



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

**August 2, 2017
Regular Meeting**

Revised July 24, 2017 – See end of agenda.

MEAL GATHERING 5:00pm Max's Diner, 500 12th 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.

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.

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

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



**New online staff report
download instructions**

Staff reports are also available online, generally by 5:00 p.m. the Friday before the meeting, at www.oaklandnet.com/planning (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 16th Street between San Pablo Ave and Clay St) is free. Attendees should see staff at the meeting to validate parking tokens.

Applicants or members of the public that plan to make electronic presentations (e.g., PowerPoint presentations): Please contact Jonathan Arnold at jarnold@oaklandnet.com or 510-238-6194 or Cheryl Dunaway at 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 has been continued to a date uncertain.

1.	Location:	Wooden utility JPA pole in public right-of-way adjacent to: 500 Grand Avenue (Along Euclid Ave.)
	Assessor’s Parcel Number(s):	Adjacent to: 010-0780-015-08
	Proposal:	To establish a new “small cell site” macro-telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a replacement of a wooden utility pole located in the sidewalk; the antenna would be attached to the top at up to 44’-11” and equipment at approximately 7’-4” to 15’-8”.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17200
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	Neighborhood Commercial – 2 Zone (CN-2) / S-12
	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:	3
	Date Filed:	May 24, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .



This item has been continued to a date uncertain.

2.	Location:	City street light pole in public right-of-way (sidewalk) adjacent to: 3303 Lakeshore Avenue
	Assessor's Parcel Number(s):	Across from: 011-0838-013-00
	Proposal:	To establish a new "small cell site" monopole telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to an existing 18.5' metal City light pole located in the sidewalk; the antenna would be attached to the top at up to 22'-2" and equipment at approximately 10'-6" to 13'-2".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17158
	Planning Permits Required:	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility adjacent to Residential Zone; Regular Design Review with additional findings for Monopole Telecommunications Facility
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	Neighborhood Commercial - 1 Zone (CN-1)
	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:	PDHP - Non-Historic Utility Pole
	City Council District:	3
	Date Filed:	May 5, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .

3.	Location:	Wooden Utility Guy pole in public right-of-way across from 695 5 th Street (Northeast corner of 5 th Street and Castro Street)
	Assessor's Parcel Number(s):	Across from: 001-0121-027-02
	Proposal:	To establish a new "small cell site" monopole telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a replacement of 30' wooden utility guy pole located in the sidewalk; the antenna would be attached to the top at up to 49'-5" and equipment at approximately 7'-4" to 15'-8".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17209
	Planning Permits Required:	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility adjacent to Residential Zone; Regular Design Review with additional findings for Monopole Telecommunications Facility
	General Plan:	EPP Light Industry 1
	Zoning:	CC-3 Community Commercial - 3 Zone (CC-3)
	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:	3
	Date Filed:	May 25, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .



4.	Location:	Wooden Utility JPA pole in public right-of-way adjacent to: 707 Jefferson Street
	Assessor's Parcel Number(s):	Adjacent to: 001-0211-014-00
	Proposal:	To establish a new "small cell site" macro telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to an existing 40-foot wooden utility pole located in the sidewalk; the antenna would be attached to the top within a shroud at up to 46'-5" and equipment at approximately 7'-4" to 15'-8".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17220
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Central Business District
	Zoning:	Central Business District Residential Zone (CBD-R)
	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:	3
	Date Filed:	June 7, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .

5.	Location:	Wooden utility pole adjacent to 740 5th Avenue
	Assessor's Parcel Number(s):	Adjacent to 019-0003-017-03
	Proposal:	To establish a new "small cell site" telecommunications facility, to enhance existing services, by attaching an antenna and equipment to an existing 44'-6" wooden utility pole located in the sidewalk; the antenna would be attached to the top at up to 53'-11" and equipment at 7'-4" to 15'-8".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Extenet, et al.
	Case File Number:	PLN17231
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility unconcealed and within 200-feet of a HBX Zone
	General Plan:	Business Mix
	Zoning:	CIX-2 Commercial Industrial Mix 2 Industrial 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:	2
	Date Filed:	June 8, 2017
	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 .



6.	Location:	Wooden utility pole adjacent to 1700 20 th St (west side of Wood Street & south of W Grand Ave)
	Assessor's Parcel Number(s):	Adjacent to 018-0310-003-09
	Proposal:	To establish a new "small cell site" telecommunications facility, to enhance existing services, by attaching an antenna and equipment to an existing 39' wooden utility pole located in the sidewalk; the antenna would be attached to the top at up to 49'-5" and equipment at 7'-4" to 15'-8".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Extenet, et al.
	Case File Number:	PLN17238
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility unconcealed and within a Residential Zone
	General Plan:	Urban Residential
	Zoning:	D-WS-8 Wood Street District 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:	2
	Date Filed:	June 8, 2017
	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 .

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.



7.	Location:	1608-1618 32nd Street
	Assessor's Parcel Number(s):	007-0598-017-00, -018-00, -019-00, and -021-01
	Proposal:	The proposal is to merge four (4) existing parcels into one lot. The project involves subdivision of 10,598 square-foot parcel into six (6) mini lots; construction of six (6) new 3-4 story detached residential buildings. There are two off-street parking spaces provided on each lot for a total of 12 parking spaces for this development.
	Applicant:	Gold Standard Partners, LLC / Francesca Boyd
	Contact Person/ Phone number:	(510) 301-9630
	Owner:	Gold Standard Partners
	Case File Number:	PLN17189/TTM8421
	Planning Permits Required:	Tentative Tract Map for mini-lots subdivision to create six (6) mini lots; Minor Conditional Use Permits for Mini-Lot Development and for a shared Access Facility. Regular Design Review for new construction of six (6) residential detached units, one unit per lot.
	General Plan:	Housing and Business Mix
	Zoning:	HBX-2 Zone
	Environmental Determination:	State CEQA Guidelines: Categorically Exempt, Sections 15332; Infill developments, Special Situation, Section 15183, Projects consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Not Historical Property
	City Council District:	3
	Date Filed:	5/16/17
	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 at jmadani@oaklandnet.com .

8.	Location:	Brooklyn Basin (formerly known as "Oak to 9th Avenue"); specifically, Parcel C
	Assessor's Parcel Number(s):	018-0465-014-00
	Proposal:	Final Development Permit (FDP) for Parcel C, including 241 residential units and up to 3,500 sf ground-floor commercial space in an 86-foot tall building.
	Applicant:	Zarsion America Inc., Erik Hayden (408)348-5679.
	Owner:	ZOHP
	Case File Number:	PUD06010-PUDF05 / DA06011
	Planning Permits Required:	Final Development Permit, Minor Variance for parking, compliance with CEQA.
	General and Estuary Plan:	Planned Waterfront Development-1.
	Zoning:	Planned Waterfront Zoning District (PWD-4)/D-OTN-4
	Environmental Determination:	Final EIR certified on January 20, 2009
	Historic Status:	Non-Historic Property
	City Council District:	2 – Abel Guillen
	Action to be Taken:	Consider approval of Final Development Permit and Minor Variance.
	Finality of Decision:	NA.
	For further information:	Contact case planner Catherine Payne at 510-238-6168 or by e-mail at cpayne@oaklandnet.com .



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.

9.	Location:	605 – 9th Street
	Assessor’s Parcel Number(s):	001-0211-006-00
	Proposal:	Appeal of the Zoning Manager’s approval of a Regular Design Review, Minor Variance, and Conditional Use Permit application to demolish an existing one-story commercial building and construct an eight-story, 25-unit residential building with ground floor parking and lobby space.
	Original Applicant/Contact:	Joe Hernon (415)705-9922
	Appellant/Contact:	Christopher J. Roberts (510)891-0413 Miller Starr Regalia (925)935-9400
	Owner:	Ninth & Jefferson Associates, LLC (Joe Hernon)
	Case File Number:	PLN16092-A01 and PLN16092-A02
	Original Case File Number:	PLN16092
	Planning Permits Required:	Regular Design Review for new residential construction; Minor Variance for a side yard setback encroachment on the south side of the building for floors 6, 7, and 8 due to the stairs, elevator, and a 2-foot section of living space not stepping inward at a one foot for every five feet above portions of the building over 55 feet; and a Minor Conditional Use Permit for (1) an elevator penthouse above 12 feet with a proposal of 19 feet. <i>Note: A Minor Conditional Use Permit for off-street parking was also approved for 23 off-street parking spaces where 24 were required. However, the Planning Code was revised to eliminate off-street parking for multifamily dwelling projects in the CBD zone (Oakland Planning Code Section 17.116.060(A)(1)). As a result the Minor Conditional Use Permit for off-street parking is no longer required.</i>
	General Plan:	Central Business District
	Zoning:	CDB-R Central Business District Residential Zone
	Environmental Determination:	Exempt, State CEQA Guidelines Section 15332: In-fill Development and Section 15183: Projects consistent with a Community Plan, General Plan or Zoning.
	Historic Status:	Not a Potential Historic Property; Survey rating: F3
	City Council District:	3
	Status:	Application approved by the Zoning Manager on October 25, 2016; Project appealed on November 4, 2016.
	Staff Recommendation:	Deny the Appeal and uphold the Zoning Manager’s approval.
	Finality of Decision:	Final (not administratively Appealable pursuant to OMC Sec. 17.132.030)
	For Further Information:	Contact case planner Michael Bradley at (510) 238-6935 or by email at mbradley@oaklandnet.com .



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: September 6, 2017

*Revised July 18, 2017, to reflect continuance of Item #1 to a date uncertain.

*Revised July 24, 2017, to reflect continuance of Item #2 to a date uncertain.