



Oakland City Planning Commission

MINUTES

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

September 6, 2017
Regular Meeting

The meeting was called to order at **6:03pm**.

ROLL CALL

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

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Item #10 was withdrawn. Items #7, 8, and 9 were moved from the Consent Calendar to Public Hearings.

Director's Report

None.

Committee Reports

Commissioner Manus gave an overview of the August DRC meeting that discussed projects at 2401 Broadway and 1433 Webster St.

Commission Matters

City Attorney's Report

Celena Chen announced the Alameda County Superior Court ruled in favor of the City regarding 500 Hegenberger. Secretary Merkamp announced that this was Celena Chen's last Planning Commission meeting.

OPEN FORUM

Jonah Strauss of the Oakland Warehouse Coalition spoke.

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

1.	Location:	Wooden utility JPA pole in public right-of-way (sidewalk) adjacent to 1306 88th Avenue
	Assessor's Parcel Number(s):	Adjacent to 042-4269-018-01
	Proposal:	To install a new "small cell site" telecommunications facility for T-Mobile on an existing 46' tall JPA utility pole located in the Public Right-of-Way (sidewalk). The project involves the installation of one (1) antenna panel measuring 23.5 inches long and 7.9 in diameter, located within a shroud, at a height of 18' and equipment at 7'-4" to 13'-11" above ground-level.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN16389
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Detached Unit Residential
	Zoning:	Detached Unit Residential - 1 Zone (RD-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:	Non-historic property
	City Council District:	7
	Date Filed:	November 22, 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 Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .

2.	Location:	Wooden utility JPA pole in public right-of-way adjacent to 8135 International Boulevard
	Assessor's Parcel Number(s):	Adjacent to 042-4247-076-01
	Proposal:	To install a new "small cell site" telecommunications facility for T-Mobile on an existing 41' tall utility JPA pole located in the Public Right-of-Way (sidewalk). The project involves the installation of one (1) antenna panel measuring 23.5 inches long and 7.9 in diameter, located within a shroud, at a height of 18' and equipment at 7'-4" to 13'-11" above ground-level.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN16411
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Urban Residential
	Zoning:	Urban Residential - 4 Zone (RU-4)
	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:	December 2, 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 Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .



3.	Location:	City street light pole in public right-of-way (sidewalk) adjacent to 1775 Broadway
	Assessor's Parcel Number(s):	Adjacent to 008-0640-002-00
	Proposal:	To install a new "small cell site" telecommunications facility for T-Mobile on an existing 25' tall City street light pole located in the Public Right-of-Way (sidewalk). The project involves the installation of one (1) antenna panel measuring 23.5 inches long and 7.9 in diameter, located within a shroud, at a height of 27'-1" and equipment at 9' to 15'-1" above ground-level.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN16307
	Planning Permits Required:	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility; Minor Variance for Monopole adjacent to Residential Use; Regular Design Review with additional findings for Monopole Telecommunications Facility
	General Plan:	Central Business District
	Zoning:	Central Business District Pedestrian Retail Commercial Zone (CBD-P)
	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:	API: Uptown Commercial; OCHS: Ec1*
	City Council District:	3
	Date Filed:	November 17, 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 Marilyn Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .

4.	Location:	The Public Right-of-Way near 222 19th Street
	Assessor's Parcel Number(s):	Adjacent to 008-0634-003-00
	Proposal:	Installation of a wireless "small cell site" telecommunications facility on an existing 27' tall City street light pole located in the public right-of-way. The project involves installation of one (1) antenna measuring 24" long and 14.6" in diameter located within shroud at a height of 31'-2" and two radio units (12.05" wide and 27.17" tall and 7.01" deep) mounted at a height of 16' and 17'-8" above ground; a fiber splice box measuring 6 3/4" tall, 4 3/4" wide and 2 1/8" deep mounted on the pole at 3'-4".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon Wireless) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17116
	Planning Permits Required:	Major Conditional Use Permit and Design Review to install a wireless Monopole Telecommunications Facility on existing city light pole located in the public right -of- way in a residential zone.
	General Plan:	Central Business District
	Zoning:	CBD-R Central Business, Residential Zones.
	Environmental Determination:	Exempt per Sections 15301 of the State CEQA Guidelines, minor additions & alterations to an existing city light pole; Section 15303, new construction/conversion 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:	April 29, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council within 10 days</i>
	For Further Information:	Contact Case Planner Jason Madani, Planner II at (510) 238-4790 or by email at jmadani@oaklandnet.com .



5.	Location:	Wooden Utility JPA pole in public right-of-way (sidewalk) adjacent to 1938 Seminary Ave
	Assessor's Parcel Number(s):	Adjacent to 038-3214-005-00
	Proposal:	To establish a "small cell site" telecommunications facility, in order, to enhance existing services, by attaching an antenna and equipment up to 21'-3" on a 52' wooden utility pole in the public right-of-way (sidewalk).
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (913) 458-9148
	Pole Owner:	Extenet, et al
	Case File Number:	PLN16301
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-4 Mixed Housing Type Residential Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15302: Replacement or Reconstruction; 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:	6
	Date Filed:	October 4, 2016
	Action to be Taken:	Approval with conditions
	Finality of Decision:	<i>Appealable to City Council within 10 days</i>
	For further information:	Contact Case Planner Caesar Quitevis at (510) 238-6343 or by email at cquitevis@oaklandnet.com .

6.	Location:	Wooden Utility JPA pole in public right-of-way (sidewalk) adjacent to 1824 55th Avenue
	Assessor's Parcel Number(s):	Adjacent to 038-3228-005-01
	Proposal:	To establish a "small cell site" telecommunications facility, in order, to enhance existing services, by attaching an antenna and equipment up to 25'-3" on a 42' wooden utility pole in the public right-of-way (sidewalk).
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (913) 458-9148
	Pole Owner:	Extenet, et al
	Case File Number:	PLN16306
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Detached Unit Residential
	Zoning:	RD-2 Detached Unit Residential Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15302: Replacement or Reconstruction; 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:	6
	Date Filed:	October 7, 2016
	Action to be Taken:	Approval with conditions
	Finality of Decision:	<i>Appealable to City Council within 10 days</i>
	For further information:	Contact Case Planner Caesar Quitevis at (510) 238-6343 or by email at cquitevis@oaklandnet.com .



The Consent Calendar was called at 6:15pm.

Motion by Commissioner Myres to approve Consent Calendar Items #1 through #6, seconded by Commissioner Manus.

Ayes: Manus, Fearn, Limon, Myres, Nagraj

Noes:

Abstentions: Monchamp

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

PUBLIC HEARINGS

7.	Location:	2000 MacArthur Blvd
	Assessor's Parcel Number(s):	029A-1301-022-00
	Proposal:	To revise conditions of approval for a restaurant regarding sale of alcoholic beverages (upgrade ABC license for beer & wine to include liquor), and, hours of operation (10:00 P.M. closing time would be extended to 10:30 P.M. Thursdays-Saturdays)
	Applicant / Phone Number:	Mr. Phillip Bell (510) 435-2118
	Owner:	Same
	Case File Number:	CM10009-R01
	Planning Permits Required:	Revision to Major Conditional Use Permit # CM10-009 approved February 17, 2010 to amend Conditions of Approval #30b (ABC license type) & 30d (closing time)
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	CN-1 Neighborhood Commercial Zone
	Environmental Determination:	Exempt, Section 15270 of the State CEQA Guidelines: Projects Which Are Disapproved; 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:	November 13, 2014
	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 .

This item was called at 6:16pm.

Staff: Aubrey Rose

Applicant: Phillip Bell

Public Speakers: Geoffrey Pete, Len Turner, Rusty Jackson, Dennis Middleton, Ron Scarborough, Mark McClure, Maurice Stevenson, Dorothy King, Kevin Blackburn. Public Session closed.

Motion by Commissioner Monchamp to direct staff to prepare findings approving the liquor license as well as the extension of hours as requested by the Applicant, including any standard conditions that have been used in other restaurant establishments with full liquor licenses that have been recently approved, and bring them to Commission at the soonest possible time, seconded by Commissioner Myres.

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

Noes:

Approved with 6 ayes and 0 noes.



8.	Location:	581 Eldorado Avenue
	Assessor's Parcel Number(s):	012-0932-010-00
	Proposal:	The project involves construction of three (3) detached, two-story dwelling units on a 7,844-square foot vacant, up-sloped lot; Three (3) off-street parking spaces are provided with a common driveway. The proposal will also create three (3) new condominium units.
	Applicant/Owner:	Modern Partners, LLC
	Contact Person/Phone:	David Rucker (510) 421-2605
	Case File Number:	PLN17283, TPM10737
	Planning Permits Required:	Major Conditional Use Permit to allow three (3) residential dwellings in the RM-2 zone; Regular Design Review to construct three (3), detached, two-story dwelling units. Tentative Parcel Map (TPM10737) to create three (3) new residential condominiums.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2 Zone
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines: New construction of small structures; Section 15315, division of multiple family dwellings into common-interest ownership and; Section 15183: Projects consistent with a Community Plan, General Plan or Zoning
	Historic Status:	N/A, vacant lot
	City Council District:	1
	Date Filed:	07/26/17
	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 7:04pm.

Staff: Jason Madani

Applicant: Dave Rucker

Public Speakers: Chris Kintner, Judy Bowman, Victoria Fierce, Alison Kobban. Public Session closed.

Motion by Commissioner Monchamp to affirm staff's environmental determination and approve the Major Conditional Use Permit, Regular Design Review, and Vesting Tentative Parcel Map, subject to the attached findings and conditions, seconded by Commissioner Myres.

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

Approved with 6 ayes and 0 noes.



9.	Location:	325 7 th Street
	Assessor's Parcel Number(s):	001-0189-003-00; 001-0189-009-00; 001-0189-013-00; 001-0189-014-00;
	Proposal:	Extension of the planning entitlements for previously-approved mixed-use 380-unit residential and 9,110 square-foot commercial space.
	Owner/Applicant:	325 7 th Street, LLC (510)763-2911
	Case Number:	CMDV06573
	Planning Permits Required:	Extension of the Major Conditional Use Permit for a large-scale development over 100,000 square feet of new floor area or more and one hundred twenty (120) feet in height; Interim Major Conditional Use Permit for a Floor Area Ratio (FAR) that exceeds zoning but is consistent with the General Plan; Minor Variances for dimensions of parking spaces, dimensions of parking spaces against a column or other obstruction, tandem parking spaces and rear yard setback and Major Design Review
	General Plan:	Central Business District
	Zoning:	D-LM 2 & D-LM 4 Lake Merritt Station Area District
	Environmental Determination:	EIR (ER07-0002) prepared for project; and Section 15183 of the CEQA Guidelines (projects consistent with a community plan, general plan, or zoning).
	Historic Status:	Area of Primary Importance (API)
	City Council District:	2
	Status:	Planning Commission approval on July 20, 2011. Entitlements extended through December 31, 2016. Time Extension request was filed on December 5, 2016 but hearing has been delayed to correspond with proposed revisions under CMDV06573-R01.
	Staff Recommendation:	Decision based on staff report
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact Case Planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandnet.com .

This item was called at 7:23pm.

Staff: Maurice Brenyah-Addow

Applicant: Mollie Westphal

Public Speakers: Mark McClure, Yui Hay Lee, Len Turner, Darrel Carey, Michael Seals, Russell Spektor, Robert Porter. Public Session closed.

Motion by Commissioner Myres to grant a one year extension of the current project approvals from today's date until September 6, 2018, subject to the previously approved findings and conditions of approval and the attached conditions of approval regarding the imposition of impact fees, with a modification of condition #26 that we expand the scope of the condition to do a complete Design Review Committee review of the project to be able to look at the entire project, seconded by Commissioner Nagraj.

Ayes: Manus, Fearn, Limon, Myres, Nagraj

Noes: Monchamp

Approved with 5 ayes and 1 no.



10.	Location:	325 7th Street
	Assessor's Parcel Number(s):	001-0189-003-00; 001-0189-009-00; 001-0189-013-00; 001-0189-014-00;
	Proposal:	To revise previously approved mixed-use project to reduce the residential units from 380 units to 160 residential units and increase the commercial space from 9,110 to 11,243 square feet.
	Owner:	325 7 th Street, LLC
	Applicant:	325 7 th Street, LLC. (510)763-2911
	Case Number:	CMDV06-573-R01
	Planning Permits Required:	Revision to previously approved project involving a Major Conditional Use Permit, Design Review and updated Tentative Parcel Map;
	General Plan:	Central Business District
	Zoning:	D-LM 2 & D-LM 4 Lake Merritt Station Area District
	Environmental Determination:	The revised project relies on the previously prepared 325 7 th Street EIR (ER07-0002) (2011 EIR) as well as City of Oakland General Plan Land Use and Transportation Element (LUTE)(1998), Housing Element; Lake Merritt Station Area Plan EIR (ER11-001)(2011); A detailed CEQA Analysis prepared for this project concluded that the proposed project, separately and independently, satisfies each of the following CEQA provisions: 15183— Projects consistent with a community plan, general plan, or zoning; 15183.3— Streamlining for in-fill projects; and/or 15164— Addenda to the 2011 EIR. The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 nd Floor, Oakland CA 94612, or online at: http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak065545.pdf
	Historic Status:	Area of Primary Importance (API)
	City Council District:	2
	Status:	Pending
	Action to be Taken:	Decision based on staff report
	For Further Information:	Contact Case Planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandnet.com .

Item #10 was withdrawn by the Applicant.



APPEALS

None.

COMMISSION BUSINESS

Approval of Minutes

Motion by Commissioner Monchamp to approve the July 19, 2017, meeting minutes, seconded by Commissioner Nagraj.

Ayes: Manus, Fearn, Monchamp, Myres, Nagraj

Noes:

Abstentions: Limon

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

Motion by Commissioner Manus to approve the August 2, 2017, meeting minutes, seconded by Commissioner Fearn.

Ayes: Manus, Fearn, Limon, Myres

Noes:

Abstentions: Monchamp, Nagraj

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

Correspondence

None.

City Council Actions

None.

ADJOURNMENT

The meeting was adjourned at 8:09pm.

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

NEXT REGULAR MEETING: September 27, 2017