

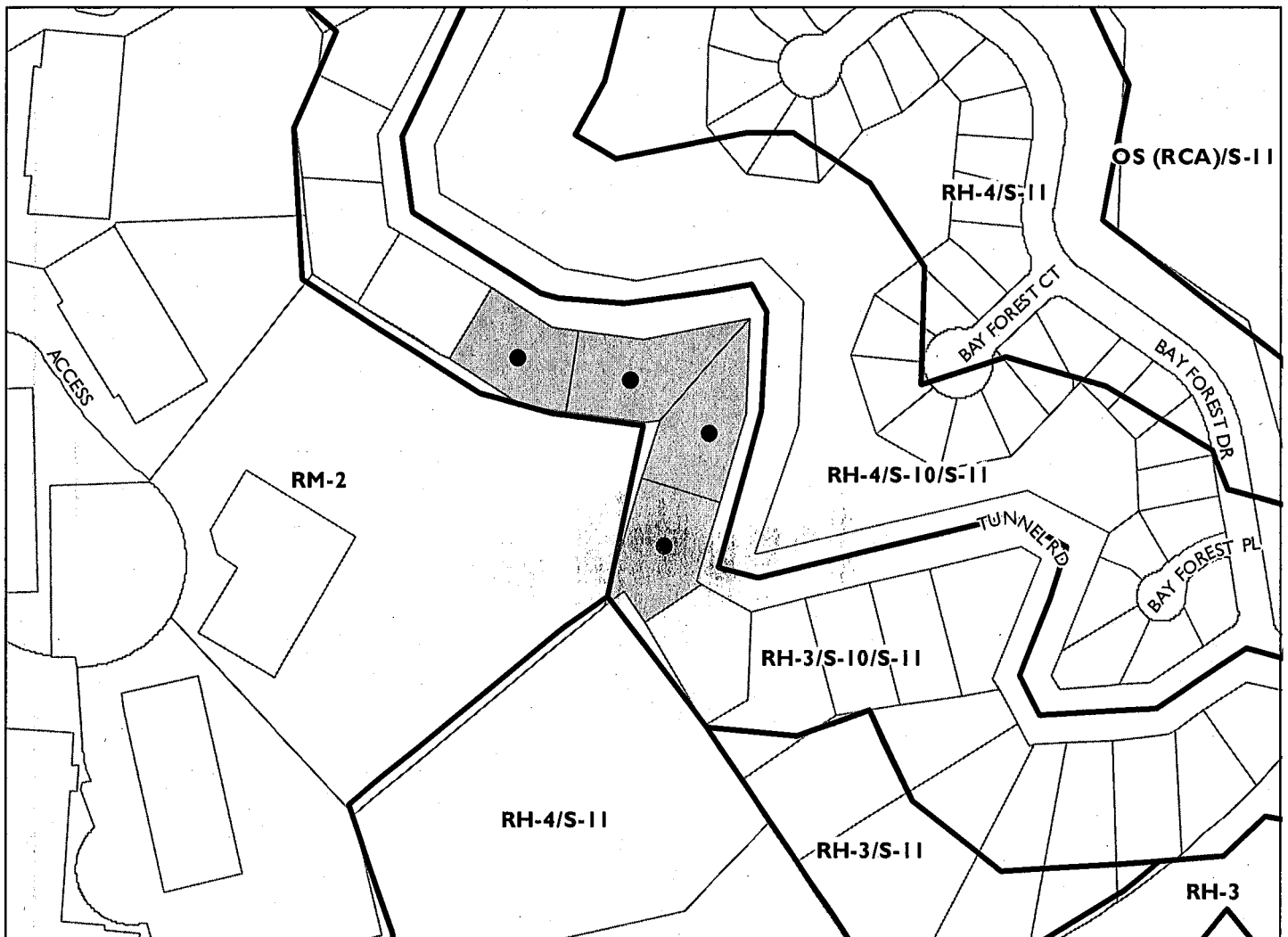
Location:	Tunnel Road (adjacent to 2245 Tunnel Road) (See map on reverse)
Assessor's Parcel Number:	(048H -7520-066; 048H-7520-067; 048H-7520-068; 048H-7520-069)
Proposal:	To determine the appropriate zoning classification of a series of four City-owned surplus properties prior to potential sale pursuant to Ordinance No. 11602 C.M.S..
Contact Person/ Phone Number:	City of Oakland Real Estate Services Division, Thang Nguyen (510) 238-6363
Owner:	City of Oakland
Planning Permits Required:	Zoning Review to determine the appropriateness of the current zoning classification
General Plan:	Hillside Residential
Zoning:	RH-3 Hillside Residential /S-10 Scenic Route Combining /S-11 Site Development and Design Review
Environmental Determination:	Exempt, Section 15312 of the State CEQA Guidelines: Surplus Government Property Sales; Section 15183 of the State CEQA Guidelines:
Historic Status:	Projects consistent with a community plan, general plan or zoning Not a Potential Designated Historic Property; Survey rating: Unknown
Service Delivery District:	III
City Council District:	1
Date Filed:	December 9, 2014
Action to be Taken:	Determination of appropriate zoning classification and recommendation to the City Council based on staff report
Finality of Decision:	Recommendation to the City Council
For Further Information:	Contact case planner Jose M Herrera-Preza, Planner I at (510) 238-3808 or jherrera@oaklandnet.com

SUMMARY

Per Ordinance 11602 C.M.S., adopted June 29, 1993, the Planning Commission is required to determine the appropriate zoning classification for any City-owned surplus property that is 2,500 square feet or larger prior to its sale. The City's Real Estate Division requests Zoning Review of four properties located along Tunnel Road. Surplus property is defined as real property owned or controlled by the City which is not needed by the City for public purposes. The Real Estate Division contacted all potentially affected public agencies to determine if the property is needed for public purposes, and no agency expressed interest in retaining the properties. The decision to dispose will bring savings to the City, relieve the City of maintenance and insurance expenses, and convey the properties back onto the tax rolls.

California Code Section 65402 also requires that the sale of publicly-owned real property be submitted to and reported upon by the planning agency as to conformity with the adopted General Plan. Sale of the subject properties conforms to Oakland's adopted General Plan.

CITY OF OAKLAND PLANNING COMMISSION



Case File: ZR15001
Applicant: City of Oakland
Address: Tunnel Road (adjacent to 2245 Tunnel Road)
Zone: RH-3/S-10/S-11

PROPERTY DESCRIPTION

The properties in question are located on the westerly side of Tunnel Road adjacent to 2245 Tunnel Road. The four lots contain the minimum street frontage required for the Hillside Residential 4 zone (25 street frontage) onto Tunnel Road. Each parcel will also exceed the minimum lot size of the RH 4 zone (Parcel A 13,795 sq.ft., Parcel B 16,476 sq.ft., Parcel C 15,436 sq.ft., Parcel D 14,580 sq.ft.). The parcels are vacant and generally rectangular in shape and contain steep down slopes.

GENERAL PLAN ANALYSIS

California Code Section 65402 requires that no real property acquired for public purposes shall be disposed of until it is demonstrated that the disposition conforms to the adopted general plan.

The General Plan land use classification for the property is Hillside Residential. The Intent of the Hillside Residential classification is: *"is to create, maintain, and enhance areas for single-family dwellings on lots of six thousand five hundred (6,500) to eight thousand (8,000) square feet and is typically appropriate in already developed areas of the Oakland Hills.."*

The property is located within the RH-4 Hillside Residential 4 Zone.

State Law requires the City of Oakland to make a finding of General Plan conformance prior to the city's disposing of any property. The text of the section is below.

65402. (a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body. If the legislative body so provides, by ordinance or resolution, the provisions of this subdivision shall not apply to: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments (sic) for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonments (sic) for street widening, or alignment projects are of a minor nature.

Staff believes that the General Plan classifications of Hillside Residential are appropriate as these match the zoning, the surrounding General Plan designation, and the development pattern of the neighborhood.

ZONING ANALYSIS

The property in question is currently zoned RH-4/S-10/S-11 Hillside Residential 4 Zone / Scenic Route Combining /S-11 Site Development and Design Review Zone. The intent of the RH-4 zone is: *"is to create, maintain, and enhance areas for single-family dwellings on lots of six thousand five hundred (6,500) to eight thousand (8,000) square feet and is typically appropriate in already developed areas of the Oakland Hills."* The intent of the S-10 zone is: *"to create, preserve, and enhance areas where hillside terrain, wooded canyons and ridges, and fine vistas or panoramas of Oakland, neighboring areas, or the Bay can be seen from the road, and is typically appropriate to roads along or near ridges, or through canyons, of the Oakland Hills which roads have good continuity and relatively infrequent*

vehicular access from abutting properties." The intent of the S-11 Zone is: "to create, preserve, and enhance areas subject to the North Oakland Hill Area Specific Plan adopted by the City Council and to assure that development there is sensitively integrated with the land forms, view corridors, and vegetation masses."

The project sites could potentially accommodate detached single family homes assuming that the required parking, open space, and setbacks can be accommodated. Staff believes that the current zoning for the property is appropriate as it will allow the property to develop in a manner compatible with the surrounding neighborhood.

ENVIRONMENTAL DETERMINATION

Sales of surplus government property are exempt from the California Environmental Quality Act (CEQA) per Section 15312 of the CEQA Guidelines.

KEY ISSUES AND IMPACTS

Ordinance 11602 C.M.S. requires that surplus real property equal to or larger than 2,500 square feet be sold through a competitive bidding process. However, the ordinance allows an exception to the bidding requirement if the City Council makes a finding and determination that it is in the best interests of the City to sell such property by negotiated sale. The Real Estate Division of the Community and Economic Development Agency indicates that they wish to pursue this option as they have a neighboring property owner who has expressed interest in the site.

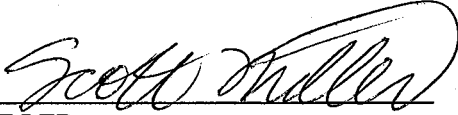
- RECOMMENDATIONS:**
1. Affirm staff's environmental determination.
 2. Affirm that sale of the subject property conforms with the City of Oakland's General Plan, Land Use & Transportation Element.
 3. Confirm the existing RH-4 Hillside Residential 4 Zone, S-10 Scenic Route Combining Zone and S-11 Site Development and Design Review Zone and zoning of the properties **048H-7520-066; 048H-7520-067; 048H-7520-068; 048H-7520-069**

Prepared by:



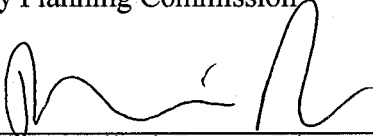
Jose M Herrera-Preza
Planner I

Approved by:



SCOTT MILLER
Zoning Manager

Approved for forwarding to the
City Planning Commission



Darin Ranelletti, Deputy Director
Bureau of Planning and Building

ATTACHMENTS:

- A. Request letter from Real Estate Division
- B. Copy of Ordinance 11602

CITY OF OAKLAND

Inter-Office Memo

TO: CEDA, Planning and Building
ATTN: Scott Miller, Zoning Manager
FROM: Thang Nguyen, Real Estate Division
DATE: December 9, 2014
RE: Zoning Review of City-owned Property

The following properties are considered surplus of the needs of the City of Oakland and are under consideration for sale to the Public. It is requested that the Planning Commission examine and determine the appropriate zoning classification in accordance with Ordinance No. 11602 C.M.S.

Location: Tunnel Road, Adjacent to 2245 Tunnel Road, Oakland, 94611

Assessor's Parcel Nos.: 048H-7520-066; 048H-7520-067; 048H-7520-068; 048H-7520-069

Area of Parcel: Parcels A, B, C and D of Parcel map #8045 with the following square feet:
Parcel A (13,975 s.f.); **Parcel B** (16,476 s.f.); **Parcel C** (15,436 s.f.);
Parcel D (14,580 s.f.)

Existing Improvements: Vacant

Purpose of acquisition: NA

Current Zoning: RH-3/S-10/S-11

Reason for disposal: Excess to the City's needs

City owned property within 300 feet: No

Recommendation: Disposition of Surplus Property

Real Estate Agent for field review: Thang Nguyen, ext. 6363

Assemblage: No

Intent to Subdivide: N/A

Comments: These four APN's were a result of the original larger parcel (048H-7520- 007-04) being subdivided

Attachment: Parcel Map 8045, Assessor's Map, Camera Photo of the Four Contiguous Parcels

THE LINE BETWEEN THE TWO CITY OF CHICAGO JURISDICTIONS IN TURNER HOLE,
TURNER & DEWITT TAKEN AS REFERENCE, AS SHOWN ON "MADISON MAP TRACT 400".
BOOK 124, PAGE 16.

0 STANFORD CITY OF GAZ AND MINORANT IN MONUMENT WELL
 101 CATION
 101 DEED
 101 MAP DEED RECORD MARIEN
 101 RIGHT OF WAY
 101 NEW RICHMOND CATION BY THE MAP
 101 EXISTING BOUNDARY
 101 MONUMENT Laid CENTERLINE PER REFERENCE TO (SEE NOTE)
 101 CITY IDENTIFICATION (TYPE)

6. AMENDED MAP TRACT 008, FILED FEBRUARY 3, 1981, BOOK 123, PAGES 87-98, ALAMEDA COUNTY RECORDS
7. TRACT 024, FILED MAY 11, 1981, BOOK 108, PAGES 21-81, ALAMEDA COUNTY RECORDS
8. TRACT 008, FILED DECEMBER 11, 1981, BOOK 108, PAGES 21-21, ALAMEDA COUNTY RECORDS
9. TRACT MAP 008, FILED AUGUST 18, 1984, BOOK 254, PAGES 13-22, ALAMEDA COUNTY RECORDS
10. ORDINANCE PREPARED BY THE CITY OF OAKLAND, RECORDED JULY 17, 2007 (OFFICIAL RECORDS SERIAL NO. 20070184181)

1. RESEARCH AND DEVELOPMENT ARE BASED ON THE CALIFORNIA COGNITIVE SYSTEM, ZONE W. AND FATHER'S SEARCH ON CLEVELAND PARK. THE DRAWING AND GIVE TO OBTAIN COUNCIL LEVELS. (REFLECTS MAY 1971 BY 1103119)

2. SECOND COUNCIL, MY DATA ON THE RESEARCH IS TAKEN FROM RESEARCH BY E. C. (FATHER) (COUNCIL SEARCHER 1103, COUNTY OF ALABAMA 1110 BOOK 22, PAGE 30)

3. CHANGES OF ADJUNCT LAND (LAND RESEARCH DATA) IS ACCURATE AS OF MARCH 25, 1971. CHANGES OF ADJUNCT MADE AFTER THAT DATE ARE NOT REFLECTED

(ADJUNCT CONTAINING RESEARCH)

A M E N D E D

CITY OF OAKLAND
ONE FRANK H. OAKMAN PLAZA
OAKLAND, CALIFORNIA 94612

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POSITION OF PLAT 0, MAP OF HUNDREDS MOUNTAIN FOR HILL LANDS OF THE VICINITY, BROWN CO.
 TEXAS, PARTIALLY AS PARTITIONED BY DECREE OF THE THIRD DISTRICT COURT,
 OF INDIAN 2, 1893, FILED FOR RECORDED IN BOOK 118 OF MAPS, PAGE 34
 IN THE OFFICE OF THE COUNTY RECORDER OF ALABAMA COUNTY

(44) AND ALABAMA COUNTY CATHOLIC
 JULY 2012

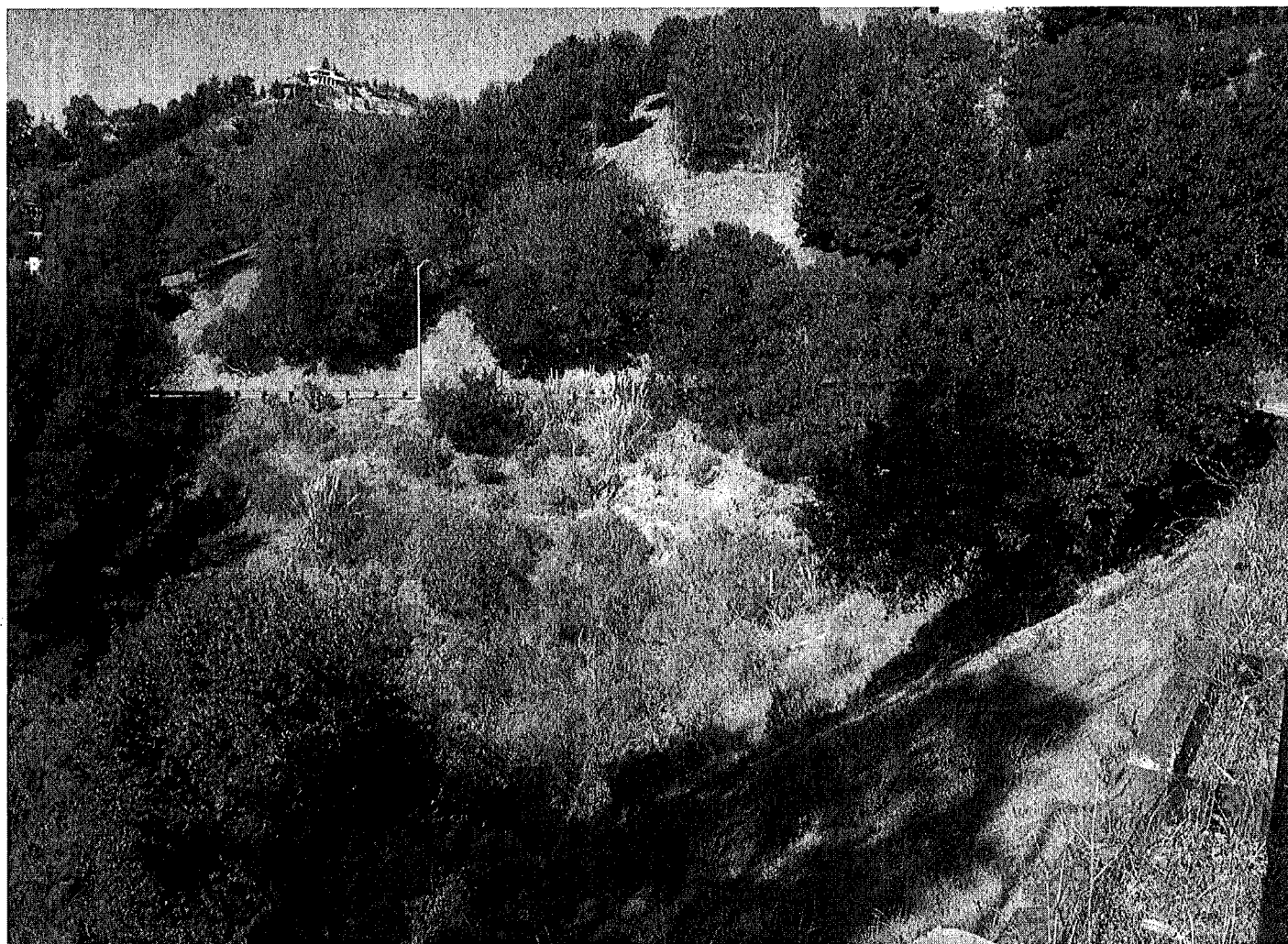
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Figure 1