



Anne Mudge, Chair  
Doug Boxer, Vice Chair  
Michael Colbruno  
Suzie W. Lee  
Michael Lighty  
Paul Garrison  
Madeleine Zayas Mart

**January 17, 2007**  
**Regular Meeting**

**REVISED 1-11-07\*(See end of Agenda for information)**

**MEAL GATHERING**

**5:30 P.M.**

**Sunnyside Conference Room, 250 Frank Ogawa Plaza, 2<sup>nd</sup> Floor, Oakland.** Open to the public. (Members of the public may bring their own meal if desired. Consumption of food is not required to attend.)

**BUSINESS MEETING**

**6:00 P.M. \*\***

**Hearing Room One, 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 discretion of the Chair. Persons wishing to address the continued item may do so under Open Forum.

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***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.



**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 available at the Strategic Planning Division on the 3<sup>rd</sup> floor (Suite 3315), which closes at 5:00 p.m.**

**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](http://www.oaklandnet.com) by searching "Frequently Visited Pages" located on the City of Oakland Homepage. Clicking on "Planning Commission Meetings" will open a menu of Planning Commission and Committee Agendas. Staff reports are available on the selected agenda by clicking on the highlighted case file number. 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.

While attending Planning Commission Meetings, parking in the Clay Street Garage is free. Attendees should write "Planning Commission" on the back of the parking ticket.

***ROLL CALL***

***WELCOME BY THE CHAIR***

***COMMISSION BUSINESS***

**Agenda Discussion**

**Director's Reports**

**Committee Reports**

**Commission Matters**

Discussion – February 21, 2007 meeting date (Ash Wednesday);  
Potential cancellation and alternate date

**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.

***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. Such appeals 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.

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.

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, it should be received by the Commission.



1. **Location:** 2145 35<sup>th</sup> Avenue (APN: 027-0879-015-02)  
**Proposal:** To construct a 5 unit mini lot of row houses that total 7,180 square feet. The row houses will be 3 stories in height. A Tentative Tract Map to subdivide the parcel into 5 mini lots.  
**Applicant:** DIAP (Dan Ionescu Architects and Planners)  
**Contact Person/Phone Number:** Igor Diklitch  
(650) 570-6681  
**Owner:** Maria Campos  
**Case File Number:** CDV06-542 and TTM7825  
**Planning Permits Required:** Conditional Use Permit for mini lot development. Conditional Use Permit for 5 units in the R-50 zone. Regular Design Review for building 5 new residential units. A Variance is required for not meeting the rear setback and for not having 10 feet between all driveways. Tentative Tract Map for a 5 unit mini lot.  
**General Plan:** Mixed Housing Type  
**Zoning:** R-50, Medium Density Residential Zone  
**Environmental Determination:** Exempt, Section 15303, State CEQA Guidelines, New construction of small new facilities and Section 15315, Minor land division.  
**Historic Status:** Not a Potential Designated Historic Property (PDHP); survey rating: Ed3  
**Service Delivery District:** 4  
**City Council District:** 5  
**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 **Laura Kaminski** at (510) 238-6809 or by email: lkaminski@oaklandnet.com

**NOTE: ITEM #1 HAS BEEN CONTINUED UNTIL FEBRUARY 7, 2007.**

2. **Location:** 4801 Shattuck Ave. (APN's: 013-1162-009-00; -009-02; -010-00)  
**Proposal:** New Construction of a five story 44 unit residential condominium building.  
**Applicant:** Bill Lambert  
**Contact Person/Phone Number:** (510) 550-4200  
**Owner:** 4801 Shattuck, LLC  
**Case File Number:** CMDV06-425 & TPM-9235  
**Planning Permits Required:** Major Design Review for building in excess of 25,000 square feet, Major Conditional Use Permit for more than seven units in the R-70 "best fit" Zone, and Minor Variances for rear yard setback (10'0" required; 0'0" proposed), front yard setback (10'0" required; 0'0" proposed), side yard setback for portion of lot adjacent to the R-50 Zone (10'0" required; 0'0" proposed), and encroachment into the 45 degree "height reduction plane" from the minimum required setbacks. Tentative Parcel Map for new condominiums.  
**General Plan:** Neighborhood Center Mixed Use & Urban Residential  
**Zoning:** R-70, High Density Residential Zone  
R-50, Medium Density Residential Zone  
S-18, Mediated Design Review Zone

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**Environmental Determination:** Exempt, Section 15332 of the State CEQA Guidelines; in fill development projects.  
**Historic Status:** 556-558 48<sup>th</sup> Street is listed as a Potentially Designated Historic Property (PDHP); survey rating: Dc3  
**Service Delivery District:** II – North Oakland  
**City Council District:** 1  
**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: [pvollman@oaklandnet.com](mailto:pvollman@oaklandnet.com).

**NOTE: ITEM #2 HAS BEEN CONTINUED UNTIL FEBRUARY 7, 2007.**

**3. Location:** 2303 Market Street (APN's: 005-0431-011; -012; -015-03; -002-01; -025; -026; -027; & -028)  
**Proposal:** New Construction of 24 residential condominium townhouses.  
**Applicant:** Dogtown Development Company, LLC  
**Contact Person/Phone Number:** (510) 428-1714  
**Owner:** Dogtown Development Company, LLC  
**Case File Number:** **VMD06-535 & TPM-9335**  
**Planning Permits Required:** Major Design Review for building in excess of 25,000 square feet, Major Variance to exceed the Density allowed within the C-10 and R-50 Zoning Designations, Minor Variance for reduced front yard setback (15'0" required; 10'0" proposed) and reduced side yard setback (4'0" required; 0'0" proposed) and Tentative Parcel Map for new condominiums.  
**General Plan:** Mixed Housing Type Residential  
**Zoning:** C-10, Local Retail Commercial Zone  
R-50, Medium Density Residential Zone  
**Environmental Determination:** Exempt, Section 15332 of the State CEQA Guidelines; in fill development projects.  
**Historic Status:** Vacant Lot  
**Service Delivery District:** I – West Oakland  
**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: [pvollman@oaklandnet.com](mailto:pvollman@oaklandnet.com).



<b>4.</b>	<b>Project Name:</b>	<b>Mandela Grand Mixed Use Development Project</b>
	<b>Location:</b>	West Oakland – Generally two blocks at the southeast corner of Mandela Parkway and West Grand Avenue. The project site is bordered by Mandela Parkway on the west, West Grand Avenue on the north, Poplar Street on the east, and 18 <sup>th</sup> Street on the south. APNs: various
	<b>Proposal:</b>	<b>Public Hearing</b> on the Draft Environmental Impact Report (DEIR) for the redevelopment of 13.3 acres of land as an industrial village containing 300,702 square feet of custom and light industrial uses, and commercial and retail uses. Also included are 1,577 residential units above the ground floor in structures ranging from 72 to 300 feet in height. All buildings on the site will be demolished except for the original 47,000 s.f. Pacific Pipe Building, which will be adaptively reused. Approximately 2,322 parking spaces will be provided in underground parking garages and on surface lots.
	<b>Owner/Applicant:</b>	KS Properties One, LLC
	<b>Contact Person/Phone Number:</b>	Richard Hannum, AIA Hannum Associates (415) 646-0100
	<b>Case File Number:</b>	<b>ER 06-008</b>
	<b>Planning Permits Required:</b>	General Plan Amendment, West Oakland Redevelopment Plan Land Use Map Amendment, Rezoning (text and map), Vesting Tentative Map, Preliminary Development Plan, including Design Review Guidelines
	<b>General Plan:</b>	Business Mix
	<b>Zoning:</b>	M-30 (General Industrial Zone) and M-30/S-4 (General Industrial Zone/Design Review Combining Zone)
	<b>Environmental Determination:</b>	Draft Environmental Impact Report published December 18, 2006. Public review comment period from December 18, 2006 to February 6, 2007 (50 days).
	<b>Historic Status:</b>	Pacific Pipe Building, 2000 Mandela Parkway, Preliminary Rating Cb (PDHP) American Steel Shop/Warehouse, 1930-60 Mandela Parkway, Rating D3/6Z American Steel Company Building, 1901 Poplar Street, Rating Dc3/6Z (PDHP)
	<b>Service Delivery District:</b>	West Oakland 1
	<b>City Council District:</b>	3, Nancy Nadel
	<b>Status:</b>	DEIR public comment period 12/18/06 to 2/6/07
	<b>Action to be Taken:</b>	Receive public and Commission comments about information and analysis in the Draft Environmental Impact Report
	<b>Finality of Decision:</b>	Request for Information Only
	<b>For Further Information:</b>	Contact Project Planner <b>Margaret Stanzione</b> at <b>(510) 238-4932</b> or by email at <b>mstanzione@oaklandnet.com</b>

## ***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.

<b>5.</b>	<b>Location:</b>	<b>4130 Redwood Road (APN 037 -2570-008-00) (1/3/07)</b>
	<b>Proposal:</b>	Appeal of a Zoning Manager decision to issue a Zoning Clearance for a full service restaurant at 4130 Redwood Road (ZC06-2804). Appellant alleges that the site does not meet the parking requirements for such a use.
	<b>Appellant:</b>	Steven Piser
	<b>Contact Person /Phone Number:</b>	Dave Seyranian (510) 835-5582
	<b>Case File Number:</b>	<b>A06-551</b>
	<b>Planning Permits Required:</b>	Zoning Clearance
	<b>General Plan:</b>	Community Commercial
	<b>Zoning:</b>	C-20 Shopping Center Commercial
	<b>Environmental Determination:</b>	Exempt, Section 15268 of the State CEQA Guidelines; Ministerial Project.
	<b>Historic Status:</b>	Not a Potential Designated Historic Property;
	<b>Service Delivery District:</b>	4
	<b>City Council District:</b>	4
	<b>For further information:</b>	Contact case planner <b>Eric Angstadt</b> at <b>(510) 238-6190</b> or <a href="mailto:eangstadt@oaklandnet.com">eangstadt@oaklandnet.com</a>

<b>6.</b>	<b>Location:</b>	<b>Redwood Road, Vacant Parcel C, adjacent 4150 Redwood Road (1/17/07)</b>
		<b>(APN: 037 -2570-009-00)</b>
	<b>Proposal:</b>	Appeal of an administrative Design Review Approval for a new 5,187 sq. ft. one-story commercial facility with site improvements
	<b>Appellant:</b>	Chris Lee
	<b>Contact Person/Phone Number:</b>	David Seyranian (510)482-8100
	<b>Owner:</b>	Great Day Development Sales Corp.
	<b>Case File Number:</b>	<b>A06-577 (DR06-323)</b>
	<b>Planning Permits Required:</b>	Non-residential Design Review
	<b>General Plan:</b>	Community Commercial
	<b>Zoning:</b>	C-20 Shopping Center Commercial Zone
	<b>Environmental Determination:</b>	Exempt, Section 15303 of State CEQA Guidelines; new construction Exempt, Section 15183 of State CEQA Guidelines; projects consistent with Community Plan, General Plan or Zoning
	<b>Historic Status:</b>	Vacant Parcel, no historic rating
	<b>Service Delivery District:</b>	4
	<b>City Council District:</b>	4
	<b>Status:</b>	Application approved November 13, 2006; Appealed November 22, 2006
	<b>Action to be Taken:</b>	Decision based on public hearing; staff report
	<b>Staff Recommendation:</b>	Deny appeal and uphold Zoning Administrator's decision
	<b>Finality of Decision:</b>	Appealable to City Council within 10 days
	<b>For Further Information:</b>	Contact case planner <b>Caesar Quitevis</b> at <b>(510) 238-6343</b> or by email: <a href="mailto:clquitevis@oaklandnet.com">clquitevis@oaklandnet.com</a>



**COMMISSION BUSINESS**

**Approval of Minutes:** December 20, 2006; January 3, 2007

**Correspondence**

**City Council Actions**

**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.

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

**SCOTT MILLER**  
**Zoning Manager**  
**Planning and Zoning Division**

**NEXT REGULAR MEETING** February 7, 2007

**\* Revised 1-11-07 to indicate Items #1 and #2 as being continued, and to add Paul Garrison to the list of Commissioners.**

**\*\*Note new starting time of 6:00 p.m.**