



Chris Pattillo, Chair
Jim Moore, Vice Chair
Jahaziel Bonilla
Michael Coleman
Jahmese Myres
Adhi Nagraj
Emily Weinstein

April 1, 2015
Regular Meeting

Revised 03-20-15 *(see end of Agenda)

MEAL GATHERING

5:15 P.M.

Saigon Restaurant, 326 Frank Ogawa Plaza, 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

6:00 P.M.

Sgt. Mark Dunakin Hearing Room 1, 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.

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 p.m.**, 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 check with the Department 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 be available by 3:00 p.m. the Friday before the meeting, to any interested party, at the Planning and Zoning Division, 250 Frank H. Ogawa Plaza, Oakland, California 94612. Reports are also available at the Strategic Planning Division on the 3rd floor (Suite 3315), which closes at 5:00 p.m.

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 Community and Economic Development Agency, Planning and Zoning Division, 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 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.



**New web-site staff report
download instructions**

Staff reports are also available on-line, by 3:00 p.m. the Friday before the meeting, at www.oaklandnet.com. Select the "Government" tab, scroll down and click on "Planning & Zoning" click on "visit the Boards and Commissions page" 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 Zoning Division, 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.

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 Clay Street Garage is free. Attendees should see staff at the meeting for validation of parking tokens.

Applicants or members of the public that plan power point presentations: Please contact Cheryl Dunaway at cdunaway@oaklandnet.com or 510-238-2912 or Gwen Brown at gbrown@oaklandnet.com or 510-238-6194 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, 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 will be distributed at or prior to the meeting. To ensure that material is distributed to Commissioners, a minimum of twenty-five (25) copies should be submitted to Planning staff no later than the time 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. 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 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:	Public right-of-way adjacent to vacant lot west of 6658 Moore Drive
Assessor's Parcel Number:	Adjacent to: 048D-7310-021-00
Proposal:	To install a new 36'-11" telecommunications monopole including 2 antennas and pole mounted equipment. <i>The proposal has been revised with the monopole moved to the east</i>
Applicant /	Matt Yergovich (for: AT&T)
Phone Number:	(415) 596-3747
Owner:	Public right-of-way: City of Oakland
Case File Number:	PLN14045
Planning Permits Required:	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility in a Residential Zone; Regular Design Review and additional findings; Variance for 1:1 height/setback to residential property
General Plan:	Hillside Residential
Zoning:	RH-4 Hillside Residential Zone
Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines: New Construction; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Non-historic property
Service Delivery District:	2
City Council District:	4
Date Filed:	March 10, 2014
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 Aubrey Rose, AICP at (510) 238-2071 or arose@oaklandnet.com



2. **Project Name:** 3235 Louise Street
 Location: 3235 Louise Street (APN007-0595-015-00)
 Proposal: To construct 6 new dwelling unit on an existing vacant lot, as a Mini-Lot Subdivision.
Contact Person/Phone Number: Diane Moseley /Baran Studio (941) 773-6378
 Owner: Bill Ganci & Todd Severson
 Case File Number: PLN14294
 Planning Permits Required: Regular Design Review for new construction, Minor Variance for 50% decreased of Open Space on two of the unit and for location of Open Space completely within the front yard setback for two other units, Minor Conditional Use Permit for a Mini-Lot Subdivision, and Tentative Track Map for the creation of 6 new mini-Lots.
 General Plan: Mixed Housing Type Residential
 Zoning: RM-3 Mixed Housing Type Residential -3
Environmental Determination: Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15303 & 15183
 Historic Status: None
 Service Delivery District: 1
 City Council District: 3
 Action to Be Taken: Decision based on staff report
 Finality of Decision: Appealable to City Council within 10 days
 For Further Information: Contact Moe Hackett at (510) 238-3973 or mhackett@oaklandnet.com

3. **Location:** Public right-of-way adjacent to: 1244, 1265, & 1300 Mountain Boulevard (Re-Notification)
Assessor's Parcel Number: Adjacent to: 048G-7418-023-01, 048G-7418-018-00, 048G-7418-061-00
 Proposal: To install a new macro telecommunications facilities (2 antennas and associated equipment cabinets) on two replacment utility poles.
 Applicant / Matt Yergovich (for: AT&T)
 Phone Number: (415) 596-3747
 Owner: GG&E joint Utility Pole in the Public right-of-way: City of Oakland
 Case File Number: PLN14036
Planning Permits Required: Major Design Review and additional findings for Macro Telecommunications facilities within a residential zone
 General Plan: Hillside Residential
 Zoning: RH-4 Hillside Residential Zone
Environmental Determination: To be determined
 Historic Status: Non-historic property
 Service Delivery District: 2
 City Council District: 4
 Date Filed: March 6, 2014
 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 Moe Hackett, Planner II at (510) 238-3973 or mhackett@oaklandnet.com



PUBLIC HEARINGS (NOTE: ITEM 5 BELOW (Children's Hospital and Research Center Oakland) IS A JOINT PUBLIC HEARING WITH THE CITY ADMINISTRATOR'S OFFICE)

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 Zoning Division 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 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 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 (i.e., 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 Zoning Division, 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 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 City Planning Commission prior to the close of the City 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.

4.	Project Name:	Mango Restaurant
	Location:	1414 Fruitvale Avenue (APN033-2123-005-00)
	Proposal:	Alcoholic Beverage Service in Full Service Restaurant
	Contact Person/Phone Number:	Maria Figueroa 415 724 4841
	Owner:	Fruitvale Farnam LLC
	Case File Number:	PLN15036
	Planning Permits Required:	Major Conditional Use Permit for Alcoholic Beverage Service at Full Service Restaurant Within 200 Feet of A Restricted Street Pursuant to OPC 17.103 (International Boulevard)
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	CN-3 Neighborhood Commercial
	Environmental Determination:	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15301 & 15183
	Historic Status:	Potential Designated Historic Property, rating Dc2+, Fruitvale Commercial District.
	Service Delivery District:	3
	City Council District:	5
	Action to Be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact David Valeska at (510) 238-2075 or dvalueska@oaklandnet.com



(NOTE: ITEM 5 BELOW (Children's Hospital and Research Center Oakland) IS A JOINT PUBLIC HEARING WITH THE CITY ADMINISTRATOR'S OFFICE)

5.	Location:	Children's Hospital and Research Center Oakland (CHRCO) is located at 747 52 nd Street and is generally bounded by 53 rd Street to the north, State Route 24 (SR-24) to the east, and MLK Jr. Way and the elevated BART tracks to the south and west. APNs: Multiple
	Proposal:	<p>The Project would occur in two phases.</p> <p>Phase I would (a) demolish one residential building and minor rear yard additions on two residential buildings; (b) construct a 6-story, 89,100 sq. ft. Outpatient Center (OPC2) and a 1,100 sq. ft. addition to the existing Central Plant Building; (c) construct a new entrance to the existing parking garage off Martin Luther King Jr. Way; (d) improve landscaping and utilities; and (e) renovate 95,500 sq. ft. within the existing Hospital.</p> <p>Phase II would (a) demolish one residential building, a modular building, the rear portions of three residential buildings, the B/C Wing, the existing heli-stop structure, the Bruce Lyon Memorial Research Center, the HemOnc Administrative Building and several trailers; (b) construct a 2-story, 14,500 sq. ft. Family Residence Building with 12 to 16 residential units; a 3-story, 31,300 sq. ft. Clinical Support Building; a 5-story, 43,500 sq. ft. Link Building with a heli-stop on the roof; a 5-story, 101,000 sq. ft. Patient Pavilion; a 3,800 sq. ft. Central Utility Plant Building; and a 4-story, 114,900 sq. ft. parking structure with 334 stalls; (c) acquire and improve 1.5 acres of Caltrans Right-of-Way; (d) improve site access and circulation to 52nd Street and Dover Street; (e) improve landscaping and utilities; and (f) renovate 42,342 sq. ft. within the existing Hospital. Full Project build-out would result in 210 beds (increase of 40 on-site), 988 patients and outpatient visitors (increase of 113), 761 inpatient visitors (increase of 157) and 2,371 staff (increase of 205).</p>
	Applicant:	Children's Hospital and Research Center Oakland, Doug Nelson
	Phone Number:	(510) 428-3066
	Owner:	Children's Hospital and Research Center Oakland
	Case File Number:	PLN14-170; ER12-0013
	Planning Permits Required:	General Plan Amendment; Rezoning; Preliminary Planned Unit Development Permit for Phases 1 & 2; Final Planned Unit Development Permit for Phase 1; Conditional Use Permits to convert residential structures to non-residential in the S-1 and CN-3, permit health care use in RM-2 and CN-3, demolition of rooming units in the S-1 Zone, and commercial uses in the S-1 Zone; Design Review for residential facilities, non-residential facilities, Potentially Designated Historic Properties and demolition of historic structures; Minor Variances for open facilities, number of loading berths and Family Residence Building parking; exception from ground floor transparency percentage in the CN-3 Zone; a Vesting Tentative Tract Map.
	City Administrator Permit:	A heli-stop permit from the City Administrator's Office pursuant to Oakland Municipal Code Chapter 5.28 is necessary to relocate the existing heli-stop on the main campus. The heli-stop would be relocated approximately 250' to the north and approximately 45' higher than the existing heli-stop as part of Phase 2 of the Project. The existing heli-stop would be decommissioned and demolished.

(continued on page 7)



(continued from page 6)	
General Plan:	Current: Institutional, Mixed Housing Type, Neighborhood Center Proposed: Amend a portion of the project site from Mixed Housing Type Residential to Institutional.
Zoning:	Current: S-1, Medical Center Zone; RM-2, Mixed Housing Type Residential Zone-2; CN-3, Neighborhood Commercial Zone – 3 Proposed: Rezone a portion of the project site from RM-2, Mixed Housing Type Residential Zone – 2 to S-1 Medical Center Zone.
Environmental Determination:	The Draft Environmental Impact Report (EIR) was published for a 49-day review period from August 7, 2014 to September 22, 2014. The Response to Comments/Final EIR was published on February 27, 2015.
Historic Status:	The A/B Wing (Baby Hospital) on the CHRCO campus is considered a Potentially Designated Historic Property (PDHP) and a CEQA historic resource with a current (revised) rating of B3 by the Oakland Cultural Heritage Survey (OCHS), as confirmed by the Landmarks Preservation Advisory Board (LPAB) on August 12, 2013. The proposal includes certain properties within the 55th and Dover Residential District Area of Secondary Importance that are considered PDHPs. The District appears eligible for the California Register of Historic Places and is a CEQA historic resource.
Service Delivery District:	II – North Oakland/North Hills
City Council District:	1 – Kalb
Actions to be Taken:	
Planning Commission:	Receive public comments and Planning Commission comments. Planning Staff recommends the Planning Commission (1) recommend to the City Council adoption of the CEQA findings, including certification of the EIR; (2) recommend to the City Council approval of the Project's Planning-related permits, and (3) recommend to the City Council approval of the rezoning and general plan amendment.
City Administrator:	The Hearing Officer from the City Administrator's Office will receive public and Commission comments regarding the helistop permit. Planning Staff recommends the Hearing Officer recommend to the City Council approval of the helistop permit (through issuance of a separate, written determination after the close of the public hearing).
Appeal:	All of the Planning Commission's and City Administrator's recommendations as to the CEQA findings, certification of the EIR and the Project will automatically be considered by the City Council at a later date, for its independent review, consideration and final action, and thus no appeal of these actions is necessary. However, all interested parties must exhaust their administrative remedies by raising any and all issues and/or evidence at this public hearing or in a writing received by the Project Planner Heather Klein no later than 4:00pm on April 1, 2015.
For Further Information:	Contact project planner Heather Klein at (510) 238-3659 or hklein@oaklandnet.com



**PLEASE NOTE: ITEM NO. 6 BELOW WAS ADDED AND
CONTINUED FROM MARCH 18, 2015 TO THIS AGENDA**

6. **Location:** Parcel generally bounded by Lake Merritt Boulevard to the north, East 12th Street to the east, 2nd Avenue to the south, and a City park/water treatment basin and Lake Merritt Channel to the west.
- Proposal:** Construction of a 413,829 square foot, 24-story residential apartment tower, including 298 residential units, 2,000 square feet of ground level commercial space, 209 parking spaces, and associated amenities and improvements. Off-site improvements are also proposed to the existing water treatment basin/park located adjacent to the site.
- Applicant:** Urban Core
- Contact Person/Phone Number:** Ronnie Turner/(510)395-2766
- Owner:** City of Oakland
- Case File Number:** PLN14-266
- Planning Permits Required:** Design Review for new construction; Conditional Use Permits for 1) being subject to the requirements of Height Area LM-275 instead of Height Area LM-85; reduced loading birth dimensions; reduced number of parking spaces (298 required; 209 proposed); and improvements to a passive park site. Variance for storefront depth of 35 feet instead of the required 50 feet; All permits are Major because the proposed construction is greater than 100,000 square feet in a D-LM zone.
- General Plan:** Urban Residential
- Zoning:** D-LM-1 Lake Merritt Station Area District Mixed Residential Zone - 1
- Environmental Determination:** The anticipated environmental effects of the project have been evaluated by the Lake Merritt Station Area Plan Final Environmental Impact Report (Final EIR) (certified November 2014). The project is also Categorically Exempt under Section 15332 of the State CEQA Guidelines: In-Fill Development Projects; Section 15183 of the State CEQA Guidelines: Projects consistent with a Community Plan, General Plan or Zoning; and 15183.3 (Streamlining for Infill Projects). These analyses and exemptions satisfy CEQA requirements on a separate and independent basis.
- Historic Status:** Empty lot; no historic properties.
- Service Delivery District:** 4
- City Council District:** 2
- Status:** Pending
- Action to be Taken:** Decision on application and adoption of CEQA analysis
- Finality of Decision:** Appealable to City Council
- For Further Information:** Contact case planner at (510) 238-3878 or by email: ngray@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 Zoning Division, Community and Economic Development Agency, 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 report prepared by staff. If the Commission reverses/overturns the staff decision and no alternate findings 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 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.

(There are no Appeals on this Agenda)

COMMISSION BUSINESS

Approval of Minutes

March 4, 2015

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
Planning and Zoning Division

NEXT MEETING: April 15, 2015

*Revised 03-20-15 to indicated Item #6 has been added and continued from March 18, 2015 to this agenda.