



Oakland City Planning Commission

Minutes

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

November 20, 2019
Regular Meeting

ROLL CALL

Present: Monchamp, Limon, Fearn, Manus, Myres, Shirazi

Excused: Hegde.

Staff: Robert Merkamp, Eva Wu, Angela Robinson Piñon, Diana Perez-Domenich, Neil Gray, Ed Manasse, Brian Mulrey, Desmona Armstrong, Cheryl Dunaway,

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Item #1 has been removed from this agenda and continued to the December 4, 2019 Planning Commission Meeting.

Item #5 is continued to a date uncertain.

Director's Report

None

Committee Reports

None

Commission Matters

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。



City Attorney’s Report None

OPEN FORUM Speakers: Isis Ferral, Alexis Schroeder, Virginia Lou, Johanna Finney, Nick Gliter.

CONSENT CALENDAR

*THIS ITEM HAS BEEN REMOVED AND RESCHEDULED FOR DECEMBER 4, 2019

1.	Location:	9777 Golf Links Road
	Assessor’s Parcel Number(s):	048 565500300
	Proposal:	To establish beer and wine sales during open Zoo hours at existing restaurants and concession stands, and allow the serving of beer, wine, and spirits at after hours special events.
	Applicant:	Steve Rawlings
	Contact Person/ Phone Number:	(951) 667-5152
	Owner:	City of Oakland
	Case File Number:	PLN18500
	Planning Permits Required:	Major Variance for Alcoholic Beverage Sales with additional finding of Public Convenience or Necessity
	General Plan:	Urban Park and Open Space
	Zoning:	OS (SU)
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation); and Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	OCHS Rating: C3
	City Council District:	7
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case Planner Brittany Lenoir at (510) 238-4977 or by email: blenoir@oaklandca.gov

PUBLIC HEARINGS

2.	Location:	2693 – 2701 Alvingroom Court
	Assessor’s Parcel Number(s):	043A-4642-003-06
	Proposal:	To convert an existing ground floor community room into two units in an existing three-story, 15-unit building on “Parcel 7” of the apartment complex.
	Applicant:	Neilsen Studios
	Contact Person/ Phone Number:	Stan Neilsen (925) 324-4247
	Owner:	RHC-OAK2, LP
	Case File Number:	REV190016



Planning Permits Required:	Conditional Use Permit (CUP) for projects involving five or more units in the RM-4 Zone. The CUP is major because it involves seven or more units. The project also requires Regular Design Review approval for creation of dwelling units.
General Plan:	Mixed Housing Residential
Zoning:	RM-4
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:	Not Historic
City Council District:	7
Finality of Decision:	Appealable to the City Council within ten days.
For Further Information:	Contact Case Planner Eva Wu at (510)238-3785 or by email at ewu@oaklandca.gov

Staff Member: Eva Wu gave a presentation.

Applicants: Stan Neilsen and David Silver gave a presentation and answered questions asked by the Planning Commission.

No public speakers on this item.

PUBLIC COMMENT SESSION IS CLOSED

Motion to approve made by: Commissioner Manus, to affirm staff’s environmental determination. Approve the major conditional use permit and design review subject to the attached findings in the conditions of approval.

Seconded by: Commissioner Fearn.

Action: Approved, 5 ayes, 0 noes, 1 absention (Myres)

Planning Commission Secretary: Robert Merkamp formally introduced Desmona Armstrong as the newly hired employee to staff the Planning Commission meetings.

3.	Location:	City-owned parcels and the areas within 30 feet of the edge of roadsides located within the City’s Very High Fire Severity Zone (VHFHSZ) as designated by CAL FIRE, and also defined in Section 4904.3 of the Oakland Fire Code (Oakland Municipal Code Chapter 15.12). The Plan are includes: 422 City-owned parcels, ranging in size from <0.1 acres to 235 acres and totaling 1,924.9 acres; and roadside areas along 308 miles of road within the City’s VHFHSZ, which includes surface and arterial streets, State Routes 13 and 24, and Interstate 580. The parks, recreational and open space areas discussed in the Oakland Vegetation Management Plan are as follows: Beaconsfield Canyon, Garber Park, Dimond Canyon Park, Shepherd
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Proposal:	Canyon Park, Leona Heights Park, North Oakland Regional Sports Complex, Grizzly Peak Open Space, City Stables, Sheffield Village Open Space, Knowland Park and Arboretum, Joaquin Miller Park, Tunnel Road Open Space, and Sulfur Springs Park. Scoping session for an environmental review of the proposed Oakland Vegetation Management Plan (OVMP). The project is subject to CEQA.
Applicant:	City of Oakland
Case File Number:	TBD
General Plan:	<u>Open Space, Conservation and Recreation (OSCAR) Element</u> Urban Park; Resource Conservation Area <u>Land Use and Transportation Element (LUTE)</u> Local Streets; Collector Streets; Arterial Streets; and Freeways
Zoning:	OS (LP), OS (NP), OS (RCP), OS (RCA), OS (AF), OS (AMP), OS(SU)
Environmental Determination:	An Environmental Impact Report (EIR) will be prepared as part of the Oakland Vegetation Management Plan.
Historic Status:	9 Landmarks; 1 Area of Primary Importance (API); 18 Areas of Secondary Importance (ASI)
City Council District:	1, 4, 6, and 7
Action to be Taken:	Receive public and Planning Commission comments regarding what information and analysis should be included in the EIR. No decisions will be made on the project at this hearing.
For Further Information:	Contact Angela Robinson Piñon at (510) 238-3707 or by email at arobinsonpinon@oaklandca.gov . Project website: https://www.oaklandvegmanagement.org

Staff Member: Angela Robinson Piñon and Ken Schwartz, Consultant from Verizon Wireless gave a PowerPoint presentation and answered questions asked by the Planning Commission.

Public Speakers: Mary McAllister, Isis Ferral, Janet Gawthrop, Sue Piper, Ralph Kantz, Mary Sue Meads, Bevon Dory.

PUBLIC COMMENT SESSION IS CLOSED

Action: To receive public and Planning Commission comments regarding what information and analysis should be included in the EIR. No decisions will be made on the project at this hearing.

4.	Location:	CITYWIDE
	Proposal:	To recommend to the Association of Bay Area Governments two Priority Production Areas (PPAs) in the City of Oakland. PPAs will be identified in the region’s long-range plan – Plan Bay Area 2050 – which will help to position these areas for future planning and investment.
	Applicant:	City of Oakland
	General Plan:	Various
	Zoning:	Various



Environmental Determination:	The proposal relies on the previously certified Environmental Impact Reports (EIRs) for the Land Use and Transportation Element of the General Plan; the Historic Preservation Element of the General Plan; the 2015-2023 Housing Element; various Redevelopment Plans; the West Oakland, Lake Merritt Station Area, Broadway-Valdez, and Central Estuary Specific Plans; and the Plan Bay Area. On a separate and independent basis, the proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15262 (Feasibility and Planning Studies); 15307 (Actions by Regulatory Agencies for Protection of Natural Resources); and/or 15061(b)(3) (the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment.)
City Council District:	3, 7
Finality of Decision:	Recommendation to the City Council
For Further Information:	Contact case planner Diana Perez-Domencich (510) 238-3550 or by email: DPerez-Domencich@oaklandca.gov .

Staff Members: Diana Perez-Domencich gave a presentation. Neil Gray and Ed Manasse answered questions asked by the Planning Commission.

No public speakers on this item.

PUBLIC COMMENT SESSION IS CLOSED

Motion to approve made by: Commissioner Fearn, move to recommend that the City Council adopt the Oakland Airport and Seaport as proposed Priority Production Areas (PPAs).

Seconded by: Commissioner Shirazi.

Action: Approved, 5 ayes, 0 noes.

APPEALS

***THIS ITEM HAS BEEN REMOVED FROM THIS AGENDA**

5.	Location:	8291, 8300, and 8304 Baldwin Street (APN#'s 042-4318-044-00, 043-00, and 042-00) & 685 85th Avenue (APN: 042-4318-008-00)
	Proposal:	Appeal of a determination letter that states the rock and concrete crushing activity at the site is: 1) classified as Heavy/High Impact Manufacturing Industrial Activities in the Planning Code, and 2) not a legal nonconforming activity. (Continuation from the 9/18/19 planning Commission Meeting)
	Appellant:	William Crotinger and Sean R. Marciniak, for Silverado Contractor
	Contact Person/Phone Number:	Sean Marciniak (925)935-9400
	Owner:	Kenneth Morris W TR
	Case File Number:	DET180082-A01
	General Plan:	Commercial Industrial Mix and General Industrial
	Zoning:	CIX 2, Commercial Industrial Mix Zone 2 & IG General Industrial Zone



Environmental Determination:	The determination is not considered a project as defined by 15378 of the State CEQA Guidelines and, therefore, does not require CEQA review.
Historic Status:	None
City Council District:	7
Status:	Pending
Action to be Taken:	Decision of Application by Planning Commission
Finality of Decision:	<i>Appealable to City Council</i>
For Further Information:	Contact case planner Moe Hackett at (510) 238-39730 or by email: mhackett@oaklandnet.com

6.	Location:	0 Linden Street	3319 Linden Street
	APN:	005 0471-006-00	005 0471-005-00
	Proposal:	Appeal of the Zoning Manager’s Determination regarding the legality of a Construction Operations Industrial Activity	
	Applicant:	William H. McInerney Jr. (510) 465-7100	
	Owner:	Rahebi Properties	
	Appellant:	William H. McInerney Jr.	
	Case File Number:	APL190020	APL19019
	Original Case File Number:	DET190068	DET190067
	Planning Permits Required:	N/A	N/A
	General Plan:	Mixed Housing	Urban Residential
	Zoning:	RM-2	RU-5
	Environmental Determination:	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15306, Information collection ????	
	Historic Status:	N/A	
	City Council District:	3	
	Status:	The Zoning Decision Letter was mailed on July 2, 2019; Project appealed on July 11, 2019	
	Staff Recommendation:	Deny the Appeal and uphold the Zoning Manager’s Decision.	
	Finality of Decision:	Final (cannot be appealable to City Council pursuant to OMC Sec. 17.132.030)	
	For Further Information:	Contact case Planner Eva Wu at (510) 238-3785 or ewu@oaklandca.gov	

Staff Member: Eva Wu gave a presentation. Neil Gray and Robert Merkamp answered questions asked by the Planning Commission.

Appellants: William McInerney Jr., representing Rahebi Properties and Bob Rahebi gave an argument on why the Zoning Manager’s denial decision should be overturned and answered questions asked by the Planning Commission.

No public speakers on this item.

PUBLIC COMMENT SESSION IS CLOSED



Motion to continue made by: Commissioner Manus, to continue this item to the January 22, 2020 Planning Commission Meeting.

Seconded by: Commissioner Myres.

Action: Continued, 5 ayes, 0 noes.

COMMISSION BUSINESS

Mr. Merkamp informed the Planning Commission that he will be reaching out to them with dates of availability to schedule a future Planning Commission retreat in late January or February 2020.

Mr. Merkamp also announced that the Planning and Building Department protyped software with the capability to notice tenants. The software currently doesn't capture all tenant's addresses, but improvements to the data base will continue to be made over time. Comparisons to the current noticing practice will be analyzed to assess the impacts on staff's workloads, which may cause more notices to mail.

Approval of Minutes

Vice Chair Limon made a revision to his motion ammendment in the September 18, 2019 meeting minutes on item 4, page 7 to read: "to post the directory in the common area of each lobby on each floor and in the elevators of the affordable housing tower".

Mr. Merkamp informed the Planning Commission that the September 18, 2019 meeting minutes will be removed from this agenda. The necessary revisions will be made and presented at the December 4, 2019 Planning Commission meeting.

Motion to approve the October 2, 2019 meeting minutes made by: Commissioner Myres.

Seconded by: Chair Monchamp

Action: Approved, 5 ayes, 0 noes, 1 abstension (Shirazi)

Correspondence

None

City Council Actions

Mr. Merkamp reported that the City Council considered the appeal of the Mandela Hotel. They continued the appeal to February 2020 to provide the applicant more time to address the Council's concern that the project doesn't meet the transient habitation commercial Conditional Use Permit (CUP) Findings. Specifically, the proposal considers the impact on the employees of the hotel or motel on the demand in the City for housing, public transit and social services.



ADJOURNMENT

Meeting adjourned at approximately, 8:06 P.M.

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

NEXT REGULAR MEETING: December 4, 2019