10.	Location:	5441 International Blvd
	Assessor's Parcel Number(s):	041-3848-001-00
	Proposal:	Public Hearing on the Draft Environmental Impact Report to obtain comments on the environmental analysis related to a proposal to demolish all of the existing buildings on the subject property, which includes the demolition of historic resources.
	Applicant:	The General Electric Company
	Contact Person/Phone Number:	Lance Hauer – (610) 992-7972
	Owner:	The General Electric Company
	Case File Number:	ER11011
	Planning Permits Required:	Regular Design Review for demolition.
	General Plan:	General Industrial, Neighborhood Center Mixed Use
	Zoning:	IG/S-19, General Industrial/ Health and Safety Protection Zone CN-3, Neighborhood Commercial Zone - 3
	Environmental Determination:	Draft Environmental Impact Report was published for a 45-day review period from February 10, 2017 to March 27, 2017.
	Historic Status:	57 th Avenue Industrial District (API) OCHS Ratings: Building 1, Rating A1+, API Anchor; Building 2: Dc1+; API contributor
	City Council District:	5
	Action to be Taken:	Receive public and Planning Commission comments on the Draft Environmental Impact Report
	For Further Information:	Contact case planner Peterson Z. Vollmann at (510) 238-6167 or by email at pvollmann@oaklandnet.com .

Staff: Pete Vollmann

Applicant: Robert Hines, Attorney for the Applicant

Public Speakers: Daniel Levy, Ndidi Okwelogu, Peter Birkholz, Naomi Schiff



APPEALS

None.

COMMISSION BUSINESS

Approval of Minutes

2/1/17. Motion by Commissioner Manus to approve the 2/1/17 meeting minutes, seconded by Commissioner Limon.

Ayes: Limon, Manus, Myres, Monchamp, Weinstein, Nagraj
Noes:

Approved with 6 ayes and 0 noes.

2/15/17. Motion by Commissioner Monchamp to approve the 2/15/17 meeting minutes, seconded by Commissioner Myres.

Ayes: Limon, Manus, Myres, Monchamp, Weinstein
Noes:
Abstentions: Nagraj

Approved with 5 ayes, 0 noes, and 1 abstention.

3/1/17. Motion by Commissioner Myres to approve the 3/1/17 meeting minutes, seconded by Commissioner Limon.

Ayes: Limon, Myres, Weinstein, Nagraj
Noes:
Abstentions: Manus, Monchamp

Approved with 4 ayes, 0 noes, and 2 abstentions.

Correspondence

None.

City Council Actions

None.

ADJOURNMENT

The meeting was adjourned at 7:48pm.

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