



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

November 4, 2015
Regular Meeting

Revised 10-29-15 * (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.

City 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.

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.

PLEASE NOTE: ITEM NO. #1, BELOW HAS BEEN REMOVED FROM THIS AGENDA.

1.	Location:	Public Right-of-Way across from 6387 Fairlane Drive. Nearest lot adjacent to the project site (APN: 048H-7566-020-00)
	Proposal:	The project involves the installation of a new wireless Telecommunications facility (AT&T Wireless) on a new 30' tall metal pole located in the public right-of-way; installation two panel antennas (two-foot long and ten-inches wide) mounted at 30 feet above the ground; the equipment cabinet housing battery backup and radio units will be attached to the pole 7' above ground.
	Applicant:	Extenet Systems Inc./AT&T Mobility
	Contact Person:	Matthew Yergovich
	Phone Number:	(415) 596-3474
	Owner:	City of Oakland
	Case File Number:	PLN14-049
	Planning Permits Required:	Major Conditional Use Permit and Design Review to install a new Monopole Telecommunication Facility in the residential zone.
	General Plan:	Hillside Residential
	Zoning:	RH-3 Hillside Residential-3 Zone
	Environmental Determination:	Exempt, Section 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:	Not a Potential Designated Historic Property; Survey Rating: N/A
	Service Delivery District:	2
	City Council District:	4
	Date Filed:	7/21/2015
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case planner Jason Madani at (510) 238-4790 or jmadani@oaklandnet.com



2.	Location:	The public Right of Way adjacent to 6699 San Pablo Avenue Nearest lot adjacent to the project site. APN: (016-1507-001-01)
	Proposal:	To install a wireless telecommunication facility (Verizon Wireless) on an existing 38'-9" tall PG&E utility pole located in the public right-of-way: The project involves installation of one antenna panel at a height of 23' and two RRUs mounted at a height of 12'8"; A ground-mounted equipment cabinet will be located to the west of the pole housing battery backup and radio units. The cabinet is about 5'-3" tall, and 2'-2" wide and 2'-6" deep.
	Applicant:	Complete Wireless Consulting Inc. for Verizon Wireless.
	Contact Person/Phone Number:	Brendan Leonard (916) 747-0624
	Owner:	Pacific Gas & Electric.PG&E
	Case File Number:	PLN15050
	Planning Permits Required:	Major Conditional Use Permit and Design Review to install a wireless Telecommunication Macro Facility to on existing PG&E pole located in the public right of way within HBX-2 zone.
	General Plan:	Community Commercial
	Zoning:	CC-2 Community Commercial Zone and HBX-2 Housing and Business Mix-2 Zones.
	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.
	Historic Status:	Not a Potential Designated Historic Property; Survey Rating: N/A
	Service Delivery District:	1
	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

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 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.

PLEASE NOTE: ITEM NO. #4, BELOW IS CONTINUED FROM THE OCTOBER 21, 2015 AGENDA.

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| 4. | Location: | 1405 Wood Street - Development Area 6 (APN: 018-0310-013-01) |
| | Proposal: | To construct a new 44-unit townhouse-style residential development (condo map to be filed later). |
| | Owner: | Build West Oakland, LLC |
| | Applicant: | City Ventures – Claire Han (415)722-6534 |
| | Case File Number: | PLN15245/UDF01 |
| | Planning Permits Required: | Preliminary and Final Development Plan; Design Review for construction of 44 new townhouse-style residential units (Condo map to be filed later) |
| | General Plan: | Urban Residential |
| | Zoning: | D-WS Wood Street Zoning District – Development Area 6 |
| | Environmental Determination: | State CEQA Guidelines: The project relies on previous EIR (ER03-0023) for Wood Street certified on March 16, 2005 and the West Oakland Specific Plan (WOSP) EIR certified on July 29, 2014, and Section 15183, projects consistent with a community plan, general plan or zoning. |
| | Historic Status: | Not a Potential Designated Historic Property (PDHP); Survey Rating: N/A |
| | Service Delivery District: | 1 |
| | City Council District: | 3 |
| | Status: | Pending |
| | Action to be Taken: | Decision on application based on staff report |
| | Staff Recommendation: | Approval subject to conditions |
| | 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:** Head Royce School
4233, 4309, and 4315 Lincoln Avenue and 4274 Whittle Avenue;
APN: 029A-1367-001-07 through 029A-1367-006-01
- Proposal:** 1) Revision to approved Condition of Approval #39 (Case File PUDF07-520). This Condition only permits the School to implement the final 3rd enrollment increase, as part of the approved 2006 master plan, after January 4, 2021. The School is requesting permission to legalize their current enrollment (875) and reach the 3rd enrollment phase prior to January 4, 2021.
- 2) Revision to the approved Conditions of Approval (Case File PUDF07-520) removing Conditions associated with the previous master plan construction, addressing issues outlined within the 2012 Revocation complaint; and removing the Neighborhood Agreements.
- 3) Approval of the Transportation Demand Management (TDM) Program.
- Applicant:** Head Royce School
- Contract Person/Phone Number:** Dennis Malone, (510) 531-1300
- Owner:** Head Royce School
- Case File Number:** REV130003 (related Case Files: PUD04-400; PUDF05-339; ER04-0014)
- Planning Permits Required:** No Permits are required pursuant to the Planning Code. Actions to consider include revisions to previously approved Conditions of Approval and approval of a TDM program.
- The Preliminary Planned Unit Development Plan and the Final Development Plan for the first phase was approved by the Planning Commission on January 4, 2006 (PUD04-400; PUDF05-339.) The second phase of the master plan was approved on March 5, 2008 (Case File PUDF07-520).*
- General Plan:** Hillside Residential, Detached Unit Residential
- Zoning:** Hillside Residential Zone -4 (RH-4); Detached Unit Residential Zone – 1 (RD-1)
- Environmental Determination:** CEQA Guidelines Section 15314, Minor Additions to Schools; Section 15183, Projects Consistent with a Community Plan, General Plan or Zoning. In addition, a Mitigated Negative Declaration which was adopted by the Planning Commission on January 4, 2006 (Case File ER04-0014) for the Master Plan. No further environmental review required.
- Historic Status:** The existing buildings are not Potentially Designated Historic Properties (PDHP).
- Service Delivery District:** III
- City Council District:** 4
- Date Filed:** February 28, 2013
- Staff Recommendation:** Decision on application based on staff report
- Finality of Decision:** Appealable to City Council within 10 days
- For Further Information:** Contact project planner Heather Klein at (510) 238-3659 or hklein@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)

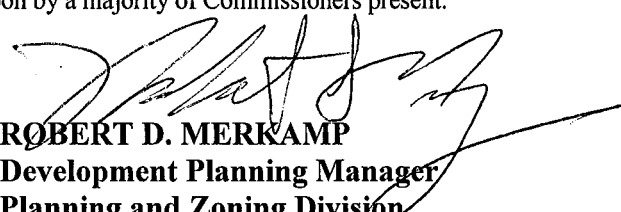
COMMISSION BUSINESS

Approval of Minutes

Correspondence

City Council Actions

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


ROBERT D. MERKAMP
Development Planning Manager
Planning and Zoning Division

NEXT MEETING: November 18, 2015

*Revised 10-23-15 to indicate item 's #1(6387 Fairlane Drive) was removed from the agenda and #4 (1405 Wood Street) was from October 21, 2015 and continued on November 4, 2015.