



*Doug Boxer, Chair*  
*Michael Colbruno, Vice Chair*  
*Sandra E. Gálvez*  
*C. Blake Huntsman*  
*Suzie W. Lee*  
*Anne Mudge*  
*Madeleine Zayas-Mart*

**December 19, 2007**  
**Regular Meeting**

**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.

**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.**

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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.



**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.

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 write “Planning Commission” on the back of the parking ticket.

***ROLL CALL***

***WELCOME BY THE CHAIR***

***COMMISSION BUSINESS***

**Agenda Discussion**

**Director’s Report**

**Committee Reports**

**Commission Matters**

[Upcoming meeting dates summary](#)



## **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.



<b>1.</b>	<b>Location:</b>	<b>929-939 Martin Luther King Jr Way (APN 002-0023-020-00)</b>
	<b>Proposal:</b>	Convert 7 existing residential units into condominiums.
	<b>Applicant Name/Phone</b>	Barbara Armstrong
	<b>Number:</b>	(510) 337-1998
	<b>Owner:</b>	Hoi Liang Phua / PSK Development LLC
	<b>Case File Number:</b>	<a href="#"><b>TTM 7934</b></a>
	<b>Planning Permits Required:</b>	Tentative Tract Map for condominium purposes
	<b>General Plan:</b>	Central Business District
	<b>Zoning:</b>	R-80 High-Rise Apartments Residential Zone; S-17 Downtown Residential Open Space Combining Zone
	<b>Environmental Determination:</b>	Exempt, Section 15301(k) of the State CEQA Guidelines: Division of existing multiple family or single-family residences into common interest ownership Exempt, Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan, general plan or zoning
	<b>Historic Status:</b>	Potential Designated Historic Property; Survey Rating Cb-1+
	<b>Service Delivery District:</b>	Metro
	<b>City Council District:</b>	3
	<b>Status:</b>	Pending
	<b>Action to be Taken:</b>	Decision on application based on Staff Report
	<b>Finality of Decision:</b>	Appealable to City Council
	<b>For Further Information:</b>	Contact case planner <b>Holly Pearson</b> at <b>(510) 238-3079</b> or by email: <a href="mailto:hpearson@oaklandnet.com"><b>hpearson@oaklandnet.com</b></a>



<b>2.</b>	<p><b>Location:</b> <a href="#"><u>2647 International Blvd., St. Joseph's Senior and Family Housing Project</u></a> (APNs 025-0701-004-01, 025-0701-007-01, 025-0701-008-00, 025-0701-010-02, 025-0701-010-03)</p> <p><b>Proposal:</b> A two-phase proposal for adaptive reuse of the historic main building in order to develop up to 84 units for elderly residential use and community commercial space (Phase I), and for adaptive reuse of the historic laundry building and men's smokehouse, and the demolition of three historic structures in order for new construction for up to 80 one-, two- and three-bedroom affordable family units (Phase II). The proposal includes 137 parking spaces and open space areas.</p> <p><b>Applicant:</b> Bridge Housing Corporation</p> <p><b>Contact Person/Phone Number:</b> Smitha Seshadri, Project Manager (415)989-1111</p> <p><b>Owner:</b> Bridge Economic Development Corporation</p> <p><b>Case File Number(s):</b> <a href="#"><u>PUD07-452; PUDF07-454; ER07-0003; TPM9590</u></a></p> <p><b>Planning Permits Required:</b> Preliminary Development Plan for the entire project; Final Development Plan for Phase I; Design Review, Vesting Tentative Parcel Map for the entire site; Vesting Tentative Parcel Map for Phase II condominium units;</p> <p><b>General Plan:</b> Community Commercial</p> <p><b>Zoning:</b> C-40 – Community Thoroughfare Commercial, C-28 –Commercial Shopping District; C-60 – City Service Commercial;</p> <p><b>Environmental Determination:</b> An Initial Study (IS) and Environmental Assessment (EA) in support of adoption of a Mitigated Negative Declaration (MND) under CEQA, and a Finding of No Significant Impact (FONSI) under NEPA. All impacts have been reduced to less than significant levels, with incorporated Mitigation Measures and Standard Conditions of Approval.</p> <p><b>Historic Status:</b> City of Oakland Landmark 84-317</p> <p><b>Service Delivery District:</b> 4 – Fruitvale</p> <p><b>City Council District:</b> 5 - De La Fuente</p> <p><b>Date Filed:</b> ER - March 27, 2007; PUD, PUDF and TPM – July 17, 2007</p> <p><b>Action to be Taken:</b> Consider approval of Planned Unit Development Permits, Vesting Tentative Map for entire site and for Phase II condominium units, and Design Review; Consider Adoption of Mitigated Negative Declaration under CEQA and a Finding of No Significant Impact under NEPA; all per staff report recommendation, with attached findings and conditions of approval.</p> <p><b>Finality of Decision:</b> Appealable to City Council within 10 days.</p> <p><b>For Further Information:</b> Contact <b>Joann Pavlinec (510) 238-6344</b>, <a href="mailto:jpavlinec@oaklandnet.com"><u>jpavlinec@oaklandnet.com</u></a></p>
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## **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.

*(There are no appeals on this agenda)*

**COMMISSION BUSINESS**

**Approval of Minutes:** November 28 and December 5, 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.

**\*\*SPECIAL MEETING NOTICE\*\***

**PLANNING COMMISSION HOLIDAY DINNER**

**Location: Flora, 1900 Telegraph Avenue, Oakland**

**Time: Immediately Following the Business Meeting**

**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**