

## Issues and Decisions Chart for 12/17/03 ZUC Hearing on Industrial Zoning- Attachment “C”

Topics from	Issue/Question	Decision
<b>Offices</b>		
<b>#1 Land Use Activity Decisions</b> <u>Offices</u> (Stand Alone and as ancillary use).	4.30 Decision: Offices should clearly be ancillary and limited to 20% in IBX and IG. Percentage of office space allowed in Industrial Districts 4.30 recommended limit of 20% but not confirmed by ZUC. Later discussions during Land Use Activity discussions with ILAO amended recommendation.	Staff recommends: IG: Prohibit stand along office in IBX, but allow 20% ancillary use; CIX : No restrictions IBX: Request for no restrictions from stakeholders; staff not taking a position  12.17 Decision: _____
<u>Truck Definitions:</u>	On 11/19 the ZUC agreed that new truck standard weights should be raised to the “Medium” weight for commercial trucks, to be consistent with the intent of regulating heavier impact vehicles where necessary.	Staff recommends: Raise the standard for Truck” relative to the entire Zoning Code to 14,000 pound gross vehicle weight (gvw).  12.17 Decision: _____
<u>Truck Repair:</u>	4.30 ZUC decision to Conditionally Permit anywhere in IBX and Permit in IG, and prohibit in IO. (No change recommended)  An interim decision was made to prohibit Truck Repair in the West Oakland (CIX/S-16) industrial zone, to conditionally permit in IBX-Central East Oakland; and to permit in IG. Staff agree (with no changes to IBX, IG and IO) with WOCA recommendation for CIX to: 1) Prohibit within 600 feet of a residential zone; 2) Conditionally permit beyond 600 feet of a residential zone, including meeting Design Review.	Staff recommends: Prohibit within 600 ft of a residential or open space zone; and conditionally permit beyond 600 ft in CIX  12.17. Decision: _____
<u>Truck Terminals:</u>	4.30 meeting corrected limitation of Truck terminals within	Staff recommends: Prohibit in IBX within 150

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	<p>IBX to beyond 150 feet from a residential zone. Staff agrees with WOCA recommendation to prohibit in CIX within 600 feet of a residential, or open space zone, but conditionally permit beyond 600 feet</p>	<p>feet of a residential or open space zone; permit otherwise. Staff recommends: prohibit in CIX within 600 feet of a residential or open space zone and conditionally permit if beyond 600 feet of the zone boundary.</p> <p>12.17 Decision: _____</p>
<p><b>#2: General Manufacturing in CIX</b></p>	<p>Should General Manufacturing be prohibited in CIX within 600 feet of a residential zone boundary, and conditionally permitted in CIX otherwise?</p>	<p>Staff recommends: prohibit general manufacturing activities within 600 feet of a residential or open space zone, and conditionally permit if beyond 600 feet.</p> <p>12.17 Decision: _____</p>
<p><b>#3: S-16 Zone</b></p>	<p>Should the S-16 Industrial Residential Transition Zone be eliminated and its activity and buffering mechanisms integrated into the proposed CIX district regulations, including development standards and limitations?</p>	<p>Staff recommends: repeal the S-16 and include the intent, buffering mechanisms some land use restrictions of S-16 into the new CIX district.</p> <p>12.17 Decision: _____</p>
<p><b>#4: LL1/Estuary Area</b></p>	<p>Should the area designated LL1 in the Estuary Policy Plan (bounded by Union to MLK; Embarcadero to 6<sup>th</sup> Street but excluding the existing C-40 area) be zoned CIX?</p>	<p>Staff recommends: Zone the LL1 area as CIX with the exception of the existing “C-40” properties</p> <p>12.17 Decision: _____</p>
<p><b>#5: Special regulations requiring a Conditional Use Permit for truck-related activities in W.O.</b></p>	<p>Should Section 17.102.390 which requires a CUP for all Truck-related activities (including existing Transportation and Warehousing, which is now differentiated into separate use classifications) be incorporated into the industrial zones as 17.73.060, and updated with the new proposed Land Use activity types relevant to the intent of the emergency ordinance, passed in 1997?</p>	<p>Staff recommends: Incorporate Section 17.102.390 into the land use regulations for the CIX. Further work with the West Oakland Community and current studies about trucking should be considered at any further discussion of the CIX, should that information be available. Exclude “Warehousing” from these requirements as the intent was directed to</p>

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		Trucks as a primary activity  12.17 Decision: _____
<b>#6: S-21 Health &amp; Safety Protection Zone</b>	How should the Health and Safety Protection Zone be applied? a) Should an Overlay Zone called Health and Safety Protection Zone be adopted; and b) Where should it be mapped?	Staff recommends: Adopt the HSP Overlay Zone ( S-21) and apply it: a) Throughout the CIX District b) Throughout the HBX Districts c) Within the IBX and IG 300 feet from any residential zone boundary.  12.17 Decision: _____
<b>Discussion Question #7: Performance Standards</b>	Should Section 17.120 be amended to reflect the measurements which were required in the prior code section which measure industrial or commercial noise levels (among other standards) from the boundary of the nearest residential, or open space zone (and allow to be amended to include institutional zones if adopted through the Zoning Update process)? Should we include a reference to “Institutional” zones in the future, should the Zoning Update process create such a zone?	Staff recommends: Apply the appropriate standards which include stated measurements (including Noise) “as measured from the nearest residential or open space boundary” (and future “institutional zones, if instituted). Revise text as necessary to include references to HBX (as a commercial zone for these purposes) and the new industrial districts, while retaining the references to the “M” manufacturing districts until such time as all existing “M” zones have been addressed  12.17 Decision: _____
<b>Discussion Question #8: Demolition of Residential Units in Nonresidential areas</b>	Should Section 17.102.230, which restricts the demolition or conversion of residential units in non-residential zones and requires a conditional use permit to do so, be amended to allow the demolition (or conversion to a nonresidential facility) of a residential one or two unit / non-PDHP structure with only a design review procedure, and not a conditional use permit?	Staff recommends: Amend Section 17.102.230 to allow the demolition (or conversion to a nonresidential facility) of a 1-2 unit non-PDHP (potential designated historical property).  12.17 Decision: _____
<b>ZONING</b>	<i>Staff Note: All zoning change requests will be considered</i>	

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<b>CHANGE REQUESTS</b>	<i>preliminary and considered as part of the Zoning Update process, pending further review by staff and the full Planning Commission. A West Oakland Community Meeting is planned for the evening of January 26, 2003 in regards to the discussion of zoning in the West Oakland Community Development District, with further details to be provided by staff. All staff recommendations are preliminary, pending full discussion at this meeting.</i>	
<b>#1 1500 Mandela Parkway “Carnation”</b>	Hall Equity requests the consideration of a flexible commercial designation for this property that would accommodate a mixed use development, with an emphasis on the commercial portion. Carnation is adjacent to the Oak Center Redevelopment District, and is across from residential (R-36/Mixed Housing Type Residential) Prescott neighborhood (Oak Point historic district), and is within 7 blocks of the West Oakland Transit Village, and numerous medium to high density housing developments on 7 <sup>th</sup> and 8 <sup>th</sup> Street. 14 <sup>th</sup> Street is a major intersection.	Staff recommends consideration of this request, pending submittal of a pre-application or formal application for development review.
<b>#2 West Grand at Mandela “Pacific Pipe and American Steel” buildings</b>	Peter Sullivan Associates- request for amendment from proposed CIX Commercial and Light Industrial/ Business Mix to a commercial designation, preliminarily suggested as C-45/Community Commercial. Staff comments: <ol style="list-style-type: none"> <li>1) W Grand is a “Growth &amp; Change” area “Position West Grand Avenue as the new “direct” route into West Oakland and to and from San Francisco., Take steps to market and promote the Avenue’s commercial and urban housing potential.</li> <li>2) Parcels are within walking distance to local school (Ralph Bunch), Swimming Pool, and Library and are along transit routes.</li> </ol>	Staff recommends serious consideration of this changes, pending submittal of a pre-application or formal application for development review, with Alternatives: Alternative A: C-45/CC only for specific properties (W Grand to 18 <sup>th</sup> St/ Mandela to Poplar) Alternative B: C-45/CC between W Grand and 20 <sup>th</sup> and including 10 <sup>th</sup> to 18 <sup>th</sup> /Mandela to Poplar. Includes the EBMUD facilities. 3) Alternative C; C-45/CC along entire length of W Grand from Mandela Parkway through into Downtown.\

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	<p>1) W Grand is already in a commercial general plan designation, beginning at Linden into Downtown.            .....            WOCA comments: favorable consideration but concerned with</p> <ol style="list-style-type: none"> <li>1) Light Industrial will be allowed by right in the zone;</li> <li>2) Biotech businesses will be allowed by right in the zone; and</li> <li>3) Minimum (square floor of floor area and/or as a percentage of the project) requirement commercial use component so that residential uses are an “ancillary” use, not the primary use.</li> </ol>	<p>12.17 Decision: _____</p>
<p><b>#3 E 12<sup>th</sup> Street between 26<sup>th</sup> Street and 31<sup>st</sup> St.</b></p>	<p>Pacific Thomas Corporation- request to extend the C-60 Commercial Service zone along E 12<sup>th</sup> Street due to primary use as office, business services and auto uses, and its proximity to schools.</p>	<p>Staff recommends: Rezone as C-60/BX in the zoning map update process.</p> <p>12.17 Decision: _____</p>
<p><b>#4 50<sup>th</sup> Avenue to 52<sup>nd</sup> Avenue</b></p>	<p>Rago &amp; Sons- Staff recommended a zoning change HBX 1/HBX to IBX/IBX at the 11/19 meeting for HBX, due to the existence of the business, but recognizing that a number of residences are still within that area. The ZUC did not take further action upon this request. The property owner now requests a change from HBX-1/HBX to IG/GIT.</p>	<p>Recommendation: This is a neighborhood with a number of small residential units and a nearby school. There are other existing light industrial activities in smaller facilities in the area. Staff believes that the best zoning designation is IBX/BX (no change from 11/19 recommendation).</p> <p>ZUC Decision: _____</p>
<p><b>#5 50<sup>th</sup> Avenue from E 12<sup>th</sup> to International Bl</b></p>	<p>Constance Barich- (1237 50<sup>th</sup> Avenue) Request amendment from IG/GIT to HBX-1/HBX. This block is 85% residential use with Ms Barich’s property a work/live converted facility. The corner facility (E 12<sup>th</sup> and 50<sup>th</sup> Avenue northwest corner) is a larger, industrial facility and should remain as IG/GIT. Staff recommended a change for the neighborhood across the street from HBX to DUR</p>	<p>Staff recommends rezoning from prior recommendation of IG/GIT to R-36/DUR, consistent with residences across the street along 50<sup>th</sup> Avenue, but excluding the larger industrial facility at E 12<sup>th</sup> and 50<sup>th</sup> Avenue (northeast corner), which should remain as proposed: IG/GIT.</p>

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	(Detached Unit Residential) and HBX to R-36, based on existing uses.	ZUC Decision: _____
<b>#6 57<sup>th</sup> and International Bl Investments</b>	Lynch Investments- Requests maintaining the entire front of the (former Safeway building) as C-40/Neighborhood Center Mixed Use; with the rear of the parcel remaining industrial as IG/GIT. This facility is architecturally significant and fronts International Blvd. It already has some work/live converted units and some office space. Owners anticipate further conversion to work live while retaining current industrial users in the rear due to the concentration of industrial in that block of 57 <sup>th</sup> avenue.	Staff recommends: Retain C-40/ Neighborhood Center Mixed Use general plan for that portion of the building as shown in the enclosed exhibit (work live converted facility with offices) and retain the rear as IG/GIT per the original recommendation.  ZUC Decision: _____
<b>#7 513 &amp; 515 , 545 Independent Road</b>	Robert Schwartz requests rezoning to C-36/RC from IG/GIT; extending the prior draft map recommendation for those parcels along Independent which front 66 <sup>th</sup> Avenue as part of the Coliseum gateway. Include 545 Independent Road (The Endowment Board letter request).	Staff recommends: Rezone as C-36 (S-4)/CR per request.  12.17 Decision: _____
<b>#8 968 81<sup>st</sup> Avenue</b>	Mr Rico Merlino (Colliers International)- requests rezoning of his property from proposed IG/GIT to HBX-1/HBX, due to the transition of his business and its adjacency to residential and a school. The property is a large parcel and can accommodate a number of new units which can contribute to the area. While this parcel is very close to the HBX area, it is not adjacent to it. In the 11/19 HBX report, staff recommended a change for the nearby HBX parcel (school site) to a residential zoning district.	Staff recommends: Rezone as R-50/Mixed Housing Type Residential.  12.17 Decision: _____
<b>#9 10550 International Blvd</b>	Batarse Family Trust/AC Transit (latter was verbal request): Requests a change from the proposed zoning of C-40 to C-60, thereby allowing the existing uses to remain legal conforming.	Staff recommends: rezone to C-60/ Community Commercial general plan.  12.17 Decision: _____

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<p><b>#10 750-105<sup>th</sup> Avenue</b></p>	<p>Aaron Metals: This property was proposed as IBX/BX in the draft maps. Nearby are both Housing and Business Mix and residential general plan designated properties and residential uses are adjacent and across from this facility. Recycling has a high impact on adjacent and nearby residential uses and expansion should be considered carefully and with public notice.</p>	<p>Staff recommends: rezone as IBX (Light Industrial/ BX (Business Mix general plan) due to the potential impact to the residential areas thereby not allowing further expansion of general industrial uses, including recycling, without a conditional use permit and public notice. 12.17 Decision: _____</p>