



*C. Blake Huntsman, Chair
Chris Pattillo, Vice Chair
Michael Colbruno
Michael Coleman
Jim Moore
Vien Truong
Jonelyn Whales*

May 1, 2013
Regular Meeting

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, 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.

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.

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**

Reports are also available at the Strategic Planning Division on the 3rd floor (Suite 3315), which closes at 5:00 p.m.

Staff reports are also available on-line, by 3:00 p.m. the Friday before the meeting, at 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 or 510-238-2912 or Gwen Brown at 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

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.

1.	Location:	The public Right of Way across from 6776 Thornhill Drive. Nearest lot adjacent to the project site. APN: (048F-7380-021-00).
	Proposal:	To install a Wireless Telecommunication Facility (AT&T Wireless) on an existing 47'-6" high PG&E utility pole located in the public right-of-way: Install two panel antennas (2' long and 10" wide) mounted onto a seven-foot tall extension affixed on top of the pole; an associated equipment box, one battery backup and meter boxes within a 6' tall by 20" wide single equipment box attached to the pole at 8' above ground.
	Applicant:	New Cingular Wireless PCS, LLC./AT&T Mobility
	Contact Person/Phone Number:	Matthew Yergovich (415)596-3474
	Owner:	Pacific Gas & Electric (PG&E)
	Case File Number:	DR13046
	Planning Permits Required:	Major Design Review to install a wireless Telecommunication Macro Facility to on existing PG&E pole located in the public right of way in a residential zone.
	General Plan:	Hillside Residential
	Zoning:	RH-4 Hillside Residential Zone
	Environmental Determination:	S-11 Site Development and Design Review Combining Zone. Exempt, Section 15301 of the State CEQA Guidelines; minor additions and alterations to an existing facility. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	Not a Potential Designated Historic Property; Survey Rating: N/A
	Service Delivery District:	2
	City Council District:	4
	Status:	Pending
	Action to be Taken:	Decision of Application
	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: jmadani@oaklandnet.com



2. **Location:** The public Right of Way of Shepherd Canyon Road, 400 feet southwest of the intersection of Escher Drive APN: (048D-7249-014-01)
- Proposal:** To install a wireless telecommunication facility (AT&T wireless) on an existing 43' high PG&E utility pole located in public right-of-way: Install two panel antennas (approximately two-feet long and ten-inches wide mounted onto a seven-foot tall extension affixed on top of the pole; an associated equipment box, one battery backup and meter boxes within a 6' tall by 18" wide singular equipment box attached to the pole at 8' height above ground.
- Applicant:** New Cingular Wireless PCS, LLC./AT&T Mobility
- Contact Person/Phone Number:** Matthew Yergovich (415)596-3474
- Owner:** Pacific Gas & Electric.PG&E
- Case File Number:** DR13053
- Planning Permits Required:** Major Design Review to install a wireless Telecommunication Macro Facility to on existing PG&E pole located in the public right of way in a residential zone.
- General Plan:** Hillside Residential
- Zoning:** RH-3 Hillside Residential Zone/ S-10 Scenic Route Combining Zone
- Environmental Determination:** Exempt, Section 15301 of the State CEQA Guidelines; minor additions and alterations to an existing facility.
Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
- Historic Status:** Not a Potential Designated Historic Property; Survey Rating: N/A
- Service Delivery District:** 2
- City Council District:** 4
- Status:** Pending
- Action to be Taken:** Decision of Application
- Finality of Decision:** Appealable to City Council within 10 days
- For Further Information:** Contact case planner Michael Bradley at (510) 238-6935 or by email: mbradley@oaklandnet.com

3. **Location:** The public Right of Way at the intersection of Elderberry Drive and Girvin Drive (adjacent to 6239 Elderberry Dr.) APN: (048D-7302-001-00)
- Proposal:** To install a wireless telecommunication facility (AT&T wireless) on an existing 43' high PG&E utility pole located in public right-of-way: Install two panel antennas (approximately two-feet long and ten-inches wide mounted onto a seven-foot tall extension affixed on top of the pole; an associated equipment box, one battery backup and meter boxes within a 6' tall by 18" wide singular equipment box attached to the pole at 8' height above ground.
- Applicant:** New Cingular Wireless PCS, LLC./AT&T Mobility
- Contact Person/Phone Number:** Matthew Yergovich (415)596-3474
- Owner:** Pacific Gas & Electric PG&E
- Case File Number:** DR13055
- Planning Permits Required:** Major Design Review to install a wireless Telecommunication Macro Facility to on existing PG&E pole located in the public right of way in a residential zone.
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General Plan:	Hillside Residential
Zoning:	RH-4 Hillside Residential Zone
Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines; minor additions and alterations to an existing facility. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
Historic Status:	Not a Potential Designated Historic Property; Survey Rating: N/A
Service Delivery District:	2
City Council District:	4
Status:	Pending
Action to be Taken:	Decision of Application
Finality of Decision:	Appealable to City Council within 10 days
For Further Information:	Contact case planner Michael Bradley at (510) 238-6935 or by email: mbradley@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 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.



4. **Project Name:** Oakland Army Base – Rezoning
- Location:** A portion of the former Oakland Army Base (in the general vicinity of the intersection of Maritime Street and West Grand Avenue)
- Proposal:** Rezone approximately 160 acres of City-owned land known as the “Gateway Development Area” to the new Gateway Industrial District (D-GI) Zone; adopt design standards for new development in the D-GI Zone; and approve a Development Agreement for the Army Base development project.
- Applicant:** City of Oakland; Oakland Redevelopment Successor Agency; Prologis CCIG Oakland Global, LLC; California Waste Solutions, Inc.; CASS, Inc.
- Owner:** City of Oakland
- Case File Numbers:** RZ13014; RZ13084; RZ13085
- Planning Permits Required:** Rezoning; Development Agreement
- General Plan:** General Industrial/Transportation (portion of the site); Business Mix (portion of the site)
- Zoning:** Existing: General Industrial (IG) Zone (portion of the site); Community Industrial Mix 1 (CIX-1) Zone (portion of the site)
Proposed: Gateway Industrial District (D-GI) Zone
- Environmental Determination:** The Oakland Army Base Area Redevelopment Plan Environmental Impact Report (EIR) was certified in 2002. An Addendum to the 2002 EIR was adopted in June 2012 and covers these implementing actions. No further environmental review is required.
- Historic Status:** The site includes the Oakland Army Base Historic District which is determined eligible for the National Register of Historic Places and listed as an Area of Primary Importance (API) by the Oakland Cultural Heritage Survey.
- Service Delivery District:** 1
- City Council District:** 3
- Status:** Pending
- Action to be Taken:** Take public testimony and issue a recommendation to the City Council.
- Finality of Decision:** Recommendation will be forwarded to the City Council.
- For Further Information:** Contact case planner **Darin Ranelletti** at (510) 238-3663 or by email at dranelletti@oaklandnet.com.



5. **Project Name:** Coliseum Area Specific Plan and EIR Scoping Session
- Location:** The Planning Area for the Coliseum Area Specific Plan is bound by 66th Avenue to the north, San Leandro Street to the east, Hegenberger Road to the south, and San Leandro Bay and the Oakland International Airport to the west. The Planning Area consists of approximately 800 acres, and includes the Oakland-Alameda County Coliseum complex, the Oakland Airport Business Park, and surrounding environs.
- Proposal:** Conduct a public scoping session, as required by the California Environmental Quality Act (CEQA), to receive comments on the scope of a Draft Environmental Impact Report (DEIR) on the Coliseum Area Specific Plan.
- Contact Person/Phone Number:** Devan Reiff, 510-238-3550 or Ed Manasse, 510-238-7733
- Applicant:** City of Oakland
- Case File Number:** ZS13-103 and ER13-0004
- Planning Permits Required:** TBD
- General Plan:** Regional Commercial, Business Mix
- Zoning:** CR-1; IO; M-40
- Environmental Determination:** An Environmental Impact Report will be prepared for the Coliseum Area Specific Plan
- Historic Status:** In the Oakland Cultural Heritage Survey, the O.co Coliseum stadium is rated “*a1+”; and the Oracle arena is rated “*b1+”. The Coliseum site is a potential Area of Primary Importance, given that the stadium and arena were not yet 50 years old at the time the survey was conducted.
- Service Delivery Districts:** 5, 6
- City Council Districts:** 7 (with CCD 6 representing 66th Avenue frontage of Plan Area)
- Status:** A Notice of Preparation (NOP) of DEIR will be published on April 19, 2013, and the public comment period on the NOP will close on May 20, 2013.
- Commission Action to Be Taken:** Receive comments from the public and Planning Commission on the scope of the Draft Environmental Impact Report (DEIR) for the Coliseum Area Specific Plan. No decisions will be made on the project at this hearing.
- Finality of Decision:** n/a
- For Further Information:** Contact project planner, Devan Reiff at 510-238-3550 (dreiff@oaklandnet.com); or Ed Manasse, Strategic Planning Manager, at 510-238-7733, emanasse@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, 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

January 30, March 6, March 20, April 3

Correspondence

City Council Actions

ADJOURNMENT

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

SCOTT MILLER
Zoning Manager
Planning and Zoning Division

NEXT REGULAR MEETING: May 15, 2013