



Adhi Nagraj, Chair
Emily Weinstein, Vice Chair
Tom Limon
Clark Manus
Amanda Monchamp
Jahmese Myres
Chris Pattillo

April 19, 2017
Regular Meeting

Revised April 11 & 13, 2017 – See end of agenda.

MEAL GATHERING

5:00pm Max's Diner, 500 12th Street, City Center, 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

6:00pm 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。



New online staff report download instructions

Staff reports are also available online, generally by 5:00 p.m. the Friday before the meeting, at www.oaklandnet.com/planning (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 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 Jonathan Arnold at jarnold@oaklandnet.com or 510-238-6194 or Cheryl Dunaway at cdunaway@oaklandnet.com 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

- 1.** Report to the Planning Commission on the progress made by the City in implementing policies adopted as part of the 2015-2023 Housing Element, and in issuing building permits for the year 2016.
- 2.** Project background and status update for the Downtown Oakland Specific Plan bounded by 27th Street to the north, I-980 to the west, the Jack London estuary waterfront to the south, and Lake Merritt and Channel to the east.

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.

This item was continued from the April 5, 2017, Planning Commission meeting.

0.5	Location:	1314 Franklin Street
	Assessor’s Parcel Number(s):	002-0055-001-00
	Proposal:	Proposal to demolish the existing auto fee parking garage and construct a new mixed use development with approximately 16,500 square feet of ground floor retail and 634 dwelling units. The proposal includes application of density bonus provisions of Section 17.107 of the Planning Code for the inclusion of low income housing for a density bonus of 20% and requesting one development concession for maximum height. The proposed tower on the project site would be approximately 400 feet in height.
	Applicant:	Carmel Partners
	Contact Person/Phone Number:	Greg Pasquali – (415) 231-0221
	Owner:	CO VI Franklin, LLC
	Case File Number:	PLN16295
	Planning Permits Required:	Regular Design Review for new construction, Major Conditional Use Permits for a large project in the D-LM Zone in excess of 200,000 square feet and Height Exception to allow the D-LM 275 Height Zone regulations, Minor Conditional use Permit to allow a base height of up to 85 feet and increase in the minimum tower dimensions by 30%, and Vesting Tentative Parcel Map for new condominiums.
	General Plan:	Central Business District
	Zoning:	D-LM-2 Zone/ D-LM-3 / D-LM-4 Zone Height Area D-LM 175
	Environmental Determination:	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions: 15183 - Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for in-fill projects; and/or 15164 – Addendum to the 2014 certified Lake Merritt Station Area Plan EIR; Each of which provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Planning Bureau 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:	Not a historic property
	City Council District:	3
	Status:	Pending
	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 Z. Vollmann at (510) 238-6167 or by email at pvollmann@oaklandnet.com .



1.	Location:	Utility pole in sidewalk adjacent to: 1817 Bridge Avenue
	Assessor's Parcel Number(s):	033-2134-010-00
	Proposal:	To establish a "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment up to 26'-3" on a 43' wooden utility pole located in the public right-of-way (sidewalk).
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Extenet et al.
	Case File Number:	PLN16368
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15302: Replacement or Reconstruction; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non historic property
	City Council District:	5
	Date Filed:	November 20, 2016
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .

2.	Location:	Utility pole in sidewalk adjacent to: 3744 Foothill Blvd
	Assessor's Parcel Number(s):	032-2086-011-00
	Proposal:	To establish a "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment up to 18 feet on a 50' wooden utility pole located in the public right-of-way (sidewalk).
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Extenet et al.
	Case File Number:	PLN16414
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Urban Residential
	Zoning:	RU-5 Urban Residential Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15302: Replacement or Reconstruction; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non historic property
	City Council District:	5
	Date Filed:	December 2, 2016
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Neil Gray at (510) 238-3878 or by email at ngray@oaklandnet.com .



This item has been continued to the May 17, 2017, Planning Commission meeting.

3.	Location:	Utility pole in sidewalk adjacent to: 8434 Olive St
	Assessor's Parcel Number(s):	043-456801300
	Proposal:	To establish a telecommunications facility, to enhance existing services, by attaching an antenna and equipment to an existing wooden utility pole located in the public right-of-way (sidewalk). The new 46' wooden utility pole will replace the existing 46' wooden utility pole.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Extenet et al.
	Case File Number:	PLN16372
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Mixed Housing Type
	Zoning:	RM-1 Mixed Residential Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15302: Replacement or Reconstruction; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non-historic property
	City Council District:	6
	Date Filed:	November 22, 2016
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Danny Thai at (510) 238-3584 or by email at dthai@oaklandnet.com .

4.	Location:	The public Right of Way adjacent to 2053 Harrington Ave.
	Assessor's Parcel Number(s):	032-2084-032-10
	Proposal:	Installation of wireless telecommunication facility (Extenet Systems) on a wooden utility pole located in the public right-of-way. The project involves replacement of an existing 38' tall wood utility pole with 43' tall PG&E utility pole to install one canister antenna measuring 23.5" long and 7.9" in diameter at a height of 23'-11"; two radio units (7.9" tall and 7.9" wide) mounted at a height of 10'-6" above ground.
	Applicant:	Black & Veatch for Extenet Systems (California) LLC.
	Contact Person/Phone Number:	Ana Gomez (913) 458-9148
	Owner:	Pacific Gas & Electric. PG&E
	Case File Number:	PLN16305
	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 within the RM-2 zone.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2 Mixed Housing Type Residential Zone.
	Environmental Determination:	Exempt, State CEQA Guidelines Section 15301, existing facilities; 15303 ; minor additions and alterations to an existing utility pole; Section 15302, replacement or reconstruction of existing utility systems and/or facilities; 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
	City Council District:	5
	Date Filed:	October 14, 2016
	Finality of Decision:	<i>Appealable to City Council within 10 days</i>
	For Further Information:	Contact case planner Jason Madani at (510) 238-4790 or by email at jmadani@oaklandnet.com .



5.	Location:	Utility pole in sidewalk adjacent to: 1954 38 th Avenue
	Assessor's Parcel Number(s):	Adjacent to: 032-2090-001-00
	Proposal:	To establish a "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment up to 40'-0" pm a 55' wooden utility pole in the public right-of-way (sidewalk).
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (913) 458-9148
	Pole Owner:	Extenet, et al
	Case File Number:	PLN16315
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Detached Unit Residential
	Zoning:	RD-2 Detached Unit Residential Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15302: Replacement or Reconstruction; Exempt, Section 15302: New Construction of Small Structures; Section 15183: Projects consistent with a Community Plan, General Plan, or Zoning.
	Historic Status:	Non-Historic Property
	City Council District:	5
	Date Filed:	October 14, 2016
	Action to be Taken:	Approval with conditions
	Finality of Decision:	Appealable to City Council within 10 days
	For further information:	Contact case planner Caesar Quitevis at (510) 238-6343 or by email at equitevis@oaklandnet.com .

6.	Location:	3755 13 th Avenue
	Assessor's Parcel Number(s):	023-0479-006-02
	Proposal:	The installation of an unmanned wireless telecommunications facility within the steeple/bell tower near the intersection of Parkway Blvd. and 13 th Ave on the property of the East Bay Alliance Church; facility includes three antennas and associated ground equipment within the second floor of steeple/bell tower.
	Applicant:	GTE Mobilnet of California, d/b/a Verizon Wireless, c/o Complete Wire
	Contact Person:	Matthew Moore / Complete Wireless Consulting Inc. (916) 247-3047
	Owner:	East Bay Alliance Church
	Case File Number:	PLN16451
	Planning Permits Required:	Major Conditional Use Permit to install a wireless Macro Telecommunications Facility and Additional Findings for a Macro Facility (OMC Sec. 17.128.070(B)(C).Regular Design Review (non-residential) to install a wireless Macro Telecommunications Facility (17.136.050 (B)(2);.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-3 Mixed Housing Type Residential 3 Zone
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines (small facilities or structures; installation of small new equipment and facilities in small structures), and that none of the exceptions to the exemption in CEQA Guidelines section 15300.2 are not triggered by the proposal. Exempt, 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 (PDHP); Survey rating:
	City Council District:	5
	Date Filed:	12/21/16
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Jose M. Herrera-Preza at (510) 238-3808 or by email at jherrera@oaklandnet.com .



7.	Location:	Utility pole in sidewalk adjacent to 1757 26 th Avenue
	Assessor's Parcel Number(s):	025-0734-001-00
	Proposal:	To establish a telecommunications facility, to enhance existing services, by attaching an antenna and equipment to an existing wooden utility pole located in the public right-of-way (sidewalk).
	Applicant:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile)
	Phone Number:	(913) 458-9148
	Owner:	Joint Pole Authority (JPA) including PG&E
	Case Number:	PLN16356
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Urban Residential
	Zoning:	RU-1 Urban Residential Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non-historic property
	City Council District:	5
	Date Filed:	November 18, 2016
	Action to be Taken:	Approve with conditions
	Finality of Decision:	<i>Appealable to City Council within 10 days</i>
	For Further Information:	Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandnet.com .

8.	Location:	Utility pole in sidewalk adjacent to 1644 27 th Avenue
	Assessor's Parcel Number(s):	025-0732-001-00
	Proposal:	To establish a telecommunications facility, to enhance existing services, by attaching an antenna and equipment to an existing wooden utility pole located in the public right-of-way (sidewalk).
	Applicant:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile)
	Phone Number:	(913) 458-9148
	Owner:	Joint Pole Authority (JPA) including PG&E
	Case Number:	PLN16357
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2 Mixed Housing Type Residential Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non-historic property
	City Council District:	5
	Date Filed:	November 18, 2016
	Action to be Taken:	Approve with conditions
	Finality of Decision:	<i>Appealable to City Council within 10 days</i>
	For Further Information:	Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandnet.com .



9.	Location:	2510 Telegraph Ave.
	Assessor's Parcel Number(s):	009-0683-019-00
	Proposal:	To establish a new Alcoholic Beverage Sales Activity, Type 48 Bar, into a vacant ground floor commercial space. The proposed bar will occupy a 4,460 square feet space and will have operating hours 4:00pm-2:00am Weekdays and 10:00am-2:00am Weekends.
	Applicant / Phone Number:	Cory Hunt (916) 601-1782
	Owner:	1305 10 th Street LLC
	Case File Number:	PLN17015
	Planning Permits Required:	Major Conditional Use Permit to allow the establishment of an Alcoholic Beverage Sales Activity; Findings of Public Convenience or Necessity in an over concentrated area.
	General Plan:	Community Commercial
	Zoning:	CC-2 Community Commercial Zone
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines: New Construction of Small Structures; 15301: Existing Facilities; 15183: Projects Consistent with the General Plan or Zoning
	Historic Status:	Area of Secondary Importance (ASI) Upper Telegraph Ave (PDHP); Survey Rating Ed2*
	City Council District:	3
	Date Filed:	January 13, 2017
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Jose M. Herrera-Preza at (510) 238-3808 or by email at jherrera@oaklandnet.com .

This item has been continued to the May 3, 2017, Planning Commission meeting.

10.	Location:	1724 Broadway
	Assessor's Parcel Number(s):	008-0623-012-00
	Proposal:	To establish a new bar/cocktail lounge within a 2,900 square-foot space and 2:00 a.m. closing time.
	Owner:	Cheng, Kou-Ping KP the Stacey Y Cheng Trust
	Applicant:	Uptown Roots, LLC
	Case File Number:	PLN17017
	Planning Permits Required:	Major Conditional Use Permits for alcoholic Beverage Sale (request for Type 48 State Alcohol License); and Findings for Public Necessity or Convenience.
	General Plan:	Central Business District
	Zoning:	CBD-C
	Environmental Determination:	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 (PDHP); Survey Rating: C3
	Service Delivery District:	Metro (downtown)
	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
	For Further Information:	Contact case planner Moe Hackett at (510) 238-3973 or by email at mhackett@oaklandnet.com .



11.	Location:	5901 International Boulevard
	Assessor's Parcel Number(s):	041-3882-031-00
	Proposal:	To serve beer and wine at a full service restaurant with rear parking and a 12:00 a.m. closing time.
	Applicant / Phone Number:	Mr. Jesus Aguayo Noyola (415) 368-6368
	Owner:	CHO HONG R & WON A
	Case File Number:	PLN16341
	Planning Permits Required:	Major Conditional Use Permit to serve alcoholic beverages at a Full Service Restaurant Commercial Activity located along a 'restricted street' (OMC Sec. 17.103.030.B.2)
	General Plan:	Neighborhood Commercial Mixed Use
	Zoning:	CN-3 Neighborhood Commercial 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:	Non historic property
	City Council District:	6
	Date Filed:	November 7, 2016
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Aubrey Rose, AICP at (510) 238-2071 or by email at arose@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 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.

12.	Location:	Jack London Square Development Project, Sites D (Broadway) & F2 (Harrison St)
	Assessor's Parcel Number(s):	018-0415-001-01
	Proposal:	Final Development Permits for Sites D and F2.
	Applicant:	CIM Group, Sean Buran (323) 860-1811
	Contact Person:	CIM Group, Sean Buran (323) 860-1811
	Owner:	CIM Group
	Case File Number:	PUD13170-PUDF-01 and -02
	Planning Permits Required:	Final Development Permits for Sites D and F2 of Jack London Square Planned Unit Development Project; Minor Variance to allow reduced parking.
	General Plan:	Site D=Retail, Dining and Entertainment-1; and Site F2=Waterfront Commercial Recreation-1.
	Zoning:	C-45 Community Shopping Commercial Zone
	Environmental Determination:	Final EIR certified on March 17, 2004 by the Planning Commission; Addendum #1 approved on September 23, 2014.
	Historic Status:	None for affected sites.
	City Council District:	3 – Lynette Gibson McElhaney
	Date Filed:	June 30, 2016
	Status:	Design Review Committee review on February 22, 2017.
	Action to be Taken:	Consider approval of FDPs for Sites D and F2
	Staff Recommendation:	Take public testimony, close the public hearing and consider decision.
	Finality of Decision:	Appealable to City Council.
	For Further Information:	Contact the case planner Catherine Payne at (510) 238-6168 or by email at cpayne@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 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 MERKAMP
Development Planning Manager
Secretary to the Planning Commission
Planning and Building Department

NEXT REGULAR MEETING: May 3, 2017

Revised April 11, 2017, to reflect the addition of Item #0.5 that was continued from the April 5, 2017 meeting and the continuance of Item #10 to the May 3, 2017 meeting.