



Doug Boxer, Chair
Vien Truong, Vice Chair
Michael Colbruno
Sandra E. Gálvez
Vince Gibbs
C. Blake Huntsman
Madeleine Zayas-Mart

November 3, 2010
Regular Meeting

ROLL CALL

Present: Truong, Colbruno, Gibbs, Zayas-Mart

Excused: Boxer, Galvez, Huntsman

Staff: Eric Angstadt, Catherine Payne,
Christina Ferracane, Ulla Jonsson, Robert
Merkamp, Barry Miller, Patrick Lane, Mark
Wald, Cheryl Dunaway

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Director 's Report has been removed from the agenda. Item #4 has been removed from the agenda.

Commission Matters

Upcoming Holiday period schedule of meetings. Eric Angstadt requested that the Planning Commission approve to reschedule the January 5, 2011 meeting to January 12, 2011 due to the holidays and Mandatory Business Shutdown Days during the last week of December. Planning Commission approved by unanimous vote. Commissioner Zayas-Mart suggested that in the near future there be a Director '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 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.



concerning a type of “green streets” program and for staff to research other cities to see if they have similar programs and how is it implemented in their city.

OPEN FORUM

Speakers: John Gatewood, Sanjiv Handa

CONSENT CALENDAR

Item #s 1, 2 and 3 moved on consent.
Motion given by Colbruno, seconded by Gibbs.
Action on the matter: Approved 4ayes, 0 noes

1.	Location:	55 Santa Clara Avenue (APN: 010-0811-016-02)
	Proposal:	To install a concealed wireless communication facility consisting of 3 panel antennas, 3 internet antennas and 1 utility cabinet inside a new utility penthouse on the rooftop of the three-story commercial facility.
	Applicant/Contact Person	Cortel, LLC-Clearwire, Michelle Weller
	Phone Number:	(925) 997-1312
	Owner:	Solutions Property Management, Peter Brown
	Case File Number:	CMD10-167
	Planning Permits Required:	Major Conditional Use Permit to operate a Macro telecommunication facility in a residential zone; and Regular Design Review for new wireless antennas
	General Plan:	Mixed Housing Type
	Zoning:	R-70 High Density 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:	Not a Potential Designated Historic Property; Survey Rating: F3, Modernized
	Service Delivery District:	2
	City Council District:	3
	Date Filed:	06/21/2010
	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 Mike Rivera , at (510) 238-6417 or by email at mriviera@oaklandnet.com

PLEASE SEE CONSENT CALENDAR



2.	Location:	5000 MacArthur Boulevard (APN: 037A-2701-029-03)
	Proposal:	To install three (3) telecommunication antennas, three (3) internet services exchange point dishes, and one enclosed equipment cabinet at a site with existing antennas.
	Applicant:	Clearwire, Michelle Weller of Cortel, LLC
Contact Person/Phone Number:		Michelle Weller/(925)997-1312
	Owner:	Mills College
	Case File Number:	CMDV10-201
Planning Permits Required:		Regular Design Review to install three (3) telecommunication antennas, three (3) internet services exchange point dishes, and one enclosed equipment cabinet. Major Conditional Use Permit for the installation of a Monopole telecommunication facility within 100 feet of a residential zone. Minor Variance for a Monopole facility (existing) of 77 feet where 45 feet is permitted.
	General Plan:	Institutional
	Zoning:	R-50 Medium Density Residential Zone
Environmental Determination:		Exempt, Section 15301 of the State CEQA Guidelines; minor additions and alterations to existing structures. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	Potential Designated Historic Property; Survey Rating: B +1 +
Service Delivery District:		5
City Council District:		6
	Status:	Pending
	Action to be Taken:	Decision of Application
	Finality of Decision:	Appealable to City Council within 10 calendar days
For Further Information:		Contact case planner Michael Bradley at (510) 238-6935 or by email: mbradley@oaklandnet.com

PLEASE SEE CONSENT CALENDAR



PLEASE NOTE: ITEM NO. #4, BELOW, HAS BEEN REMOVED FROM THIS AGENDA.

4.	Location:	5914 Telegraph Avenue (APN.016-1386-012-03)
	Proposal:	Installation of a wireless telecommunication facility consisting of: eight (8) panel antennas at approximately 66'-2" high above grade and attached to an existing 76'-7" high Monopole with eight (8) existing antennas for total of 16 telecommunication antennas, and 4 accompanying ground mounted equipment cabinets within a chain link enclosure.
	Applicant/Phone Number:	Steven J. Christenson/RS&L Consulting Services (for: T-Mobile Wireless Co.) (530) 368-0730
	Owner:	Crown Castle/Bautista-Emilio
	Case File Number:	CMD10-072
	Planning Permits Required:	Major Conditional Use Permit with special findings to allow co-location on a Monopole Facility within 100' of a Residential Zone (OMC Sec. 17.16.070, 17.128.080(C), 17.134.020(A)(3)(i)); and Regular Design Review with special findings to allow the expansion of a Monopole Facility (OMC Sec. 17.16.030, 17.128.080(B), 17.136.040(A)(10))
	General Plan:	Urban Residential
	Zoning:	C-28 Commercial Shopping District Zone and within 100' of R-35 Special One Family 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:	2
	City Council District:	1
	Date Filed:	August 11 th 2010
	Support/Opposition:	Support: Steven J. Christenson/RS&L Consulting Services (for: T-Mobile Wireless Co.) and Vivek Bhatia Oakland residencee. Opposition: Neighbors: Cory & Megan Borovieka, Nicole M. Aruda, Michael Krajac, Patricia Smith, Carlo & Mary Busby, Tamar Carson, Robert Wiles
	Summary of Planning Commission Action on October 6th 2010:	On October 6, 2010, item #1 on consent calendar; The Planning Commission held a Public Hearing, and the Commission took a straw vote to deny approval, and requested that Planning staff prepare findings for denial of the subject Telecommunication co-location project (CMD10-072).
	Finality of Decision:	Appealable to City Council within 10 calendar days
	For Further Information:	Contact case planner Jason Madani, Planner II at (510) 238-4790 or jsmadani@oaklandnet.com



5.	Location:	Multiple parcels immediately adjacent to the Macarthur BART station; on the west side of Telegraph Avenue between 40th Street and West Macarthur Boulevard (see map)
	Assessors Parcel Numbers	012-0969-053-03, 012-0968-055-01, 012-0967-01, 012-0969-002-00, 012-0969-003-00, 123-0969-053-02, 012-0969-004-00, 012-0968-003-01, 012-0967-009-00, and 012-0967-010-00
	Proposal:	Construct Stage One (1) of the Macarthur Transit Village project (PUD06058), including: a new BART parking garage with 468 parking spaces and 5,200 square feet of ground-floor commercial space; as well as new streets, utilities, and public improvements. Additional application for Vesting Tentative Map for entire site.
	Applicant(s):	West Macarthur Transit Community Partners (MTCP)
	Owner(s):	Art May; (510) 903-2051
	Case File Number(s):	PUDF10-097, TTM8047 (related to PUD06-058)
	Planning Permits Required:	Final Development Permit, Vesting Tentative Map
	General Plan:	Neighborhood Mixed Use
	Zoning:	S-15 Transit-Oriented Development Zone
	Environmental Determination:	An Environmental Impact Report (EIR) was certified in June 2008.
	Historic Status:	There are no Potential Designated Historic Properties located on the project site.
	Service Delivery District:	Service District 2
	City Council District:	1 - Brunner
	Status:	Design Review on May 26, 2010
	Action to be Taken:	Appealable to City Council within 10 calendar days
	Finality of Decision:	NA
	For further information:	Contact case planner Catherine Payne at (510) 238-6168 or by email at cpayne@oaklandnet.com

Staff Member Catherine Payne gave a powerpoint presentation and answered questions asked by the Planning Commission. Planning Commission voted on accepting new information submitted by the applicant. Zayas-Mart motioned to accept, seconded by Colbruno. Planning Commission approved by unanimous vote.

Applicants: Cynthia Parker, Art May, Jeff Ordway gave a presentation and answered questions asked by the Planning Commission.

Speakers: John Gatewood, Jane Kramer, Kwame Nitoto, William Jackson Sr., Sanjiv Handa Planning Commission raised concerns about eminent domain and displacement of businesses due to this proposed project going forward and about the circumstances that led to the City Council having the final decision making capacity as it relates to this project.

Motion for recommendation to City Council for approval of the addendum to the EIR and Planning Entitlements, and also acceptance of the Design Review Guidelines given by Zayas-Mart, seconded by Gibbs. Action on the matter: 4 ayes, 0 noes. Motion by Commissioner Gibbs that the applicant and the Community meet prior to the City Council Action, seconded by Commissioner Colbruno. Action on the matter. Approved: 4 ayes, 0 noes.



6.	Location:	Citywide
	Proposal:	Corrections, Refinements and Clarifications of General Plan Land Use Diagram to Conform to the Intent of the Previously Adopted General Plan
	Applicant:	Planning Commission
	Case File Number:	GP10-264
	Planning Permits Required:	N/A
	General Plan:	Citywide
	Zoning:	Citywide
	Environmental Determination:	Relying on the previously certified Final Environmental Impact Report (EIR) for the Land Use and Transportation Element of the General Plan (ER97-0018).; as a separate and independent basis, this proposal is also exempt under Sections 15061(b)(3), 15183, and/or Section 15273 of the State CEQA Guidelines.
	Service Delivery District:	Citywide
	City Council district:	Citywide
	Date Filed:	October 7, 2010
	Status:	N/A
	Staff Recommendation:	Forward recommendation to City Council.
	For further information:	Contact Christina Ferracane , Strategic Planning at (510) 238-3903 or by email: cferracane@oaklandnet.com

Staff Members Christina Ferracane and Barry Miller gave a powerpoint presentation.

Speakers: Jane Kramer, Sanjiv Handa.

Motion to forward to the City Council for recommendation of approval given by Zayas-Mart, seconded by Colbruno. Action on the matter: 4 ayes, 0 noes.

7.	Location:	Central District Redevelopment Project Area, an approximately 828-acre area in downtown Oakland generally bounded by I-980, Lake Merritt, 27th Street, and the Embarcadero
	Proposal:	Scoping Session for a Draft Environmental Impact Report (DEIR) to receive comments on the contents of the forthcoming DEIR for proposed amendments to the Central District Redevelopment Area Plan.
	Applicant:	City of Oakland Redevelopment Agency
	Contact Person/Phone Number:	Blair Miller, Redevelopment Project Manager (510) 238-2055
	Case File Number:	ER10-0003
	Planning Permits Required:	To Be Determined
	General Plan:	Central Business District, Urban Open Space District, Institutional District, Urban Residential District.
	Estuary Plan:	Off-Price Retail District, Retail Dining Entertainment 1 and 2 Districts, Produce Market District, Mixed Use District, Waterfront Warehouse District, Planned Waterfront Development 1 District.

(Continued on page 8)



(Continued from page 7) Zoning:	CBD-R, Central Business District-Residential Zone, CBD-P, Central Business District-Pedestrian Retail Commercial Zone, CBD-C, Central Business District-General Commercial Zone, CBD-X, Central Business District-Mixed Commercial Zone, S-2, Civic Center Zone, S-4, Design Review Combining Zone, S-7, Preservation Combining Zone, S-12, Residential Parking Combining Zone, S-19, Health and Safety Protection Overlay Zone, OS (SU), Open Space Special Use Park Zone , OS (NP), Open Space Neighborhood Park Zone, OS (RSP), Open Space Region-Serving Park Zone, OS (LP), Open Space Linear Park Zone, OS (RCA), Open Space Resource Conservation Area Zone, C-25, Office Commercial Zone, C-30, District Thoroughfare Commercial Zone, C-40, Community Thoroughfare Commercial Zone, C-45, Community Shopping Commercial Zone, C-55, Central Core Commercial Zone, C-60, City Service Commercial Zone, D-BR, Broadway Retail Frontage Interim Combining District Zone, R-90, Downtown Apartment Residential Zone, M-20, Light Industrial Zone, M-30, General Industrial Zone, CIX-1, Commercial Industrial Mix 1 Zone.
Environmental Determination:	An Environmental Impact Report (EIR) will be prepared for the proposed amendments.
Historic Status:	Redevelopment Project Area includes numerous buildings, districts, sites, and structures that are listed on or eligible for National, California, and Local Registers of Historic Resources and thus are considered CEQA Historic Resources
Service Delivery District:	1, 2, Metro
City Council District:	2, 3
Status:	The Notice of Preparation was published and distributed on October 15, 2010, with comments due no later than November 15, 2010.
Action to be Taken:	Receive public and Commission comments about what information and analysis should be included in the Draft Environmental Impact Report
For Further Information:	Contact case planner Ulla-Britt Jonsson at (510) 238-3322 or by email at ujonsson@oaklandnet.com

Staff Members Ulla Jonsson gave a presentation and answered questions asked by the Planning Commission with the assistance of Patrick Lane

Speakers: Michael Stangl, Sanjiv Handa.

Planning Commission raised concerns about eminent domain and the guidelines staff used and how it relate to future development in the proposed area. Ulla Jonssen and Patrick Lane addressed the Planning Commission's concerns. Comments were heard by the Planning Commission and the public about what information should be included in the draft Environmental Impact Report. No action taken.

APPEALS

No appeals

Approval of Minutes:

No approval of minutes



OPEN FORUM

Sanjiv Handa

ADJOURNMENT

Meeting adjourned at approximately 8:15 P.M.

SCOTT MILLER
Zoning Manager
Planning and Zoning Division

NEXT REGULAR MEETING:

November 17, 2010