

Oakland City Planning Commission

AGENDA

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

December 20, 2017
Regular Meeting

Revised December 13, 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 devise, 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。

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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

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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.

1. Location:	City Street light pole in sidewalk adjacent to 959 12th Street
Assessor's Parcel Number:	Adjacent to: 004-0009-002-05
Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a 24'-5" City street light pole located in the sidewalk; the antenna would be attached to the top at up to 29'-8" and equipment at approx. 9' to 15'-1".
Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
Owner:	City of Oakland
Case Number:	PLN16340
Planning Permits Required:	Major Conditional Use Permit and Design Review with additional findings for a Monopole Telecommunications Facility in a Residential Zone.
General Plan:	Mixed Housing Type Residential
Zoning:	RM-2 Mixed Housing Type Residential Zone S-20 Historic Preservation District Combining Zone (Oak Center)
Environmental Determination:	Exempt, under the State CEQA Guidelines. Section 15301: Minor alteration to existing Facilities; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Non-historic property
City Council District:	3
Date Filed:	December 9, 2016
Action to be Taken:	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 .

2. Location:	City Street light pole in sidewalk adjacent to 1403 Linden Street
Assessor's Parcel Number:	Adjacent to: 005-0380-014-01
Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a 27'-6" tall City street light pole located in the sidewalk; the antenna would be attached to the top up to 29'-9" and equipment at approx. 9' to 15'.
Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
Owner:	City of Oakland
Case Number:	PLN16423
Planning Permits Required:	Major Conditional Use Permit and Design Review with additional findings for a Monopole Telecommunications Facility in a Residential Zone.
General Plan:	Mixed Housing Type Residential
Zoning:	RM-4 Mixed Housing Type Residential Zone
	S-20 Historic Preservation District Combining Zone (Oak Center)
Environmental Determination:	Exempt, under the State CEQA Guidelines. Section 15301: Minor alteration to existing Facilities; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Non-historic property
City Council District:	3
Date Filed:	December 7, 2016
Action to be Taken:	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.

3. Location:	City Street light pole in sidewalk adjacent to 952 14th Street
Assessor's Parcel Number:	Adjacent to: 005-0382-015-03
Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a 27'-5" tall City street light pole located in the sidewalk; the antenna would be attached to the top up to 29'-8" and equipment at approx. 9' to 15'.
Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
Owner:	City of Oakland
Case Number:	PLN16427
Planning Permits Required:	Major Conditional Use Permit and Design Review with additional findings for a Monopole Telecommunications Facility in a Residential Zone.
General Plan:	Mixed Housing Type Residential
Zoning:	RM-4 Mixed Housing Type Residential Zone S-20 Historic Preservation District Combining Zone (Oak Center)
Environmental Determination:	Exempt, under the State CEQA Guidelines. Section 15301: Minor alteration to existing Facilities; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Non-historic property
City Council District:	3
Date Filed:	December 7, 2016
Action to be Taken:	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 .

4. Location:	Utility pole in sidewalk adjacent to: 2701 Logan Street (along 27th Ave)
Assessor's Parcel Number(s):	026-0763-001-00
Proposal:	To establish a "small cell site" telecommunications facility in order to enhance existing services
	by attaching two panel antennas on top of a 38'-3" wooden utility pole located in the public
	right-of-way (sidewalk). The antennas would be up to 21'-3" in height and equipment mounted
	at a height of 6'-7" to 14'-4" above ground-level.
Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
Owner:	Extenet Systems California, LLC
Case File Number:	PLN17307
Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
General Plan:	Mixed Housing Type Residential
Zoning:	RM-3 Mixed Housing Type Residential - 3 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:	August 16, 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.

5. Location:	Utility pole in sidewalk adjacent to 2437 Fruitvale Ave (Along Logan St)
Assessor's Parcel Number(s):	026-0767-001-00
Proposal:	To establish a "small cell site" telecommunications facility in order to enhance existing services by attaching two panel antennas on top of a
	43'-6" wooden utility pole located in the public right-of-way (sidewalk). The antennas would be up to 21'-3" in height and equipment mounted at a height of 8' to 14'-1" above ground-level.
Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
Owner:	Extenet Systems California, LLC
Case File Number:	PLN17318
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 - 4 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:	August 16, 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.

6. Location:	Utility pole in sidewalk adjacent to 3536 Galindo St (Along Baxter St)
Assessor's Parcel Number(s):	032-2112-045-02
Proposal:	To establish a "small cell site" telecommunications facility in order to enhance existing services
	by attaching one panel antenna on top of a 32'-7" wooden utility pole located in the public
	right-of-way (sidewalk). The antenna would be up to 21'-3" in height and equipment mounted
<u> </u>	at a height of 6'-7" to 14'-1" above ground-level.
Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
Owner:	Extenet Systems California, LLC
Case File Number:	PLN17309
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 - 2 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:	August 16, 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.

7. Location:	Siena Hill (on Siena Dr off Keller Ave, between Greenridge Dr and Rilea Way)
Assessor's Parcel Number(s):	040A-3848-001-00 through 040A-3848-032-00
Proposal:	Extension of the planning entitlements to allow for the 32 attached, single-family dwellings on
	32 lots, 103 off-street parking spaces, and a private road. Phase 1, which includes 10 of the 32
	units, the associated parking spaces and the private road, has already been constructed.
Applicant/Contact:	Keven Kwok (510) 258-8502
Owner:	Oakland Siena, LLC
Case File Number:	PUD02217
Planning Permits Required:	Extension of the Planned Unit Development Permit; Minor Variances for height and minimum
	separation of retaining walls, maximum percentage of front yard paying, and length of
	buildings alongside lot lines; and Design Review.
General Plan:	Previously: Detached Unit Residential;
	Currently: Mixed Housing Type Residential
Zoning:	Previously: R-50 Medium Density Residential Zone
	Currently: RM-3, Mixed Housing Type -3 Zone
Environmental Determination:	A Final Environmental Impact Report was certified on March 2, 2005 (Case File ER02-0012).
Historic Status:	N/A
City Council district	6
Status:	Planning Commission approval on March 2, 2005 (Case Files: PUD02-217; PUDF05-081;
	TTM7396). Construction of 10 units, associated parking and private road in 2009.
	Entitlements extended through December 31, 2017.
Staff Recommendation	Decision based on staff report
Finality of Decision:	Appealable to City Council within 10 days
For further information:	Contact Case Planner Heather Klein at (510) 238-3659 or by email at
	hklein@oaklandnet.com.

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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 <u>must be filed</u> 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.

This item has been continued to the January 10, 2018, Planning Commission meeting.

8. Location:	Brooklyn Basin (formerly known as "Oak to 9th Avenue"); specifically, remaining parks.
Assessor's Parcel Number(s):	018-0430-001-18; 018-0430-001-12; 018-0460-004-04
Proposal:	Two Final Development Permits (FDPs) for approx. 20 acres of parks (all remaining parks).
Applicant:	ZOHP, (510)251-9270
Owner:	Port of Oakland/ZOHP
Case File Number:	PUD06010-PUDF07 & -PUDF08
Planning Permits Required:	FDP, compliance with CEQA.
General and Estuary Plan:	Estuary Policy Plan-Parks (EPP-Parks).
Zoning:	Open Space (Region-Serving Park) (OS (RSP))
Environmental Determination:	Final EIR certified on January 20, 2009
Historic Status:	Non-Historic Property
City Council District:	2 Abel Guillen
Action to be Taken:	Design review discussion; no decision to be considered.
Finality of Decision:	Not applicable.
For further information:	Contact case planner Catherine Payne at 510 238-6168 or by e-mail at
	epayne@oaklandnet.com.

9. Location:	601 MacArthur Blvd (vacant parcel located at the SE corner of Wesley Ave)
Assessor's Parcel Number(s):	023-0427-002-00; 023-0427-001-00; 023-0427-008-03
Proposal:	To rezone a vacant property from Residential RM-3 zone to Residential RU-2 zone;
	construct a four-story 25-unit residential building with an underground parking garage; and
	subdivision for residential condominiums and merging lots into one.
Applicant / Phone Number:	James Branch (415) 678-0427
Owner:	Yila Properties
Case File Number:	PLN17281
Planning Permits Required:	1) Rezoning of RM-3 Zone (Mixed Housing Type Residential) to RU-2 Zone (Urban
	Residential); 2) Regular Design Review for construction of a residential building; and 3)
	Tentative Parcel Map Subdivision for condominiums and merging lots.
General Plan:	Mixed Housing Type
Zoning:	RM-3 Mixed Housing Type Residential (existing)
	RU-2 Urban Residential (proposed)
Environmental Determination:	The project proposal relies on the previously certified Final Environmental Impact
	Report (EIR) for the Land Use and Transportation Element (LUTE) of the 1998 General
	Plan. On a separate and independent basis, the proposal is also exempt from CEQA
	pursuant to CEQA Guidelines sections 15183 - Projects consistent with a Community
	Plan, General Plan, or Zoning;
TT:	15332 – Infill Development; 15303 – New Construction
Historic Status:	Non-Historic Property
City Council District:	2
Date Filed:	07/25/17 (revisions submitted 11/16/17)
Action to be Taken:	Refer project proposal to City Council for final determination
For Further Information:	Contact Case Planner Mike Rivera at (510) 238-6417 or by email at
	mrivera@oaklandnet.com.

This item has been continued to the January 10, 2018, Planning Commission me	atina	
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This item has b	een continued to the January 10, 2018, Planning Commission meeting.
10. Location:	0 Mandela Parkway. Vacant parcel located across from the neighboring property at 3650
	Mandela Parkway and next to Beach St and Target store.
Assessor's Parcel Number(s):	007-0617-014-05
Proposal:	To construct a six-story building ("Mandela Hotel") consisting of 220 rooms measuring
	approximately 142,813 square feet of floor area with a two-level underground parking garage and
	a surface parking area totaling 166 parking spaces.
Applicant / Phone Number:	Joanne Park, Lead Architect, Architectural Dimensions (510) 463-8300
Hotel Operators:	Tulsee Nathu & Paval Nathu
Property Owner:	State of California
Case File Number:	PLN16394
Planning Permits Required:	1) Major CUP for non-residential projects with more than 25,000 square feet of floor area; 2)
·-	Minor CUPs transient habitation (hotels) and non-residential tandem parking; 3) Regular
	Design Review for new building construction; and 4) Minor Variance for front yard setback
	reduction.
General Plan / Specific Plan:	Regional Commercial / West Oakland Specific Plan (WOSP)
Zoning:	CR-1, Regional Commercial Zone
Environmental Determination:	A detailed CEQA (California Environmental Quality Act) Analysis was prepared
	for this project, which concluded that the proposed development project satisfies
	each of the following CEQA Guidelines: (A) 15332-Urban Infill Development; (B) 15183-
	Projects Consistent with a Community Plan, General Plan, or Zoning; (C) 15183.3
	Streamlining for Infill Projects; (D) 15164 - Addendum to EIRs; and (E) 15168 and 15180 -
	Program EIRs and Redevelopment Projects. Each of the foregoing provides a separate and
	independent basis for CEQA compliance.
	The CEQA Analysis document may be reviewed at the Bureau of Planning offices, located at
	250 Frank Ogawa Plaza, 2nd Floor or online. The CEOA Analysis document for the 0
	Mandela Parkway Project can be viewed here:
	http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009157
•	(Mandela Parkway CEQA Analysis)
A STATE OF THE STA	The CEQA analysis relied upon in making the Environmental Determination and incorporated
	by reference within the CEQA Analysis document including the LUTE (Land Use
	Transportation Element), and West Oakland Redevelopment Plan EIRs that can be viewed
1	here:
	http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009158
	(LUTE / Item #1)
	http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/dowd007642.pdf
	(West Oakland Redevelopment Plan)
	Non-historic Property
	3
Date Filed:	11/28/16
Action to be Taken:	Decision based on staff report
	Contact Case Planner Mike Rivera at (510) 238-6417 or by email at

December 20, 2017

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

Correspondence

City Council Actions

ADJOURNMENT By 10:30 P.M. unless a later time is agreed upon by a majority of Commissioners present.

KOBÉŘT MERKAMP **Development Planning Manager**

Secretary to the Planning Commission

Planning and Building Department

NEXT REGULAR MEETING: January 10, 2018

Revised December 13, 2017, to reflect continuance of Items #8 and #10 to the January 10, 2018, Planning Commission meeting.