



Oakland City Planning Commission

AGENDA

Amanda Monchamp, Chair
Tom Limon, Vice-Chair
Jonathan Fearn
Nischit Hegde
Clark Manus
Jahmese Myres
Sahar Shirazi

October 16, 2019
Regular Meeting

MEAL GATHERING **5:00pm** **Building Bridges Conference Room, City Hall, 3rd Floor**

BUSINESS MEETING **6:00pm** **Council Chambers, City Hall, One Frank H. Ogawa Plaza**

Persons wishing to address the Commission on any item on the agenda, including Open Forum and Director's Report, should fill out a speaker card and give it to the Secretary. **Agenda items will be called at the discretion of the Chair not necessarily in the order they are listed on the Agenda.** Speakers are generally limited to two minutes at the discretion of the Chair. Applicants and appellants are generally limited to five minutes at the discretion of the Chair.

The order of items will be determined under Agenda Discussion at the beginning of the meeting. With the exception of Open Forum, a new item will not be called after **10:15 pm**, and the meeting will adjourn no later than **10:30 p.m.** unless the meeting is extended by the Chair with the consent of a majority of Commissioners present.

Please work with the case planner listed for each item prior to the meeting regarding items that may be continued. Any agenda item may be continued without the hearing on the matter being opened, or public testimony taken, at the discretion of the Chair. Persons wishing to address the continued item may do so under Open Forum.

Staff reports for items listed on this agenda will generally be available to any interested party by 3:00 p.m. the Friday before the meeting at the Planning and Building Department, 250 Frank H. Ogawa Plaza, Oakland, California 94612.

For further information on any case listed on this agenda, please contact the case planner indicated for that item. For further information on Historic Status, please contact the Oakland Cultural Heritage Survey at 510-238-6879. For other questions or general information on the Oakland City Planning Commission, please contact the Planning and Building Department at 510-238-3941.

♿ This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening 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。



Staff reports are also available online, generally by 5:00 p.m. the Friday before the meeting, at www.oaklandca.gov (under "Planning Commission.") You will need to ensure that your computer will accept pop-ups from the host site (oaklandca.gov) and that your computer has a later version of Adobe Acrobat Reader installed. For further information, please call **510-238-3941**.

If you challenge a Commission decision in court, you will be limited to issues raised at the hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, the hearing. Any party seeking to challenge in court those decisions that are final and not administratively appealable to the City Council must do so within ninety (90) days of the date of the announcement of the final decision, pursuant to Code of Civil Procedure Section 1094.6, unless a shorter period applies. If you wish to be notified of the decision of any of these cases, please provide the case planner with a regular mail or email address.

Please note that the descriptions of the applications found below are preliminary in nature and that the projects and/or descriptions may change prior to a decision being made.

While attending Planning Commission meetings, parking in the Dalziel Building Garage (located on 16th Street between San Pablo Ave and Clay St) is free. Attendees should see staff at the meeting to validate parking tokens.

Applicants or members of the public that plan to make electronic presentations (e.g., PowerPoint presentations): Please contact Cheryl Dunaway at cdunaway@oaklandca.gov or 510-238-2912 at least 48 hours prior to the meeting.

Interested parties are encouraged to submit written material on agenda items in advance of the meeting and prior to the close of the public hearing on the item. To allow for distribution to the Commission, staff, and the public, twenty-five (25) copies of all material should be submitted. Material submitted at least ten days prior to the meeting may be included as part of the agenda packet; material submitted later may be distributed at or prior to the meeting. To ensure that material submitted at the meeting is distributed to Commissioners, a minimum of twenty-five (25) copies should be submitted to Planning staff no later than the time the item is scheduled to be considered by the Commission.

ROLL CALL

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Director's Report

Committee Reports

Commission Matters

City Attorney's Report



OPEN FORUM

At this time members of the public may speak on any item of interest within the Commission's jurisdiction. At the discretion of the Chair, speakers are generally limited to two minutes or less if there are six or less speakers on an item, and one minute or less if there are more than six speakers.

CONSENT CALENDAR

The Commission will take a single roll call vote on all of the items listed below in this section. The vote will be on approval of the staff report and recommendation in each case. Members of the Commission may request that any item on the Consent Calendar be singled out for separate discussion and vote.

PUBLIC HEARINGS

The hearing provides opportunity for all concerned persons to speak; the hearing will normally be closed after all testimony has been heard. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, the public hearing.

The Commission will then vote on the matter based on the staff report and recommendation. If the Commission does not follow the staff recommendation and no alternate findings for decision have been prepared, then the vote on the matter will be considered a "straw" vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings for decision and, as applicable, conditions of approval that the Commission will consider in making a final decision.

If you wish to be notified on the decision of an agenda item, please indicate the case number and submit a self-addressed stamped envelope, for each case.

Planning Commission decisions that involve "major" cases (e.g., major variances, major conditional use permits) are usually appealable to the City Council. If any interested party seeks to challenge such decision in court, an appeal **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 Building Department, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of the case planner. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Planning Commission or wherein their decision is not supported by substantial evidence and must include payment of the required fee in accordance with the City of Oakland Master Fee Schedule. Failure to timely appeal will preclude you from challenging the City's decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so will preclude you from raising such issues during your appeal and/or in court. However, the appeal will be limited to issues and/or evidence presented to the Planning Commission prior to the close of the Planning Commission's public hearing on the matter.

Any party seeking to challenge a final decision in court must do so within ninety (90) days of the date of the announcement of a final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.



1.	Location:	300 Lakeside Drive – Kaiser Center (APN: 008-0652-001-05)
	Proposal:	The applicant is proposing to revise the previously approved Planned Unit Development (PUD) which included two new office towers totaling 1.47 million square feet. The revised proposal includes two separate Master Plan development scenarios, both of which would continue to retain the existing office tower at 300 Lakeside Drive and demolish the 20 th Street and Webster Street mall buildings. Both development scenarios would retain a large majority of the existing rooftop garden including the addition of new rooftop open space and enhanced access from the street. The details of the two development scenarios are as follows: <u>Master Plan I</u> - Development scenario that includes two new office towers totaling approximately 1.35 million square feet over ground level retail. <u>Master Plan II</u> - Development scenario that includes an office tower on Webster that would include approximately 880,000 square feet and a residential tower on 20 th Street that would include up to 580 dwelling units, including ground level retail.
	Applicant:	The Swig Company
	Contact Person/Phone Number:	Tomás Schoenberg - (415) 291-1104
	Owner:	SIC – Lakeside Drive JV, LLC
	Case File Number:	PUD08-103-R01
	Planning Permits Required:	Revision to the previously approved Planned Unit Development
	General Plan:	Central Business District
	Zoning:	CBD-C / Height Area 6 & 7
	Environmental Determination:	The EIR for the development was certified by the Planning Commission on May 4, 2011. An addendum was prepared to address the revised proposal and may be reviewed at the Bureau of Planning offices at 250 Frank Ogawa Plaza, 2 nd Floor or on-line at: http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157
	Historic Status:	Kaiser Center Building & Roof Garden are CEQA Historic Resources (Oakland Cultural Heritage Survey Rating A1+; listed on the Local Register of Historical Resources; meets criteria for eligibility for California Register individually and as part of the Lake Merritt District)
	City Council District:	3
	Action to be Taken:	Decision on application based on Staff Report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Peterson Vollmann at (510) 238-6167 or by email: pvollmann@oaklandca.gov



2.	Location:	1261 Harrison Street (APN: 002-0063-002-00)
	Proposal:	<p>The proposal on file was to demolish the existing historic commercial building and construct a new mixed use tower of 440 feet in height with approximately 12,000 square feet of ground floor retail, 121,000 square feet of office, and 185 dwelling units. The proposal included affordable housing units to take advantage of the affordable housing density bonus and concessions. The project was brought before the Planning Commission in 2018 for denial as directed by the Commission. The applicant requested a continuance to redesign the proposal, and has provided a preliminary redesign that will retain the exterior building facades of the existing structure, eliminate the office component from the program, and reduce the overall height of the proposed tower. The revised project would still include 185 dwelling units over ground floor commercial, and would be looking to obtain a D-LM height exception to allow the height to the 175-foot Height Zone, with additional height requested through the affordable density bonus process up to approximately 250 feet.</p> <p>Staff is bringing the revised concept back to the Planning Commission for discussion as to whether the proposal should be considered for a height exception given the location within the historic King Block. The revised proposal appeared before the Landmarks Board which, through a subcommittee provided a recommendation for denial.</p>
	Applicant:	Ronnie Turner – (510)395-2766
	Owner:	Pinnacle RED Group, Inc.
	Case File Number:	PLN17-438
	Planning Permits Required:	Regular Design Review for new construction, Major Conditional Use Permit for a Height Exception to allow the D-LM 175 Height Zone regulations, Minor Conditional Use Permit to allow a base height of up to 85 feet, Minor Variance for loading berths (1 Required; 0 Proposed). <i>Other permits may be required pending full redesign of the proposal.</i>
	General Plan:	Central Business District
	Zoning:	D-LM-4 Height Area – 85'
	Environmental Determination:	Determination Pending
	Historic Status:	Designated Historic Property (DHP); Rating C1+, contributor to the King Building Group Area of Primary Importance (API)
	City Council District:	2
	Action to be Taken:	Review preliminary revised development proposal and provide direction to staff. No official action to be taken on the development application at this hearing.
	Finality of Decision:	No decision will be made at this hearing. The item would need to return to Commission at a later date for a decision which is appealable to City Council.
	For Further Information:	Contact case planner Peterson Z. Vollmann at (510) 238-6167 or by email: pvollmann@oaklandca.gov .



3..	Location:	5200 and 5276 Broadway
	Assessor's Parcel Number(s):	014-1243-001-01 and 014-1246-002-00
	Proposal:	<p>Scoping session for environmental review of a proposal to redevelop the California College of Arts Oakland Campus property (Parcel 1) and the adjacent Clifton Hall property (Parcel 2) which requires a General Plan Amendment and Rezoning. The project subject to CEQA includes:</p> <ol style="list-style-type: none"> 1) Development on Parcel 1: Current Campus <ol style="list-style-type: none"> a. Demolition of 10 buildings b. New Construction: 554 residential units <ol style="list-style-type: none"> i. Four perimeter residential buildings ranging from 5 to 8 stories ii. One residential tower at 19 stories iii. 24,000 square feet of affordable arts production space iv. 367-space automobile parking garage; 554 bicycle parking spaces c. Renovation of 3 historic structures <ol style="list-style-type: none"> i. 6,500-square feet of office space for arts non-profits ii. 3,780-square feet office/interpretative center d. 1.71 acres of public open space; 0.34 acres of group-usable open space 2) Development on Parcel 2: Clifton Hall <ol style="list-style-type: none"> a. Convert a 120 bed/57 room dormitory to 35 affordable residential units for artists 3) General Plan Amendment <ol style="list-style-type: none"> a. Parcel 1 from Institution Land Use to Community Commercial Land Use b. Parcel 2 from Urban Residential Land Use to Community Commercial Land Use 4) Rezoning: From RM-3/CN-1 to CC-2 for both parcels <ol style="list-style-type: none"> a. Parcel 1: Change from a 35-foot Height Area to 90- and 160-foot Height Areas b. Parcel 2: Change from a 35-foot Height Area to a 45-foot Height Area
	Applicant:	Arts Campus, LLC
	Contact Person/ Phone Number:	Marc Babsin (415) 489-1313
	Owner:	California College of the Arts
	Case File Number:	ER19003
	Planning Permits Required:	Design Review, Planned Unit Development (PUD), Tree Permit
	General Plan:	Institutional, Urban Residential
	Zoning:	CN-1, RM-3
	Environmental Determination:	Staff has determined that an Environmental Impact Report (EIR) will be prepared for this project. A NOP to prepare the EIR was published on June 21, 2019. The comment period for the NOP ends on October 18, 2019
	Historic Status:	B-1+ Local Register, API
	City Council District:	1
	Action to be Taken:	Receive public and Planning Commission comments about what information and analysis should be included in the EIR.
	For Further Information:	Contact Case Planner Rebecca Lind at (510) 238-3472 or by email at rlind@oaklandca.gov .



APPEALS

The Commission will take testimony on each appeal. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, to the public hearing; provided, however, such issues were previously raised in the appeal itself.

Following testimony, the Commission will vote on the staff report and recommendation. If the Commission reverses/overturns the staff decision and no alternate findings for decisions have been prepared, then the vote on the matter will be considered a "straw" vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings for decision and, as applicable, conditions of approval that the Commission will consider in making a final decision. Unless otherwise noted, the decisions in the following matters are final and not administratively appealable. Any party seeking to challenge these decisions in court must do so within ninety (90) days of the date of the announcement of the final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.

COMMISSION BUSINESS

Approval of Minutes

Correspondence

City Council Actions

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

ROBERT D. MERKAMP
Zoning Manager
Secretary to the Planning Commission
Planning and Building Department

NEXT REGULAR MEETING: November 6, 2019