



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

**January 18, 2017
Regular Meeting**

The meeting was called to order at approximately **6:00pm**.

ROLL CALL

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

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Item #3 was pulled from the consent calendar and moved to public hearings.
Item #8 was continued to the February 1, 2017, Planning Commission meeting.

Director's Report

(6:05pm) Neil Gray discussed revisions to the Public Art Requirements for private developments.

Committee Reports

Commissioner Pattillo gave a summary of the Residential Appeals Committee meeting that was held immediately before this meeting. A decision on the item was postponed until February 15, 2017, and the committee members requested a more thorough packet for review.

Commission Matters

None.

City Attorney's Report

None.

OPEN FORUM

None.

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 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。



The Consent Calendar was called at **6:12pm**. Commissioner Monchamp recused herself from these items.

CONSENT CALENDAR

1.	Location:	Utility pole in sidewalk adjacent to (fronting) 3600 Foothill Bl.
	Assessor's Parcel Number(s):	Adjacent to 032 -2084-051-00
	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 / Phone Number:	Ana Gomez/Black & Veatch (for Extenet /Verizon) 913-458-9148
	Owner:	PG&E
	Case File Number:	PLN16331
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Detached Unit Residential
	Zoning:	RU-5 Urban Residential
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15303 of the State CEQA Guidelines: 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 28, 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 Moe Hackett at (510) 238-3973 or by email at mhackett@oaklandnet.com

2.	Location:	The Public Right-of-Way adjacent to 8800 Dowling St.
	Assessor's Parcel Numbers:	Nearest adjacent lot (043 460902700)
	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 38' tall wood utility pole with a 38' tall PG&E utility pole and installation of one canister antenna measuring 23.5" long and 7.9" in diameter at the height of 18' and two radio units (7.9" tall, 7.9" wide and 3.9" depth) mounted at the height of 10'-6" and 13'-11" above ground.
	Applicant:	Extenet Systems (California) LLC.
	Contact Person/ Phone Number:	Ana Gomez (913) 458-9148
	Owner:	Pacific Gas & Electric (PG&E)
	Case File Number:	PLN16377
	Planning Permits Required:	Major Design Review to install a wireless Telecommunication Macro Facility on a PG&E replacement pole located in RM-2 Zone.
	General Plan:	Mixed Housing Type Residential.
	Zoning:	RM-2 Mixed Housing Type Residential Zone.
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines; New construction or conversion of small structures. 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; Survey rating: n/a
	City Council District:	7
	Finality of Decision:	Appealable to City Council within 10 Days



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 1901 57th Ave.
Assessor's Parcel Numbers:	Nearest adjacent lot (038 322702000)
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 38' tall wood utility pole with a 43' tall PG&E utility pole and installation of one canister antenna measuring 23.5" long and 7.9" in diameter at the height of 22' and two radio units (7.9" tall, 7.9" wide and 3.9" depth) mounted at the height of 10'-6" and 13'-11" above ground.
Applicant:	Extenet Systems (California) LLC.
Contact Person/ Phone Number:	Ana Gomez (913) 458-9148
Owner:	Pacific Gas & Electric (PG&E)
Case File Number:	PLN16348
Planning Permits Required:	Major Design Review to install a wireless Telecommunication Macro Facility on a PG&E replacement pole located in RD-2 Zone.
General Plan:	Detached Unit Residential.
Zoning:	RD-2 Detached Unit Residential Zone.
Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines; New construction or conversion of small structures. 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; Survey rating: n/a
City Council District:	6
Finality of Decision:	Appealable to City Council within 10 Days
For Further Information:	Contact case planner Danny Thai at (510) 238-3584 or by email at dthai@oaklandnet.com

5. Location:	Utility guy pole in sidewalk adjacent to 2750 Foothill Blvd
Assessor's Parcel Number(s):	Adjacent to 026 -0740-032-01
Proposal:	To establish a telecommunications facility, to enhance existing wireless services, by attaching an antenna and equipment to an existing wooden utility guy pole located in the public right-of-way (sidewalk).
Applicant / Phone Number:	Ana Gomez / Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
Owner:	Joint Pole Authority (including PG&E)
Case File Number:	PLN16323
Planning Permits Required:	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility; 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:	October 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 Aubrey Rose, AICP at (510) 238-2071 or by email at arose@oaklandnet.com



(Consent Calendar, continued)

Motion by Commissioner Pattillo to approve the Consent Calendar, seconded by Commissioner Limon.

Ayes: Limon, Myres, Pattillo, Weinstein, Nagraj

Noes:

Approved with 5 ayes and 0 noes.

PUBLIC HEARINGS

Item #3 was pulled from the Consent Calendar.

3.	Location:	The Public Right-of-Way Adjacent to 2005 83rd Ave.
	Assessor's Parcel Numbers:	Nearest adjacent lot (043 456601300)
	Proposal:	Installation of a wireless telecommunication facility on a 43' wooden utility pole located in the public right-of-way. The project involves the installation of one canister antenna measuring 23.5" long and 7.9" in diameter at the height of 18' and two radio units (7.9" tall, 7.9" wide and 3.9" depth) mounted at the height of 10'-6" and 13'-11" above ground.
	Applicant:	Extenet Systems (California) LLC.
	Contact Person/ Phone Number:	Ana Gomez (913) 458-9148
	Owner:	Pacific Gas & Electric (PG&E)
	Case File Number:	PLN16376
	Planning Permits Required:	Major Design Review to install a wireless Telecommunication Macro Facility on a PG&E replacement pole located in RM-1 Zone.
	General Plan:	Mixed Housing Type Residential.
	Zoning:	RM-1 Mixed Housing Type Residential Zone.
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines; New construction or conversion of small structures. 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; Survey rating: n/a
	City Council District:	6
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact case planner Danny Thai at (510) 238-3584 or by email at dthai@oaklandnet.com

This item was called at **6:13pm**. Secretary Merkamp requested a motion to introduce additional conditions of approval for the protection of a street tree next to the antenna.

Motion by Commissioner Pattillo to accept the additional conditions of approval, seconded by Vice-Chair Weinstein.

Ayes: Limon, Myres, Pattillo, Weinstein, Nagraj

Noes:

Approved with 5 ayes and 0 noes.

Staff Member: Danny Thai gave a presentation.

Public Speakers: None.

Motion by Commissioner pattillo to approve Item #3 with the additional conditions, seconded by Commissioner Limon.

Ayes: Limon, Myres, Pattillo, Weinstein, Nagraj

Noes:

Approved with 5 ayes and 0 noes.



Commissioner Monchamp returned and Item #6 was called at 6:17pm. The item consisted of 21 proposed zoning text changes and changes to five zoning maps. Staff requested that the Commission vote on text change #15 and the five maps and to continue text changes #1-14 and #16-21. The item was heard in three parts, and project planner Ed Manasse gave a presentation for each.

6.	Location:	Citywide.
	Proposal:	<p>Review proposed citywide Planning Code amendments, including proposals to: 1) Revise development standards in RD, RM and RU Zones; 2) Permit ‘Group Assembly’ and ‘Personal Instruction Services’ with Conditional Use Permit (CUP) and reduce restrictions on Commercial Activities in R-80 Zone; 3) Allow Custom Manufacturing with CUP on the ground floor in CN Zones; 4) Increase minimum ground floor height in RU, CN and CC Zones; 5) Clarify that no new Residential Facilities are allowed in the CC-3 and CR-1 Zones; 6) Revise CR Zone front setback; 7) Permit ‘Group Assembly’ and ‘Personal Instruction Services’ in C-45 Zone; 8) Revise density regulations in HBX Zones; 9) Modify density ranges for the 55-ft., 60-ft. and 75-ft. height map areas in all applicable zones; 10) Standardize the Commercial and Industrial fence standards in Chapter 17.73 and Section 17.108.140; 11) Add regulations for Large-Scale Developments in the CIX-1A, CIX-1B, CIX-1C, and CIX-1D Industrial Zones without a T overlay; 12) Make the Use Permit findings the same for the S-15 and D-CO-1 Transit-Oriented Development Zones; 13) Modify the Large-Scale Development regulations in the S-15 Zones to correct references and standardize language; 14) Revise the S-19 provisions to conform to long-standing mapping practice; 15) Revise Wood Street Zone Chapter 17.101A to add Property Development Standards, and to convert Development Areas 1-9 to separate zoning districts; 16) Clarify in Chapter 17.114 that the strict discontinuance regulations in Section 17.114.050 do not apply to the CIX-1A, CIX-1B, CIX-1C, and CIX-1D Zones with a T overlay; 17) Add maximum loading requirements to the parking regulations in Chapter 17.116; 18) Change Major CUP thresholds for the RM, R-80, C-40, C-45, S-1, and S-2 Zones; 19) Revise Chapter 17.136 to clarify regulations for the demolition or removal of structures in the CIX-1A Zone, and to standardize design review threshold for Track 3 Small Project; 20) Revise mini-lot regulations; and 21) Make minor Planning Code Text changes to improve clarity.</p> <p>Review proposed geographically specific Zoning Map and Height Area amendments, including proposals to amend: 1) map and height designations for the 3rd to 7th Street areas between West Oakland BART and Downtown; 2) map designations for the west side of Mandela Parkway from 17th to 8th St., and for the 8th St. corridor from Mandela to Wood; 3) map designations for Adeline St. between 18th and 19th; and 4) map and height designations for the corner of San Pablo Avenue and 33rd Street.</p>
	Applicant:	City of Oakland
	Case File Numbers:	ZA16030
	Planning Permits Required:	Not Applicable
	General Plan:	Land Use and Transportation Element (LUTE) Areas: All Estuary Policy Plan Areas: All
	Zoning:	All Zones citywide
	Environmental Determination:	The proposed amendments to the Planning Code rely on the previous set of applicable CEQA documents including: the Coliseum Area Specific Plan EIR (2015); Broadway Valdez Specific Plan EIR (2014); West Oakland Specific Plan EIR (2014); Central Estuary Area Plan EIR (2013); Land Use and Transportation Element of the General Plan EIR (1998); the Oakland Estuary Policy Plan EIRs (1999, 2006) and Supplemental EIR (2013); the Redevelopment Area EIRs- West Oakland (2003), Central City East (2003), Coliseum (1995), and Oakland Army Base (2002); the Historic Preservation Element of the General Plan EIR (1998); the 2007-2014 Housing Element Final EIR (2010) and Addendum (2014); and various Redevelopment Plan Final EIRs (collectively, “Previous CEQA Documents”). No further environmental review is required under CEQA Guidelines Sections 15162 and 15163. Moreover, each as a separate and independent basis, this proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (general rule, no significant effect on the environment).
	Historic Status:	Not Applicable
	City Council Districts:	All
	Actions to be Taken:	Receive public and Planning Commission comments on the proposed Planning Code amendments, and forward a recommendation on the proposed amendments to the City Council.
	For Further Information:	Contact project planner Ed Manasse at 510-238-7733 or by email at emanasse@oaklandnet.com



Part 1: Zoning Maps 1 through 4

Public Speakers: Gerald Agee, Ian Booker, Stephanie Parrott, Chris Buckley, Aaron Lander, Ellie Casson, Gaye Cobb, Emma Roberts, Eden Brukman. **Public Session for this portion closed.**

Motion by Commissioner Pattillo to affirm staff's environmental determination and recommend that the City Council approve the proposed map and height area changes to Maps 1 through 4 and find that the existing regulations being amended or deleted are inadequate and otherwise contrary, seconded by Chair Nagraj.

Ayes: Limon, Myres, Pattillo, Monchamp, Weinstein, Nagraj

Noes:

Approved with 6 ayes and 0 noes.

Part 2: Zoning text changes #1-14 and #16-21

Public Speakers: Martha Ekdahl, Victoria Fierce, Aaron Eckhouse, Milo Trauss, Lucia Huang, Naomi Schiff, Marina Carlson, Jeff Fong, Tony Albert, Valerie Winemiller, Charlene Milgrim, Tommaso Sciortino, Kiernyn Darkwater, Chris Buckley, Eden Brukman. **Public Session for this portion closed.**

Motion by Commissioner Myres to continue Items #1-14 and #16-21, seconded by Commissioner Monchamp.

Ayes: Limon, Myres, Pattillo, Monchamp, Weinstein, Nagraj

Noes:

Approved with 6 ayes and 0 noes.

Part 3: Zoning text change #15 and Map #5

Chair Nagraj and Vice-Chair Weinstein recused themselves from this item. Before leaving a Chair *pro tem* was selected for this portion of Item #6.

Motion by Commissioner Myres volunteering to be Chair *pro tem* for Part 3 of Item #6, seconded by Commissioner Nagraj.

Ayes: Limon, Myres, Pattillo, Monchamp, Weinstein, Nagraj

Noes:

Approved with 6 ayes and 0 noes.

Public Speakers: Naomi Schiff. **Public Session for this portion closed.**

Motion by Commissioner Pattillo to affirm staff's environmental determination and recommend that the City Council approve the proposed Planning Code text change for Item #15 with the modification that we round it off to 850 square feet per unit and approve the height and area amendments for Map 5 and find that the existing regulations being amended or deleted are inadequate and otherwise contrary to the public interest, seconded by Commissioner Monchamp.

Ayes: Limon, Pattillo, Monchamp, Myres

Noes:

Approved with 4 ayes and 0 noes.



This item was called at 8:22pm.

7.	Location:	Citywide.
	Proposal:	Review proposed citywide Planning Code amendments regulating Secondary Units, including those changes required to comply with California Senate Bill (SB) 1069 and Assembly Bill (AB) 2299, which go into effect January 1, 2017. SB 1069 and AB 2299 requirements include: 1) Ministerial approval of all Secondary Units within existing residences or accessory structures with independent exterior access and setbacks sufficient for fire safety; 2) Elimination of parking requirements for all other Secondary Units located in the following areas: within half mile of public transit, in an historic district, in an area where on-street parking permits are required but not offered to the occupant of the secondary unit, and within one block of a dedicated car share space; 3) Allowance for tandem parking and other parking configurations so long as they do not infringe on health or safety concerns; and 4) Elimination of requirements for separate utility connections for Secondary Units within existing residences or accessory structures, or requirement for fire sprinklers if primary unit does not require them. Other proposed changes to Secondary Unit regulations include, but are not limited to: a) Require that Secondary Units be rented for terms of 30 days or more; and b) Increase the allowed maximum size of Secondary Units that are not completely within existing residences or accessory structures to 800 square feet or 75% of the primary unit, whichever is less. Review proposed geographically specific Zoning Map amendments, including proposal to: 1) create a new Zoning Map overlay that identifies areas in the city where street pavement widths and/or cul-de-sac lengths are not conforming to minimum standards. The initial purpose of this new zoning overlay would be to prohibit new Secondary Units in specific areas due to safety concerns.
	Applicant:	City of Oakland
	Case File Numbers:	ZA16031
	Planning Permits Required:	Not Applicable
	General Plan:	Land Use and Transportation Element (LUTE) Areas: All Estuary Policy Plan Areas: All
	Zoning:	All Zones citywide
	Environmental Determination:	The proposed amendments to the Planning Code rely on the previous set of applicable CEQA documents including: the Coliseum Area Specific Plan EIR (2015); Broadway Valdez Specific Plan EIR (2014); West Oakland Specific Plan EIR (2014); Central Estuary Area Plan EIR (2013); Land Use and Transportation Element of the General Plan EIR (1998); the Oakland Estuary Policy Plan EIRs (1999, 2006) and Supplemental EIR (2013); the Redevelopment Area EIRs- West Oakland (2003), Central City East (2003), Coliseum (1995), and Oakland Army Base (2002); the Historic Preservation Element of the General Plan EIR (1998); the 2007-2014 Housing Element Final EIR (2010) and Addendum (2014); and various Redevelopment Plan Final EIRs (collectively, "Previous CEQA Documents"). No further environmental review is required under CEQA Guidelines Sections 15162 and 15163. Moreover, each as a separate and independent basis, this proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (general rule, no significant effect on the environment).
	Historic Status:	Not Applicable
	City Council Districts:	All
	Actions to be Taken:	Receive public and Planning Commission comments on the proposed Planning Code amendments, and forward a recommendation on the proposed amendments to the City Council.
	For Further Information:	Contact project planner Ed Manasse at 510-238-7733 or by email at emanasse@oaklandnet.com

Chair Nagraj and Vice-Chair Weinstein returned and this item was called at 8:22pm.

Staff member: Ed Manasse gave a presentation.

Public Speakers: Tommaso Sciortino, Martha Ekdahl, Aaron Eckhouse, Kieryn Darkwater, Lee Byrd, Vicki Wong, Victoria Fierce, Valerie Winemiller, Charlene Milgrim. **Public Session closed.**



(Item #7, continued)

Motion by Commissioner Pattillo to affirm staff’s environmental determination and find that the existing regulations being amended are inadequate and otherwise contrary to the public interest and recommend that the City Council approve the proposed planning code text and zoning map amendments related to secondary units with two modifications: approval of minimum street width to conform to Oakland Fire at 20 feet wide and we strike no exterior modifications to the definition of a Category 1 project. Case planner Manasse proposed a friendly amendment to also apply the 20 foot minimum street width to Category 2 and apply S-9 overlay, and Commissioner Monchamp proposed a friendly amendment that in addition to striking the words “no exterior modifications” that the words “of the footprint” should be added, making the text read “no expansion of the footprint.” Both friendly amendments were accepted by Commissioner Pattillo and the motion was seconded by Commissioner Limon.

Ayes: Limon, Myres, Pattillo, Monchamp, Weinstein, Nagraj
Noes:

Approved with 6 ayes and 0 noes

APPEALS

None.

COMMISSION BUSINESS

Approval of Minutes

Motion by Commissioner Monchamp to approve the December 21, 2016, meeting minutes, seconded by Commissioner Limon.

Ayes: Limon, Pattillo, Monchamp, Weinstein
Noes:
Abstentions: Myres, Nagraj

Approved with 4 ayes, 0 noes, and 2 abstentions.

Correspondence

None.

City Council Actions

None.

ADJOURNMENT The meeting was adjourned at **9:08pm.**

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