



Oakland City Planning Commission

Minutes

Chris Pattillo, Chair
Jim Moore, Vice Chair
Jahaziel Bonilla
Michael Coleman
Jahmese Myres
Adhi Nagraj
Emily Weinstein

January 21, 2015
Regular Meeting

ROLL CALL

Present: Pattillo, Moore, Bonilla, Coleman, Myres, Nagraj, Weinstein.

Staff: Robert Merkamp, Aubrey Rose, Celena Chen, Cheryl Dunaway.

WELCOME BY THE CHAIR

Agenda Discussion

Item #2 Applicant: Matt Yergovich requested a continuance.

Vice Chair Moore made a motion to continue this item to a date uncertain, seconded by Commissioner Nagraj.

Action on the matter: Approved 7 ayes, 0 noes

Item #3 Applicants: Mark Mc Clure and Tom Clark requested a continuance.

Commissioner Coleman made a motion to continue this item to the date certain of February 18, 2015, seconded by Commissioner Bonilla.

Action on the matter: Approved 7 ayes, 0 noes.

Committee Reports

Commissioner Nagraj gave a brief report on the Zoning Update Committee Meeting (ZUC) held today at 4:00 P.M. about the Coliseum Area Specific Plan. They heard

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.



comments and concerns from the small business owners within the Coliseum City Specific Plan area who felt they would be adversely impacted by some of the proposed changes. The Committee also heard from East Bay Municipal Utilities District (EBMUD) and East Bay Regional Parks concerning the proposed zoning changes. Item #1 has been moved on consent of the Planning Commission.

CONSENT CALENDAR

Commissioner Coleman made a motion to approve, seconded by Commissioner Weinstein.

Action on the matter: Approved 7 ayes, 0 noes.

1.	Location:	12500 Campus Drive (Merritt College) (APN: 037-2685-001-39)
	Proposal:	To modify an existing telecommunications facility attached to the outside walls of the Merritt College library building by replacing 3 antennas and adding 3 new radio remote units (RRU's).
	Applicant /	Ms. Charlotte Perrault
	Phone Number:	(916)539-1497
	Case File Number:	CMD10198-R01
	Owner:	Peralta Community College District
	Planning Permits Required:	Major Conditional Use Permit with additional findings to allow the expansion of a Macro Telecommunications Facility within a Residential Zone; Regular Design Review with additional findings
	General Plan:	Institutional
	Zoning:	RH-4 Hillside Residential Zone
	Environmental Determination:	Exempt, Section 15301(e) of the State CEQA Guidelines: Existing Facilities (Additions to existing structures); Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan, or Zoning
	Historic Status:	Non-Historic Property; no survey rating
	Service Delivery District:	4
	City Council District:	6
	Date Filed:	
	Staff Recommendation:	Decision based on staff report
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case planner Aubrey Rose, AICP, Planner II at (510) 238-2071 or arose@oaklandnet.com

Commissioner Coleman stated that he would like to see some screening around the antennas if possible.

Commissioner Coleman made a motion to approve, seconded by Commissioner Weinstein.

Action on the matter: Approved 7 ayes, 0 noes.



Action on the matter: Approved 7 ayes, 0 noes.



PUBLIC HEARINGS

3. **Project Name:** McDonalds Restaurant Rebuild
Location: 6623 San Pablo Avenue (APN016-1507-002-01)
Proposal: Rebuild existing fast food restaurant
Contact Person/ Tom Clark
Phone Number: (925) 278-0016
Owner: Tom Lucas
Case File Number: PLN141359
Planning Permits Required: Major Conditional Use Permit and Regular Design Review to allow rebuilding an existing Fast Food Restaurant (McDonalds)
Expanding by 1,173 square feet of floor area to a total 4,270 square foot building on a 35,000 square foot parcel
General Plan: Community Commercial
Zoning: CC-2 Community Commercial
Environmental Determination: Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15303 & 15332
Historic Status: Not a Potential Designated Historic Property.
Service Delivery District: 2
City Council District: 1
Action to Be Taken: Approve
Appeal: To City Council
Finality of Decision: Appealable to City Council within 10 calendar days
For Further Information: Contact David Valeska at (510) 238-2075 or dvaleska@oaklandnet.com

Commissioner Coleman made a motion to continue this item to the date certain of February 18, 2015, seconded by Commissioner Bonilla.

Action on the matter: Approved 7 ayes, 0 noes.



4. **Location:** 3431 Foothill Boulevard/Mercy Retirement & Care Center
(APN: 033 -2127-015-01)
- Proposal:** At the center of a 5 acre senior campus, construct a 2-story 53,000 s.f. senior facility (memory impaired wing) behind the primary 6-story building along Foothill Blvd. The project involves minor demolition; renovation of existing buildings; new access from 35th Avenue; creation of additional parking; fencing; and landscaping including tree removal. *The project was reviewed by the Planning Commission on September 17, 2014 and by the Design Review Committee on October 22, 2014; design revisions have been made.*
- Applicant /** Peter Lin / Greenbrier Development
Phone Number: (214) 979-2710
Owner: Mercy Retirement & Care Center
Case File Numbers: PLN14080 / T1400028
Planning Permits Required: Major Conditional Use Permit to expand a Health Care Civic Activity by more than 20%/25,000 sf in the RM-3 Zone on a site that site exceeds 1 acre in area;
Regular Design Review to allow construction of a new facility, renovations to existing facilities, and site modifications;
Tree Removal Permit to remove Protected Trees
- General Plan:** Institutional (Foothill Blvd. frontage)/
Mixed Housing Type Residential (rear)
- Zoning:** CN-3 Neighborhood Commercial Zone (Foothill Blvd. frontage)/
RM-3 Mixed Housing Type Residential Zone (rear)
- Environmental Determination:** Exempt, Section 15332 of the State CEQA Guidelines:
In-Fill Development Projects;
Section 15183 of the State CEQA Guidelines:
Projects Consistent with a Community Plan, General Plan or Zoning
- Historic Status:** Non historic property
Service Delivery District: 4
City Council District: 5
Date Filed: May 7, 2014
Action To Be Taken: Decision based on staff report
Finality of Decision: Appealable to City Council within 10 calendar days
For Further information: Contact case planner **Aubrey Rose, AICP**
at (510) 238-2071 or arose@oaklandnet.com

Staff Member Aubrey Rose gave a presentation.

Applicant: Adrienne Iverson gave a PowerPoint presentation.

Architect: Leslie Perkins continued the PowerPoint presentation and spoke on the character of the building and landscaping.

Speakers: Sister Toni Lynn Gallagher, Ashley Hill, Rachel Main, Phil Altman, Bill Kuhlman.

The Planning Commissioners disclosed that they all met with the applicant previous to this meeting.

Commissioner Nagraj thanked the applicants for clarifying the site limitations based on the programs they provide and the patients they serve. Appreciates that the Planning Commission's previous feedback were highlighted and attempted to address each of their concerns to the best of their ability.



The improvements to the greenery along the fencing, greenery on the fence, the tiered stairs on 35th Avenue and Foothill Boulevard all are inviting and friendly to the public, while providing security and safety for the residents. Did a great job on the improvements on the massing of the vertical articulation and the colors tastefully pop. Very pleased to hear from the clinic's advocates at tonight's meeting and to receive a letter of support from a City Councilmember.

On page 25 and 26, there's a large blank wall where a corner window can be placed to provide a pedestrian friendly visual. Although it's proposed to be blocked by a tree, it's still a concern.

Commissioner Myres stated that she really appreciates the improvements and that the applicants listened and implemented most of the Planning Commission's feedback. This expansion proposal will provide a critical community service and is pleased to hear about the various types of quality jobs the clinic provides.

Commissioner Bonilla stated that this facility is greatly needed and is very pleased the employees earn great living wages and are locally hired. He is in support of this proposal.

Commissioner Coleman stated that the applicants put together a really great proposal package. He is particularly pleased with the improvements to the corner plaza. He understands the rationale for the location, designs and color pallets and appreciates the letters of support. The comfort care dogs that visit the residence and how they make a big difference in the resident's healing process is greatly appreciated.

Commissioner Weinstein stated that it's very satisfying to know that this process has been valuable and the delivery of a project that's pleasing to all involved. She really enjoyed the process of understanding the type of residents and patients this clinic serves. She frequently drives by this facility and now, knowing more about the residents, employees and value of services provided to the community is really great.

Vice Chair Moore is pleased to see that the applicant embraced this process. They were very successful with bringing the connection of the Fruitvale business district to the surrounding areas, which is an improvement from the previous proposal, and it makes the 35th Avenue corner entry a meaningful connection for visual and pedestrian access. The new drop off area being at the same elevation as the assisted living tower will remain connected and maintain the activity at the Foothill Boulevard entrance.

Very pleased the community gardeners were engaged and some of their space was saved. The staff condition of approval to change the fencing on 34th Avenue and Foothill Boulevard to wrought iron (ornamental fencing) is a great idea.

Chair Pattillo stated that she admires Mercy's work and program and is happy they're a part of the Fruitvale District. The changes to the pallet and details on the elevations on the building is a tremendous improvement.

On page 32, the new color pallet should extend to the main entry.

Additional new planting at the Fruitvale Avenue entrance is an upgraded improvement from the previous proposal, but disappointed with the process given how much was invested in the planning process, the gain is minimal.



Not wanting to place any conditions of approval, she asks that staff and the Planning Commission support the following specific items of recommendations:

- On page 11, the suggestion to increase the size of plants isn't very good idea. It's better to begin with smaller plants that's not constrained by their containers.
- The proposal to relocate the Magnolia and the 28 palm trees doesn't state how they will be removed and cared for and how it will be maintained to ensure their survival during construction, but she is in support of this proposal. Please have the horticulturalist provide specific details of how this will process will be completed.
- On page 15, 57 trees will be removed and 28 will be relocated in which some may not survive.
- There are mixed feelings concerning the treatment on the corner because it involves the removal of 2 more trees. The rendering is attractive which may be viewed as an improvement by the neighborhood so, she doesn't oppose it.
- On page 22, there's ornamental iron fencing on the right side and green screen on the left side, which is inexplicable. Visually, it would be better to have a little ornamental iron fencing on the left side as well.
- On page 40, the 10 ft. high green screen seems a little excessive. She suggested the applicant work with staff to discuss this further and possibly lower the fence to the standard height of 6 ft.

Vice Chair Moore asked Chair Pattillo if there's a way to implement a standard procedure on how to care for trees and include them into every future project such as this one.

Chair Pattillo responded stating that there are standard procedures in place on how to care for trees, but this requires special conditions. There's also a capable Arborist on board who may already have some language around this matter, but it should be officially included into record.

Mr. Merkamp referred to conditions 30, 31, 32, 33 and 34 which are all standard conditions of approval that covers tree removal and the City of Oakland applies to all projects. This may address most of Chair Pattillo's concerns.

Vice Chair Moore stated that those conditions doesn't seem to address housing of trees stored for extended periods of time for reuse.

Commissioner Nagraj made a motion to approve, seconded by Commissioner Coleman.

Action on the matter: Approved 7 ayes, 0 noes.

Approval of Minutes

Approval of the December 17, 2014 Planning Commission Meeting minutes.

Commissioner Myres submitted some edits at tonight's Planning Commission meeting, which will be corrected and placed onto the website immediately.




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

Action on the matter: Approved 7 ayes, 0 noes.

ADJOURNMENT

Meeting adjourned at approximately 7:06 P.M.


ROBERT MERKAMP
Development Planning Manager
Planning and Zoning Division

NEXT MEETING: February 4, 2015