



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

July 18, 2007
Regular Meeting

Revised 7-10-07*

MEAL GATHERING

5:30 P.M.

Dimond Conference Room, 250 Frank Ogawa Plaza, 3rd Floor, Oakland. Open to the public. (Members of the public may bring their own meal if desired. Consumption of food is not required to attend.)

BUSINESS MEETING

6:00 P.M.

Hearing Room One, City Hall, One Frank H. Ogawa Plaza

Persons wishing to address the Commission on any item on the agenda, including Open Forum and Director's Report, should fill out a speaker card and give it to the Secretary "*Agenda items will be called at the discretion of the Chair not necessarily in the order they are listed on the Agenda*". Speakers are generally limited to two minutes at the discretion of the Chair. Applicants and appellants are generally limited to five minutes.

The order of items will be determined under "Agenda Discussion" at the beginning of the meeting. With the exception of Open Forum, a new item will not be called after **10:15 p.m.**, and the meeting will adjourn no later than **10:30 p.m.** unless the meeting is extended by the Chair with the consent of a majority of Commissioners present.

Please check with the Planning Department prior to the meeting regarding items that may be continued. Any agenda item may be continued, without the hearing on the matter being opened or public testimony taken, at the discretion of the Chair. Persons wishing to address the continued item may do so under Open Forum.

For further information on any case listed on this agenda, please contact the case planner indicated for that item. For further information on Historic Status, please contact the Oakland Cultural Heritage Survey at 510-238-6879. For other questions or general information on the Oakland City Planning Commission, please contact the Community and Economic Development Agency, Planning and Zoning Division, at 510-238-3941.

♿ This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening device, please call the ***Planning Department at 510-238-3941*** or ***TDD 510-238-3254*** at least three working days before the meeting. Please refrain from wearing scented products to this meeting so attendees who may experience chemical sensitivities may attend. Thank you.



Staff reports for items listed on this agenda will be available by 3:00 p.m. the Friday before the meeting, to any interested party, at the Community and Economic Development Agency, Planning and Zoning Division, 250 Frank

H. Ogawa Plaza, Oakland, California 94612. Reports are available at the Strategic Planning Division on the 3rd floor (Suite 3315), which closes at 5:00 p.m.

**New web-site staff report
download instructions**

Staff reports are also available on-line, by 3:00 p.m. the Friday before the meeting, at www.oaklandnet.com by searching "Frequently Visited Pages" located on the City of Oakland Homepage. Clicking on "Planning Commission Meetings" will open a menu of Planning Commission and Committee Agendas. Staff reports are available on the selected agenda by clicking on the highlighted case file number. You will need to ensure that your computer will accept pop-ups from the host site (oaklandnet.com) and that your computer has a later version of Adobe Acrobat Reader installed. For further information, please call **510-238-3941**.

If you challenge a Commission decision in court, you will be limited to issues raised at the hearing or in correspondence delivered to the Zoning Division, Community and Economic Development Agency, at, or prior to, the hearing. Any party seeking to challenge in court those decisions that are final and not administratively appealable to the City Council must do so within ninety (90) days of the date of the announcement of the final decision, pursuant to Code of Civil Procedure Section 1094.6, unless a shorter period applies.

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

ROLL CALL

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Director's Report

Committee Reports

Commission Matters

Update: [Summer Meeting Schedule](#)

City Attorney's Report



OPEN FORUM

At this time members of the public may speak on any item of interest within the Commission's jurisdiction. Speakers are generally limited to two minutes or less if there are six or less speakers on an item, and one minute or less if there are more than six speakers.

CONSENT CALENDAR

The Commission will take a single roll call vote on all of the items listed below in this section. The vote will be on approval of the staff report in each case. Members of the Commission may request that any item on the Consent Calendar be singled out for separate discussion and vote.

PUBLIC HEARINGS

The hearing provides opportunity for all concerned persons to speak; the hearing will normally be closed after all testimony has been heard. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Zoning Division, Community and Economic Development Agency, at, or prior to, the public hearing.

The Commission will then vote on the matter based on the staff report and recommendation. If the Commission does not follow the staff recommendation and no alternate findings have been prepared, then the vote on the matter will be considered a "straw" vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings and, as applicable, conditions of approval that the Commission will consider in making a final decision.

If you wish to be notified on the decision of an agenda item, please indicate the case number and submit a self-addressed stamped envelope, for each case.

Planning Commission decisions that involve "major" cases (i.e., major variances, major conditional use permits) are usually appealable to the City Council. Such appeals must be filed within ten (10) calendar days of the date of the announcement of the Planning Commission decision and by 4:00 p.m. An appeal shall be on a form provided by the Planning and Zoning Division of the Community and Economic Development Agency, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of the Case Planner. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Planning Commission or wherein their decision is not supported by substantial evidence and must include payment in accordance with the City of Oakland Master Fee Schedule. Failure to timely appeal will preclude you from challenging the City's decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so will preclude you from raising such issues during your appeal and/or in court.

Any party seeking to challenge a final decision in court must do so within ninety (90) days of the date of the announcement of a final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.

Interested parties are encouraged to submit written material on agenda items in advance of the meeting and prior to the close of the public hearing on the item. To allow for distribution to the Commission, staff, and the public, 25 copies of all material should be submitted. Material submitted at least ten days prior to the meeting may be included as part of the agenda packet; material submitted later will be distributed at or prior to the meeting. To ensure that material is distributed to Commissioners, it should be received by the Commission.



1. Location: 1689 20th Street
Assessors Parcel Numbers: (APN 007-0568-001-00)
Proposal: Conditional Use Permit and Design Review to renovate park with 3 ballfields and other improvements; remove 19 trees at Raimondi Park
Applicant: Kathy Raymond for Friends of Oakland Parks
Owner: City of Oakland
Planning Permits Required: **CMD07-217**, Major Conditional Use Permit and Regular Design Review for renovation of a baseball field and two soccer fields, with associated lighting, landscape and building improvements on almost 10 acres of Raimondi Park between Wood, Campbell, 18th and 20th Streets. Tree Permit T07-0065.
General Plan: **Urban Open Space**
Zoning: **OS-AF Open Space-Athletic Field**
Environmental Determination: Exempt, Section 15303 of State CEQA Guidelines; minor new facilities; and Section 15183, Projects consistent with a community plan, general plan or zoning
Historic Status: Not PDHP
Service Delivery District: 1
City Council District: 3
Date Filed: May 15, 2007
Status: Complete
Action to be Taken: Conditional Use Permit, Regular Design Review, Tree Permit approval
Staff Recommendation: Approve with Conditions
Finality of Decision: Appealable to City Council
For Further Information: Contact case planner, **David Valeska at (510) 238-2075** or dvalueska@oaklandnet.com

2. Location: 5248 Telegraph Ave. (APN's: 014-1225-014-00; -015-01)
Proposal: New Construction of a five story 33 unit residential condominium building over ground floor commercial.
Applicant: Bill Lambert
Contact Person/Phone Number: (510) 550-4200
Owner: Project Kingfish LLC
Case File Number: **CDV06-476 & TPM-9212**
Planning Permits Required "Major" Design Review for a new building in excess of 25,000 square feet, Interim Conditional Use Permit for a C-30 "Best Fit" Zone, and to allow the density permitted within the Community Commercial General Plan area, Minor Variance for encroachment into the "height reduction plane" from the minimum required rear yard, and Tentative Parcel Map for new condominiums.
General Plan: Community Commercial
Zoning: C-28, Commercial Shopping District Zone
Environmental Determination: Exempt, Section 15332 of the State CEQA Guidelines; in fill development projects.
Historic Status: Potentially Designated Historic Property (PDHP); rating: C2+/C3
Service Delivery District: II – North Oakland
City Council District: 1
Status: Pending
Action to be Taken: Decision on application based on Staff Report
Finality of Decision: Appealable to City Council



For Further Information: Contact case planner **Peterson Z. Vollmann** at (510) 238-6167 or by email: pvollman@oaklandnet.com.

3. **Location:** 1027 62nd Street (APN016-1442-064-00) (12/27/06)
To construct three detached units on a vacant lot in the R-40 zone.
Proposal: The unit fronting the street would be two stories with an attic under a pitched roof and with a total height of 26 feet; the two rear units would be one story each. The total square-footage of the units would be 3,050 sq ft on a 12,560 sq ft lot. Parking would be located in-between the front and rear units.
Applicant: Paul Wang
Owners: City of Oakland
Contact Person/Phone Number: Paul Wang
(510) 547-9315
Case File Number: **CMD06-618, T06-158**
Planning Permits Required: Major Conditional Use Permit and Regular Design Review Permit to construct three detached units on a vacant lot in the R-40 zone.
Tree protection permit.
General Plan: Mixed Housing Type
(continued on page 6)



(continued from page 5)

Zoning: R-40, Garden Apartment Residential Zone, S-18, Mediated Residential Design Review Combining Zone

Environmental Determination: Exempt, Section 15303(b), New construction of small structures

Historic Status: Not a Potential Designated Historic Property; vacant lot

Service Delivery District: 2

City Council District: 1

For further information: Contact case planner **Ulla-Britt Jonsson** at (510) 238-3322 or ujonsson@oaklandnet.com

Attachment 1

4. Location: 1818-38th Ave. & 1815-39th Ave.
(APN: 033-2138-029-02 & 033-2138-067-00) (3/28/07)

Proposal: To legalize a transitional home (38th Ave.) serving mothers each caring for their young child and its site office located in an adjacent facility (39th Ave.), and to expand the home to the 39th Ave. facility; each facility would accommodate 5 women and 5 children, and the 39th Ave. facility would also accommodate 5 staff.

Applicant: The Friendship House Association of American Indians, Inc.

Contact Person/Phone Number: Armengol M. Garcia, Jr. / (415) 865-0694

Owner: Native American Health Center

Case File Number: **CM07-116**

Planning Permits Required: Major Conditional Use Permit to allow a Transitional Housing Residential Activity in the City of Oakland (OMC Sec. 17.134.020.A.2.a.ii)

General Plan: Mixed Housing Type Residential

Zoning: R-50 Medium Density Residential Zone

Environmental Determination: Exempt, 15301 of the State CEQA Guidelines: Existing facilities
Exempt, Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan, general plan or zoning

Historic Status: Not a Potential Designated Historic Properties
Survey Ratings: *3

Service Delivery District: 4 – San Antonio/Fruitvale

City Council District: 5 – De La Fuente

Status: Pending

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

Finality of Decision: *Appealable to City Council*

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



5. **Location:** 116 International Blvd (APN: 020 -0130-013-01) (4/5/07)
Proposal: A new 21 unit residential building with 586 square feet of commercial space.
Applicant: Gerald Green
(415) 377-5286
Owner: Vista International
Case File Number: DR 07-132
Planning Permits Required: Design Review for a new 21 unit residential building with 586 square feet of commercial space.
General Plan: Urban Residential
Zoning: C-40 Community Thoroughfare Commercial
Environmental Determination: Exempt, Section 15332 of the State CEQA Guidelines: Infill development
Exempt, 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
No Survey Rating: Vacant Site
Service Delivery District: 3
City Council District: 2
For further information: Contact case planner **Sung H. Kwon, AICP** at (510) 238-6414 or skwon@oaklandnet.com.

NOTE: ITEM (#5) HAS BEEN REMOVED FROM THIS AGENDA.

6. **Location:** Mills College / 5000 MacArthur Bl (APN 037A-2701-029-03)
Proposal: To construct a 28,649 square foot, two-story building to accommodate the Mills College Graduate School of Business.
Applicant / Phone Number: Karen Fiene, Mills College Campus Architect / (510) 430-2323
Owner: Mills College
Case File Number: CM07-275
Planning Permits Required: Major Conditional Use Permit to expand an existing Extensive Impact Civic Activity
General Plan: Institutional
Zoning: R-50 Medium Density Residential Zone
Environmental Determination: Exempt, Section 15314 of the State CEQA Guidelines; minor addition to school.
Historic Status: The Mill College campus has been identified as an ‘Area of Primary Importance’. Several of the contributing buildings have been individually rated A or B, Highest Importance or Major Importance. These ratings put Mills on Oakland’s Local Registry of Historical Resources.
Service Delivery District: V
City Council District: 6
For further information: Contact case planner **Leigh McCullen** at (510) 238-4977 or lmccullen@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/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: June 20, 2007

Correspondence

City Council Actions

OPEN FORUM

At this time members of the public may speak on any item of interest within the Commission's jurisdiction. Speakers are generally limited to two minutes or less if there are six or less speakers on an item, and one minute or less if there are more than six speakers.

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

SCOTT MILLER
Zoning Manager
Planning and Zoning Division

NEXT REGULAR MEETING: August 1, 2007

***REVISED 7-10-07 TO INDICATE THAT ITEM #5 HAS BEEN REMOVED FROM THE AGENDA**