



Oakland City Planning Commission

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

AGENDA
November 16, 2011
Special Meeting

ALL MATTERS FROM THE REGULAR NOVEMBER 2, 2011 AGENDA HAVE BEEN MOVED TO THIS SPECIAL MEETING; HOWEVER, THE REPORTS AND DATES HAVE NOT CHANGED. NOTE CHANGE IN STARTING TIME. THE REGULAR NOVEMBER 16TH MEETING WILL OCCUR AFTER THIS SPECIAL MEETING.

MEAL GATHERING 5:00 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.)

SPECIAL BUSINESS MEETING 5:59 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 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.



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

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.**

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 Status Report on the Mills Act Contract Application Selection

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.

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| 1. | Location: 1547 Lakeside Drive (SCOTTISH RITE TEMPLE)
(rear side facing parking lot on Madison Street) (APN: 008 -0630-008-01) |
| | Proposal: To construct a wireless telecommunications facility on the rear side of the building consisting of two antenna enclosures on upper ledges painted to match the color of the building (equipment cabinets would be located inside the building). |
| | Applicant/ Gordon Bell / Cortel |
| | Phone Number: (530) 647-1932 |
| | Owner: Scottish Rite Temple |
| | Case File Number: CMD11051 |
| | Planning Permits Required: Major Conditional Use Permit with additional telecommunications findings to construct a Macro Telecommunications Facility within a residential zone;
Regular Design Review (non-residential) with additional findings to allow construction of Macro telecommunications facilities and alterations to Designated Historic Properties located in the Central Business District |

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The Landmarks Preservation Advisory Board reviewed the proposal on October 17, 2011



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General Plan: Central Business District
Zoning: CBD-R Central Business District – Residential Zone
Environmental Determination: Exempt, Section 15301 of the State CEQA Guidelines:
Existing Facilities;
Exempt, Section 15331 of the State CEQA Guidelines Historical
Resource Restoration/Rehabilitation;
Section 15183 of the State CEQA Guidelines:
Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status: Designated Historic Property; Survey rating: A1+ (API contributor,
highest importance)
Service Delivery District: Metro
City Council District: 3
Date Filed: March 24, 2011
Action to be Taken: Based on staff report
Finality of Decision: Appealable to City Council within 10 Days
For Further Information: Contact case planner **Aubrey Rose, Planner II** at (510) 238-2071 or
arose@oaklandnet.com

2. **Location:** **3645 Grand Avenue APN: (010 -0835-021-01)**
Request for a Major Conditional Use Permit and Design Review for
the modification to an existing unmanned telecommunications facility.
Proposal: Project will replace two existing antennas with two new antennas,
adding two additional antennas (total of 4 antennas), one GPS antenna
four new RRU's located on the roof of the Piedmont Exec building.
Applicant: Kat Webber for AT&T
Contact Person/ Phone Number: Kat Webber
(517) 204-5115
Owner: Mary Jean Craft (Trustee Under Declaration of Trust)
Case File Number: **CMD11-167**
Planning Permits Required: Major Conditional Use Permit to modify an existing wireless
telecommunication mini facility and Regular Design Review to
replace two (2) existing antennas with two (2) new antennas and add
two (2) new antennas (total of 4 antennas on site) within a new
rooftop enclosures and a new equipment cabinet inside the building
at the garage level.
General Plan: Neighborhood Center Commercial
Zoning: CN-3 Neighborhood Center Commercial 3 Zone
Environmental Determination: Exempt, Section 15303 of the State CEQA Guidelines; new
construction of small structures, 15301 existing facilities; 15183
Projects consistent with the General Plan or Zoning.
Historic Status: Not Potential Designated Historic Property (PDHP); Survey rating:
Service Delivery District: 3
City Council District: II
Date Filed: 08/29/11
Finality of Decision: Appealable to City Council
For Further Information: Contact case planner **Jose M. Herrera-Preza** at (510) 238-3808 or
jherrera@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.

3.	Location:	3705 Foothill Boulevard (APN: 033 -2135-026-02)
	Proposal:	Renovation of Cesar Chavez Park: includes the installation of new tot lot, basketball court, walkways, soccer field, community garden area, restroom, incorporate native landscaping and trees and athletic field lighting inside a neighborhood park.
	Applicant:	Denise Louie
	Contact Person/ Phone	Denise Louie
	Number:	(510) 238-3682
	Owner:	City of Oakland
	Case File Number:	VM11-184/CU11-138/CP11-090/T1100047
	Planning Permits Required:	Major Variance for the Installation of athletic field lighting inside a neighborhood park. Minor Conditional Use Permit to renovate Cesar Chavez park, Category III creek permit and tree permit for the removal of 12 trees, will replant 29 trees.
	General Plan:	Urban Residential / Mixed Housing Type Residential
	Zoning:	OS – Open Space NP (Neighborhood Park)
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	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines; Minor Alterations to existing facilities; 15183 Projects consistent with the General Plan or Zoning.



Historic Status:	Not Potential Designated Historic Property (PDHP); Survey rating:
Service Delivery District:	4
City Council District:	V
Date Filed:	04/07/11
Finality of Decision:	Appealable to City Council within 10 Days
For Further Information:	Contact case planner Jose M. Herrera-Preza at (510) 238-3808 or jherrera@oaklandnet.com

4.	Location:	1800 San Pablo Avenue (APN: 008-0642-018)
	Project Title:	1800 San Pablo Avenue Project
	Proposal:	Redevelopment of a surface parking lot with a project including approximately 120,000 square feet of commercial space, 100 multi-family residential units, and up to 309 parking spaces
	Applicant:	Sunfield Development
	Contact Person/Phone Number:	Peter Lezak/510-452-5555
	Owner:	City of Oakland Redevelopment Agency
	Case File Numbers:	CMD11-136, ER11-0014
	Planning Permits Required:	Major Conditional Use Permit, Design Review
	General Plan:	Central Business District
	Applicable Zoning:	Central Business District Mixed Commercial Zone (CBD-X)
	Environmental Determination:	A Supplemental Environmental Impact Report (EIR) will be prepared. A revised Notice of Preparation of an EIR will be published on October 18, 2011. The public comment period on the Notice of Preparation ends on November 17, 2011.
	Historic Status:	N/A
	Service Delivery District:	Metro Downtown
	City Council District:	3
	Date Filed:	July 13, 2011
	Status:	Pending
	Action to Be Taken:	Comments on the scope of the Supplemental EIR. No decisions will be made on the project at this hearing.
	Staff Recommendation:	Take public testimony concerning the scope of the Supplemental EIR and provide direction to staff.
	For Further Information:	Contact the case planner, Lynn Warner , at (510) 238-6983 or by email at lwarnar@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.



NEXT REGULAR MEETING: November 16, 2011