



Vien Truong, Chair
Michael Colbruno
C. Blake Huntsman
Chris Pattillo
Jonelyn Whales
Madeleine Zayas-Mart

October 5, 2011
Regular Meeting

Revised 9-26-11* (See end of Agenda)

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.

Sgnt. 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 Planning 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

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.



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 Community and Economic Development Agency, Planning and Zoning Division, 250 Frank

H. Ogawa Plaza, Oakland, California 94612. Reports are also available at the Strategic Planning Division on the 3rd floor (Suite 3315), which closes at 5:00 p.m.

**New web-site staff report
download instructions**

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" (under CEDA), 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, Community and Economic Development Agency, 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 tickets with a stamp.

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 Informational Report on the West Oakland Specific Plan

Committee Reports

Commission Matters Election of Vice-Chair

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:	6866 Ridgewood Drive (APN 048E-7323-037-00)
	Proposal:	Telecom facility on existing Joint Powers Authority (JPA) pole in City right-of-way
	Contact Person/Phone Number:	Rick Hirsch, Extenet Systems (415) 377-7826
	Owner:	City of Oakland (street right-of-way)
	Case File Number:	DR10-333
	Planning Permits Required:	Regular Design Review to expand telecommunications facility on JPA pole in street right-of-way including 1 antenna, two equipment boxes, 1 backup battery unit and 1 meter box, generally 7 feet above grade, in addition to existing lines and boxes on pole, raising height 5 feet to 48 feet, in a residential area
	General Plan:	Hillside Residential
	Zoning:	RH-4 Hillside Residential/S-11 Combining-Design Review
	Environmental Determination:	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15303
	Historic Status:	Not a Potential Designated Historic Property (street right-of-way)
	Service Delivery District:	2
	City Council District:	4
	Date Filed:	December 14, 2010
	Status:	This item was discussed at the June 1, 2011, Commission meeting and was continued indefinitely to allow the applicant time to explore the feasibility of re-locating the existing pole several feet to be out of direct line-of-site from the adjacent residence.
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact David Valeska at (510) 238-2075 or dvaleska@oaklandnet.com



2. **Location:** 3700 Dorisa Avenue (APN: 043A-4675-005-13) (12/23/10)
 Proposal: **REPOSTING** - To install and replace new and existing
 Telecommunication facilities (resulting in a Micro-
 telecommunication facilities) locate on the grounds of the St.Paschal
 Baylon Church
 Applicant: Jonathan Fong /The Lyle Company
Contact Person/Phone Number: Same (916)868-6673
 Owner: Roman Catholic Bishop of Oakland
 Case File Number: **CMD10-348**
 Planning Permits Required: Major Conditional Use Permit and Regular Design Review to
 establish a Macro-Telecommunication facility (replacing 1 of 3
 existing un-concealed post mounted panel antenna and adding 2 new
 RRU antennas for a total of 5 antennas) within in a residential zone.
 (Note: this site currently contains multiple telecommunication
 facilities)
 General Plan: Hillside Residential
 Zoning: RH-4, hillside Residential Zone -4Single Family Residential
Environmental Determination: Exempt, Section 15301 of the State of CEQA Guidelines; existing
 facilities.
 Historic Status: Not a Historic Property
 Service Delivery District: 6
 City Council District: 7
 Status: Pending
 Action to be Taken: Decision based of staff recommendation
 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:
 mhackett@oaklandnet.com

3. **Location:** 3700 Dorisa Avenue (APN: 043A-4675-005-13, 005-27) (12/23/10)
 Proposal: **REPOSTING** - To install and replace new and existing
 Telecommunication facilities (resulting in a Macro-
 telecommunication facilities) locate on the grounds of the St.Paschal
 Baylon Church
 Applicant: Michelle Weller /Sprint
Contact Person/Phone Number: Same (925)997-1312
 Owner: Roman Catholic Bishop of Oakland
 Case File Number: **CMD11-161**
 Planning Permits Required: Major Conditional Use Permit and Regular Design Review to
 establish a Macro-Telecommunication facility (replacing 4 existing
 un-concealed post mounted panel antenna and adding 8 new RRU
 antennas for a total of 12 antennas) within in a residential zone.
 (Note: this site currently contains multiple telecommunication
 facilities)
 General Plan: Hillside Residential
 Zoning: RH-4, hillside Residential Zone -4Single Family Residential
Environmental Determination: Exempt, Section 15301 of the State of CEQA Guidelines; existing
 facilities.
 Historic Status: Not a Historic Property
 Service Delivery District: 6
 City Council District: 7

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Status: Pending
Action to be Taken: Decision based on staff recommendation
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: mhackett@oaklandnet.com

4. **Location:** Mountain Blvd., portions of public right-of-way on both sides of street, west of Ascot Drive
APN: Adjacent to: 048D-7207-017-00 (JPA pole)
 Adjacent to: 048D-7234-011-06 (equipment)
Proposal: To attach additional antennas to a wooden utility pole to and to expand a 26'-10" wide x 4'-1" deep ground level equipment enclosure 7'-3" in width x 8' in depth to contain additional cabinets.
Applicant/ Matthew Yergovich / Realcom (for: at&t)
Phone Number: (415) 596-3474
Owner: JPA pole: PG&E/
 Public right-of-way: City of Oakland
Case File Number: CMD11166
Planning Permits Required: Major Conditional Use Permit and Regular Design Review each with additional telecommunications findings
General Plan: Hillside Residential (antennas)/
 Institutional (equipment)
Zoning: RH-4 Hillside Residential Zone – 4 (antennas)/
 RH-3 Hillside Residential Zone – 3 (equipment)/
 S-10 Scenic Route Combining Zone (equipment)
Environmental Determination: Exempt, Section 15301 of the State CEQA Guidelines:
 Existing Facilities;
 Section 15183 of the State CEQA Guidelines:
 Projects consistent with a community plan, general plan or zoning
Historic Status: None
Service Delivery District: IV
City Council District: 4
Date Filed: August 29, 2011
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 at (510) 238-2071 or 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 Zoning Division, Community and Economic Development Agency, 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 of the Community and Economic Development Agency, 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.

5a	Location: Skyline Boulevard, south of Roberts Park street entrance at AC Transit bus stop Proposal: To install a 22'-4" monopole telecommunications facility.
	<i>On July 21st and August 31, 2011, the Planning Commission reviewed a proposal for a 25' monopole with a wide antenna; the design has since been revised to feature a shorter structure with a slimmer antenna.</i>
	Applicant/ Sharon James / NextG Phone Number: (408) 426-6629
	Owner: City of Oakland
	Case File Number: CM11004
	Planning Permits Required: Major Conditional Use Permit with 2 sets of additional findings to allow a Monopole Telecommunications Facility in the OS Zone
	General Plan: Urban Open Space
	Zoning: OS (RSP) Open Space (Region-Serving Park) Zone
	Environmental Exempt, Section 15303 of the State CEQA Guidelines:
	Determination: New Construction of Small Structures; Section 15183 of the State CEQA Guidelines: Projects Consistent With a Community Plan, General Plan or Zoning
	Historic Status: No Historic Status (vacant portion of public right-of-way)
	Service Delivery District: IV
	City Council District: 4 – Schaaf
	Date Filed: January 11, 2011
	Action to be Taken: Based on staff report
	Finality of Decision: <i>Appealable to City Council within 10 calendar days</i>
	For Further Information: Contact case planner Aubrey Rose at (510) 238-2071 or arose@oaklandnet.com

5. **Location:** 601 Glendome Circle (APN: 024-0607-052-00)
Proposal: To install six (6) telecommunication antennas on an extension to the top of an existing PG&E tower, three (3) antennas to the legs of the tower and associated equipment shelters on the ground below the tower.
Applicant: Verizon Wireless, Charnel James of NSA Wireless
Contact Person/Phone Number: Charnel James /(530)219-1833
Owner: PG& E Co.
Case File Number: CMD09-140
Planning Permits Required: Regular Design Review to install nine (9) telecommunication antennas, and enclosed equipment shelters.
Major Conditional Use Permit for the installation of a Macro telecommunication facility within 100 feet of a residential zone.
General Plan: Detached Unit Residential
Zoning: R-30 One-Family Residential Zone
Environmental Determination: Exempt, Section 15270 of the State CEQA Guidelines; Projects which are Disapproved
Historic Status: No Historic Record
Service Delivery District: 3
City Council District: 5
Status: This item was on the April 20, 2011 agenda, the June 1, 2011 agenda and was continued by the Planning Commission to August 31, 2011 and October 5, 2011 agenda.
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

6. **Location:** 350-370 29th Street (APNs009-007-009-00 through 009-007-013-00)
Proposal: Build 30,000 square foot 36-bay automobile repair garage and parts storage, with over 95 on-site vehicle parking spaces on second (29,000 square foot) open rooftop area, primarily for customer vehicles, supporting off-site existing automobile dealer; combine 5 existing parcels into 1 parcel, on 29th Street between Webster and Summit Streets in Auto Row
Contact Person/Phone Number: Christy Newport, Chatfield Construction (209)333-1818, for Mercedes Benz
Owner: Jules & Geraldine Barsotti
Case File Number: CMD11-164, TPM10059
Planning Permits Required: Conditional Use Permit to allow Automotive and Light Vehicle Repair and Cleaning Commercial Activity; pursuant to Oakland Planning Code Section 17.134; Regular Design Review; Tentative Parcel Map to combine 5 existing parcels into 1 parcel
General Plan: Community Commercial
Zoning: CC-2 Community Commercial Zoning District
Environmental Determination: Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Sections 15315, 15332 and 15183
Historic Status: Vacant parcel; Not a Potential Designated Historic Property
Service Delivery District: 2
City Council District: 3
For Further Information: Contact David Valeska at (510) 238-2075 or dvaleska@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, 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

August 31, 2011

Correspondence

City Council Actions

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.

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: October 19, 2011

*Revised 9-26-11 to add a Director's Report and to add Item #5.a which had been continued at the August 31st meeting to the meeting of October 5th.