



Vien Truong, Chair
Sandra E. Gálvez, Vice Chair
Michael Colbruno
C. Blake Huntsman
Madeleine Zayas-Mart

April 27, 2011
Adjourned Regular Meeting*

*The Regular Planning Commission Meeting of April 20, 2011 was adjourned at 6:01 p.m. on April 20th (due to a lack of a quorum) to the date and time certain of April 27, 2011, at 6:00 p.m. This Adjourned Regular Meeting Agenda contains the same items as the April 20th Regular Meeting Agenda. The Agenda Reports prepared for the April 27th Adjourned Regular Meeting will be the same as those for the April 20th Regular Meeting.

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 Planning Department prior to the meeting regarding items that may be continued. Any agenda item may be continued, without the

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**

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

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" (under CEDA), 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, 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 see staff at the meeting for validation of parking tickets with a stamp.

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.

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.

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| 1. | <p>Location: Skyline Boulevard (located in the Public Right of Way adjacent to 13175 Skyline Boulevard) APN: 037A-3142-035-00</p> <p>Proposal: Installation of a wireless telecommunication facility to the existing PG&E pole consisting of: increasing the existing pole height from 25' to 39'; two panel Kathrein antennas mounted at approximately at 31'-6" pole height; and associated equipment box (6' tall by 18" wide); one battery backup, and one meter box attached to the existing pole, at a height of between 7' to 9'-6" above ground located in public right of way.</p> <p>Applicant: Extenet Systems.</p> <p>Contact Person/Phone Number: Rick Hirsch (415)377-7826</p> <p>Owner: Pacific Gas & Electric.</p> <p>Case File Number: DR10-290</p> <p>Planning Permits Required: Major Regular Design Review to install a wireless Telecommunication Macro Facility to an existing PG&E pole located in public right of away within the residential zone.</p> <p>General Plan: Hillside Residential</p> <p>Zoning: RH1-Hillside Residential (project submitted and deemed complete when the property was in the R-1 One Acre Estate 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: Not a Potential Designated Historic Property; Survey Rating: N/A</p> <p>Service Delivery District: 4</p> <p>City Council District: 6</p> <p>Status: Pending</p> <p>Action to be Taken: Decision of Application</p> <p>Finality of Decision: Appealable to City Council within 10 calendar days</p> <p>For Further Information: Contact case planner Jason Madani at (510) 238-4790 or by email: jmadani@oaklandnet.com</p> |
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2. **Location:** Existing wooden utility pole in public right-of-way opposite 8601 Skyline Boulevard

Assessor's Parcel Number: **Opposite: 048D-7297-021-01**

Proposal: To attach a concealed antenna on an extension (8-ft. total) to the top of a 47-ft. tall wooden utility guy JPA pole and related equipment in a singular sheathing at 7 to approx. 18-ft.

Applicant/ Rick Hirsch (for: Extenet)

Phone Number: (415) 377-7826

Owner: City of Oakland (public right-of-way); PG&E (utility pole)

Case File Number: **DR10332**

Planning Permits Required: Regular Design Review to attach a wireless telecommunications facilities to a JPA pole located in a residential zone

General Plan: Hillside Residential

Zoning: RH-4 Hillside Residential Zone (project submitted and deemed complete when the property was in the R-30 One-Family Residential Zone)

Environmental Determination: Exempt, Section 15301 of the State CEQA Guidelines:
Existing Facilities;
Section 15183 of the State CEQA Guidelines:
Project consistent with a Community Plan, General Plan or Zoning

Historic Status: None

Service Delivery District: II

City Council District: 4

Date Filed: December 14, 2010

Action to be Taken: Decision based on staff report

Finality of Decision: Appealable to City Council within 10 calendar days

For Further Information: Contact case planner **Aubrey Rose, Planner II** at (510) 238-2071 or arose@oaklandnet.com

<p>3.</p> <p>Approximate Location:</p> <p>Proposal:</p> <p>Applicant/Contact Person:</p> <p>Phone Number:</p> <p>Owner/Contact:</p> <p>Case File Number:</p> <p>Planning Permits Required:</p> <p>General Plan:</p> <p>Zoning:</p> <p>Environmental Determination:</p>	<p>4949 Grizzly Peak Boulevard (APN: 048H-7514-004-00)</p> <p>To install one 25-foot high steel monopole in the City right-of-way containing two (2) concealed antenna panels, and the installation of underground equipment cabinets located at the southeast corner intersection of Grizzly Peak Boulevard.</p> <p>NextG Networks, Inc./Sharon James</p> <p>(408) 468-5553</p> <p>City of Oakland Real Estate Division, Frank Fanelli</p> <p>CMD10-130</p> <p>Major Conditional Use Permit to operate a Monopole Telecommunications facility in a residential zone; Regular Design Review to install a Telecommunications Facility</p> <p>Hillside Residential</p> <p>RH-3 Hillside Residential Zone; S-10 Scenic Route Combining Zone; and S-11 Site Development & Design Review Combining Zone (project submitted and deemed complete when the property was in the R-30 One-Family Residential Zone)</p> <p>Exempt, Section 15301(e) of the State CEQA Guidelines: Existing Facilities (addition to existing structure); Section 15183 of the State CEQA Guidelines: Projects consistent with a Community plan, General Plan or Zoning</p>
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Historic Status: None
Survey Rating: None
Service Delivery District: 2
City Council District: 1
Date Filed: May 24, 2010 (revised plans submitted on 3/24/11)
Action to be Taken: Decision based on staff report
Finality of Decision: Appealable to City Council within 10 calendar days
For Further Information: Contact case Planner **Mike Rivera** at **(510) 238-6417**, or by email at mrivera@oaklandnet.com

4. **Location:** **Skyline Boulevard (located in the Public Right of Way adjacent to 13850 Skyline Boulevard)**
Assessors Parcel Numbers: **(040A -3840-013-01)**
Proposal: Installation of a wireless telecommunication facility to an existing PG&E utility pole consisting of: increasing the existing pole height from 34' to 43'; two panel Kathrein antennas mounted at approximately at 29'-6" pole height; and associated equipment box (6' tall by 18" wide); one battery backup, and one meter box attached to the existing pole, at a height of between 7' to 9' above ground located in public right of way.
Applicant: Extenet Systems / Rick Hirsch
Contact Person/ Phone Number: Rick Hirsch
 (415) 377-7826
Owner: Pacific Gas & Electric
Case File Number: **DR10-288**
Planning Permits Required: Major Regular Design Review to install a wireless Telecommunication Facility to an existing PG&E pole located in public right of away within the residential zone.
General Plan: Hillside Residential
Zoning: RH-1 Hillside Residential Zone (project submitted and deemed complete when the property was in the R-1 One Acre Estate Residential 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: III
City Council District: VI
Date Filed: 11/09/10
Finality of Decision: Appealable to City Council within 10 calendar days
For Further Information: Contact case planner **Jose M. Herrera-Preza** at **(510) 238-3808** or jherrera@oaklandnet.com



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.

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| 5. | Location: 1507 2 nd Avenue, 1521 2 nd Avenue and 137 E 16 th Street (APN 020-0181-013-01, 020-0181-005-01, 020 -0181-004-00) |
| | Proposal: To construct a 92 unit affordable senior housing development. |
| | Applicant: Satellite Housing, Inc. |
| | Contact Person/Phone Number: Cindy Heavens (510) 647-0700 |
| | Owner: Oakland Housing Authority |
| | Case File Number: CMD10-279 |

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Planning Permits Required:

Conditional Use Permits for increased density for a senior housing development, for residential units in the C-20 zone, and a 75% reduction in parking for senior housing; Reductions or Waivers of Development Standards to exceed height limit in the C-20 zone by 7 feet, for a 3' front yard setback where 5' is required in the C-20 zone and 10' is required in the R-80 zone, a 2' street side setback along E 16th Street where 5' is required, and a 45' wide courtyard where 50' is required; Regular Design Review to demolish a Potentially Designated Historic Property (PDHP) and to construct a new residential building; and a Parcel Map Waiver to merge 4 parcels.

General Plan: Urban Residential

Zoning: RU-2 & RU-3 Urban Residential Zones (project submitted and deemed complete when the property was in the C-20 District Thoroughfare Commercial Zone and R-80, High-Rise Apartment Residential Zone)

Environmental Determination: Exempt, Section 15332, State CEQA Guidelines; Infill development Section 15318; projects consistent with general plan, community plan or zoning.

Historic Status: 1521 2nd Avenue contains a 13 unit SRO building designated as a PDHP with a Historic Rating of C3; 137 E 16th Street contains a 3 story apartment building, it is not a PDHP and has a rating of D3; the remaining parcels are utilized as a parking lot and do not have a historic rating.

Service Delivery District: III

City Council District: 3

Status: Pending

Action to be Taken: Action to be Taken based on Staff Report

Finality of Decision: Appealable to City Council within 10 calendar days

For Further Information: Contact case planner Leigh McCullen at (510) 238-4977 or by email at lmccullen@oaklandnet.com

PLEASE NOTE: ITEM NO. 6 BELOW, HAS BEEN REMOVED FROM THIS AGENDA.

6. **Location:** **319 Chester Street (APN 004-0103-035-00)**
Proposal: Rezone property from open space to residential (RM-2 proposed)
Contact Person/Phone Number: Lloyd Ware, City of Oakland
 (510)238-6197
Owner: City of Oakland
Case File Number: **RZ11-053**
Planning Permits Required: Rezone property from OS-AMP (Open Space/Active Mini Park) to RM-2 Mixed Housing Type Residential
General Plan: Mixed Housing Type Residential
Zoning: OS-AMP (Open Space/Active Mini Park)
Environmental Determination: Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15303
Historic Status: Not a Potential Designated Historic Property (vacant land)

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Service Delivery District: 4
City Council District: 3
Date Filed: March 24, 2010
Action to be Taken: Recommendation to the City Council
Finality of Decision: Appealable to City Council within 10 calendar days
For Further Information: Contact **David Valeska** at **(510) 238-2075** or
dvaleska@oaklandnet.com

7. **Location:** **601 Glendome Circle (APN: 024-0607-052-00)**
Proposal: To install six (6) telecommunication antennas on an extension to the top of an existing PG&E tower, three (3) antennas to the legs of the tower and an associated equipment shelter on the ground below the tower.
Applicant: Verizon Wireless, Charnel James of NSA Wireless
Contact Person/Phone Number: Charnel James /(530)219-1833
Owner: PG& E Co.
Case File Number: **CMD09-140**
Planning Permits Required: Regular Design Review to install nine (9) telecommunication antennas, and an enclosed equipment shelter.
Major Conditional Use Permit for the installation of a Macro telecommunication facility within 100 feet of a residential zone.
General Plan: Detached Unit Residential
Zoning: RD-1 Detached Unit Residential Zone (project submitted and deemed complete when the property was in the R-30 One-Family Residential Zone)
Environmental Determination: Exempt, Section 15270 of the State CEQA Guidelines; Projects which are Disapproved
Historic Status: No Historic Record
Service Delivery District: 3
City Council District: 5
Status: Pending
Action to be Taken: Decision of Application
Finality of Decision: Appealable to City Council within 10 calendar days
For Further Information: Contact case planner Michael Bradley at **(510) 238-6935** or by email: mbradley@oaklandnet.com

OLD BUSINESS

As indicated below, the public hearing for Item #8 has been closed as of March 16, 2011, but under the Sunshine Ordinance and Brown Act, the public has the right to speak on the item. 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.

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.



8. **Project Name:** **Amendment to Oakland Zoo Master Plan**
 Location: **9777 Golf Links Road**
 Assessor's Parcel 048-5655-003-00 & 048-6162-001-10
 Numbers:
 Proposal: Amend the previously approved 1998 Master Plan for the Oakland Zoo to, among other changes, modify and reduce the expansion area for the new California exhibit from approximately 62 acres to approximately 56 acres, replace the previously approved loop road and shuttle bus system with an electric aerial gondola system, replace the existing veterinary hospital with a new Veterinary Medical Hospital, establish a new overnight camping area near the new California exhibit, and establish the specific location of the proposed perimeter fence with modifications from the previously approved general location.
- Applicant:** East Bay Zoological Society
Contact Person/Phone Number: Nik Haas-Dehejia / (510) 632-9525 ext. 138
 Owner: City of Oakland
 Case File Numbers: **CM09-085; CP09-078; ER09-005**
 Planning Permits Required: Major Conditional Use Permit to allow modifications to an existing Extensive Impact Civic Activity (zoological gardens) in the OS-SU (Open Space – Special Use) Zone; approval of an amendment to a previously approved Master Plan; Creek Protection Permit
- General Plan:** Urban Open Space
 Zoning: OS-SU (Open Space – Special Use) Zone
Environmental Determination: The City adopted a Mitigated Negative Declaration (MND) in 1998 when the previous Master Plan was approved. The 1998 MND concluded that the previous Master Plan would not result in a significant impact on the environment with the incorporation of specified mitigation measures. The City has prepared a Draft Subsequent Mitigated Negative Declaration/Addendum (SMND/A) for the proposed amendment to the Master Plan. The Draft SMND/A was released for public review and comment on February 11, 2011; the deadline for submitting comments on the Draft SMND/A was March 14, 2011. The Draft SMND/A finds that the buildout of the amended Master Plan would not result in new significant environmental impacts, or a substantial increase in the severity of impacts previously identified in the 1998 MND, with the incorporation of specified mitigation measures and the City's standard conditions of approval. Therefore, further environmental review is not required.
- Service Delivery District:** 6
 City Council District: 7
 Status: The Zoo Master Plan was previously approved by the City in 1998. The current proposal involves amending the approved 1998 Master Plan. The proposed Master Plan amendment is currently before the Planning Commission. The Planning Commission held previous public hearings on the proposed Master Plan amendment on April 21, 2010, and March 16, 2011. On March 16, 2011, the Planning Commission closed the public hearing. Staff is preparing appropriate responses to public comments received through March 16th. These responses will be published with the staff report for the April 20th Planning Commission meeting.
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Action to be Taken: The April 27th meeting will not be a public hearing as the Planning Commission closed the public hearing on March 16, 2011, except that the Commission will consider (a) City staff and applicant responses to the public comments received up to and including March 16th; and (b) further public comments on the adequacy of City staff and applicant responses to the previously submitted public comments. It is anticipated that the Commission will not consider any new evidence or issues not previously raised on or before March 16th. Under the Sunshine Ordinance and Brown Act, the public has the right to speak on the item on April 27th. However, the Commission will strongly encourage that public comments be limited to the adequacy of City staff and applicant responses to the previously submitted public comments. It is anticipated that the Planning Commission will issue a decision based upon the staff report.

Finality of Decision: The Planning Commission's decision is appealable to the City Council within ten (10) calendar days.

For Further Information: Contact the case planner, **Darin Ranelletti**, at (510) 238-3663, or by email at **dranelletti@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/overtakes 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

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: May 4, 2011