



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

**June 22, 2016
Special Meeting**

ROLL CALL

Present: Moore, Nagraj, Manus, Monchamp, Pattillo.

Excused: Myres, Weinstein.

Staff: Darin Ranelletti, Robert Merkamp, Peterson Vollmann, Neil Gray, Ed Manasse, Heather Lee, Celena Chen, Cheryl Dunaway.

WELCOME BY THE CHAIR

Agenda Discussion

Item#4 has been continued to the September 7, 2016 Planning Commission meeting.

Mr. Merkamp gave a report on the Governor's Initiative that would make many projects in this state ministerial, assuming affordable housing is provided. The California State Senate and Assembly adopted a budget on Wednesday, June 15, 2016, but that portion was omitted and will be heard separately in August 2016 in which he will return to the Planning Commission with further information.

Committee Reports

Commissioner Pattillo and Vice Chair Nagraj gave a report on the Design Review Committee meeting held prior to this meeting. They discussed the Brooklyn Basin Site Development of Parcel B located at 845 Embarcadero and the two proposed 7 story residential development located at 301 and 285 12th Street (W12).

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。



PUBLIC HEARINGS

THIS ITEM WAS CONTINUED FROM JUNE 1, 2016

1.	<p>Location: 226 13th Street (APN: 002-0077-001-00)</p> <p>Proposal: Proposal to construct a new six story mixed use building containing 262 units including approximately 13,000 square feet of ground floor retail on 14th Street, which would replace the existing surface parking lot.</p> <p>Applicant: WP West Acquisitions</p> <p>Contact Person/Phone Number: Brian Pianca – (415) 888-8537</p> <p>Owner: K.H Associates</p> <p>Case File Number: PLN15-320</p> <p>Planning Permits Required: Regular Design Review for new construction, Major Conditional Use Permits for a large project in the D-LM Zone, Minor Conditional use Permit to allow a base height of up to 85 feet, Minor Variance to allow two loading berths where three are required, and Vesting Tentative Parcel Map for new condominiums.</p> <p>General Plan: Central Business District</p> <p>Zoning: D-LM-2 Zone / D-LM-4 Zone Height Area D-LM 175</p> <p>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, 2nd Floor or on-line at http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157</p> <p>Historic Status: Not a historic property – vacant parking lot</p> <p>Planning District: Metro</p> <p>City Council District: 3</p> <p>Status: Pending</p> <p>Action to be Taken: Decision on application based on Staff Report</p> <p>Finality of Decision: Appealable to City Council</p> <p>For Further Information: Contact case planner Peterson Z. Vollmann at (510) 238-6167 or by email: pvollmann@oaklandnet.com.</p>
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COMMISSIONER PATTILLO RECUSED HERSELF FROM HEARING THIS ITEM DUE TO A CONFLICT OF INTEREST.

Staff Member Peterson Vollmann gave a presentation. He requested that the updated response memo from the Environmental Consultant’s response to Adams and Broadwell’s previous comments received today be accepted into record.

Vice Chair Nagraj made a motion to approve the updated response memo from the Environmental Consultant be submitted into record, seconded by Commissioner Monchamp.

Action on the matter: Approved 4 ayes, 0 noes.

Applicant: Brian Pianca gave a PowerPoint presentation.



Speakers: Jing Jing He, Pan Hai Bo, Lisa Cheng, Shao Yu Li, Brian Feraru, Yu Ying Chen, Alex Ludlum, Morgan Kanninen, Alvina Wong, Daniel Gregg, Nina Schnall, Matt Leber, Melanie Wofford, Lailan Huen, Jessie Chen, Isabella Lung, Jason Gumataotao, Sadakao Whittington, Stanley Pun, Vincent Saephan, Joshua Fisher Lee, Victoria Fierce, Kate McDonnell, Steve Saffold, Lindsey Morgan, Eric Arnold, Kahlil Karn, Devika Ghai, Sayla Eisener-Mix, Nancy Mui, Chow Yun Foon, Carl Chan, Greg McConnell.

PUBLIC COMMENT SESSION CLOSED

Vice Chair Nagraj made a motion to approve, seconded by Chair Moore.

Action on the matter: Approved 4 ayes, 0 noes.

THIS ITEM WAS CONTINUED FROM JUNE 1, 2016

2.	<p>Location: Citywide</p> <p>Proposal: Comprehensive update of Off-Street Parking and Loading Regulations in the City of Oakland Planning Code. These regulations are predominantly contained in Chapter 17.116, but related changes are proposed throughout the Planning Code. The proposal also contains changes to Municipal Code Chapter 10.44 that would prohibit the distribution of Residential Parking Permits to residents of new developments that have ten units or more.</p> <p>Applicant: City of Oakland</p> <p>Case File Number: ZA16-0006</p> <p>Environmental Determination: The proposed amendments to the Planning and Municipal 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) and Section 21099(d) of the Public Resources Code states that parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area are not to be considered significant environmental impacts.</p> <p>Service Delivery District: All Districts</p> <p>City Council District: All Districts</p> <p>Status: Previously presented to the Zoning Update Committee on March 9, 2016.</p> <p>Action to be Taken: Recommendation to the City Council</p> <p>For Further Information: Contact case planner Neil Gray at (510) 238-3878 or by email: ngray@oaklandnet.com</p>
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Deputy Director Darin Ranelletti gave a brief introduction and summary of this proposed project.

Staff Member Neil Gray gave a PowerPoint presentation.

Speakers: Victoria Wong, Victoria Fierce, Jeffrey Levin, Brian Stanke.

PUBLIC COMMENT SESSION CLOSED.

Planning Commission's Comments/Discussion:

Vice Chair Nagraj stated that they would like to see the parking maximum reduced from 1.25:1 to 1:1, which is in line with the current market.

Lower construction costs where it's acutely important in the downtown area for their type 1 buildings, which is the most infeasible type of construction currently in Oakland.

The Car Share program can be difficult to succeed within a private parking garage that's accessible to the public because of insurance, easements or security. They like that there's flexibility of having car share within 300 feet of development and encourage staff to work with Oakland Public Works (OPW) to provide on-street parking for the car share vehicles.

The .75 ratio for providing affordable housing seems high compared to the California Housing Partnership Corporation (CHPC). Their ratios are lower for providing affordable family units.

The 1.25 maximum ratios in the Transit Oriented Demand (TOD) zones are high if you are building within .5 miles of Bay Area Rapid Transit (BART) and Alameda County (AC) Transit lines. The maximum should be lowered.

Transit passes in affordable housing are usually difficult to accomplish.

Developers in Berkeley and San Francisco are stacking. Stackers are very efficient and don't require a lot of additional height and dimensions. They're standard and are a good deal which should be highly encouraged. There should be something that will address this in the project proposal.

For affordable housing, it should be .75:1 and .25:1 parking ratio height limits.

In the future, the downtown area will profoundly change and the ability to drive there to restaurants, and the Fox and Paramount Theaters will look different, more like San Francisco which isn't preferred by most Oakland residents. A lot of the policies and the use of transit and Uber may appeal to a younger clientele in their 20s, 30s and 40s, but those who are in their 60s, 70s and 80s don't usually utilize those services. There should be a balance for all Oakland residents and not go too far too fast.

It would be great for people from out of town to come and patronize downtown Oakland, but it's unlikely they'll arrive by bus.

The developers aren't asking to build 1.25:1 parking spaces per unit and there's no reason why incremental steps can't be taken when the downtown parking study and the Downtown Specific plan isn't complete. Placing the maximum at 1.25:1 is a start and why not begin a little above the ratio with no maximum to having a maximum when the minimum is zero.



Parking can be used to encourage affordable housing. Incentives should be directly captured by the project, not turned into a fee extracted based on some value gained. The most direct way to receive the benefit is for it to be project related. Providing affordable housing at more affordable levels may also be an incentive in itself if it's directly parking related, like subsidized bus passes.

They're pleased with the standardized parking requirements in the commercial zones to 1 per 600 square feet across the use classifications or activity types. The elimination of additional parking requirements for historic buildings unless they're doubled in size is important. There's a lot of pressure for them to go away and a lot of strong desire for them to stay so, finding ways to make that possible is important. Residential Permit Parking program, maybe the commercial zone might be a way to deal with that, because most of the developments that are impactful on residential parking are along commercial corridors. We've had so many projects where we've granted variances for the loading requirements. The old zoning was not very useful because it was often project by project based in terms of what the appropriate loading is and in some cases, street loading is far better than having a loading berth, reviewing this is very important.

Vice Chair Nagraj made a motion to approve with the inclusion of the Planning Commission's comments, seconded by Commissioner Pattillo.

Action on the matter: Approved 5 ayes, 0 noes.



THIS ITEM WAS CONTINUED FROM JUNE 15, 2016

3.	<p>Location: Citywide.</p> <p>Proposal: Review additional proposed amendments to the Planning Code regulations for Secondary Units, including but not limited to: 1) clarification that homeowner association Covenants, Conditions, and Restrictions (CC&Rs) are one of the agreement types between parties that the zoning regulations are not intended to abrogate, annul, or impair; 2) revision to the definition of transit accessible areas to include the area within one-half mile of the intersection of Oakland Avenue and Santa Clara Avenue/MacArthur Boulevard; 3) clarification that a new Secondary Unit Facility may be permitted in the CC-3 Zone when there is no more than one existing Primary Unit on lot; 4) clarification that a Secondary Unit approved for Permanent Residential Activities only shall not be occupied on a less-than-weekly basis; 5) clarification that structures, including any detached Secondary Unit, may not cover more than 50% of the horizontal area of any required minimum rear yard; 6) revision to allow conversion of area in an existing primary dwelling into a Secondary Unit regardless of any nonconformity as to setback or height, similar to current provision applying to existing detached accessory structures; and 7) revision to allow detached Secondary Units to project into or locate within a minimum side or rear yard outside of the rear 35 feet of lot, as long as structure is at least 6 feet to rear of primary dwelling unit.</p> <p>Applicant: City of Oakland</p> <p>Case File Numbers: ZA16010</p> <p>Planning Permits Required: Not Applicable</p> <p>General Plan: Land Use and Transportation Element (LUTE) Areas: All Estuary Policy Plan Areas: All</p> <p>Zoning: All Zones citywide</p> <p>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).</p> <p>Historic Status: Not Applicable</p> <p>Service Delivery District: All</p> <p>City Council Districts: All</p> <p>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.</p> <p>For Further Information: Contact project planner Ed Manasse at 510-238-7733 or emanasse@oaklandnet.com</p>
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Staff Member Ed Manasse gave a presentation.

Speakers: Peter Turner, Victoria Wong, Alex Marqusee.



Vice Chair Nagraj made a motion to extend this meeting past 10:30 P.M., seconded by Commissioner Monchamp.

Action on the matter: Approved 5 ayes, 0 noes.

Staff recommends the maximum square footage should be raised from 750 square feet to 800 square feet.

The consensus from the Planning Commission is to agree with staff's recommendation.

Commissioner Pattillo made a motion to approve, seconded by Commissioner Monchamp.

Action on the matter: Approved 5 ayes, 0 noes.

THIS ITEM HAS BEEN CONTINUED TO SEPTEMBER 7, 2016

4.

Location: Citywide

Proposal: Amendments to the Oakland Planning Code (OPC) concerning the regulation of rooming units including, but not limited to, the following: Amendments to OPC Section 17.102.230—Demolition of a facility containing rooming units or to the conversion of a living unit to a Nonresidential Activity—Nonresidential zones. These amendments would adjust the conditional use permit process for the conversion or demolition of rooming units. Amendments to OPC Section 17.09.040—Definitions. These amendments would clarify that rooms in residential hotels are included in the definition of rooming units.

Applicant: City of Oakland

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).

Service Delivery District: All Districts

City Council District: All Districts

Status: Pending

Action to be Taken: Recommendation to the City Council

For Further Information: Contact case planner Ed Manasse at (510) 238-7733 or by email:

emanasse@oaklandnet.com



City Council Actions

Mr. Merkamp announced that the 2400 Valdez Street project appeal was denied by the City Council this morning.

ADJOURNMENT

Meeting adjourned at approximately 10:45 P.M.



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

NEXT REGULAR MEETING: July 6, 2016