



Oakland City Planning Commission

Minutes

*Jim Moore, Chair
Adhi Nagraj, Vice Chair
Jahaziel Bonilla
Amanda Monchamp
Jahmese Myres
Chris Pattillo
Emily Weinstein*

March 16, 2016
Regular Meeting

ROLL CALL

Present: Moore, Nagraj, Monchamp, Myres, Pattillo.

Excused: Bonilla, Weinstein.

Staff: Robert Merkamp, Moe Hackett, Michael Bradley, David Valeska, Celena Chen, Cheryl Dunaway.

WELCOME BY THE CHAIR

Agenda Discussion

Item #6 will not be heard tonight due to lack of a quorum. The Planning Commission will vote to schedule a Special Planning Commission meeting on March 23, 2016 so this item can be heard at that time.

Commissioner Myres made a motion to approve, seconded by Vice Chair Nagraj.

Action on the matter: Approved 5 ayes, 0 noes.

Committee Reports

Vice Chair Nagraj gave a report on the Zoning Update Committee meeting held on March 9, 2016.

CONSENT CALENDAR

Item #.5 moved on consent of the Planning

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。



ITEM #.5 WAS CONTINUED FROM MARCH 2, 2016.

.5

Location: 6250 Vallejo Street (APN:016 146501104)

Proposal: Appeal of the Zoning Manager's Approval to convert the existing one-story accessory building to a new two-story, two-unit residential facility. *The appellant is appealing Conditions of Approval #23 to lower height of rear second-floor addition, and #24 to alter the north side windows of the second-floor building addition.*

Appellant/Owner: Moshe Shafrir

Contact Phone Number: (510) 710-4444

Case File Number: PLN14216-A01

Planning Permits Required: Minor Conditional Use Permit to construct two residential dwellings where one residential dwelling exists in a single lot in the RM-3 Zone; Regular Design Review for new residential construction; and Minor Variances to reduce the front yard setback where 15' is required and 2.14' is proposed, reduce the side yard setback where 4' is required and 0.40' is proposed for the new altered first floor residential unit, and to construct a driveway curb cut within 10' from the adjacent southerly neighboring driveway curb cut.

General Plan: Mixed Housing Type Residential

Zoning: RM-3/ Mixed Housing

Environmental Determination: State CEQA Guideline Sections- 15303-New Construction or Conversion of Small Structures; and 15183-Projects Consistent with a Community Plan, General Plan or Zoning

Historic Status: Rating: Dc3

Service Delivery District: 2

City Council District: 1

Staff Recommendation: Deny the appeal and uphold the Zoning Manager's decision

Finality of Decision: Final (not appealable per Section 17.132.030 (OPC))

For Further Information: Contact Case Planner **Mike Rivera** at (510) 238-6417 or by email: mrivera@oaklandnet.com.

VICE CHAIR NAGRAJ RECUSED HIMSELF FROM HEARING THIS ITEM DUE TO A CONFLICT OF INTEREST.

Commissioner Myres made a motion to approve, seconded by Commissioner Pattillo.

Action on the matter: Approved 4 ayes, 0 noes.



ITEM #1 HAS BEEN REMOVED FROM THIS AGENDA.

1.	Location:	The public Right of Way 41st Street and Piedmont Avenue. Nearest lot adjacent to the project site. APN: (012-0993-006-01).
	Proposal:	The project involves replacement of an existing 23' tall PG&E utility pole with a new 34' tall utility pole to install new wireless telecommunication facility for Crown Castle located in the public right of way; installation of one 24" wide antenna panel and 4' wide cross arm mounted at a height of 27'-0" ; an associated equipment box, one battery backup and meter boxes within shroud attached to the pole at 8' height above ground.
	Applicant:	Crown Castle
	Contact Person/Phone Number:	Bob Gundermann & Jason Osborn (925)899-1999
	Owner:	Pacific Gas & Electric PG&E
	Case File Number:	PLN15-389
	Planning Permits Required:	Major Design Review to install a wireless Telecommunication Macro Facility to on existing PG&E pole located in the public right of way in CN-1 zone;
	General Plan:	Neighborhood Center Mixed Use.
	Zoning:	CN-1 Neighborhood Center Zone.
	Environmental Determination:	Exempt, Section 15301 and 15303 of the State CEQA Guidelines; minor additions and alterations to an existing utility pole. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
		7 Not a Potential Designated Historic Property; Survey Rating: N/A
	Service Delivery District:	2
	City Council District:	1
	Status:	Pending
	Action to be Taken:	Decision of Application
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Jason Madani at (510) 238-4790 or by email: jmadani@oaklandnet.com

**ITEM #2 WAS CONTINUED FROM MARCH 2, 2016.**

2.	Location:	3125 E. 7th Street (APN: 025-0661-006-04)
	Proposal:	To install a wireless telecommunications facility involving a new mono-pole designed to appear as a water tower, with nine (9) screened antennas with associated equipment and a ground level equipment compound below. NOTE: This is a re-notification of an item that was originally noticed and subsequently removed from the December 2nd 2016 Agenda.
	Applicant:	Brendan Leonard for Verizon Wireless.
Contact Person/Phone Number:		Brendan Leonard (916)747-0624
	Owner:	Gary K. and Silvia M. Bennett
	Case File Number:	PLN15-072
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review to install a Mono-pole Telecommunications Facility located in the residential zone
	General Plan:	Estuary Policy Plan Mixed Use
	Zoning:	D-CE-3 Estuary Policy Plan Zone , S-19 Health and Safety Protection Combining Zone
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines; new small structures. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	Potential Designated Historic Property; Survey Rating:
	Service Delivery District:	3
	City Council District:	2
	Status:	Pending
	Action to be Taken:	Decision of Application
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Moe Hackett at (510) 238-39730 or by email: jmhackett@oaklandnet.com

COMMISSIONER MONCHAMP RECUSED HERSELF FROM HEARING THIS ITEM DUE TO A CONFLICT OF INTEREST.

Staff Member Moe Hackett gave a presentation.

Applicant: Brendon Leonard gave a PowerPoint presentation.

Speakers: John Sweeney, Rena Rickles, Michael Padway, Michael Stewart, Cynthia Elliott, Barbara Fitterer, Krystyna Kozakiewicz.

PUBLIC COMMENT SESSION CLOSED.

Vice Chair Nagraj made a motion to continue the item with the conditions that the applicant schedule a design focused meeting with the community members, continue to look for alternative locations and then bring the matter back before the Planning Commission , seconded by Commissioner Pattillo.

Action on the matter: Approved 3 ayes, 1 no (Myres).



ITEM #3 HAS BEEN REMOVED FROM THIS AGENDA.

3.	Location:	The Public Right-of-Way adjacent to 5 Montell Street and 3868 Piedmont Avenue. Nearest lot adjacent to the project site (012-0936-022-00)
	Proposal:	The project involves the installation of a new wireless Telecommunications facility (Crown Castle) on a new 24' tall metal light pole located in the public right-of-way; installation of one 24" wide panel antenna mounted at a height of 23 feet above the ground; an associated equipment box, one battery backup and meter boxes within shroud attached to the light pole at 9' above ground.
	Applicant:	Crown Castle
	Contact Person/Phone Number:	Bob Gundermann & Jason Osborn (925)899-1999
	Owner:	City of Oakland
	Case File Number:	PLN15-388
	Planning Permits Required:	Major Conditional Use Permit and Design Review to install a new Monopole Telecommunication Facility within 100' of residential zone, and Minor Variance to waive 1:1 ratio setback distance to the residential zone and to establish Monopole Facility within 1500 feet of another Monopole Facility.
	General Plan:	Neighborhood Center Mixed Use.
	Zoning:	CN-1 Neighborhood Center Zone.
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines; installation a new telecommunication/light pole. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, General Plan or zoning.
	Historic Status:	Not a Potential Designated Historic Property; Survey Rating: N/A
	Service Delivery District:	2
	City Council District:	1
	Status:	Pending
	Action to be Taken:	Decision of Application
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case planner Jason Madani at (510) 238-4790 or by email: jmadani@oaklandnet.com



ITEM #4 HAS BEEN REMOVED FROM THIS AGENDA.

4.	Location:	4276 Macarthur Boulevard (APN: 030-1981-150-01).
	Proposal:	To convert and expand existing automotive service bays within an existing gas and service station to a 24-hour gas station convenience market
	Applicant:	Raj Goeswamy
	Contact Person/Phone Number:	Raj Goeswamy (510)867-6540
	Owner:	Same
	Case File Number:	PLN15299
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review Special Use permit Criteria, CN Zone Findings to expand an existing building and establish a Convenience Market
	General Plan:	Neighborhood Center Commercial
	Zoning:	CN-2, Neighborhood Center Commercial Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines; modifications to existing small structures. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	None
	Service Delivery District:	4
	City Council District:	4
	Status:	Pending
	Action to be Taken:	Decision of Application
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Moe Hackett at (510) 238-39730 or by email: mhackett@oaklandnet.com



PUBLIC HEARINGS

ITEM #5 HAS BEEN REMOVED FROM THIS AGENDA.

5.	Project Name:	7-11 Store
	Location:	506 International Boulevard (APN 020-0134-007-03)
	Proposal:	Allow Convenience Market Commercial Activity and Facility
	Contact Person/Phone Number:	Jesse Kent 916 966 7325
	Owner:	Habibisoureh Nozar, Jomehri Parvin
	Case File Number:	PLN16027
	Planning Permits Required:	Major Conditional Use Permit to allow a 3,516 square foot Mini-market/convenience store, with continued gasoline service and tobacco service, with no alcohol sales; with 10 parking spaces and signage, and with 24-hour operation, on a 23,957 square foot parcel, to replace an automotive gas station, retaining and repairing existing legal noneonforming gasoline pumps; Design Review for constructing new facility
	General Plan:	Mixed Housing Type Residential, Neighborhood Center Mixed Use Commercial
	Zoning:	CN-3 Neighborhood Commercial Zoning District
	Environmental Determination:	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15303 small structures, 15332 urban infill, 15183 projects consistent with adopted plans
	Historic Status:	Not a Potential Designated Historic Property
	Service Delivery District:	SDS-3
	City Council District:	2
	Commission Action to Be Taken:	Approve Staff Recommendation
	Appeal:	To City Council
	For Further Information:	David Valeska at (510) 238-2075, dvaleska@oaklandnet.com



ITEM #6 WAS CONTINUED FROM MARCH 2, 2016.

6.	Location:	4th & Madison Streets (APN: 001-0161-001-00; -002-00; & -007-07)
	Proposal:	Proposal to demolish the existing building and surface parking lot and construct approximately 330 dwelling units and approximately 5,000 square feet of ground floor commercial in two buildings on two sites across the street from one another. The site includes the entire block between Jackson and Madison Streets and 4 th and 5 th Streets, and half of the block to the south bounded by 3 rd and 4 th Streets and Jackson and Madison Streets.
	Applicant:	Carmel Partners
	Contact Person/Phone Number:	Greg Pasquali - (415)231-0221
	Owner:	Square 1 LLC
	Case File Number:	ER15-005 & PLN15-172
	Planning Permits Required:	Regular Design Review for New Construction, Major Conditional Use permit to allow parking within 75 feet of the project street frontage, and Tentative Parcel Map for new condominiums.
	General Plan:	Estuary Policy Plan – Mixed Use District
	Zoning:	C-45, Community Shopping Commercial Zone
	Environmental Determination:	Draft Environmental Impact Report was published for a 45-day review period from August 11, 2015 to September 25, 2015. The Final EIR was published on February 11, 2016.
	Historic Status:	Potentially Designated Historic Property; OCHS Rating: Dc3 Contributor to Waterfront Warehouse National Register District
	Service Delivery District:	Metro
	City Council District:	3
	Action to be Taken:	Adopt the CEQA findings, including Certification of the Environmental Impact Report and Statement of Overriding Considerations, and decision on the application.
	For Further Information:	Contact case planner Peterson Z. Vollmann at (510) 238-6167 or by email: pvollmann@oaklandnet.com .

THIS ITEM WILL NOT BE HEARD TONIGHT DUE TO A LACK OF A QUORUM. IT HAS BEEN CONTINUED TO THE DATE CERTAIN OF MARCH 23, 2016 AT A SPECIAL PLANNING COMMISSION MEETING.

**ITEM #7 WAS CONTINUED FROM MARCH 2, 2016.**

7.	Location:	2126 Martin Luther King Jr Way (APN: 008-0659-023-00 & 008-0659-022-00)
	Proposal:	To construct a new six-story, 62 unit multi-family affordable housing residential building with a Service-Enriched Permanent Housing Residential Activity component.
	Applicant:	SGPA Architecture for Resources for Community Development
	Contact Person/Phone Number:	Alexis Burck (415) 983-0131
	Owner:	Embark Apartments, L. P.
	Case File Number:	PLN15351
	Planning Permits Required:	Regular Design Review to construct a new six-story, 62 unit multi-family affordable housing residential building with a density bonus of 62 units where 56 units are permitted (10% bonus) and density incentives (1) for a building height of 75' where 55' is permitted; and (2) open space of 2,200 square feet where 4,650 square feet are required; and (3) to reduce the ground floor active space for office use. Major Conditional Use Permit for a Service-Enriched Permanent Housing Residential Activities. Minor Conditional Use Permit for a reduction in parking from 62 off-street parking spaces to 31 off-street parking spaces.
	General Plan:	Central Business District
	Zoning:	CBD-X Central Business District Mixed Commercial Zone
	Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines; In-fill development projects 15303 of the State CEQA Guidelines; new construction of small structures. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	No historic record – Vacant Lot
	Service Delivery District:	Metro
	City Council District:	3
	Status:	Pending
	Action to be Taken:	Decision of Application
	Finality of Decision:	<i>Appealable to City Council within 10 days</i>
	For Further Information:	Contact case planner Michael Bradley at (510) 238-6935 or by email: mbradley@oaklandnet.com

Staff Member Michael Bradley gave a presentation.

Applicants: Alexis Burck and Glen Wood, Architect gave a PowerPoint presentation.

PUBLIC COMMENT SESSION CLOSED.

Commissioner Myres made a motion to approve, seconded by Commissioner Pattillo.

Action on the matter: Approved 5 ayes, 0 noes.



APPEALS

ITEM #8 HAS BEEN REMOVED FROM THIS AGENDA.

8.	Location:	500 Hegenberger Road (8400 Edes Ave.); (APN: 042-4323-007-05)
	Proposal:	Appeal of the Zoning issuance of a Zoning Clearance Permit for new ownership of an existing Hotel (Transient Habitation) which was approved under Major Conditional Use Permit CM09-221
	Original Applicant / Contact:	Oakland Hotels, LLC - Nupen Patel / (510) 212-2714
	Appellant / Contact:	UNITE HERE Local 2850 - Ty Hudson / (213) 509-9114
	Property Owner:	Oakland Alameda Hotels LLC
	Case File Number:	ZC152397-A01
	Original Case File Number:	ZC152397
	Planning Permits Required:	Zoning Clearance permit for change of ownership of an existing hotel
	General Plan:	Regional Commercial
	Zoning:	CR-1 Regional Commercial Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines; minor alteration and operation of existing facilities. Exempt, Section 15268 of the State CEQA Guidelines; ministerial projects. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	Not a Potential Designated Historic Property; Survey rating: F3
	Service Delivery District:	4
	City Council District:	7
	Status:	Application approved by Zoning on October 29, 2015; Appealed November 9, 2015.
	Action to be Taken:	Public Hearing
	Staff Recommendation:	Deny the appeal and uphold the Zoning Administrator's approval
	Finality of Decision:	Final (Not Appealable Pursuant to OMC Sec. 17.132.030)
	For Further Information:	Contact case planner Michael Bradley at (510) 238-6935 or by email: mbradley@oaklandnet.com



9.	Location:	3308 Grand Avenue
	Assessor's Parcel Number:	011 083603100
	Proposal:	An appeal of the Zoning Manager 's Approval of an application to construct a two-story rear addition and reconstruct existing rear building area for a total 1,582 square feet (net 575 square feet of added building floor area) to an existing two-story Full Service Restaurant, Boot and Shoe Company
	Appellants:	Carl Telson and Sz Jou
	Phone Number:	(415) 271-5004 (Appellants)
	Owner:	Richard Weinstein
	Case File Number:	PLN15-058-A01
	Planning Permits Required:	Regular Design Review
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	CN-2 Neighborhood Commercial
	Environmental Determination:	<u>Staff Environmental Approval PLN15-058, October 23, 2015</u> Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation) Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Potential Designated Historic Property; Dc2+Rating
	Service Delivery District:	3
	City Council District:	2
	Date Filed:	November 2, 2015
	Action to be Taken:	Deny the appeal and uphold the Zoning Manager's decision
	Finality of Decision:	Final (Not Appealable pursuant to OMC Sec. 17.132.030)
	For Further Information:	Contact case planner David Valeska, Planner II at (510) 238-2075 or dvaleska@oaklandnet.com

THIS ITEM HAS BEEN CONTINUED TO THE DATE CERTAIN OF MARCH 23, 2016 AT A SPECIAL PLANNING COMMISSION MEETING. BOTH VICE CHAIR NAGRAJ AND COMMISSIONER PATTILLO RECUSED THEMSELVES FROM HEARING THIS ITEM DUE TO CONFLICTS OF INTEREST. AS OF A RESULT, THERE IS A LACK OF A QUORUM FOR THIS ITEM TO BE HEARD TONIGHT.

Commissioner Monchamp made a motion to continue this item to the date certain of March 23, 2016, seconded by Commissioner Myres.

Action on the matter: Continued to the date certain of March 23, 2016 3 ayes, 1 abstention (Pattillo).



Approval of Minutes

Commissioner Pattillo made a motion to approve the March 2, 2016 minutes, seconded by Commissioner Monchamp.

Action on the matter: Approved 4 ayes, 1 abstention (Myres).

ADJOURNMENT

Meeting adjourned at approximately 8:25 P.M.

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

NEXT REGULAR MEETING: April 6, 2016