



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

**August 2, 2017
Regular Meeting**

The meeting was called at 6:03pm.

ROLL CALL

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

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Items #1 and #2 continued to a date uncertain.

Director's Report

None.

Committee Reports

Commissioner Manus briefed the Commission on a joint LPAB/DRC committee meeting held to discuss the 1100 Broadway project and a DRC meeting that discussed the 325 22nd St (2 Kaiser Center) 1433 Webster St projects.

Commission Matters

None.

City Attorney's Report

None

OPEN FORUM

Dan Holder.

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

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 5th Street (Northeast corner of 5th 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:	<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 .

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 20th 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 .



The consent calendar was called at

Motion by Commissioner Manus to approve the Consent Calendar items, seconded by Commissioner Limon.

Ayes: Manus, Fearn, Limon, Weinstein, Myres

Noes:

Approved with 5 ayes and 0 noes.

PUBLIC HEARINGS

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 are 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: Categorical 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 .

This item was called at 6:11pm.

Staff Member: Jason Madani

Applicant: Francesca Boyd, John Newton

Public Speakers: None.

Motion by Commissioner Fearn to affirm staff's environmental determination, approve the Tentative Tract Map, Conditional Use Permit, and Regular Design Review subject to the attached findings and conditions of approval with the addition that the cyclone fence will be a wood fence, seconded by Commissioner Weinstein.

Ayes: Manus, Fearn, Limon, Weinstein, Myres

Noes:

Approved with 5 ayes and 0 noes.



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 .

This item was called at 6:27pm.

Staff Member: Catherine Payne

Applicant: Erik Hayden (President of Zarsion America Inc), Douglas Olliver (Architect, Studio T Squared)

Public Speakers: None.

Motion by Commissioner Weinstein to 1) Pursuant to CEQA guidelines Section 15162 and based on the attached findings and incorporated herein by reference rely on the Oak to Ninth Avenue Project EIR as adequate under CEQA for analysis of the Brooklyn Basin Parcel C Final Development Permit; 2) to approve the Brooklyn Basin Parcel C Final Development Permit subject to the attached findings, and following Staff's recommendation to A) direct Applicant to retain metal siding materials as shown in approved plans, B) to direct Applicant to work with Staff to explore options for a warmer color palette, and C) to direct Applicant to work with Staff to provide adequate separation between ground floor units facing Ninth Avenue and adjacent public right-of-way; and 3) to approve a Minor Variance for reduction of seven required on-site parking spaces based on the attached findings, seconded by Commissioner Manus.

Ayes: Manus, Fearn, Limon, Weinstein, Myres

Noes:

Approved with 5 ayes and 0 noes.



APPEALS

9.	Location:	605 – 9 th 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 .

This item was called at 7:06pm.

Staff Member: Michael Bradley

Appellant #1: Bryan Wenter (Miller, Starr, & Regalia), Bill Phua (Oakland Flower Mart)

Appellant #2: Christopher J Roberts (555 10th St), Guy Sussman (585 9th St)

Applicant: Joe Hernon, Miriam Steinbock

Public Speakers: Eddie Phmah, Dennis Rothhaar, Wesley Radez, Zachary Reiss-Davis, Joel Phmah



Item #9, continued.

Motion by Commissioner Myres to uphold staff's CEQA environmental determination, deny the appeal, and uphold the Zoning Administrator's approval of the project based on this Appeal report and add the following additional Conditions of Approval: 1) Developer, Leasing or building manager and or real estate agent must provide notice to tenants prior to lease, or buyers prior to purchase, that they are moving into a mixed use neighborhood with a longstanding business that receives truck deliveries at unusual times required for the operation of the business; 2) Under the approval and supervision of the appropriate department, seek an encroachment permit for street-level trash cans (if the cans will be maintained by the City), add pea gravel to street trees, and the addition of bike racks; 3) Send the project to DRC to specifically explore how to break up the blank wall on the south elevation; and 4) Explore increased sound level mitigation on the windows, seconded by Commissioner Manus.

Ayes: Manus, Fearn, Limon, Weinstein, Myres

Noes:

Approved with 5 ayes and 0 noes.

COMMISSION BUSINESS

Approval of Minutes None.

Correspondence None.

City Council Actions None.

ADJOURNMENT

The meeting was adjourned at 8:29pm.

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

NEXT REGULAR MEETING: September 6, 2017