



Adhi Nagraj, Chair
Jahmese Myres, Vice Chair
Jonathan Fearn
Tom Limon
Clark Manus
Amanda Monchamp
Emily Weinstein

January 10, 2018
Regular Meeting

Revised December 20, 2017 – See end of agenda.

MEAL GATHERING

5:00pm Max's Diner, 500 12th Street, City Center, 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

6:00pm Council Chambers, City Hall, 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 at the discretion of the Chair.

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 pm**, 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 work with the case planner listed for each item 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 generally be available to any interested party by 3:00 p.m. the Friday before the meeting at the Planning and Building Department, 250 Frank H. Ogawa Plaza, Oakland, California 94612.

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 a 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。



**New online staff report
download instructions**

Staff reports are also available online, generally by 5:00 p.m. the Friday before the meeting, at www.oaklandnet.com/planning (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 Planning and Building Department, 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. If you wish to be notified of the decision of any of these cases, please provide the case planner with a regular mail or email address.

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 Dalziel Building Garage (located on 16th Street between San Pablo Ave and Clay St) is free. Attendees should see staff at the meeting to validate parking tokens.

Applicants or members of the public that plan to make electronic presentations (e.g., PowerPoint presentations): Please contact Jonathan Arnold at jarnold@oaklandnet.com or 510-238-6194 or Cheryl Dunaway at cdunaway@oaklandnet.com or 510-238-2912 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, twenty-five (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 may be distributed at or prior to the meeting. To ensure that material submitted at the meeting is distributed to Commissioners, a minimum of twenty-five (25) copies should be submitted to Planning staff no later than the time the item is scheduled to be considered by the Commission.

ROLL CALL

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Director's Report

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. At the discretion of the Chair, 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 and recommendation in each case. Members of the Commission may request that any item on the Consent Calendar be singled out for separate discussion and vote.

This item was continued from the December 6, 2017, agenda.

1.	Location:	The public right-of-way adjacent to 6898 Chabot Rd on a JPA Utility Telephone Pole
	Assessor’s Parcel Number(s):	048A-7093-003-01 (nearest lot adjacent to the project site)
	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 24’ tall wood utility pole with 50’-9” tall pole and installation of 1) one antenna within a canister shroud measuring 4’-9” tall and 2’-6” in diameter at a height of 50’-9””; 2) two radio units mounted at a height of 17’-9””; two diplexers; and 3) one cabinet and related equipment mounted 14’-6” above ground.
	Applicant:	On Air for Verizon Wireless
	Contact Person/ Phone Number:	Aaron Salers (707) 320-7248
	Owner:	Pacific Gas & Electric (PG&E)
	Case File Number:	PLN17422
	Planning Permits Required:	Major Design Review to install a wireless Macro Telecommunications Facility on a replaced PG&E pole located in the public right -of- way in a residential zone.
	General Plan:	Hillside Residential
	Zoning:	RH-3 Hillside Residential-3
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines; minor additions and alterations to a replaced PG&E utility pole; Section 15302: replacement or reconstruction of existing utility systems and/or facilities; Section 15183: projects consistent with a community plan, general plan or zoning.
	Historic Status:	No Historic Record – Utility Pole
	City Council District:	1
	Date Filed:	October 23, 2017
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact Case Planner Jason Madani at (510) 238-4790 or by email at jmadani@oaklandnet.com .



This item was continued from the December 6, 2017, agenda.

2.	Location:	The public right-of-way in front of 1529 55th Ave on a JPA Utility Telephone Pole
	Assessor's Parcel Number(s):	035-2368-026-00 (nearest lot adjacent to the project site)
	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 43' tall wood utility pole with 51' tall pole and installation of one (1) canister antenna measuring 23.5" long and 7.9" in diameter at a height of 24' and two radio units (7.9" tall and 7.9" wide) mounted at a height of 10'-6" and 13'-11" above ground.
	Applicant:	Black & Veatch for Extenet Systems
	Contact Person/ Phone Number:	Ana Gomez of Black & Veatch (913) 458-9148
	Owner:	Pacific Gas & Electric (PG&E)
	Case File Number:	PLN16384
	Planning Permits Required:	Major Design Review to install a wireless Macro Telecommunications Facility on a replaced PG&E pole located in the public right -of- way in a residential zone.
	General Plan:	Detached Unit Residential
	Zoning:	RD-1 Detached Unit Residential-1
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines; minor additions and alterations to a replaced PG&E utility pole; Section 15302: replacement or reconstruction of existing utility systems and/or facilities; Section 15183: projects consistent with a community plan, general plan or zoning.
	Historic Status:	No Historic Record – Utility Pole
	City Council District:	6
	Date Filed:	November 22, 2016
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact Case Planner Jason Madani at (510) 238-4790 or by email at jmadani@oaklandnet.com .

This item was continued from the December 6, 2017, agenda.

3.	Location:	Utility pole in public right-of-way adjacent to 3065 Monterey Blvd.
	Assessor's Parcel Number(s):	Nearest adjacent lot 029-1061-006-03
	Proposal:	To establish a "small cell site" telecommunication facility, in order to enhance existing services, by attaching an antenna up to 50'-4" on a wooden utility pole and one ground equipment cabinet located in the public right-of-way.
	Applicant / Phone Number:	Christy Beltran, The CBR Ground, Inc. (for: Verizon) (415)806-2323
	Owner:	City of Oakland
	Case File Number:	PLN17461
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Macro Telecommunications Facility with ground equipment cabinet in Residential Zone
	General Plan:	Hillside Residential
	Zoning:	Hillside Residential - 4 Zone (RH-4)
	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 pole
	City Council District:	4
	Date Filed:	November 10, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .



This item was continued from the December 6, 2017, agenda.

4.	Location:	Utility pole in public right-of-way adjacent to 2820 Mountain Blvd.
	Assessor's Parcel Number(s):	Nearest adjacent lot 029-1260-007-03
	Proposal:	To establish a "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna up to 56'-4" on a wooden utility pole and one ground equipment cabinet located in the public right-of-way.
	Applicant / Phone Number:	Christy Beltran, The CBR Ground, Inc. (for: Verizon) (415)806-2323
	Owner:	City of Oakland
	Case File Number:	PLN17462
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Macro Telecommunications Facility with ground equipment cabinet in Residential Zone
	General Plan:	Hillside Residential
	Zoning:	Hillside Residential - 4 Zone (RH-4)
	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 pole
	City Council District:	4
	Date Filed:	November 10, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .

This item was continued from the December 6, 2017, agenda.

5.	Location:	Utility pole in public right-of-way adjacent to 5506 Thornhill Drive
	Assessor's Parcel Number(s):	Nearest adjacent lot 048F-7362-001-00
	Proposal:	To establish a "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna up to 69'-10" and equipment mounted on the side on a wooden utility pole located in the public right-of-way.
	Applicant / Phone Number:	Christy Beltran, The CBR Ground, Inc. (for: Verizon) (415)806-2323
	Owner:	City of Oakland
	Case File Number:	PLN17463
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility in Residential Zone
	General Plan:	Hillside Residential
	Zoning:	Hillside Residential - 4 Zone (RH-4)
	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 pole
	City Council District:	4
	Date Filed:	November 10, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .



This item has been continued to a date uncertain.

6.	Location:	Utility pole in public right of way adjacent to 206 Glenwood Glade
	Assessor's Parcel Number(s):	Nearest adjacent lot 048G-7403-022-06
	Proposal:	To establish a "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna up to 50' 4" on a wooden utility pole and one equipment cabinet located in the public right-of-way.
	Applicant / Phone Number:	Christy Beltran, The CBR Ground, Inc. (for: Verizon) (415)806-2323
	Owner:	City of Oakland
	Case File Number:	PLN17464
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Macro Telecommunications Facility with ground equipment cabinet in Residential Zone
	General Plan:	Hillside Residential
	Zoning:	Hillside Residential - 4 Zone (RH-4)
	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 pole
	City Council District:	4
	Date Filed:	November 10, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .

7.	Location:	526 8th Street (right side space on ground floor)
	Assessor's Parcel Number(s):	001-0203-009-00
	Proposal:	To establish a bar featuring small events by customers in a 1,600 square-foot space with a 2:00 A.M. closing time.
	Applicant / Phone Number:	Mr. Ricardo Summers (415) 488-7803
	Owner:	Green Group LP
	Case File Number:	PLN17460
	Planning Permits Required:	Major and Minor Conditional Use Permits with additional findings including Public Convenience or Necessity for 'Alcoholic Beverage Sales' & 'Personal Instruction and Improvement' Commercial Activities Central Business District
	General Plan / Zoning:	CBD-P Central Business District Pedestrian Retail / S-7 Preservation Combining Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation); Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Designated Historic Property; Survey rating: C1+ / Contributor, Area of Primary Importance (Old Oakland)
	City Council District:	3
	Date Filed:	November 8, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case planner Aubrey Rose AICP at (510) 238-2071 or by email at arose@oaklandnet.com .



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 Planning and Building Department, 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 for decision 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 for decision 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 (e.g., 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 Building Department, 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 of the required fee 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 Planning Commission prior to the close of the 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.

This item was continued from the December 6, 2017, agenda.

Table with 2 columns: Field Name and Value. Fields include: 8., Location, Assessor's Parcel Number(s), Proposal, Applicant, Owner, Case File Number, Planning Permits Required, General Plan, Zoning, Environmental Determination, Historic Status, City Council District, Finality of Decision, For Further Information.



This item was continued from the December 20, 2017, agenda.

9.	Location:	Brooklyn Basin (formerly known as "Oak to 9th Avenue"); specifically, remaining parks.
	Assessor's Parcel Number(s):	018-0430-001-18; 018-0430-001-12; 018-0460-004-04
	Proposal:	Two Final Development Permits (FDPs) for approx. 20 acres of parks (all remaining parks).
	Applicant:	ZOHP, (510)251-9270
	Owner:	Port of Oakland/ZOHP
	Case File Number:	PUD06010-PUDF07 & -PUDF08
	Planning Permits Required:	FDP, compliance with CEQA.
	General and Estuary Plan:	Estuary Policy Plan-Parks (EPP-Parks).
	Zoning:	Open Space (Region-Serving Park) (OS (RSP))
	Environmental Determination:	Final EIR certified on January 20, 2009
	Historic Status:	Non-Historic Property
	City Council District:	2 – Abel Guillen
	Action to be Taken:	Design review discussion; no decision to be considered.
	Finality of Decision:	Not applicable.
	For further information:	Contact case planner Catherine Payne at 510-238-6168 or by e-mail at cpayne@oaklandnet.com .

This item was continued from the December 6, 2017, agenda.

10.	Location:	2044 Franklin St
	Assessor's Parcel Number(s):	008-0651-018-01
	Proposal:	Proposal to construct a new 29 story mixed use primary building containing 179 residential units with a secondary low rise 3-story townhouse building with 5 units and ground floor commercial. The entire project would have 184 units approximately 57,000 square feet of office and 6,750 square feet of commercial at the ground floor.
	Applicant:	RAD Urban, Lin-Chuin Loh (510) 343-5593
	Owner:	Village Glen Oakland 2 LLC
	Case File Number:	PLN17050
	Planning Permits Required:	This proposal will require a Regular Design Review permit for new construction; Major Conditional Use Permit for development exceeding 200,000 square feet; a Tentative Parcel Map to merge two lots and three minor variances for loading, driveway access on the primary street and for a reduction in the amount of landscaping in the public open space.
	General Plan:	Central Business District
	Zoning:	CBD-C; Height Area 7 (No Limit) Central Business District
	Environmental Determination:	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA Guidelines: (1) 15332- Urban Infill Development, (2) 15300.2 (Exceptions), (3) 15183 - Projects Consistent with a Community Plan, General Plan, or Zoning; (4) 15183.3 Quality Infill Streaming. Each of the foregoing provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Bureau of Planning offices, located at 250 Frank Ogawa Plaza, 2nd floor, during regular business hours, or it can be found as Item #70 on the City's Environmental Review Documents webpage via the following link: http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009157
	Historic Status:	Non-historic Property
	City Council District:	3
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact case planner Rebecca Lind at (510) 238-3472 or by email at rlind@oaklandnet.com .



This item was continued from the December 20, 2017, agenda.

11.	Location:	0 Mandela Parkway. Vacant parcel located across from the neighboring property at 3650 Mandela Parkway and next to Beach St and Target store.
	Assessor's Parcel Number(s):	007-0617-014-05
	Proposal:	To construct a six-story building ("Mandela Hotel") consisting of 220 rooms measuring approximately 142,813 square feet of floor area with a two-level underground parking garage and a surface parking area totaling 166 parking spaces.
	Applicant / Phone Number:	Joanne Park, Lead Architect, Architectural Dimensions (510) 463-8300
	Hotel Operators:	Tulsee Nathu & Paval Nathu
	Property Owner:	State of California
	Case File Number:	PLN16394
	Planning Permits Required:	1) Major CUP for non-residential projects with more than 25,000 square feet of floor area; 2) Minor CUPs transient habitation (hotels) and non-residential tandem parking; 3) Regular Design Review for new building construction; and 4) Minor Variance for front yard setback reduction.
	General Plan / Specific Plan:	Regional Commercial / West Oakland Specific Plan (WOSP)
	Zoning:	CR-1, Regional Commercial Zone
	Environmental Determination:	<p>A detailed CEQA (California Environmental Quality Act) Analysis was prepared for this project, which concluded that the proposed development project satisfies each of the following CEQA Guidelines: (A) 15332- Urban Infill Development; (B) 15183 - Projects Consistent with a Community Plan, General Plan, or Zoning; (C) 15183.3 - Streamlining for Infill Projects; (D) 15164 - Addendum to EIRs; and (E) 15168 and 15180 - Program EIRs and Redevelopment Projects. Each of the foregoing provides a separate and independent basis for CEQA compliance.</p> <p>The CEQA Analysis document may be reviewed at the Bureau of Planning offices, located at 250 Frank Ogawa Plaza, 2nd Floor or online. The CEQA Analysis document for the 0 Mandela Parkway Project can be viewed here: http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009157 (Mandela Parkway CEQA Analysis)</p> <p>The CEQA analysis relied upon in making the Environmental Determination and incorporated by reference within the CEQA Analysis document including the LUTE (Land Use Transportation Element), and West Oakland Redevelopment Plan EIRs that can be viewed here: http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009158 (LUTE / Item #1) http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/dowd007642.pdf (West Oakland Redevelopment Plan)</p>
	Historic Status:	Non-historic Property
	City Council District:	3
	Date Filed:	11/28/16
	Action to be Taken:	Decision based on staff report
	For Further Information:	Contact Case Planner Mike Rivera at (510) 238-6417 or by email at mriviera@oaklandnet.com .



This item was continued from the December 6, 2017, agenda.

12.	Location:	4230 Park Blvd.
	Assessor's Parcel Number(s):	024-0539-045-00
	Proposal:	To allow a limited service restaurant "Mountain Mike's" within the ground floor of a commercial space and include the sale of beer and wine (Type 41 ABC License).
	Applicant / Phone Number:	David J. Elliot (831) 905-9668
	Case File Number:	PLN17328
	Planning Permits Required:	Major Conditional Use Permit to allow an Alcoholic Beverage Sales Commercial Activity with Findings of Public Convenience or Necessity (Sec. 17.103.030 (B) (2) & (3); Additional Conditional Use Permit Findings for Activities in CN zones (Sec. 17.33.01(L4) & 17.33.030) & Major Variance(s) for distance separation (Sec.17.148.050).
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	CN-1 Neighborhood Center Mixed Use 1 Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation); Exempt, Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	C2+; within an Area of Secondary Importance
	City Council District:	5
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact Case Planner Moe Hackett at (510) 238-3973 or by email at mhackett@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 Planning and Building Department, 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 staff report and recommendation. If the Commission reverses/overturns the staff decision and no alternate findings for decisions 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 for decision 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.

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

NEXT REGULAR MEETING: January 24, 2018
Revised December 20, 2017, to reflect continuance of Item #6 to a date uncertain.