



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

December 19, 2012
Regular Meeting

ROLL CALL

Present: Huntsman, Pattillo, Colbruno Coleman, Moore, Whales.

Excused: Truong.

Staff: Robert Merkamp, Aubrey Rose, Heather Lee, Cheryl Dunaway.

WELCOME BY THE CHAIR

Committee Reports

Vice Chair Pattillo announced that she attended a Chamber of Commerce presentation on the West Oakland Specific Plan which was a very interesting presentation. We should all look forward to having a presentation here soon.

Commissioner Colbruno commented on a project the Planning Commission approved a few years ago at 1100 Broadway, it was brought before the City Council last night on consent which was the headquarters at Metropolitan Transportation Commission (MTC).

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.



Commission Matters

Staff Member Robert Merkamp gave a brief status report on 3 Planning Commission items that the City Council heard at their meeting last night. The first item was the College Avenue Safeway which was approved after successful negotiations between the parties. The Dog Park Project was brought before the City Council last night and the vote was deadlocked at 4 to 4 so, the item will return to the City Council at a future meeting with the intent to resolve the deadlocked vote. Meanwhile, the City may be looking at alternative locations for the Dog Park. Last item was the Telecom pole on Thornhill Road that was brought before the Planning Commission in approximately, August 2012 was appealed based on health and safety concerns, and denied with the condition that additional testing and monitoring in the surrounding residential neighborhood be done.

Chair Huntsman announced that he will complete his assignment of committee members at one of the Planning Commission Meetings in January 2013 after he has had the opportunity to discuss this with all of the Planning Commissioners.



1.	Location:	5329-5345 Foothill Boulevard (APN: 035-2389-017-03)
	Proposal:	To replace three (3) existing telecommunication antennas, with three (3) new antennas at a site with 40 existing telecommunication antennas.
	Applicant:	Metro PCS, Maryann Miller Novak
Contact Person/Phone Number:		Maryann Miller Novak /(510)919-3224
	Owner:	Fairfax Lighthouse Deliverance Center
	Case File Number:	CMD11-191
Planning Permits Required:		Regular Design Review to install three (3) telecommunication antennas, within an enclosed faux chimney on the roof of an existing building. Major Conditional Use Permit for the installation of a Macro telecommunication facility within 100 feet of a residential zone.
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	CN-3 Neighborhood Center -3
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 +2 +
Service Delivery District:		5
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

Chair Huntsman, Vice Chair Pattillo, Commissioner Colbruno, Commissioner Coleman and Commissioner Moore raised questions on whether the number of antennas are limited by Design Review criteria, the possible cumulative effect of the number of antennas on the site and whether a map of all known antenna sites could be provided. Zoning Manager Robert Merkamp responded to these questions.

Commissioner Colbruno made a motion to approve, seconded by Vice Chair Pattillo.

Action on the matter: Approved 6 ayes, 0 noes.



PUBLIC HEARINGS

2.	Location:	1035-1045 22 nd Avenue (2 buildings at 1001 22 nd Avenue)
	Assessor' s Parcel Number:	019 -0048-004-00
	Proposal:	To convert two adjoined warehouses with on-site surface parking into 26 live-work units.
		(A pending application would subdivide the land, buildings, and parking into a new parcel)
	Applicant /	Jeff Wilcox
	Phone Number:	(925) 890-6199
	Owner:	Wilcox Embarcadero Associates
	Case File Number:	CM12234
	Planning Permits Required:	Major Conditional Use Permit to allow a nonresidential use exceeding 25,000 square feet in floor area to establish in a zone that prohibits residential use; Additional findings for Joint Living and Working Quarters + Infill Development Projects
	General Plan:	Estuary Plan: Light Industry 2
	Zoning:	M-40 Heavy Industrial Zone/ S-4 Design Review Combining Zone
	Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines: Infill Development Projects; Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	NA
	Service Delivery District:	III
	City Council District:	5
	Date Filed:	September 13, 2012 / November 21, 2012
	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, AICP, Planner II at (510) 238-2071 or arose@oaklandnet.com

Commissioner Colbruno recused himself from hearing this item.

Staff Member Aubrey Rose gave a presentation.

Applicant: Jeff Wilcox gave a presentation and answered questions asked by the Planning Commission.

Commissioner Moore asked for clarification on if the property overall has adequate parking combined. Staff Member Aubrey Rose responded to the questions.

Speakers: Jeffrey Mc Grew, Kris Lopez, Denise Lopez-Atherton.

Planning Commission Questions, Comments and Concerns:

Commissioner Moore stated that he likes this project proposal and knows this area and some of the architects housed in the adjacent building. That building may have more parking challenges than the proposed project site which concerns him. Aside from that, he feels that this is a good project which is very well needed in this area.



Commissioner Coleman stated that the floor plan looks a little grim, but this project is a great use for the existing warehouse. He has no objections about approving this project.

Commissioner Whales stated that she strongly likes this project proposal and would like to entertain a motion for a vote.

Vice Chair Pattillo likes the fact that it is one of Oakland's historic buildings, and she also likes this project proposal.

Chair Huntsman stated that this is a great usage for this building and to see it vacant for so long was quite painful. He stated that the entire area is a great place for any business to open, and really likes the live/work spaces in that area. He is looking forward to seeing this project activated and is in support of an approval vote.

Commissioner Moore made a motion to approve, seconded by Commissioner Coleman.

Action on the matter: Approved 5 ayes, 0 noes.

*****ITEM #3 WAS HEARD BEFORE ITEM #2*****

3.	Location:	2205 Telegraph Avenue
	Assessors Parcel Numbers:	APN 008-0660-003-05 / 052-01
	Proposal:	Demolition of an existing building, rebuild a new slightly larger commercial building with a new design to accommodate the existing fast-food restaurant "Taco Bell".
	Applicant:	Richard Low / Dolan Foster Enterprises LLC
	Contact Person/ Phone Number:	Richard Low (925) 978-3977
	Owner:	David & Lisa Leung
	Case File Number:	CMDV12-171
	Planning Permits Required:	Requesting a Major Conditional Use Permit for the expansion of a legal non-conforming Fast Food restaurant containing a Drive thru facility and Regular Design Review for an existing Fast Food Restaurant Commercial Activity (Taco Bell) to a) expand the building from 1,683 square feet to 2,558 square feet (875 square feet added); b) relocate the building on the site and modify the architectural design; c) replace all building and site signage; d) minor variance to allow new building height at 23' where 45' is the height minimum for new construction..
	General Plan:	Central Business District
	Zoning:	CBD-C Central Business District Commercial 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: X
	Service Delivery District:	Metro
	City Council District:	III
	Date Filed:	4/11/12
	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



Staff Member Jose Herrera-Preza gave a presentation.

Applicant: Richard Low gave a presentation and answered questions asked by the Planning Commission.

Speakers: Peter Birkholz, Daniel Schulman, Max Allstadt.

Commissioner Colbruno asked about the lack of frontage of the replacement building on Telegraph Avenue.

Staff Member Jose Herrera-Preza responded and explained that due to comments from the Traffic Division, it was decided to keep the building in the same location for better traffic circulation with the drive through and the road.

Planning Commission Questions, Comments and Concerns:

Commissioner Moore stated that he clearly saw where staff has been trying to get the applicant to move the building towards the street. The applicants have been in this particular building for quite a while, although it could be a lot better than it is now, it is an improvement of how it looked before.

Commissioner Coleman stated that he is reluctant to say that this building shouldn't be there when there is an existing business already there.

Commissioner Whales stated that she went to view the site and couldn't see where the U.S. Postal trucks were being parked on the other side of Taco Bell which doesn't seem to pose a problem with the circulation on that lot. She is fine with design, height and size of the building.

Commissioner Colbruno would like for this project proposal to be brought before the Design Review Committee (DRC) to discuss on how to improve on the design.

Vice Chair Pattillo stated that she doesn't feel strongly about this project proposal one way or the other. She had difficulty correlating the various drawings in which she noticed a door at the south elevation that appears you would have to walk through the planter to get to it. She drove by the site and stated that it was immaculate. She feels this is a good restaurant operator who keeps up with the maintenance of the property very well. She compared the facilities to the Douglas Parking Lot where she has parked her vehicle for the past 9 years and stated that they never cleaned that parking lot during the entire time she has parked there. She recommended that, since the Magnolia tree lost its top and now looks like a bush, replace that tree with two Magnolia trees, and add a third one somewhere near the front of the building. She isn't discounting the speaker's objections, she is inclined to support an approval vote.

Chair Huntsman stated that he isn't very excited about the design, but he doesn't oppose it. However, he does oppose violating traffic laws, but he is in support of this project overall.



Staff Members Jose Herrera- Preza and Robert Merkamp responded to Chair Huntsman statement on traffic violations.

Vice Chair Pattillo made a motion to approve, seconded by Commissioner Moore.

Action on the matter: Approved 6 ayes, 0 noes.

COMMISSION BUSINESS

Staff Member Robert Merkamp addressed the Planning Commission about having a joint meeting between the Planning Commission and the Landmarks Advisory Board to discuss the Lake Merritt Station Area Plan.

ADJOURNMENT

Meeting adjourned at approximately 6:57 P.M.

ROBERT MERKAMP
Zoning Manager
Planning and Zoning Division

NEXT REGULAR MEETING: January 9, 2013