



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

**August 3, 2016  
Regular Meeting**

**ROLL CALL**

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

**WELCOME BY THE CHAIR**

**COMMISSION BUSINESS**

**Election of new Chair and Vice-Chair:**

Motion by Commissioner Pattillo to select Vice-Chair Nagraj as new Chair, seconded by Commissioner Myres.

Ayes: Limon, Pattillo, Myres, Nagraj  
Noes:

Approved with 4 ayes, 0 noes.

Motion by Commissioner Myres to elect Commissioner Weinstein as new Vice-Chair, seconded by Commissioner Pattillo.

Ayes: Limon, Pattillo, Myres, Nagraj  
Noes:

Approved with 4 ayes, 0 noes.

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***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。



**Agenda Discussion**

Secretary Merkamp: Due to conflicts and need for recusal there would not be a quorum to hear or vote on items 6 and 7. Recommend Planning Commission to convene a Special Meeting on August 17, 2016, when a quorum would be present.

Motion by Commissioner Myres to convene a Special Meeting of the Planning Commission on August 17, 2016, at 6:00pm, seconded by Commissioner Limon.

Ayes: Limon, Myres, Nagraj

Noes:

Abstentions: Pattillo

Approved with 3 ayes, 0 noes, and 1 abstention.

Secretary Merkamp: Regarding the August 10, 2016, Design Review Committee, two permanent members of the Committee have recused themselves due to conflicts. Commissioner Myres will serve as an ad hoc member for that meeting.

**Director's Report**

None.

**Committee Reports**

None.

**Commission Matters**

None.

**City Attorney's Report**

None.

**OPEN FORUM**

None.



**CONSENT CALENDAR**

Secretary Merkamp: Speaker cards submitted for items 1 and 3. Recommend to pull items from consent calendar and hear them as the first two items of the public hearing.

Motion by Commissioner Pattillo to accept the consent calendar, seconded by Commissioner Myres.

Ayes: Limon, Pattillo, Myres, Nagraj  
Noes:

Approved with 4 ayes, 0 noes.

<b>2.</b>	<b>Location:</b>	<b>5917 Bromley Avenue (APN: 038-3215-011-01)</b>
	<b>Proposal:</b>	To create a thirteen unit townhome style development.
	<b>Applicant:</b>	Mark H. Snow and Kent Lau
	<b>Contact Person/Phone Number:</b>	Mark H. Snow (435)275-6900 and Kent Lau (510) 816-1381
	<b>Owner:</b>	Community First Development Fund III, LLC
	<b>Case File Number:</b>	<b>PLN15395</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit and Regular Design Review to allow for the creation of a 13 unit townhome development. Minor Variance to allow for substandard open space
	<b>General Plan:</b>	Mixed Housing Type Residential
	<b>Zoning:</b>	RM-4 Mixed Housing Type Residential Zone
	<b>Environmental Determination:</b>	Exempt, Section 15332 of the State CEQA Guidelines; In-fill Development. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	None (vacant lot)
	<b>Service Delivery District:</b>	4
	<b>City Council District:</b>	6
	<b>Status:</b>	Pending
	<b>Action to be Taken:</b>	Decision of Application
	<b>Finality of Decision:</b>	<i>Appealable to City Council</i>
	<b>For Further Information:</b>	Contact case planner <b>Moe Hackett</b> at (510) 238-39730 or by email: <a href="mailto:mhackett@oaklandnet.com">mhackett@oaklandnet.com</a>



**PUBLIC HEARINGS**

Items #1 and #3 moved from Consent Calendar to Public Hearing.

<b>1.</b>	<b>Location:</b> 2242 Magnolia Street APN: 005-0426-022-01
	The project involves subdivision of a 16,028 square- foot vacant lot into eight (8) mini-lots and construction of sixteen (16) new residential dwelling units (a duplex per lot). There are two off-street parking spaces are provided on each lot for a total of 16 parking spaces for this development.
	<b>Proposal:</b>
	<b>Applicant:</b> Francesca Boyd
<b>Contact Person/ Phone number:</b>	(510) 301-9630
	<b>Owner:</b> Albert Sukoff
	<b>Case File Number:</b> PLN15-060/TTM8241
	<b>Planning Permits Required:</b> Tentative Tract Map for mini-lots subdivision to create eight (8) mini lots; Minor Conditional Use Permits for Mini-Lot Development and for a shared Access Facility. Regular Design Review for new construction of sixteen (16) residential units (two units per lot).
	<b>General Plan:</b> Housing and Business Mix
	<b>Zoning:</b> HBX-4 Zone
	<b>Environmental Determination:</b> State CEQA Guidelines: Categorically Exempt, Sections 15332; Infill developments, Special Situation, Section 15183, Projects consistent with a Community Plan, General Plan or Zoning
	<b>Historic Status:</b> Not Historical Property
	<b>Service Delivery District:</b> 1
	<b>City Council District:</b> 3
	<b>Date Filed:</b> 4/26/16
	<b>Finality of Decision:</b> Appealable to City Council within 10 calendar days
	<b>For Further Information:</b> Contact case planner Jason Madani at (510) 238-4790 or by email: <a href="mailto:jmadani@oaklandnet.com">jmadani@oaklandnet.com</a>

**Staff Member:** Jason Madani gave a presentation. Proposal to create a tentative tract map to split parcel into eight mini lots. There is a CUP for mini lot subdivision, design review for 16 residential units.

**Chair Nagraj** asked for the total number of bedrooms for project.

**Applicant:** Francesca Boyd clarified type of floor plan and number/layout of units.

**Public Speakers:** Paul Discoe, Alvena Womack, Travis Tarr (representative of Baron Studio Architecture – stated he wished to cede time to applicant or use to answer questions from Commission)

**Applicant:** Francesca Boyd spoke again to address community concerns; states that company is local, they build and live in Oakland. Addressed current curb cuts and how plan will remove them and add street parking. Each unit has private open space. Stated project will protect the nature of the neighborhood.

**Public Speaker:** Claudia Thurston

**Public comment session closed.**

Commission asked questions of applicant regarding parking and accessibility to transit. Applicant and representative of architect replied with explanation of plans with regard to parking and neighborhood impact. Commissioners Myres and Pattillo expressed appreciation that plan includes 2- and 3-bedroom units. Commissioner Myres recommended an additional condition that any tenants or subtenants would be notified of surrounding uses and could not use such uses as a reason to complain.



**Action on the matter:** Motion by Commissioner Myres to affirm staff's environmental determination and to approve tentative tract map conditional use permit and regular design review subject to the attached findings and conditions of approval with the addition of Condition of Approval #53 which would require disclosure of surrounding uses to all future tenants and subtenants and notify said tenants that the regular operations of surrounding uses cannot be used as a basis for complaint, seconded by Commissioner Pattillo.

Ayes: Limon, Pattillo, Myres, Nagraj  
Noes:

Approved with 4 ayes, 0 noes.

<b>3.</b>	<b>Location:</b>	<b>1112 26<sup>th</sup> Street APN: 005-0447-014-01</b>
	<b>Proposal:</b>	To convert an existing two-story mix-use building into three (3) residential units and one commercial office space located on a 7,668 square foot lot. There are 3 off-street parking spaces are provided at the side and the rear portion of lot.
	<b>Applicant:</b>	Fred Hyer– Hyer Architecture
<b>Contact Person/ Phone number:</b>		(510) 526-1915
	<b>Owner:</b>	Oak Tree Properties LLC
	<b>Case File Number:</b>	PLN16-063
	<b>Planning Permits Required:</b>	Major Conditional Use Permit to allow three residential units in the RM-2 zone; Regular Design Review to convert mix use building into three residential units; Minor Variance to allow an existing building located on the side property line where 5' minimum is required.
	<b>General Plan:</b>	Mixed Housing Type Residential, and West Oakland Specific Plan
	<b>Zoning:</b>	RM-2 Mixed Housing Type Residential Zone
<b>Environmental Determination:</b>		Exempt, Section 15301 and 15303 of the State CEQA Guidelines: conversion of mix use building into three residential units and one commercial office space ; Exempt, Section 15183 of the State CEQA Guidelines: Projects consistent with a Community Plan, General Plan or Zoning
	<b>Historic Status:</b>	No a Historic property.
	<b>Service Delivery District:</b>	1
	<b>City Council District:</b>	3
	<b>Date Filed:</b>	5/13/16
	<b>Finality of Decision:</b>	Appealable to City Council within 10 calendar days
<b>For Further Information:</b>		Contact case planner <b>Jason Madani</b> at (510) 238-4790 or by email: <a href="mailto:jmadani@oaklandnet.com">jmadani@oaklandnet.com</a>

**Staff Member:** Jason Madani gave a presentation.

**Applicant:** Fred Hyer (submitted speaker card), stated submitted card to allow someone to speak if they wished to, but they chose to speak on a different item.

**Public comment session closed.**



Action on the matter: Motion by Commissioner Myres to affirm staff’s environmental determination and approve the major conditional use permit, regular design review, and minor variance subject to the attached findings and conditions, seconded by Commissioner Limon.

Ayes: Limon, Pattillo, Myres, Nagraj

Noes:

Approved with 4 ayes, 0 noes.

**4. Location:** CITYWIDE

**Proposal:** Revised proposal to establish a new citywide food vending permit program that would replace Oakland’s existing food vending permit types and programs. The revised new citywide food vending program would permit, with certain restrictions, individual food vending on private property and from the public right of way in selected commercial and industrial areas. The revised new program would also permit group site vending citywide. Ordinance would revise the definition of “Fast Food Restaurant Commercial Activities” in Section 17.10.280 of the Oakland Planning Code; and revise the following sections of the Oakland Municipal Code: Section 5.51 (“Food Vending Group Site Pilot Program”); Section 5.49 (“Pushcart Food Vending Pilot Program”); and Section 8.09 (“Vehicular Food Vending”). The Ordinance would also include revisions to other Planning and Municipal Code sections as minor conforming changes. This is a continued item from Planning Commission public hearing on June 1, 2016.

**Applicant:** City of Oakland

**Case File Number:** ZA16009

**Environmental Determination:** The Project relies 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).

**City Council District:** All Council Districts

**Action to be Taken:** Recommendations to the City Council

**Staff Recommendation:** Recommend proposal to the City Council

**For Further Information:** Contact case planner **Devan Reiff** at **510-238-3550** or [dreiff@oaklandnet.com](mailto:dreiff@oaklandnet.com)



**Staff Member:** Ed Manasse gave a presentation.

Commissioner Pattillo stated she has heard from constituents that more time is needed for study and outreach and asked if item is time sensitive. Manasse replied that there is no timeline, but vendors wish for an expanded program. Commissioner Myres asked why in staff report number eight, a breakdown of fees, only two years of fees are shown. Manasse deferred to Planner Devan Reiff for response who stated that data provided is what was able to be obtained in the requested timeframe and that complete data has been requested and is in process.

**Public Speakers:** Joe Bilman, Alvena Womack, Preston Manning, Emilia Otero, Stav Dodson, Pamela Smith, Aly Bonde, Matthew Cohen, Shelly Garza, Shaniele Alexander, Roberto Portilla, Edgar Galindo, Christina Ferracane, Elmy Kader, Martin Caraves.

**Public comment session closed.**

Planners Manasse and Reiff responded to questions and comments from the Commission regarding grandfathering, priorities and processes for permits, definitions and types of permitted facilities (carts, pushcarts, and trucks), need for expanded outreach to the community, and methods of and resources for enforcement. All commissioners present expressed a desire that more discussion and outreach occur before a decision is made.

**Action on the matter:** Motion by Commissioner Myres to continue item to a date certain of October 5, 2016, with emphasis on studying increases in the buffer, prioritization, further definitions of underserved communities and longevity, and additional outreach meetings, seconded by Commissioner Pattillo.

Ayes: Limon, Pattillo, Myres, Nagraj

Noes:

Approved with 4 ayes, 0 noes.

**At approximately 8:10pm Chair Nagraj called for a 10 minute recess.**

After the recess Chair Nagraj introduced new Commissioner Tom Limon who then gave a short introduction.



<b>5.</b>	<p><b>Location:</b> 301 12<sup>th</sup> Street (full block, APN 002 -0063-006-00) and 285 12<sup>th</sup> Street (quarter block, APN 002 -0069-003-01)</p> <p><b>Proposal:</b> Construct two 7-story mixed use developments. Building 1 would be located within one full block at 301 12<sup>th</sup> Street and contain 339 units with approximately 24,600 square feet of ground floor commercial, replacing an existing warehouse building. Building 2 would be located within one quarter of a block at 285 12<sup>th</sup> Street and contain 77 units with approximately 1,600 square feet of ground floor commercial on an existing undeveloped lot.</p> <p><b>Applicant:</b> Emerge, Steven Kay esq.</p> <p><b>Contact Person/Phone Number:</b> Martin Group, Justin Osler (415) 429- 6044</p> <p><b>Owner:</b> Richard S. Cochran and Susan L. Cochran Family Trust, et al.</p> <p><b>Case File Number:</b> PLN16133</p> <p><b>Planning Permits Required:</b> Regular Design Review for new construction; Major Conditional Use Permit for a development with more than 100,000 square feet of floor area in a D-LM zone, Minor Conditional Use Permit to allow a building base height of up to 85 feet; Tentative Parcel Map for new condominiums</p> <p><b>General Plan:</b> Central Business District / Lake Merritt Station Area Plan</p> <p><b>Zoning:</b> D-LM-4 Zone, LM-175 Height, Intensity and Bulk Area, Webster and Harrison Streets are designated as Transitional Commercial Corridors</p> <p><b>Environmental Determination:</b> 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. Starting on July 18, the CEQA Analysis document may be reviewed at the Bureau of Planning at 250 Frank Ogawa Plaza, 2<sup>nd</sup> Floor or on-line at <a href="http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157">http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157</a></p> <p><b>Historic Status:</b> No historic properties.</p> <p><b>Planning District:</b> Metro</p> <p><b>City Council District:</b> 2</p> <p><b>Status:</b> Pending</p> <p><b>Action to be Taken:</b> Decision on application based on Staff Report</p> <p><b>Finality of Decision:</b> Appealable to City Council</p> <p><b>For Further Information:</b> Contact case planner <b>Christina Ferracane</b> at <b>510-238-3903</b> or <a href="mailto:cferracane@oaklandnet.com">cferracane@oaklandnet.com</a></p>
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**Staff Member:** Christina Ferracane gave a presentation. Requested to enter item into record, a supplemental construction emissions analysis.

Motion by Commissioner Pattillo to accept introduction of information, seconded by Commissioner Myres.

Ayes: Limon, Pattillo, Myres, Nagraj  
Noes:

Approved with 4 ayes, 0 noes.





**Applicant:** Justin Olser, Project Manager, gave a PowerPoint presentation.

**Speakers:** Lailan Huen, Victoria Fierce, John Nguyen-Yap, Pete Cardero, Thomas Wong, Karolyn Wong, Ty Hudson, Vincent Saephan, Jorge Lopez, Li Shao Lieu, Lisa Cheng, Guo Shao Fang, Kitty Kelly Epstein, Corinne Jan, Alvina Wong, Carina Lieu, Stanley Pun, Jason Gimataotao, Brytanee Brown, Kan Brou, Raymond Tang, Carl Chan, Jean Quan, Ayo Chaney.

**Public comment session closed.**

Staff and developer replied to questions and comments from Commissioners regarding displacement, requirements for affordable housing, negotiations between developer and EBALDC about purchase of lot, terms of Amethod School's lease, impact fees, and Lake Merritt Station Area Plan.

Commissioner Myres spoke about need for further negotiations between developer and community, and asked Lailan Huen to speak regarding a previous negotiation with Wood Partners. Huen also spoke about EBALDC and their efforts to work with the Martin Group to ensure inclusion of affordable resources in this development.

Motion by Commissioner Myres to extend meeting past 10:30pm, seconded by Commissioner Pattillo.

Ayes: Limon, Pattillo, Myres, Nagraj  
Noes:

Approved with 4 ayes, 0 noes.

Commissioners commented on need for further discussion between community groups and developer, unresolved lease issues between school and landlord, study on impacts to young and elderly pedestrians around Lincoln Rec Center, and continued negotiation with EBALDC for affordable housing options. Recommendation to continue item to the August 17, 2016, Special Meeting of the Planning Commission. Commissioner Myres stated that the Special Meeting was called due to recusals from other Commissioners and expressed a desire to not add this item to that meeting.

**Action on the matter:** Motion by Commissioner Pattillo to continue item to the next meeting on August 17, 2016, seconded by Commissioner Limon.

Ayes: Limon, Pattillo, Nagraj  
Noes: Myres

Approved with 3 ayes, 1 noes.



This item was continued to a Special Meeting of the Planning Commission on August 17, 2016.

<b>6.</b>	<p><b>Location:</b> <del>277 27<sup>th</sup> Street (24<sup>th</sup> &amp; Harrison)</del>  <del>(APN: 008-0671-020-01; 021-01; 023-03; 024; &amp; 025)</del></p> <p><b>Proposal:</b> Proposal to construct a new mixed use development with approximately 65,000 square feet of retail and a residential tower of 18 stories containing 437 dwelling units. The project site is Retail Priority Site 4B in the Broadway Valdez District Specific Plan.</p> <p><b>Applicant:</b> Holland Partner Group</p> <p><b>Contact Person/Phone Number:</b> John Wayland (925) 226-2466</p> <p><b>Owner:</b> David Robb / Douglas Marshall</p> <p><b>Case File Number:</b> <b>PLN16-080</b></p> <p><b>Planning Permits Required:</b> Regular Design Review for new construction, Major Conditional Use Permit to allow D-BV-1 Zone Bonuses; Minor Variance for three loading berths where six are required; and Vesting Tentative Parcel Map to merge five parcels into two and create new condominiums.</p> <p><b>General Plan:</b> Central Business District</p> <p><b>Zoning:</b> D-BV-1, Broadway Valdez District Retail Priority Sites Commercial Zone</p> <p><b>Environmental Determination:</b> 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 Broadway Valdez District Specific 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<sup>nd</sup> Floor or on-line at <a href="http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157">http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157</a></p> <p><b>Historic Status:</b> Potentially Designated Historic Property (PDHP);  Rating: C2+ (Orin Gate)</p> <p><b>Planning District:</b> Metro</p> <p><b>City Council District:</b> 3</p> <p><b>Status:</b> Pending</p> <p><b>Action to be Taken:</b> Decision on application based on Staff Report</p> <p><b>Finality of Decision:</b> Appealable to City Council</p> <p><b>For Further Information:</b> Contact case planner Pete Vollmann at (510) 238-6167 or by email: <a href="mailto:pvollmann@oaklandnet.com">pvollmann@oaklandnet.com</a></p>
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This item was continued to a Special Meeting of the Planning Commission on August 17, 2016.

<b>7.</b>	<b>Location:</b> "6701" / "7001" Oakport Street (APN:041-3902-021-00)
	<b>Proposal:</b> Proposal to construct a new auto dealership and service center on the existing surface parking lot.
	<b>Applicant:</b> Oakland Acura
	<b>Contact Person/Phone Number:</b> Michael Zucker (415) 957-0909
	<b>Owner:</b> City of Oakland
	<b>Case File Number:</b> PLN16-144
	<b>Planning Permits Required:</b> Regular Design Review for new construction, Major Conditional Use Permit to allow a new Automotive Sales Commercial Activity.
	<b>General Plan:</b> Regional Commercial
	<b>Zoning:</b> D-CO-3
	<b>Environmental Determination:</b> A CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions: 15332, In fill development projects 15183 - Projects consistent with a community plan, general plan, or zoning; 15164 - Addendum to the 2015 certified Coliseum Area Specific Plan EIR; Each of which provides a separate and independent basis for CEQA compliance.
	<b>Historic Status:</b> Not a historic property - vacant parking lots
	<b>Planning District:</b> 4
	<b>City Council District:</b> 7
	<b>Status:</b> Pending
	<b>Action to be Taken:</b> Decision on application based on Staff Report
	<b>Finality of Decision:</b> Appealable to City Council
	<b>For Further Information:</b> Contact case planner Pete Vollmann at (510) 238-6167 or by email: <a href="mailto:pvollmann@oaklandnet.com">pvollmann@oaklandnet.com</a> .



<b>8.</b>	<b>Location:</b>	<b>5516 San Pablo Ave. Broadway (See map on reverse)</b>
	<b>Assessor's Parcel Numbers:</b>	<b>(015 -1308-016-00)</b>
	<b>Proposal:</b>	To allow for an expansion of an existing Alcoholic Beverage Sales Activity "Wolfhound Bar" into a portion of the adjacent commercial space. The existing bar is 968 square feet and will expand 393 square feet.
	<b>Applicant:</b>	Peadar Kelleher, Keith Mulligan, Christopher Southgate
	<b>Contact Person/ Phone Number:</b>	Peadar Kelleher (415) 706-3550
	<b>Owner:</b>	Wally Whittier
	<b>Case File Number:</b>	<b>PLN14018-R01</b>
	<b>Planning Permits Required:</b>	Amendment to existing Major Conditional Use Permit to allow the expansion of an Alcoholic Beverage Sales Activity; Findings of Public Convenience or Necessity in an over concentrated area and major variance for separation on a restricted street.
	<b>General Plan:</b>	Community Commercial
	<b>Zoning:</b>	CC-2 Community Commercial 2 Zone
	<b>Environmental Determination:</b>	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.
	<b>Historic Status:</b>	Potentially Designated Historic Property (DHP); Survey rating: C3
	<b>Service Delivery District:</b>	Metro
	<b>City Council District:</b>	3
	<b>Date Filed:</b>	01/19/16
	<b>Finality of Decision:</b>	Appealable to City Council
	<b>For Further Information:</b>	Contact case planner <b>Jose M. Herrera-Preza</b> at (510) 238-3808 or <a href="mailto:jherrera@oaklandnet.com">jherrera@oaklandnet.com</a>

**Staff Member:** Jose Herrera-Preza gave a presentation

**Applicant:** Christopher Southgate gave a presentation.

**Public Speakers:** Robert Paradis, Tachelle Allen, Lisa Sepahi, Isaac Lim, Daniel Stark, Catherine Hickey, Joseph Myles Duran, Che DeLaJolla, Eva Agus, Rena Rickles (attorney for applicant).

Rena Rickles, attorney for applicant requested to add a voluntary condition of soundproofing the south wall.

**Action on the matter:** Motion by Commissioner Pattillo to affirm staff's environmental determination, approve the amendment to the major conditional use permit and major variance subject to the attached findings and conditions including the voluntary soundproofing on the south wall, seconded by Commissioner Limon.

Ayes: Limon, Pattillo, Myres, Nagraj  
Noes:

Approved with 4 ayes, 0 noes.



*APPEALS*

*COMMISSION BUSINESS*

Approval of Minutes

Correspondence

City Council Actions

**ADJOURNMENT** Meeting was adjourned at approximately 11:30pm.

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

***NEXT REGULAR MEETING:*** September 7, 2016.