Oakland City Planning Commission STAFF REPORT

Case File Number A 10-107 **July 7, 2010**

Location:	**1600 Broadway (APN 008-06222-008-00)**
Proposal:	Appeal of Administrative Denial of a Request to legalize a wall sign exceeding 513 square feet in area installed without permits on the side of an office building for Oaksterdam University
Contact Person/Phone Number:	Salwa Ibrahim, (510) 637-9909
Owner:	Danyol Akol
Case File Number:	**A10-107 (Appeal Denial of DV10-031)**
Planning Permits Required:	Appeal of Administrative Denial of Minor Variance for exceeding allowed sign area (513 square feet requested, 20 additional square feet allowed) and Regular Design Review to allow new wall sign
General Plan:	Central Business District
Zoning:	CBD-P, Central Business District Pedestrian Zoning District
Environmental Determination:	Exempt-Section 15270, Projects Which are Disapproved; Section 15321, Enforcement Actions by Regulatory Agencies; Section 15311, Accessory Structures
Historic Status:	Not a Potential Designated Historic Property
Service Delivery District:	Metro
City Council District:	3
Staff Recommendation:	Deny Appeal
Finality of Decision:	Final, Not Administratively Appealable

SUMMARY

The appellant, Ms. Salwa Ibrahim of Oaksterdam University, requests the Planning Commission to overturn the Zoning Administrator's denial of her application for a Minor Variance and Design Review to legalize an existing sign over 513 square feet in area (about 725 square feet), installed without permission on the side of their office building at Broadway facing 17th Street. The City's regulations would allow signs totaling a maximum of 60 square feet for **all** the businesses located in the building. Because there are two existing signs on the building, totaling 40 square feet, there remains only 20 square feet available for this sign. The applicant has not demonstrated that they meet the required findings for a variance (of almost 700 square feet for this sign, which represents 35 times the maximum permitted sign area) or design review.

Staff recommends the Planning Commission uphold the Zoning Manager's action to deny the applications and deny the Appeal.

BACKGROUND

Oaksterdam University (OU) is a private educational institution promoting cannabis sativa (marijuana) for medicinal purposes. OU expanded their offices to 1600 Broadway and were approved for a 20 square foot sign over the door facing Broadway. In late 2009, OU had a sign painted at heights 18 to 33 feet above grade, on the side of their 50 foot tall building facing a parking lot, in excess of the sign area permitted by the Oakland Planning Code Section 17.104.020.B.1.

That Code section permits one square foot of sign area per linear foot of frontage, up to 200 square feet. The new wall sign exceeds both standards. The 60–foot wide frontage would allow 60 square feet of aggregate sign area for all businesses in the building. Since there is already a 20 square foot sign for another tenant and a 20 square foot OU sign, only 20 square feet of sign area remains available. Thus, the new sign is about 35 (thirty-five) times the maximum 20 square feet allowed.

The sign area originally reported by the applicant is 513 square feet, the area of letters and logo exclusive of the white wall space in between letters and logo. The appeal now states that the signs are really only 470 square feet. However, the sign consists of 20 green 24 square foot letters spelling out OU's name, plus the 12 foot diameter 125 square foot green-and-yellow school logo, on a white background, located at the second and third story levels of the 3-story office building. Therefore, using the simplest rectangles as measured by staff, the area is closer to 725 square feet. This is the method of measurement used for signs in Oakland.

After citation by code enforcement, the school applied for a Variance and Design review, which staff denied on April 22, 2010. An appeal was timely filed on April 30, 2010.

PROPERTY DESCRIPTION

The property is a CBD-P Commercially-zoned corner lot located in the downtown business district. The lot is flat and measures 60 feet in width by 100 feet in depth. Neighboring facilities include historic and non-historic buildings, with the vertical grey wall of the telephone company tower bordering the parking lot perpendicular to the applicant's building.

GENERAL PLAN ANALYSIS

The property is located in the Central Business District area of the General Plan, Land Use & Transportation Element (LUTE). The General Plan Conformity Guidelines are silent on signs in excess of approved areas. The site is located within an area identified as 'Growth and Change' under the General Plan's LUTE (Figure 6 – Improvement Strategies Central/Chinatown – p. 194). LUTE policies include D2.1, which states that "Downtown development should be visually interesting, harmonize with its surroundings, respect and enhance important views in and of the downtown, respect the character, history, and pedestrian-orientation of the downtown, and contribute to an attractive skyline." Billboard-size wall signs do not accomplish this policy. While the Oaksterdam sign is an on-premises sign, in size and location it is comparable to a billboard, and Policy I/C4.3 and Policy N12.7 state that "Billboards should be reduced or eliminated in commercial and residential areas in Oakland…"

ZONING ANALYSIS

The property is located within the CBD-P Commercial Zone. The intent of the CBD-P Zone is: "*to create, maintain and enhance areas of the Central Business district for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities.*" The applicant's sign is substantially larger than the existing 40 square feet of signage for 2 businesses on Broadway, and thus larger than the permitted sign area by a large margin. The new sign is not "pedestrian oriented." A Variance and Regular Design Review are required for such a sign. However, after reviewing an application for a Variance and Design Review, staff could not make the required findings to support the sign and denied it on April 22, 2010.

APPEAL DESCRIPTION

The property owner appealed the denial of the Variance and Regular Design Review DV10-031 on April 30, 2010 (Attachment B), timely filed counting 10 days. This action is treated as an appeal of a determination of the Zoning Manager pursuant to the Planning Code Sections (Chapter 17.136.080 and 17.148.060).

The appellant claims that staff's *"letter from April 22nd, 2010 denying Oaksterdam University's request for a variance contained an error. The mural on 1600 Broadway is a total of 470 square feet, not 725 square feet as listed. Please see the architectural drawings in the enclosed packet, as well as similar signs in Downtown Oakland and additional photos of the mural. It is Oaksterdam University's intention to file an appeal to the City Planning Commission. Oaksterdam has served a significant role in revitalizing downtown Oakland, serving as a community center, and has led the charge to fix Oakland's—and now, California's—failed cannabis laws. That's why over 1,500 Oakland neighbors and Oaksterdam tourists have signed a petition to keep our mural; you can find the petition attached. The mural on the side of 1600 Broadway is not only a piece of art painted by a local muralist: It is a historic icon that chronicles the positive and progressive change in Oakland to which Oaksterdam has been proud to contribute. This mural is a symbol of Oakland's progress and leadership; so today, we ask you to please preserve Oakland's history by permitting the mural on 1600 Broadway."*

Staff's Response:

This sign is a "Business Sign" pursuant to Section 17.10.840, which is defined as "a Sign directing attention to, or otherwise pertaining to, a commodity, service, business, or profession which is sold, produced, conducted or offered as one of the major functions of a Commercial, Manufacturing, or Agricultural or Extractive Activity on the same lot..." Therefore it is subject to the limitations in size pursuant to Section 17.104.020. The findings for approval of this sign, which significantly exceeds the allowable sign area, could not be made. While Oaksterdam University considers itself a positive and progressive change for Oakland, such characterization is not a factor in determining the allowable sign area, nor in the required findings for a Variance or Design Review (Section 17.136.080 and 17.148.060 for appeal parameters). Moreover, since the sign was erected in 2009, it is not considered an historic resource under the Planning Code.

One of the primary purposes of the City's sign regulations in Planning Code Section 17.104.020.B.1 is precisely to establish the parameters by which the right to signage can be implemented in a manner deemed consistent with the long term optimal functioning of an area. The Planning Code makes no exception for signs unilaterally installed without permission by a property owner which exceed permitted sign area, in this case by a factor of more than 35 (thirty-five) times.

Staff conclusions regarding the Findings for Denial of a Variance and Regular Design Review are contained in the attached Decision Letter and are incorporated herein by reference.

In summary, Appellant has not demonstrated error or abuse of discretion, or wherein the Zoning Manager's Decision is not supported by substantial evidence. Thus, the Determination that the sign was over-sized and that the findings required for a Variance and Regular Design Review cannot be made should be upheld as the appellant presents little to no factual or legal basis for proposed exemption to the size limitations rule.

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines statutorily and categorically exempts specific types of projects from environmental review. If the Commission upholds the Zoning Manager's determination, Section 15270 statutorily exempts projects which are disapproved (that is, which a public agency rejects); Section 15321 categorically exempts enforcement actions by regulatory agencies. Alternatively, an action to approve the appeal and overturn the Zoning Manager's determination would be exempt from CEQA Environmental Review under Section 15311, Accessory Structures.

RECOMMENDATIONS:

1. Affirm staff's environmental determination.
2. Uphold the Zoning Manager's Determination and deny the Appeal.

Prepared by:

DAVID VALESKA
Planner II

Approved by:

SCOTT MILLER
Zoning Manager

Approved for forwarding to the
City Planning Commission:

WALTER COHEN
Director
Community & Economic Development Agency

ATTACHMENTS:

A. Zoning Manager's Determination (Denial) letter dated April 22, 2010
B. Appeal letter dated April 30, 2010, with photographs, plans and petitions
C. Record summary: photographs, plans
D. Neighbor Correspondence

LEGAL NOTICE: This action of the City Planning Commission is final and not administratively appealable. Any party seeking to challenge such decision in court must do so within ninety (90) days of the announcement of this decision, unless a shorter period applies.
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CITY OF OAKLAND

DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 2114 • OAKLAND, CALIFORNIA 94612-2031

Community and Economic Development Agency
Planning & Zoning Services Division

(510) 238-3911
FAX (510) 238-4730
TDD (510) 238-3254

April 22, 2010

Salwa Ibrahim
Oaksterdam Univerity
1600 Broadway
Oakland, CA 94612

RE: Case File No: DV10-031; 1600 Broadway; APN 008-0622-008-04

Dear Ms. Ibrahim:

Your application for a Minor Variance to Sections 17.104.020.B(1) of the Oakland Planning Code to allow a wall sign of 725 square feet in area (letters and logo only are 605 square feet in area) installed without permits where an additional 20 square feet would otherwise be the sign area limit, has been **DENIED**. The application does not comply with the Variance or Design Review Criteria as set forth in the Oakland Planning Code. Attachment A contains the findings required for this approval and the reasons your proposal does not satisfy them. This action is effective ten (10) days after the date of this letter unless appealed as explained below.

Location:	**1600 Broadway (APN 008-06222-008-04)**
Proposal:	Request to legalize a wall sign of 725 square feet in area (letters and logo only 605 square feet in area) where installed without permits on the side of an office building for Oaksterdam University
Contact Person/Phone Number:	Salwa Ibrahim, (510) 637-9909
Owner:	Danyol Akol
Case File Number:	**DV10-031**
Planning Permits Required:	Minor Variance for exceeding allowed sign area (725 square feet requested, 20 additional square feet allowed) and Regular Design Review to allow new wall sign
General Plan:	Central Business District
Zoning:	CBD-P, Central Business District Pedestrian Zoning District
Environmental Determination:	Exempt-Section 15301 of the State CEQA Guidelines: Minor Alterations to Existing Facilities; Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan, general plan or zoning
Historic Status:	Not a Potential Designated Historic Property
Service Delivery District:	Metro
City Council District:	3
For Further Information:	Contact **David Valeska, Planner II at (510) 238-2075** or dvaleska@oaklandnet.com

Attachment A. Zoning Manager's Determination (Denial) letter dated April 22, 2010

An Appeal to the City Planning Commission of this Administrative Case decision may be submitted within ten (10) calendar days after the date of this letter, 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 **David Valeska, Planner II**. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Zoning Administrator or wherein his/her decision is not supported by substantial evidence and must include payment of $1181.93 in accordance with the City of Oakland Master Fee Schedule. 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 may preclude you from raising such issues during your appeal and/or in court.

If you challenge a Commission decision in court, you may 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 Appeal 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 Commission's final decision.

If you have any questions, please contact the case planner, **David Valeska, Planner II** at **(510) 238-2075** or e-mail dvaleska@oaklandnet.com.

Sincerely,

Scott Miller

SCOTT MILLER
Zoning Manager

Cc Public Works Agency
Building Services
Property Owner Danyol Akol

Attachments:
A. Findings of Denial

A. FINDINGS OF DENIAL

SECTION 17.148.050(C)—VARIANCE FINDINGS:
All the following findings below are NOT satisfied with the proposal:

1. **That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning regulations, due to unique physical or topographic circumstances or conditions of design.**

   This site has no unique physical or topographic circumstances or condition of design; the site is a flat rectangular site. Making the words "Oaksterdam University" and its logo significantly bigger than allowed by code does not constitute an effective design solution improving livability, operational efficiency or appearance. There is no practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning regulations which promotes a sign of this size. This business is similar to other educational and medical businesses in Downtown, and to other medical marijuana dispensaries in the community, none of which have been granted a 725 square foot wall sign to identify themselves, and which are subject to the same sign Code regulations and allowances as the applicant. Testimony during the public notice process from nearby business neighbors does not support a sign larger than that provided by the Oakland Planning Code.

2. **That strict compliance with the regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property.**

   See (1) above. Strict compliance with the code would still allow the applicant the privileges of sign identification on Broadway for this business, as verified by the applicant's existing on-site 20 square foot sign already approved. Other signs on Broadway and nearby streets have been approved for Oaksterdam University's leased areas in other buildings, all of which are in compliance with the Code and only a tiny fraction of 725 square feet in area. Other large wall signs in the area are legal nonconforming advertising signs, existing for many years, which would not be approved today, and which are mainly visible from side streets such as 17th Street near San Pablo Avenue rather than from Broadway. An Oaksterdam sign which can be seen on Broadway two blocks distant is neither required nor in the public interest.

   The University states that it needs the larger sign because of its outreach activities. This Variance denial does not limit the University's options on outreach activities beyond static signage.

3. **That the variance will not constitute a grant of a special privilege inconsistent with the limitations imposed on similarly zoned properties and inconsistent with the purposes of zoning regulations.**

   Granting the Variance would constitute a special privilege because there are no other adjacent or nearby land uses with a similar size and purpose wall sign approved to promote the on-site activity, and because Section 17.104 of the Planning Code provides adequate sign area consistent with the purposes of zoning regulations, including visual order and equity for businesses complying with the Code.

Section 17.136.050(B) Regular Design Review Criteria, Nonresidential Facilities:

1. **That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section1 17.136.060:**

   If reduced in size to the size permitted by the Oakland Planning Code, 20 square feet, the design of this sign would appear harmonious and balanced and would relate well to the supporting building and surrounding areas. However, the existing sign is over *35 times as large* as such a conforming sign design. Seen from areas along Broadway, the existing sign of 725 square feet in area remains unharmonious with views of historic and modern buildings, and should be removed.

2. **That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area.**

   The value of public and private investments is not protected by the design, since the oversized, garish and disproportionate sign contributes nothing to the district except to ascribe and attribute the whole district to its identity. This is exactly the complaint that some neighbor businesses filed during the public notice period for this application: that the giant sign gives the appearance that the whole neighborhood is "Oaksterdam," when in fact the University leases less than 10% of the building floor-space in this vicinity. A University sign needs to better harmonize with signs in the area.

3. **That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable design review guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.**

   The General Plan and other guidelines promote visual continuity in Downtown and in areas with concentrations of historical buildings. This proposal does not satisfy the spirit and intent of the zoning ordinance given the building size.

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Community and Economic Development Agency

CITY OF OAKLAND
REQUEST FOR APPEAL OF DECISION TO PLANNING COMMISSION OR CITY COUNCIL

(REVISED 8/14/02)

PROJECT INFORMATION

Case No. of Appealed Project: DV10-031

Project Address of Appealed Project: 1600 Broadway

APPELLANT INFORMATION:

Printed Name: Salwa Ibrahim Phone Number: 510-637-9909

Mailing Address: 1600 Broadway Alternate Contact Number: 510-832-3746

City/Zip Code 94612 Representing: Dan Akol/Oaksterdam

An appeal is hereby submitted on:

☐ **AN ADMINISTRATIVE DECISION (TO THE CITY PLANNING COMMISSION)**

YOU MUST INDICATE ALL THAT APPLY:

- ☐ Approving an application for an Administrative Project
- ☒ Denying an application for an Administrative Project
- ☐ Administrative Determination or Interpretation by the Zoning Administrator
- ☐ Other (please specify) _____

Pursuant to the Oakland Municipal and Planning Codes listed below:

- ☐ Administrative Determination or Interpretation (OPC Sec. 17.132.020)
- ☐ Determination of General Plan Conformity (OPC Sec. 17.01.080)
- ☐ Design Review (OPC Sec. 17.136.080)
- ☐ Small Project Design Review (OPC Sec. 17.136.130)
- ☐ Minor Conditional Use Permit (OPC Sec. 17.134.060)
- ☐ Minor Variance (OPC Sec. 17.148.060)
- ☐ Tentative Parcel Map (OMC Section 16.304.100)
- ☐ Certain Environmental Determinations (OPC Sec. 17.158.220)
- ☐ Creek Protection Permit (OMC Sec. 13.16.450)
- ☐ Creek Determination (OMC Sec. 13.16.460
- ☐ Hearing Officer's revocation/impose or amend conditions (OPC Secs. 15.152.150 & 15.156.160)
- ☐ Other (please specify) _____

☐ **A DECISION OF THE CITY PLANNING COMMISSION (TO THE CITY COUNCIL)** ☐ Granting an application to: **OR** ☐ Denying an application to:

_____

_____

Attachment B. Appeal letter dated April 30, 2010, with photographs, plans and petitions

(Continued)

A DECISION OF THE CITY PLANNING COMMISSION (TO THE CITY COUNCIL)

YOU MUST INDICATE ALL THAT APPLY:

Pursuant to the Oakland Municipal and Planning Codes listed below:

- ☐ Major Conditional Use Permit (OPC Sec. 17.134.070)
- ☐ Major Variance (OPC Sec. 17.148.070)
- ☒ Design Review (OPC Sec. 17.136.090)
- ☐ Tentative Map (OMC Sec. 16.32.090)
- ☐ Planned Unit Development (OPC Sec. 17.140.070)
- ☐ Environmental Impact Report Certification (OPC Sec. 17.158.220F)
- ☐ Rezoning, Landmark Designation, Development Control Map, Law Change (OPC Sec. 17.144.070)
- ☐ Revocation/impose or amend conditions (OPC Sec. 17.152.160)
- ☐ Revocation of Deemed Approved Status (OPC Sec. 17.156.170)
- ☒ Other (please specify) Minor Variance

An appeal in accordance with the sections of the Oakland Municipal and Planning Codes listed above shall state specifically wherein it is claimed there was an error or abuse of discretion by the Zoning Administrator, other administrative decisionmaker or Commission (Advisory Agency) or wherein their/its decision is not supported by substantial evidence in the record, or in the case of Rezoning, Landmark Designation, Development Control Map, or Law Change by the Commission, shall state specifically wherein it is claimed the Commission erred in its decision.

You must raise each and every issue you wish to appeal on this Request for Appeal Form (or attached additional sheets). Failure to raise each and every issue you wish to challenge/appeal on this Request for Appeal Form (or attached additional sheets), and provide supporting documentation along with this Request for Appeal Form, may preclude you from raising such issues during your appeal and/or in court.

The appeal is based on the following: *(Attach additional sheets as needed.)*

See attached Documents
- Dispute sign area
- Dispute staff finding of hardship and fairness

☒ **Supporting Evidence or Documents Attached.** *(The appellant must submit all supporting evidence along with this Appeal Form.)*

Signature of Appellant or Representative of Appealing Organization

Date 4/30/10

Below For Staff Use Only

Date/Time Received Stamp Below:

Cashier's Receipt Stamp Below:

Ibrahim

1) The mural on 1600 Broadway improves the appearance of the building. Oaksterdam University (OU) is a tourist landmark, and this mural anchors OU as the centerpiece of the Oaksterdam neighborhood. There are 1,000 people coming to Oakland each day because of the draw provided by OU and affiliate businesses. Oaksterdam receives international attention on a regular bases and is advertising Oakland to a worldwide market. The mural also serves as a beacon for the media, and could become an iconic image of Oakland, similar to the Tribune building, etc. This mural offers a focal point and is an easily identifiable information/visitors center. OU serves as a safe place for visitors to downtown Oakland.

2) There are two buildings north of 1600 Broadway with large billboards (Please see attached photo). Our mural is an aesthetically pleasing alternative that identifies a district and a safe place for people to meet, while serving as a historical piece. Since Oaksterdam University is the first politically active cannabis college in the world this mural signifies a moment in history.

3) Next door is a parking lot. It has no negative impact on their business, and 40% of their business comes from OU visitors. Also, this mural is art! It was commissioned to an accomplished local artist who has had shows all over Oakland. The artist has also had offers for work in downtown Oakland based on her OU mural, including the taco shop Antojeria el Chilar.

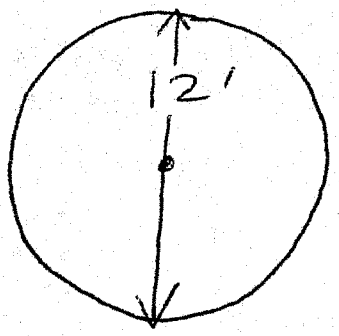
4) Again, There are two buildings north of 1600 Broadway with large billboards (Please see attached photo).
5) See above.

1/28/10

SIZE ESTIMATE
for O.U. Mural:

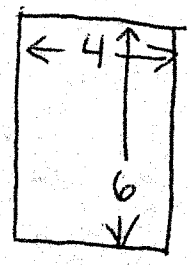
Emblem → 12 ft Dia. 144
− 20% space 29

= 125 ft²



Letters → 4' x 6 ft EA. x (20) 480
− 20% space − 92

= 388 ft



Total = 513 sq ft

M. Jones ARTIST

Oaksterdam University
1600 Broadway
Oakland, CA 94612

RECEIVED
APR 8 0 2010
CITY PLANNING COMMISSION
ZONING DIVISION

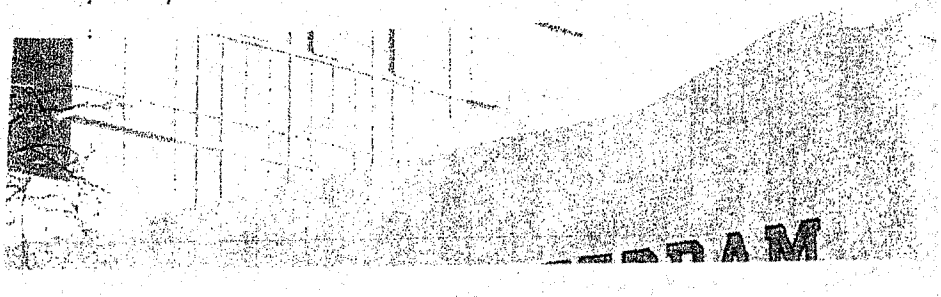
Dear Neighbor,

As you may have noticed the corner of 17th and Broadway just became a little brighter. Oaksterdam University moved into its new home at 1600 Broadway occupying the 30,000 square foot facility and commissioned a local Oakland muralist to design a one of a kind piece to help identify the Oaksterdam district and has quickly became an international media icon. This mural has been seen on many international media outlets including Switzerland, France and Australia TV to name a few.

The growth of Oaksterdam is vital to the revitalization of Downtown Oakland, Oaksterdam is responsible for bringing over 1,000 people to Oakland everyday and the foot traffic is supporting many of our neighborhood businesses such as yours.

In an effort to apply for a minor variance Oaksterdam is looking for your support. Please help us keep this vibrant piece of art that is becoming an icon during this historic time by signing this petition. Your support is greatly appreciated and we look forward to building a stronger community with you.

Best,



A-10-107

RECEIVED
APR 5 1 2010
CITY PLANNING COMMISSION

Oaksterdam University

Request for Appeal

1600 Broadway

Sign Variance

RECEIVED
APR 29 2010
CITY PLANNING COMMISSION
ZONING DIVISION

April 29, 2010

Davis Valeska, Planner II
Community and Economic Development Agency
Planning and Zoning Division
250 Frank H. Ogawa Plaza Suite 2114
Oakland, CA 94612

RE: Case File No: DV10-031; 1600 Broadway; APN 008-0622-008-04

Dear Mr. Valeska,

It has come to my attention that your letter from April 22nd, 2010 denying Oaksterdam University's request for a variance contained an error. The mural on 1600 Broadway is a total of 470 square feet, not 725 square feet as listed. Please see the architectural drawings in the enclosed packet, as well as similar signs in Downtown Oakland and additional photos of the mural.

It is Oaksterdam University's intention to file an appeal to the City Planning Commission. Oaksterdam has served a significant role in revitalizing downtown Oakland, serves as a community center, and has led the charge to fix Oakland's – and now, California's – failed cannabis laws. That's why over 1,500 Oakland neighbors and Oaksterdam tourists have signed a petition to keep our mural; you can find the petition attached.

The mural on the side of 1600 Broadway is not only a piece of art painted by a local muralist: It is a historic icon that chronicles the positive and progressive change in Oakland to which Oaksterdam has been proud to contribute. This mural is a symbol of Oakland's progress and leadership; so today, we ask you to please preserve Oakland's history by permitting the mural on 1600 Broadway.

Best,

Salwa Ibrahim

Oaksterdam University

In November 2007 Oakland made history. Oaksterdam University the world's first cannabis trade school opened its doors to provide quality training for the cannabis industry. Immediately it was a success and due to the rapid growth of our school we have expanded three times in three short years. Since opening day, Oaksterdam University (OU) has provided over 7,000 students with not only the training necessary to become a part of the emerging cannabis industry but how to become politically active and give back to their community. OU is a private community gathering place where we have hosted numerous events and neighborhood meetings open to patients and alumni as well served other community groups such as Medical Cannabis Safety Council and the US Census training center. This mural is distinct and allows people to quickly identify 1600 Broadway as a beacon for safety. This historic school has caught the attention of international press and has been seen in over 27 countries around the world. The success of OU has generated an enormous amount of positive attention billing Oaksterdam a gold standard in the industry, so much so that we have been orchestrating monthly guided tours for visitors from around the country. Oaksterdam's positive reputation draws 1,000 per day to Oakland generating foot traffic for the downtown area and neighboring businesses.

Oaksterdam University has also spearheaded Measure Z (1) which passed with a 65% majority vote and Measure F (2) which passed with an overwhelming 80%. These measures were the first of their kind in the nation and Oakland yet again made history. Most recently, OU has qualified a state wide ballot initiative that will Control Tax and Regulate Cannabis, this is the next milestone for Oakland and the international cannabis movement. Along with diligently working to change the laws, Oaksterdam continues to be philanthropic to dozens of Oakland nonprofits and charities.

The purpose of this letter is to encourage city staff to recognize that we are in historic times and Oakland is at the forefront. The mural on the side of 1600 Broadway is not only a piece of art painted by a local muralist it is a historic icon seen around the world chronicling the positive and progressive change and the revival of Oakland that Oaksterdam has contributed so much to. The international cannabis movement is looking to Oakland and Oaksterdam to set the standard for this entire industry. This mural is a landmark; please preserve Oakland's history by permitting the mural on 1600 Broadway.

(1) *Shall the ordinance requiring the City of Oakland (1) to make law enforcement related to private adult cannabis (marijuana) use, distribution, sale, cultivation and possession, the City's lowest law enforcement priority; (2) to lobby to legalize, tax and regulate cannabis for adult private use, distribution, sale, cultivation and possession; (3) to license, tax and regulate cannabis sales if California law is amended to allow such actions; and (4) to create a committee to oversee the ordinance's implementation, be adopted*

(2) *Shall City of Oakland's business tax, which currently imposes a tax rate of $1.20 per $1,000 on "cannabis business" gross receipts, be amended to establish a new tax rate of $18 per $1,000 of gross receipts*

#	Name	Address	City/Zip	Contact Info	SIGNATURE
169	LOREN B. LAMBERT	265 CAMELBACK RD	PLEASANT HILL 94523	(925) 333-0010	
170	CARAH M. KRAMER	265 CAMELBACK RD.	PLEASANT HILL 94523	(925) 333-0010	
171	[illegible]	1226 Browning Blvd	Los Angeles CA 90037	—	Sara Ramirez
172	Valerie Smith	863 Carpetta Cir.	Pittsburg, CA	925-252-1972	Valerie Smith
173	JASON ROBERTS	1724 ISLETON COURT	OAKLEY CA	—	
174	Luke Lewis	3609 Culver Oakland, CA	94605, CA	—	
175	Bibis C Kinder	2914 NE 46th Vancouver WA	98663 WA	—	
176	Yuri Hollie	6228 Ridgemaster Oak CA 94610	OAK CA 94610	—	
177	DAN COLLINS	2223 STURMAN [illegible]	[illegible]	—	
178	Cindy Stewart	2997 Pilot Ridge	Clayton	925 217-5722	
179	Darline Taylor	877-34st	oakland	510 355-4596	Darline Taylor
180	AJ Buckdoll	1208 San Mateo Drive SLO, 93401	Oakland	805-801-0138	
181	TOM GOODALL	92 GLENWOOD HERCULES	HERCULES		
182	Sharon Goodall	92 Glenwood Hercules CA	Hercules	510-741-8647	Sharon Goodall

PETITION OF SUPPORT FOR OAKSTERDAM VARIANCE
(3 PAGES OF 126 PAGES, ESTIMATED +/-1500 SIGNED

Local Business Signatures

#	Business Name	Owner/Manager Name	Address	Phone #	SIGNATURE
1	Jimmy's Deli	owner	1600 Broadway #100	268-8039	
2	The Twilight Zone	Manager	1520 Broadway	(510) 208 5420	
3	San Francisco Pizza	Owner	1500 Broadway	(510) 452 2200	
4	Ephynet Beauty Madamoiselle	Owner	394-A 17th St	663-7600	
5	MAKE END 2 MEET	J. PEREZ	391 E 17 St	832-6141	
6	Kw. Elegance	Owner	385 17th St.	832-7714	
7	A Divas Closet	Kenya J K manager	385 17 St	510 2286504	
8	SO DAPPER	Katherine Kimmons	371 17th St	(510) 495-7119	
9	TEMPLE TATTOO	Employee Chummy Alexanian	384 17th St	(510) 451-6423	
10	Henry's CAFE	Owner	1700 Franklin St	510 835 5064	
11	Inad a Health	Owner	1520 Broadway	2085420	
12	Kyung Kim	owner	1635 Brodway	238-8187	
13	Miguel Arm	BROADWAY SHOE REPAIRS	1629 BROADWAY	978-0563	
14	Grace Beauty Supply	Owner	1723 Broadway	465-1723	
15	Patient ID Center.	manager.	1733 Broadway	832-5346	

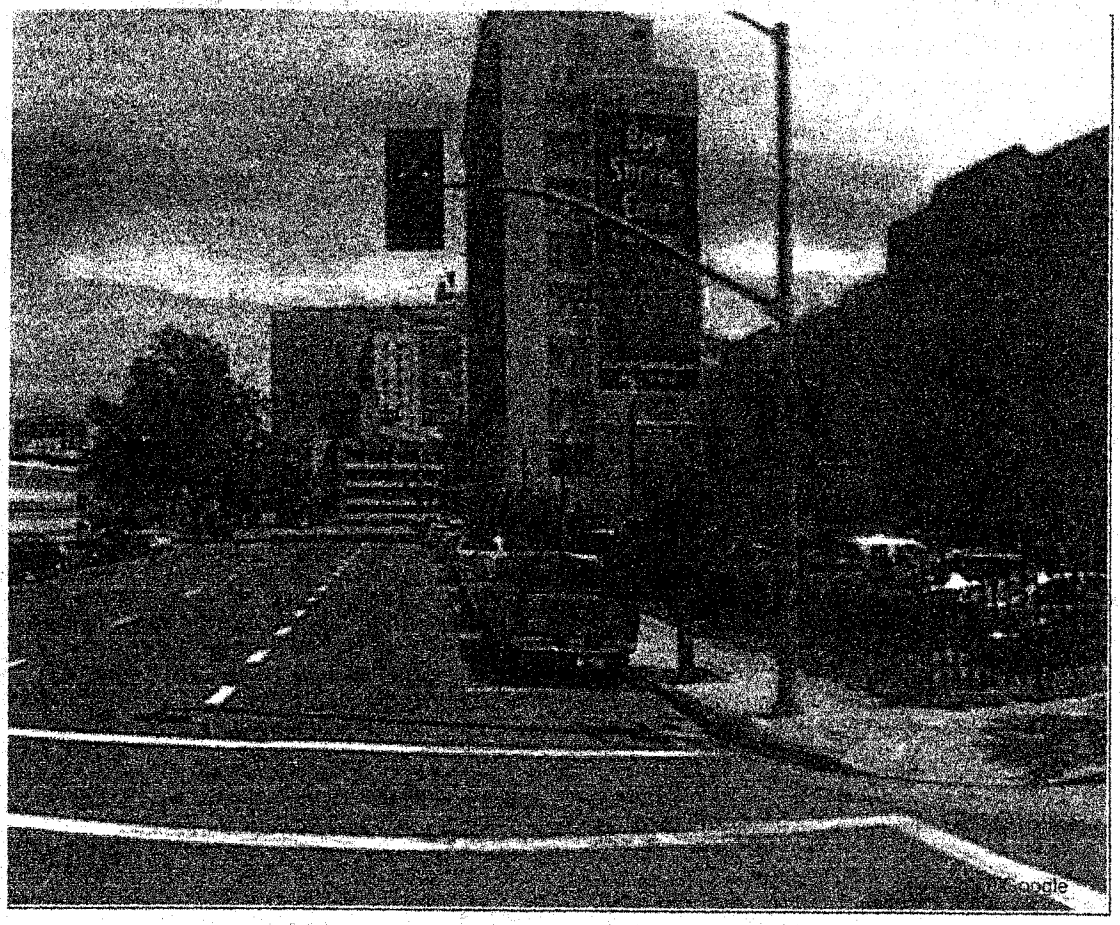
ksterdam University Variance Signatures

#	Name	Address	City/Zip	Contact Info	SIGNATURE
1	ANN K TAYLOR	1940 UNIVERSITY #414 BKLY, 94710	BERKELEY		
2	Phillip Wind	6921 MacArthur Blvd	Oakland, CA		
3	Kim Ellis Kim Ellis	6402 Sunnyside Ave.	Oakland CA.	510-467-6296	Kim Ellis
4	Sarita Coffee	1040 University Av #209	Berk		Sarita Coffee
5	Manuela Smith	105 Bristol Circle	Hercules, CA	478-8803	M. Smith
6	Benny Wesley	1040 UNIVERSITY #462	Berk. CA	510-665-6148	Benny Wesley
7	[illegible]	1040—UNIV.	Berk. CA.	510-485-2759	[illegible]
8	Earl B. Ely Jr	2594 Cordova St	Oak, 94602	510 682 3403	[illegible]
9	Herman Cleveland	1130 10th Street	Oakland	510 491-6487	[illegible]
10	ADRIAN SMITH	115 IRIS RD.	HERCULES		A. Smith
11	Robert HANSON	400 White Ln	Concord	925 827-9640	R. Hanson
12	MICHAEL FERMIND	2924 HARPER	BERKOKELEY	301-75555	M. [illegible]
13	Willie Nelson	5743 River St	Oakland		[illegible]
	Ron Restan	6781 Hale Court	Dublin	680 88-7018	[illegible]

Google maps

Address 17th St & Jefferson St
Oakland, CA 94612

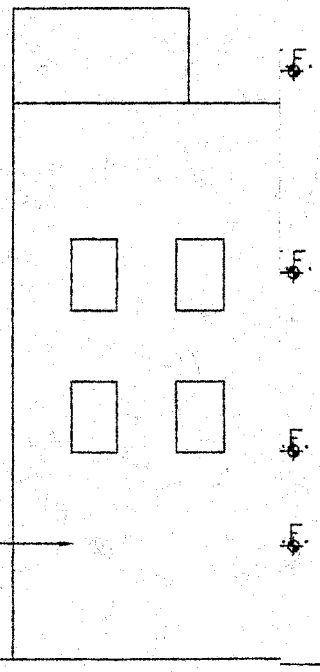
Save trees. Go green!
Download Google Maps on your phone at google.com/gmm



Attachment C. Record summary: photographs, plans

C:\Users\Anna\Documents\CAD Files\Oaksterda

RECEIVED
APR 8 0 2010
CITY PLANNING COMMISSION
ZONING DIVISION



NOTE: TOTAL SIGNAGE SQUARE FOOTAGE IS 370 SQ. FT.
TOTAL EAST ELEVATION SQUARE FOOTAGE IS 6805 SQ.FT.

(E)EXTERIOR ELEVATION TO REMAIN

SQUARE FOOTAGE CALCS.
O
=13 SQ.FT.
A = 13.66 SQ.FT. X2 =27 SQ.FT.
K
=16 SQ.FT.
S = 13 SQ.FT. X2 =26 SQ.FT.
T = 12.55 SQ.FT. X2 =25 SQ.FT.
E = 15 SQ.FT. X2 =30 SQ.FT.
R = 15 SQ.FT. X2 =30 SQ.FT.
D
=14 SQ.FT.
M
=18 SQ.FT.
U
=14 SQ.FT.
N
=18 SQ.FT.
I = 7 SQ.FT. X2 =14 SQ.F
Y
=13 SQ.FT.
TOTAL =257
SQ.FT.

EXTERIOR SIGNAGE

Revision Dates

No.	Date	By

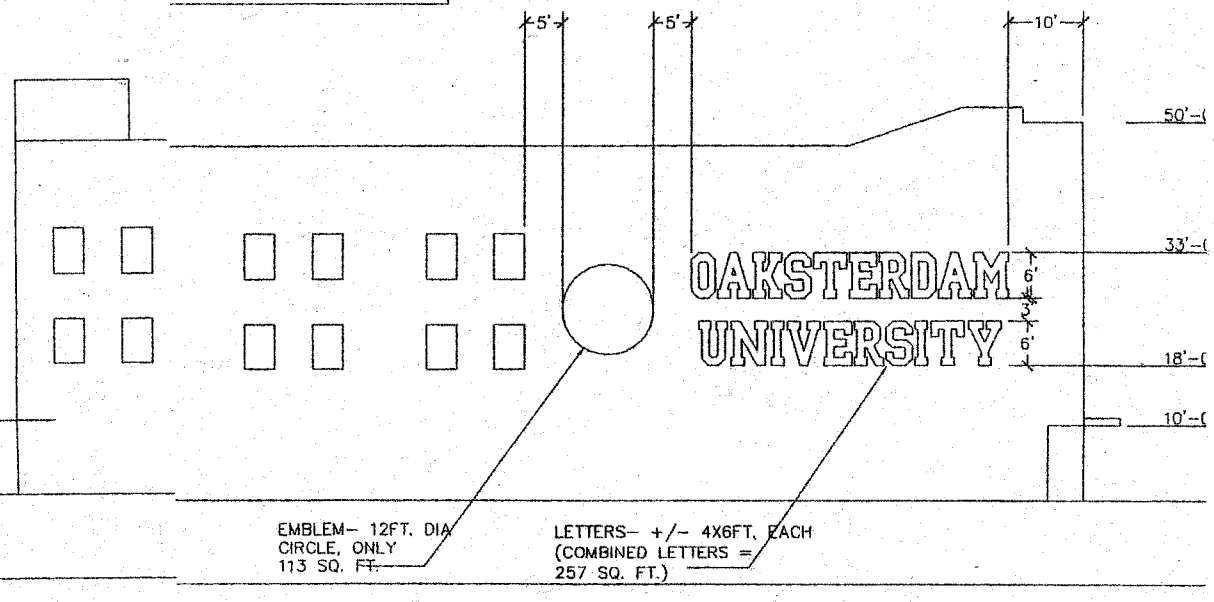
OAKSTERDAM UNIVERSITY

1600 BROADWAY
OAKLAND, CA

Project No.:
Drawn by:
Checked by:
Scale:
Date:
Filename: O

C:\Users\Anna\Documents\CAD Files\Oakster rdam U\1600 BROADWAY.jpg

PROPOSED SIGNAGE

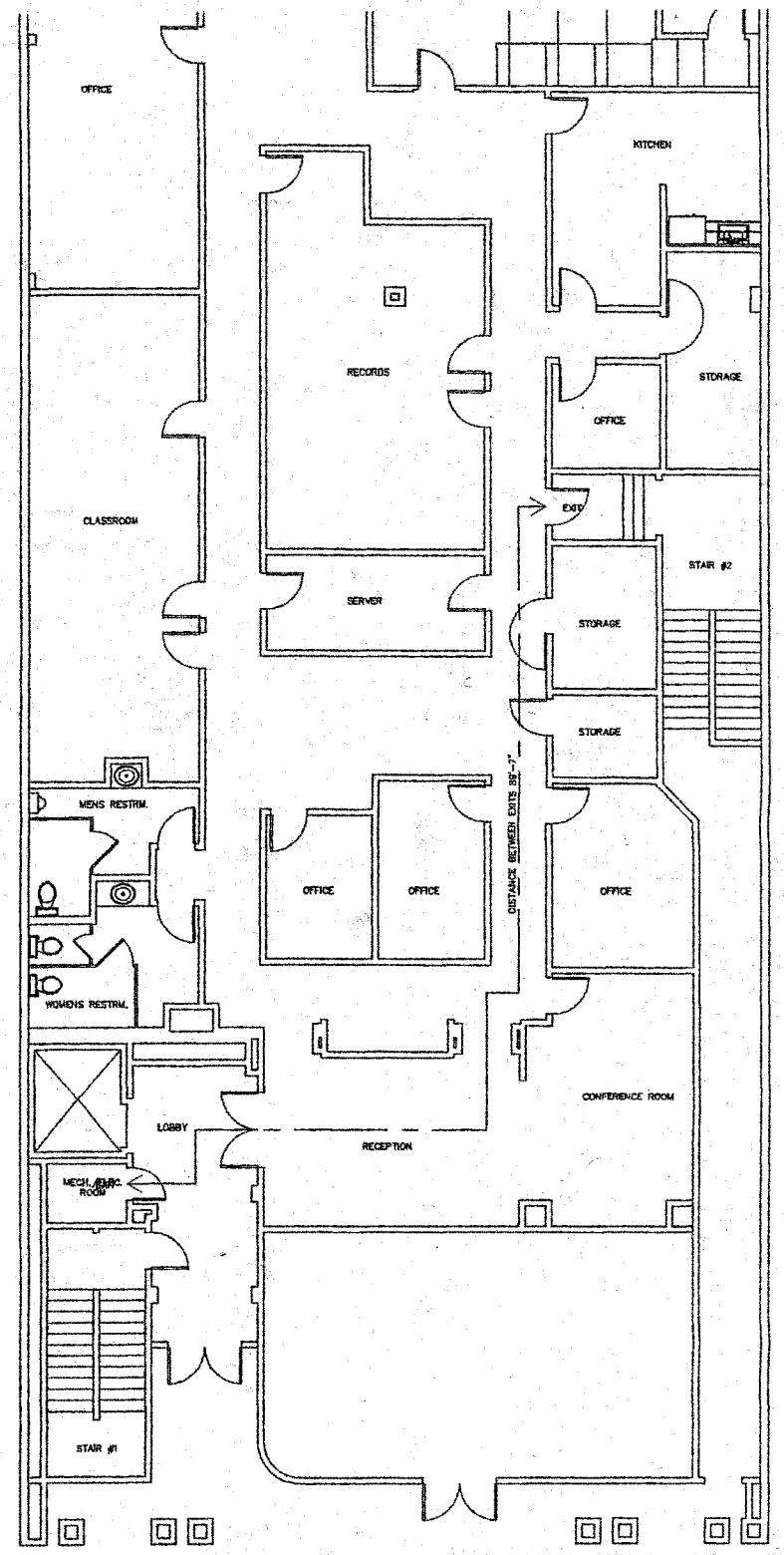


EXTERIOR SIGNAGE

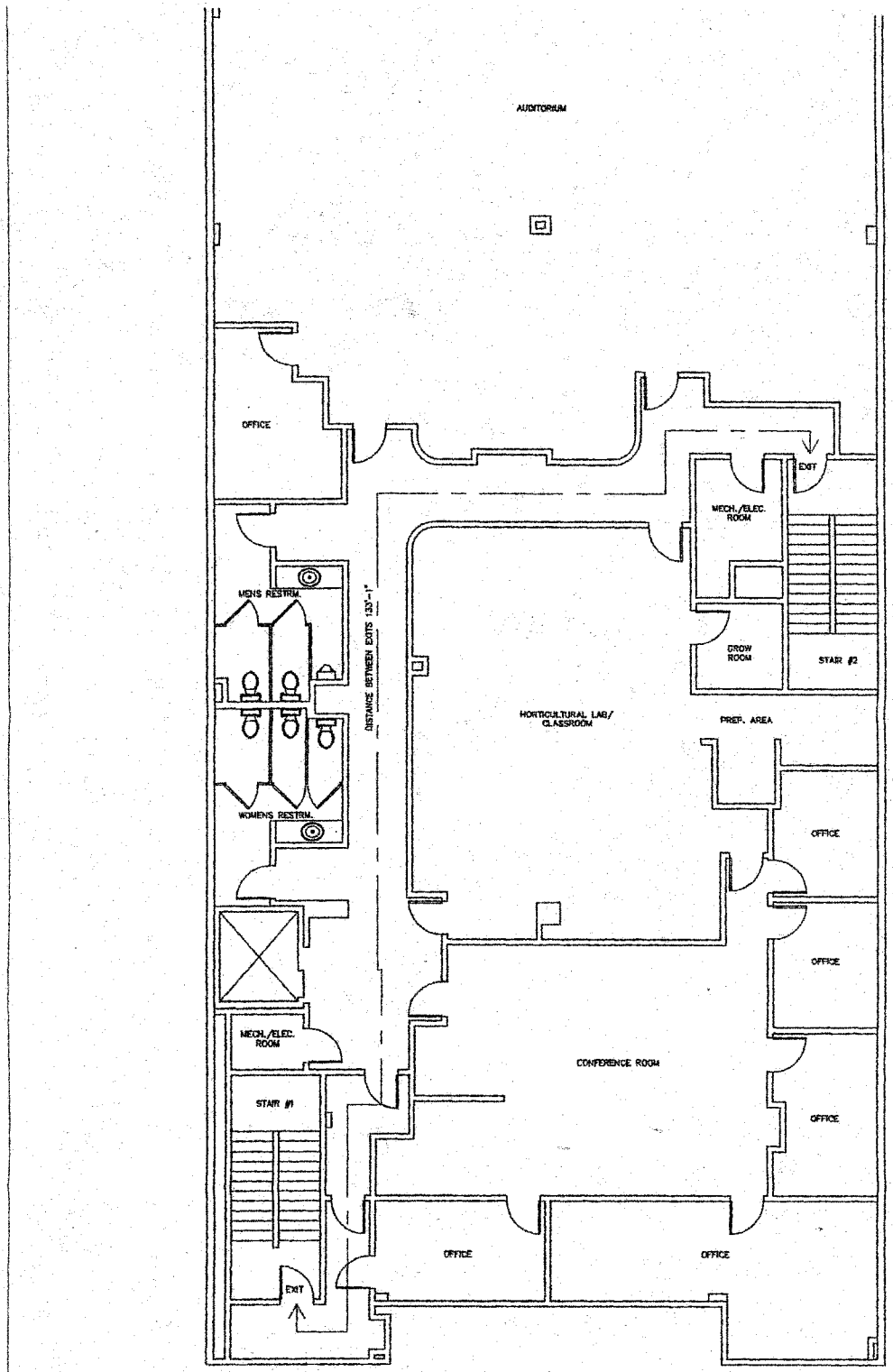
OAKSTERDAM UNIVERSITY

1600 BROADWAY
OAKLAND, CA

Project No.:	10.000.05
Drawn by:	A. CAMPA
Checked by:	A. CAMPA
Scale:	[illegible]
Date:	04.01.10
Filename:	OU-EXT-ELEV

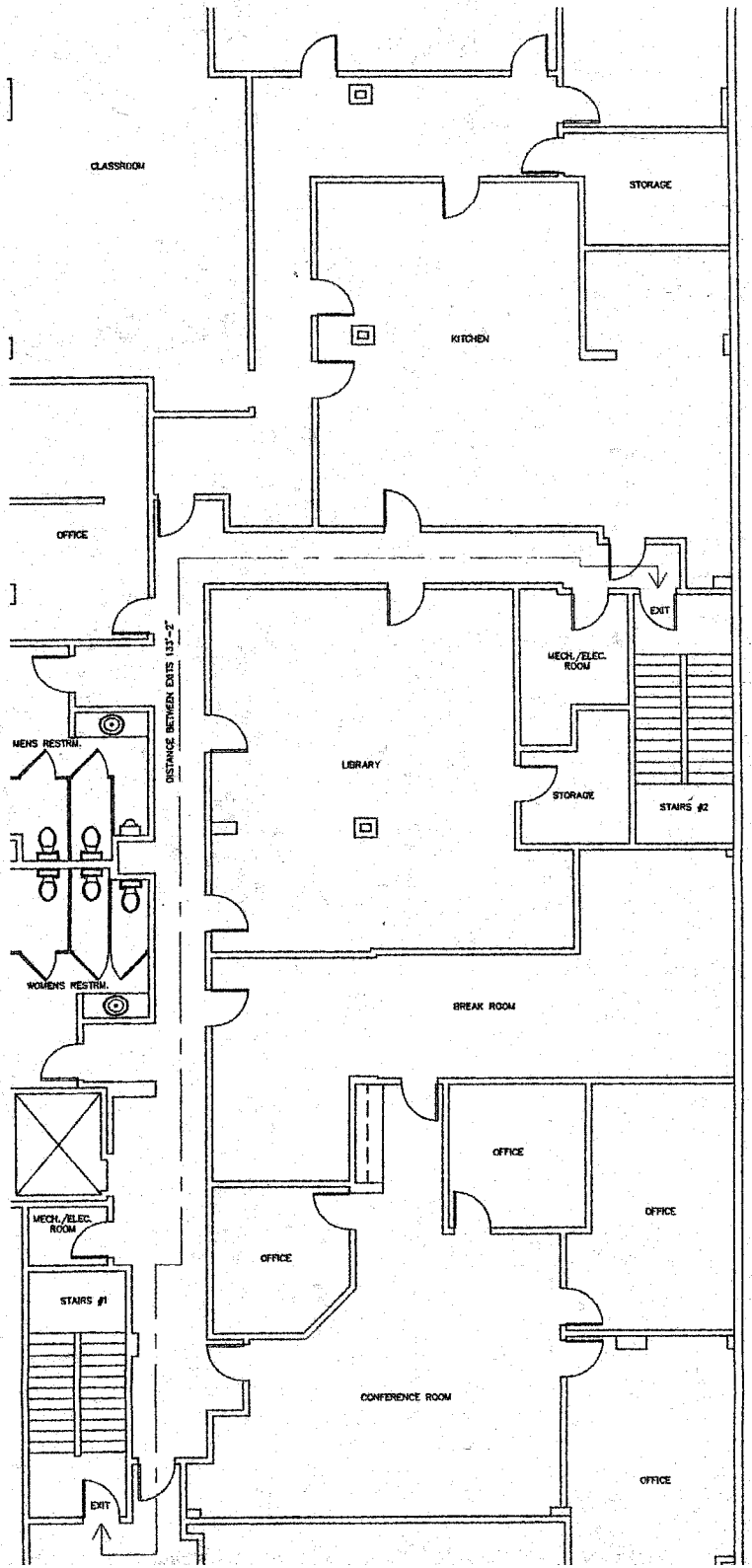


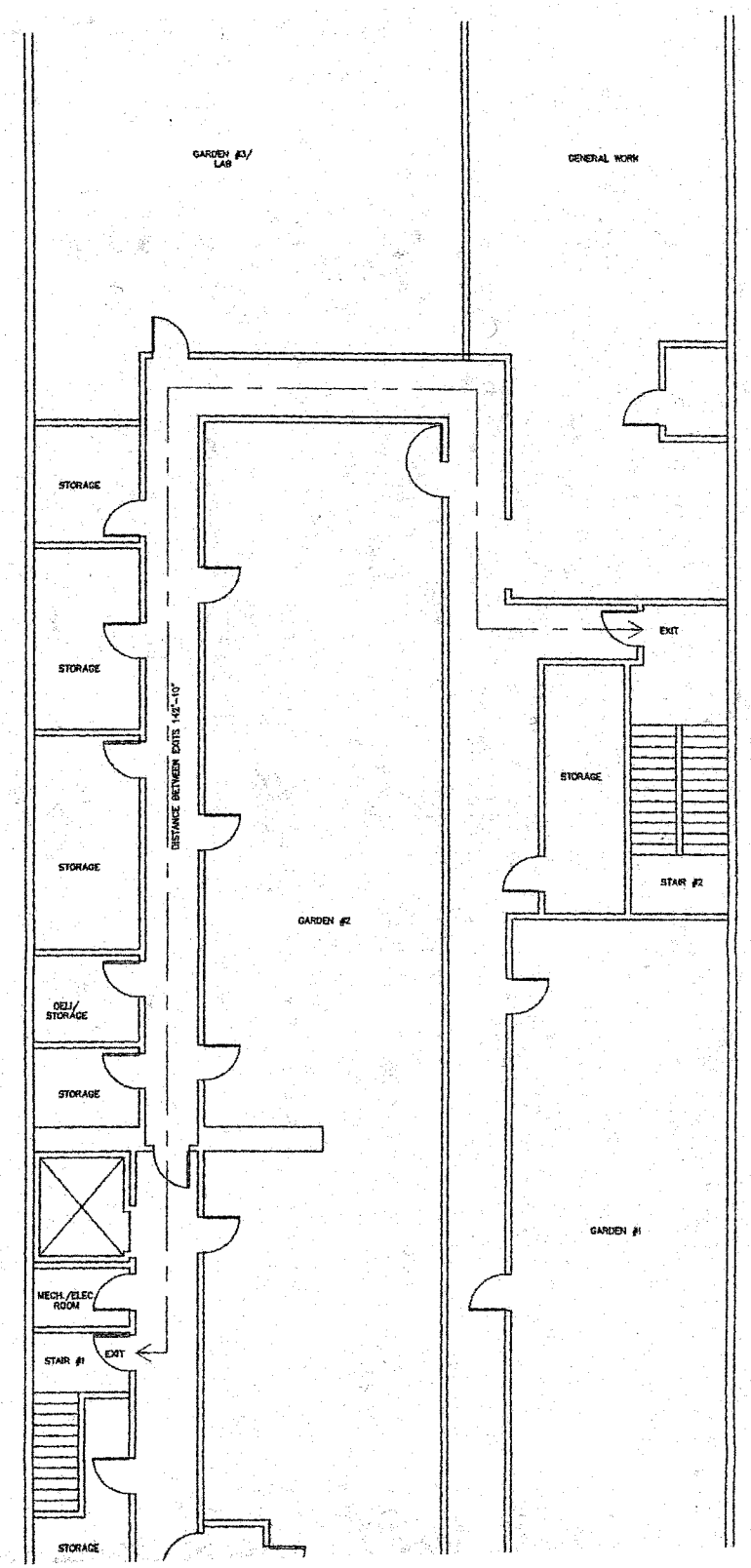
Revision Dates

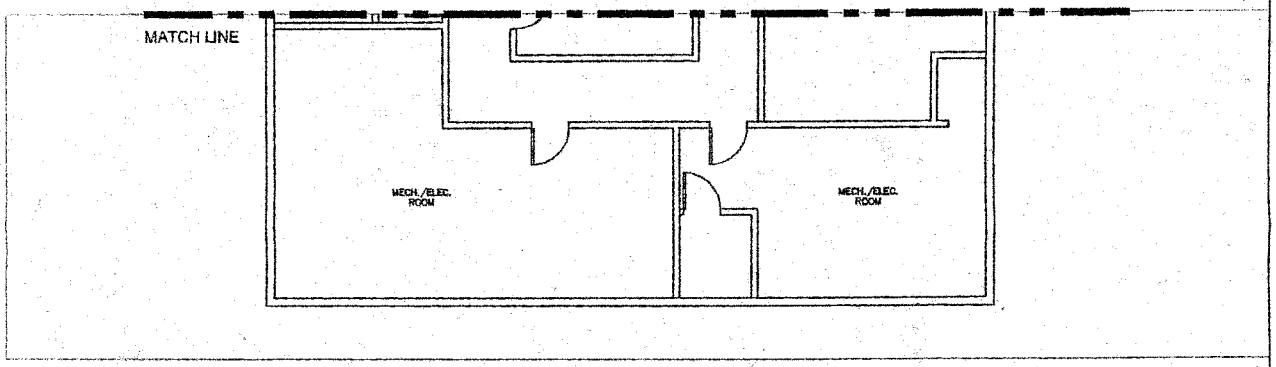


2ND FLOOR EXITING PLAN

Revision Dates		
No.	Date	By


CLASSROOM
STORAGE
KITCHEN
OFFICE
EXIT
MECH./ELEC. ROOM
DISTANCE BETWEEN EXITS 133'-2"
MENS RESTRM.
LIBRARY
STORAGE
STAIRS #2
WOMENS RESTRM.
BREAK ROOM
OFFICE
OFFICE
MECH./ELEC. ROOM
OFFICE
STAIRS #1
CONFERENCE ROOM
OFFICE
EXIT


GARDEN #3/
LAB
GENERAL WORK
STORAGE
STORAGE
STORAGE
DISTANCE BETWEEN EXITS 1-42'-10"
EXIT
STORAGE
STAIR #2
GARDEN #2
DELI/
STORAGE
STORAGE
GARDEN #1
MECH./ELEC
ROOM
STAIR #1
EXIT
STORAGE



BASEMENT EXITING PLAN 2 OF 2

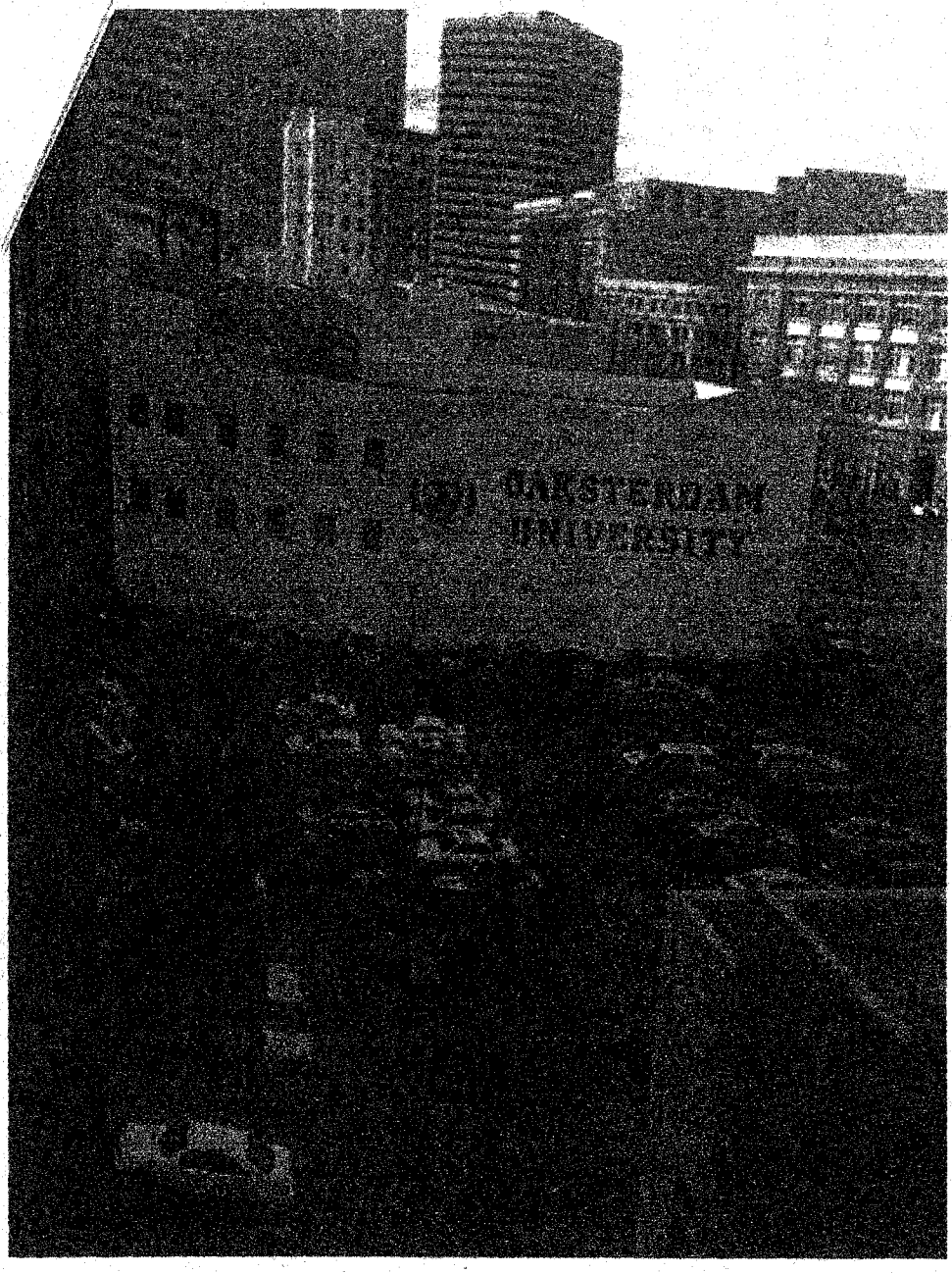
Revision Dates

No.	Date	By

OAKSTERDAM UNIVERSITY

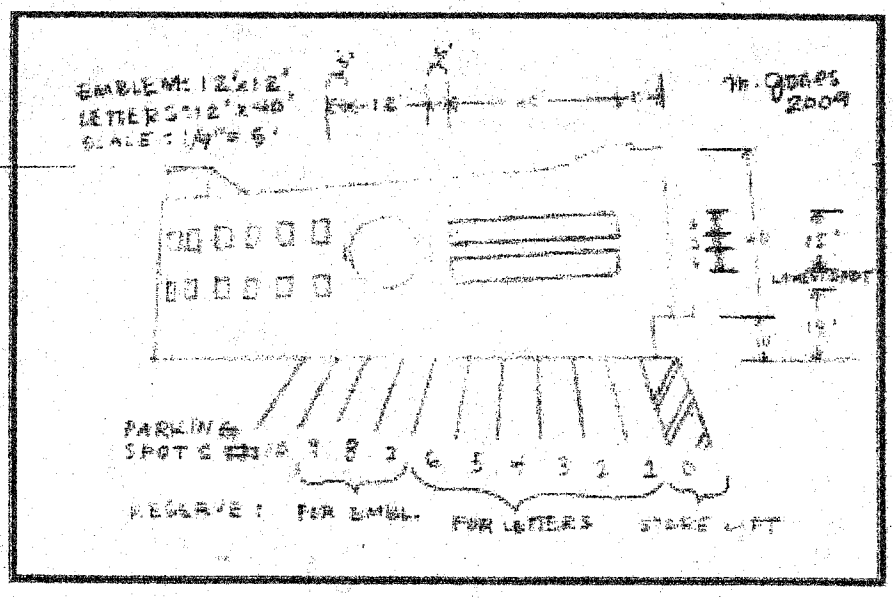
1600 BROADWAY
OAKLAND, CA

Project No.:	10.000.05
Drawn by:	A. CAMPA
Checked by:	A.CAMPA
Scale:	1" = 10'-0"
Date:	03.22.10
Filename:	OU-BASEMENT


OAKSTERDAM
UNIVERSITY

FINAL DESIGN - 1600 BROADWAY
DESIGN PLAN - APPROX. MEASUREMENTS

M.JONES
12/23/9



SIZE ESTIMATE:

EMBLEM 12FT DIA CIRCLE ONLY
= 125 SQ FT

LETTERS 4FT X 6 FT EACH (20) - SPACE
= 388 SQ FT (480 SF)

TOTAL = 513 SQ FT

Oaksterdam University

Legend

- Selected Features
- City Limits
- Wildfire Assessment District
- Zoning
- Parcels
- Freeways
- MajorSts
- Streets
- Water
- Land

N
W E
S

It is imperative that you obtain BOTH the Zoning and General Plan designations for the property(s) you are searching for.

Questions? Contact a planner at (510)238-3911.

Printed: 1/22/2010 8:31:29 AM

City of Oakland

1600 Broadway

Legend

- Selected Features
- City Limits
- Wildfire Assessment District
- Zoning
- Parcels
- Freeways
- MajorSts
- Streets
- Water
- Land

N
W E
S

It is imperative that you obtain BOTH the Zoning and General Plan designations for the property(s) you are searching for.

Questions? Contact a planner at (510)238-3911.

Printed: 1/29/2010 4:25:34 PM

City of Oakland

1600 Broadway

Legend

- Selected Features
- City Limits
- Wildfire Assessment District
- Zoning
- Parcels
- Freeways
- MajorSts
- Streets
- Water
- Land

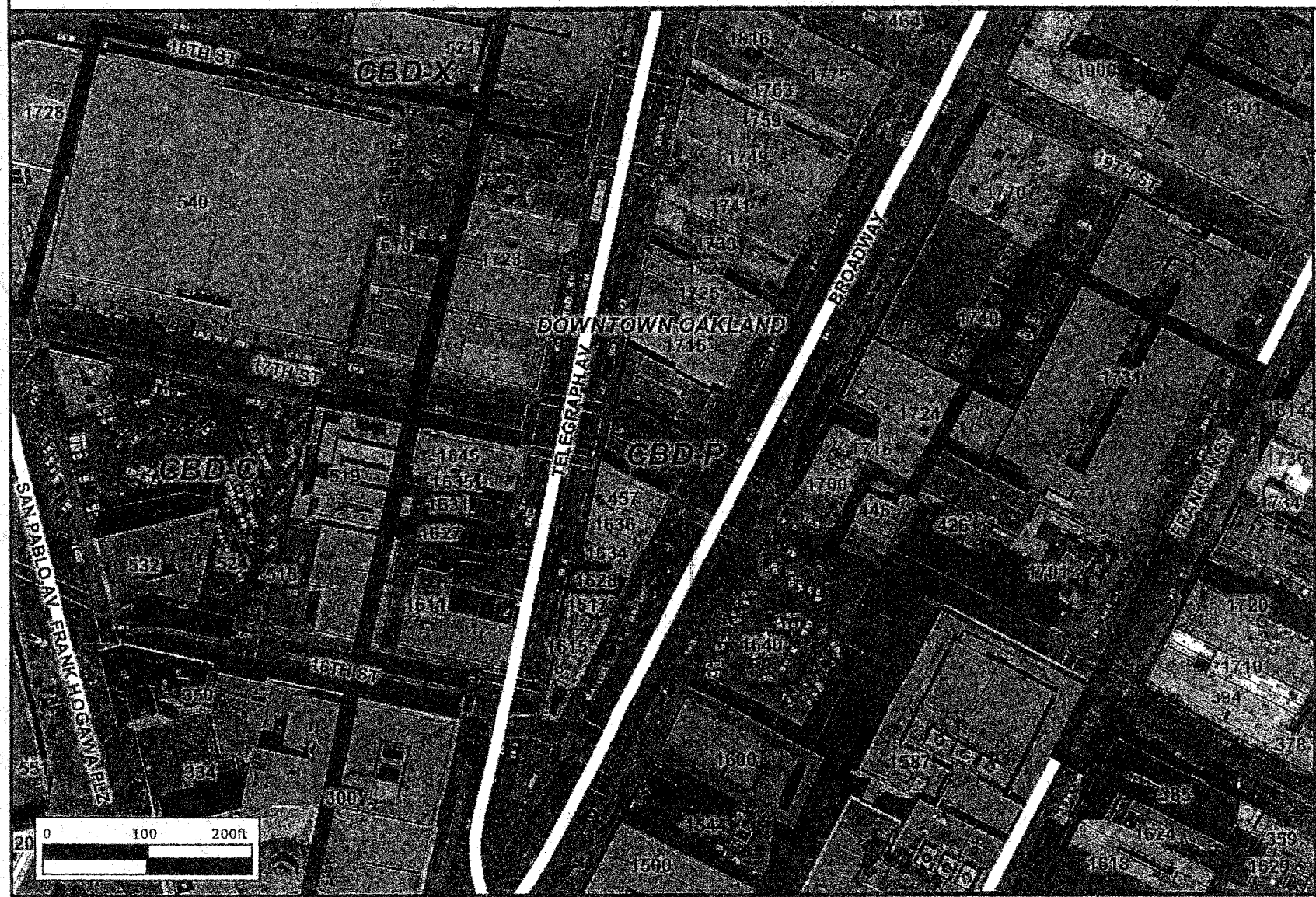
It is imperative that you obtain BOTH the Zoning and General Plan designations for the property(s) you are searching for.

Questions? Contact a planner at (510)238-3911.

Printed: 1/29/2010 4:24:06 PM

City of Oakland

1600 Broadway



Legend

- Selected Features
- City Limits
- Wildfire Assessment District
- Zoning
- Parcels
- Freeways
- MajorSts
- Streets
- Water
- Land

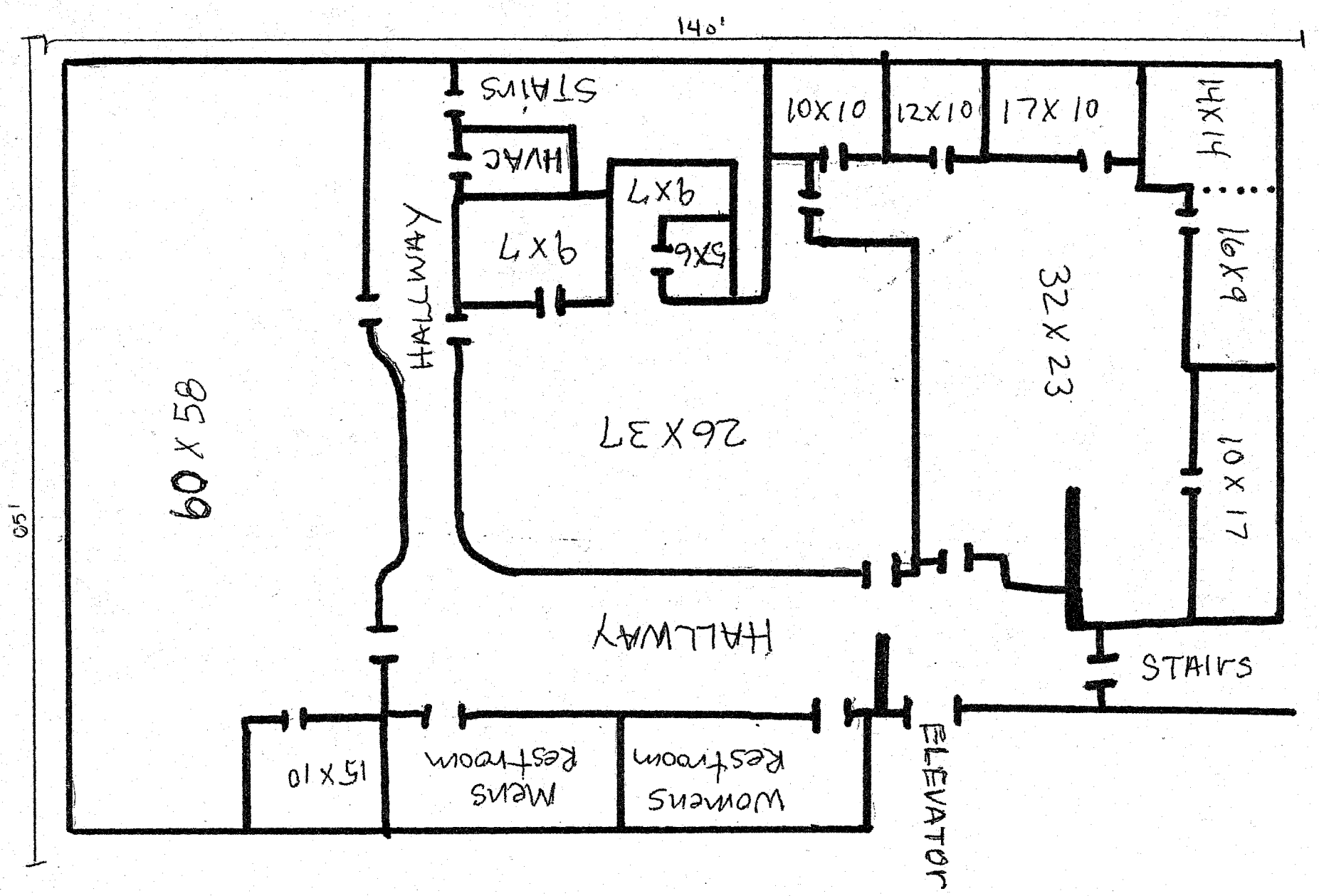
It is imperative that you obtain BOTH the Zoning and General Plan designations for the property(s) you are searching for.

Questions? Contact a planner at (510)238-3911.

Printed: 1/29/2010 4:21:53 PM

City of Oakland

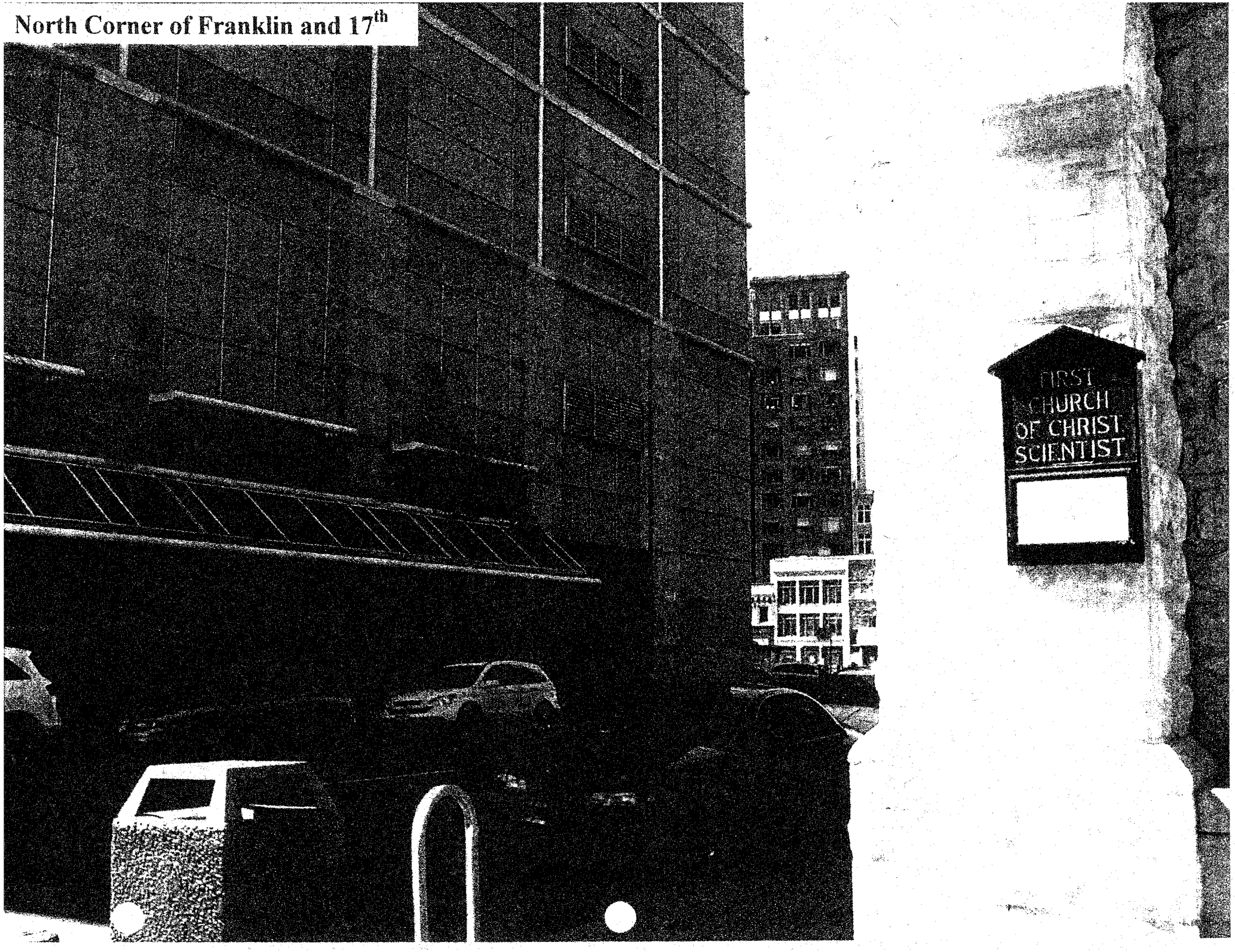
2nd Floor


140'
150'
60 X 58
HALLWAY
26 X 37
9X7
9X7
5X6
HVAC
STAIRS
10X10
12X10
17 X 10
14X14
16X9
32 X 23
10 X 17
STAIRS
HALLWAY
ELEVATOR
Womens Restroom
Mens Restroom
15 X 10

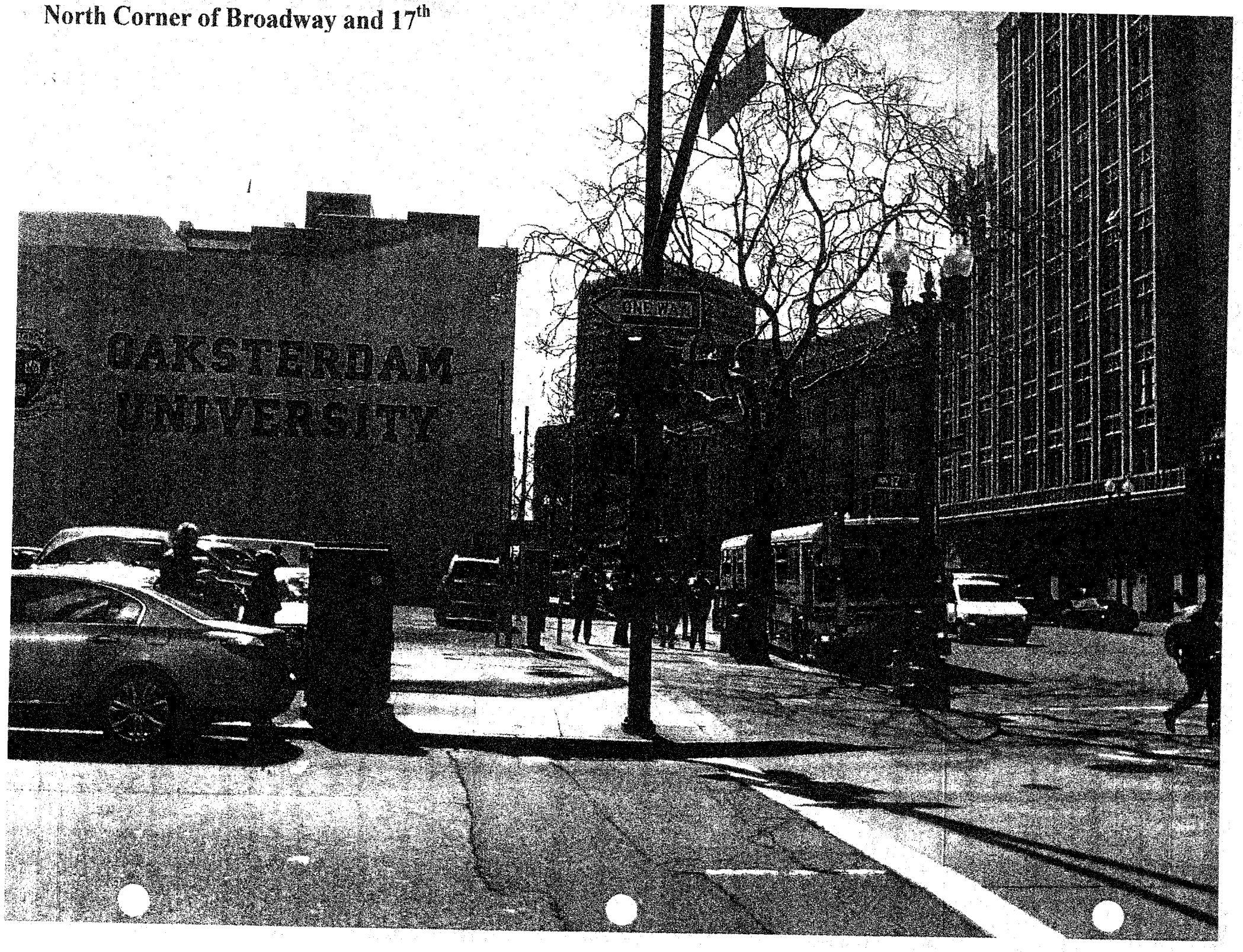
28 X 15
19X15
20X46
14 X 10
HALLWAY
25X29
21 X 10
10X12
11X12
HALLWAY
HVAC
STAIRS
Mens Restroom
29X26
7X6
8X5
12X9
Womens Restroom
44 X 18
HALLWAY
12X11
5X7
20 X 12
ELEVATOR
14 X 41
20X 14
26 X 15
STAIRS

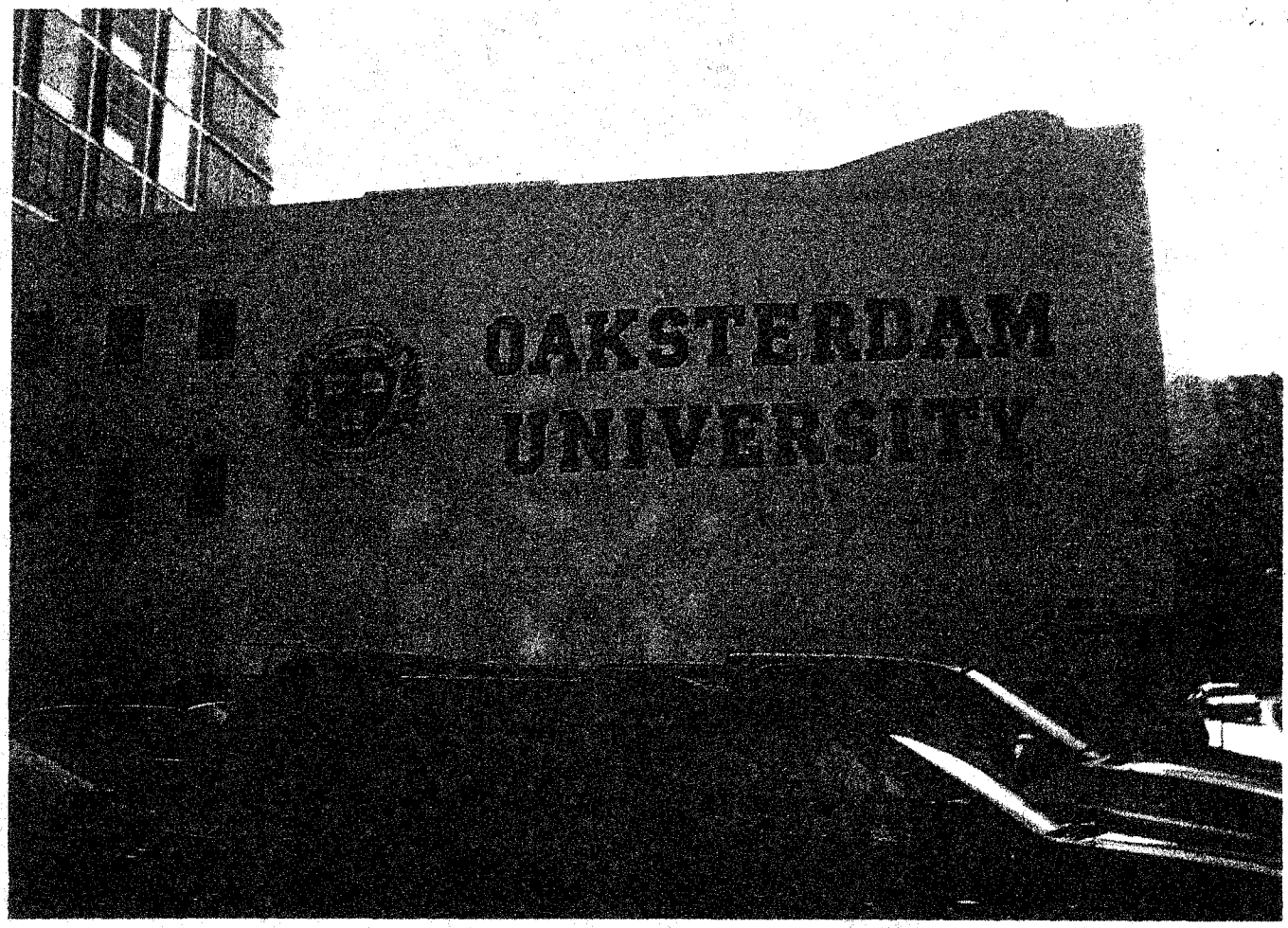
3rd Floor

North Corner of Franklin and 17th

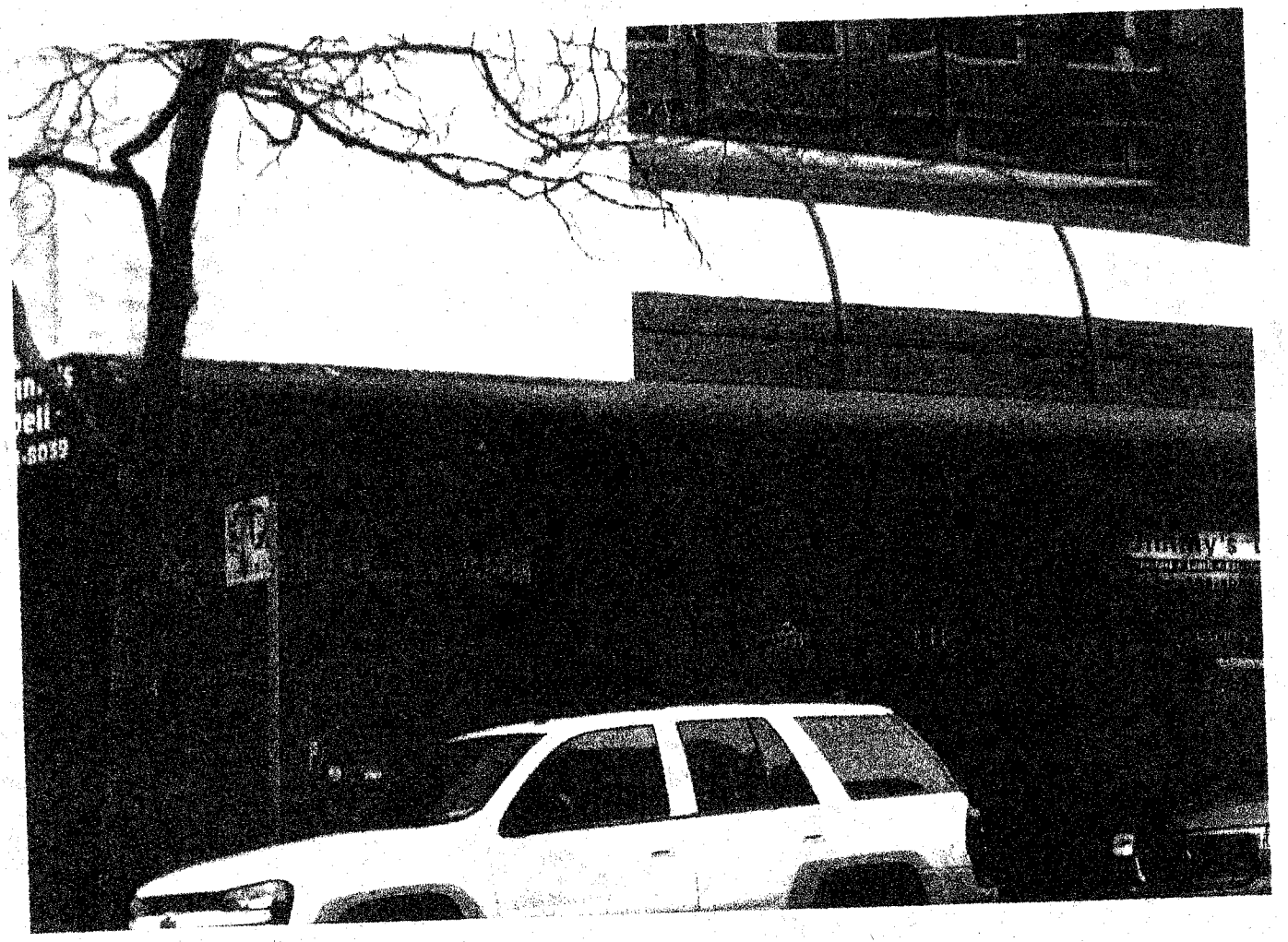


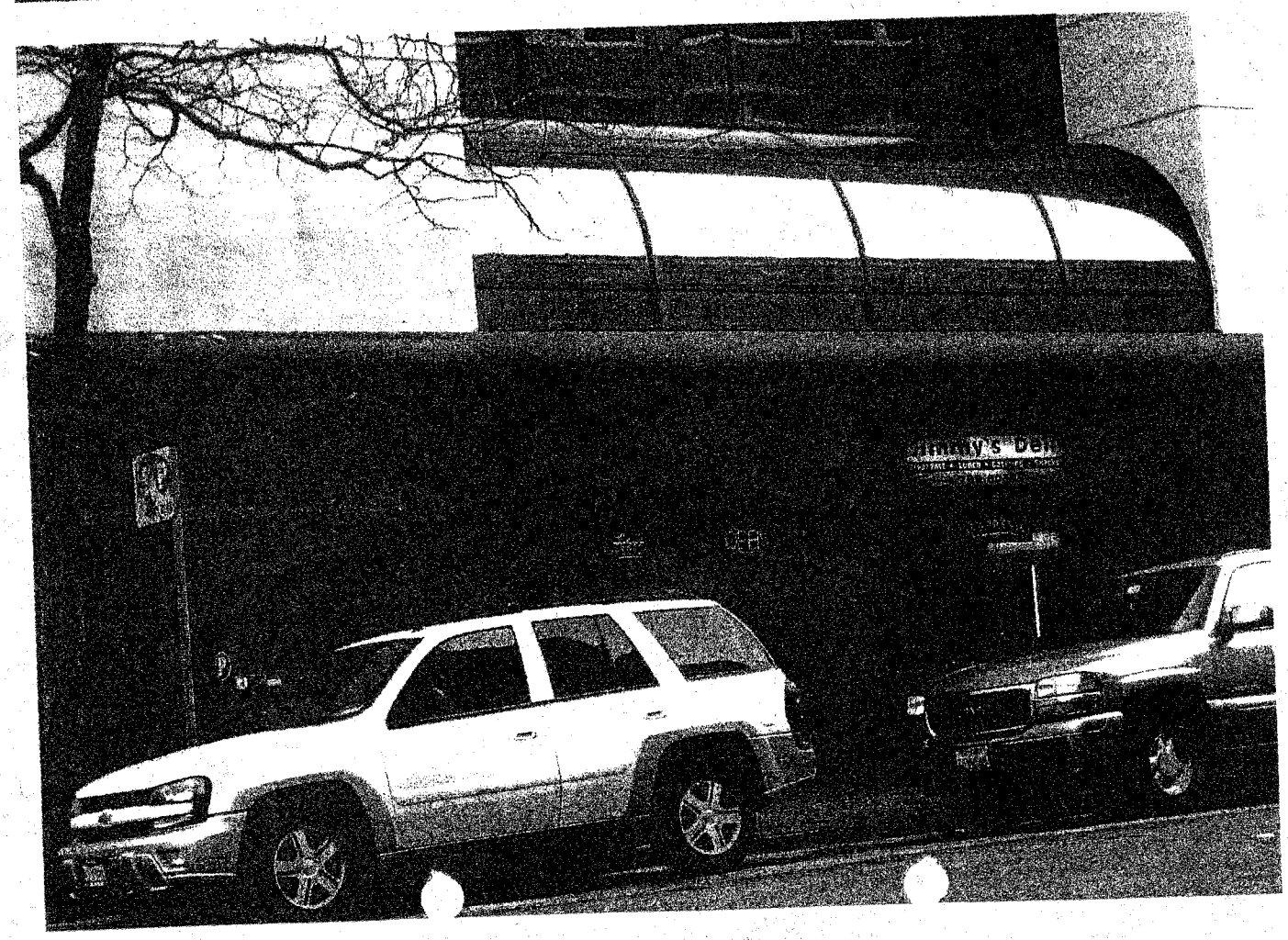
North Corner of Broadway and 17th



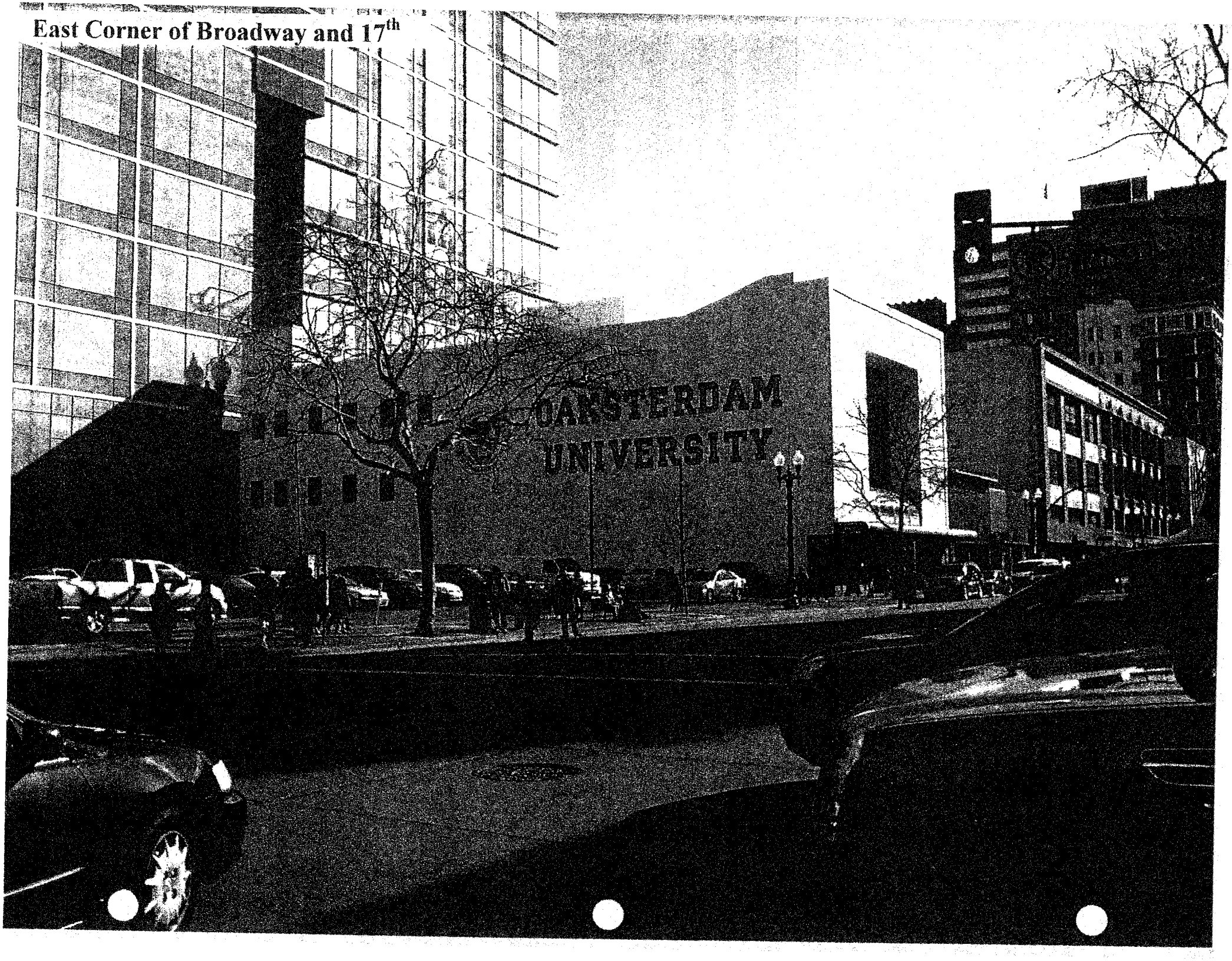

OAKSTERDAM
UNIVERSITY

OAKSTERDAM
UNIVERSITY

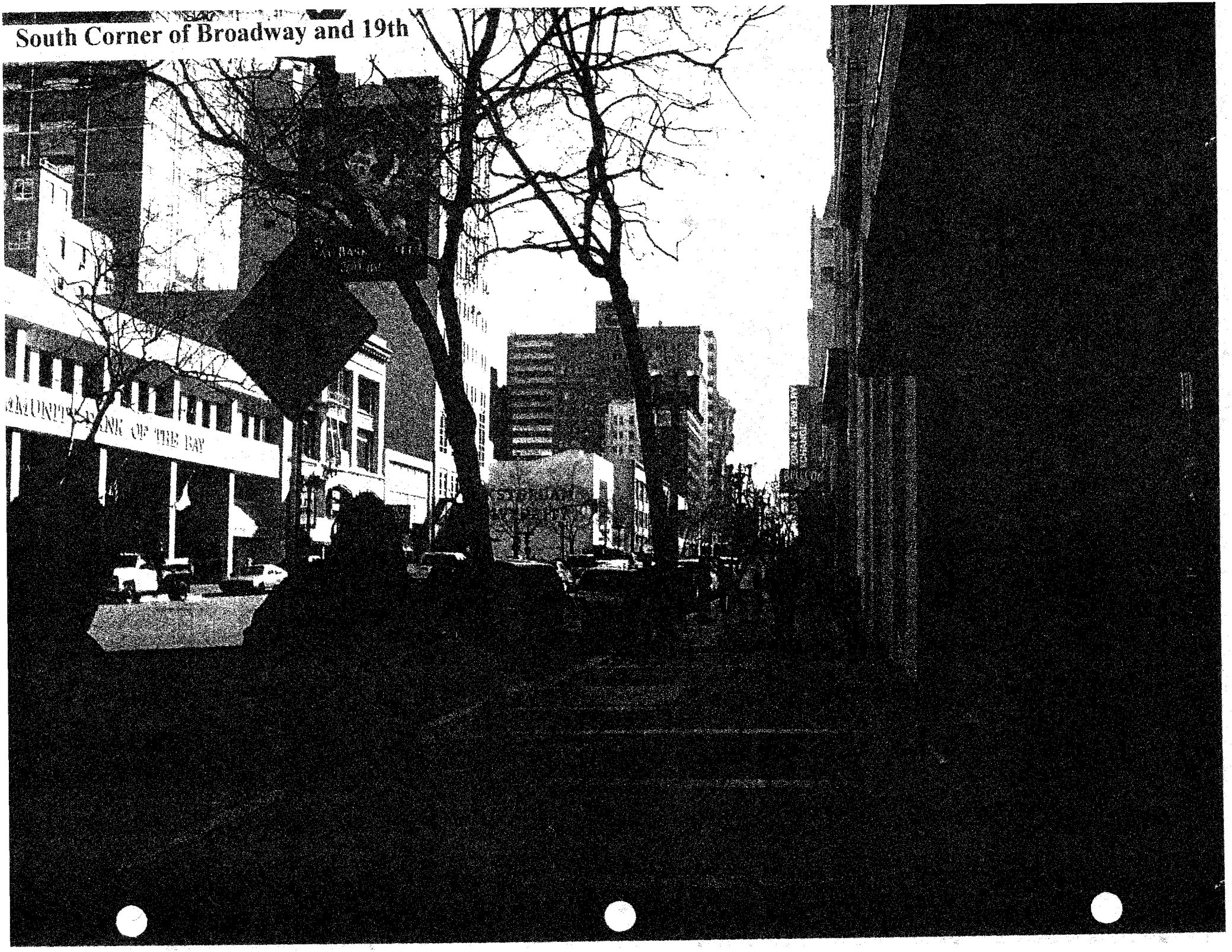




East Corner of Broadway and 17th

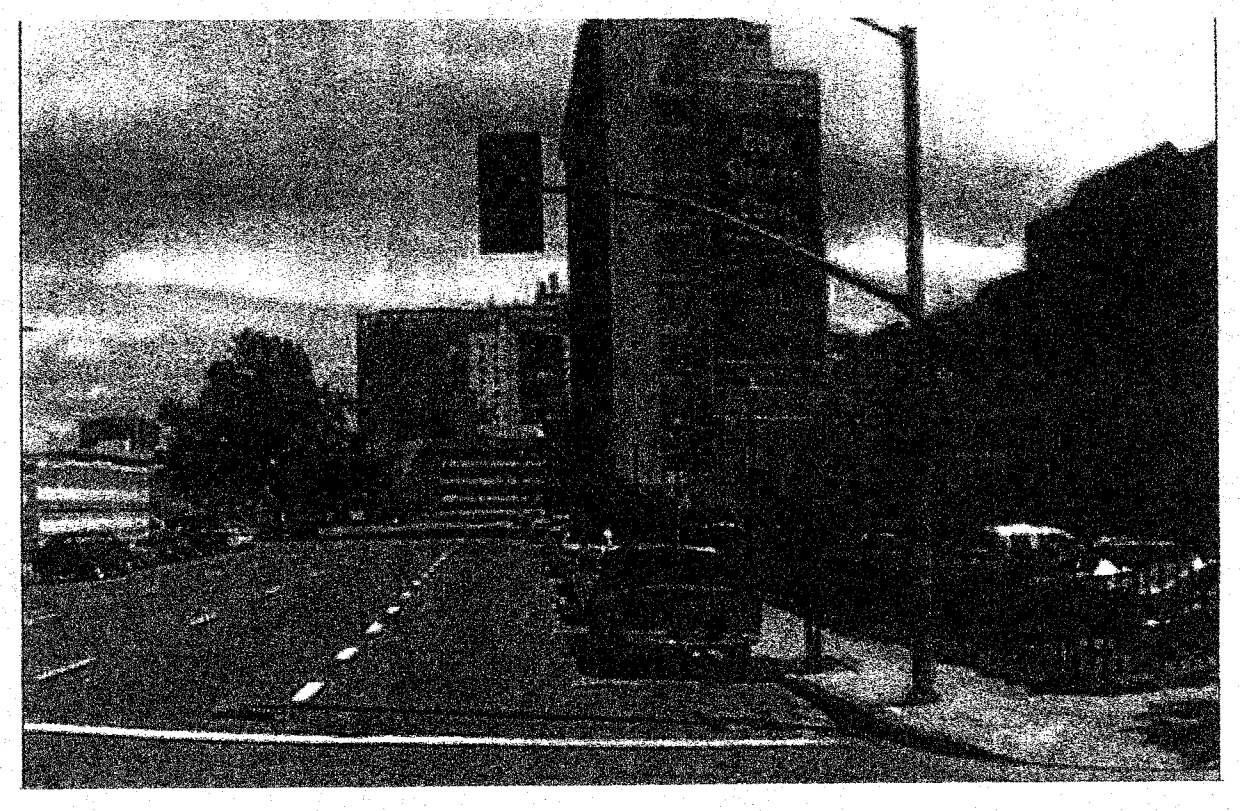


South Corner of Broadway and 19th



West Corner of Broadway and 19th

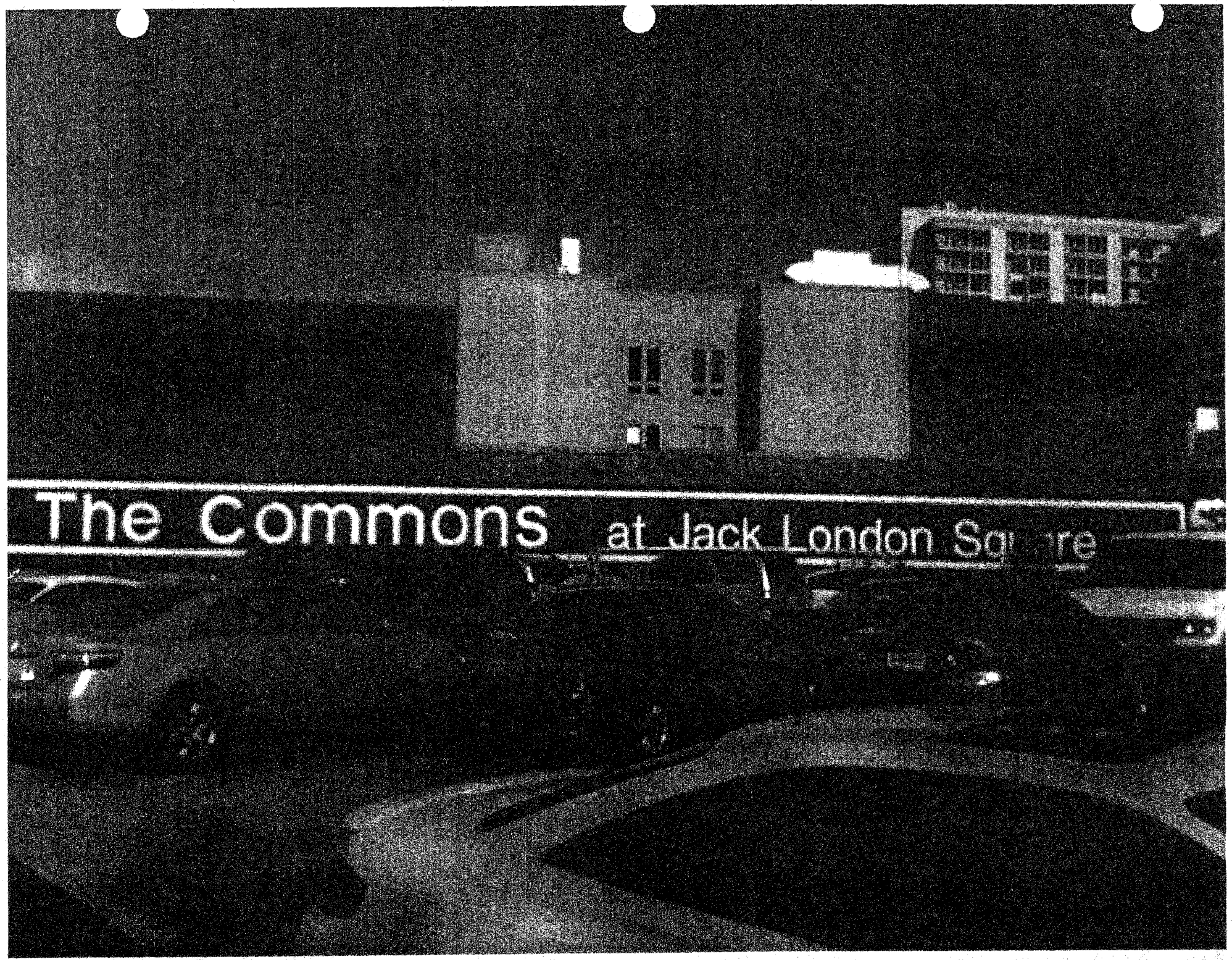
Intersection of 17th and Franklin



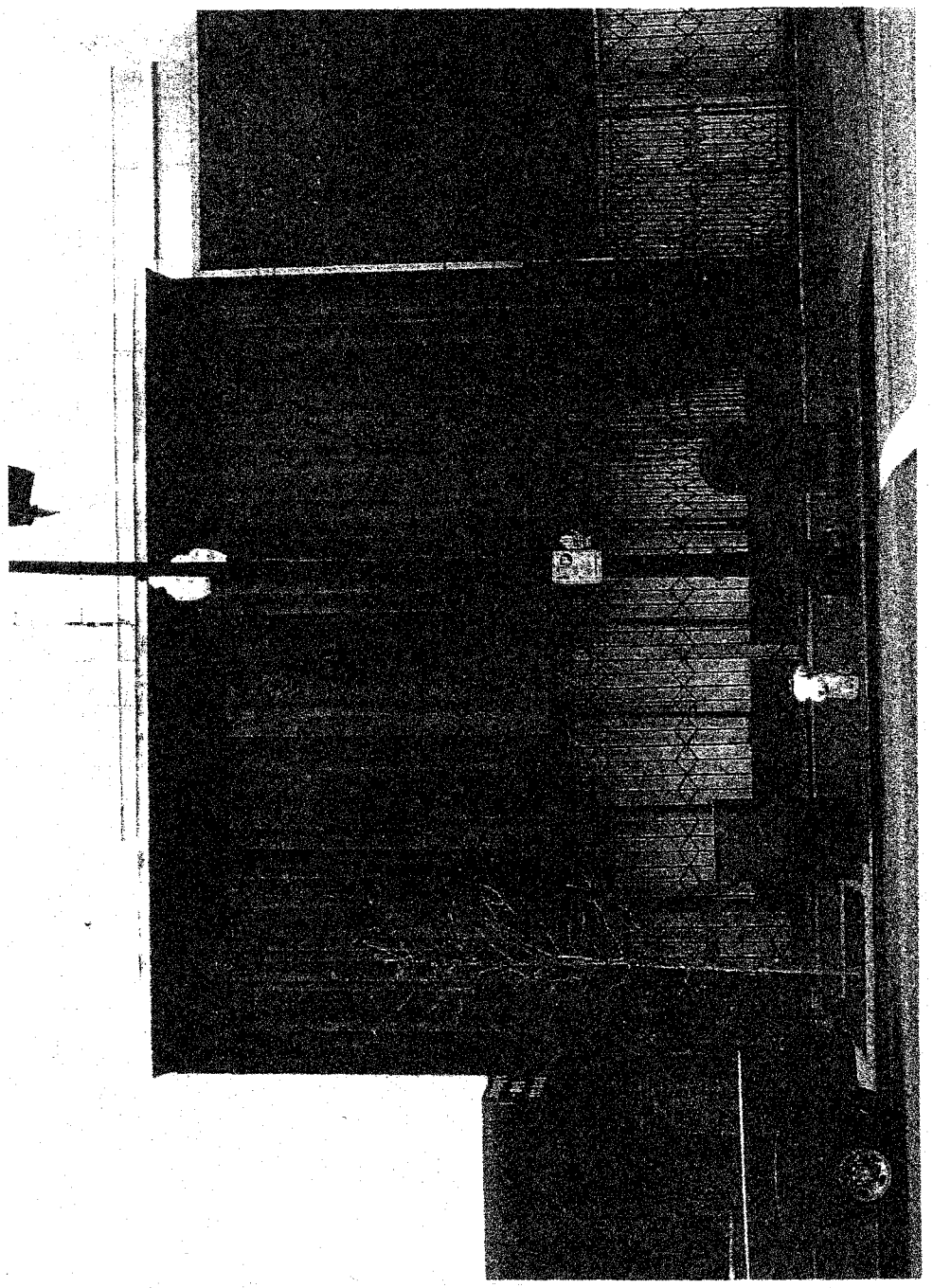
RECEIVED

APR 30 2010

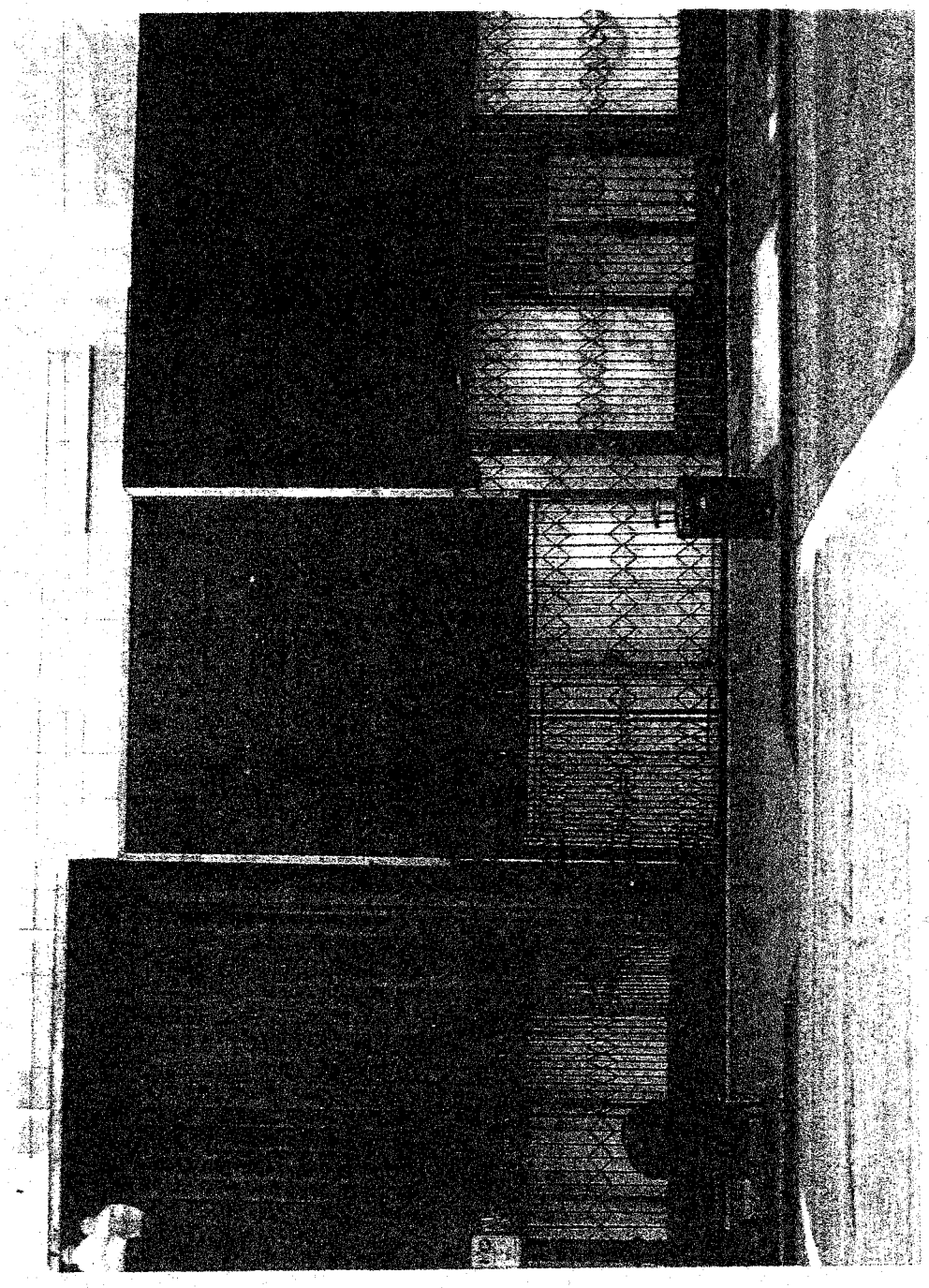
CITY PLANNING COMMISSION
ZONING DIVISION

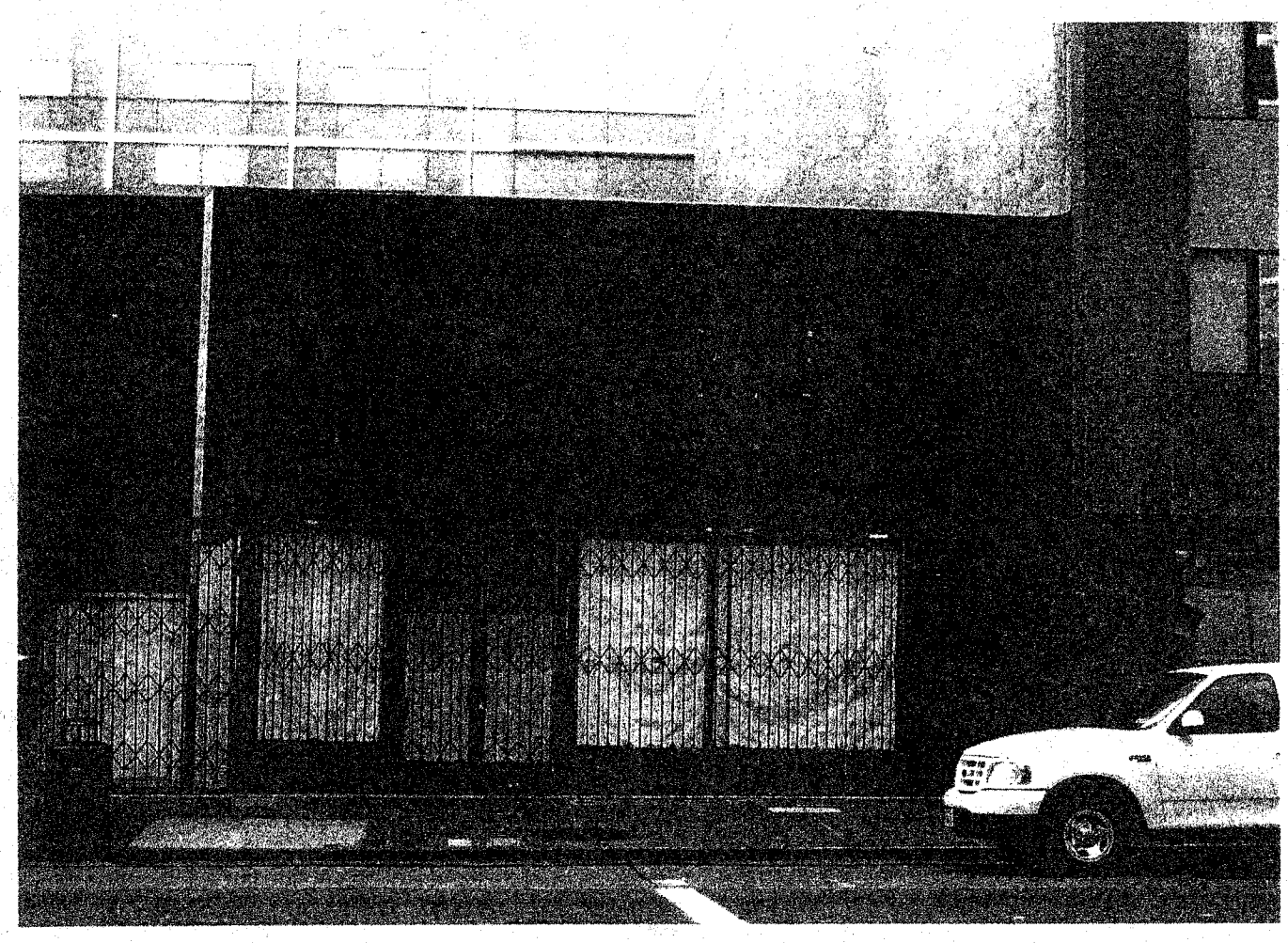

The Commons at Jack London Square

1544 Broadway



1544 Broadway

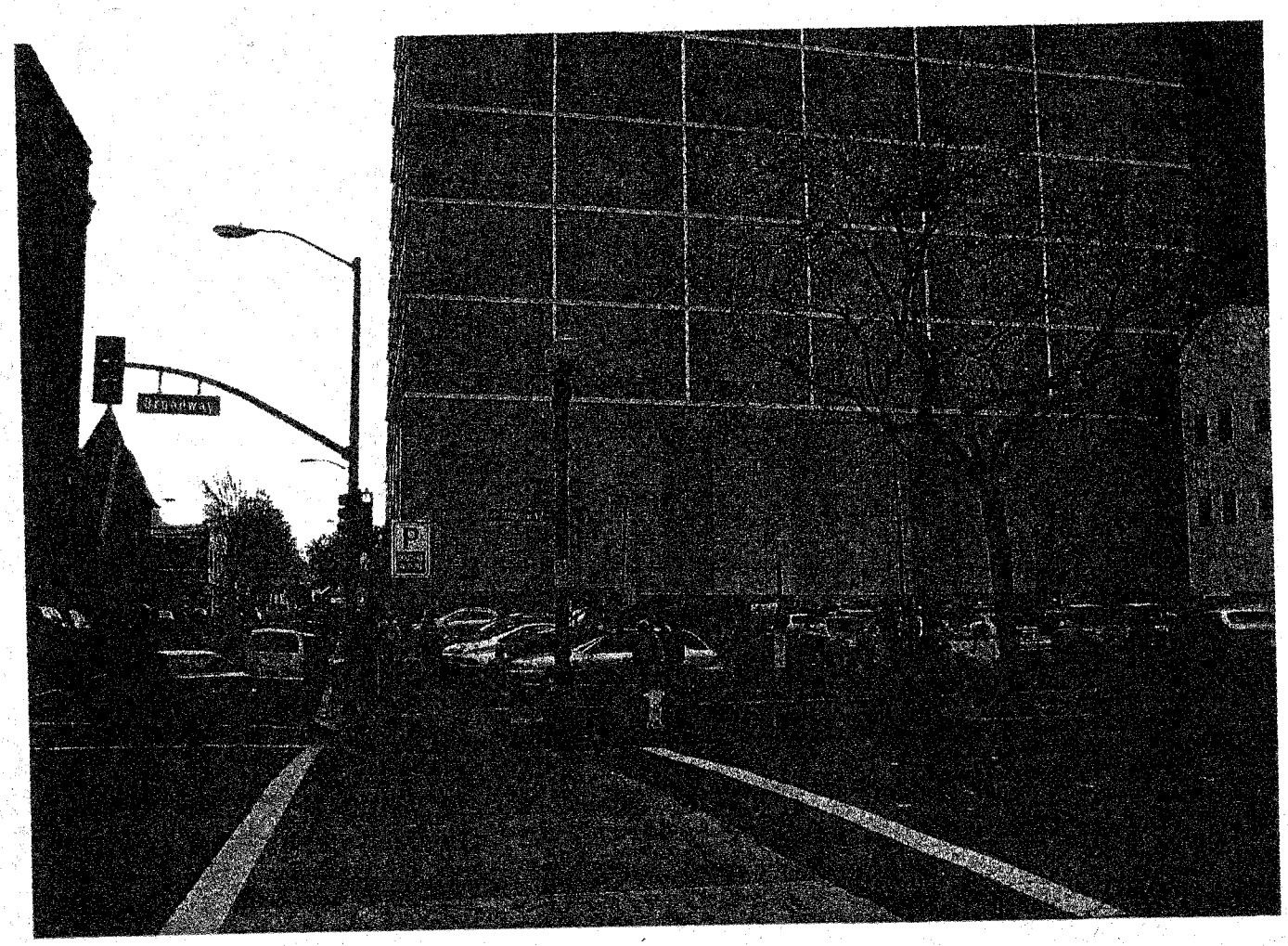




1544 Broadway

1500 Broadway

1500 Broadway



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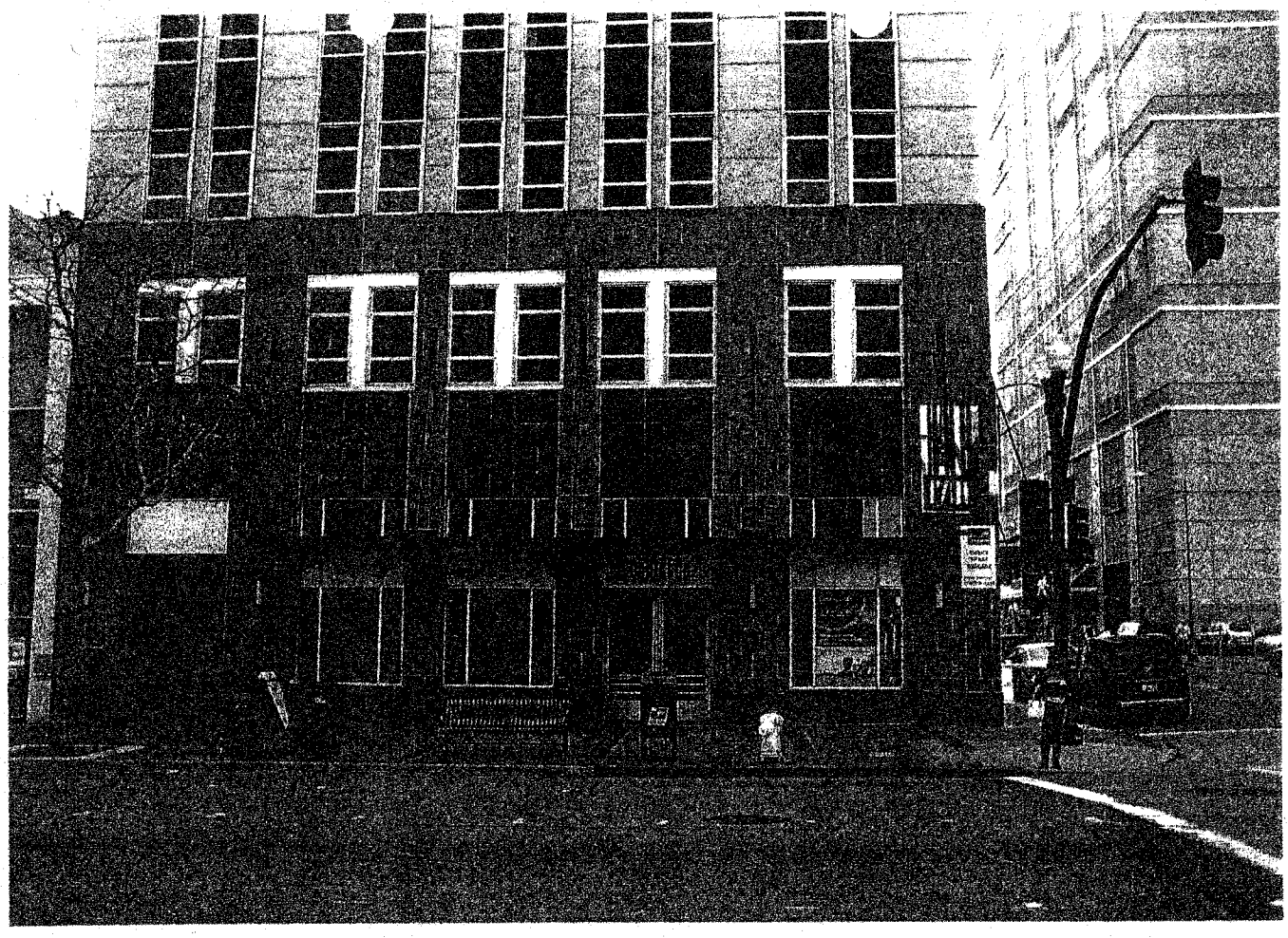

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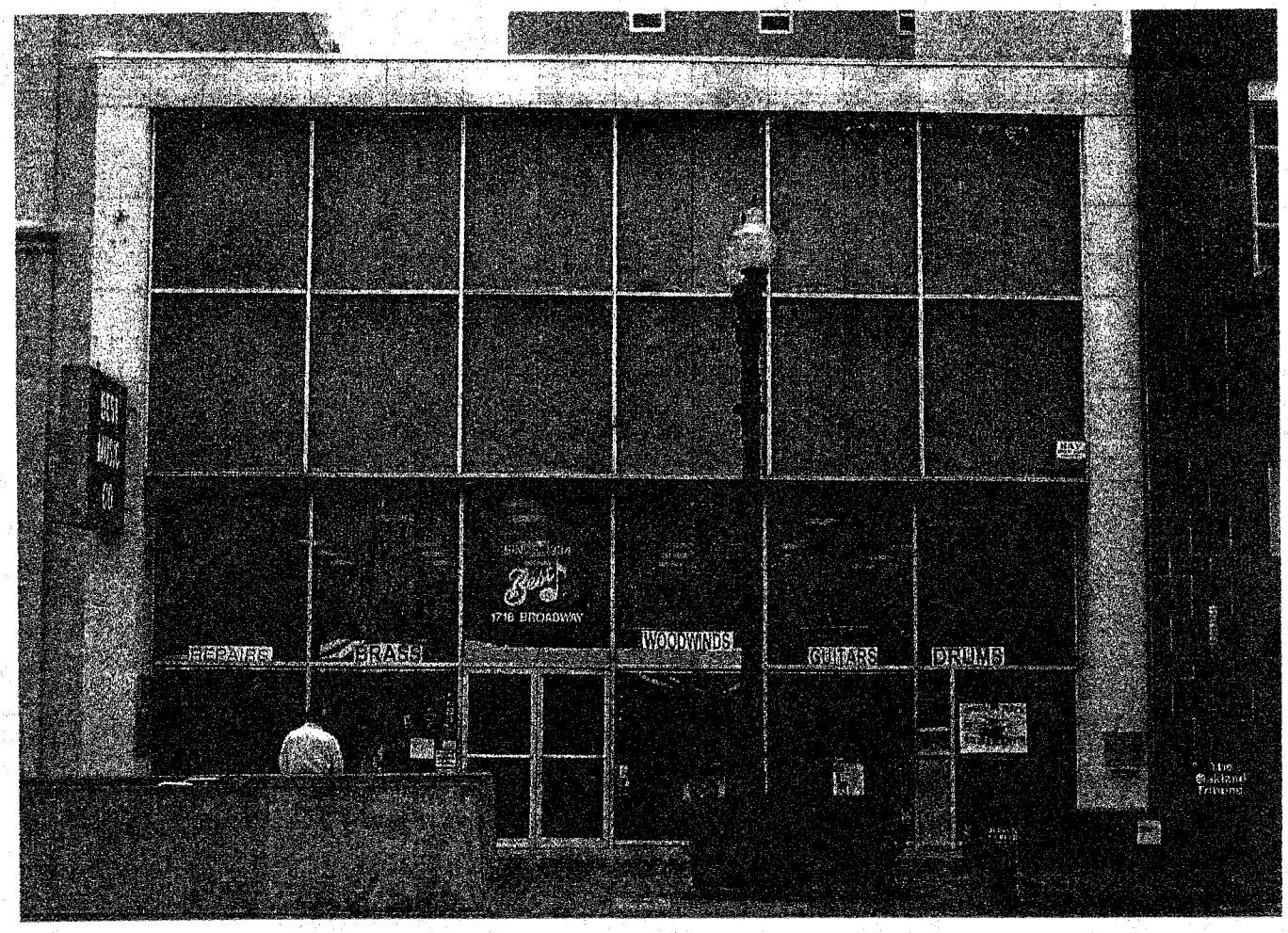

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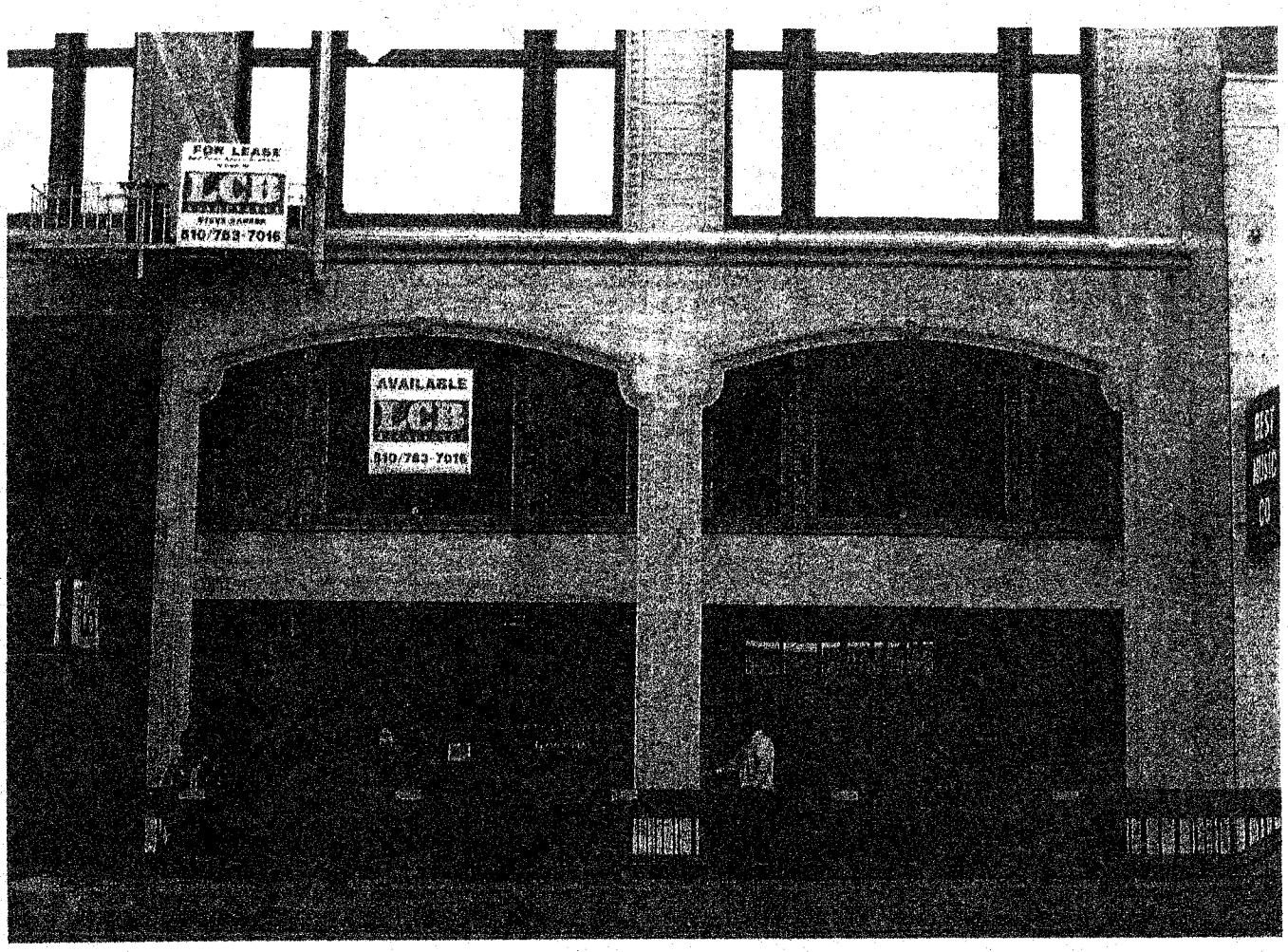

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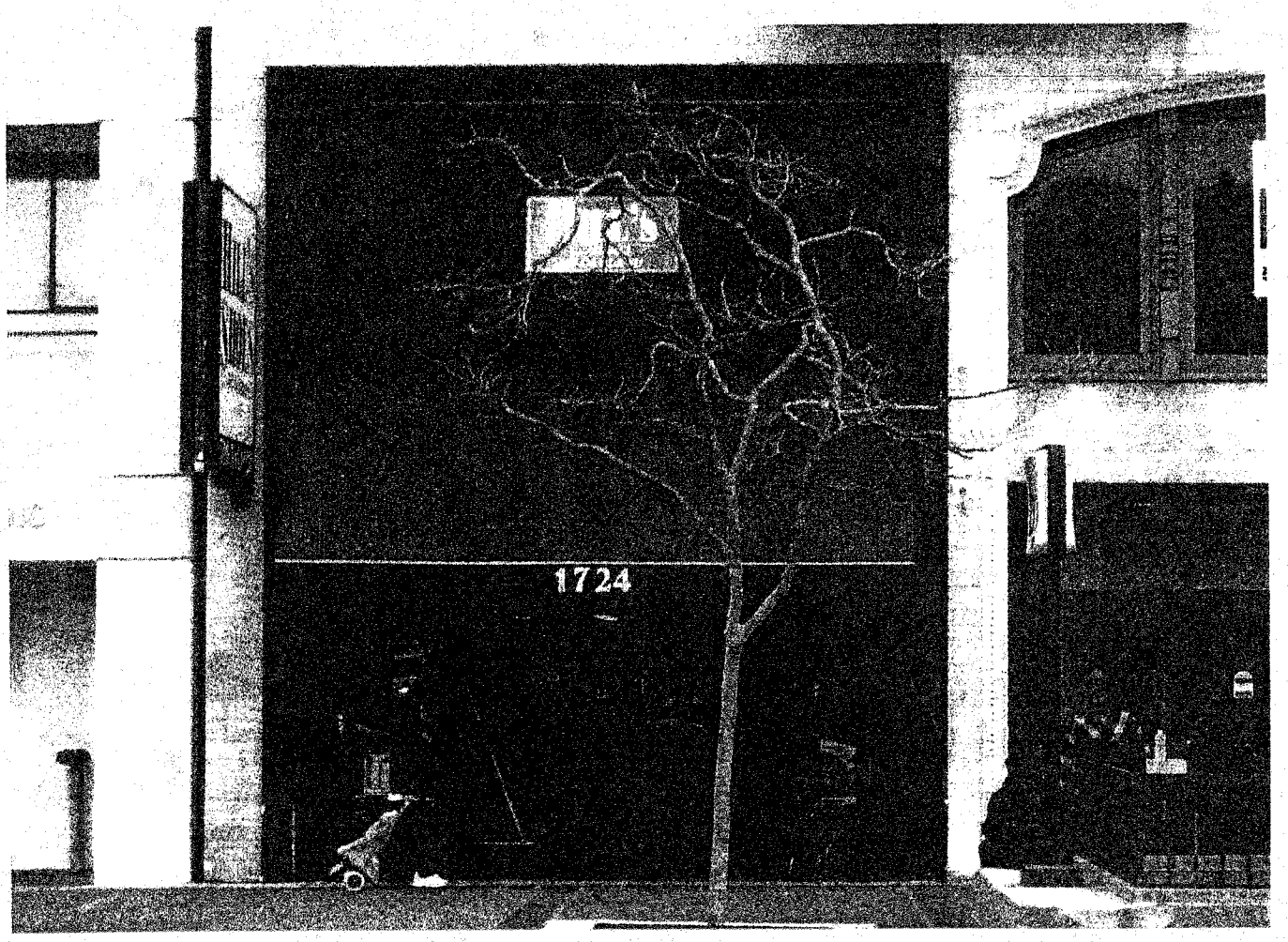

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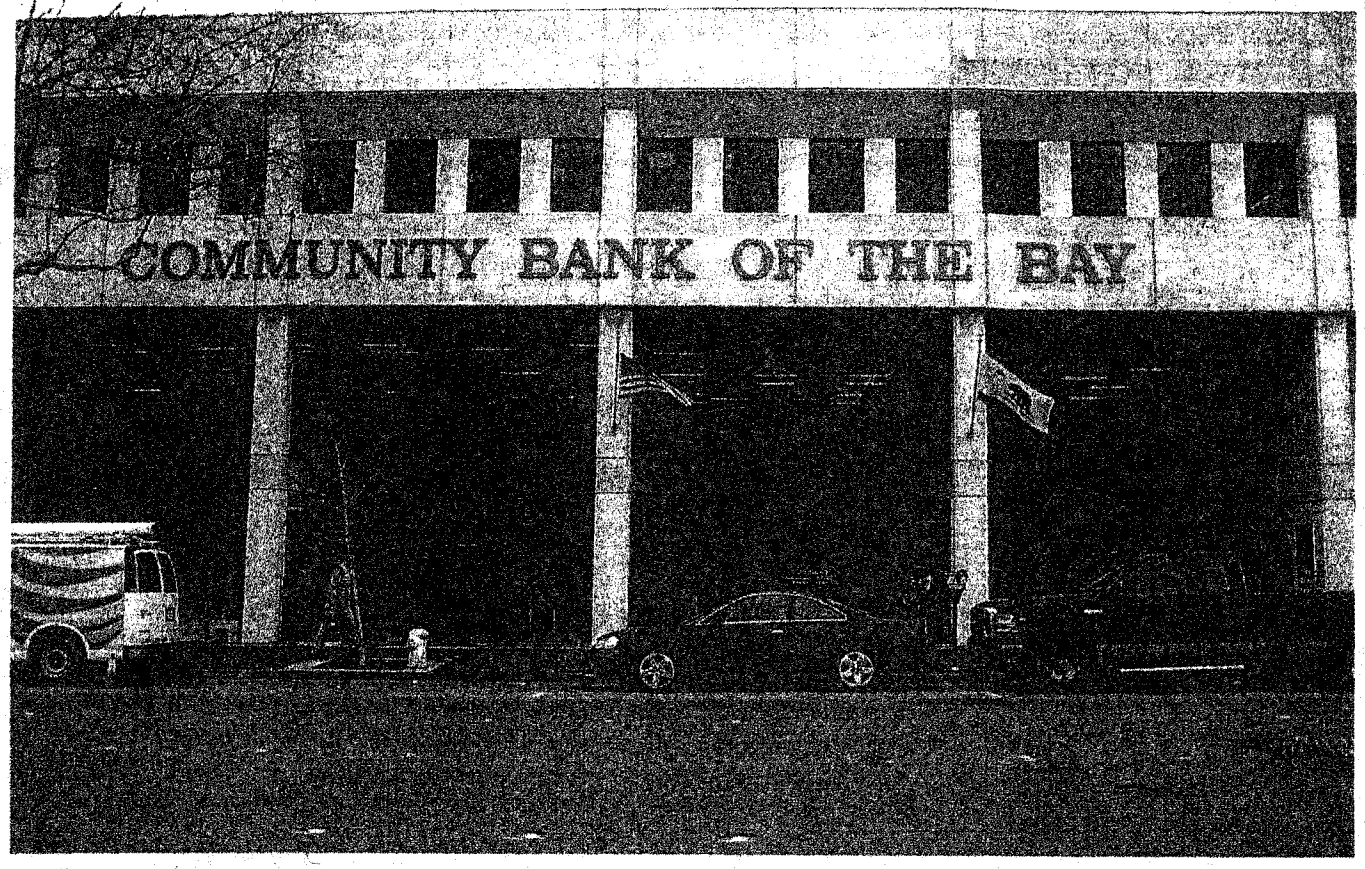
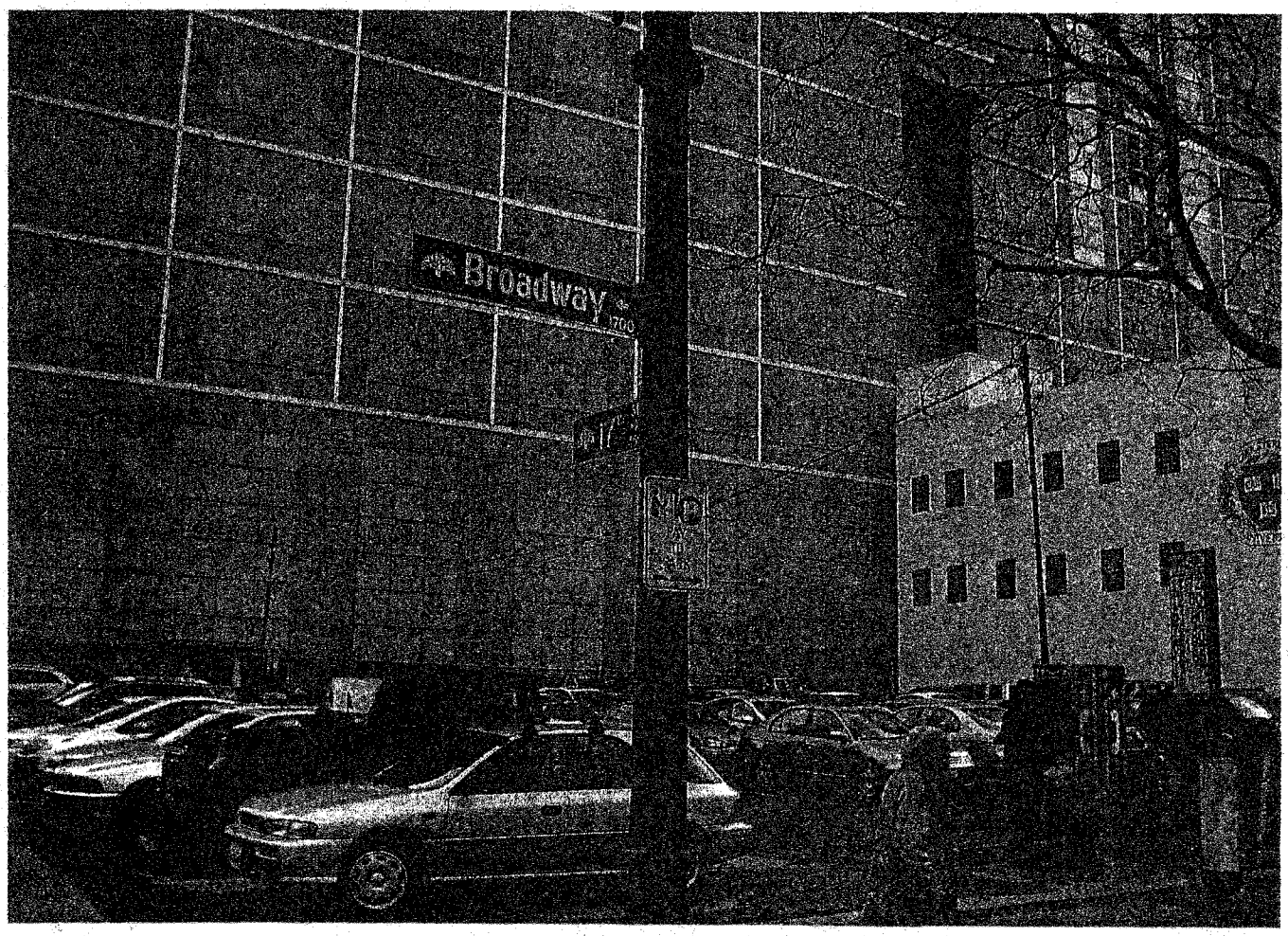


1746-1750 Broadway



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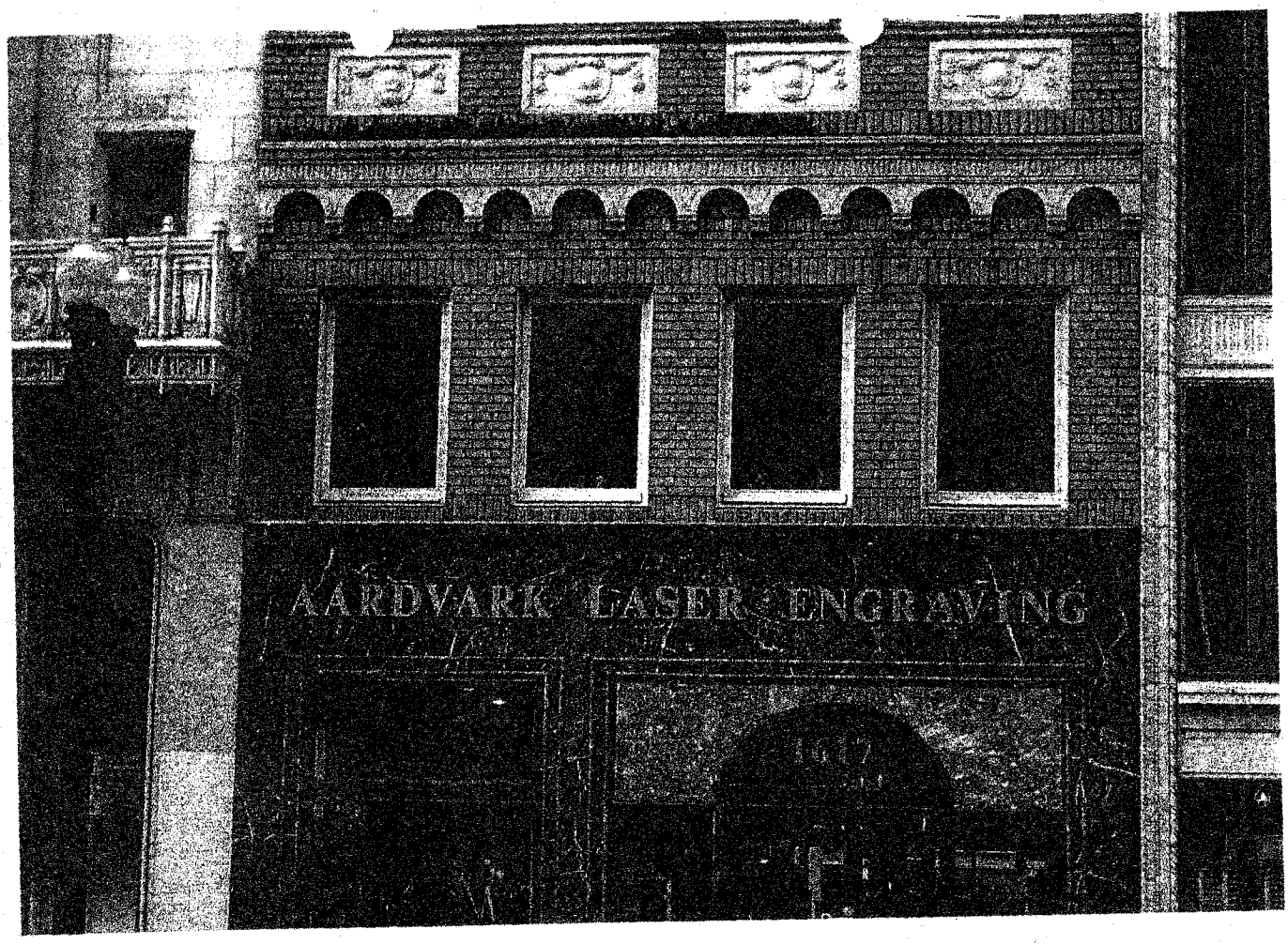

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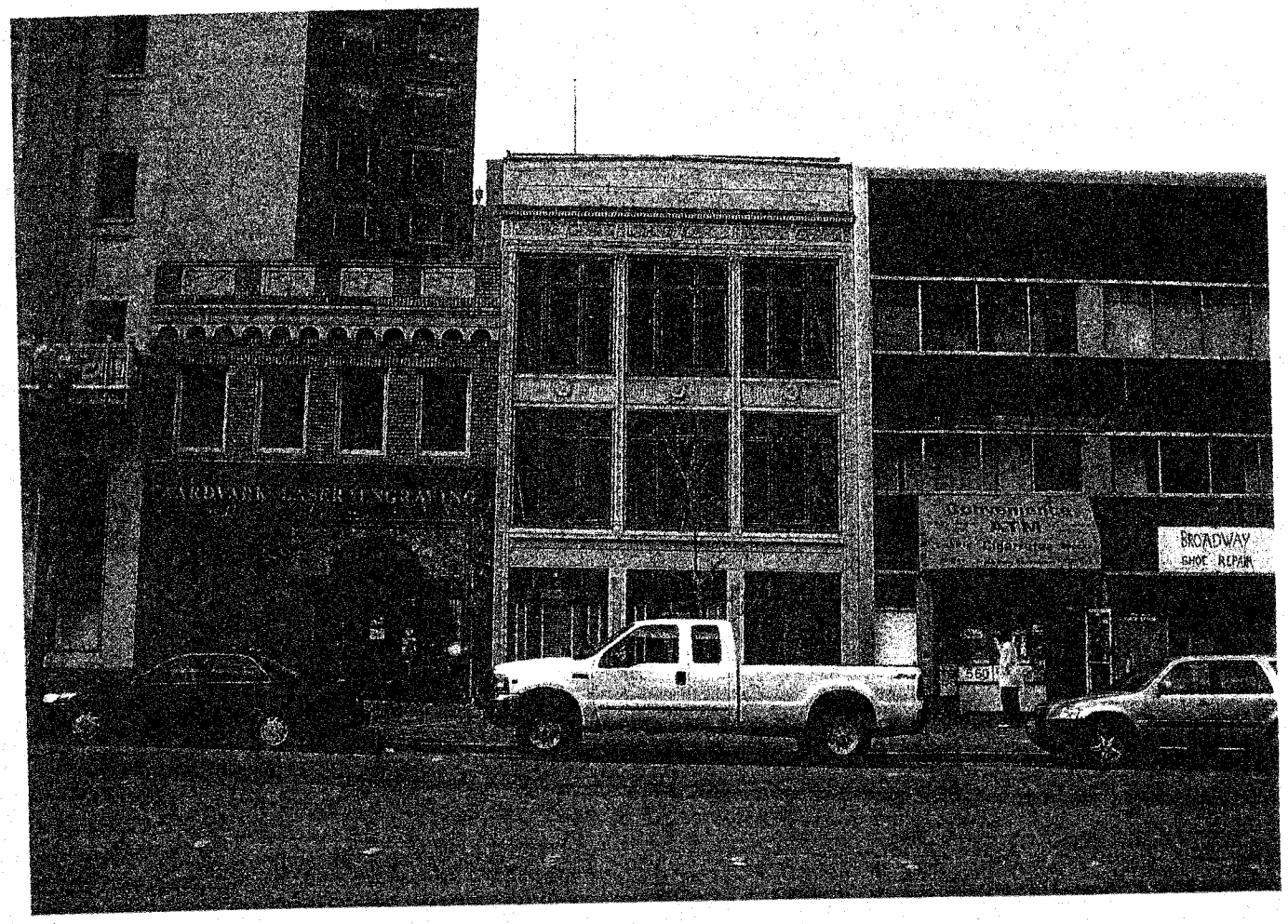
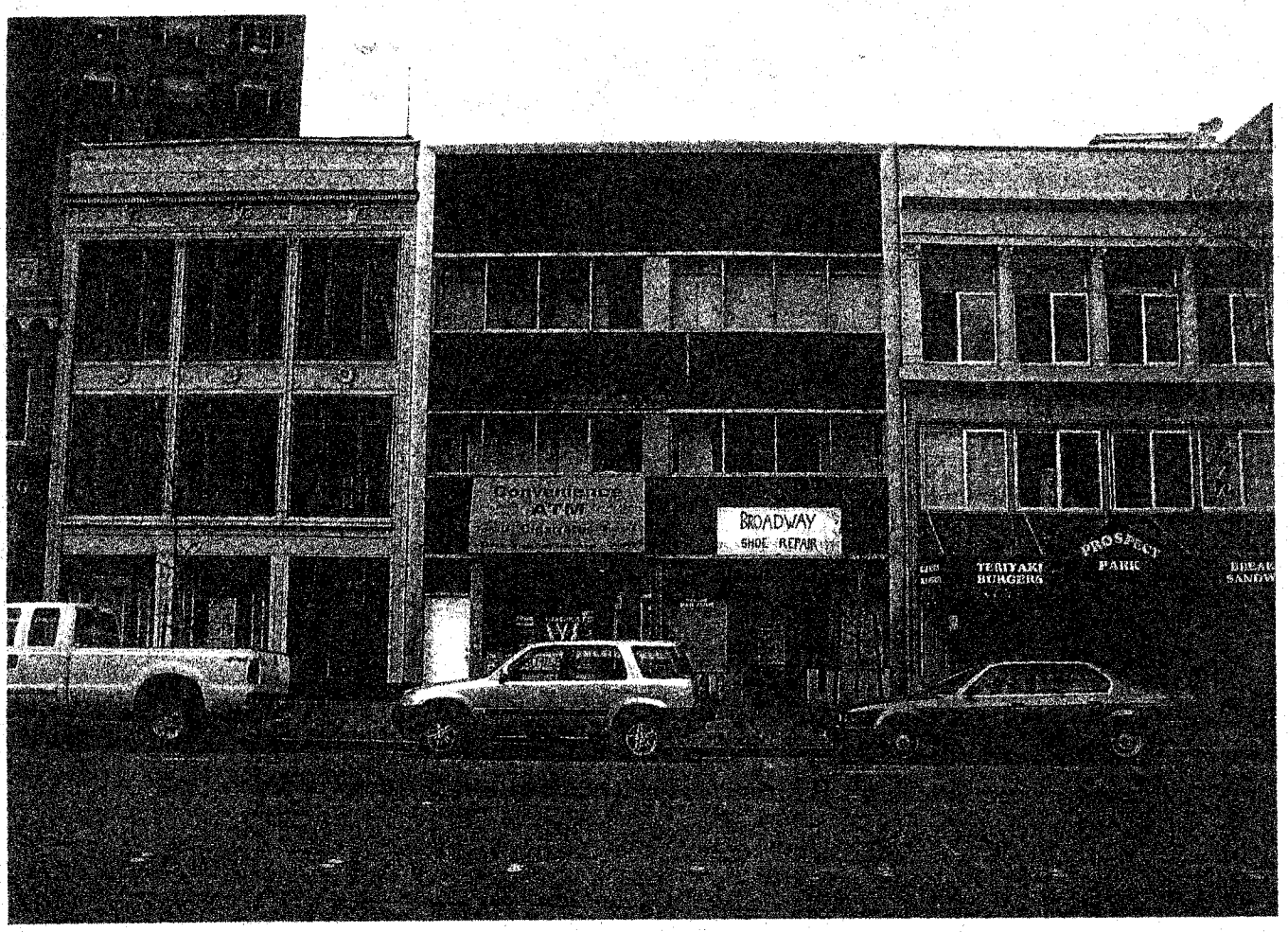
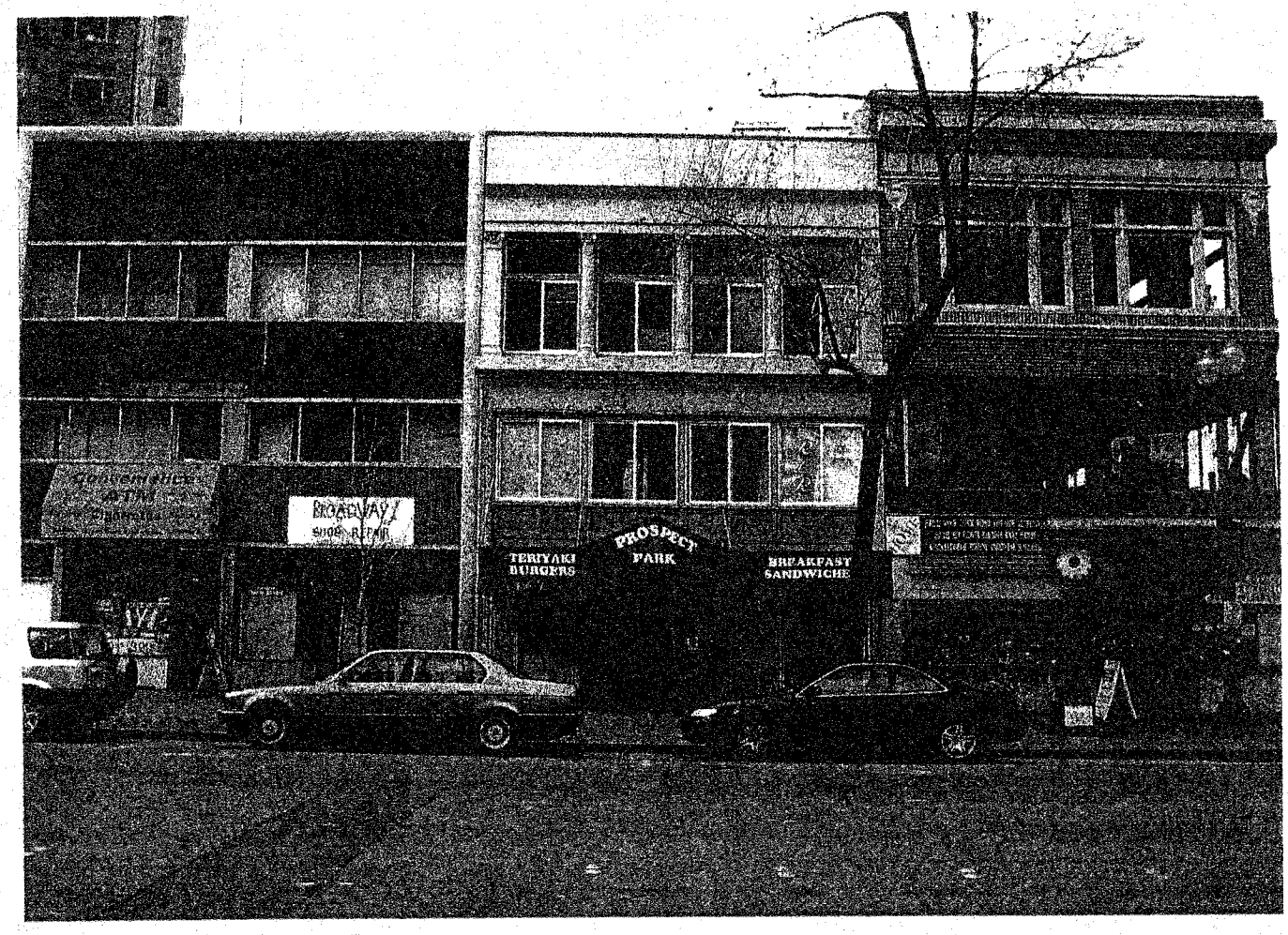


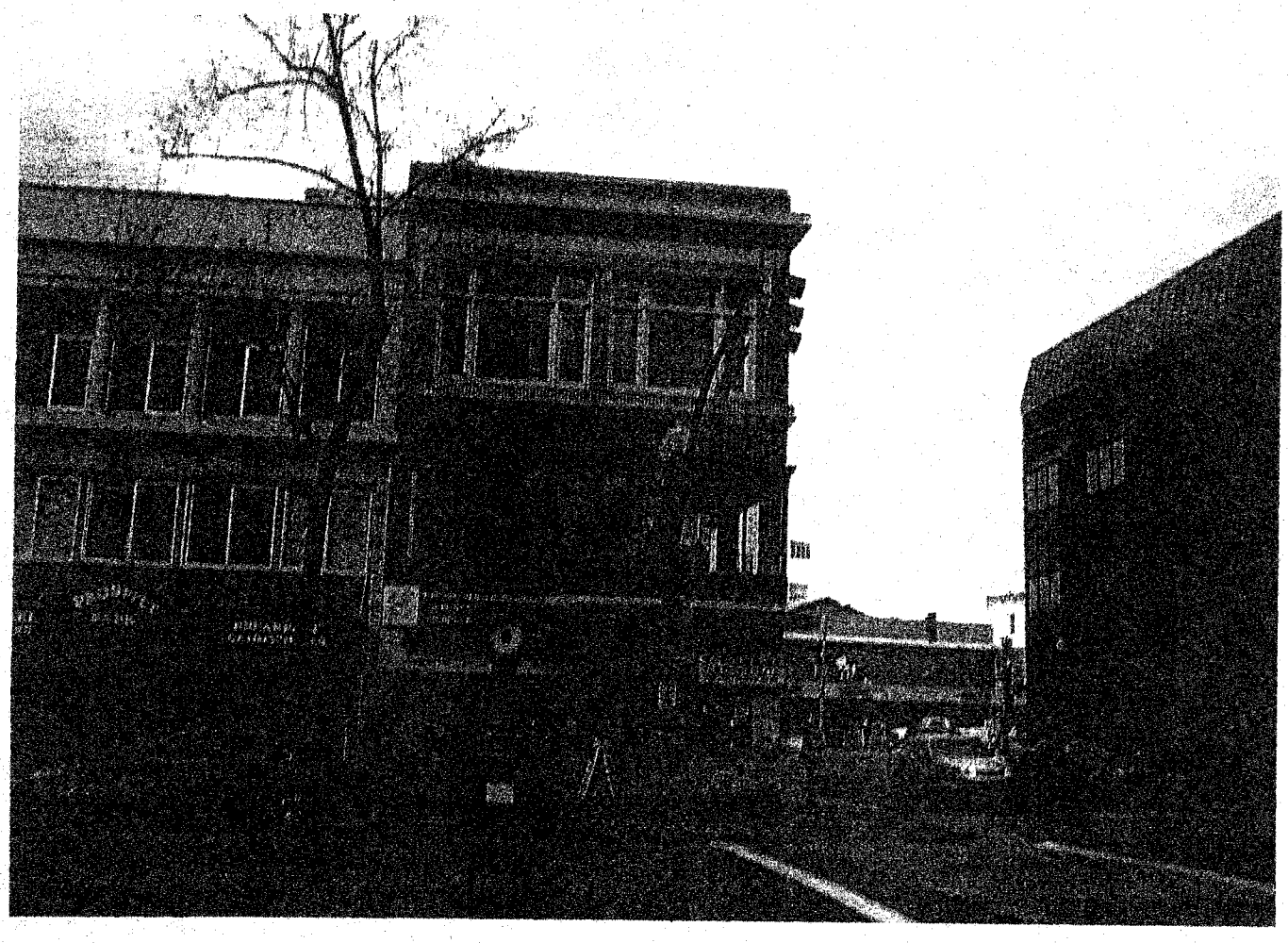
1621 Broadway



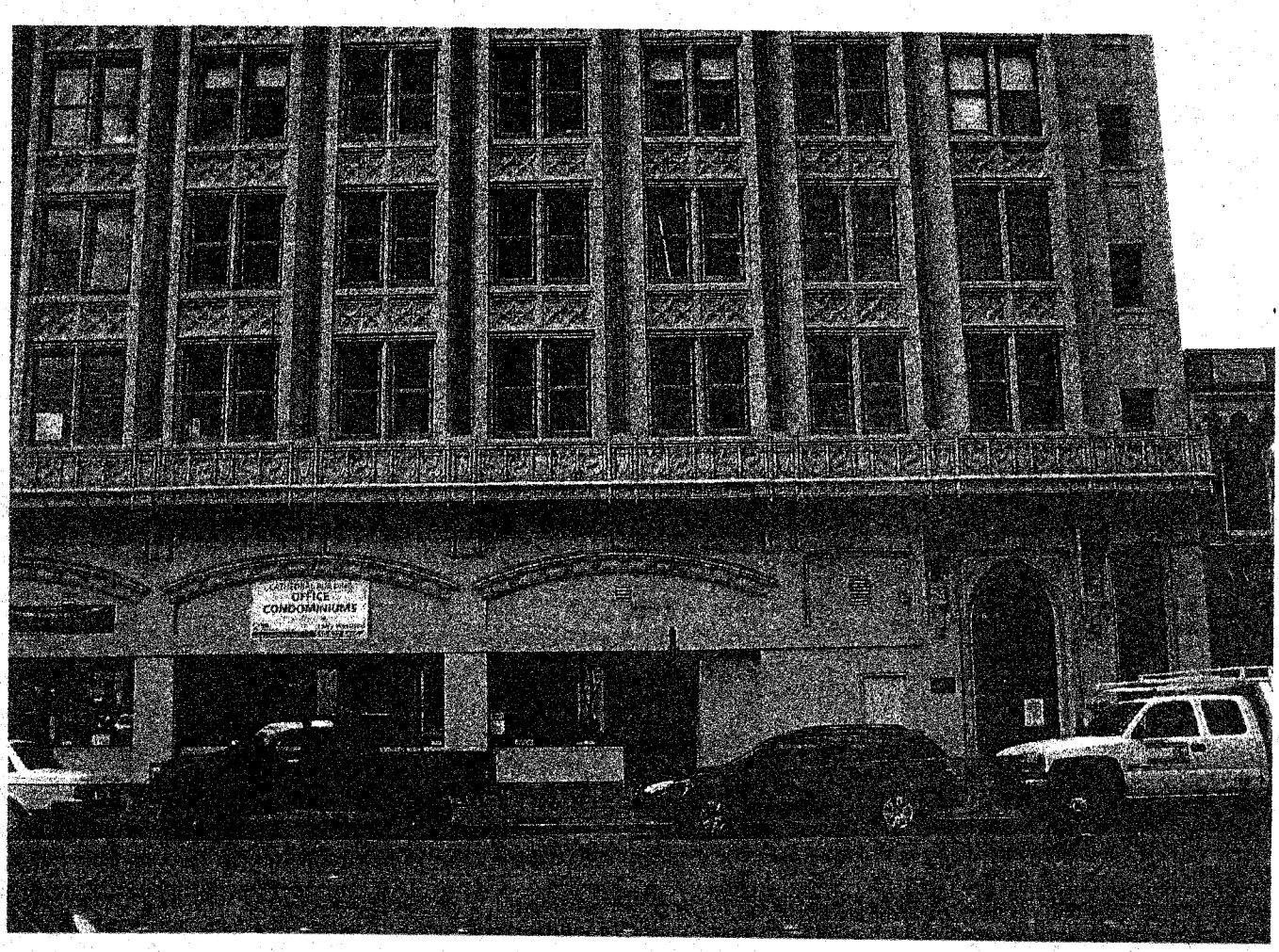
1627 Broadway



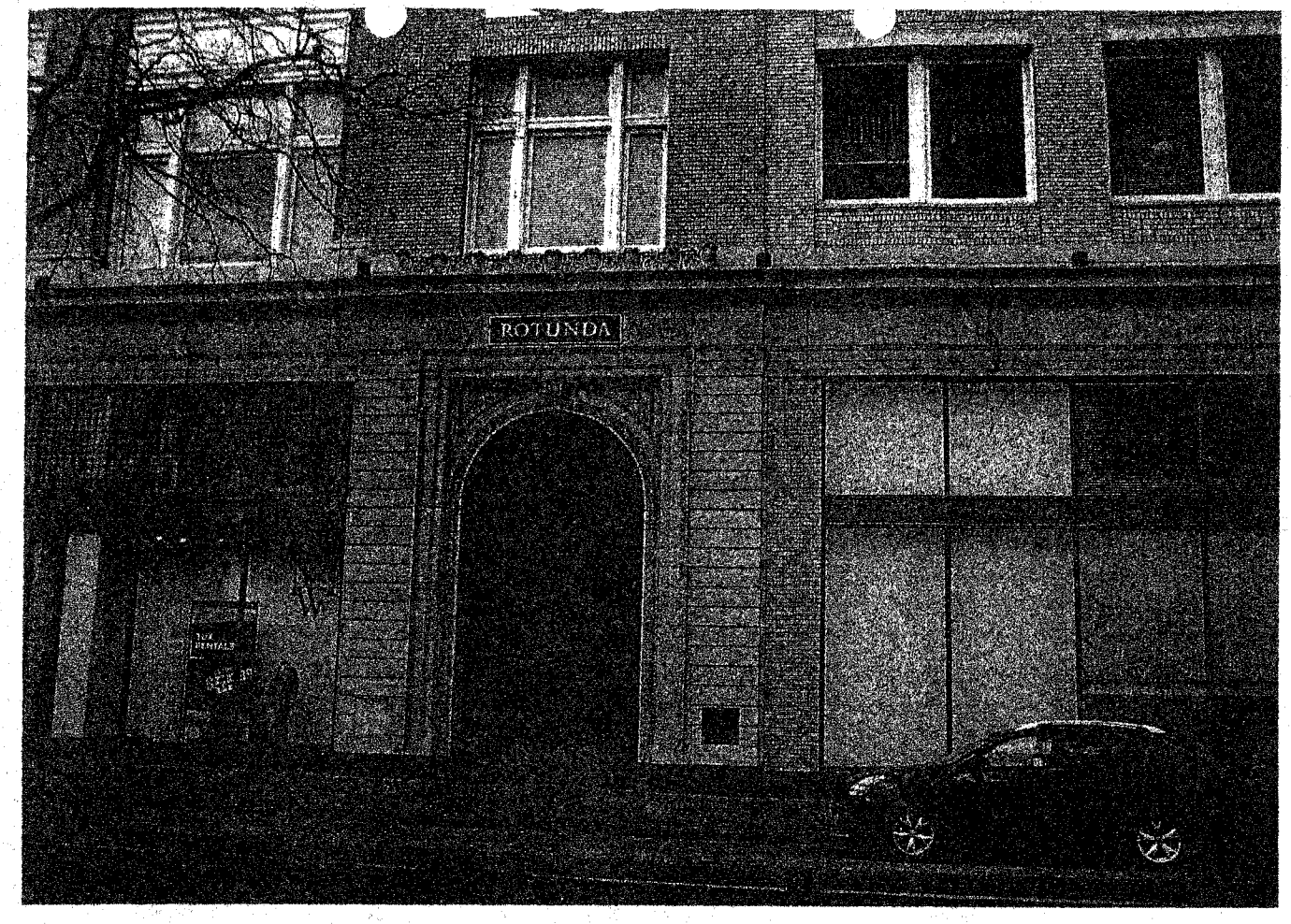
1633 Broadway (1636 Telegraph Ave.)



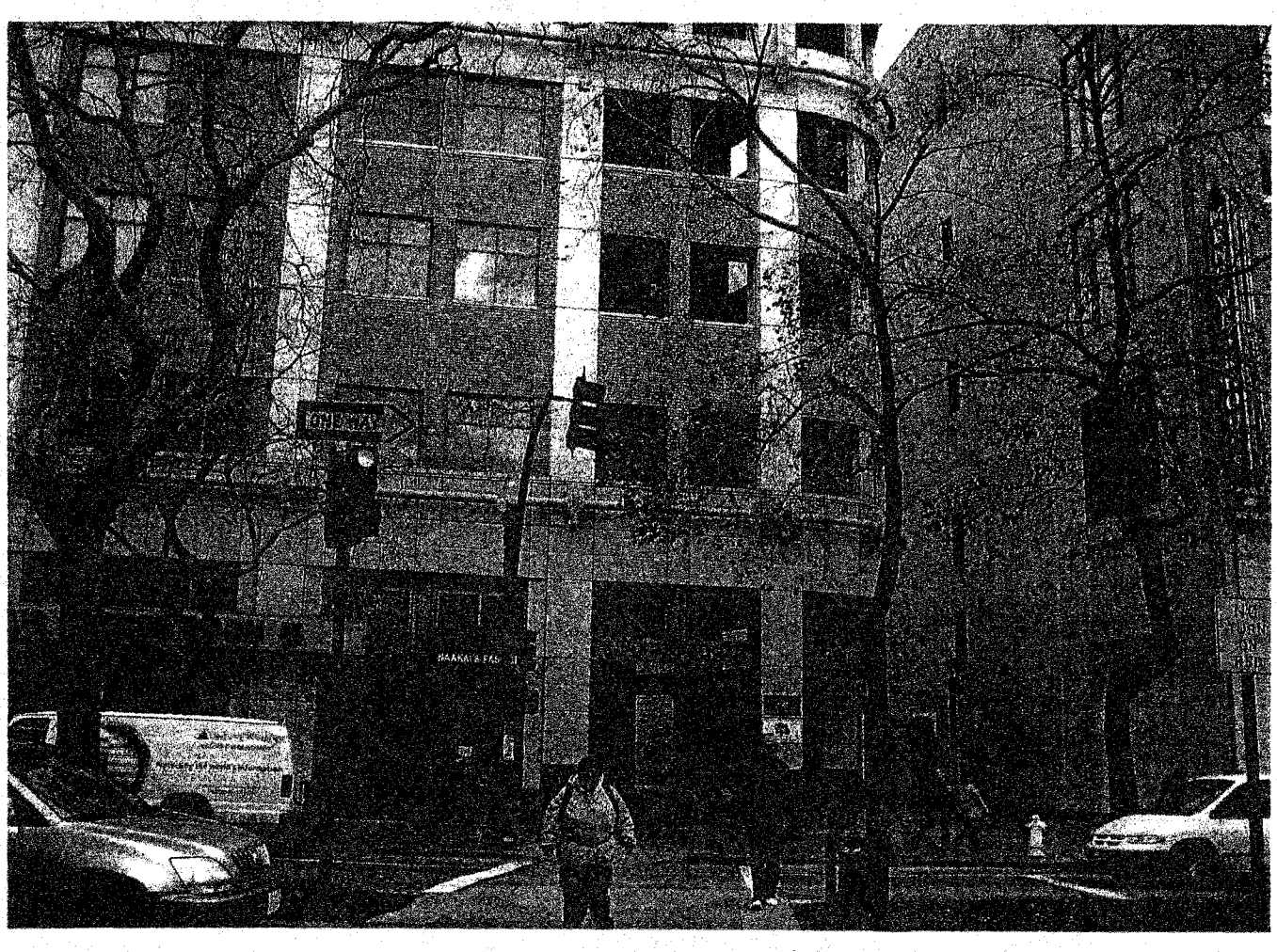
457 17th St.



1615 Broadway

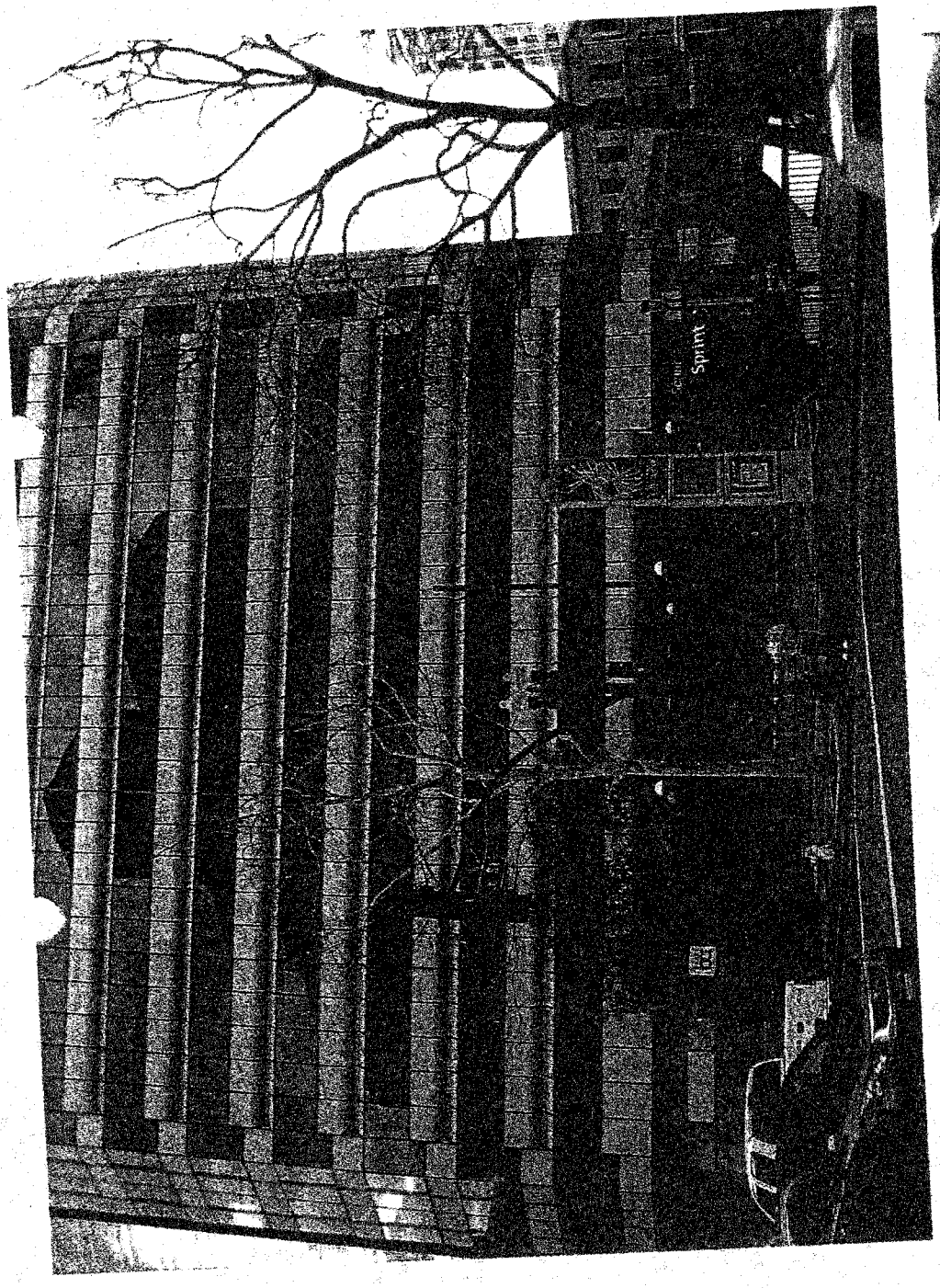


300 Frank Ogawa Pl.

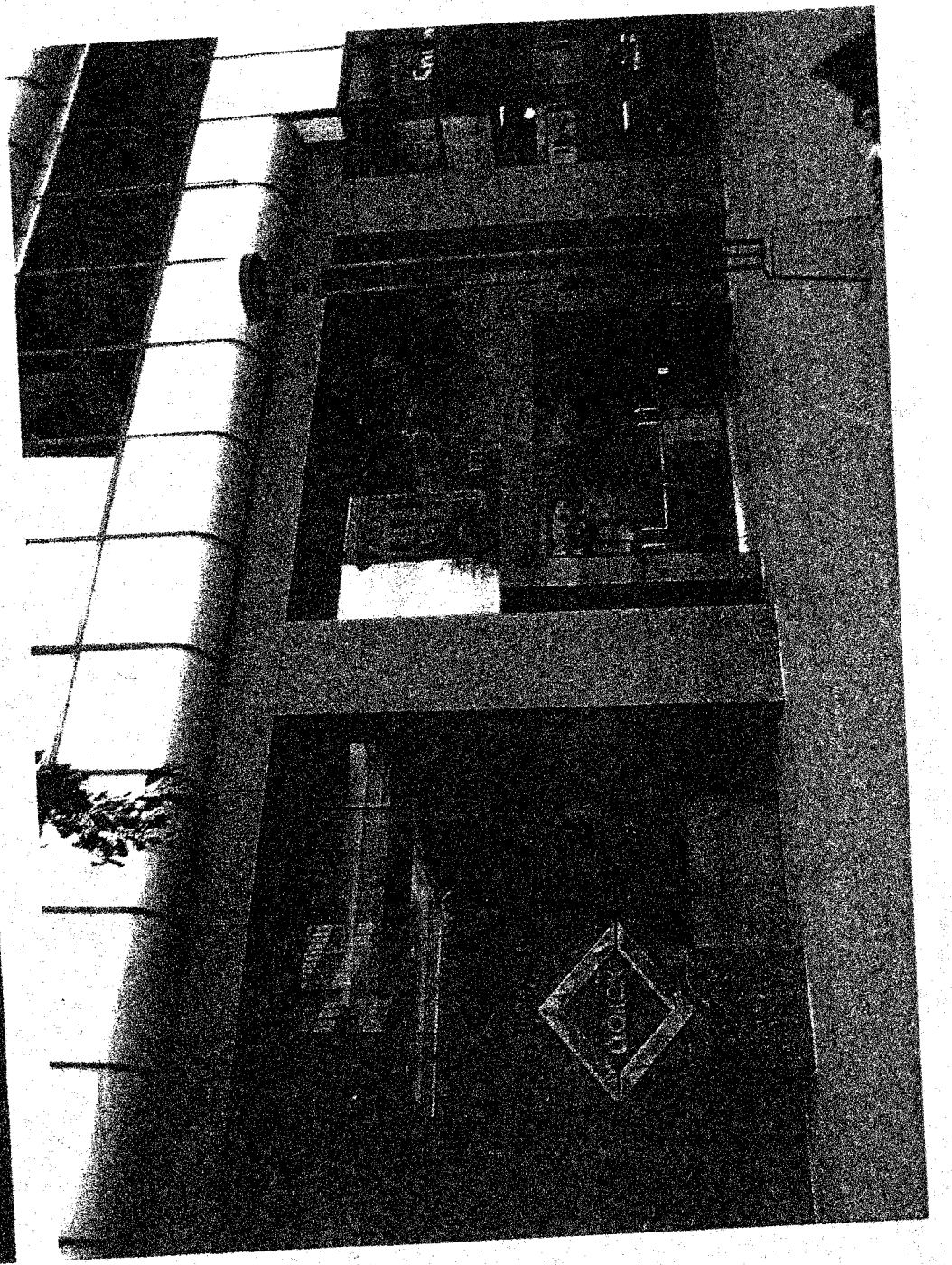


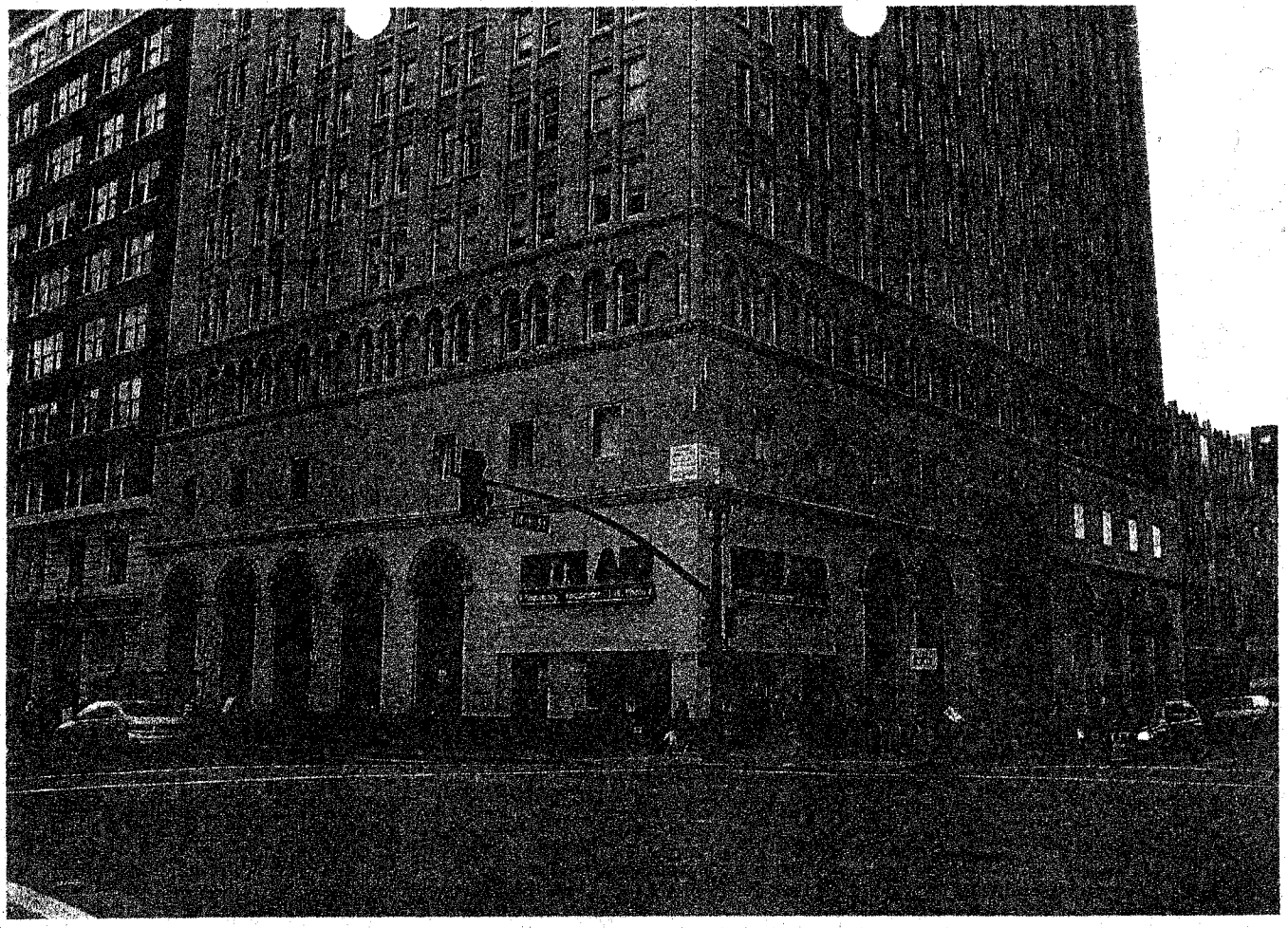
150 Frank Ogawa Pl.

1333 Broadway

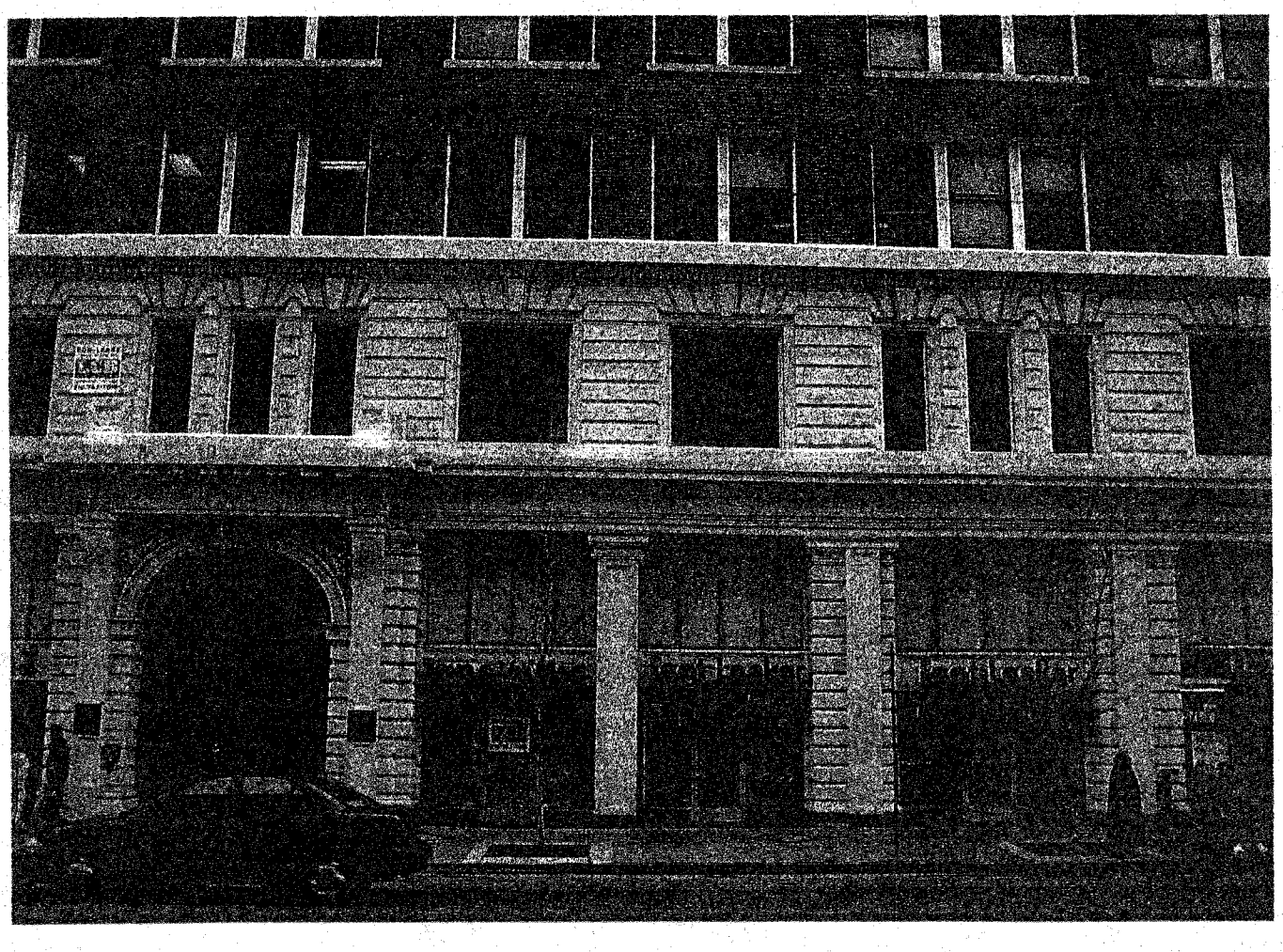


1221 Broadway

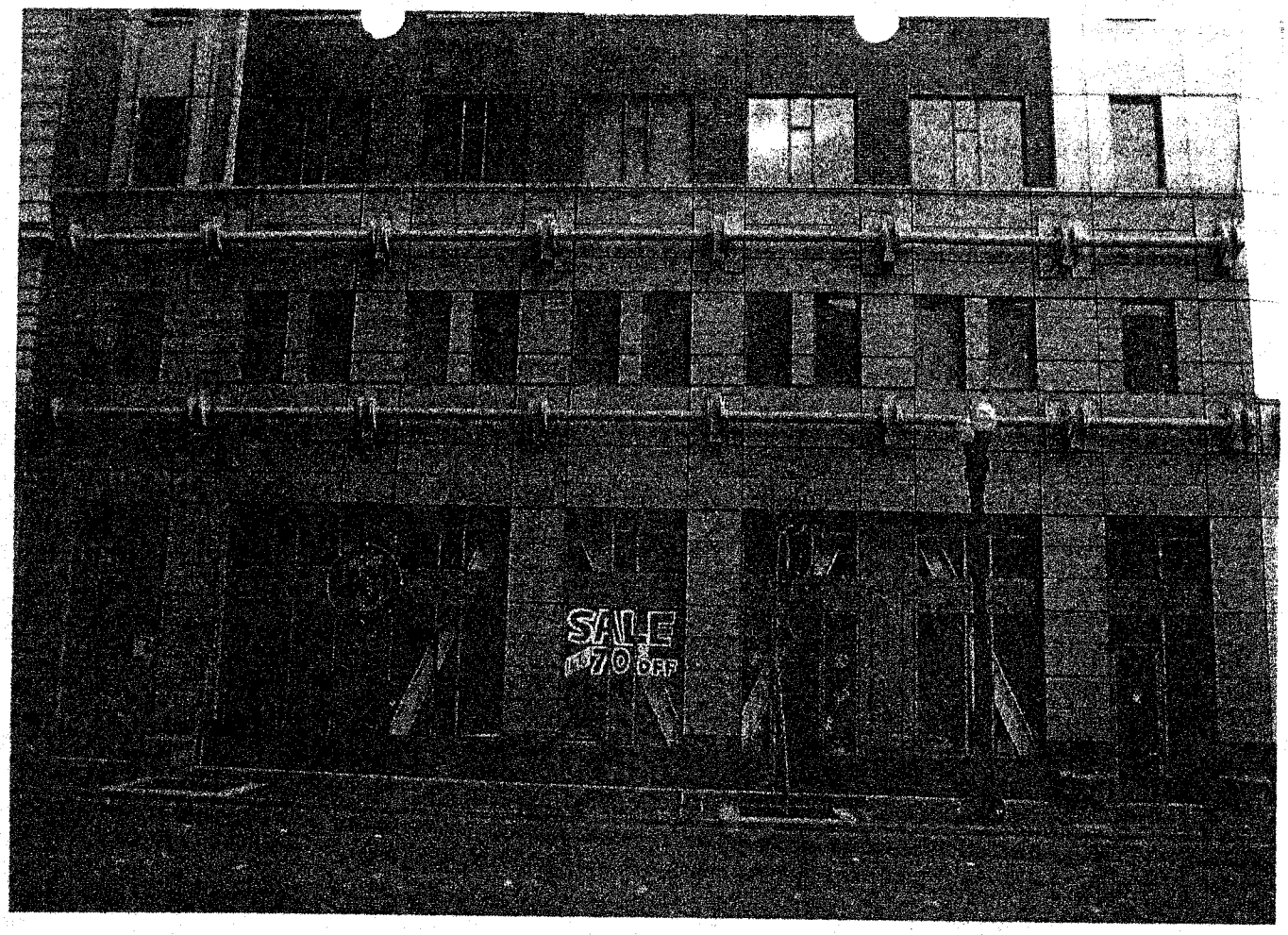




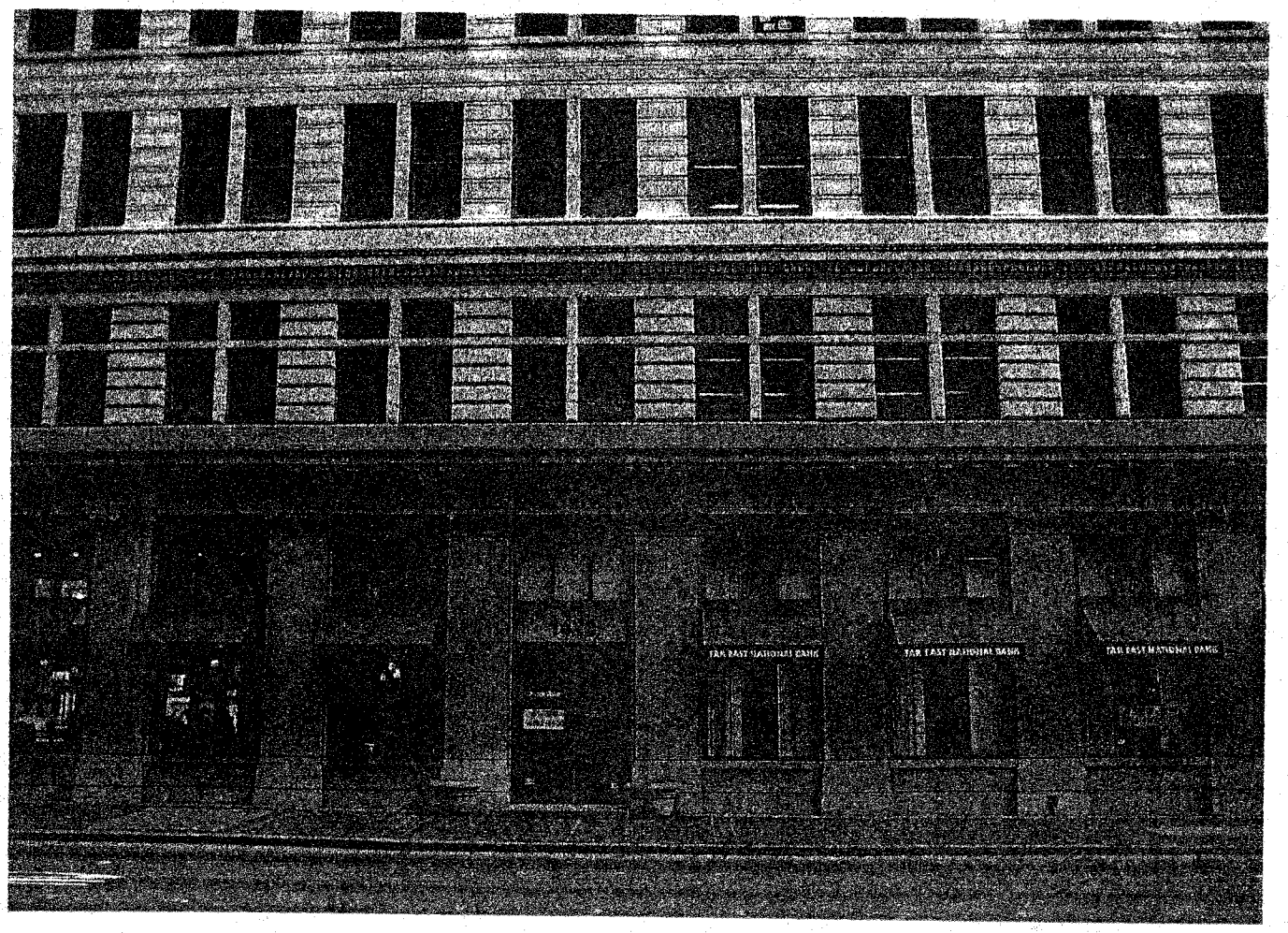
436 14th St.



1440 Broadway



150 Frank Ogawa Pl.



1423 Broadway

AVAILABLE

The LEAMINGTON OFFICE TOWER

June 11, 2010

RECEIVED
JUN 16 2010
City of Oakland
Planning & Zoning Division

Mr. David Valeska
Planning and Zoning
City of Oakland
250 Frank Ogawa Plaza, Suite 2316
Oakland, CA 94612

Re: Oaksterdam Sign

Dear Mr. Valeska:

With regards to the billboard type sign painted on the side of the Oaksterdam building at 1600 Broadway, please accept this letter as our expression of extreme dissatisfaction with the image it presents of Oakland's downtown. While we welcome the Oaksterdam University as a neighbor; one that brings vitality to the area, their sign does not reflect any professionalism or permanence and is completely out of scale for the building.

When you cross Broadway to enter the Lake Merritt business district and this is the first thing you see, it is not a good reflection on the neighborhood. We spent considerable time and money on developing the sign criteria for our building as have most of the buildings in the area. The City has sign criteria and we believe allowing this tenant to deviate from it would be a bad precedence.

We would like to see them with prominent professional signage, but this is not acceptable and we respectfully ask the planning commission to deny their request for a variance.

Very truly yours,

Leamington II, LLC

Lorie Alemania, Vice President
By: Leamington Venture, LP
By: Leamington Company,
General Partner

Attachment D. Neighbor Correspondence

1814 Franklin Street, Suite 600 . Oakland CA 94612 . P: 510.839.1744 . F: 510.839.2104
TheLeamington.com