



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

November 17, 2010
Regular Meeting

ROLL CALL

Present: Boxer, Truong, Colbruno, Galvez, Gibbs, Huntsman, Zayas-Mart

Staff: Eric Angstadt, Scott Miller, Leigh McCullen, Aubrey Rose, Devan Reiff, Neil Gray, Laura Kaminski, Barry Miller, Heather Lee, Ed Manasse, Kiran Jain, Mark Wald, Cheryl Dunaway

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

All items on the agenda will be heard.

Director's Report

Leigh McCullen gave a presentation on the Discussion of Telecommunication Facilities within Rights-of-Way and answered questions asked by the Planning Commission. Planning Commission recommended that staff continue to work with the applicants to ensure an approval of the proposed project.

Speakers: Paul Albritton, Tom Miller, Barbara Leslie, Martin Fineman, Sanjiv Handa

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.



OPEN FORUM

John Gatewood, Sanjiv Handa

CONSENT CALENDAR

1.	<p>Location: 3645 Grand Avenue "Piedmont Executive Center" (APN: 010 - 0835-021-01)</p> <p>Proposal: To expand a Mini wireless telecommunications facility by adding 2 antennas with approx. 45-ft. maximum height to a 41-ft. commercial rooftop facility containing 2 existing antennas</p> <p>Applicant/Phone Number: David Snypes (for AT&T) (925) 519-5081</p> <p>Owners: Robert Howie/James Kipatrick</p> <p>Case File Number: CMD10-263</p> <p>Planning Permits Required: Major Conditional Use Permit for Mini wireless telecommunications facility within 100-ft. of a residential zone (OMC Sec. 17.50.105.A, 17.134.020.A.3.i Regular Design Review, non-residential for an expansion to a Mini also requiring a conditional use permit (OMC Sec. 17.50.040, 17.136.040.a.2) Additional Conditional Use Permit and Design Review findings for Mini Facilities (17.128.060.B,C)</p> <p>General Plan: Neighborhood Commercial Mixed Use</p> <p>Zoning: C-30 District Thoroughfare Commercial Zone/ S-4 Design Review Combining Zone</p> <p>Environmental Determination: Exempt, Section 15301(a) of the State CEQA Guidelines: Existing Facilities (Minor exterior alterations to existing structures); Section 15183 of the State CEQA Guidelines: Project consistent with a community plan, general plan or zoning</p> <p>Historic Status: Non-Historic Property; Survey rating: X</p> <p>Service Delivery District: III - Central/Chinatown/Lower Hills</p> <p>City Council District: 2 - Kernighan</p> <p>Date Filed: October 7, 2010</p> <p>Action to be Taken: Decision based on staff report</p> <p>Finality of Decision: Appealable to City Council within 10 calendar days</p> <p>For Further Information: Contact case planner Aubrey Rose, Planner II at (510) 238-2071 or arose@oaklandnet.com</p>
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Motion to move on consent given by Colbruno, seconded by Huntsman.
Action on the matter: Item #1 moved on consent 7 ayes, 0 noes.



PUBLIC HEARINGS

2.	<p>Location: Citywide</p> <p>Proposal: The City of Oakland (City) proposes to adopt a General Plan Amendment (GPA) for the <i>2007-2014 Housing Element</i>, as part of the City’s General Plan. The City must accommodate 14,629 new housing units between January 2007 and June 2014 to meet its “fair share” of housing need. The City can accommodate the new housing without rezoning or further GPAs, through current opportunity sites, and with projects either built, under construction, approved or in predevelopment.</p> <p>A Final Environmental Impact Report (FEIR) has now been prepared for the project under the requirements of the California Environmental Quality Act (CEQA). The purpose of this hearing is to certify the FEIR and to consider recommending approval of the <i>Housing Element</i> to the City Council.</p> <p>Applicant: City of Oakland—Community and Economic Development Agency</p> <p>Case File Number: ER08-0009 and GP09-079</p> <p>Planning Permits Required: General Plan Amendment; certification of FEIR</p> <p>General Plan: All zones</p> <p>Zoning: All zones</p> <p>Environmental Determination: A Notice of Preparation of a Draft EIR was distributed on September 22, 2009. The Notice of Availability of the Draft EIR was distributed on August 15, 2010 and the Draft EIR was published and made available to the public on August 16, 2010. The Draft EIR’s 45-day public comment period ended on September 30, 2010. The Notice of Release/Availability of the FEIR was distributed and the FEIR was published and made available to the public on November 5, 2010.</p> <p>Historic Status: n/a; no housing opportunity sites contain Historic Resources.</p> <p>Service Delivery District: All</p> <p>City Council District: All</p> <p>Status: Prior Planning Commission public hearings: DEIR Hearing held September 15, 2010; Scoping session for EIR held October 7, 2009; consideration of the <i>Housing Element</i> held on June 3, 2009.</p> <p>Action to be Taken: Commission certification of FEIR and recommendation of <i>Housing Element</i> to City Council.</p> <p>Finality of Decision: Appealable to City Council within 10 calendar days</p> <p>For Further Information: Contact case planner Devan Reiff at (510) 238-3550 or by email: dreiff@oaklandnet.com</p>
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Staff Member Devan Reiff gave a presentation and answered questions asked by the Planning Commission.

Speakers: Alan Heikkinen, Cindy Heavens, Shawn Rowland, Sanjiv Handa

Planning Commission asked staff to clarify where the funding for this proposed project came from, why it took so long for the EIR to be completed and why the process may be less stringent for some developers.

Motion given by Truong for recommendation of approval to the City Council, seconded by Zayas-Mart. Action on the matter: 7 ayes, 0 noes.



3.	<p>Location: Citywide</p> <p>Proposal: Zoning Text amendments and Zoning Map revisions to update the City's commercial and residential zoning districts and related regulations. This project also includes establishing height maps along the City's corridors and revising the "Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations" to reflect the new zoning designations.</p> <p>Applicant: Planning Commission</p> <p>Case File Number: ZT10-111, RZ10-112</p> <p>Planning Permits Required: Text Amendments and Rezoning</p> <p>General Plan: Various</p> <p>Zoning: Various</p> <p>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 Final EIR for the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (scheduled for a certification hearing in November 2010), and various Redevelopment Plan Final EIRs. On a separate and independent basis, the proposal is also exempt from CEQA pursuant to CEQA Guidelines Section 15183 "Projects Consistent with a Community Plan, General Plan or Zoning".</p> <p>Service Delivery District: All</p> <p>City Council District: All</p> <p>Status: Referred to the Planning Commission by the Zoning Update Committee.</p> <p>Action to be Taken: Recommendation to the City Council</p> <p>Finality of Decision: Recommendation to the City Council</p> <p>For Further Information: Contact case planner Neil Gray at (510) 238-3878 or by email: ngray@oaklandnet.com</p>
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Staff Members Neil Gray, Laura Kaminski and consultant Barry Miller gave a powerpoint presentation.

Planning Commission explained the process and progress of the proposed Text Amendments and Rezoning as it was presented to the Zoning Update Committee.

Speakers: Marilyn Clark, Mark Watrous-Heyliger, John Gatewood, Peter Magganas, George Nesbitt, Max Allstadt, Naomi Schiff, Chris Buckley, Kathy Jessen, Nicole Franklin, Valerie Winemiller, Robert Brokl, Brian Treece, Alfred P. Crofts, Sanjiv Handa.

Planning Commission raised the following concerns: designation changes on 30th and 31st Streets, the difference between zones HBX and RU, design guidelines, 3D modeling, rezoning single family hillside lot areas, consistency with the general plan, etc. Neil Gray, Barry Miller and Ed Manasse responded to their concerns.

Motion given by Gibbs to make a recommendation of approval to the City Council with the friendly amendment that staff meet with Oakland Housing Authority to discuss Birch and 30th Streets, Seconded by Huntsman. Action on the matter: 7 ayes, 0 noes.



APPEALS

There are no appeals on this agenda

Approval of Minutes:

No approval of the minutes

City Council Actions

City Council upheld the denial of the appeal concerning the proposed Next G project. Eric Angstadt informed the Planning Commission for preparation of the December 1, 2010 meeting which includes a scoping session concerning the EIR on the new Ballpark Proposal.

ADJOURNMENT

Meeting adjourned at approximately 9:15 P.M.

SCOTT MILLER
Zoning Manager
Planning and Zoning Division

NEXT REGULAR MEETING:

December 1, 2010