



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

**December 16, 2015**  
**Regular Meeting**

Revised 11-25-15 \* (See end of agenda)

**MEAL GATHERING**      **5:15 P.M.**

**Saigon Restaurant, 326 Frank Ogawa Plaza, Oakland**

Open to the public (Members of the public may purchase their own meals if desired.  
Consumption of food is not required to attend.)

**BUSINESS MEETING**      **6:00 P.M.**

**Sgt. Mark Dunakin Hearing Room 1, One Frank H. Ogawa Plaza**

Persons wishing to address the Commission on any item on the agenda, including Open Forum and Director's Report, should fill out a speaker card and give it to the Secretary *"Agenda items will be called at the discretion of the Chair not necessarily in the order they are listed on the Agenda"*. Speakers are generally limited to two minutes at the discretion of the Chair. Applicants and appellants are generally limited to five minutes.

The order of items will be determined under "Agenda Discussion" at the beginning of the meeting. With the exception of Open Forum, a new item will not be called after **10:15 p.m.**, and the meeting will adjourn no later than **10:30 p.m.** unless the meeting is extended by the Chair with the consent of a majority of Commissioners present.

Please check with the Department prior to the meeting regarding items that may be continued. Any agenda item may be continued, without the hearing on the matter being opened or public testimony taken, at the discretion of the Chair. Persons wishing to address the continued item may do so under Open Forum.

Staff reports for items listed on this agenda will be available by 3:00 p.m. the Friday before the meeting, to any interested party, at the Planning and Zoning Division, 250 Frank H. Ogawa Plaza, Oakland, California 94612. Reports are also available at the Strategic Planning Division on the 3<sup>rd</sup> floor (Suite 3315), which closes at 5:00 p.m.

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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 Community and Economic Development Agency, Planning and Zoning Division, 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 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.



**New web-site staff report  
download instructions**

Staff reports are also available on-line, by 3:00 p.m. the Friday before the meeting, at [www.oaklandnet.com](http://www.oaklandnet.com). Select the "Government" tab, scroll down and click on "Planning & Zoning" click on "visit the Boards and Commissions page" under "Planning Commission". You will need to ensure that your computer will accept pop-ups from the host site (oaklandnet.com) and that your computer has a later version of Adobe Acrobat Reader installed. For further information, please call **510-238-3941**.

If you challenge a Commission decision in court, you will be limited to issues raised at the hearing or in correspondence delivered to the Zoning Division, at, or prior to, the hearing. Any party seeking to challenge in court those decisions that are final and not administratively appealable to the City Council must do so within ninety (90) days of the date of the announcement of the final decision, pursuant to Code of Civil Procedure Section 1094.6, unless a shorter period applies.

Please note that the descriptions of the applications found below are preliminary in nature and that the projects and/or descriptions may change prior to a decision being made.

While attending Planning Commission Meetings, parking in the Clay Street Garage is free. Attendees should see staff at the meeting for validation of parking tokens.

Applicants or members of the public that plan power point presentations: Please contact Cheryl Dunaway at [cdunaway@oaklandnet.com](mailto:cdunaway@oaklandnet.com) or 510-238-2912 or Gwen Brown at [gbrown@oaklandnet.com](mailto:gbrown@oaklandnet.com) or 510-238-6194 at least 48 hours prior to the meeting.

Interested parties are encouraged to submit written material on agenda items in advance of the meeting and prior to the close of the public hearing on the item. To allow for distribution to the Commission, staff, and the public, 25 copies of all material should be submitted. Material submitted at least ten days prior to the meeting may be included as part of the agenda packet; material submitted later will be distributed at or prior to the meeting. To ensure that material is distributed to Commissioners, a minimum of twenty-five (25) copies should be submitted to Planning staff no later than the time is scheduled to be considered by the Commission.

***ROLL CALL***

***WELCOME BY THE CHAIR***

***COMMISSION BUSINESS***

**Agenda Discussion**

**Director's Report**                      Remarks from Mayor Libby Schaaf

**Committee Reports**

**Commission Matters**

**City Attorney's Report**



### OPEN FORUM

At this time members of the public may speak on any item of interest within the Commission's jurisdiction. Speakers are generally limited to two minutes or less if there are six or less speakers on an item, and one minute or less if there are more than six speakers.

### CONSENT CALENDAR

The Commission will take a single roll call vote on all of the items listed below in this section. The vote will be on approval of the staff report in each case. Members of the Commission may request that any item on the Consent Calendar be singled out for separate discussion and vote.

- |                                     |   |
|-------------------------------------|---|
| 4.                                  | <b>Location:</b> Columbia Gardens Park, Empire Road (APN: 045-5322-030-00)  |
|                                     | <b>Proposal:</b> The installation of a 10 foot extension to an existing 64.3 foot PG&E tower to create a Mini-Telecommunications Facility with six (6) antennas and a 646 square foot equipment area on the ground in a portion of Columbian Gardens Park owned by PG&E.  |
|                                     | <b>Applicant:</b> Complete Wireless Consulting for Verizon Wireless   |
| <b>Contact Person/Phone Number:</b> | Maria Kim (916)247-6087   |
|                                     | <b>Owner:</b> Pacific Gas and Electric (PG&E)   |
|                                     | <b>Case File Number:</b> PLN15080   |
| <b>Planning Permits Required:</b>   | Regular Design Review for the installation of a 10 foot extension to an existing 64.3 foot PG&E tower to create a Mini-Telecommunications Facility with six (6) antennas and a 646 square foot equipment area on the ground.<br>Major Conditional Use Permit for a Mini telecommunication facility within 100 feet of a residential zone. |
|                                     | <b>General Plan:</b> Detached Unit Residential  |
|                                     | <b>Zoning:</b> OS-NP Open Space (Neighborhood Park) Zone  |
| <b>Environmental Determination:</b> | Exempt, Section 15301 of the State CEQA Guidelines; minor additions and alterations of existing facilities.<br>Exempt, Section 15303 of the State CEQA Guidelines; New construction of small structures.<br>Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.                |
|                                     | <b>Historic Status:</b> No Historic Record  |
| <b>Service Delivery District:</b>   | 4   |
| <b>City Council District:</b>       | 7   |
|                                     | <b>Status:</b> Pending  |
| <b>Action to be Taken:</b>          | Decision of Application   |
| <b>Finality of Decision:</b>        | Appealable to City Council within 10 days   |
| <b>For Further Information:</b>     | Contact case planner Michael Bradley at (510) 238-6935 or by email: <a href="mailto:mbradley@oaklandnet.com">mbradley@oaklandnet.com</a>  |

### PUBLIC HEARINGS

The hearing provides opportunity for all concerned persons to speak; the hearing will normally be closed after all testimony has been heard. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Zoning Division at, or prior to, the public hearing.

The Commission will then vote on the matter based on the staff report and recommendation. If the Commission does not follow the staff recommendation and no alternate findings have been prepared, then the vote on the matter will be considered a "straw" vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings and, as applicable, conditions of approval that the Commission will consider in making a final decision.

If you wish to be notified on the decision of an agenda item, please indicate the case number and submit a self-addressed stamped envelope, for each case.



Planning Commission decisions that involve “major” cases (i.e., major variances, major conditional use permits) are usually appealable to the City Council. If any interested party seeks to challenge such decision in court, an appeal must be filed within ten (10) calendar days of the date of the announcement of the Planning Commission decision and by 4:00 p.m. An appeal shall be on a form provided by the Planning and Zoning Division, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of the Case Planner. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Planning Commission or wherein their decision is not supported by substantial evidence and must include payment in accordance with the City of Oakland Master Fee Schedule. Failure to timely appeal will preclude you from challenging the City’s decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so will preclude you from raising such issues during your appeal and/or in court. However, the appeal will be limited to issues and/or evidence presented to the City Planning Commission prior to the close of the City Planning Commission’s public hearing on the matter.

Any party seeking to challenge a final decision in court must do so within ninety (90) days of the date of the announcement of a final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.

1. **Location:** 3250 Hollis Street (APN’s: 007-0593-005-00; 006-01; 008; 009-01; 011; 012; 013; 015-01; 017; 019-01; & 020-01)  
**Proposal:** To construct a mixed use condominium development involving 94 residential units, 30 HBX work/live units and 2,900 sq. ft. of retail space.  
**Owner:** Madison Park Financial  
**Applicant:** Madison Park Financial(510)452-2944 ext. 16  
**Case Number:** PLN15-265 (TPM10425)  
**Planning Permits Required:** Major Design Review for a mixed-use development involving more than 25,000 square feet of non-residential floor area; Tentative Parcel Map (TPM10425) for residential and commercial condominiums.  
**General Plan:** Housing and Business Mix  
**Zoning:** HBX – 2 Housing and Business Mix Zone 2  
**Environmental Determination:** Exempt 15332; State CEQA Guidelines, Infill development; Project also relies on WOSP EIR (CEQA analysis of project consistency with the WOSP EIR has been prepared and available for public review); and Section 15183 of the CEQA Guidelines (projects consistent with a community plan, general plan, or zoning).  
**Historic Status:** Potential Designated Historic Property (PDHP); Survey Rating: C3  
**Service Delivery District:** 1  
**City Council District:** 3  
**Status:** Pending  
**Action to be Taken:** Decision on application based on staff report  
**Staff Recommendation:** Approval subject to conditions  
**Finality of Decision:** Appealable to City Council  
**For Further Information:** Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at [mbrenyah@oaklandnet.com](mailto:mbrenyah@oaklandnet.com)

2. **Location:** Brooklyn Basin (formerly known as “Oak to 9th Avenue”); specifically, Shoreline Park, located on the current site of the 9th Avenue Terminal.  
**Proposal:** Final Development Permit (FDP) for Shoreline Park, including demolition and retention of portion of 9th Avenue Terminal.  
**Applicant:** Zarsion-OHP 1, LLC (ZOHP), Patrick Van Ness (510) 251-9272.  
**Owner:** ZOHP, Port of Oakland, City of Oakland  
**Case Number:** DA0611, PUD06010, PUD06010-PUDF02  
**Planning Permits Required:** FDP, compliance with CEQA.

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**General Plan:** EPP-Parks (Estuary Policy Plan-Parks).  
**Zoning:** OS-RSP (Open Space-Region-Serving Park)  
**Environmental Determination:** Final EIR certified on January 20, 2009  
**Historic Status:** 9th Avenue Terminal, rated "A"  
**Service Delivery District:** 3  
**City Council District:** 2 – Abel Guillen  
**Action to be Taken:** Consider FDP application and make CEQA determination.  
**Finality of Decision:** FDP appealable to City Council.  
**For further information:** Contact case planner **Catherine Payne** at **510-238-6168** or by e-mail at [cpayne@oaklandnet.com](mailto:cpayne@oaklandnet.com)

- 3. Location:** **1700 Webster Street (APN: 008-0625-014-01)**  
**Proposal:** Revision to a project to demolish the existing commercial building and construct a new residential tower up to 250 feet in height, containing 206 units and approximately 5,000 square feet of ground floor commercial space. The project was previously approved under Planning Case number PLN15-138, and is being revised to include a request to reduce the required parking from 206 stalls to 148 stalls in order to remove one level of parking from the building.  
**Applicant:** 1700 Webster, LLC  
**Contact Person/Phone Number:** Brent Gaulke, 503-299-6000  
**Owner:** American Cancer Society, Inc.  
**Case File Number:** **PLN15138-R01**  
**Planning Permits Required:** Prior Permits: Regular Design Review for new construction; and Minor Variance to allow for one loading berth where two are required.  
Additional Permits Requested Under Revised Application: Major Conditional Use Permit to reduce the required parking from 206 parking stalls to 148 stalls and a Vesting Tentative Parcel Map for new condominiums.  
**General Plan:** Central Business District  
**Zoning:** CBD-P; CBD-C  
**Environmental Determination:** A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions:  
Section 15332 - In-Fill Development projects;  
Section 15183, of the State CEQA Guidelines; projects consistent with a community plan, general plan, or zoning; and/or  
15183.3 – Streamlining for in-fill projects;  
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 <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>  
**Historic Status:** Non-Historic Property  
**Planning District:** Metro  
**City Council District:** 3  
**Status:** Pending  
**Action to be Taken:** Decision on application based on Staff Report  
**Finality of Decision:** Appealable to City Council  
**For Further Information:** Contact case planner **Peterson Z. Vollmann** at **(510) 238-6167** or by email: [pvollmann@oaklandnet.com](mailto:pvollmann@oaklandnet.com).



***APPEALS***

The Commission will take testimony on each appeal. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Zoning Division, Community and Economic Development Agency, at, or prior to, to the public hearing; provided, however, such issues were previously raised in the appeal itself.

Following testimony, the Commission will vote on the report prepared by staff. If the Commission reverses/overturns the staff decision and no alternate findings have been prepared, then the vote on the matter will be considered a “straw” vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings and, as applicable, conditions of approval that the Commission will consider in making a final decision.

Unless otherwise noted, the decisions in the following matters are final and not administratively appealable. Any party seeking to challenge these decisions in court must do so within ninety (90) days of the date of the announcement of the final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.

**(There are no Appeals on this agenda)**


***COMMISSION BUSINESS***

**Approval of Minutes**

**Correspondence**

**City Council Actions**

**ADJOURNMENT** By **10:30 P.M.** unless a later time is agreed upon by a majority of Commissioners present.

  
**ROBERT D. MERKAMP**  
**Development Planning Manager**  
**Planning and Zoning Division**

***NEXT MEETING:*** January 6, 2016

\*Revised 11-25-15 to show item #4 (Columbia Gardens Park, Empire Road) was added to the agenda on the Consent Calendar