



Chris Pattillo, Chair
Jim Moore, Vice Chair
Jahaziel Bonilla
Michael Coleman
Jahmese Myres
Adhi Nagraj
Emily Weinstein

April 15, 2015
Regular Meeting

Revised 04-07-15 *(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.

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

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**

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.

PLEASE NOTE: ITEM NO. 1 BELOW HAS BEEN REMOVED FROM THIS AGENDA.

1.	Location:	0 Skyline Boulevard (located in the Public Right of Way adjacent to 10648 Skyline Boulevard) (APN: 29-1200-007-03)
	Proposal:	Installation of a wireless telecommunication facility on a new 45' wood pole; two panel Kathrein antennas mounted at approximately at 35'-10" pole height; and associated equipment box (6' tall by 18" wide); one battery backup, and one meter box attached to the new pole, at a height of between 7' to 9' above ground located in public right of way.
	Applicant:	Yergovich & Associates, LLC / Matthew Yergovich
	Contact Person/Phone Number:	Matthew Yergovich (415) 596-3474
	Owner:	New Cingular Wireless PCS, LLC (d/b/a AT&T Mobility)
	Case File Number:	PLN14053
	Planning Permits Required:	Major Regular Design Review to install a wireless Telecommunication Facility on a new pole located in public right of away within the open space zone.
	General Plan:	Hillside Residential
	Zoning:	OS (RCA) Open Space Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines; alterations to existing facilities; 15183 Projects consistent with the General Plan or Zoning.
	Historic Status:	Not A Potential Designated Historic Property (PDHP); Survey rating:
	Service Delivery District:	IV
	City Council District:	4
	Date Filed:	3/11/14
	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



PLEASE NOTE: ITEM NO. 2 BELOW HAS BEEN REMOVED FROM THIS AGENDA.

2.	Location:	0 Skyline Boulevard (located in the Public Right of Way adjacent to 10648 Skyline Boulevard) (APN: 029-1200-007-03)
	Proposal:	Installation of a wireless telecommunication facility on a new 45' wood pole; two panel Kathrein antennas mounted at approximately at 37' pole height; and associated equipment box (6' tall by 18" wide); one battery backup, and one meter box attached to the new pole, at a height of between 7' to 9' above ground located in public right of way.
	Applicant:	Yergovich & Associates, LLC / Matthew Yergovich
	Contact Person/ Phone Number:	Matthew Yergovich (415) 596-3474
	Owner:	New Cingular Wireless PCS, LLC (d/b/a AT&T Mobility)
	Case File Number:	PLN14054
	Planning Permits Required:	Major Regular Design Review to install a wireless Telecommunication Facility on a new pole located in public right of away within the open space zone.
	General Plan:	Hillside Residential
	Zoning:	OS (RCA) Open Space Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines; alterations to existing facilities; 15183 Projects consistent with the General Plan or Zoning.
	Historic Status:	Not A Potential Designated Historic Property (PDHP); Survey rating:
	Service Delivery District:	IV
	City Council District:	4
	Date Filed:	3/11/14
	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

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.

3.

Location: 532 39th Street (APNs: 012-0969-053-05 and 012-0968-055-03)

Proposal: Construct Phases 3 and 4 of the MacArthur Station Project which includes: (1) Development of Block A with either: 287 residential units, 22,287 square feet of ground-floor commercial space and 254 parking spaces or 292 residential units, 33,983 square feet of ground-floor commercial space, which may include a 22,085-square-foot grocery store, and 355 parking spaces; and (2) Development of Block C1 with 96 residential units, 1,202 square feet of ground-floor commercial space, and 70 parking spaces. The applicant currently seeks approval of a Final Development Plan for the project, as well as a Minor Variance for reducing required off-street loading berths and regular design review for new construction.

Applicant: Joe McCarthy / BRIDGE Housing Corporation

Phone Number: 415-321-3553

Property Owner: MacArthur Transit Community Partners, LLC

Case File Number(s): PUDF08/ER01

Planning Permits Required: Final Development Plan for Phases 3 and 4 of the MacArthur Station Project; Minor Variance for off-street loading berths proposing one to be on-street when off-street required; Regular Design Review for new construction.

General Plan: Neighborhood Center Mixed Use

Zoning: S-15 Transit-Oriented Development Zone

Environmental Determination: An Environmental Impact Report (EIR) was certified in June 2008. Pursuant to Sections 15162-15164 of the CEQA Guidelines, no additional environmental review is necessary as described in the CEQA Addendum Memorandum.

Property Historic Status: There are no Potential Designated Historic Properties located on the project site.

Service Delivery District: 2

City Council District: 1

Date Filed: October 16, 2014 (revised plans received on March 23, 2015)

Action to be Taken: Recommendation to the City Council.

Finality of Decision: N/A; Recommendation to City Council.

For Further Information: Contact the case planner, Elois A. Thornton at (510) 238-6284, or by e-mail at eathorton@oaklandnet.com



- 4.
- Location:** CITYWIDE
- Proposal:** Pursuant to California Government Code section 65400, the City has prepared a report on the progress made by the City on policies adopted in the 2007-2014 Housing Element for the year 2014.
- Applicant:** City of Oakland
- General Plan:** All General Plan Categories
- Zoning:** All Zoning Categories
- Environmental Determination:** An EIR was prepared for the 2007-2014 Housing Element (SCH# 209092065) and an Addendum to the Previous CEQA Documents was prepared for the 2015-2023 Housing Element; Public Resources Code section 21083.3; and CEQA Guidelines section 15183
- Historic Status:** Each District
- Service Delivery Districts:** Each District
- City Council Districts:** Each District
- Commission Action to Be Taken:** Request for input from Planning Commission; forward to City Council
- For Further Information:** Contact case planner at (510) 238-3362 or by email: aparker@oaklandnet.com.

- 5.
- Location:** CITYWIDE
- Proposal:** To expand and create new Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs) in the City of Oakland.
- Applicant:** City of Oakland
- General Plan:** Various
- Zoning:** Various
- Environmental Determination:** The proposal relies on the previously certified Environmental Impact Reports (EIRs) for the Land Use and Transportation Element of the General Plan; the Historic Preservation Element of the General Plan; the 2015-2023 Housing Element; various Redevelopment Plans; the West Oakland, Lake Merritt Station Area, Broadway-Valdez, and Central Estuary Specific Plans; and the Plan Bay Area. On a separate and independent basis, the proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15307 (Actions by Regulatory Agencies for Protection of Natural Resources); 15308 (Actions by Regulatory Agencies for Protection of the Environment); and/or 15061(b)(3) (the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment.)
- Service Delivery District:** Each District
- City Council District:** Each District
- Status:** Pending
- Action to be Taken:** Recommendation to the City Council
- For Further Information:** Contact case planner at (510) 238-3878 or by email: ngray@oaklandnet.com.

6. **Location:** 960 Arlington Avenue, (APN: 015-1296-001-02)
Proposal: To install a wireless telecommunications facility involving eight (8) antennas with associated equipment concealed within two (2) screen enclosures located on the roof and four (4) associated equipment cabinets located inside of two-story commercial/industrial building.
Applicant: Complete Wireless Consulting for Verizon Wireless.
Contact Person/Phone Number: Maria Kim (916)247-6087
Owner: Thomas Mcelroy
Case File Number: PLN15-006
Planning Permits Required: Major Conditional Use Permit and Regular Design Review to install a Macro Telecommunications Facility located in the Housing Business Mix Commercial Zone
General Plan: Housing Business Mix Commercial Zone.
Zoning: HBX-1 Housing Business Mix Commercial Zone
Environmental Determination: Exempt, Section 15301 and 15303 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: Not a Potential Designated Historic Property; Survey Rating: N/A
Service Delivery District: 2
City Council District: 1
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.



7. **Location:** 2302 Valdez Street
(APN's: 008-0669-009-00; -010-00; -012-00; -013-00; -014-00; -015-00; -016-00 & -017-00)
- Proposal:** Proposal to demolish two existing buildings and an auto fee parking lot to construct a new mixed use building of six stories plus basement containing 196 dwelling units and approximately 31,500 square feet of ground floor and mezzanine retail space fronting on Valdez Street. The project includes two separate auto garages with 122 residential parking stalls (137 with tandem stalls) and 60 commercial parking stalls.
- Applicant:** WP West Acquisitions, LLC
- Contact Person/Phone Number:** Brian Pianca, 415-888-8537
- Owner:** West Coast Property Management / Charles Greenlaw
- Case File Number:** PLN14-340
- Planning Permits Required:** Regular Design Review for New Construction;
Major Conditional Use Permits for exception to the minimum retail requirement for Broadway-Valdez District Priority Site 5A of 45,905 square feet (31,500 sq. ft. proposed) to allow residential uses and increased height limit; Minor Variance for off-street loading berths (4 required: 1 proposed); and, Vesting Tentative Parcel Map for new condominiums.
- General Plan:** Central Business District
- Zoning:** D-BV-1, Broadway Valdez District Retail Priority Sites Commercial Zone
- Environmental Determination:** A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions:
15183 - Projects consistent with a community plan, general plan, or zoning;
15183.3 - Streamlining for in-fill projects; and/or
15164 - Addendum to the 2014 certified Broadway Valdez District Specific Plan EIR;
Each of which provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2nd Floor or on-line at
<http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>
- Historic Status:** Potentially Designated Historic Property (PDHP) – 2342 Valdez Street;
Rating: C3
- Planning District:** Metro
- City Council District:** 3
- Status:** Pending
- Action to be Taken:** Decision on application based on Staff Report
- Finality of Decision:** Appealable to City Council
- For Further Information:** Contact case planner Peterson Z. Vollmann at (510) 238-6167 or by email: pvollmann@oaklandnet.com.



8.

Location: Oak Knoll Mixed Use Community Plan Project

The project is located on the former Oak Knoll Naval Medical Center Property at 8750 Mountain Boulevard and is bounded by Keller Avenue and Mountain Boulevard. APNs: 043A-4675-003-21, 043A-4712-001 (portion), 043A-4675-003-19, 043A-4675-003-16, 043A4678-003-17 (roadway easement), 043A-4675-003-30 (roadway easement) 048 -6865-002-01, and 043A-4675-74-01.

Proposal: Conduct a Scoping Session for a revised Supplemental Environmental Impact Report to receive comments regarding the information, analysis and potential impacts associated with the Oak Knoll Mixed Use Community Plan Project. The Project proposes a mixed-use residential community of approximately a) 935 residential units of varying types, b) 72,000 sq. ft. of neighborhood commercial use and c) approximately 77 acres of open space and recreation areas, including an improved creek corridor. The Sea West Federal Credit Union and Seneca Center located in the middle of the Project site are not considered part of the Project.

Background

In 1996, the Naval Medical Center Oakland property was subject to a Final Reuse Plan that presented five land use alternatives for the reuse of the property. The Maximum Capacity Alternative within the Final Reuse Plan included a) 584 residential units, b) 400, 000 sq. ft. of commercial space, and c) 32 acres of open space. The Maximum Capacity Alternative was approved by the Oakland City Council as the preferred alternative

In 2005, SunCal Oak Knoll, LLC proposed the "former Oak Knoll Project" which included a) 960 residential units, 82,000 sq. ft. of commercial space and 53 acres of open space. The "former Oak Knoll Project" was not approved. The current proposal is modified version of the 2005 "former Oak Knoll Project." Major changes from that proposal include the addition of the 15 acre abutting property to the south and the demolition of the Oak Knoll Golf and Country Club (known as Club Knoll)

Applicant: Oak Knoll Venture Acquisitions, LCC (previously SunCal Oak Knoll, LLC), Sam Veltri

Phone Number: (949)705-8786

Owner: Oak Knoll Venture Acquisitions, LCC and the City of Oakland

Case File Number: ER15-004

Planning Permits Required: Rezoning, Planned Unit Development , Preliminary Development Plan, Tentative Tract Map, and possible other discretionary permits and/or approvals

General Plan: Hillside Residential, Community Commercial, Institutional, Urban Open Space and Resource Conservation Area

Zoning: RH-3, Hillside Residential Zone -3 and RH-4 Hillside Residential Zone -4

Environmental Determination: A revised Supplemental Environmental Impact Report (SEIR) is being prepared under the California Environmental Quality Act (CEQA).

Background

In 1998, the Oakland City Council certified the Environmental Impact Statement /Environmental Impact Report (EIS/EIR) for the Disposal and Reuse of the Naval Medical Center Oakland and Final Reuse Plan including the Maximum Capacity Alternative. A 2006 Initial Study and 2007 Draft SEIR was prepared and circulated for the "former Oak Knoll Project." No Final SEIR was certified. Because Oak Knoll Mixed Use Community Plan Project may result in new or substantially more severe impacts than the "former Oak Knoll Project" analyzed in 2007, the City is preparing a revised SEIR.

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Historic Status: The Oakland Cultural Heritage Survey rates Club Knoll as a Potential Designated Historic Property (PDHP) with a rating of B+3. The Landmarks Preservation Advisory Board (LPAB) found it eligible for Landmark status with an A rating in June of 1995 and placed it on the Preservation Study List. Club Knoll is therefore considered a CEQA historic resource.

Service Delivery District: 4

City Council District: 7

Status: A Notice of Preparation for an revised SEIR was published and distributed on March 20, 2015. The comment period began March 23, 2015 and written public comments are due no later than April 21, 2015.

Actions to be Taken: Receive public and Planning Commission comments on the information and analysis to include in the revised SEIR.

For Further Information: Contact **Robert Merkamp, Development Planning Manager** at (510) 238-6283 or rmerkamp@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.

COMMISSION BUSINESS

Approval of Minutes


March 4, 2015

Correspondence

City Council Actions

ADJOURNMENT

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


ROBERT MERKAMP
Development Planning Manager
Planning and Zoning Division

NEXT MEETING: May 6, 2015

*Revised 04-07-15 to indicate Item #1 and Item #2 (0 Skyline Boulevard) has been removed.