



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

January 20, 2010
Regular Meeting

ROLL CALL

Present: Huntsman, Boxer, Colbruno, Galvez (6:30 arrival), Gibbs, Truong, Zayas-Mart

Staff: Eric Angstadt, Scott Miller, Alisa Shen, Leigh McCullen, Mark Wald, Gary Patton, Scott Gregory (contract planner)

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

The district Council office for Item #2 (1305 Everett Avenue) has requested a continuance. The applicant, Michelle Weller, questioned the reason for a continuance and expressed displeasure. Upon motion by Commissioner Colbruno, second by Gibbs, the Commissioners voted 6-0 to continue Item #2 until February 17, 2010.

Director's Report

Committee Reports

Scott Miller gave a brief update of upcoming Committee meetings;

Commission Matters

Commissioner Colbruno congratulated former Commissioner Michael Lighty on his selection and confirmation to the Port Board of Commissioners; Also, Commissioner Colbruno requested that a joint meeting of the Commission's Design

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.



Review Committee and the Landmarks Preservation Advisory Board be arranged to discuss materials and design;

OPEN FORUM

Speakers: Rachele Huennekens, Humberto Villa, Suzanne Loosen, Sanjiv Handa

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.	<p>Location: 5329-5345 Foothill Boulevard (APN: 035-2389-017-03)</p> <p>Proposal: To install 12 concealed telecommunication antennas, and an enclosed equipment cabinet area at a site with 25 existing antennas for a total of 37 telecommunication antennas.</p> <p>Applicant: AT&T Mobility c/o Black Dot Wireless</p> <p>Contact Person/Phone Number: Tiffany Scalia / (916)441-4259</p> <p>Owner: Fairfax Lighthouse Deliverance Center</p> <p>Case File Number: CMD09-0204</p> <p>Planning Permits Required: Regular Design Review to install 12 concealed telecommunication antennas and an enclosed equipment cabinet area. Major Conditional Use Permit for the installation of a Macro telecommunication facility within 100 feet of a residential zone.</p> <p>General Plan: Neighborhood Center Mixed Use</p> <p>Zoning: C-30 District Thoroughfare Commercial Zone S-4 Design Review Combining Zone R-70 High Density Residential Zone</p> <p>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.</p> <p>Historic Status: Potential Designated Historic Property; Survey Rating: Cb+2+</p> <p>Service Delivery District: 5</p> <p>City Council District: 4</p> <p>Status: Pending</p> <p>Action to be Taken: Decision of Application</p> <p>Finality of Decision: Appealable to City Council</p> <p>For Further Information: Contact case planner Michael Bradley at (510) 238-6935 or by email: mbradley@oaklandnet.com</p>
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Commissioner Galvez arrived at 6:30. No presentation was made. Mr. Miller offered to answer any questions from the Commissioners.

Speaker: Sanjiv Handa;

Motion to approve as per staff recommendation by Zayas-mart, seconded by Truong.

Action on the Matter: Approved with 7 ayes, 0 noes.



2.	Location:	1305 Everett Avenue (APN: 024 -0544-001-00)
	Proposal:	Request for a Major Conditional Use Permit for a new wireless telecommunication facility (mini) and Regular Design Review to install (5) antennas on the parapet wall on the roof of a residential building.
	Applicant:	Clearwire Corp.
	Contact Person/ Phone Number:	Michelle Weller (925) 997-1312
	Owner:	Abe Naiditch
	Case File Number:	CMD09-219
	Planning Permits Required:	Conditional Use Permit to install a new wireless telecommunication mini facility and Regular Design Review to install (3) panel antennas, (2) microwave antennas and including a new enclosed equipment cabinet located inside a detached garage.
	General Plan:	Detached Unit Residential
	Zoning:	R-50 Medium Density Residential 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:	3
	City Council District:	5
	Date Filed:	10/19/09
	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

Pursuant to Agenda Discussion and vote, Item #2 was continued to February 17, 2010.



3.	<p>Location: Central Estuary Plan area: bounded by 19th Avenue to the north, 54th Avenue to the south, I-880 to the east and the Bay to the west.</p> <p>Proposal: The City of Oakland is creating a Specific Plan and environmental document for the Oakland Central Estuary Plan Area. Stakeholders, including property owners, businesses owners and residents, have participated in a series of six community workshops, and have developed a draft preferred land use alternative which will form the basis of the Specific Plan for the area. Staff will present an overview of the public participation process, the area’s existing conditions, and alternatives development including land use and urban design, transportation, infrastructure, economics, demographics, public health and sustainability. Planning Commissioners and citizen feedback will be incorporated into the development of the Specific Plan.</p> <p>This is a continuation of a discussion item that was on the December 16 Planning Commission agenda. At the request of the Commission, this item is being brought back for discussion and recommendation.</p> <p>Applicant: City Planning Commission</p> <p>Planning Permits Required: N/A</p> <p>General Plan: LI-2- Light Industrial (Brooklyn Basin); PWD-2- Planned Waterfront Development (Con Agra, Lone Star, Ready Mix); RMU-1- Residential Mixed Use (Kennedy Tract Waterfront); HI-1- Heavy Industrial (Owens-Brockway); GC-1- General Commercial (42nd/ High/ Super K-Mart); LI-3- Light Industrial (East of High St. North of Tidewater St.); PWD-3- Planned Waterfront District (East of High St./ South of Tidewater); WCR-2- Waterfront Commercial (Embarcadero Cove/Union Point)</p> <p>Zoning: M-40, S-4, HBX-3,</p> <p>Environmental Determination: An EIR will be prepared as part of this plan.</p> <p>Historic Status: The Central Business District contains several Areas of Primary Importance (APIs), Areas of Secondary Importance (ASIs), landmark properties, and other historically rated properties.</p> <p>Service Delivery District: 4 & 5</p> <p>City Council District: 5</p> <p>Status: Ongoing</p> <p>Action to be Taken: Recommendations to City Council</p> <p>Finality of Decision: N/A</p> <p>For Further Information: Contact case planner Alisa Shen at (510) 238-2166 or by email: ashen@oaklandnet.com</p>
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Eric Angstadt and Tim Rood, consultant, gave the presentation.

Speakers: John Sutter, Joe DeCredico, Sandra Threlfall, Bob Lawlor, Marcus Swinford, Darin Lounds, Naomi Schiff, Terri Nohr, Toby Anderson, Kirk Peterson, Mike Bishop, Shawn Rowland, Scott Peterson, Sanjiv Handa;



After extensive Commission discussion, a Motion was made to recommend this proceed on to Council with the staff preferred alternative, with an amendment to include additional review of an alternative preserving more industrial land as part of the EIR in the Owens-Brockway and south of Tidewater areas and to also consider inclusion of community benefits as part of future development of the area. Motion by Colbruno, seconded by Zayas-Mart, amended and restated by Zayas-Mart and seconded (accepted) by Colbruno.

Action on the Matter: Recommended to Council with 7 ayes, 0 noes;

PLEASE NOTE: ITEM #4, BELOW, HAS BEEN REMOVED FROM THIS AGENDA.

4.	Location:	2417 M. L. King Jr. Way (APN: 008-0677-001-00)
	Proposal:	To rebuild the minipark at 25 th & M L King Jr. Park
	Applicant:	City of Oakland— Recreation & Parks
	Owners:	City of Oakland
	Contact Person/Phone Number:	Sandra Ousley, CEDA (510) 238 7213
	Case File Number:	CU09-050
	Planning Permits Required:	Major Conditional Use Permit and Small Project Design Review to allow rebuilding of an existing minipark with natural or artificial turf replacing paved area, over subsurface drainage areas, installing childrens' play equipment, fencing, gates, ADA handicap accessible concrete paths, trees, drinking fountain, signage, area lights; retaining other features such as cultural murals, on approximately 1/4 acre, 25 th & M. L. King Jr. Park
	General Plan:	UR (Urban Residential)
	Zoning:	OS AMP Open Space Active Mini Park District
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines; Modification of Existing Facilities, Section 15304, Minor Alterations to Land; Section 15330, Minor Actions to Prevent, Minimize, Stabilize, Mitigate, or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances; and Section 15183, Projects consistent with a general plan, community plan, or zoning
	Historic Status:	Not PDHP/not historic
	Service Delivery District:	1
	City Council District:	3
	For further information:	Contact case planner David Valeska , at (510) 238-2075 or dvalueska@oaklandnet.com



5.	<p>Location: 825 Jackson Street (APN: 001-0179-004-00)</p> <p>Proposal: Landmark Nomination of the Buddhist Church of Oakland</p> <p>Applicant: Mark Shimamoto, c/o Buddhist Church of Oakland Building Committee</p> <p>Owner: Buddhist Church of Oakland</p> <p>Case File Number: LM09-240</p> <p>General Plan: Central Business District</p> <p>Zoning: CBD-R Central Business District Residential</p> <p>Historic Status: Oakland Cultural Heritage Survey Rating: A3 (Highest Importance, Not in a Historic District). Listed on the Preservation Study List.</p> <p>Environmental Determination: Exempt, Section 15331 of the State CEQA Guidelines, Historical Resource Restoration/Rehabilitation; Section 15183 Projects consistent with the General Plan or Zoning</p> <p>Service Delivery District: Metro</p> <p>City Council District: 2 – Kernighan</p> <p>Action to be Taken: Provide recommendation on Landmark Nomination to the City Council</p> <p>For Further Information: Contact Holly Pearson at (510) 238-3079 or hpearson@oaklandnet.com</p>
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Commissioner Zayas-Mart left the meeting at approximately 9:00 p.m. Holly Pearson gave a brief presentation. The applicants, Mark Shimamota and John Tagagozi were present and forewent their presentation in the interest of time.

Speaker: None

Motion by Colbruno, seconded by Gibbs to recommend approval of the Landmark nomination.

Action on the Matter: Recommended to Council 6 ayes, 0 noes;

6.	<p>Project name: Alta Bates Summit Medical Center- Summit Campus Seismic Upgrade and Master Plan</p> <p>Location: 20.4-acre campus generally between Telegraph and Webster, and between 30th Street and 34th Street</p> <p>Proposal: The ABSMC Seismic Upgrade and Master Plan is intended to provide a long-term vision for the campus in order to meet hospital and community needs, as well as to comply with state seismic safety requirements of SB 1953. Phase 1 of the Master Plan includes demolition of Bechtel Hall and three other small buildings, and construction of a new 230,000 sq. ft. (11-story) acute care hospital, plus a new 1,067-space (7-level) parking garage and a new temporary surface parking lot at the corner of Hawthorne/Elm. Phase 1 construction is expected to begin in 2010 and continue through 2015. Future phases include longer-term improvements including a new Medical Office Building on Summit Street (potentially included in Phase 1), a Samuel Merritt University expansion building at Hawthorne/Elm, and closure of a portion of Summit Street between 30th Street and Hawthorne Avenue as a new campus plaza.</p> <p>Applicant: Alta Bates Summit Medical Center, an affiliate of Sutter Health</p>
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Shahrokh Sayadi, Project Director



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Phone: 415-203-6345

Owner: Alta Bates Summit Medical Center, a Sutter Health affiliate

Case File Number: ER 09-0001, PUD 09-104, DR 09-105

Planning Permits Required: Planned Unit Development (Preliminary Development Plan for Master Plan, Final Development Plan for Phase 1); Design Review for Phase 1; Conditional Use Permit for demolition of existing rooming units (Bechtel Hall), zoning variance for off-street parking requirement shortfall

General Plan: Institutional

Zoning: S-1: Medical Center

Historic Status: There is one (1) presumed historic resource on the project site at 418 30th Street which is proposed for demolition. This building has an OCHS rating of Dc3 (minor importance, not in an historic district) but a NRHP status code of 5S (eligible for local listing) as indicated on DPR Form 523B

Environmental Determination: Staff has previously determined that an EIR is required for the project, and a Notice of Preparation was distributed on March 13, 2009. The Notice of Availability of the Draft EIR was distributed on December 18, and the Draft EIR was published and made available to the public on December 21, 2009. The Draft EIR's 45-day public comment period is from December 21, 2009 to February 3, 2010

City Council District: 3

Date Filed: January 16, 2009

Action to be Taken: No formal action; Receive public and Commission comments about information and analysis in the Draft EIR.

Finality of Decision: No decision will be made on the Draft EIR at this time

For Further Information: Contact: **Scott Gregory**, contract planner to the City at 510-535-6690, or by email at sgregory@lamphier-gregory.com

Gary Patton and Scott Gregory, contract planner, gave the presentation.

Speakers: Vic Meinke, Steve O'brien, Viki Ardito, Tao Matthews, Dr. Joy Johnson, Jim Ryder, Naomi Schiff, Sanjiv Handa;

As a draft EIR hearing, no vote was taken.

7.

Location: Citywide

Proposal: Amend the Oakland Planning Code by updating references, improving consistency among chapters, reducing redundancy, and clarifying language. Other amendments include adding Consumer Service Activities as a permitted activity to the CIX2 zone and as a conditionally permitted activity in the IO zone; revising the non-conforming uses provisions for rebuilding non-conforming residential structures; require landscaping for Nonresidential Facilities where it is currently not required; create master sign program provisions; expand exceptions to the 1000' separation requirement for alcohol sales to include off-site sales of alcohol in the Jack London Square area; eliminate portions of San Pablo Avenue as a restricted street for alcohol sales at a full-service restaurant, and other items.

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Applicant:	Planning Commission
Planning Permits Required:	Zoning Text Amendments
General Plan:	All General Plan designations
Zoning:	All Zoning districts
Environmental Determination:	The proposal relies on the previously certified Final Environmental Impact Report (EIR) for the Land Use and Transportation Element of the General Plan (1998); the Oakland Estuary Policy Plan EIR (1998); the EIRs for the West Oakland Central City East, Coliseum and Oakland Army Base Redevelopment Areas. On a separate and independent basis, this proposal is also exempt under Sections 15061(b)(3), 15183, 15301, 15303, 15304 and/or Section 15305 of the State CEQA Guidelines.
Service Delivery District:	All Service Delivery districts
City Council District:	All City Council districts
Status:	Heard by Zoning Update Committee on 12/2/09. Recommended by Zoning Update Committee to be considered by the Planning Commission
Staff Recommendation:	Recommend adoption to City Council.
For further information:	Contact: Leigh McCullen at 238-4977 or email lmccullen@oaklandnet.com .

Leigh McCullen gave an overview of proposed code revisions.

Speakers: None

Motion to recommend approval of code amendments Boxer, seconded Gálvez.

Action on the Matter: Recommended to Council 6 ayes, 0 noes.

COMMISSION BUSINESS

Approval of Minutes: December 16, 2009: Minutes Approved 4 ayes (Boxer, Colbruno, Gibbs, Truong) - 0 noes – 2 abstentions (Huntsman, Galvez);

OPEN FORUM

ADJOURNMENT Meeting adjourned at approximately 10:25 p.m.

SCOTT MILLER
Zoning Manager
Planning and Zoning Division

NEXT REGULAR MEETING: February 3, 2010