



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

October 17, 2018
Regular Meeting

The meeting was called to order at **6:15pm**.

ROLL CALL

Present: Fearn, Limon, Manus, Shirazi

Excused: Hegde, Monchamp, Myres

Motion by Commissioner Limon to name Commissioner Manus Chair *pro tem* for this meeting, seconded by Commissioner Fearn.

Ayes: Fearn, Limon, Manus, Shirazi

Noes:

Approved with 4 ayes and 0 noes.

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Item #1 was moved to public hearings.

Director's Report

Committee Reports

Commissioner Limon gave an overview of the October 10 Residentials Appeals Committee meeting.

Commission Matters

City Attorney's Report

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。



OPEN FORUM

Naomi Schiff

CONSENT CALENDAR

PUBLIC HEARINGS

1.	Location:	1805-1807 Telegraph Avenue (Fox Theater Oakland)
	Assessor’s Parcel Number(s):	008-0642-016-00
	Proposal:	To operate a Bar.
	Applicant:	Emporium Oakland, LLC
	Contact Person/ Phone Number:	Danny Marks (847)899-9880
	Owner:	Fox Oakland Theater, Inc.
	Case File Number:	PLN18358
	Planning Permits Required:	Major Conditional Use Permit with additional findings including Public Convenience or Necessity for Alcoholic Beverage Sales Commercial Activity
	General Plan:	Central Business District
	Zoning:	CBD-P Central Business District Pedestrian Retail 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:	Local Register, A1+ rating - Area of Primary Importance (API)
	City Council District:	3
	Date Filed:	8/29/18
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact Case Planner Michael Bradley at (510) 238-6935 or by email at mbradley@oaklandca.gov .

Item #1 was called at **6:21pm**.

Staff: Michael Bradley, Patrick Lane, Ed Manasse

Applicant: Danny Marks

Public Speakers: Stephen Welkom

Motion by Commissioner Fearn to affirm staff’s environmental determination and approve the Major Conditional Use Permit subject to the attached findings and conditions, with an addition to condition #13 that would require an objectifiable sound study and any necessary mitigations stemming from the sound study between the two tenant spaces that are quantifiable within the Fox Theater next door, seconded by Commissioner Shirazi.

Ayes: Fearn, Limon, Shirazi, Manus

Noes:

Approved with 4 ayes and 0 noes.



2.	Location:	Brooklyn Basin (formerly known as “Oak to 9th Avenue”)
	Proposal:	Notice of Preparation (NOP) of a Supplemental Environmental Impact Report (SEIR).
	Applicant:	ZOHP, (510) 251-9270.
	Owner:	Port of Oakland/ZOHP
	Case File Number:	PUD06010-R02-ER01
	Planning Permits Required:	Amendment to Development Agreement, General Plan Amendment, Rezone, Revision to Planned Unit Development, Conditional Use Permit and Final Development Permit.
	General and Estuary Plan:	Planned Waterfront Development-1; Estuary Policy Plan-Parks (EPP-Parks).
	Zoning:	Planned Waterfront Zoning District (PWD-4)/D-OTN-4; Open Space (Region-Serving Park) (OS (RSP))
	Environmental Determination:	Final EIR certified on January 20, 2009
	Historic Status:	Affects Non-Historic Property
	City Council District:	2 – Abel Guillen
	Action to be Taken:	Comment on environmental topics to be analyzed in SEIR; 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@oaklandca.gov .

Item #2 was called at **6:43pm**.

Staff: Catherine Payne

Applicant: ZOHP

Public Speakers: John Sutter, Andreas Cluver, Polo Muñoz, Daniel Franco, Patty St Louis, Naomi Schiff, Ben Burke

Motion by Commissioner Limon to continue the public hearing on this item to November 7, 2018, with comments being accepted until Tuesday November 13, 2018, seconded by Commissioner Fearn.

Ayes: Fearn, Limon, Shirazi, Manus

Noes:

Approved with 4 ayes and 0 noes.



3.	Location:	Citywide – unless otherwise stated
	Proposal:	Discussion of proposed Zoning Text Amendments to amend regulations for sale of alcoholic beverages at restaurants
	Applicant:	City Planning Commission
	Case File Number:	ZA18017
	Planning Permits Required:	Zoning Text Amendment pursuant to OMC 17.144
	General Plan:	Various Citywide
	Zoning:	Various Citywide
	Environmental Determination:	The proposed amendments to the Planning Code rely on a number of previously adopted and certified program-level 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); Wood Street EIR (2005); 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), and Coliseum (1995); the 1998 Amendment to the Historic Preservation Element of the General Plan; 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).
	Council District:	All Council Districts
	Action to be taken:	Direct staff to revise draft as necessary and forward to City Council
	For further information:	Contact Case Planner Aubrey B Rose, AICP at (510) 238-2071 or by email at arose@oaklandca.gov .

Item #3 was called at 7:54pm.

Staff: Aubrey Rose
Public Speakers: None

Motion by Commissioner Limon to affirm staff’s environmental determination and recommend that the City Council approve the proposed Zoning Code amendments related to sale of alcoholic beverages at restaurants, seconded by Commissioner Shirazi.

Ayes: Fearn, Limon, Shirazi, Manus
Noes:

Approved with 4 ayes and 0 noes.



4.	Location:	Citywide
	Proposal:	Proposed Planning Code amendments that include: 1) amending the definition of Extensive Impact Civic Activities in Planning Code Section 17.10.240 to include Garbage Transfer Stations and Curbside Recycling Collection Centers; 2) amending Planning Code Sections 17.72.030 and 17.72.040 to make applicable reference to the Emergency Shelter regulations in Section 17.103.015; 3) amending Planning Code Section 17.73.020 in the CIX, IG and IO Industrial Zones Chapter to allow for conversion of an existing Transient Habitation Commercial Activity to a Residential Activity in the CIX-2 Zone through a Conditional Use Permit; and 4) amending Section 17.101F in the D-GI Gateway District Zone Chapter to specify that only certain specified types of Extensive Impact Civic Activities are permitted outright, and that all other Extensive Impact Civic Activities in the D-GI Zone are only permitted upon the granting of a Conditional Use Permit.
	Applicant:	City of Oakland
	Case File Number:	ZA18016
	General Plan/Zoning:	Citywide
	Environmental Determination:	<p>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); Wood Street EIR (2005), 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), and Coliseum (1995); the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (2010) and Addendum (2014); and various Redevelopment Plan Final EIRs (collectively, "Previous CEQA Documents").</p> <p>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>
	Actions to be Taken:	To receive public comments; review and discuss the proposal
	Staff Recommendation	Recommend approval to the Oakland City Council
	For Further Information:	Contact Case Planner Ed Manasse at (510) 238-7733 or by email at emanasse@oaklandca.gov .

Item #4 was called at **8:04pm**.

Staff: Ed Manasse

Public Speakers: None

Motion by Commissioner Fearn to affirm staff’s environmental determination and recommend approval to the City Council of the proposed amendments to the Planning Code, and that the proposal only involves housing for under-served populations, seconded by Commissioner Limon.

Ayes: Fearn, Limon, Shirazi, Manus

Noes:

Approved with 4 ayes and 0 noes.



APPEALS

COMMISSION BUSINESS

Approval of Minutes

Correspondence

City Council Actions

ADJOURNMENT

The meeting was adjourned at **8:31pm.**

NEXT REGULAR MEETING: November 7, 2018

Minutes prepared by Jonathan Arnold