



*Adhi Nagraj, Chair
Jahmese Myres, Vice Chair
Jonathan Fearn
Tom Limon
Clark Manus
Amanda Monchamp
Emily Weinstein*

**July 19, 2017
Regular Meeting**

The meeting was called to order at **6:03pm**.

ROLL CALL

Present: Fearn, Manus, Monchamp, Weinstein, Myres, Nagraj
Excused: Limon

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Item #3 continued to August 2, 2017 meeting and Item #5 continued to a date uncertain.

Director's Report

Status report on Mills Act selection 2017 by Betty Marvin:
836 Trestle Glen Road, 3130 Union Street, 1630-32 Myrtle Street,
783 20th Street, and 863 Cleveland Street

Committee Reports

None.

Commission Matters

None.

City Attorney's Report

Heather Lee introduced Peter Spoerl, who is replacing Mark Wald.

OPEN FORUM

Jonah Strauss

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。



CONSENT CALENDAR

Items #1 and #2 have been continued from the June 7, 2017, Planning Commission meeting.

1.	Location:	Utility pole in sidewalk adjacent to: 2472 66th Ave
	Assessor's Parcel Number(s):	039-3259-040-00
	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). The 42' wooden utility pole is existing.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Extenet et al.
	Case File Number:	PLN16413
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Detached Residential
	Zoning:	RD-1 Detached 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:	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 Danny Thai at (510) 238-3584 or by email at dthai@oaklandnet.com .

2.	Location:	Utility pole in sidewalk adjacent to: 2327 Havenscourt Blvd
	Assessor's Parcel Number(s):	039-3254-004-00
	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). The 51' wooden utility pole is existing.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Extenet et al.
	Case File Number:	PLN16373
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Detached Residential
	Zoning:	RD-1 Detached 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:	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 Danny Thai at (510) 238-3584 or by email at dthai@oaklandnet.com .



This item has been continued to the August 2, 2017, Planning Commission meeting.

3.	Location:	Wooden Utility (Guy) pole in public right-of-way adjacent to 500 Grand Avenue (Intersection of Grand Ave and Euclid Ave)
	Assessor's Parcel Number(s):	Adjacent to: 010-0780-015-08
	Proposal:	To establish a new "small cell site" monopole telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a replacement of 20' wooden utility guy pole located in the sidewalk; the antenna would be attached to the top at up to 44' 11" and equipment at approximately 7' 4" to 15' 8".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17200
	Planning Permits Required:	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility adjacent to Residential Zone; Regular Design Review with additional findings for Monopole Telecommunications Facility
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	Neighborhood Commercial - 2 Zone (CN 2) / S 12
	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:	3
	Date Filed:	May 24, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .

4.	Location:	Wooden Utility (Guy) pole in public right-of-way across (south) from 310 Peralta St
	Assessor's Parcel Number(s):	Adjacent to: 018-0391-003-01
	Proposal:	To establish a new "small cell site" monopole telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a replacement of an existing 24' wooden utility guy pole located in the sidewalk; the antenna would be attached to the top at up to 49'-5" and equipment at approximately 7'-4" to 15'-8".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17203
	Planning Permits Required:	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility adjacent to Residential Zone; Regular Design Review with additional findings for Monopole Telecommunications Facility
	General Plan:	Housing and Business Mix
	Zoning:	Housing and Business Mix - 2 (HBX-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:	Area of Secondary Importance – South Prescott
	City Council District:	3
	Date Filed:	May 24, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council



For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .
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This item has been continued to a date uncertain.

5. Location:	Wooden Utility (Guy) pole in public right-of-way adjacent to 1396 5th Street (Intersection of 5th Street and Mandela Parkway)
Assessor's Parcel Number(s):	Adjacent to: 004-0069-004-00
Proposal:	To establish a new "small cell site" monopole telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a replacement of an existing 30' wooden utility guy pole located in the sidewalk; the antenna would be attached to the top at up to 40' 5" and equipment at approximately 7' 4" to 15' 8".
Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
Owner:	City of Oakland
Case File Number:	PLN17206
Planning Permits Required:	Major Variance for Monopole Telecommunications Facility in S-15W Zone; Regular Design Review with additional findings for Monopole Telecommunications Facility
General Plan:	Community Commercial
Zoning:	Transit-Oriented Development Commercial Zones Regulations (S-15W)
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:	Area of Secondary Importance – South Prescott
City Council District:	3
Date Filed:	May 25, 2017
Action to be Taken:	Decision based on staff report
Finality of Decision:	Appealable to City Council
For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .

6. Location:	The public right-of-way in front of 5720 E 16th St on a JPA Utility
Assessor Parcel Numbers:	(038-3236-031-00) nearest lot adjacent to the project site.
Proposal:	Installation of a wireless telecommunication facility on a wooden utility pole located in the public right-of-way. The project involves replacement of an existing 37' tall wood utility pole with 43' tall to install one (1) canister antenna measuring 23.5" long and 7.9" in diameter at a height of 18'; install two radio units (7.9" tall and 7.9" wide) mounted at a height of 10'-6" and 13'-11" above ground.
Contact Person/ Phone Number:	Ana Gomez, Black & Veatch for Extenet Systems (913) 458-9148
Owner:	Pacific Gas & Electric. (PG&E)
Case File Number:	PLN16391
Planning Permits Required:	Major Design Review to install a wireless Macro Telecommunications Facility one (1) telecommunications canister antenna to a replaced PG&E pole located in the public right-of-way in a residential zone.
General Plan:	Mixed Housing Type Residential
Zoning:	RM-2 Mixed Housing Type Residential-2
Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines; minor additions and alterations to a replaced PG&E utility pole; Exempt, Section 15302 of the State CEQA Guidelines; replacement or reconstruction of existing utility systems and/or facilities; Exempt, Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
Historic Status:	No Historic Record – Utility Pole
City Council District:	6
Date Filed:	December 22, 2016
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 at jmadani@oaklandnet.com .
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The Consent Calendar items were called at **6:24pm**.

Motion by Commissioner Manus to approve the Consent Calendar items, seconded by Commissioner Fearn.

Ayes: Manus, Fearn, Weinstein, Myres, Nagraj

Noes:

Approved with 5 ayes and 0 noes.

PUBLIC HEARINGS

7.	Location:	1431 Jefferson Street
	Assessor’s Parcel Number(s):	003-0071-018-01, 003-0071-019-00
	Proposal:	New construction of an 18-story, 276 room hotel Marriot with ground floor commercial space and a five-level parking garage above grade.
	Applicant / Phone Number:	Michael Stanton Architecture (415) 865-9600
	Owner:	Menlo Capital Group, LLC
	Case File Number:	PLN17033
	Planning Permits Required:	Major Conditional Use Permit for new buildings with over 100,000 square feet of floor area in the CBD-P and CBD-X zones; Minor Conditional Use Permit for Transient Habitation (hotel); Regular Design Review for new construction; Minor Variance for commercial loading berth reduction where 2 spaces are required and 1 space is proposed on site; and Minor Conditional Use Permit for a Master Sign Plan
	General Plan:	Central Business District
	Zoning:	CBD-P and CBD-X: Central Business District – Pedestrian and Mix Commercial
	Environmental Determination:	A detailed CEQA analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA Guidelines: 15332 – Urban Infill Development; 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning; 15183.3 – Tiering Program Level Analysis; 15168 and 15180 – Program EIRs and Redevelopment Projects. Each of the foregoing provides a separate and independent basis for CEQA compliance. The CEQA analysis document may be reviewed at the Bureau of Planning office, located at 250 Frank Ogawa Plaza, or online at http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157 . The CEQA analyses relied upon in the making of the Environmental Determination and incorporated by reference within the CEQA analysis document including the LUTE EIR, and the Central District Urban Renewal Plan EIR that can be viewed here: http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009158 .
	Historic Status:	Non-Historic Property
	City Council District:	3
	Action to be Taken:	Decision based on staff report
	For Further Information:	Contact case planner Mike Rivera at (510) 238-6417 or by email at mriviera@oaklandnet.com .

This item was called at **6:25pm**.

Staff Member: Mike Rivera

Applicant: Michael Stanton, Nate Taylor, Sam Tabina, Eric Gonzalez, Lew Wolff

Public Speakers: Cybele Chang, Ty Hudson. **Public Session Closed.**



Item #7, continued.

Motion by Commissioner Myres to affirm staff’s environmental determination, adopt the attached CEQA findings, and approve the project including Major Conditional Use Permit, Minor Conditional Use Permit, Regular Design Review, and Minor Variance, subject to the attached findings and conditions including the SCAMMRP, with the additional condition number 81 that with the applicant’s submission of the noise mitigation plan that the applicant stage concrete pouring and other particularly noisy activities at times least impactful to surrounding businesses as possible, that the applicant provide the 24-hour contact number of the contractor to Ms. Chang and other small business owners in the immediate area, and that the applicant engage in a working session with staff and any willing DRC members to refine the design and colors as discussed during this hearing, and share the look-ahead project construction schedule with the adjacent restaurants, tenants and merchants so that they are aware of what will happen in the near future, seconded by Commissioner Weinstein.

Ayes: Manus, Fearn, Weinstein, Myres, Nagraj

Noes:

Approved with 5 ayes and 0 noes.

APPEALS

8.	Location:	3732, 3740, and 3746 39 th Ave
	Assessor’s Parcel Number(s):	030-1925-005-00, -004-00, and -003-03
	Proposal:	Appeal of the Zoning Manager’s Administrative Denial of a Regular Design Review, Minor Variance, and Minor Conditional Use Permit to allow for Community Assembly Activity Civic to establish a spiritually based community center for ceremony and education. The project includes new structures (Yurts) and additions and alterations and conversions associated with the activity. The site is located on three adjacent lots, and it also includes residential activities and facilities.
	Applicant / Phone Number:	Wilson Riles (510) 530-2448
	Owner:	Riles Ishmael & Philip
	Case File Number:	PLN15195-A01
	Planning Permits Required:	Appeal of decision to deny Regular Design Review for the construction of 4 new detached yurts, sweat lodge and platform for ceremonies; and Minor Variance to allow for the change of a primary use within a structure located within the side yard setback; and a Minor Conditional Use Permit for a Community Assembly Civic Activity.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-3 Mixed Housing Type Residential Zone
	Environmental Determination:	Exempt, Section 15270 of the State CEQA Guidelines: Projects that are Disapproved
	Historic Status:	F3, D3, and C3
	City Council District:	4
	Action to be Taken:	Decision of Appeal Application
	Finality of Decision:	Final (Not administratively Appealable Pursuant to OMC Sec. 17.132.030)
	For Further Information:	Contact case planner Moe Hackett at (510) 238-39730 or by email at mhackett@oaklandnet.com .

Commissioner Monchamp arrived and this item was called at 7:13pm.

Staff Member: Moe Hackett

Appellant: Wilson Riles, Jim Moore, Daniel Sheehan



Item 8, continued.

Project Opponents: Lawrence Ellis, Judy Madoff, Rena Rickles

Public Speakers: James Vann, Glenn Turner, Edgar Doolan, Laura Magnani, Rob Yanagida, Charles Masten, Michael Horse, Tamulia Dalke, Kylla Lewis, Michael Dutton, David Gassman, Taliah Mirmalik, Pennie Opal Plant, Carolyn Scarr, Melinda Micco, Louise Dunlap, Janet King, Alison Ehara-Brown, Simon Mont, Shenaaz Janmohammad, Pancho Ramos-Stierle, Tibu, Tiny, Fadwa Rashid, Maya Williams, Asan Tua, Maria Romero, Beverly Dove, Rochelle Towers, Sharilane Sukee, Isabella Zizi, Silest Connor, Diana Sands, Miakoda Taylor, Dev Noily, Kabir Hypolite, Briana Ruiz, Elaine Respass-Parsons, Vanessa Riles, Patricia St. Onge, Anna Rensi, Billy Trice Jr, Dreama Jeff, Kimberley Schroder, Norm Sands, Karissa Lewis, Barbara Rhine, Sean Doolan, Daniel Sanders, Walter Riley, Linda Arinna Weisman, Mercedes Martin, Ana Paula Jimenez, Region Lewis, Augustine Torres III, Michael Kaufman, Corrina Gould, Ada Chan, Susan Schacker. **Public Session Closed.**

Motion by Commissioner Nagraj to extend the meeting past 10:30pm, seconded by Commissioner Monchamp.

Ayes: Manus, Fearn, Weinstein, Monchamp, Myres, Nagraj

Noes:

Approved with 6 ayes and 0 noes.

Motion by Commissioner Myres to uphold the appeal and deny the Zoning Manager's original decision to deny the project application, seconded by Commissioner Nagraj.

Ayes: Manus, Fearn, Weinstein, Monchamp, Myres, Nagraj

Noes:

Approved with 6 ayes and 0 noes.



COMMISSION BUSINESS

Approval of Minutes

Motion by Commissioner Myres to approve the 6/7/17, and 6/21/17 meeting minutes, seconded by Commissioner Manus.

Ayes: Manus, Fearn, Weinstein, Monchamp, Myres, Nagraj (6/21/17)

Noes:

Abstentions: Nagraj (6/7/17)

6/7/17 minutes approved with 5 ayes, 0 noes, and 1 abstention.

6/21/17 minutes approved with 6 ayes, 0 noes.

Motion by Commissioner Nagraj to approve the 7/5/17 meeting minutes, seconded by Commissioner Manus.

Ayes: Manus, Fearn, Weinstein, Monchamp, Nagraj

Noes:

Abstentions: Myres

7/5/17 minutes approved with 5 ayes, 0 noes, and 1 abstention.

Correspondence

None.

City Council Actions

On July 18, 2017, the City Council heard the dual appeals of Telecom cases on Asilomar, approving the lower tower to the south and denying the upper tower to the north.

ADJOURNMENT

The meeting was adjourned at **11:53pm**.

ROBERT MERKAMP
Development Planning Manager
Secretary to the Planning Commission
Planning and Building Department

NEXT REGULAR MEETING: August 2, 2017