



Oakland City Planning Commission

Minutes

Chris Pattillo, Chair
Jonelyn Whales, Vice-Chair
Jahaziel Bonilla
Michael Coleman
Jim Moore
Adhi Nagraj
Emily Weinstein

October 16, 2013
Regular Meeting

ROLL CALL

Present: Pattillo, Bonilla, Coleman, Moore, Nagraj, Weinstein.

Excused: Whales.

Staff: Rachel Flynn, Scott Miller, Aubrey Rose, Edward Manasse, Neil Gray, Mark Wald, Celena Chen, Cheryl Dunaway.

WELCOME BY THE CHAIR

Director's Report

Director Flynn gave a report on finalization of the City Council's redistricting at a special meeting to be held on October 29, 2013. The first reading of an Ordinance will be held on November 19, 2013 and a second reading on December 3, 2013.

City Attorney's Report

City Attorney Mark Wald gave a report on a multi-unit apartment complex project at 1316 – 63rd Street on a lawsuit filed by the applicants alleging the City Of Oakland violated the "Permit Streamlining Act". The trial court ruled in the City Of Oakland's favor stating that the "Permit Streamlining Act" was inapplicable, but there still remains other causes of action that has to be sorted out in court.

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.



PUBLIC HEARINGS

1.	Proposal:	2321 Broadway (APN: 008 -0739-006-00)
		To establish a full service restaurant with on-site beer brewing, on-site beer consumption, and off-sale of beer (to-go).
	Applicant /	Artisan Brewers
	Phone Number:	(510) 568-2739
	Owner:	Hive Development Group
	Case File Number:	CMV13249
	Planning Permits Required:	Major Conditional Use Permit with additional findings for Alcoholic Beverage Sales Commercial Activity; Variance for off-sale of alcoholic beverages within 1,000 feet of an alcohol outlet; Findings of Public Convenience or Necessity for a new alcohol outlet in an over-concentrated area (ie, ABC licenses in the census tract and reported crimes in the police beat)
	General Plan:	Community Commercial
	Zoning:	CC-2 Community Commercial Zone/ D-BR Downtown Broadway Retail Frontage Interim Combining Zone
	Environmental Determination:	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:	Survey rating: Ec3
	Service Delivery District:	Metro
	City Council District:	2
	Date Filed:	August 28, 2013
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case planner Aubrey Rose AICP, Planner II at (510) 238-2071 or arose@oaklandnet.com

Staff Member Aubrey Rose gave a presentation. He also stated that the applicant would like to make the following amendments to some of the conditions of approval: The ability to sell the beer from their main location in San Leandro and from their other breweries, Typo corrected stating frontages in the public right of way will be maintained for cleaned, expand the restriction allowing only recorded music and allow occasional live music, clarify the requirements for security patrol since they will have door staff that can function as security.

Chair Pattillo asked if the patio and parking area will be used only on Art Murrur nights.

Mr. Rose responded yes, they want to expand seating into the parking lots only on Art Murrur nights.

Commissioner Nagraj asked if there was any change to condition of approval 27.

Mr. Rose responded stating he may amend condition of approval 27 to assess whether security personnel is needed after the 6 month review process.



Mr. Miller stated that condition of approval 24(s) would be amended instead of removed based on the front door personnel would be considered security personnel, in which the applicant agrees.

Applicant: John Martin gave a presentation.

Chair Pattillo asked why the patio and parking area isn't being used more often instead of on Art Murmur nights only.

Mr. Martin responded stating that there is adequate room inside to accommodate the crowd and extends to the parking area on Art Murmur nights to allow the patrons to be a part of the activities. He is open to utilizing the parking area more often if the Planning Commission supports it.

Chair Pattillo recommends that it be added to the motion when it's time to vote on this item.

Commissioner Coleman asked what the hours of operation, and is there an entrance on Broadway.

Mr. Martin responded stating the hours of operation are 11:00 A.M. to 11:P.M. during weekdays and 11:00 A.M. to 1:30 A.M on weekends. There is no entrance on Broadway, just the Plaza entrance.

Speaker: Ralph Cooke.

Chair Pattillo asked Mr. Cooke if he doesn't want the applicant to use the outdoor patio parking area. She clearly understands that he doesn't want music amplifying throughout the surrounding area.

Mr. Cooke responded stating that although the current applicants are fine, it's future applicants that he's concerned about who may not be as considerate and play loud music. He would like for the patio crowd to extend to the parking area only on Art Murmur nights.

Planning Commission Questions, Comments and Concerns:

Commissioner Weinstein asked what are the hours of operation that music is played.

Mr. Martin responded 8:00 P.M. to 11:00 P.M.

Commissioner Moore asked if the owner has authority over how the business will operate.

Mr. Martin responded, yes.

Chair Pattillo informed Mr. Cooke that condition of approval 27 allows a six month reviewing process and he should make a note to call and complain about noise if necessary if the motion includes more outdoor use.



Mr. Miller explained the motion should include any door staff shall be viewed as security staff and security is required after 9:00 P.M. on Fridays and Saturdays. Condition of approval 27(n) will address any noise issues.

Commissioner Moore made a motion to approve with the conditions of approval listed in Mr. Rose's presentation, any outdoor music playing should be limited to 9:00 P.M. or 10:00 P.M. Sunday thru Thursday and 11:00 P.M. or 12:00 A.M. Fridays and Saturdays, security is required after 9:00 P.M. and allow outdoor patio use on all evenings of the week, seconded by Commissioner Bonilla.

Action on the matter: Approved 6 ayes, 0 noes.

2.	Location:	The Broadway Valdez District Specific Plan Area ("Plan Area") is located at the north edge of Oakland's Central Business District. The Plan Area, which includes land along both sides of Broadway, extends 0.8 miles from Grand Avenue to I-580. The Plan Area includes approximately 95.5 acres, including 35.1 acres in public right-of-way and 60.4 acres of developable land.
	Proposal:	Conduct a public hearing and solicit /provide comments on the Draft Environmental Impact Report (DEIR) of the Draft Broadway Valdez District Specific Plan, the Specific Plan and the associated General Plan and Planning Code amendments (text and map changes) along with Design Guidelines (Related Documents).
	Applicant:	City of Oakland
	Case File Number:	ZS12046, ER120005, GP13268, ZT13269, RZ13270
	General Plan:	Central Business District, Community Commercial, Neighborhood Center Commercial, Urban Residential, Mixed Housing Type Residential, Institutional
	Zoning:	CBD-P, CBD-C, CC-2, CC-2/D-BR, CN-2/D-BR, RU-3/D-BR, RU-4/D-BR, RM-3/D-BR, RM-4/D-BR
	Environmental Determination:	An Environmental Impact Report (EIR) is being prepared for the Broadway Valdez District Specific Plan. The DEIR was published for a 45 day public review period from September 20, 2013, to November 4, 2013.
	Historic Status:	The Plan Area includes cultural/historic resources that include CEQA Historic Resources and may be eligible for, or are on an historical resource list (including the California Register of Historic Resources, the National Register of Historical Resources, and/or the Local Register); as well as several cultural/historic resources designated by the City of Oakland as Areas of Primary Importance (API); Areas of Secondary Importance (ASI); properties individually rated A, B, C, or D; and Landmark properties.
	Service Delivery District:	2
	City Council District:	3
	Status:	The DEIR was released on September 20, 2013, and the public comment period on the DEIR, Specific Plan and Related Documents ends on November 4, 2013.

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Action to be Taken: Receive public and Planning Commission comments on the DEIR and Related Documents. No decisions will be made on the project at this hearing.

Finality of Decision: N/A

For Further Information: Contact project planner Laura Kaminski at 510-238-6809 or lkaminski@oaklandnet.com
Project website: www.oaklandnet.com/bvdsp

Vote called to accept notes from the Landmarks Preservation Advisory Board's October 14, 2013 meeting in to the record.

Consensus by the Planning Commission: Approved 6 ayes, 0 noes.

Staff Member Edward Manasse gave a presentation.

Speakers: Joel Devalcourt, Marie Taylor, Andreas Cluver, Gloria Bruce, Leal Charonnat, Naomi Schiff, Valerie Winemiller, Joyce Roy, Jonathan Bair, Ralph Cooke, Keira Williams.

Chair Pattillo asked if the plan includes 15% affordable housing.

Mr. Manasse responded stating that the goal is to provide 15% of all housing generated during the life of the plan. The minimum goal is to provide about 300 affordable housing units.

Planning Commission Questions, Comments and Concerns:

Commissioner Bonilla expressed the importance of the applicants providing construction and operational jobs for Oakland residents. He would like to see more positive youth activities which will prevent most of the crime in the area and affordable retail for low income families and seniors.

Commissioner Weinstein stated that she understands Oakland residents don't want a "fake" new development without the organic roots and authenticity that represents Oakland. Understanding the retail leakage, there are certain design and standards for retail growth and development that best represents the needs and desires of the Oakland residents. The market study performed in 2006 and 2007 is outdated and the uptown and downtown neighborhoods have changed significantly since then. More thought is needed on how this will affect the specific plan and language should be included on how the market has changed and the impacts as a result of the market change. Combining the Broadway Valdez triangle and the Central Business District (CBD) doesn't specifically state how it will relate to the Central Business District. She is unable to tell from the plan, how much retail space is available in the uptown and downtown areas, and if a large amount of square footage is being added to the Broadway Valdez triangle and how it would impact those areas that have their own retail ideas. In reviewing the priority sites, she noticed walking along Broadway and turn onto 23rd or 24th Streets; it's like a donut and wondered why the priority sites are pushed around the perimeter. It seems very difficult to assemble all of those parcels to give the amount of square footage that is needed to the priority sites and have the effect on retail destination that is hoped for. On the map, it shows the Free Broadway Shuttle route circles part way through the specific plan which doesn't link



the north end to downtown and Jack London Square areas and should be extended to accommodate the area. She would like to know the types of conditions are recommended for building more hotels to make the area more viable? The Specific Plan seems predicated on the incentives and bonus structure both to manifest the desired retail in terms of the historic preservation and maintain affordability, but we need to know what that would like if we want to stay true to the concept of the Specific Plan.

Commissioner Coleman commended staff's hard work on this project. He stated that there are many restrictions made on this project, but there's a Sprouts Market being built which may be a contradiction. There are a lot of high rise building proposals in the plan, but there is a large amount of auto dealerships that are low rise and should be further reviewed. He asked who will benefit from having additional hotels, is it for the hospitals and their patients, retail or the conference center. Although having more hotels would be nice, he's not sure if there are benefits of having more hotels included in the plan. He feels there is no need to delay this project and the Planning Commission and public will have plenty of opportunities to submit their comments.

Chair Pattillo asked Mr. Miller to explain the upcoming opportunities for public input starting with the zoning changes that focuses exclusively on zoning.

Mr. Miller stated that the deadline for the public comment period is November 4, 2013. The Zoning Update Committee Meeting is scheduled for November 13, 2013, The Bicycle and Pedestrian Advisory Committee Meeting is scheduled for November 21, 2013, Parks and Recreation Advisory Commission Meeting is scheduled for December 4, 2013 and the final Environmental Impact Report (EIR) and Specific Plan review of the Landmarks Preservation Advisory Board in February 2014 as well as the Planning Commission Meeting also in February 2014 in hopes of a final adoption by the City Council in March, 2014.

Commissioner Moore concurs that staff did a wonderful job on this project. He is pleased with the progress that's been made since the beginning of this project. He would like to see public art along Piedmont Avenue and the undercrossing addressed. He asked Mr. Manasse to explain the Sprouts project serving as a catalyst to a project north of Sprouts. He is concerned about the parking availability in the area. Most Oakland residents are accustomed to shopping out of town and lack of available parking will continue to encourage Oakland residents to shop out of town and traffic is impacted as a result. All of the specific plans are one of the few things left in this city to create opportunities for development. With no more Redevelopment funds, this is a way to give developers certainty on completing projects such as Sprouts who conducted their own Environmental Impact Report (EIR) which cost them a lot money to do so and may have put the project in jeopardy. This Specific Plan prevents those types of costs and delays. The Coliseum City project is an example where there is a lot of interest due to the City of Oakland staff working the plan and he is pleased to see this one move forward.

Mr. Manasse responded stating that property to the north of Sprouts was previously Connell GMC, Cadillac dealership which is currently being marketed in light of the Broadway Specific Plan and Sprouts project. The developer's vision for the former Connell dealership has tremendously expanded due to the Sprouts project and will include mixed uses: medical offices, 20,000 feet of retail facing Broadway and a considerable amount of housing which benefits from the proximity of the Sprouts project.



Commissioner Nagraj stated that he would like this project to include affordable retail that provides a variety of mixed use stores to accommodate more low income Oakland residents and also attract out of town shoppers. He was a little surprised at the Area Median Income (AMI) for this area and that 94 % are renters. He also thanked staff for the great work they've done on this project. He is pleased that the plan's housing balance is being taken into consideration, unlike the current project he is working on in San Jose where it wasn't. He supports increasing residential density and up zoning. He disagrees with certain language in the plan such as, "when the economy recovers" in which he feels the economy is currently better than before. Parking uncertainty should be addressed. Destination retail isn't usually desired because it's thought of as "Big Box" which may be needed to activate this area. He feels that Broadway should be viewed as an up zoned street. He referred to an article in the San Francisco Chronicle that stated there is a need for Oakland developers to provide commercial units on the ground floor which he supports.

Chair Pattillo likes the idea of an extension to the comment period. After reading all of the documentation provided and hearing the presentation, the information she received doesn't clearly state any support for a continuation of the auto dealerships and needs to be clearly stated in the future. She is disappointed about the lack of retail in the plan and initially was pleased with the emphasis on historic preservation. Her vision was to persuade the auto dealers to move out of the really attractive buildings and have good, vibrant retail in the wonderful architecture and use a large amount of acres of surface parking lot space and build new buildings in context that will support the historical character and wonderful flavor as a starting point. She doesn't understand how 24th Street and Valdez Street became the heart of this project. She is perplexed by the recommendation to demolish those wonderful homes and would like to know why. She is displeased that a "Big Box" store is even considered.

Commissioner Moore asked if another hearing will be scheduled for this item before the November 4, 2013 Planning Commission Meeting.

Commissioners Weinstein agree that this item be continued and asked if it could be continued or have another hearing on October 30, 2013 and extend the comment period until November 12, 2013. This will allow more time for Planning Commission to carefully review the plan and to receive more public comments.

Mr. Miller explained the process of having another hearing which needs to be on a specific date. There are two dates in October that the hearing could be scheduled for which are within the November 4, 2013 public comment deadline. The comment period can be extended past November 4, 2013 and another hearing date be scheduled in, which he is open to.

Chair Pattillo asked public speaker Naomi Schiff to clarify the intent of the request to hold another hearing.

Ms. Schiff stated that the intent is for the Planning Commission to comment on the Environmental Impact Report (EIR) particularly the traffic and air quality studies which hasn't been discussed at tonight's meeting. She recommends a discussion with the Bicycle and Pedestrian Advisory Committee before a discussion by the Planning Commission is done.



City Attorney Wald explained that it's not necessary to have another hearing before November 4, 2013, but the comment period could be extended.

Mr. Manasse explained that a definite hearing date is needed due to the fact that the normally scheduled meetings already have full agendas.

Mr. Miller offered October 30, 2013 to have an additional hearing and extend the comment period from November 4, 2013 to November 12, 2013. If this is desired this needs to be read into the motion.

Commissioner Weinstein made a motion to have a special hearing on October 30, 2013 and extend the comment period to November 12, 2013, seconded by Commissioner Nagraj.

Action on the matter: Approved 6 ayes, 0 noes.

APPEALS

3.	Location:	1901 Broadway (APN: 008-0639-004-00)
	Proposal:	Appeal of the administrative decision to deny an application to legalize a 4,700 square foot medical clinic on the ground floor of an existing commercial building.
	Applicant:	Dr. Michael Caplan, NorCal Health Services (707)354-3535
	Property Owner:	Fruitvale Investments, LLC
	Case File Number:	CU12238, A13214
	Planning Permits Required:	Minor Conditional Use Permit to establish a Health Care Commercial Activity on the ground floor of an existing building within the CBD-P zone.
	General Plan:	Central Business District
	Zoning:	CBD-P Central Business District Pedestrian Retail Commercial Zone
	Environmental Determination:	Exempt, Section 15270 of the State CEQA Guidelines; disapproval of a project.
	Historic Status:	PDHP, API contributor, major importance; Survey rating; Survey Rating: B*1+
	Service Delivery District:	Metro
	City Council District:	3
	Action to be Taken:	Decision on appeal
	Appeal:	Final Decision
	For Further Information:	Contact case planner Neil Gray at 510-238-3878 or ngray@oaklandnet.com

Staff Member Neil Gray gave a presentation.

Chair Pattillo asked if there are programs available to provide funds to relocate existing businesses.

Staff Member Keira Williams responded no, but that assistance can be provided by the City's Business Assistance Center.



Mr. Gray also responded stating that the Economic Revitalization office does provide assistance with finding another location and connecting owners with potential tenants.

Commissioner Nagraj asked, without a Conditional Use Permit ever obtained by the applicant, are there any vesting rights if the business was there for a few years at the location and never received the proper permits.

Mr. Miller responded stating that the applicant has no vesting rights and applicant gave no indication that this will be run as a medical facility during building permit process.

Appellant: Steve Schectman gave an argument.

Commissioner Nagraj asked the appellant if it is true that Norcal didn't obtain a Conditional Use Permit before occupying this site.

Mr. Schectman responded no, there was no Conditional Use Permit, because they weren't aware it was necessary.

Commissioner Weinstein asked how the business tax license process involves Planning.

Mr. Gray explained the business license isn't a permit and doesn't authorize occupancy.

Mr. Miller also explained that a business tax license isn't a regulatory document, it's more of a revenue generating tax for the City of Oakland. It's the applicant's responsibility to obtain a zoning clearance by mail or in person. There is also a disclaimer on the application that informs the applicant to inquire about further steps that may be necessary to complete the application process.

Commissioner Moore asked if there was ever a Zoning Clearance for this business.

Mr. Miller responded, no.

Commissioner Coleman stated he doesn't agree with the fact that the applicant provides general public access to the waiting room area. He finds it strange that the general public will utilize the 43 seat waiting room area and the 3 vending machines all day on a daily basis, with 40 to 60 patients a day it's hard to believe that 43 of them will sit in the waiting room area at the same time during the day. He asked if it is possible for the applicant to relocate to a location on the second floor. He referred to a statement Mr. Schectman made about the operation being pedestrian friendly in the evenings and on weekends, but in the appeal it states the operation is very seldom open on Saturdays and the sign posted on the door states it closes at 5:00 P.M. Is the intention to extend the days and hours of operation to evenings and weekends?

Mr. Schectman stated that the idea was to provide organic products in the vending machines for those who wish to purchase them while utilizing the waiting room area. The vending machines are also for employees to utilize and there is literature on medical marijuana and various other medical information



in the waiting room area for visitors to read. In order to move the operation to the second floor, it would have to be made handicap accessible and there are no working elevators that he knows of in the facility. All medical offices are required to be handicap accessible and by the operation being on the ground floor is able to be handicap accessible. The hours of operation have always been Monday through Saturday, but not in the evenings.

Commissioner Moore asked Mr. Schectman to explain how he has worked with staff to improve this plan. He asked if there were any building permits issued for the tenant improvements

Mr. Schectman stated that he has had several meetings with staff to attempt to make tenant improvements.

Dr. Michael Caplan responded stating that they've attempted to comply with the Planning Department's conditions with no success.

Speakers: Keira Williams, Ralph Cooke, Louis Santiago, Brandon Fausti, Chad Gilmore, Dr. Beth Fisher, Dale Jones, Charles Sinfuego, Shannon Lauridsen, Jeff Jones.

City Attorney Chen and Mr. Miller responded to Chair Pattillo's question concerning the legal issue that was raised by the appellant's attorney. City Attorney Chen stated that she doesn't agree with the appellant's attorney's statement that the government is currently seizing property. She has determined since there was no land use permit obtained, the appellant doesn't have property entitlement rights in this matter.

Mr. Miller further explained that the City of Oakland has Zoning rules that staff enforces. The City Council adopted an ordinance that requires Conditional Use Permits for certain ground floor uses that have not demonstrated to be active uses that add to the pedestrian friendly experience and therefore shouldn't be located on the ground floor.

Planning Commission Questions, Comments and Concerns:

Commissioner Moore applauds Norcal's work on Oaksterdam which is a thriving and successful business. However, he agrees the operation should be moved to the second floor, and has heard from various business professionals and community members encouraging a move to the second floor. He feels the property owner will benefit from moving the operation to the second floor and wouldn't have any difficulties finding a retail business to rent the ground floor space which is what should be there now. He's seen the Economic and Workforce Development staff do an excellent job at assisting tenants with finding new locations and recommends that staff and the appellant seek their assistance.

Commissioner Coleman stated he likes the business use, but not located on the ground floor. He noticed in the plan that there is an elevator shaft located in the building and there needs to be a functioning elevator at the facility. After speaking with a former tenant, the high vacancy rate for this location may be due to the high monthly rent fees. He would love for the business to continue functioning, just not on the ground floor of this facility.



Commissioner Nagraj stated that the applicant should've listened to the challenges and abide by the laws in place. If the Conditional Use Permit process was followed earlier, he may've supported this project.

Commissioner Weinstein concurs with her fellow Planning Commissioners that the business is a great asset to the community. She feels there are Zoning laws in place that set public processes which involve hundreds of stakeholders and community members. Those processes establish land use designations and priorities for the Broadway corridor and Uptown area. The Conditional Use Permit process is the process in which a certain use is brought before the Planning Commission. Their duties are to make sure that these processes are adhered to so the public processes that create the Zoning regulations are also adhered to. She is concerned about the precedent this will set around Zoning regulations, Conditional Use Permits and long public processes that includes many hours that goes into creating the priorities that are in place. She recommends focusing on the Conditional Use Permit process and the use of this business in hopes that the appellants will work with staff to find another location that isn't along the Broadway corridor or Uptown area, but search along the side streets that have available spaces that is zoned for non-retail uses.

Commissioner Bonilla concurs that the Conditional Use Permit process needs to be followed. He also supports those who can't afford quality healthcare in which Norcal provides and they deserve a place in this society.

Chair Pattillo stated that she is concerned about the large number of applicants that are unaware of the Zoning laws and Conditional Use Permit process. She recommended that Director Flynn notify new property owners about the processes. The Planning Commission received many letters of encouragement to both deny and approve this appeal. She would also like for Norcal to move their business to the second floor of the building and find tenants to occupy their current space that will comply with the Zoning regulations. What is a sufficient time span allowed to make this happen?

Mr. Miller responded stating that there is a Code Compliance action pending the Planning Commission's decision on this appeal. A typical Compliance Plan allows 30 to 60 days which is a reasonable amount of time to make corrections, such as finding a new location for the current use. Based on exactly what the Planning Commission is asking for, he recommends that the time span be very limited.

Chair Pattillo asked if the Planning Commission recommended 120 day time span, is that unreasonable.

Mr. Miller responded stating that in this case it wouldn't be unreasonable since there are many things involved in securing a new location for this business. There may be limitations on how much staff can assist the building owner with locating a new location, but staff will assist as much as possible.

A member of the public asked what a Compliance Plan is.

Mr. Miller explained that a Compliance Plan is a plan provided by the Code Enforcement Unit to make corrections as directed by that office.



Mr. Miller also explained that it's not written in the Code Compliance laws that 30 days is the time limit.

Commissioner Bonilla stated that Chair Pattillo's idea for Norcal to move to the second floor and find tenants to occupy their current space is beneficial to all involved and feels that various situations need exploring. They may find an entertainment or restaurant business to occupy the space and assist Norcal with relocation of its business practice and employees.

Commissioner Moore stated that a 6 month moving time frame is sufficient instead of 4 months. He doesn't feel that it would be difficult to find a business that would move to Norcal's current location.

Commissioner Coleman stated that whichever comes first, if City of Oakland finds a new tenant to occupy the location or the tenant finds a new location that the City and the tenant resolve the matter.

Commissioner Moore doesn't agree that the City of Oakland should find a location a new location, they should only assist with relocation.

Commissioner Nagraj concurs with a 6 month moving period and the City of Oakland assisting with relocations.

Commissioner Weinstein also concurs with a 6 month moving period.

Commissioner Nagraj made a motion to deny the appeal, but with conditions to include a compliance plan with a 180 day re-location deadline and receive standard available assistance with relocation, seconded by Commissioner Coleman.

Action on the matter: Approved 5 ayes, 1 no (Bonilla). Appeal Denied

ADJOURNMENT

Meeting adjourned at approximately 10:15 P.M.

SCOTT MILLER
Zoning Manager
Planning and Zoning Division

NEXT MEETING: October 30, 2013