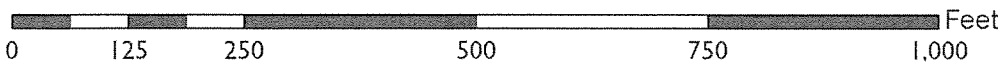
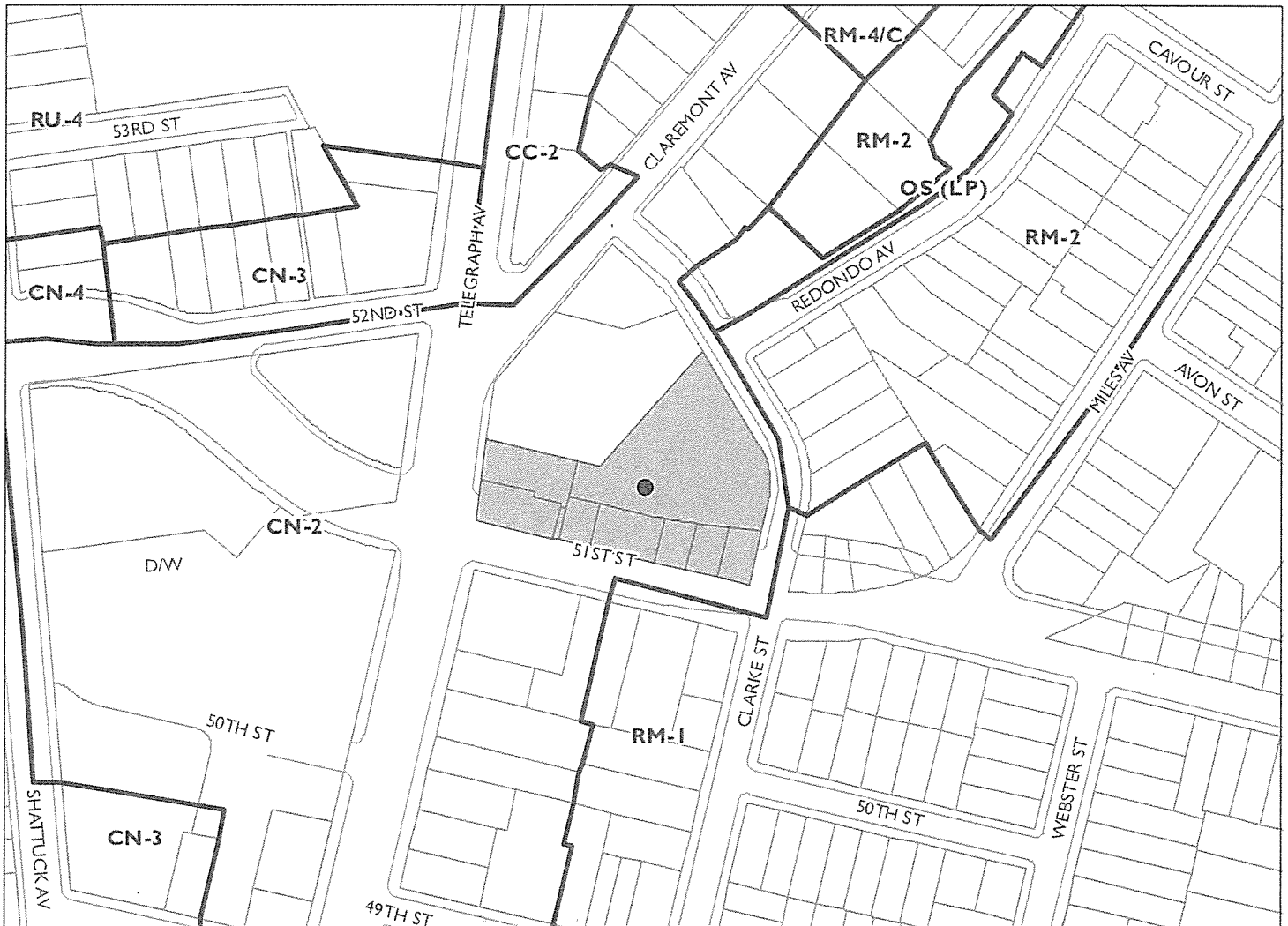


Project Location: Assessors Parcel Numbers:	5100-5110 Telegraph Ave., 450-478 51st St., and 5107 Clarke St. 014 122600303; 014 122600403; 014 122600502; 014 122600602; 014 122600702; 014 122600800; 014 122600901; 014 122600902; 014 122601400.
Proposal:	Applicant's request for extension of entitlements to construct a new mixed-use development "Civiq" consisting of 67 residential units and 2,990 square feet of commercial space on a vacant parcel.
Project Applicant/ Phone Number:	Brian Caruso / Nautilus Group, Inc. (510) 213-6226
Property Owner:	NGI 5110 Telegraph, LLC
Case File Number:	CMDV05469
Planning Permits Required:	Extension of the Interim Conditional Use Permit; Major and Minor Variances; and Regular Design Review.
General Plan:	Neighborhood Center Mixed Use and Mixed Housing Residential
Zoning:	Current Zoning is CN-2 Neighborhood Commercial; Prior Zoning was C-28 Commercial Shopping District, R-35 Special One-Family Residential, R-40 Garden Apartment Residential, and S-18 Mediated Residential Design Review Combining Zone.
Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines; In-Fill development projects.
Property Historic Status:	Non-Historic Property
Service Delivery District:	2
City Council District:	1
Project Status:	On January 18, 2006 the Planning Commission approved the project. On January 30, 2006 an appeal of the approved project was filed to the City Council. On March 17, 2006 the applicant agreed in revising the project and making certain contributions for pedestrian safety in the area in exchange for the appellant to withdraw. On March 20, 2006 the appellant filed a letter to withdraw his appeal. On March 21, 2006 the City Council adopted a resolution approving the project with additional conditions of approval. The entitlements of the approved project were extended through December 31, 2015.
Action to be Taken:	Decision based on staff report
Finality of Decision:	Appealable to City Council within 10-days
For Further Information:	Contact Case Planner, Mike Rivera at (510) 238-6417, or by email at mrivera@oaklandnet.com

CITY OF OAKLAND PLANNING COMMISSION



Case File: CMDV05469

Applicant: Brian Caruso / Nautilus Group, Inc

Address: 5100-5110 Telegraph Avenue, 450-478 51st Street
and 5107 Clarke Street

Zone: Current: CN-2; previous: C-28 , R-35, R-40, and S-18

APPROVED PROJECT SUMMARY

The applicant requests for an additional one-year extension approval of a mixed-use development permit approved by the Planning Commission in 2006. **See Attachment 1.** The approval was for the construction of 67 residential units, and 2,990 square feet of a ground-floor commercial facility “Civiq” on a vacant parcel abutting Telegraph Avenue, 51st Street and Clarke Street, located in the Temescal district. This request does not include any new changes or amendments to the approved Planning permit.

APPROVED PROJECT BACKGROUND SUMMARY

On January 18, 2006, the Planning Commission approved application CMDV05469 for the construction of a mixed-use facility containing 67 residential units, and 2,990 square feet of ground-floor commercial space including 100 off-street parking spaces. The approval of this Planning permit would have expired on January 18, 2009.

On January 30, 2006 an appeal of the Planning Commission’s approval was filed by the Telegraph/51st Gateway Coalition on the grounds that the project was not compatible with the neighborhood, and would have negative impacts on the community. On March 20, 2006, the appellants submitted a letter to the City Clerk to withdraw their appeal based on an agreement reached between the project applicant and the appellants. This agreement was for the applicant to revise the project design and set a fund to make certain payments to the City for pedestrian safety projects in the surrounding area.

On March 21, 2006, the City Council adopted Resolution No. 79803, upholding and affirming the Planning Commission’s decision to approved the development permit (set to expire on March 21, 2009), subject to the additional conditions of approval implemented in the Resolution. **See Attachment 2**

Upon the applicant’s written request and payment of the applicable Planning fee, the Zoning Administrator approved a one-year extension for the same approved project, thus allowing the approved Planning permit to expire on March 21, 2010.

Over the past years, the City Council has passed Resolutions in 2008 (Resolution No. 81723, a three-year extension), 2011 (Resolution No. 83424, a one-year extension), 2012 (Resolution No. 83989, a one-year extension), 2013 (Resolution No. 84746, a one-year extension) and the most recent in 2014 (Resolution No. 85305, a one-year extension) to allow extensions of approved development permits up until December 31, 2015. Based on the City Council extension approvals, and upon the request and payment of applicable fees, the applicant took advantage of the Resolutions to keep the entitlements active.

APPROVED PROJECT EXTENSION REQUEST

On December 17, 2015 the project applicant submitted a request, as entitled pursuant to condition of approval #2 from the previously 2006 approved project, for a one-year permit extension by the Planning Commission. In a subsequent letter, dated April 1, 2016, the applicant explains that the extension request to December 31, 2016 is imperative for the entitled project to remain current in order to receive funding and eventually develop the approved project. **See Attachment 1** Unless the Planning Commission approves a new time extension request, the approved permit CMDV05118 will expire, and the applicant will need to apply for a new development permit.

NEW SEPARATE PROPOSED PROJECT UNDER PLANNING REVIEW

Staff needs to point out that the current project applicant has also submitted a different development application (PLN15074) for a new project on the 5110 and 5132 Telegraph Avenue site, and intends to pursue that project, but wants to extend this approval in case the other project does not move forward.

APPROVED PROJECT DESCRIPTION

The approved project is for the construction of 67 residential units and 2,900 square feet of ground-floor commercial space with 100 parking spaces on a vacant parcel. The property is located at the intersection of Telegraph Avenue and 51st Street, in the Temescal district. Currently, half of the property is utilized as an off-site employee parking lot for Children's Hospital and Research Center. The mixed-use development is for a three-story and five-story building that will provide 67 market-rate residential units with 2,900 square feet of ground-floor commercial space. The project includes a corner plaza and an entry plaza fronting Telegraph Avenue and 51st Street. A total of 100 off-street parking spaces are provided and located in an underground parking garage. Access to the garage is near the corner of Clarke Street and 51st Street. See staff report, dated January 18, 2006 and approved design plans. **See Attachment 3**

ZONING ANALYSIS SUMMARY

When the project was approved in 2006, the property had different zoning districts, C-28 (Commercial Shopping District), R-35 (Special One-Family Residential) and R-40 (Garden Apartment Residential). All combined, these zoning districts would only have allowed a density up to 25 residential units on the property. However, at that time of the approved permit, the applicant had applied for an Interim Conditional Use Permit and a Major Variance to exceed the allowable density of up to 67 residential units under the City's Guidelines for Determining General Plan Conformity. In major transit corridors such as Telegraph Avenue and 51st Street, the maximum residential density allowed under the General Plan is considerably higher than the density allowed by the zoning.

Currently, the property is in the CN-2 (Neighborhood Commercial) Zone that allows a density of approximately 88 residential units at this specific location (21 units more than the approved permit). The maximum building height varies from 30 feet to 60 feet. There are no minimum building setbacks, other than the maximum 10 feet front yard setback for new principal buildings. The minimum off-street parking spaces requirement is one parking space per residential unit.

CURRENT ISSUES-DISCUSSION

The City has prepared a Nexus Study and Implementation Strategy to analyze the implications of adopting impact fees for affordable housing, transportation, and capital improvements. Development impact fees are a commonly used method of collecting a proportional share of funds from new development for infrastructure improvements and other public facilities to offset the impact of new development. Recent and upcoming public hearings on the citywide impact fee proposal include:

- January 26, 2016 before the Community and Economic Development Committee
- February 2, 2016 before the City Council
- March 22, 2016 before the Community and Economic Development Committee
- April 19, 2016 before City Council

Staff is recommending that the extension request is approved with an additional Condition of Approval that the project shall be subject to the imposition of impact fees unless a vested right is obtained prior to the impact fee adoption date. The reasoning for this request includes the following:

- The project has benefited from previous City Council extension resolutions extending the project entitlements.
- The last City Council resolution required applicants who accepted the extension to be subject to the imposition of impact fees unless a vested right has been obtained. This action effectively set the City Council's policy regarding further extensions of entitlements.
- Staff is requesting that the Planning Commission add this additional Condition of Approval to be consistent with the City Council's previous policy. The same language is now being added to all staff initiated extensions as well.

CONCLUSION AND RECOMMENDATIONS

Staff believes that the applicant's request for an additional one-year extension approval is supportable because of strong economic conditions that will support the demand for new housing, near commercial corridors. The approval of the extension request would also keep with the City's land-use policies and objectives for encouraging infill development, facilitating housing construction and concentrating commercial development in economically viable neighborhoods.

Staff recommends that the Planning Commission:

Approve the extension of the project approval until December 31, 2016, subject to the previously approved Findings and Conditions of Approval of Planning Permit CMDV05469 (**Attachment 1**), and the additional Conditions of Approval regarding the imposition of impact fees listed below:

CONDITIONS OF APPROVAL

1. **Extension of previous conditions of approval and mitigation.**

Ongoing.

The project shall meet all the conditions, mitigation measures, and any other requirements that accompanied the January 18, 2006 approval of the project by the Planning Commission, and the additional conditions of approval adopted by City Council on March 21, 2006 under Resolution No.79803.

2. **Effective Date, Expiration, and Extensions**

Ongoing.

This extension shall expire on December 31, 2016, unless actual construction or alteration, or actual commencement of the authorized activities in the case of a permit not involving construction or alteration, has begun under necessary permits by this date.

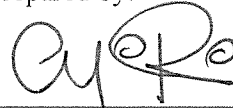
3. **Additional Conditions of Approval**

Ongoing.

This condition of approval shall be added to the adopted conditions of approval for the Planning Case File CMDV05469 upon extension of applicable entitlements beyond December 31, 2015:

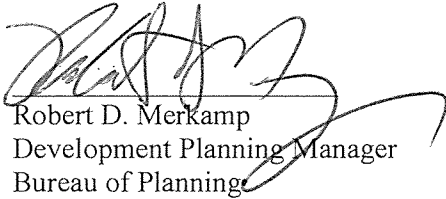
The project approved under Planning Case File CMDV05469 shall be subject to, and the Applicant shall agree to pay, any development impact fees that are eventually adopted by the City Council unless a vested right is obtained prior to the impact fee adoption date and such project is diligently pursued toward completion, as reasonably determined by the Planning Director or designee.

Prepared by:



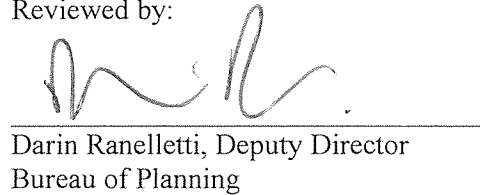
Mike Rivera
Planner II, Major Projects Development
Bureau of Planning

Reviewed by:



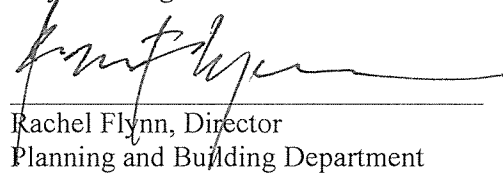
Robert D. Merkamp
Development Planning Manager
Bureau of Planning

Reviewed by:



Darin Ranelletti, Deputy Director
Bureau of Planning

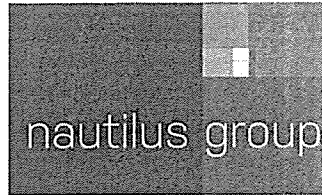
Approved for forwarding to the
City Planning Commission:



Rachel Flynn, Director
Planning and Building Department

ATTACHMENTS

1. Applicant's extension letter of request, dated December 17, 2015 and letter April 1, 2016
2. City Council Resolution 79803 approving the 2006 project
3. Planning Commission Staff Report, dated January 18, 2006 and approved design plans



350 FRANK OGAWA PLAZA
SUITE 510
OAKLAND, CA 94612

510.343.5593

December 17, 2015

Mike Rivera
City of Oakland
Planning and Zoning Division
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612

Via email: mrivera@oaklandnet.com

Re: Case No. CMDV05469 (5100-5110 Telegraph Ave, et. al.) Extension of Planning Permit Approval

Dear Mike,

The above referenced permit(s) currently has (have) an expiration date of December 31, 2015 pursuant to attached letter from Scott Miller, City of Oakland Zoning Manager, dated December 19, 2014.

We hereby formally request that the subject permit(s) be extended by 1-year, to December 31, 2016 pursuant to City Council Resolution No. 85305 (attached). Pursuant to Resolution 85305, it understood that by requesting this extension, we are agreeing to pay any development impact fees that are eventually adopted by the City Council unless a vested right is obtained prior to the impact fee adoption date and our project is diligently pursued toward completion, as reasonably determined by the Planning Director or designee.

With our Planning Commission extension request, we paid \$1,456.32 on December 17, 2015.

Sincerely,
NAUTILUS GROUP, INC.

Brian Caruso
Project Executive

Attached: - Letter from Scott Miller, City of Oakland Zoning Manager, dated December 19, 2014
 - Oakland City Council Resolution No. 85305
 - Receipt for \$1,465.32 paid December 17, 2015

ATTACHMENT 1

April 1, 2016

Mike Rivera
City of Oakland Planning Department
250 Frank Ogawa Plaza
Oakland, CA 94612

RE: 5110 Telegraph (Civiq) Entitlement Extension Request
Case File CMDV05469

Dear Mike,

This letter is being sent per your request and in preparation for the April 20, 2016 Planning Commission hearing of the subject entitlement extension.

In January, 2006 the subject property was entitled for the construction of 67 apartment units and 2,990 SF of ground floor retail. The real estate market crash in 2008 rendered it infeasible for the then-owner to proceed with construction and the site sat undeveloped for several more years. In 2013, and as the economy showed signs of recovery, NGI 5110 Telegraph LLC purchased the entitled property with the intention of developing the property.

The original entitlement carried a standard 3-year expiration date (to January, 2009) but due to the aforementioned economic crisis the previous owner was unable to develop during that time. Subsequently, and at the request of the previous developer, the City issued a one-year extension to March, 2010. Again, and due to an uncertain economy, the previous developer could not pursue construction of the project.

Then, in consideration of the recovering economy and a desperate need for housing in Oakland, the City Council adopted several resolutions between 2011 and 2014 (also known as "blanket extensions") which extended then-current entitlements one year at a time. The last of these occurred in December, 2014, with the last blanket extension expiring on December 31, 2015.

Thanks to a strong economic and real estate market recovery NGI 5110 Telegraph LLC is well poised to construct a project on the site and has actively been pursuing final approvals since late 2013. During that time, however, the last of the blanket extensions has expired. It is imperative that entitlements on the property remain current so that we can receive funding and make the project a reality; as such, the project is requesting an entitlement extension to December 31, 2016.

A development at 5110 Telegraph will serve to improve the neighborhood by replacing a vacant and blighted site with much-needed housing at a variety of income levels, retail space for locally-owned

businesses, and a pedestrian-oriented landscape that connects the Temescal Greenbelt to Telegraph Ave, all housed in high-quality construction and finishes. At this time we anticipate receiving final approvals within the 2016 calendar year.

In summary: The current entitlements for the 5110 Telegraph Civiq project have expired after a long history of discretionary and blanket extensions. After a change of ownership and rough economic times things have improved, and NGI 5110 Telegraph LLC is actively pursuing final approvals of the project. The development will serve the neighborhood well and improve a long-vacant site by providing much-needed housing and retail. The requested entitlement extension to December 31, 2016 will provide for uninterrupted entitlements and the necessary time to receive new entitlements and permits.

Thank you for your consideration.

Sincerely,

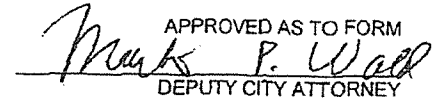
A handwritten signature in black ink, appearing to be the name 'Brian Caruso', written in a cursive style.

Brian Caruso
Project Executive

CC: Robert Merkamp, City of Oakland
Randy Miller, Nautilus Group

05 MAR 22 AM 9:27

REVISED 3/21/06

 APPROVED AS TO FORM
DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. 79803 C.M.S.

RESOLUTION APPROVING CONSTRUCTION OF A NEW MIXED-USE DEVELOPMENT CONSISTING OF 67 RESIDENTIAL UNITS AND 2,990 SQUARE FEET OF COMMERCIAL SPACE LOCATED AT THE INTERSECTION OF 51ST STREET AND TELEGRAPH AVENUE (CASE FILE NUMBER CMDV05-469) WITH REVISED CONDITIONS OF APPROVAL

WHEREAS, on September 16, 2005, 5110 Telegraph Avenue, LLC, (“Applicant”) filed an application for a major interim conditional use permit, major variance, regular design review, and minor variances to construct a mixed-use development containing 67 residential units and 2,990 square feet of commercial space (“Project”); and

WHEREAS, the Design Review Committee of the Planning Commission conducted a duly noticed public hearing on the Project on November 16, 2005; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the Project on January 18, 2006; and

WHEREAS, on January 18, 2006, the Planning Commission independently reviewed, considered and determined that the Project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15332 of the State CEQA Guidelines; and

WHEREAS, on January 18, 2006, the Planning Commission approved the application for a major interim conditional use permit, major variance, regular design review, and minor variances (collectively called “Development Permits”); and

WHEREAS, an appeal of the Planning Commission’s January 18, 2006 actions were filed by Jeff Norman on January 30, 2006, on behalf of the Telegraph/51st Gateway Coalition (“Appellant”); and

ATTACHMENT 2

WHEREAS, the Appellant and the Applicant have entered into an agreement on March 17, 2006, whereby the Appellant will withdraw his appeal in exchange for the Applicant revising the project and making certain payments to the City for pedestrian safety projects in the area ("Agreement"); and

WHEREAS, the Appellant, in a March 20, 2006 letter to the City Clerk, has withdrawn his appeal; and

WHEREAS, after giving due notice to the Appellants, the Applicant, all interested parties, and the public, the matter came before the City Council on March 21, 2006 in order to implement the terms of the Agreement as Conditions of Approval that are enforceable by the City; and

WHEREAS, the Appellants and all other interested parties were given the opportunity to participate in the public hearing by submittal of oral and written comments; and

WHEREAS, the public hearing on the matter was closed by the City Council on March 21, 2006; now, therefore, be it

RESOLVED: That the City Council adopts the following additional/clarified Conditions of Approval in order to implement the terms of the Agreement as Conditions of Approval:

- a. The corner building at 51st and Telegraph will be no higher than 57 feet and the rest of building 1 will be no higher than 52 feet. In addition, either the 51st and Telegraph building corner and building 1 will drop another 1 foot or the corner tower top floor will be setback 5 feet.
- b. The Northwest façade of building 4 will be redesigned to remove the 5ft. wide walkway that provides access to the upper units which will provide a step back of 5 feet.
- c. The Applicant shall pay \$15,000, at the time of issuance of the first building permit, into a City earmark fund for the City to conduct a pedestrian safety study that will look at the recommended solutions for streets on the periphery of the Project. The Applicant shall also pay \$50,000, at the time of issuance of the first building permit, into a fund to make pedestrian safety improvements at the intersection of 51st and Telegraph, 51st and Clarke, Clarke and Redondo, and/or Telegraph and 52nd Street.
- d. Condition of Approval # 25 is clarified as follows: Funds from the lien on the property will be earmarked for pedestrian safety projects for streets on the periphery of the Project. These funds may then be made available for streetscape improvement only if not needed for pedestrian safety projects. The projects will be identified by Jane Brunner, City Councilmember, in consultation with community groups.
- e. The Applicant shall pay \$20,000 towards the cost of permits in an approved Residential Parking Permit area, within ten days of City approval of the Residential Parking Permit or at time of issuance of the first building permit, whichever is later, to homes and units in an area bounded by Telegraph, Cavour, Shafter and 49th Street.

FURTHER RESOLVED: That the City Council, having independently heard, considered, and weighed all the evidence in the record presented on behalf of all parties and being fully informed of the Application, the Planning Commission's decision, the appeal, the Agreement, and the withdrawal of the appeal, upholds and affirms the Planning Commission's decision approving the Development Permits, subject to the final conditions of approval adopted by the Planning Commission, as revised by this Resolution; and be it

FURTHER RESOLVED: That in support of the City Council's decision to approve the Project's Development Permits, the City Council affirms and adopts, as its findings, the March 21, 2006, City Council Agenda Reports (both original and supplemental), the January 18, 2006, Planning Commission report, and the November 16, 2005, Design Review Committee report; and be it

FURTHER RESOLVED: That the City Council independently finds and determines that this Resolution complies with CEQA, as the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15332, and the Environmental Review Officer is directed to cause to be filed a Notice of Exemption with the appropriate agencies; and be it

FURTHER RESOLVED: That the record before this Council relating to this Project application and appeal includes, without limitation, the following:

1. the Project application, including all accompanying maps and papers;
2. all plans submitted by the Applicant and his representatives;
3. all staff reports, decision letters and other documentation and information produced by or on behalf of the City, including without limitation technical studies and all related/supporting materials, and all notices relating to the Project application and attendant hearings;
4. all oral and written evidence received by the City staff, Planning Commission and City Council before and during the public hearings on the application and appeal;
5. all matters of common knowledge and all official enactments and acts of the City, such as (a) the General Plan and the General Plan Conformity Guidelines; (b) Oakland Municipal Code, including, without limitation, the Oakland real estate regulations, Oakland Fire Code; (c) Oakland Planning Code; (d) other applicable City policies and regulations; and, (e) all applicable state and federal laws, rules and regulations; and be it

FURTHER RESOLVED: That the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City Council's decision is based are respectively: (a) Community & Economic Development Agency, Planning & Zoning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA.; and (b) Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1st floor, Oakland, CA; and be it

FURTHER RESOLVED: That the recitals contained in this resolution are true and correct and are an integral part of the City Council's decision; and be it

FURTHER RESOLVED: The facts and circumstances surrounding the granting of the variances for the Project are unique and should not be considered as a precedent.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 21 2006, 2006

PASSED BY THE FOLLOWING VOTE:

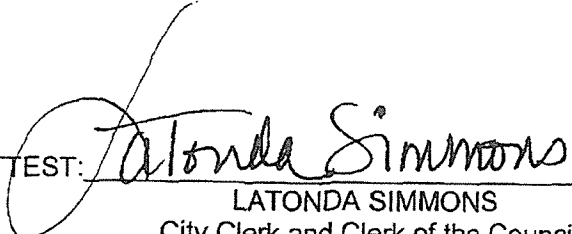
AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT DE LA FUENTE — 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:


LATONDA SIMMONS

City Clerk and Clerk of the Council
of the City of Oakland, California

LEGAL NOTICE:

ANY PARTY SEEKING TO CHALLENGE THIS FINAL DECISION IN COURT MUST DO SO WITHIN NINETY (90) DAYS OF THE DATE OF THE ANNOUNCEMENT OF THIS DECISION, PURSUANT TO CODE OF CIVIL PROCEDURE SECTION 1094.6, UNLESS A SHORTER PERIOD APPLIES.

Case File Number: CMDV05-469

January 18, 2006

Location:	5100-5110 Telegraph Avenue, 450-478 51st Street & 5107 Clarke Street (See map on reverse)
Assessors Parcel Numbers:	014-1226-003-03, -004-03, -005-02, -006-02, -007-02, -008-00, -009-01, -009-02 & -014-00
Proposal:	Construct a new mixed-use development consisting of 67 residential units and 2,990 square feet of commercial space.
Applicant/Owner:	5110 Telegraph Avenue, LLC
Contact Person/Phone Number:	Roy Alper / (510) 550-7177
Planning Permits Required:	Major Interim Conditional Use Permit to allow an increase in the residential density pursuant to the Neighborhood Center Mixed Use General Plan Land Use Classification; Major Variance to allow an increase in residential density pursuant to the Mixed Housing Type Residential General Plan Land Use Classification; Regular Design Review (Planning Commission) to construct more than 25,000 square feet of new floor area; and Minor Variances to allow: 1) Building height up to 65 feet where 40 feet is the maximum allowed and building height up to 59 feet where 25 feet (30 feet with a pitched roof) is the maximum allowed; 2) Front yard setback of three feet where 20 feet is the minimum required; and 3) Courtyard between buildings measuring 10 feet where 39 feet is the minimum required and 16 feet where 50 feet is the minimum required.
General Plan:	Neighborhood Center Mixed Use & Mixed Housing Type Residential
Zoning:	C-28 Commercial Shopping District Commercial Zone (portion of site); R-35 Special One-Family Residential Zone (portion of site); R-40 Garden Apartment Residential Zone (portion of site); S-18 Mediated Residential Design Review Combing Zone
Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines; in-fill development projects
Historic Status:	Not a Potentially Designated Historic Property (the site is vacant)
Service Delivery District:	2
City Council District:	1
Date Filed:	September 16, 2005
Status:	The application was previously reviewed by the Design Review Committee on November 16, 2005.
Action to be Taken:	Decision on application based on staff report and public testimony
Staff Recommendation:	Approval subject to conditions
Finality of Decision:	Appealable to City Council
For Further Information:	Contact the case planner, Darin Ranelletti , at (510) 238-3663 or by e-mail at dranelletti@oaklandnet.com .

SUMMARY

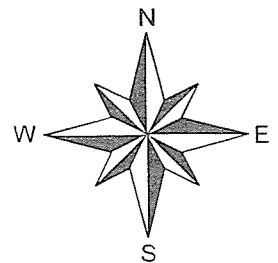
The applicant proposes to construct a new mixed-use development containing 67 residential units and approximately 2,990 square feet of ground floor commercial space. The project site is located in the Temescal neighborhood of North Oakland at the corner of Telegraph Avenue and 51st Street.

The proposed project requires a number of planning approvals including a Major Interim Conditional Use Permit and a Major Variance to allow an increase in the residential density pursuant to the Oakland General

CITY OF OAKLAND PLANNING COMMISSION



Case File: CMDV05-469
Applicant: 5110 Telegraph, LLC
Address: 5100-5110 Telegraph Ave,
450-478 51st St & 5107 Clarke St
Zone: C-28/R-40/R-35/S-18



Plan, Regular Design Review, and Minor Variances to exceed the maximum allowed building height and reduce the minimum required front yard setback and courtyard width.

The proposal was previously reviewed by the Design Review Committee on November 16, 2005. The Committee expressed overall support for the design of the project. Staff believes the project is consistent with the goals and policies of the General Plan and recommends approval of the project subject to the attached findings and conditions.

PROJECT DESCRIPTION

The project consists of a new mixed-use development containing 67 residential units and approximately 2,990 square feet of ground floor commercial. The project drawings for the proposal are attached to this report (see Attachment A). The development would be comprised of four buildings. Building 1, located at the corner of Telegraph Avenue and 51st Street, would contain four stories of residential units over one story of ground floor commercial space for a total of five stories. The majority of Building 1 would be 55 feet tall with the building rising to 65 feet at the corner of Telegraph Avenue and 51st Street. Buildings 2, 3, and 4 would be entirely residential. Building 2, located at the corner of 51st Street and Clarke Street in the eastern portion of the site, would be four stories tall with a height ranging from 47 to 49 feet (with the building stepping down to three stories and 38 feet tall right at the corner of 51st Street and Clarke Street). Building 3, located along Clarke Street, would contain three stories with a pitched roof that ranges from 35 feet to 41 feet in height. Building 3 would be articulated into two visually distinct sub-volumes to give the appearance of two single-family homes. Both Buildings 2 and 3 would contain ground floor residential units that would be entered directly from the sidewalk. Building 4, located in the central interior of the site would be five stories tall and range from 47 to 59 feet in height (with the building stepping down to three stories and 37 feet tall near Clarke Street).

The project contains a proposed plaza at the corner of Telegraph Avenue and 51st Street in front of Building 1 and a common courtyard for use by the project residents located in the central portion of the site. Off-street parking would be located in an underground parking garage containing 100 parking spaces. The entrance and exit to the parking garage would be located on Clarke Street near 51st Street.

PROPERTY DESCRIPTION

The site is located at the intersection of Telegraph Avenue and 51st Street in the Temescal neighborhood of North Oakland. The site is an irregularly shaped property measuring approximately 40,790 square feet in area. The subject property stretches from the corner of Telegraph Avenue and 51st Street along 51st Street to Clarke Street in the east. The topography of the site is relatively level. The site includes a portion of City-owned right-of-way along 51st Street that consists of remnant parcels created when 51st Street was widened in the 1970s. The site is the former location of an adult movie theater located at the corner of Telegraph Avenue and 51st Street that has since been demolished. The eastern portion of the site near Clarke Street is currently being used as an off-site parking lot for Children's Hospital and Research Center.

In the vicinity of the site, Telegraph Avenue contains primarily one- and two-story commercial buildings. Adjacent to the north of the site near the intersection of Telegraph Avenue and Claremont Avenue are an existing approximately 30-foot tall commercial building (currently occupied by Global Video) and an approximately 48-foot tall 1920s multi-unit apartment building. To the south of the site along 51st Street is a mixture of one- and two-story commercial buildings transitioning to residential buildings further to the east. To the east of the site along Clarke Street are one- and two-story single-family homes.

GENERAL PLAN ANALYSIS

The site contains two General Plan Land Use Designations. The western portion of the site towards the corner of Telegraph Avenue and 51st Street is designated Neighborhood Center Mixed Use (NCMU) by the General Plan. The maximum residential density allowed under the NCMU designation is 125 units per gross acre. According to the General Plan, the intent and desired character of the NCMU designation is the following:

The Neighborhood Center Mixed Use classification is intended to identify, create, maintain and enhance mixed use neighborhood commercial centers. These centers are typically characterized by smaller scale pedestrian-oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and smaller scale educational, cultural, or entertainment uses. Future development within this classification should be commercial or mixed uses that are pedestrian-oriented and serve nearby neighborhoods, or urban residential with ground floor commercial. (Page 149)

The eastern portion of the site towards Clarke Street is designated Mixed Housing Type Residential (MHTR) by the General Plan. The maximum residential density allowed under the MHTR designation is 30 units per gross acre. According to the General Plan, the intent and desired character of the MHTR designation is the following:

The Mixed Housing Type Residential classification is intended to create, maintain, and enhance residential areas typically located near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate. Future development within this classification should be primarily residential in character, with live-work types of developments, small commercial enterprises, schools, and other small scale, compatible civic uses possible in appropriate locations. (Page 146)

Given the above General Plan designations for the site and the size of the site, the maximum number of residential units allowed on the site under the General Plan is 67 units, equal to the number of units proposed in the project. The proposal includes a mixed-use residential and commercial building (Building 1) located at the corner of Telegraph Avenue and 51st Street within the NCMU General Plan designation. Building 1 would contain ground-floor neighborhood-oriented commercial space with continuous street frontage as called for by the General Plan. The remaining buildings in the development would be located within the MHTR General Plan designation. Buildings 2 and 3 along the perimeter of the site are designed with the character of single-family homes, townhouses, and small multi-unit apartment buildings consistent with the desired character of the MHTR designation.

Telegraph Avenue in the Temescal neighborhood is also designated as a "Grow and Change" area in the General Plan. Areas designated Grow and Change are located primarily in Downtown Oakland and along the City's major arterials. According to the General Plan, Grow and Change areas should "emphasize significant changes in density, activity, or use, which are consistent with the Land Use Diagram, Transportation Diagram, and the Policy Framework and other Elements of the General Plan." (Page 124)

Below are additional policies in the General Plan which are applicable to the project. Following each policy is an analysis of the project's consistency with the policy.

- Policy N1.1: Concentrating Commercial Development. Commercial development in the neighborhoods should be concentrated in areas that are economically viable and provide opportunities for smaller scale, neighborhood-oriented retail.

Proposal: The commercial space included in the project would be located on Telegraph Avenue within the existing economically vibrant Temescal commercial district. The proposed commercial space would be designed to accommodate neighborhood-serving commercial uses.

- Policy N3.1: Facilitating Housing Construction. Facilitating the construction of housing units should be considered a high priority for the City of Oakland.

Proposal: The project provides for 67 new housing units, the maximum number of units permitted under the General Plan.

- Policy N3.2: Encouraging Infill Development. In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should be take place throughout the City of Oakland.

Proposal: The project involves the reuse of an existing underutilized site located within the existing urbanized area of the city.

- Policy N3.8: Required High-Quality Design. High-quality design standards should be required of all new residential construction. Design requirements and permitting procedures should be developed and implemented in a manner that is sensitive to the added costs of those requirements and procedures.

Proposal: The project involves high-quality design in that it employs high-quality materials, finishes, and details. The project complies with the design review criteria of the Planning Code (see attached Findings).

- Policy N3.9: Orienting Residential Development. Residential developments should be encouraged to face the street and to orient their units to desirable sunlight and views, while avoiding unreasonably blocking sunlight and views for neighboring buildings, respecting the privacy needs of residents of the development and surrounding properties, providing for sufficient conveniently located on-site open space, and avoiding undue noise exposure.

Proposal: All the proposed buildings located along the street frontage of the site face the street. The site layout, including the unit orientations and courtyard location, has been designed to provide for adequate solar access to the new units. Due to the distance between the proposed development and nearby homes, potential solar access impacts to nearby homes located on Clarke Street would be limited. A shadow analysis conducted for the project shows that the project would not block sunlight to nearby residential properties located on Clarke Street except for sunlight to the front yard areas of nearby homes in the late afternoon during Spring, Summer, and Fall (and in the early afternoon during Winter). Due to the topography and location of the site, there are no views in the area which the new units could take advantage of or which the proposal would block from nearby homes.

- Policy N3.10: Guiding the Development of Parking. Off-street parking for residential buildings should be adequate in amount and conveniently located and laid out, but its visual prominence should be minimized.

Proposal: The amount of proposed off-street parking complies with the parking requirements of the Zoning Regulations. Off-street parking would be located in a new underground parking garage, located underneath the proposed building so that it is convenient to the new units and screened from view from surrounding streets.

- Policy N6.1: Mixing Housing Types. The City will generally be supportive of a mix of projects that provide a variety of housing types, unit sizes, and lot sizes which are available to households with a range of incomes.

Proposal: The project includes units ranging in size from studios to three-bedroom units in different housing types (multi-unit apartments and townhouses).

- Policy N7.1: Ensuring Compatible Development. New residential development in Detached Unit and Mixed Housing Type areas should be compatible with the density, scale, design, and existing or desired character of surrounding development.

Proposal: The eastern portion of the project located within the Mixed Housing Type Residential designation is designed to reflect the density, scale, design, and character of the existing nearby homes located along Clarke Street in that the proposed buildings in this area will be articulated into smaller identifiable sub-volumes to appear like single-family homes and will employ similar building forms as the existing nearby homes.

- Policy N8.2: Making Compatible Interfaces Between Densities. The height of development in urban residential and other higher density residential areas should step down as it nears lower density residential areas to minimize conflicts at the interface between the different types of development.

Proposal: The height of the development steps down from 65 feet at the corner of Telegraph Avenue and 51st Street to buildings ranging in height from 36 to 41 feet in the eastern portion of the site along Clarke Street.

- Policy N10.1: Identifying Neighborhood "Activity Centers." Neighborhood Activity Centers should become identifiable commercial, activity and communication centers for the surrounding neighborhood. The physical design of neighborhood activity centers should support social interaction and attract persons to the area. Some of the attributes that may facilitate this interaction include plazas, pocket parks, outdoor seating on public and private property, ample sidewalk width, street amenities such as trash cans and benches, and attractive landscaping.

Proposal: The proposal includes a plaza at the corner of Telegraph Avenue and 51st Street which could be used for outdoor seating and social interaction to encourage community activity.

ZONING ANALYSIS

The site is located in three different base zoning districts with one combining zoning district overlaying the entire site. The western portion of the site near the corner of Telegraph Avenue and 51st Street is located in the C-28 Commercial Shopping District Commercial Zone. The western portion of the site near the corner of 51st Street and Clarke Street is located in the R-35 Special One-Family Residential Zone and the northern portion of the site located along Clarke Street is located in the R-40 Garden Apartment Residential Zone. The S-18 Mediated Residential Design Review Combining Zone is an overlay zone that

covers the entire site. The S-18 Zone contains special procedural requirements for design review. The requirements of the S-18 Zone do not apply to the proposal because they are only applicable to one- and two-unit residential developments.

The intent of the C-28 Zone is the following:

[T]o create, preserve, and enhance major boulevards of medium-scale retail establishments featuring some specified higher density nodes in attractive settings oriented to pedestrian comparison shopping, and to encourage mixed-use residential and nonresidential developments, and is typically appropriate along major thoroughfares near residential communities. (OPC Sec. 17.44.010)

The intent of the R-35 Zone is the following:

[T]o create, preserve, and enhance areas containing a mixture of single- and two-family dwellings in desirable settings for urban living, and is typically appropriate to areas of existing lower or lower-medium density residential development. (OPC Sec. 17.18.010)

The intent of the R-40 Zone is the following:

[T]o create, preserve, and enhance areas containing a mixture of single- or two-family dwellings and garden apartments in spacious settings for urban living, and is typically appropriate to attractive areas of existing lower medium density residential development. (OPC Sec. 17.22.010)

The zoning for the site would allow a maximum of 25 residential units on the property. The proposal exceeds the number of units allowed by the zoning (67 units are proposed). The Zoning Regulations came into effect largely in 1965. Since that time, the City has adopted a new General Plan in 1998. The policies of the General Plan supersede the Zoning Regulations. In many areas of the city, particularly along major transit corridors such as Telegraph Avenue, the maximum residential density allowed under the General Plan is significantly higher than the density allowed by the zoning. The City is currently working to update the zoning districts so that they contain development standards that are consistent with the policies contained in the General Plan. Pursuant to the Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations, a Major Interim Conditional Use Permit is required to increase the project's residential density to the maximum allowed under the General Plan for the portion of the site located in the Neighborhood Center Mixed Use General Plan designation. For the portion of the site located in the Mixed Housing Type Residential General Plan designation, a Major Variance is required to increase the project's residential density to the maximum allowed under the General Plan. (Note: The Mixed Housing Type Residential designation is the only General Plan designation where a Major Variance, rather than an Interim Conditional Use Permit, is required to exceed the maximum density allowed by the Zoning Regulations.)

The project complies with all other zoning standards except for the maximum building height allowed and minimum front yard setback and courtyard width required. The applicant is seeking variances to waive these standards. Specifically, the proposal is seeking to allow: 1) Building height up to 65 feet where 40 feet is the maximum allowed and building height up to 59 feet where 25 to 30 feet is the maximum allowed; 2) Front yard setback of three feet where 20 feet is the minimum required; and 3) Courtyard between buildings measuring 10 feet where 39 feet is the minimum required and 16 feet where 50 feet is the minimum required. Each of these variances are further discussed under the "Key Issues and Impacts" section of this report.

ENVIRONMENTAL DETERMINATION

This project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the State CEQA Guidelines ("In-Fill Development Projects"). The criteria for the in-fill exemption, and staff's analysis of each criterion, are listed below.

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

Analysis: The project is consistent with the General Plan designations for the site and with applicable General Plan policies as demonstrated in the "General Plan Analysis" and "Findings" sections of this report. The project is consistent with the zoning designations for the site and with applicable zoning regulations as demonstrated in the "Zoning Analysis" and "Findings" sections of this report. A number of variances to waive certain zoning standards are required for the project. The project complies with the variance procedures contained within the Zoning Regulations and satisfies the required findings for approval of the variances as demonstrated in the "Findings" section of this report. In the past, the Planning Commission has applied the in-fill exemption to projects that require variances finding that the project satisfies the zoning consistency requirement of the in-fill exemption because the findings for approval of the variances were made in accordance with the procedures outlined in the Zoning Regulations. The Planning Commission has not applied the in-fill exemption to projects that require a rezoning of the site to a different zoning designation. This project does not require rezoning the site.

- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

Analysis: The project site is located within the city limits of the City of Oakland and consists of 40,790 square feet (0.94 acres). The site is surrounded by commercial and residential urban uses.

- c) The project site has no value as habitat for endangered, rare or threatened species.

Analysis: The project site is located in an urbanized area on a previously-developed lot. A portion of the site currently contains an existing parking lot and the other portion of the site previously contained a movie theater.

- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Analysis: A traffic impact analysis was prepared for the project. Potential traffic impacts from the project were reviewed at the key intersections surrounding the site. The project is anticipated to generate approximately 778 net new daily vehicle trips, including 70 AM peak hour trips and 90 PM peak hour trips. The Level of Service (LOS) for each of the four intersections studied would remain unchanged except for the intersection of Clarke Street and 51st Street where the LOS is anticipated to drop from LOS D to LOS E. The potential impact to the intersection of Clarke Street and 51st Street, an unsignalized intersection, is considered less than significant under CEQA because the project would not satisfy the Caltrans Peak Hour Volume Warrant for a new traffic signal because the minimum required threshold volume for the Clarke Street approach to the intersection is 100 vehicles per hour and the peak hour volume of the project is expected to be only 42 vehicles per hour.

Potential noise impacts of the project are anticipated to be limited. The project would consist primarily of residential uses consistent with the residential uses in the surrounding neighborhood. The proposed commercial uses would be located at the corner of Telegraph Avenue and 51st Street and is expected to generate noise consistent with the existing uses in the Temescal commercial district. Potential noise impacts related to construction of the project would also be limited. Standard noise reduction measures would be incorporated into the project (see Conditions of Approval #15 and #16).

Potential air quality impacts of the project would be limited. The vehicle trips associated with the project would generate far fewer than the 2,000 vehicle trips per day that the Bay Area Air Quality Management District (BAAQMD) considers the normal minimum traffic volume that should require a detailed air quality analysis. Potential air quality impacts related to construction of the project would also be limited. Standard dust control measures would be incorporated into the project to limit potential air quality impacts during construction (see Condition of Approval #13).

Potential water quality impacts of the project would be limited. The project involves the creation of less than one acre of new impervious surface, the minimum threshold for requiring on-site stormwater treatment facilities to remove stormwater pollutants under the National Pollutant Discharge Elimination System Permit issued by the San Francisco Bay Regional Water Quality Control Board to the Alameda Countywide Clean Water Program (of which the City of Oakland is a member). Potential water quality impacts related to construction of the project would also be limited. Standard construction-related water quality control measures would be incorporated into the project to limit potential water quality impacts during construction (see Condition of Approval #14).

- e) The site can be adequately served by all required utilities and public services.

Analysis: The project site is located in an urbanized area of the City of Oakland. Existing utilities and public services are located near the site.

Section 15300.2(f) of the CEQA Guidelines states that a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of an historical resource. Section 5020.1(q) of the California Public Resources Code defines the term "substantial adverse change" as follows: "'Substantial adverse change' means demolition, destruction, relocation or alteration such that the significance of an historical resource would be impaired." The project does not have the potential to result in a substantial adverse change in the significance of an historical resource. The site contains no existing buildings, is not a Designated Historic Property, and is not located in a Preservation District. The Temescal Commercial Historic District, a designated Preservation District (Area of Secondary Importance), is located across 51st Street south of the site on the east side of Telegraph Avenue stretching from 49th Street to 51st Street. Because the project is located across the street from the Historic District, the project would not result in the demolition, destruction, relocation, or alteration of any of the existing structures in the Historic District.

PUBLIC PARTICIPATION AND COMMENTS

Beginning in 2000, the community surrounding the project site held a series of meetings to develop a set of goals for development of the site. Recently the applicant held a series of community meetings regarding the specific proposal. At a recent community meeting the applicant distributed a handout listing the goals developed for the site by the community and how the project fulfills these goals (see

Attachment B). The applicant argues that the project fulfills virtually all of the goals developed by the community.

Staff has received 23 letters and e-mails from interested members of the community regarding the project (see Attachment C). 19 of the letters and e-mails are in support of the proposal while four of the letters and e-mails are opposed to the proposal. Staff also received a petition opposing the project signed by 315 local residents. The letters and e-mails opposed to the project are primarily concerned about the height of the project, the existence of Temescal Creek under the project site, the possibility of extending the nearby Rockridge Temescal Greenbelt through the site, and traffic generated by the project, among other concerns. Each of these issues is discussed in more detail under the "Key Issues and Impacts" section of this report.

RESULTS OF PREVIOUS HEARING

This proposal was reviewed by the Design Review Committee of the Planning Commission on November 16, 2005. Overall, the Committee expressed support for the design of the project including the proposed height and density of the proposal. One member of the Committee felt that the design of the tower feature located at the corner of Telegraph Avenue and 51st Street was somewhat generic or predictable (referring to the tower as the "Barnes and Noble" tower). The current proposal includes minor modifications to interior floor plans of the units. The exterior elevations and site planning for the project remain unchanged from the previous version reviewed by the Committee.

KEY ISSUES AND IMPACTS

Density

As mentioned under the "General Plan Analysis" and "Zoning Analysis" sections of this report, the proposal is consistent with the residential density limitations of the General Plan but exceeds the maximum density allowed by the Zoning Regulations. A Major Interim Conditional Use Permit (for the portion of the site designated Neighborhood Center Mixed use near the corner of Telegraph Avenue and 51st Street) and a Major Variance (for the portion of the site designated Mixed Housing Type Residential near Clarke Street) are required for the project. At the Design Review Committee meeting on November 16, 2005, the Committee expressed support for the proposed density. Staff feels that the proposed density is appropriate for the site given the housing policies of the General Plan, the high level of design quality incorporated into the project, and the location of the proposal at the intersection of two major arterials well-served by public transit. The density of the project is arranged so that the majority of units are incorporated into larger buildings near the commercial corridor of Telegraph Avenue and fewer units are incorporated into smaller buildings located near the existing residential neighborhood along Clarke Street.

Building Height

As stated under the "Zoning Analysis" section of this report, the proposal exceeds the maximum building heights allowed by the Zoning Regulations. Building 1 would be primarily 55 feet tall (rising to 65 feet at the corner of Telegraph Avenue and 51st Street) where the maximum allowed height is 40 feet. Building 2 would be primarily 47 to 49 feet tall (stepping down to 38 feet at the corner of 51st Street and Clarke Street) where 25 feet (or 30 feet for a pitched roof) is the maximum height allowed. Building 3 would be 35 feet tall to the top of the building wall and 41 feet tall to the top of the pitched roof where 25 feet (or 30 feet for a pitched roof) is the maximum height allowed. Building 4 would be primarily 47 feet tall (with a sawtooth roof rising to 59 feet) where 25 feet (or 30 feet for a pitched roof) is the maximum height allowed.

The proposed height of the project is one of the primary concerns of some neighborhood residents, specifically that the proposal is out of scale with the existing buildings along the Telegraph Avenue commercial corridor and the existing homes in the surrounding residential neighborhood. At the Design Review Committee meeting on November 16, 2005, the Committee expressed support for the proposed height of the project. The Committee felt that the height of the proposal was appropriate given the location and design of the project. The site is located at the intersection of Telegraph Avenue and 51st Street, two of the widest streets in Oakland. Both Telegraph Avenue and 51st Street have a right-of-way width of 100 feet. Accepted urban design principles place a high level of importance on the relationship of building height to street width. If buildings are too short in relation to the width of the street, the street space is less defined and loses a sense of enclosure. The optimum height-to-width ratio is between 1:1 (where the height of the building equals the width of the street) and 1:2 (where the height of the building is one-half the height of the street width). At the corner of Telegraph Avenue and 51st Street, where the proposal is 65 feet tall, the height-to-width ratio is 1:1.5, within the range of recommended height-to-width ratios. If the height of the building is reduced to 40 feet in compliance with the Zoning Regulations, the height-to-street ratio would be 1:2.5, outside of the range of recommended height-to-width ratios. The height of the proposed project steps down in the east towards Clarke Street. In addition, the project is designed to reduce the visual height and mass of the buildings as seen from the street. All of the proposed buildings fronting on the surrounding streets contain upper-story setbacks thereby reducing their perceived height and preserving the pedestrian scale of the neighborhood. Building 1 is primarily five stories tall but the two top floors of the building are set back from the street. The corner feature of Building 1 at the intersection of Telegraph Avenue and 51st Street does not contain an upper-story setback because it is important to incorporate a prominent corner feature at the intersection to visually anchor the intersection and to provide visual interest. The corner of the project will be one of the signature buildings for the Temescal commercial district so the corner should be prominent. The prominence of the corner feature is aided by the additional height of the building at the corner. Stepping back the top portion of the building at the corner would weaken the architectural prominence and visual interest of the building. The top floor of Building 2 is set back from 51st Street and the top floor of the Building 3 is set back from Clarke Street. The proposal further reduces the visual height, mass, and scale of the buildings by incorporating significant façade articulation (projections and recesses) and varied materials and textures.

In order to reduce the height of the project, the proposal would need to reduce the number of units, reduce the size of the units (while maintaining the same number of units), or redistribute the units to other areas of the site (while maintaining the same number of units). According to the applicant, reducing the number of units would not allow the remaining number of units to cover the expense of providing underground parking. In staff's experience, providing underground parking is enormously expensive. Therefore reducing the number of units would require above-ground parking which would dramatically affect the appearance of the proposal because the parking would be more visible from the street which would be inconsistent with Policy N3.10 of the General Plan (see above "General Plan Analysis" section of this report) regarding parking visibility. Reducing the size of the units while maintaining the same number of units would reduce the variety of unit sizes and types in the proposal which would be inconsistent with Policy N6.1 of the General Plan (see above "General Plan Analysis" section of this report) regarding unit sizes and types. Redistributing the units within the site to reduce the building height while maintaining the same number of units would reduce the amount of open space in the project thereby reducing solar access to individual units and reducing the livability of the development. The height of the proposal is the result of complying with the policies of the General Plan and providing a livable, attractive development. The General Plan designates Telegraph Avenue as a Grow and Change area envisioning a significant change in the density of development along the corridor which requires buildings taller than existing buildings. Staff believes that the height of the project is

appropriate given the site's location and the techniques utilized to reduce the visual height and mass of the buildings.

Site Plan

The project is designed so that the proposed buildings line the perimeter of the site resulting in active street frontages. A large common courtyard is located in the central portion of the site. The Zoning Regulations require a front yard setback of 20 feet along Clarke Street. The proposal contains units fronting on Clarke Street with front porches located approximately three feet from the front property line. The applicant is seeking a variance to reduce the required front yard setback along Clarke Street. Staff believes the variance is appropriate because it allows for front porches close to the sidewalk to activate the street while maximizing the size of the interior courtyard. The Zoning Regulations require a minimum separation between buildings on opposite sides of the courtyard in order to provide for adequate light and area into the units. The courtyard width requirement is satisfied for the majority of the proposed units but because the courtyard is triangular in shape reflecting the triangular shape of the eastern portion of the site, the units at the ends of each building do not meet the minimum separation requirement. The east end of Building 2 is separated from the south end of Building 3 by 10 feet where a 39-foot separation is required and the west end of Building 2 is separated from the south end of Building 4 by 16 feet where a 50-foot separation is required. Staff believes the variance for courtyard width is appropriate given the unique shape of the site. If the western portion of the site was rectangular in shape, the project would be able to meet the building separation requirement.

Traffic

As discussed above in the "Environmental Determination" section of this report, a traffic impact analysis was prepared for the project. The results of the analysis indicate that the anticipated traffic generated by the project would be considered less than significant under state environmental law (CEQA). The project is anticipated to generate approximately 778 net new daily vehicle trips, including 70 AM peak hour trips and 90 PM peak hour trips. The Level of Service (LOS) for each of the four intersections studied would remain unchanged except for the intersection of Clarke Street and 51st Street where the LOS is anticipated to drop from LOS D to LOS E. The potential impact to the intersection of Clarke Street and 51st Street, an unsignalized intersection, is considered less than significant under CEQA because the project would not satisfy the Caltrans Peak Hour Volume Warrant for a new traffic signal because the minimum required threshold volume for the Clarke Street approach to the intersection is 100 vehicles per hour and the peak hour volume of project is expected to be only 42 vehicles per hour.

Parking

The Zoning Regulations require a minimum of 93 off-street parking spaces to serve the residential units in the development (the C-28 Zone in the western portion of the site requires one space per unit while the R-35 and R-40 Zones in the eastern portion of the site require one and one-half spaces per unit). No off-street parking is required for the proposed 2,990 square-foot commercial space because it is less than the minimum 3,000 square-foot size threshold for commercial parking. The proposal includes 100 off-street parking spaces in the underground garage. The seven parking spaces provided beyond the minimum number required would be used by employees of the commercial space.

Rockridge Temescal Greenbelt Extension

To the north of the site lies the Rockridge Temescal Greenbelt consisting of a path alongside Temescal Creek. The Greenbelt terminates at FROG Park, located just north of the site at the intersection of Clarke Street and Redondo Avenue. Some neighborhood residents are calling for the extension of the Greenbelt

from FROG Park to the south through the project site connecting the Greenbelt to the intersection of Telegraph Avenue and 51st Street. Staff believes extending a public walkway from FROG Park through the site could potentially provide a tremendous community benefit by providing a neighborhood amenity and improving pedestrian circulation in the area. However, staff does not believe the Planning Commission has the legal authority to require public access across the site to serve this purpose. In order for the City to require such a condition of approval, the City must demonstrate that the impact of the project that the condition seeks to mitigate is directly related to the condition of approval, meaning there must exist a "nexus," or relationship, between the impact and the condition. Staff does not believe that a nexus exists in this case because the condition of approval would require public access across the property where no public access currently exists (the site is fenced private property). The proposal does include a north-south path through the site, however, this pathway would remain private and access could be restricted.

Temescal Creek Underground Culvert

After leaving FROG Park, Temescal Creek enters an underground culvert which traverses the site near the corner of Telegraph Avenue and 51st Street. Some neighborhood residents are interested in removing the culvert to open and restore Temescal Creek on the site. If the creek was restored to its natural state with natural creek banks on each side, the width required to accommodate such a restoration would be substantial in size, reaching far out into the public right-of-way of Telegraph Avenue and far into the western portion of the site, rendering such a proposal infeasible. If the culvert was opened so that the creek became visible from above but remained in an engineered channel, because of the size of the culvert (10 feet wide), the creek would occupy almost the entire plaza area at the corner of Telegraph Avenue and 51st Street. It is questionable if replacing the plaza with an open culvert would equal the community benefit of the plaza since the creek would only be exposed for a short distance. In order to acknowledge the presence of the creek underneath the site, staff is recommending a condition of approval that requires that the design and improvement of the plaza located at the corner of Telegraph Avenue and 51st Street include an acknowledgement of the presence of the creek, such as a design feature that represents the creek and an informational plaque concerning the creek (see Condition of Approval #20).

The existing culvert was originally constructed in 1892. Some maintenance work was performed on the culvert in the 1980s. Because the project involves new construction and excavation for the underground parking garage within approximately 10 feet of the culvert, extreme care must be taken to ensure that the construction of the project does not affect the integrity of the culvert. Staff is recommending a condition of approval that requires a statement from a licensed engineer certifying that the project is designed and engineered in a manner that does not compromise the integrity of the culvert (see Condition of Approval #23).

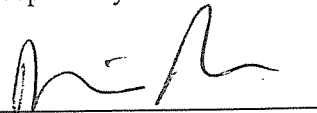
CONCLUSION

Staff recommends approval of the proposal subject to the attached findings and conditions of approval. Staff believes the project is consistent with the goals and policies of the General Plan. The proposal would replace an existing underutilized site located along a major transit corridor with needed housing opportunities and neighborhood-oriented commercial uses. Potential adverse impacts of the proposal on the surrounding neighborhood would be limited and the project incorporates high-quality design.

RECOMMENDATIONS:

1. Affirm staff's environmental determination.
2. Approve the Major Interim Conditional Use Permit, Major Variance, Regular Design Review, and Minor Variances subject to the attached findings and conditions.

Prepared by:



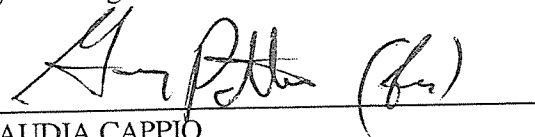
DARIN RANELLETTI
Planner III

Approved by:



GARY PATTON
Deputy Director of Planning and Zoning

Approved for forwarding to the
City Planning Commission:



CLAUDIA CAPPIO
Director of Development

ATTACHMENTS:

- A. Project Drawings (Dated December 15, 2005)
- B. Community Goals for Project (submitted by applicant)
- C. Public Comments

FINDINGS FOR APPROVAL

This proposal meets the required findings under Sections 17.134.050 (General Conditional Use Permit Criteria), 17.136.070A (Residential Design Review Criteria), and 17.148.050 (Variance Findings) of the Oakland Planning Code. The proposal also meets the required findings for an Interim Conditional Use Permit as required by the Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations. Required findings are shown below in **bold** type; explanations as to why these findings can be made are in normal type.

Section 17.134.050 – General Use Permit Criteria:

Subject: Increase in the residential density pursuant to the Neighborhood Center Mixed Use General Plan Land Use Classification (western portion of the site)

- A. **That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.**

The proposal will be compatible with and will not adversely affect abutting properties and the surrounding neighborhood. All of the proposed buildings contain ground-floor pedestrian-oriented entries, architectural articulations and detailing, and upper-story setbacks to preserve the pedestrian scale of the neighborhood. The use of multiple separate buildings, a mixture of materials, façade articulations, and upper-story setbacks of the proposal reduce the perceived visual bulk of the project. Substantial exterior plazas and a generous interior courtyard limit the site coverage of the project to a level consistent with the surrounding neighborhood. The proposed density will be greater than the surrounding neighborhood but because it is arranged in a manner, through the use of separate buildings and multiple unit types, upper-story setbacks, and generous plazas and open space, to reduce the perceived density of the proposal, the project harmonizes with the surrounding neighborhood.

Adequate civic facilities and utilities are available nearby to serve the site.

The proposal will not harm the character of the neighborhood. The character of the Temescal commercial district consists of pedestrian-oriented buildings containing neighborhood-oriented commercial uses. The proposal will preserve the pedestrian orientation of the area as described above and contain neighborhood-oriented commercial space. The character of the nearby Temescal residential neighborhood consists of predominantly single-family homes and small multi-unit apartment buildings. The portion of the project near the Temescal residential neighborhood is designed to preserve the existing character of the residential neighborhood by utilizing building forms and massing arrangements similar to the surrounding neighborhood.

According to a traffic analysis prepared for the project, traffic impacts of the development are anticipated to be less than significant.

No other impacts are anticipated from the development.

- B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.**

The proposal will provide for a convenient and functional living, working, shopping, and civic environment. New living units will be located adjacent to Telegraph Avenue which provides public transportation and commercial opportunities for the new residents. Due to its proximity to public transit, the proposed commercial space will be highly accessible to employees and shoppers. The proposed plaza at the intersection of Telegraph Avenue and 51st Street will support civic-oriented social activity.

The proposal incorporates high-quality design, materials, and finishes providing an attractive appearance to the community.

- C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.**

The proposed residential units will provide needed housing opportunities and the proposed commercial space and additional residents will contribute to the economic vitality of the Temescal commercial district.

- D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070.**

The proposal satisfies this Criterion (see responses below to criteria for Section 17.136.070A).

- E. That the proposal conforms in all significant respects with the Oakland Comprehensive Plan and with any other applicable plan or development control map which has been adopted by the City Council.**

The proposal conforms with the Oakland General Plan (formerly the Oakland Comprehensive Plan). There is no other plan or development control map adopted by the City Council or the site.

The site contains two General Plan Land Use Designations. The western portion of the site towards the corner of Telegraph Avenue and 51st Street is designated Neighborhood Center Mixed Use (NCMU) by the General Plan. The maximum residential density allowed under the NCMU designation is 125 units per gross acre. According to the General Plan, the intent and desired character of the NCMU designation is the following:

The Neighborhood Center Mixed Use classification is intended to identify, create, maintain and enhance mixed use neighborhood commercial centers. These centers are typically characterized by smaller scale pedestrian-oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and smaller scale educational, cultural, or entertainment uses. Future development within this classification should be commercial or mixed uses that are pedestrian-oriented and serve nearby neighborhoods, or urban residential with ground floor commercial. (Page 149)

The eastern portion of the site towards Clarke Street is designated Mixed Housing Type Residential (MHTR) by the General Plan. The maximum residential density allowed under the MHTR designation is 30 units per gross acre. According to the General Plan, the intent and desired character of the MHTR designation is the following:

The Mixed Housing Type Residential classification is intended to create, maintain, and enhance residential areas typically located near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate. Future development within this classification should be primarily residential in character, with live-work types of developments, small commercial enterprises, schools, and other small scale, compatible civic uses possible in appropriate locations. (Page 146)

Given the above General Plan designations for the site and the size of the site, the maximum number of residential units allowed on the site under the General Plan is 67 units, equal to the number of units proposed in the project. The proposal includes a mixed-use residential and commercial building (Building 1) located at the corner of Telegraph Avenue and 51st Street within the NCMU General Plan designation. Building 1 would contain ground-floor neighborhood-oriented commercial space with continuous street frontage as called for by the General Plan. The remaining buildings in the development would be located within the MHTR General Plan designation. Buildings 2 and 3 along the perimeter of the site are designed with the character of single-family homes, townhouses, and small multi-unit apartment buildings consistent with the desired character of the MHTR designation.

Telegraph Avenue in the Temescal neighborhood is also designed as a "Grow and Change" area in the General Plan. Areas designated Grow and Change are located primarily in Downtown Oakland and along the City's major arterials. According to the General Plan, Grow and Change areas should "emphasize significant changes in density, activity, or use, which are consistent with the Land Use Diagram, Transportation, and the Policy Framework and other Elements of the General Plan." (Page 124) The proposal introduces a significant level of density into the neighborhood.

Below are additional policies in the General Plan which are applicable to the project. Following each policy is a finding on the project's consistency with the policy.

- Policy N1.1: Concentrating Commercial Development. Commercial development in the neighborhoods should be concentrated in areas that are economically viable and provide opportunities for smaller scale, neighborhood-oriented retail.

Finding: The commercial space included in the project would be located on Telegraph Avenue within the existing economically vibrant Temescal commercial district. The proposed commercial space would be designed to accommodate neighborhood-serving commercial uses.

- Policy N3.1: Facilitating Housing Construction. Facilitating the construction of housing units should be considered a high priority for the City of Oakland.

Finding: The project provides for 67 new housing units, the maximum number of units permitted under the General Plan.

- Policy N3.2: Encouraging Infill Development. In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should be take place throughout the City of Oakland.

Finding: The project involves the reuse of an existing underutilized site located within the existing urbanized area of the city.

- Policy N3.8: Required High-Quality Design. High-quality design standards should be required of all new residential construction. Design requirements and permitting procedures should be developed and implemented in a manner that is sensitive to the added costs of those requirements and procedures.

Finding: The project involves high-quality design in that it employs high-quality materials, finishes, and details. The project complies with the design review criteria of Section 17.134.050 of the Planning Code.

- Policy N3.9: Orienting Residential Development. Residential developments should be encouraged to face the street and to orient their units to desirable sunlight and views, while avoiding unreasonably blocking sunlight and views for neighboring buildings, respecting the privacy needs of residents of the development and surrounding properties, providing for sufficient conveniently located on-site open space, and avoiding undue noise exposure.

Finding: All the proposed buildings located along the street frontage of the site face the street. The site layout, including the unit orientations and courtyard location, has been designed to provide for adequate solar access to the new units. Due to the distance between the proposed development and nearby homes, potential solar access impacts to nearby homes located on Clarke Street would be considered limited. A shadow analysis conducted for the project shows that the project would not block sunlight to nearby residential properties located on Clarke Street except for sunlight to the front yard areas of nearby homes in the late afternoon during Spring, Summer, and Fall (and in the early afternoon during Winter). Due to the topography and location of the site, there are no views in the area which the new units could take advantage of or which the proposal would block from nearby homes.

- Policy N3.10: Guiding the Development of Parking. Off-street parking for residential buildings should be adequate in amount and conveniently located and laid out, but its visual prominence should be minimized.

Finding: The amount of proposed off-street parking complies with the parking requirements of the Zoning Regulations. Off-street parking would be located in a new underground parking garage, located underneath the proposed building so that it is convenient to the new units and screened from view from surrounding streets.

- Policy N6.1: Mixing Housing Types. The City will generally be supportive of a mix of projects that provide a variety of housing types, unit sizes, and lot sizes which are available to households with a range of incomes.

Finding: The project includes units ranging in size from studios to three-bedroom units in different housing types (multi-unit apartments and townhouses).

- Policy N7.1: Ensuring Compatible Development. New residential development in Detached Unit and Mixed Housing Type areas should be compatible with the density, scale, design, and existing or desired character of surrounding development.

Finding: The eastern portion of the project located within the Mixed Housing Type Residential designation is designed to reflect the density, scale, design, and character of the existing nearby homes located along Clarke Street in that the proposed buildings in this area will be articulated into smaller identifiable sub-volumes to appear like single-family homes and will employ similar building forms as the existing nearby homes.

- Policy N8.2: Making Compatible Interfaces Between Densities. The height of development in urban residential and other higher density residential areas should step down as it nears lower density residential areas to minimize conflicts at the interface between the different types of development.

Finding: The height of the development steps down from 65 feet at the corner of Telegraph Avenue and 51st Street to buildings ranging in height from 36 to 41 feet in the eastern portion of the site along Clarke Street.

- Policy N10.1: Identifying Neighborhood "Activity Centers." Neighborhood Activity Centers should become identifiable commercial, activity and communication centers for the surrounding neighborhood. The physical design of neighborhood activity centers should support social interaction and attract persons to the area. Some of the attributes that may facilitate this interaction include plazas, pocket parks, outdoor seating on public and private property, ample sidewalk width, street amenities such as trash cans and benches, and attractive landscaping.

Finding: The proposal includes a plaza at the corner of Telegraph Avenue and 51st Street which could be used for outdoor seating and social interaction to encourage community activity.

Guidelines to Determine Project Conformity (Interim CUP for General Plan Density):

- **That the proposal is clearly appropriate in consideration of the characteristics of the proposal and the surrounding area.**

The proposal is clearly appropriate given the characteristics of the proposal and the surrounding area. The site is located along a major arterial in an area designated as Grow and Change by the General Plan. The additional density is appropriate for the site; the site is well-served by transit, will contribute to the economic vitality of the Temescal commercial district, and is designed to minimize visual impacts of the project.

- **That the proposal is clearly consistent with the intent and desired character of the relevant Land Use Classification or Classifications of the General Plan and any associated policies.**

The proposal is clearly consistent with the General Plan as discussed under Criterion E above.

- **That the proposal will clearly promote implementation of the General Plan.**

The proposal will clearly implement the General Plan as discussed under Criterion E above.

Section 17.136.070A – Residential Design Review Criteria:

Subject: Design of the proposal

- 1. That the proposed design will create a building or set of buildings that are well related to the surrounding area in their setting, scale, bulk, height, materials, and textures.**

The proposed design will relate well to the surrounding area. The project is designed so that proposed buildings front the surrounding streets to create an active pedestrian-oriented streetscape. All of the proposed buildings contain ground-floor pedestrian-oriented entries, architectural articulations and detailing, and upper-story setbacks to preserve the pedestrian scale of the neighborhood. The use of multiple separate buildings, a mixture of materials, façade articulations, and upper-story setbacks of the proposal reduce the perceived visual bulk of the project. The height of the project relates well to the surrounding area in that the height transitions from the commercial corridor of Telegraph Avenue successfully by stepping down to the east towards the surrounding residential neighborhood. The proposed upper-story setbacks also contribute to reducing the perceived height of the proposed buildings. The height of the building at the corner of Telegraph Avenue and 51st Street is appropriate given the immense width of Telegraph Avenue and 51st Street. The project's height will enhance the street definition of Telegraph Avenue and 51st Street and increase pedestrian comfort by more successfully creating a sense of enclosure on the street. The project incorporates a variety of materials and textures to further reduce the visual bulk of the building. The proposed materials and textures are similar to those found in the surrounding neighborhood.

- 2. That the proposed design will protect, preserve, or enhance desirable neighborhood characteristics.**

The proposed design will preserve and enhance desirable neighborhood characteristics. The proposal incorporates pedestrian-oriented elements as discussed under Criterion 1 (see above) in order to preserve the pedestrian character of the neighborhood. The proposed off-street parking will not impact the visual character of the neighborhood because parking will be located in an underground parking garage thereby minimizing its visibility. The project's height will enhance the street definition of Telegraph Avenue and 51st Street and increase pedestrian comfort by more successfully creating a sense of enclosure on the street. The proposed plaza at the corner of Telegraph Avenue and 51st Street will contribute to the sense of community in the area by providing a social gathering space and by recognizing the presence of Temescal Creek underneath the site.

- 3. That the proposed design will be sensitive to the topography and landscape.**

Except for the presence of Temescal Creek running underneath the site, there are no significant natural topographic or landscape features on the site. The project will be sensitive to the creek by acknowledging its presence in the plaza at the corner of Telegraph Avenue and 51st Street and by taking additional precautions to protect the integrity of the creek culvert during construction.

- 4. That, if situated on a hill, the design and massing of the proposed building relates to the grade of the hill.**

The site is not located on a hill.

5. **That the proposed design conforms in all significant respects with the Oakland Comprehensive Plan and with any applicable district plan or development control map which has been adopted by the City Council.**

The proposed design conforms in all respects to the Oakland General Plan (formerly the Oakland Comprehensive Plan) as discussed under Criterion E of Section 17.134.050 (see above).

Section 17.148.050 – Variance Findings:

Subject: Major Variance to allow an increase in residential density pursuant to the Mixed Housing Type Residential General Plan Land Use Classification (eastern portion of the site); and Minor Variances to allow 1) building height up to 65 feet where 40 feet is the maximum allowed and building height up to 59 feet where 25 to 30 feet is the maximum allowed, 2) front yard setback of three feet where 20 feet is the minimum required, and 3) courtyard between buildings measuring 10 feet where 39 feet is the minimum required and 16 feet where 50 feet is the minimum required.

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; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance.**

Density: Strict compliance with the maximum density allowed by the Zoning Regulations would result in practical difficulty due to unique circumstances. There are two General Plan Land Use Classifications for the site. The western portion of the site is designated Neighborhood Center Mixed Use. The eastern portion of the site is designated Mixed Housing Type Residential. Due to its large size and location at the intersection of two major arterials, the more appropriate General Plan designation for the entire site would be Neighborhood Center Mixed Use. Under the Neighborhood Center Mixed Use designation, a Major Variance would not be required in order to exceed the density limitations of the Zoning Regulations. Complying with the density limitations of the Zoning Regulations would require a significant reduction in the number of units. With a reduction in the number of units, the proposed underground parking garage would not be financially feasible thereby requiring unsightly above-ground parking.

Building Height: Strict compliance with the maximum building height regulations would preclude an effective design solution improving livability. In order to reduce the height of the project, the proposal would need to reduce the number of units, reduce the size of the units (while maintaining the same number of units), or redistribute the units to other areas of the site (while maintaining the same number of units). Reducing the number of units would not allow the remaining number of units to cover the expense of providing underground parking which would require above-ground parking. Above-ground parking would dramatically affect the appearance of the proposal because the parking would be more visible from the street which would be inconsistent with the policies of the General Plan regarding parking visibility. Reducing the size of the units while maintaining the same number of units would reduce the variety of unit sizes and types in the proposal which would be inconsistent with the policies of the General Plan regarding unit sizes and types. Redistributing the units within the site to reduce the building height while maintaining the same number of units would reduce the amount of open space in the project thereby reducing solar access to individual units and reducing the livability of the development.

Front Yard Setback: Strict compliance with the minimum front yard setback requirement for the buildings located along Clarke Street would preclude an effective design solution improving livability. Increasing the front yard setback would require reducing the size of the proposed units, reducing the size of the interior courtyard, or eliminating the front porches, each of which would impact the livability of the project.

Courtyard Width: Strict compliance with the minimum courtyard width regulation would result in a hardship due to unique circumstances. The courtyard width requirement is satisfied on the majority of the proposed units but because the courtyard is roughly triangular in shape reflecting the triangular shape of the eastern portion of the site, some of the units at the ends of each building do not meet the minimum separation requirement. Due to the triangular shape of the lot, units at the ends of buildings are facing one another. If the western portion of the site was rectangular in shape, the project would be able to meet the courtyard width requirement. Altering the proposal to comply with the courtyard width requirement would adversely affect the appearance of the project by requiring additional separation between the buildings which would result in visual "gaps" in the building frontage along the street.

- 2. That strict compliance with the regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation.**

Density: Strict compliance with the maximum density allowed by the Zoning Regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property. Other similarly zoned properties located similarly along major arterials are typically designated in a General Plan land use classification other than Mixed Housing Type Residential where a Major Variance is not required to exceed the density limitations of the Zoning Regulations.

Building Height: Strict compliance would preclude an effective design solution as discussed under Finding 1 above.

Front Yard Setback: Strict compliance would preclude an effective design solution as discussed under Finding 1 above.

Courtyard Width: Strict compliance would preclude an effective design solution as discussed under Finding 1 above.

- 3. That the variance, if granted, will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.**

Density: The proposed building height will not adversely affect the surrounding area. The proposed density will be greater than the surrounding neighborhood but because it is arranged in a manner, through the use of separate buildings and multiple unit types, upper-story setbacks, and generous plazas and open space, to reduce the perceived density of the proposal, the project harmonizes with the surrounding neighborhood.

Building Height: The proposed building height will not adversely affect the surrounding area. The height of the project relates well to the surrounding area in that the proposed height transitions from the commercial corridor of Telegraph Avenue successfully by stepping down to the east towards the

surrounding residential neighborhood. The proposed upper-story setbacks also contribute to reducing the perceived height of the proposed buildings. The height of the building at the corner of Telegraph Avenue and 51st Street is appropriate given the immense width of Telegraph Avenue and 51st Street. The project's height will enhance the street definition of Telegraph Avenue and 51st Street and increase pedestrian comfort by more successfully creating a sense of enclosure on the street.

Front Yard Setback: The proposed front yard setback will not adversely affect the surrounding area. The front yard setback reduction is for the purpose of the proposed front entry porches along Clarke Street. The porches are consistent with existing elements in the neighborhood and will enhance the neighborhood by acting as transitional space between the public realm of the street and the private realm of the dwelling unit. Residents will be able sit on the front porches thereby interacting with passersby on the sidewalk to enhance the sense of community.

Courtyard Width: The proposed courtyard width will not adversely affect the surrounding area. The intent of the courtyard width regulation is to provide for adequate light and air into the units on the site which has no bearing on the surrounding area. Adequate separation will be maintained between the buildings to provide light and air into the units and to provide a visual sense of separation between the buildings as seen from the surrounding area.

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

The variances will not constitute a grant of special privilege. Other similarly zoned properties under similar circumstances have been, and will be in the future, given similar considerations.

5. **For proposals involving one or two dwelling units on a lot: That the elements of the proposal requiring the variance (e.g., elements such as buildings, walls, fences, driveways, garages and carports, etc.) conform with the design review criteria set forth in the design review procedure at Section 17.136.070.**

The proposal does not involve one or two dwelling units so this finding does not apply.

6. **For proposals involving one or two dwelling units on a lot and not requiring design review or site development and design review: That all elements of the proposal conform to the "Special Residential Design Review Checklist Standards and Discretionary Criteria" as adopted by the City Planning Commission.**

The proposal does not involve one or two dwelling units so this finding does not apply.

7. **For proposals involving one or two residential dwelling units on a lot: That, if the variance would relax a regulation governing maximum height, minimum yards, maximum lot coverage or building length along side lot lines, the proposal also conforms with at least one of the following criteria:**
 - a. **The proposal when viewed in its entirety will not adversely impact abutting residences to the side, rear, or directly across the street with respect to solar access, view blockage and privacy to a degree greater than that which would be possible if the residence were built according to the applicable regulation and, for height variances, the proposal provides**

- detailing, articulation or other design treatments that mitigate any bulk created by the additional height; or
- b. Over sixty (60) percent of the lots in the immediate vicinity are already developed and the proposal does not exceed the corresponding as-built condition on these lots and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height. The immediate context shall consist of the five closest lots on each side of the project site plus the ten closest lots on the opposite side of the street (see illustration I-4b); however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any decision on any variance.

The proposal does not involve one or two dwelling units so this finding does not apply.

CONDITIONS OF APPROVAL

This proposal is subject to the following conditions:

STANDARD GENERAL CONDITIONS:

1. Approved Use

a. Ongoing

The project shall be constructed and operated in accordance with the authorized use as described in this staff report and the plans submitted on December 15, 2005 and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and approved plans, will require a separate application and approval

2. Effective Date, Expiration, and Extensions

a. Ongoing

This permit shall become effective upon satisfactory compliance with these conditions. This permit shall expire in three years from the date of this approval, unless actual construction or alteration, or actual commencement of the authorized activities in the case of a permit not involving construction or alteration, has begun under necessary permits by this date. Upon written request and payment of appropriate fees submitted no later than the expiration date, the Zoning Administrator may grant a one-year extension of this date, with additional extensions subject to approval by the City Planning Commission.

3. Scope of This Approval; Major and Minor Changes

a. Ongoing

The project is approved pursuant to the Planning Code only and shall comply with all other applicable codes, requirements, regulations, and guidelines imposed by other affected departments, including but not limited to the Building Services Division and the Fire Marshal. Minor changes to approved plans may be approved administratively by the Zoning Administrator; major changes shall be subject to review and approval by the City Planning Commission.

4. Modification of Conditions or Revocation

a. Ongoing

The City Planning Commission reserves the right, after notice and public hearing, to alter Conditions of Approval or revoke this conditional use permit if it is found that the approved use or facility is violating any of the Conditions of Approval, any applicable codes, requirements, regulation, guideline or causing a public nuisance.

5. Reproduction of Conditions on Building Plans

a. Prior to issuance of a building permit

These conditions of approval shall be reproduced on page one of any plans submitted for a building permit for this project.

6. Indemnification

a. Ongoing

The applicant shall defend, indemnify, and hold harmless the City of Oakland, its agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Oakland, its agents, officers or employees to attack, set aside,

CONDITIONS OF APPROVAL

void or annul, an approval by the City of Oakland, the Office of Planning and Zoning Division, Planning Commission, or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

7. Waste Reduction and Recycling

a. Prior to issuance of a building or demolition permit

The applicant may be required to complete and submit a "Waste Reduction and Recycling Plan," and a plan to divert 50 percent of the solid waste generated by the operation of the project, to the Public Works Agency for review and approval, pursuant to City of Oakland Ordinance No. 12253. Contact the City of Oakland Environmental Services Division of Public Works at (510) 238-7073 for information.

8. Recycling Space Allocation Requirements

a. Prior to issuance of a building permit

The design, location and maintenance of recycling collection and storage areas must substantially comply with the provision of the Oakland City Planning Commission "Guidelines for the Development and Evaluation of Recycling Collection and Storage Areas", Policy 100-28. A minimum of two cubic feet of storage and collection area shall be provided for each dwelling unit and for each 1,000 square feet of commercial space.

9. Electrical Facilities

a. Prior to installation

All new electric and telephone facilities, fire alarm conduits, streetlight wiring, and similar facilities shall be placed underground. Electric and telephone facilities shall be installed in accordance with standard specifications of the servicing utilities. Street lighting and fire alarm facilities shall be installed in accordance with the standard specifications of the Building Services Division.

10. Improvements in the Public Right-of-Way

a. Prior to issuance of a building permit for work in the public right-of-way

The applicant shall submit Public Improvement Plans for adjacent public rights-of-way showing all proposed improvements and compliance with Conditions of Approval and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, locations of facilities required by the East Bay Municipal Utility District (EBMUD), and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this approval. Encroachment permits shall be obtained as necessary for any applicable improvements. Review and confirmation of the street trees by the City's Tree Division is required as part of this condition. The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of a certificate of occupancy.

STANDARD CONSTRUCTION CONDITIONS:

11. Construction Hours

a. During all construction activities

The project sponsor shall require construction contractors to limit standard construction activities as required by the City Building Services Division. Such activities are generally limited to

CONDITIONS OF APPROVAL

between 7:00 a.m. and 7:00 p.m. Monday through Friday, with pile driving and/or other extreme noise generating activities greater than 90 dBA limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday, with no extreme noise generating activity permitted between 12:30 p.m. and 1:30 p.m. No construction activities shall be allowed on weekends until after the building is enclosed, and then only within the interior of the building with the doors and windows closed, without prior authorization of the Building Services Division, and no extreme noise generating activities shall be allowed on weekends and holidays. Saturday construction activity prior to the building being enclosed shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a survey of resident's preferences for whether Saturday activity is acceptable if the overall duration of construction is shortened. No construction activity shall take place on Sundays or Federal holidays.

12. Construction Management

a. *Prior to issuance of a demolition or building permit*

The project sponsor shall submit a construction management and staging plan to the Building Services Division with the application for the building permit for the project for review and approval. The plan shall include at least the following items and requirements:

- A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. In addition, the information shall include a construction-staging plan for any right-of-way.
- Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.
- Notification procedures for adjacent property owners and public safety personnel (about 48 hours) regarding when major deliveries, detours and lane closures will occur.
- Provision for accommodation of pedestrian flow.
- Location of construction staging areas.
- Provisions for monitoring surface streets used for haul routes so that any damage to the street paving and debris attributable to the haul trucks can be identified and corrected.
- A temporary construction fence to contain debris and material and to secure the site.
- Provisions for removal of trash generated by project construction activity. The applicant shall ensure that debris and garbage is collected and removed from the site daily.
- At least one copy of the approved plans that include the Approval Letter and the Conditions of approval for this project shall be available for review at the job at all times.
- All work shall apply the "Best Management Practices" (BMPs) for the construction industry, including BMPs for dust, erosion, and sedimentation abatement per Chapter 15.04 of the Oakland Municipal Code, as well as all specific construction-related conditions of approval attached to this project.
- Dust control measures as set forth in Condition #13, below.
- Noise control measures as set forth in Conditions #15 and #16, below.
- A process for responding to, and tracking, complaints pertaining to construction activity, including the identification of an on-site complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. The Planning and Zoning Division shall be informed who the Manager is prior to the issuance of a building permit.

13. Dust Control Measures**a. During all construction activities**

Dust control measures shall be instituted and maintained during construction to minimize air quality impacts. The measures shall include:

- Watering all active construction areas at least twice daily, or as required to control dust;
- Water or cover stockpiles of debris, soils, sand, or other material that can be blown by the wind;
- Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved roads, parking areas, and staging areas at construction sites;
- Sweep daily (preferably with water sweepers) all paved access roads, parking areas, and staging areas at construction sites,
- Sweeping adjacent public rights of way (preferably with water sweepers) and streets daily if visible soil material or debris is carried onto these areas.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas;
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- Install sandbags or other erosion control measures to prevent silt runoff onto public roadways; and
- Replant vegetation in disturbed areas as quickly as possible.

14. Grading, Erosion and Drainage Plan.**a. Prior to issuance of grading permit and during construction.**

The applicant shall submit for review and approval by the Building Services Division a Site Grading, Drainage, and Erosion Control plan in conformance with City standards and "Best Management Practices" (BMP) for use during construction.

- The plan shall indicate the methods, means, and design to conduct site stormwater run-off, attenuate storm drainage flow, and minimize sedimentation and erosion during and after construction activity (utilizing a combination of permeable surfaces, subsurface-drainage, silt debris barriers, drainage retention systems, and/or filtration swale landscaping). All graded slopes or disturbed areas shall be temporarily protected from erosion by implementing seeding, mulching and/or erosion control blankets/mats until permanent erosion control measures are in place. No grading shall occur without a valid grading permit issued by the Building Services Division or within the period of October 15 through April 15 unless specifically authorized in writing by the Building Services Division. The plan will be in effect for a period of time sufficient to stabilize the construction site throughout all phases of project development. Furthermore, storm drainage facilities shall be designed to meet applicable regulations.
- In order to minimize potential water quality impacts to surface runoff during construction, the proposed project will require standard erosion control measures as part of the project prior to issuance of grading or building permits. The applicant will be required to prepare a construction period erosion control plan and submit the plan to the Building Services Division for approval prior to issuance of a grading or building permit. The plan will be in effect for a period of time sufficient to stabilize the construction site for all phases of the project. These standard measures will address construction period erosion on the site by wind or water.

- Construction operations, especially grading operations, shall be confined as much as possible to the dry season in order to avoid erosion of disturbed soils.

15. Construction Related Noise Control

a. During all construction activities

To reduce daytime noise impacts due to construction, to the maximum feasible extent, the City shall require the applicant to develop a site-specific noise reduction program, subject to city review and approval, which includes the following measures:

- Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems.
- Designate an on-site complaint and enforcement manager shall be posted to respond to and track complaints.
- A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices are completed prior to the issuance of a building permit (including construction hours, neighborhood notification, posted signs, etc.).
- Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).
- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, which could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.
- Stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible.

16. Pile Driving and other Extreme Noise Generators

a. During all construction activities

- To further mitigate other extreme noise generating construction impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. This noise reduction plan shall be submitted for review and approval by the City to ensure that maximum feasible noise attenuation is achieved. These attenuation measures shall include as many of the following control strategies as feasible and shall be implemented prior to any required pile-driving activities:
- Erect temporary plywood noise barriers around the construction site, to shield adjacent uses;
- Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;

- Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and
- Monitor the effectiveness of noise attenuation measures by taking noise measurements.

- A process with the following components shall be established for responding to and tracking complaints pertaining to pile-driving construction noise:
 - A procedure for notifying City Building Services Division staff and Oakland Police Department;
 - A list of telephone numbers (during regular construction hours and off-hours);
 - A plan for posting signs on-site pertaining to complaint procedures and who to notify in the event of a problem;
 - Designation of a construction complaint manager for the project; and
 - Notification of neighbors within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities.

17. Site Maintenance

a. During all construction activities

The applicant shall ensure that debris and garbage is collected and removed from the site daily.

18. Cultural Resources found during Site Work and Construction

a. Prior to issuance of any grading permits and throughout construction

In accordance with the California Environmental Quality Act (CEQA) Section 15064.5, if the applicant discovers any previously unidentified cultural resources during any onsite or offsite construction phase of the proposed project, the project applicant is required to cease work in the immediate area until such time as a qualified archaeologist and the City of Oakland can assess the significance of the find and make mitigation recommendations, if warranted. To achieve this goal, the contractor shall instruct the construction personnel on the project as to the potential for discovery of archeological, pre-historic, historic, cultural, or human remains. The contractor shall ensure that all construction personnel understands the need for proper and timely reporting of such finds, and the consequences of any failure to report them. Any recommendations of the qualified archeologist shall be implemented prior to resumption of work in the affected area.

19. Special Instructor

a. Throughout construction

The project sponsor may be required to pay for on-call special inspector(s) as needed during the times of most intense construction or as directed by the Building Official.

SPECIFIC CONDITIONS (CASE NO. CMDV05-469):

20. Landscape Plan

a. Information to be included on the plans submitted for a building permit

The project drawings submitted for a building permit shall include a detailed landscape plan for review and approval by the Planning and Zoning Division. The landscaping plan shall include proposed surface materials and design details for all common areas in the development. A detailed planting schedule showing sizes, quantities, and names of plant species as well as the proposed method(s) of irrigation is required. The design of the plaza located at the corner of Telegraph Avenue and 51st Street shall acknowledge the presence of Temescal Creek under the site. Examples of appropriate forms of acknowledgment include a design feature that represents the creek and an informational plaque concerning the creek. Pursuant to Section 17.124.030 of the Oakland Planning Code, one fifteen-gallon street tree, as approved by the Public Works Agency, Tree Division, shall be provided for every twenty-five (25) feet of street frontage or for every twenty (20) feet of street frontage if a curbside planting strip exists. Fire and drought-resistant species are encouraged. The landscape plan shall also show the proposed design, height, and location of all proposed fencing and gates.

b. Prior to issuance of a certificate of occupancy

The applicant shall install all proposed landscape features indicated on the approved landscape plan prior to the issuance of a certificate of occupancy, unless bonded pursuant to the provisions of Section 17.124.50 of the Oakland Planning Code. The amount of such bond or cash deposit shall equal the greater of \$2,500 or the estimated cost of the required landscaping, based on a licensed contractor's bid.

c. Ongoing

All installed planting shall be permanently maintained in a healthy condition.

21. Final Elevations

a. Information to be included on the plans submitted for a building permit

The final proposed building elevations shall be reviewed and approved by the Planning and Zoning Division. All proposed exterior windows and doors shall be recessed a minimum of three inches from the surrounding wall surface and/or incorporate window trim or a pronounced sill. Detailed window section drawings are required.

22. Final Building Colors and Materials

a. Information to be included with the materials submitted for a building permit

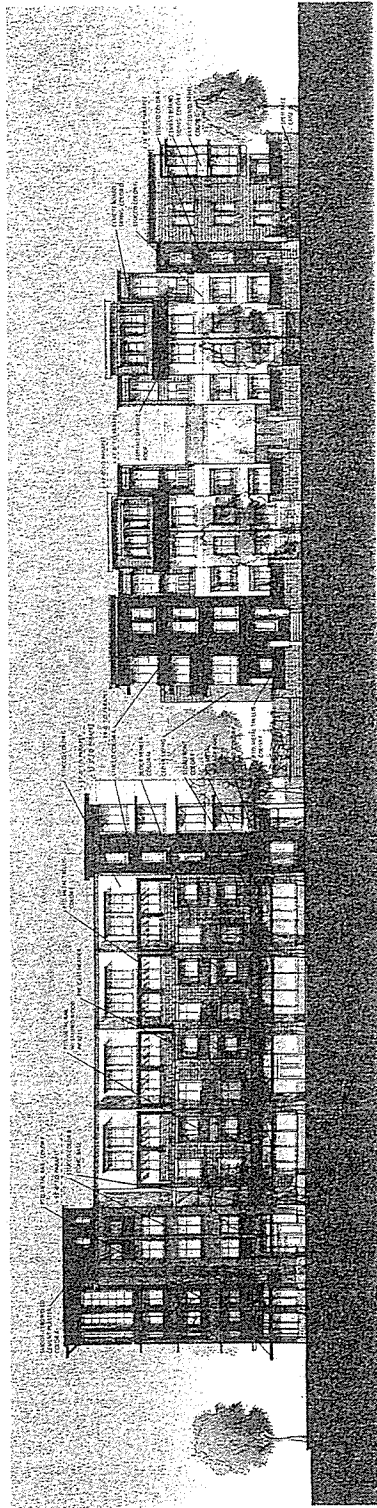
The final proposed building colors and materials shall be submitted for review and approval by the Planning and Zoning Division. The material proposed for the base of Building 1 shall be a high-quality, durable material (e.g., stone, tile). Concrete or stucco is not allowed along the base of Building 1 unless the applicant can demonstrate that the proposed material will provide for a high level of quality and durability.

23. Temescal Creek Culvert

a. Information to be included with the materials submitted for a building permit

The applicant shall submit a statement from a licensed engineer certifying that the project is designed and engineered in a manner that does not compromise the integrity of the Temescal Creek culvert located on the site.

APPROVED BY: City Planning Commission: _____(date)_____ (vote)
City Council: _____(date)_____ (vote)



PROJECT DIRECTORY

OWNER:
 510 TELEGRAPH, LLC
 Oakland, CA 94609
 PH: 510-550-4200 x516

ARCHITECT:
 VAN METER WILLIAMS POLLACK, LLP
 18 De Boom Street, First Floor
 San Francisco, CA 94107
 PH: 415-974-5352

LANDSCAPE ARCHITECT:
 P&A DESIGN
 444 17th Street
 Oakland, CA 94612
 PH: 510-465-1254

PROJECT STATISTICS

Project Address: 510 Telegraph Ave, Oakland, CA 94609
Applicant: 510 Telegraph LLC, Oakland, CA 94609 (510) 550-4200 x516
Site Area: 40,780 sf (0.94 acres)
Zoning: 5107 Telegraph C-28 (R-70) R-4O
Proposed Structures: Residential Garage: 34,156 sf
 Civic 1 Bldg: 21,956 sf
 Civic 2 Bldg: 22,140 sf
 Civic 3 Bldg: 6,835 sf
 Civic 4 Bldg: 19,057 sf
 Total: 110,089 sf
Project Total: 34,156 sf
Area Totals By Use: Garage: 2,990 sq ft
 Civic: 66,959 sq ft
 Residential: 40,140 sq ft

Building Heights: Civic 1 Bldg: 5 stories max.
 Civic 2 Bldg: 4 stories max.
 Civic 3 Bldg: 4 stories max.
 Civic 4 Bldg: 4 stories max.

Dwelling Unit Summary:
 Studios: 3
 1 Br. Flats: 19
 2 Br. Townhomes: 25
 3 Br. Townhomes: 15
 4 Br. Townhomes: 4

Total Dwellings: 67

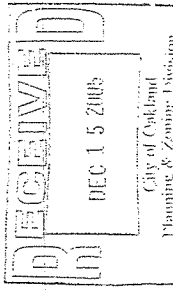
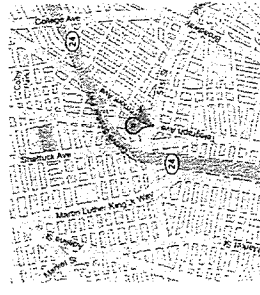
Parking Summary:
 Total Spaces: 90
 Density: 2.2

Open Space:
 Common Space: 17,745 sf
 Private Space: 2,470 sf
 Streetdeck Area: 19,626 sf
 Total: 39,841 sf

SHEET INDEX

- A0.0 COVER SHEET
- L1.1 TREE REMOVAL PLAN
- L2.1 LANDSCAPE PLAN
- L3.1 PLANTING PLAN
- A1.1 SITE PLAN
- A2.0 PARKING PLAN
- A2.1 FIRST FLOOR PLAN
- A2.2 SECOND FLOOR PLAN
- A2.3 THIRD FLOOR PLAN
- A2.4 FOURTH FLOOR PLAN
- A2.5 FIFTH FLOOR PLAN
- A3.1 ELEVATIONS
- A3.2 ELEVATIONS
- A3.3 PERSPECTIVES

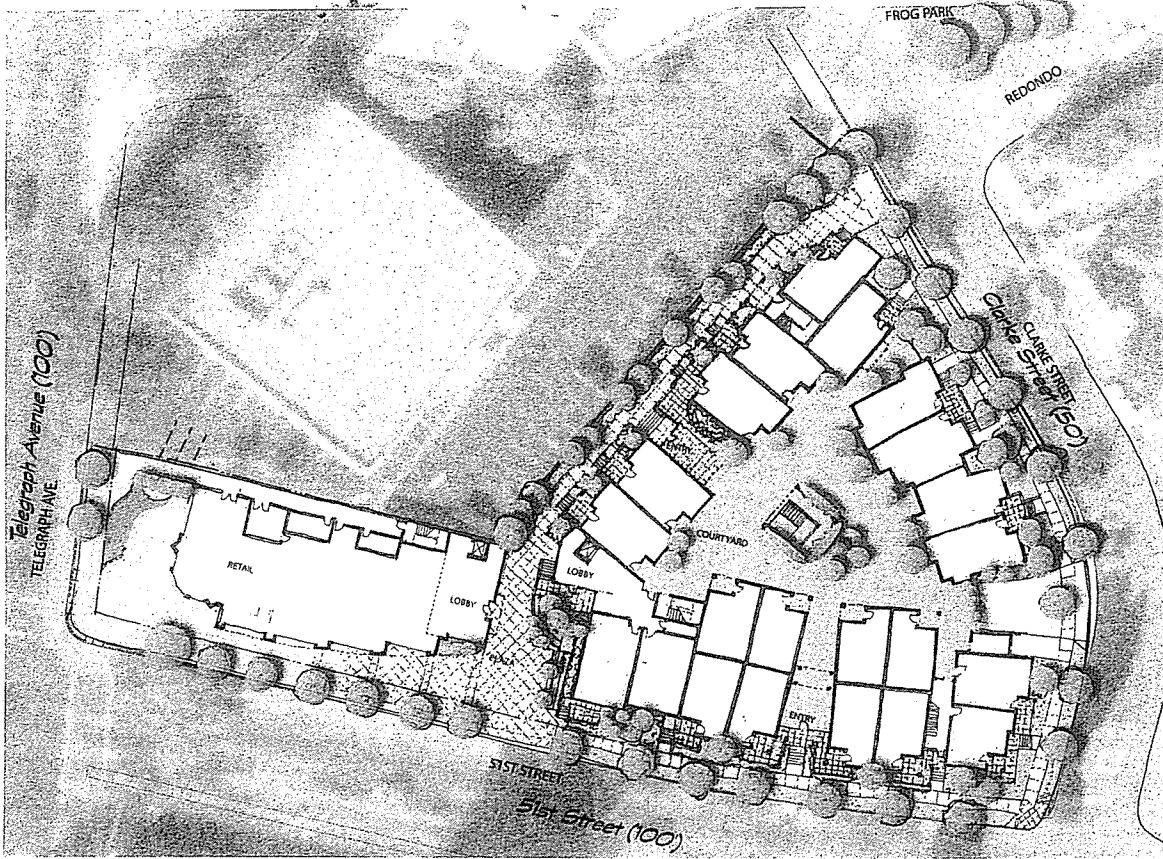
VICINITY MAP



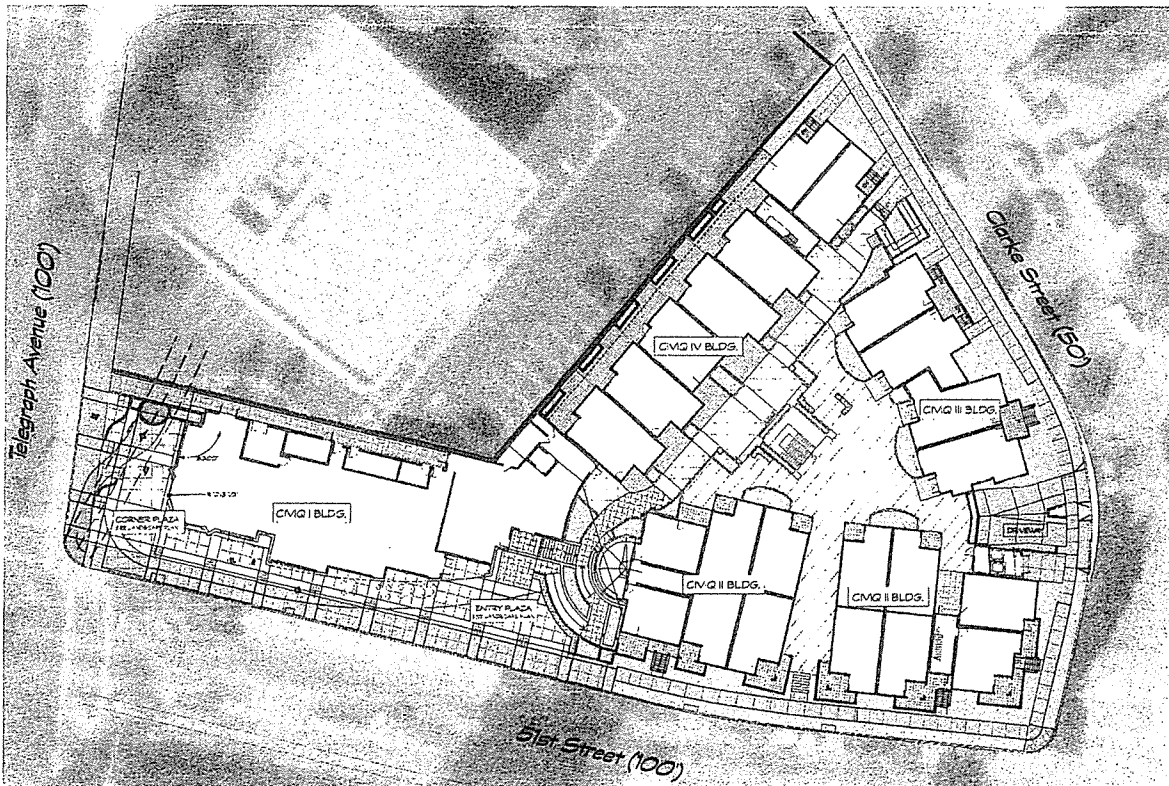
A0.0 Cover Sheet
 Architect
Van Meter Williams Pollack
 Architecture + Urban Design
 San Francisco, CA

Client
 5110 Telegraph, LLC
 Oakland, CA

Civic
 Oakland, CA
 September 16, 2005: CUP Submittal
 December 15, 2005: CUP Re-submittal



PROPOSED ALTERNATE SITE PLAN



EXISTING SITE PLAN

**VAN METER
WILLIAMS
POLLACK, LLP**

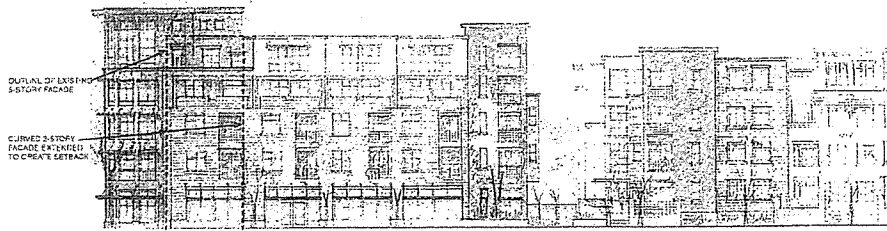
**CIVIQ
OAKLAND, CA**

JANUARY 18, 2006

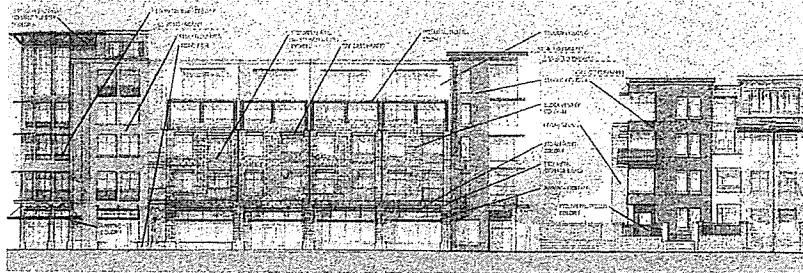
FILE COPY -
RECEIVED
- CMDV05469 -
JAN 18 2006
City of Oakland
Planning & Zoning Division

CLIENT:
5110 TELEGRAPH L.L.C
P.O. Box 3239
OAKLAND, CA 94609

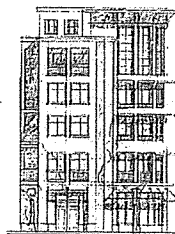
SUBMITTED AT PC HEARING
1/18/06



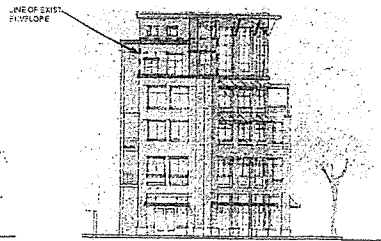
REVISED PARTIAL 51ST ST. ELEVATION



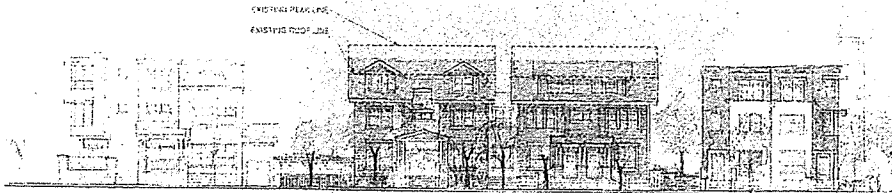
EXISTING PARTIAL 51ST ST. ELEVATION



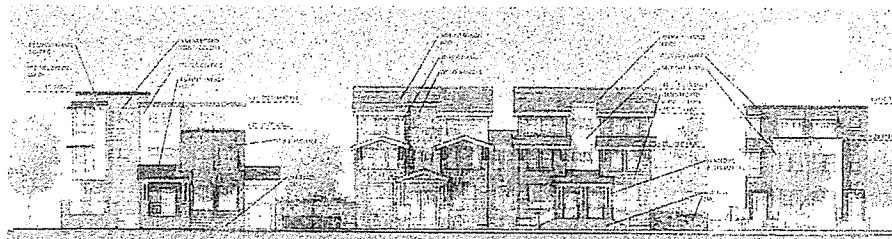
(E) TELEGRAPH ELEV.



REVISED TELEGRAPH ELEV.



REVISED CLARKE ST. ELEVATION



EXISTING CLARKE ST. ELEVATION

PROPOSED ELEVATION MODIFICATIONS

**VAN METER
WILLIAMS
POLLACK**
ARCHITECTS • INTERIORS
SAN FRANCISCO, CA

**CIVIQ
OAKLAND, CA**

JANUARY 18, 2006

CLIENT:
**5110 TELEGRAPH L.L.C
P.O. Box 3239
OAKLAND, CA 94609**

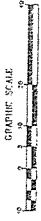
SUBMITTED AT PO HEARING
2/6/2

- FILE COPY -

TOPOGRAPHIC SURVEY

PARCEL B, PARCELS A AND B, 4381 (154 PM 31)
 LOCATED IN LOTS 1 AND LOTS 4, 5, 6, 7, 8,
 9 AND PORTIONS OF LOTS 1 AND LOTS 4, 5, 6, 7,
 8, 9, A MAP OF HUMBOLDT PARK (10 14 200)
 LOCATED AT 510 TELEGRAPH AVENUE
 CITY OF OAKLAND, COUNTY OF ALAMEDA, CALIFORNIA
 SEPTEMBER 7, 2005 SCALE: 1" = 10'

MORAN ENGINEERING, INC.
 CIVIL ENGINEERING
 1930 SHATTUCK AVENUE, SUITE A
 BERKELEY, CALIFORNIA 94704
 (415) 841-1234



THESE PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS SHALL BE OPENED TO THE PUBLIC FOR REVIEW AND COMMENT AT THE OFFICE OF THE CITY ENGINEER, CITY OF OAKLAND, 510 TELEGRAPH AVENUE, OAKLAND, CALIFORNIA 94612, FROM 8:00 AM TO 4:00 PM, MONDAY THROUGH FRIDAY, SEPTEMBER 12, 2005. ANY COMMENTS MUST BE SUBMITTED TO THE CITY ENGINEER'S OFFICE BY SEPTEMBER 15, 2005.

GENERAL NOTES:
 1. REFER TO THE CITY ENGINEER'S OFFICE FOR THE LATEST REVISIONS TO THESE PLANS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF OAKLAND AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.



PERSONAL AND NOT FOR CONSTRUCTION PURPOSES
 THIS PLAN IS THE PROPERTY OF MORAN ENGINEERING, INC. AND IS LOANED TO YOU FOR YOUR INFORMATION ONLY. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF MORAN ENGINEERING, INC.

CLAREMONT AVE (66)



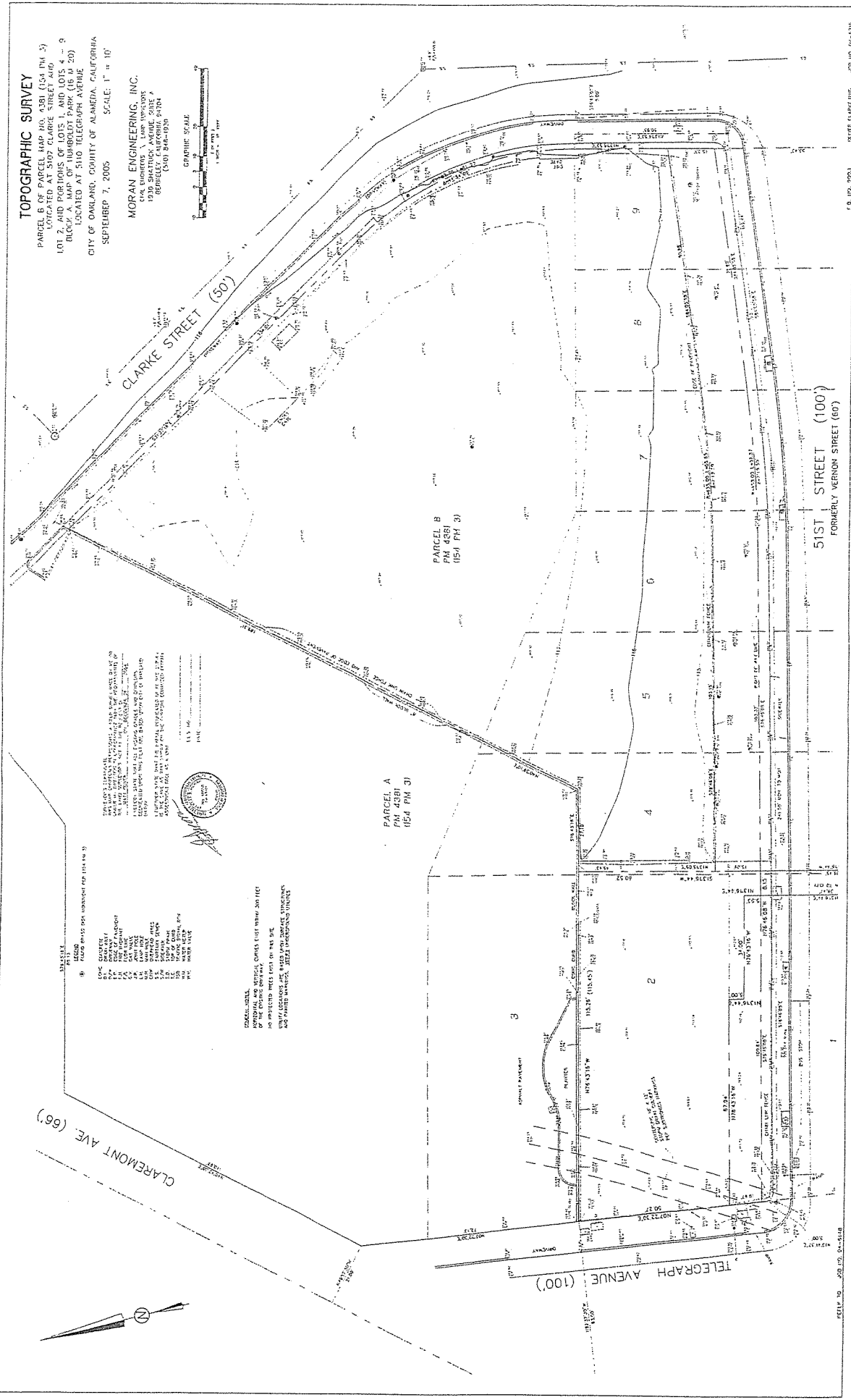
CLARKE STREET (50)

PARCEL A
 PM 4381
 (154 PM 31)

PARCEL B
 PM 4381
 (154 PM 31)

51ST STREET (100)
 FORMERLY VERNON STREET (60)

TELEGRAPH AVENUE (100)



DATE: 09/07/05 BY: JLM/MLK
 CHECKED: 09/14/05 BY: JLM/MLK
 SCALE: 1" = 10'

TREE INVENTORY LEGEND

- EXISTING TREE AND CURB
- TREE PROTECTION FENCING
- BP - TREE PROTECTION ZONE IS DEFINED AS THE AREA WITHIN THE PROTECTION FENCING AT THIS LOCATION
- TREE TO BE REMOVED, REMOVE TRUNK TO 2' BELOW FINISH GRADE
- TREE IDENTIFICATION NUMBER
- TREES ARE CONSIDERED PROTECTED ACCORDING TO CITY OF OAKLAND TREE PRESERVATION ORDINANCE

TREES NOT PROPOSED FOR REMOVAL

TREE NO.	TREE NAME (COMMON NAME)	DBH	HEIGHT	NOTES
A	PLATANUS ALBERTINA (LONDON PLANE TREE)	50"	50'	
B	FRAXINUS OXYCARPA (HAWKWOOD ASH)	74"	74'	

TREES PROPOSED FOR REMOVAL

TREE NO.	TREE NAME (COMMON NAME)	DBH	HEIGHT	CONDITION
1	FRAXINUS OXYCARPA (HAWKWOOD ASH)	6"	6'	POOR CONDITION
2	QUERCUS AGRIFOLIA (LIVE OAK)	12"	12'	FAIR
3	QUERCUS AGRIFOLIA (LIVE OAK)	10"	10'	FAIR
4	QUERCUS AGRIFOLIA (LIVE OAK)	10"	10'	FAIR
5	QUERCUS AGRIFOLIA (LIVE OAK)	10"	10'	FAIR
6	FRAXINUS OXYCARPA (HAWKWOOD ASH)	14"	14'	POOR CONDITION
7	QUERCUS AGRIFOLIA (LIVE OAK)	14"	14'	FAIR
8	QUERCUS AGRIFOLIA (LIVE OAK)	14"	14'	FAIR
9	QUERCUS AGRIFOLIA (LIVE OAK)	14"	14'	FAIR
10	FRAXINUS OXYCARPA (HAWKWOOD ASH)	12"	12'	POOR CONDITION
11	FRAXINUS OXYCARPA (HAWKWOOD ASH)	12"	12'	POOR CONDITION
12	FRAXINUS OXYCARPA (HAWKWOOD ASH)	12"	12'	POOR CONDITION
13	FRAXINUS OXYCARPA (HAWKWOOD ASH)	14"	14'	POOR CONDITION
14	FRAXINUS OXYCARPA (HAWKWOOD ASH)	14"	14'	POOR CONDITION
15	FRAXINUS OXYCARPA (HAWKWOOD ASH)	14"	14'	POOR CONDITION
16	FRAXINUS OXYCARPA (HAWKWOOD ASH)	14"	14'	POOR CONDITION
17	FRAXINUS OXYCARPA (HAWKWOOD ASH)	14"	14'	POOR CONDITION
18	FRAXINUS OXYCARPA (HAWKWOOD ASH)	14"	14'	POOR CONDITION
19	FRAXINUS OXYCARPA (HAWKWOOD ASH)	14"	14'	POOR CONDITION
20	FRAXINUS OXYCARPA (HAWKWOOD ASH)	14"	14'	POOR CONDITION



L1.1 Tree Removal Plan

Architect
Van Meier Williams Pollack
 Architecture + Urban Design
 San Francisco, CA

LandscAPE ArchITECT
PCAdesign
 444 17th Street
 Oakland, CA

Civiq
 Oakland, CA
 September 16, 2005: CUP Submittal
 December 15, 2005: CUP Re-Submittal

Client
5110 Telegraph LLC
 Oakland, CA

MATERIAL LEGEND

- ASPHALT CONCRETE
- PUBLIC WALKWAYS, CAST-IN-PLACE CONCRETE
- PRIVATE PAVED AREAS, SPECIAL PAVING
- PAVED AREAS, SPECIAL PAVING
- DECORATIVE CONCRETE, PAVED AREAS, STREET MEDIANS
- SIDEWALKS
- GLASS BLOCK PANELS, ALLOWANCE INTO PARKING GARAGE BELOW
- FLOORING, ETC., SEE MATERIAL SCHEDULE
- PAVED MATERIALS AT PODIUM LEVEL
- FREE STANDING TOWERS AT PODIUM LEVEL
- OPENWORK PERFORATED
- BRICK
- DRY STACK
- OUTDOOR PAVE
- DECORATIVE SCREEN OF FENCE
- COPING STONE



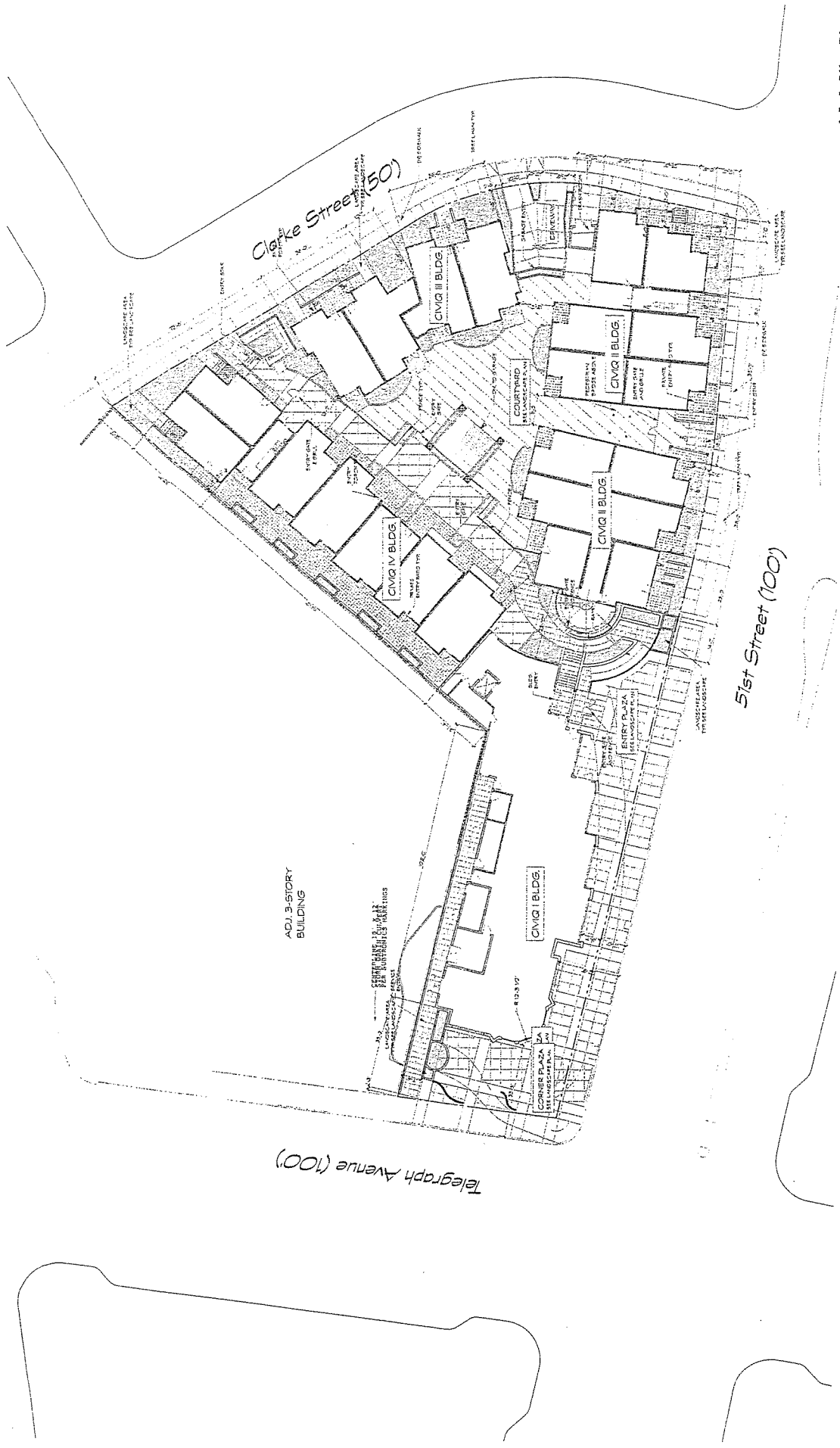
L2.1 Landscape Plan

Architect:
Van Meter Williams Pollack
 Architecture + Urban Design
 San Francisco, CA

Landscape Architect:
PGAdesign
 444 17th Street
 Oakland, CA

Civiq
 Oakland, CA
 September 16, 2005: CUP Submittal
 December 15, 2005: CUP Re-Submittal

Client:
5110 Telegraph LLC
 Oakland, CA



A1.1 Site Plan

Architect

Van Meter Williams Pollack
 Architecture + Urban Design
 San Francisco, CA

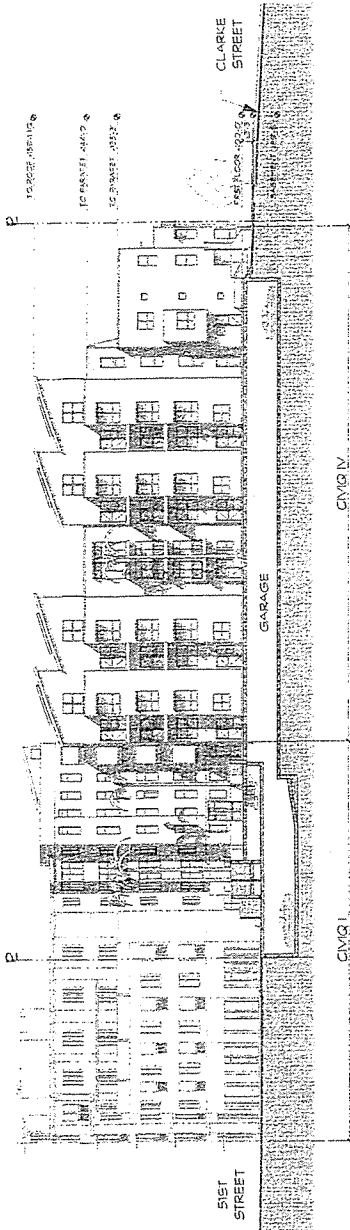
Client

Civiq
 Oakland, CA
 September 16, 2005; CUP Submittal
 December 15, 2005; CUP Re-submittal

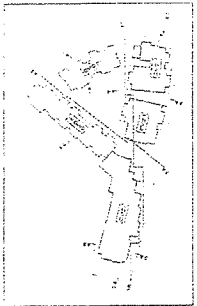
5110 Telegraph, LLC
 Oakland, CA

scale: 1/16" = 1'-0"

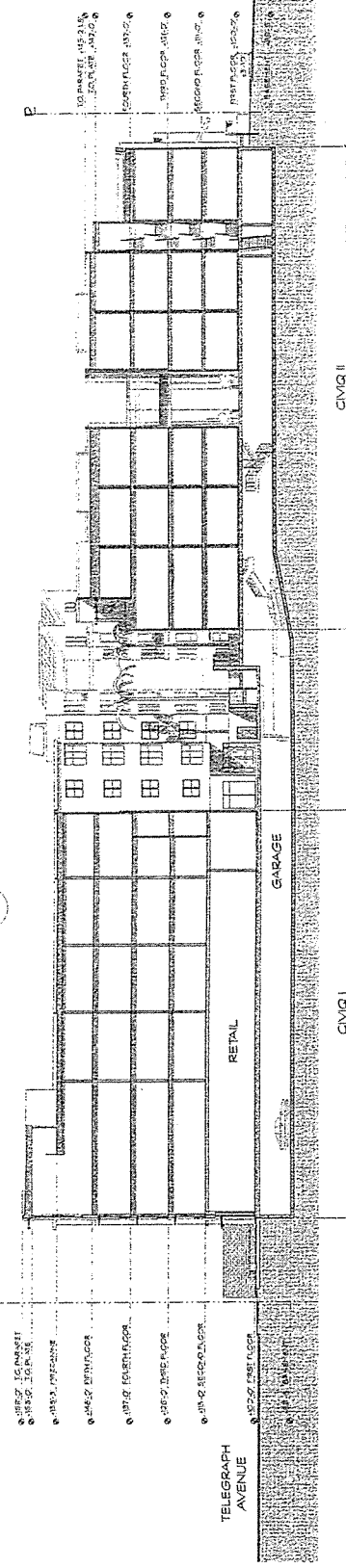




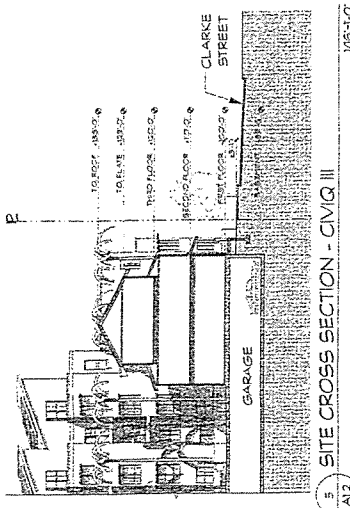
3 SITE CROSS SECTION - CIVIQ I



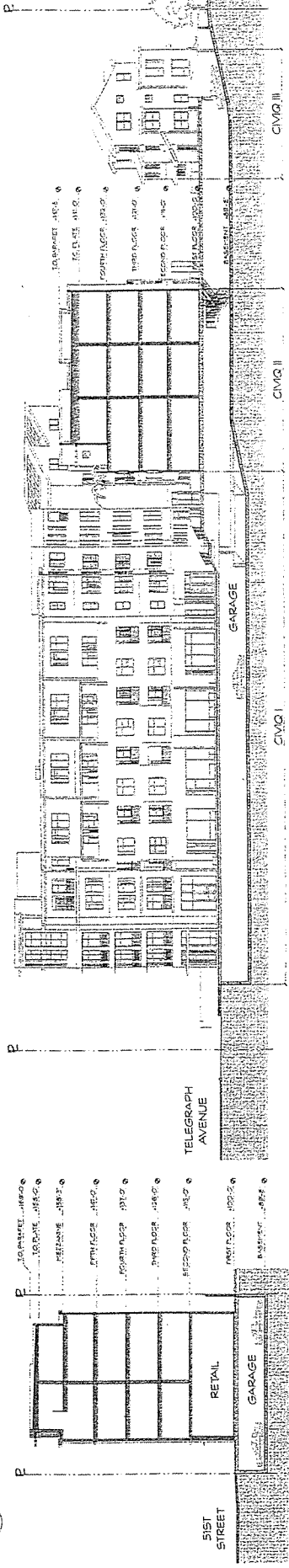
SITE SECTION KEY PLAN



2 SITE LONGITUDINAL SECTION - BLDGS I & II



5 SITE CROSS SECTION - CIVIQ III



4 SITE LONGITUDINAL SECTION - DRIVEWAY

A1.2 Site Sections

Architect

Van Meter Williams Pollack
Architecture + Urban Design
San Francisco, CA

Client


5110 Telegraph, LLC
Oakland, CA

Civiq

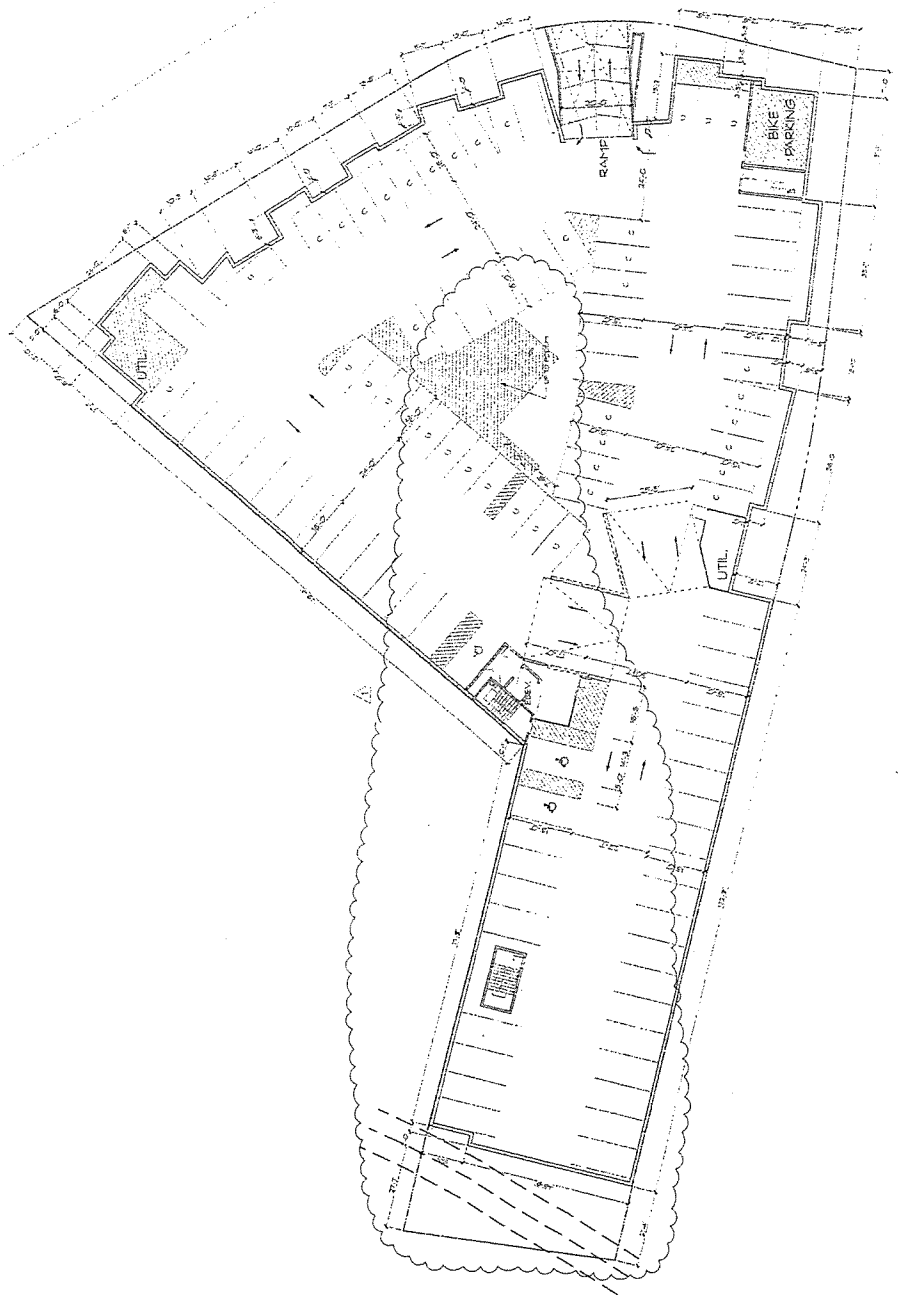
Oakland, CA
September 16, 2005; CUP Submittal
December 15, 2005; CUP Re-submittal

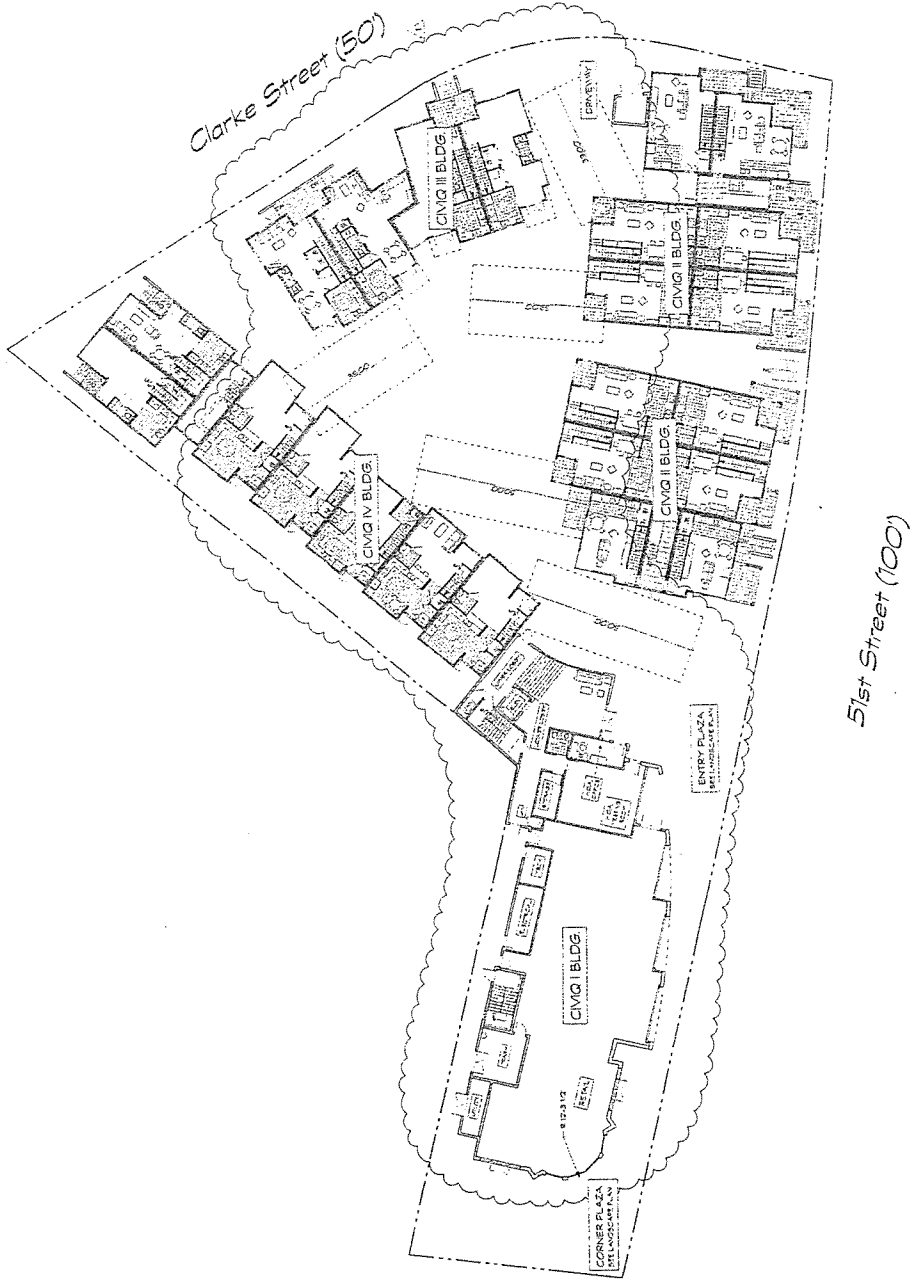
Client
5110 Telegraph, LLC
Oakland, CA

Civiq
Oakland, CA
September 16, 2005: CUP Submittal
December 15, 2005: CUP Re-submittal

scale: 1/16" = 1'-0"


A2.0 Parking Plan
Architect
Van Meter Williams Pollack
Architecture + Urban Design
San Francisco, CA





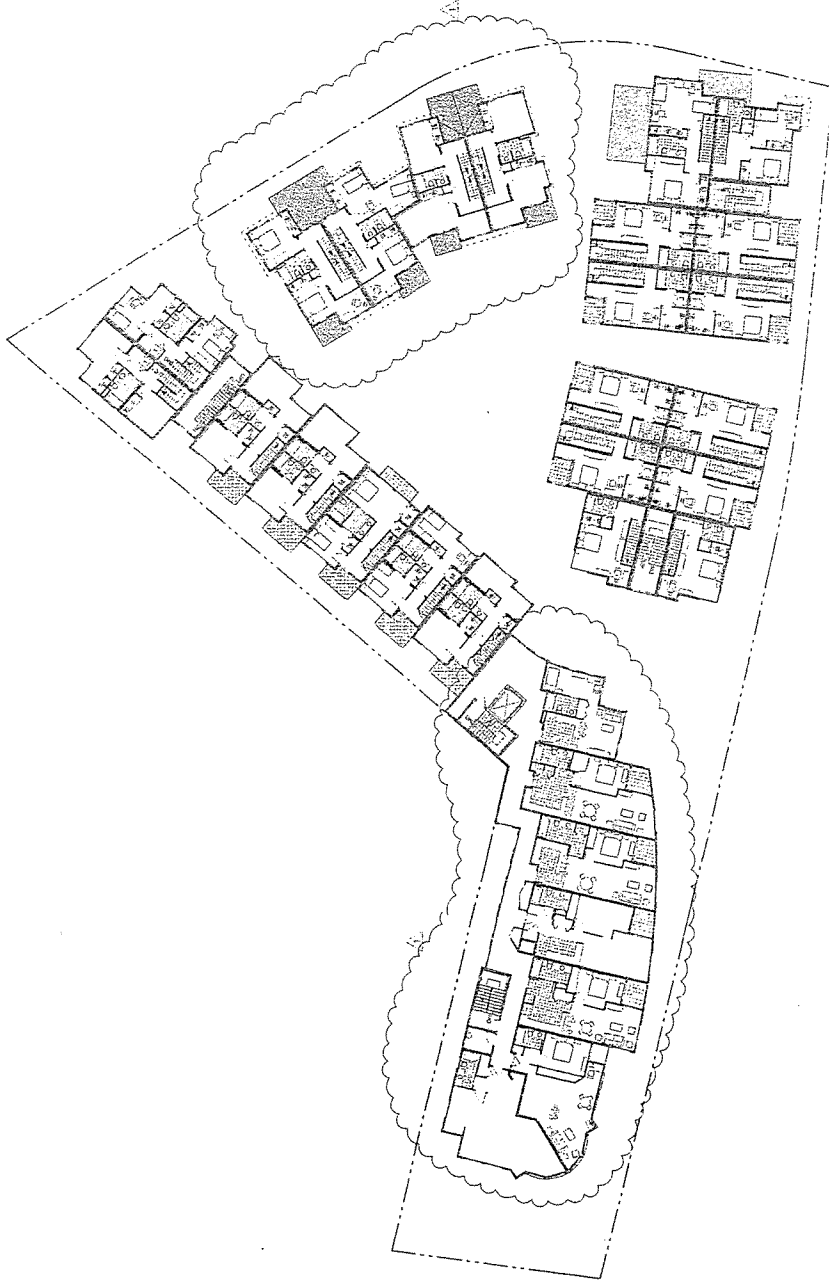
A2.1 First Floor Plan

Architect:
Van Meter Williams Pollack
 Architecture + Urban Design
 San Francisco, CA

Client
5110 Telegraph, LLC
 Oakland, CA

CIVIC
 Oakland, CA
 September 16, 2005: CUP Submittal
 December 15, 2005: CUP Re-submittal

scale: 1/16" = 1'-0"



A2.2 Second Floor Plan

Architect

Van Meter Williams Pollack
 Architecture + Urban Design
 San Francisco, CA

Client

5110 Telegraph, LLC
 Oakland, CA

Civiq
 Oakland, CA
 September 16, 2005: CUP Submittal
 December 15, 2005: CUP Re-submittal

scale: 1/16" = 1'-0"





A2.3 Third Floor Plan

Architect

Van Meier Williams Pollack
Architecture + Urban Design
San Francisco, CA

Client

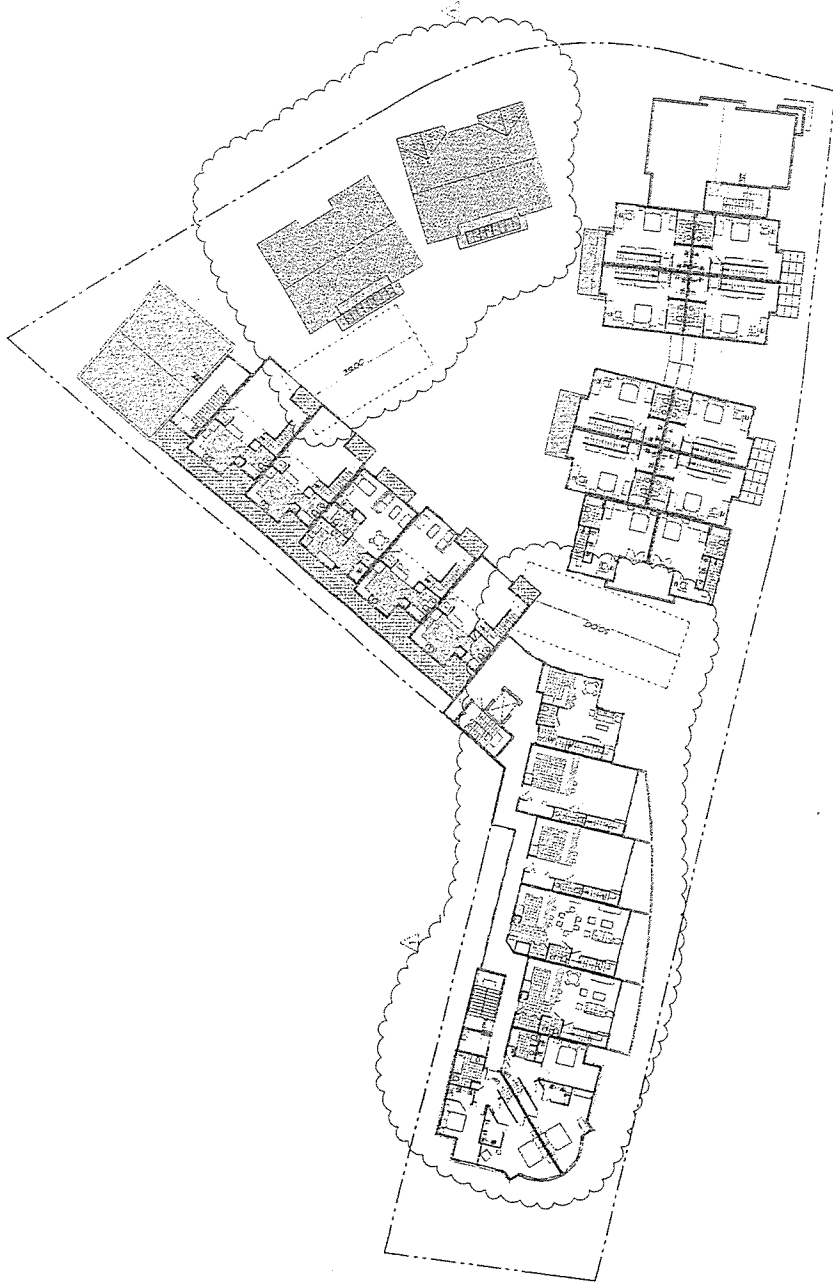
Civiq
Oakland, CA
September 16, 2005: CUP Submittal
December 15, 2005: CUP Re-submittal

Client

5110 Telegraph, LLC
Oakland, CA

scale: 1/16" = 1'-0"





A2.4 Fourth Floor Plan

Architect

Van Meter Williams Pollack
Architecture + Urban Design
San Francisco, CA

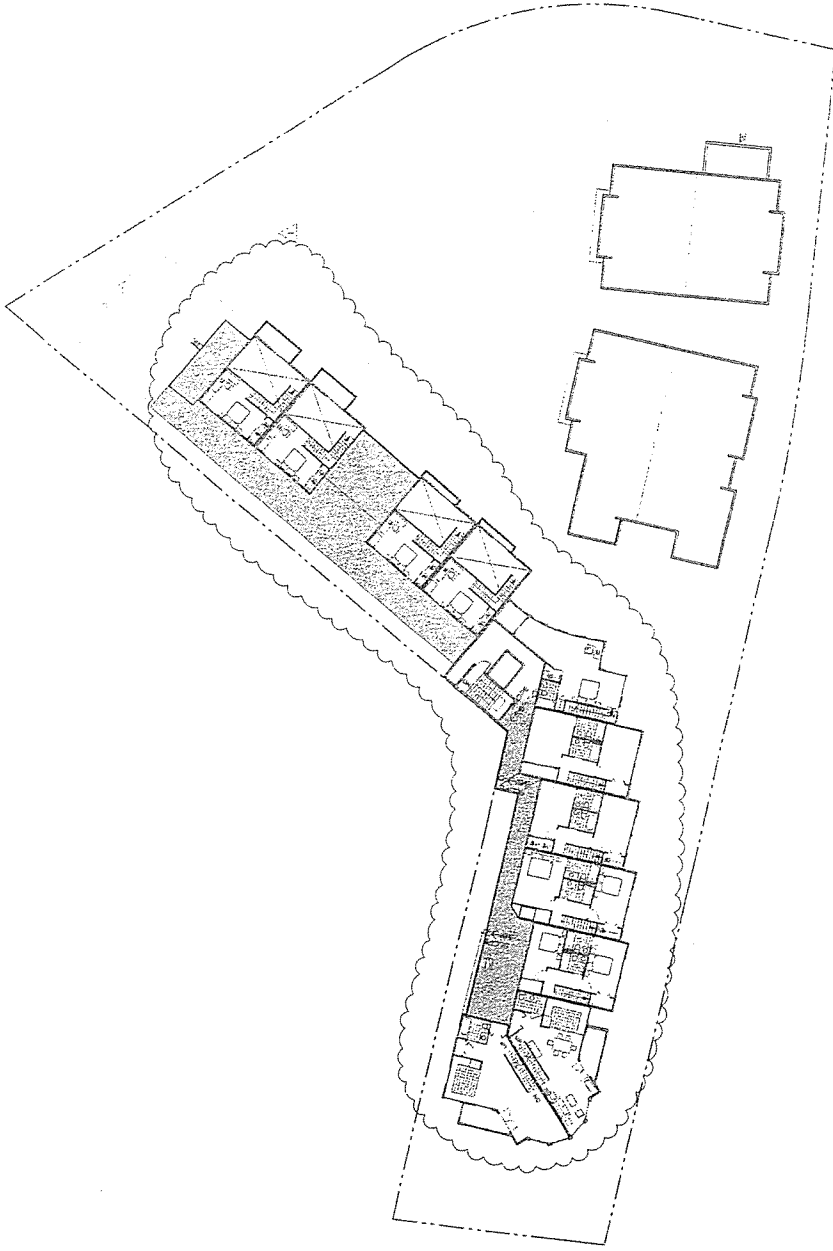
Client
5110 Telegraph, LLC
Oakland, CA

Civiq

Oakland, CA
September 16, 2005: CUP Submittal
December 15, 2005: CUP Re-submittal

scale: 1/16" = 1'-0"





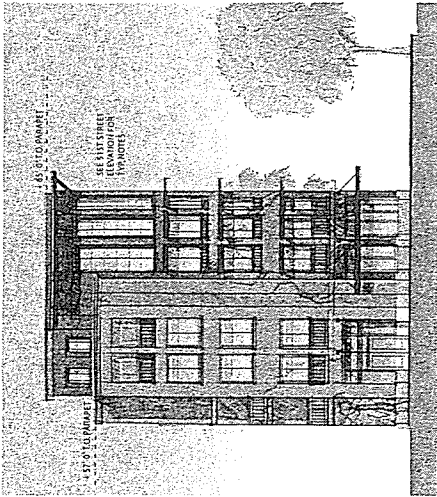
A2.5 Fifth Floor Plan

Architect
Van Meter Williams Pollack
Architecture + Urban Design
San Francisco, CA

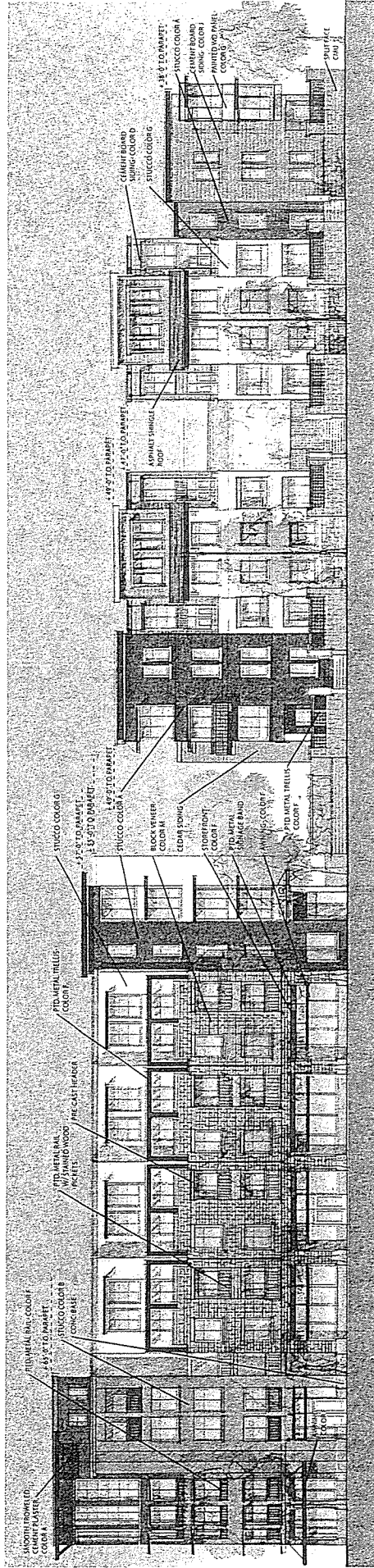
Client
5110 Telegraph, LLC
Oakland, CA

Civiq
Oakland, CA
September 16, 2005; CUP Submittal
December 15, 2005; CUP Re-submittal (1)

scale: 1/16" = 1'-0"



TELEGRAPH AVENUE ELEVATION



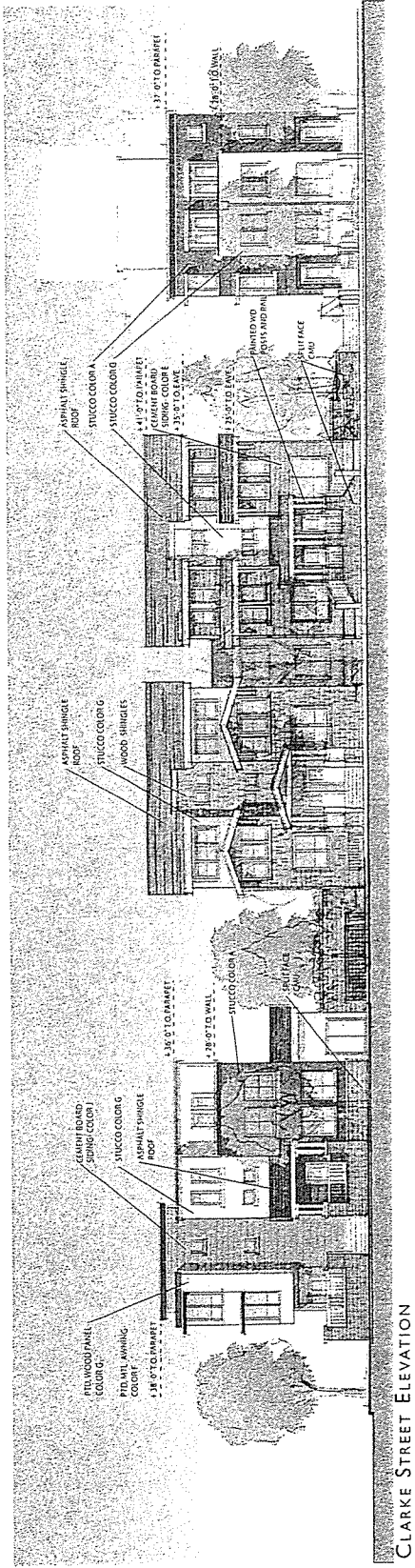
51ST STREET ELEVATION

1" = 10'-0" A3.1 Elevations

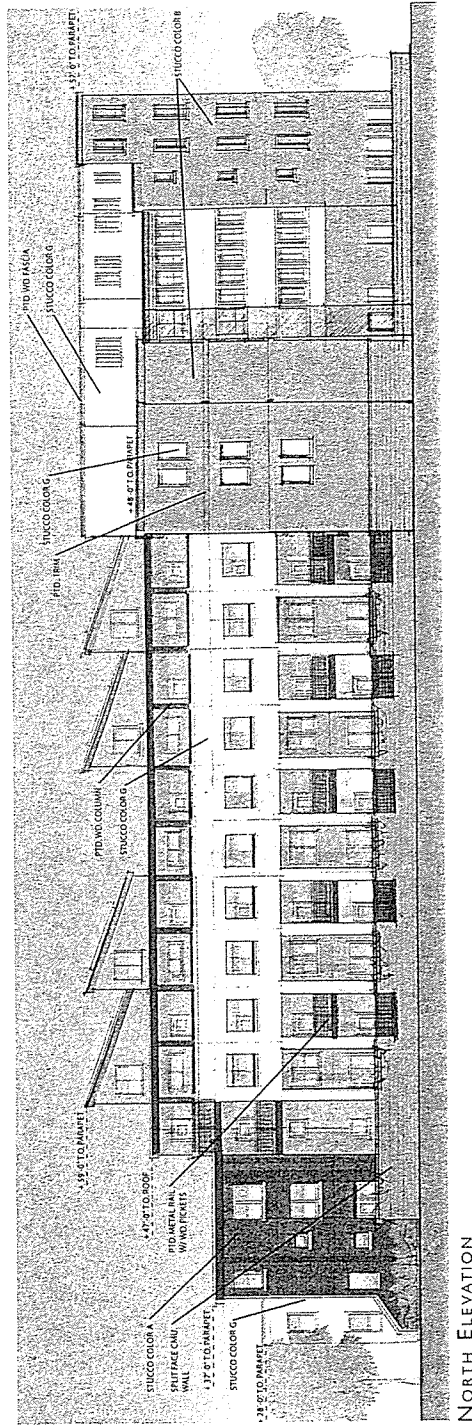
Client
5110 Telegraph, LLC
 Oakland, CA

Client
Civiq
 Oakland, CA
 December 15, 2005: CUP Resubmittal

Architect
Van Meter Williams Pollack
 Architecture + Urban Design
 San Francisco, CA



CLARKE STREET ELEVATION



NORTH ELEVATION

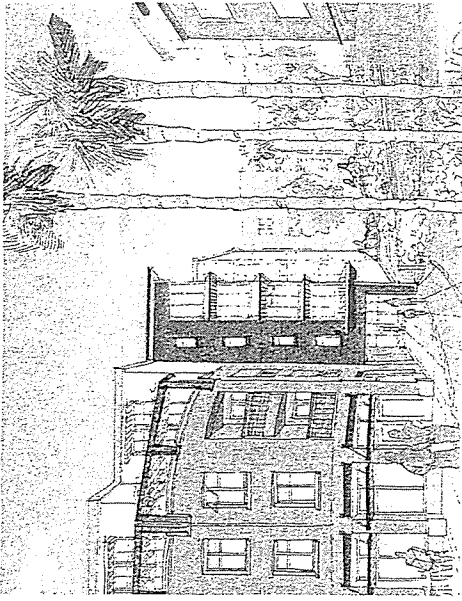
1" = 10'-0" A3.2 Elevations

Architect

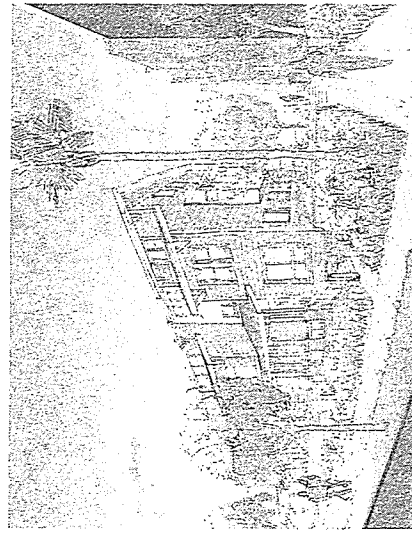
Van Meter Williams Pollack
Architecture + Urban Design
San Francisco, CA

Client
Civiq
Oakland, CA
December 15, 2005: CUP Resubmittal

Client
5110 Telegraph, LLC
Oakland, CA



VIEW OF ENTRY PLAZA ALONG 51ST

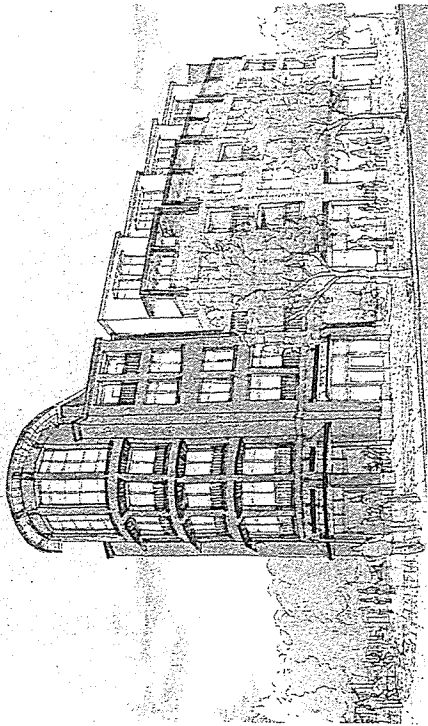


VIEW OF CLARKE ST. AND WALK AT REDONDO

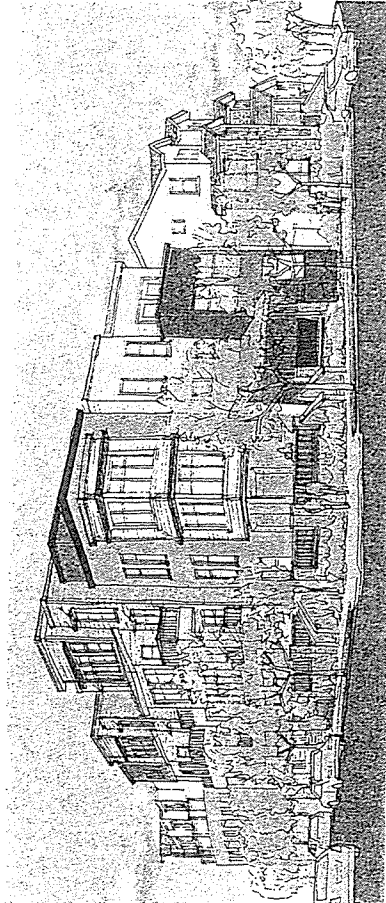
A3.3 Perspectives

Architect

Van Meter Williams Pollack
Architecture + Urban Design
San Francisco, CA



VIEW OF CORNER AT 51ST AND TELEGRAPH



VIEW OF 51ST AT CLARKE STREET

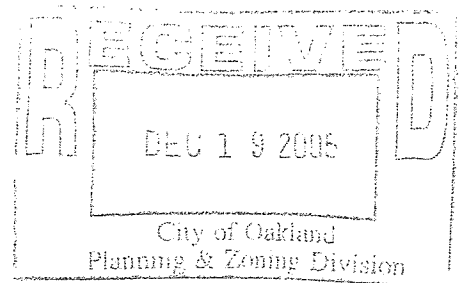
Client

5110 Telegraph, LLC
Oakland, CA

Client

Civiq
Oakland, CA
December 15, 2005: CUP Resubmittal

**“CIVIQ”
Community Benefits**



In 2000, the community surrounding the former site of the Pussycat Theater held a series of meetings to develop a series of values that they would like any future development at the site to meet. The agreed values are highlighted below. When the development group acquired the Pussycat Theater site in 2004, they made the purchase intending to fulfill as many of those values as possible. We are proud that we have been able to fulfill virtually all of them.

2000 COMMUNITY VALUES

Community Participation

Beginning in June, over 10 meetings with community leaders and target groups. In September and November, 2 widely noticed public meetings, each attended by about 50 people. The development team has provided full public disclosure of plans, models and other related project details and public meeting schedules. Several community ideas for improvement have been incorporated into the project.

Mixed Use; Encourage Diversity; Gathering Place

Mixed Use: retail space at 51st & Telegraph. Encourage diversity: a wide range of unit types including studios, 1 bedrooms, 2 bedrooms and 3 bedrooms. Gathering Place: 2 new public plazas will be created by the project.

Include Children’s Hospital Lot

Children’s Hospital lot is included in the project.

Recognize Temescal Creek in Design

The new plaza at the corner of 51st and Telegraph is being designed to recognize that Temescal Creek flows below it.

High Architectural Quality

The overall design of the project and the quality of materials to be used will be among the best in the city.

“Meet the Street” Design; Bicycle and Pedestrian Friendly

All street level units will be accessible directly from the street. The garage will contain secure

bicycle parking and the entire design of the project is intended to encourage walking.

Conform to Zoning

The new General Plan targets the site for “growth and change” while the older zoning rules would call for suburban style apartments on the Children’s Hospital part of the site. The General Plan takes precedence and the project complies with General Plan guidelines.

OTHER COMMUNITY BENEFITS

Benefits Coming from Suggestions Made in Community Participation

Enlarged Plaza at 51st and Telegraph: The size of the plaza at 51st and Telegraph has been increased by 33%.

City CarShare: A Memorandum of Understanding is near execution with City CarShare to create space for 2 CarShare vehicles at the site.

Walkway from FROG Park to 51st St.: The layout of the project has been modified to create a walk from FROG Park to 51st Street through the project itself and the design of the walk along Clarke and 51st Streets has been significantly enhanced with landscaping and lighting to create a second pleasant walkway.

Affordable Housing: The developers have begun discussions with a regional non-profit agency to implement mortgage financing for low income homebuyers to promote economic diversity in the neighborhood.

Other Community Benefits

Blight removal / community revitalization: The project will convert a long term eyesore, a fenced, vacant lot and an unattractive, barbed-wire-encircled, underutilized surface parking lot into an attractive, vibrant area amenity.

Underground parking: The project meets all City parking requirements and has placed all spaces underground with ingress/egress designed carefully to minimize impacts.

Open space: The project contains open space in excess of City requirements, including a central courtyard area in addition to the two open plazas along 51st St. and Telegraph Ave.

Abundant landscaping: The entire perimeter of the project along Clarke and 51st Streets will be extensively landscaped and lit with pedestrian level lighting. City staff have indicated that the

project's landscaping plan includes twice as many trees as allowed.

Environmental responsibility: The project will set a new standard for sustainable development in multi-family projects in the Bay Area. It will have the highest contribution to energy use from solar thermal and electric sources, will specify the use of sustainable or recycled materials where applicable and is intended to encourage reduced automobile use by being pedestrian, bicycle and transit friendly.

Reduced Urban Sprawl: The project fulfills the overwhelming support of Alameda County voters to reduce urban sprawl and increase density in the inner city. Every 4 units at the project are estimated to save an acre or more of rural land from sprawl development.

Economic. The project will provide a large new property tax base for the County and transfer tax base for the City. Approximately 125 new residents at the project will provide an enhanced economic base for Temescal and Rockridge small businesses.

September, 2005

Heather Klein
Community and Economic Development Agency
Planning & Zoning Services Division
City of Oakland
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612-2032

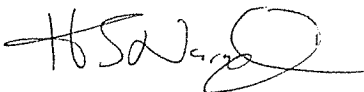
Dear Ms. Klein,

I own property at 5138 Clarke Street. Recently I reviewed information regarding a new mixed use (residential / commercial) development project at 5110 Telegraph Ave and 5107 Clarke St. in the Temescal neighborhood. I would like to express my support for the project.

The proposed 68-unit building plus 3,000 sq ft of commercial space will be a positive addition to the Temescal area. The project will convert a vacant and an underutilized lot at a prime Oakland intersection into productive uses. The landscape and design will be a welcome improvement to the neighborhood. The site is also near a variety of public transit options as well as many commercial services. Telegraph Avenue businesses will benefit from the increased commerce that the 150+ additional residents will bring.

The neighborhood will benefit from this project. I look forward to this addition to Temescal.

Sincerely,



H. S. NARAGHI

(415) 298-1095 (CELL)

ATTACHMENT C

Smith, Andrew

From: Briertom1@aol.com
Sent: Thursday, November 17, 2005 1:26 PM
To: asmith@oaklandnet.com
Subject: Proposed project at 5110 Telegraph

Dear Mr. Smith,

I am writing to indicate my full and unqualified support for the proposed project at 5110 Telegraph in its current form (per the presentation on November 14th at the Temescal Library).

I was greatly impressed by the elegant and thoughtful project presented. I thought the design to be exceptionally sensitive in its response to a site with many faces and considerations, while still managing to gracefully achieve a project that was handsome, coherent and exciting.

I think the neighborhood is exceptionally fortunate in the developer and his choice of architects. Ron Kriss has long term and deep familiarity with our neighborhood, and knows what good urban infill projects are all about and has a local development track record that clearly demonstrates that. Rick Williams, as a recent resident, also knows our neighborhood well. He takes neighborhood concerns seriously, and he and his firm consistently produce sensitive designs of the highest design standard.

It was clear from the meeting that the single greatest concern being voiced by some - and I emphasize the word some - members of the community was regarding the issue of the proposed building height. In particular, some neighbors were concerned that the height would create a new precedent encouraging 65' buildings all up and down Telegraph.

I think that the new building at 48th and Telegraph, which at the street line is 4 stories with some 5 story elements, and nearly 6 stories further back, demonstrates both that taller buildings along Telegraph not inappropriate to the wide scale of the street, and, at the same time, that the height of that building is about the limit that the scale of the street can handle.

That said, the scale of the intersection at Telegraph and 51st is very large. Given its importance and its scale, I think it is more than appropriate to have a tall building at that corner, creating a landmark and a presence that announces and identifies that part of Telegraph. I particularly like the lantern-like effect of the elevated corner tower. In the exciting and beneficial impact of the proposed building, its height and scale play an important role. I feel strongly that a shorter building would represent an opportunity missed, not a calamity avoided.

The issues presented at the meeting made it clear to me that an amended Telegraph zoning ordinance, with careful attention issues of height and building element setbacks, should be done as soon as possible so that both the community and future developers know what the design and planning intentions are and where the bars are set. And such a planning vision could include taller buildings at intersections that have neighborhood, civic, and transit village importance.

Thank you,

Brier Tomlinson

4104 Webster Street, Oakland, CA

RECEIVED

NOV 22 2005

CITY PLANNING COMMISSION
ZONING DIVISION

Jane Kramer
535 41st Street, #7
Oakland, CA 94609
November 21, 2005

Andrew Smith, Case Planner
Planning and Zoning Division
250 Frank H. Ogawa Plaza, *suíte 2114*
City of Oakland
Oakland, CA 94612

Dear Mr. Smith,

This letter is in regard to the development of the 51st street/Telegraph property. On Nov. 14, 2005 I attended a meeting open to the community and called by Roy Alpert, developer, to discuss his development plans for the above property. I came away from that meeting irate.

Four years ago I was one of many Temescal community members who labored for many months over creating a feasible plan that would meet both the requirements for commercial development and community needs. Instead, what I heard at this meeting was a development plan that promotes commercial/retail development to the total exclusion of community as follows:

1. There was originally to be a multi-purpose building and a bandstand in the center of the property, surrounded by apartments. It would serve as a daycare center, a theater stage, a band area, etc. Instead, Mr. Alpert has converted this building into a private eating area for the surrounding apartments.
2. There was originally to be a kiosk on the plaza facing 51st street and it was to serve as a community information area. Mr. Alpert has eliminated it.
3. There was originally to be a walkway through the property that reflects the underground pathway of Temescal Creek. It would not only symbolize the present connectedness of the neighborhood to its past, but also contribute to the actual sociability of the community as its members walked along a pleasant and interesting pathway. It is not at all clear that any serious provision for this walkway is being planned by Mr. Alpert.

In place of these community aspects, Mr. Alpert offers the following:

1. Trees and street lighting along 51st street. (But these were listed in the original plan.) Mr. Alpert claims that they will focus the attention of passers-by on the first two stories of the six-story apartment complex that he plans for this site.
2. Mr. Alpert defends this six-story complex on the basis that high-density housing will bring trade and development into the Temescal area, especially along Telegraph avenue and that the street ambiance along 51st Street will open up the attention of apartment dwellers in this complex to the community outside. Further, he claims, that with the cost of solar panels and other amenities, he must have this six-story/68-unit apartment complex in order to make a profit.

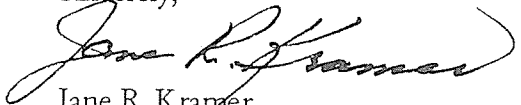
3. One of his two criteria for finding a retailer for the 51st Street/Telegraph corner of this complex is that it will serve as a meeting place for the community.

My response to Mr. Alpert's claims is as follows:

1. If one looks at the design of the apartment complex, its focus is turned inward toward the eating area, not outward toward the community.
2. Distracting the attention of passers-by from the height of the complex does not create a sense of community. Rather, it creates a sense of disconnectedness and a false sense of security.
3. What is high-density? Presently, no one lives on this property. Density is zero. One apartment unit is a 100% increase in density. Let's say 50 units are to be built on this property, this is a 5000% increase in density. Is not a 5000% increase in density enough to spur spending on Telegraph Avenue? Are 68 units essential when other high-density units may also be built along Telegraph Avenue, therefore further increasing supposed spending in the neighborhood?
4. Mr. Alpert tells us via his traffic expert that the traffic increase at the corner of his proposed 68-unit apartment complex will only result in a ½ second slow-up time in a type-D traffic pattern. (A bad traffic jam excuses further wait, I suppose.) But this is not a realistic attitude to take if further "high-density" development is planned for Telegraph Avenue in the future.
5. Of course, Mr. Alpert is quite welcome to compete with others for establishing a community meeting place on Telegraph Avenue. The fact is, however, we already have several such places in the neighborhood, two of which are the public library and the Temescal Cafe (one across the street and the other ½ block down the street from the development site, respectively).

To conclude, it appears to me that what has happened is that this community created a workable plan for development of the 51st Street/Telegraph Avenue corner property only to have a commercial developer scoop it up for his sole profit to the exclusion of the real community needs that Temescal neighbors have already defined for themselves. Mr. Alpert's rhetoric does not suffice.

Sincerely,



Jane R. Krapner
Resident of Temescal Neighborhood

cc: Jane Brunner
Oakland City Council Member

December 14, 2005

Mr. Darin Ranelletti
Community and Economic Development Agency
City of Oakland
250 Frank Ogawa Plaza, Suite 3315
Oakland, CA 94612

RE: Proposed Civiq Project

Dear Mr. Ranelletti:

The Board of Directors of the Temescal / Telegraph Community Association (Business Improvement District) considered the proposed Civiq project at 51st Street and Telegraph Ave. at its regularly scheduled board meeting on November 28. The Board voted 10-1 to support the project.

The proposed project is squarely in the middle of our district. Despite the fact that the site is located at one of the busiest intersections in Oakland, it has been a vacant lot for 7 years; before that it was the site of the infamous Pussycat Theater. The proposed project will fill a long-standing need in our District to bring more life and activity to Telegraph Avenue on the north side of 51st Street and will add many new homeowners to our neighborhood within easy walking distance of many of our shops.

There was enthusiastic support for the attention to architectural and landscape detail the developers are bringing to the project, and much appreciation for the public plazas the project will create. Placing the parking underground, while costly, will allow most of the ground level units in the development to be entered directly from the street; this will encourage a more pedestrian-friendly environment that will benefit the entire neighborhood.

Our District is concerned about parking. As our neighborhood resurgence continues, parking has become more of an issue at certain times during the day. The Board does not feel the proposed Civiq project is the cause of our parking situation, but the Board used our consideration of the Civiq project to commit ourselves to work with property owners in the neighborhood and the City to develop more parking facilities that can serve our District.

We urge the commission to approve a Conditional Use Permit for the Civiq project when it comes before you for consideration.

Sincerely,



Rick Raffanti
President, TTCA

VALVA REALTY COMPANY

REAL ESTATE AND INVESTMENTS

678 - 14TH STREET

OAKLAND, CALIFORNIA 94612

TEL: (510) 451-7317

FAX: (510) 451-1724

December 18, 2005

Mr. Darin Ranelletti
Community and Economic Development Agency
Planning & Zoning Services Division
City of Oakland
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612-2032

RE: 51st and Telegraph Avenue Proposal

Dear Mr. Ranelletti:

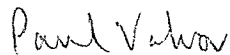
I own property at 5264 Locksley Avenue in the Rockridge neighborhood of Oakland.

I am writing to express my **support** for the 5110 Telegraph Ave/5107 Clarke St. project in the Temescal neighborhood.

I believe the proposed 67-unit building plus 2,900+ sq ft of commercial space will be a positive addition to the Temescal area. The project will convert two lots, one vacant and one underutilized, at a prime Oakland intersection, into productive uses. The landscape and building design will be a welcome improvement to the neighborhood. The site is also near a variety of public transit options as well as many commercial services, therefore appropriate for dense, infill housing. Telegraph Avenue businesses will benefit from the increased commerce that the 150+ additional residents will bring.

The neighborhood will benefit from this project. I look forward to this addition to Temescal.

Sincerely,



Paul Valva



Ranelletti, Darin

From: Jeff Kao [emmaleejk@yahoo.com]
Sent: Wednesday, December 28, 2005 9:49 PM
To: douglas boxer; Jane Brunner; Claudia Cappio; Nicole Y Franklin; Colland Jang; Suzie W Lee; Michael Lighty; Mark A McClure; Anne E Mudge; Jeff Norman; Darin Ranelletti
Subject: 51st and Telegraph

To whom it concerns,

I am a resident of the Temescal neighborhood of Oakland. I am writing at this time to voice my opposition to the proposed construction of residential housing at the intersection of 51st Street and Telegraph. The project will dwarf the architecture surrounding it and make an ugly intersection out of scale as well. How is it that a building that's twice the height of anything around it is even open for discussion?

Bad architecture is almost irreversible, and to allow a handful of investors to make money at the expense of everyone else who has to look at it everyday, seems to be a white collar crime of the most pathetic sort.

Make them come up with a better design.

Jeff Kao
495 Rich Street
Oakland, CA 94609

Yahoo! DSL - Something to write home about.
Just \$16.99/mo. or less.
dsl.yahoo.com

Ranelletti, Darin

From: Martha Bergmann [marthabergmann@sbcglobal.net]
Sent: Friday, December 30, 2005 7:38 AM
To: dboxer@gmail.com; nicolefranklin@gmail.com; colland@aol.com; suzie@yhla.net; mlighty@calnurses.org; mcclure@appliedip.com; amudge@mofo.com
Cc: dranelletti@oaklandnet.com; ccappio@oaklandnet.com; jbrunner@oaklandnet.com; Jeff Norman
Subject: Proposed development at Telegraph and 51st Street

Dear Folks,

I would like to add my objections to the project named above. The proposed scale is detrimental to the very welcome improvement now visible in the Temescal community. These negotiations are critical for the ongoing development of the neighborhood. That the buildings exceed height requirements and have raised concerns within the community is an opportunity for the residents and developers to come to a resolution that satisfies the people who work and live nearby. A successful outcome will set the tone for future projects; an acrimonious one could damage community relations at the very moment when everyone involved has a long-awaited sense of optimism for Temescal. In the coming negotiations, please keep in mind the big picture: a thriving, diverse, unique part of Oakland deserves the best, most inclusive thinking we can muster.

Thank you.

Ranelletti, Darin

From: John Gatewood [johnnyg@california.com]
Sent: Friday, December 30, 2005 12:54 PM
To: dboxer@gmail.com; nicoleyfranklin@gmail.com; colland@aol.com; suzie@yhla.net;
mmighty@calnurses.org; mmcclure@appliedip.com; amudge@mofo.com
Cc: Ranelletti, Darin; ccappio@oaklandnet.com; jbrunner@oaklandnet.com
Subject: Proposed project at 51st St. & Telegraph Ave.

Dear Planning Commissioners;

The Planning Commission is going to make a policy decision when they rule on the variances being asked for by the developers of the proposed project at 51st Street and Telegraph Avenue, case number CMDV05-469. Whatever they decide is going to set the precedent for future in-fill residential development in Temescal and Lower Rockridge.

We residents of North Oakland are well aware of the possible future developments in our neighborhood:

- 1) The site of the Kingfish Pub and adjacent buildings on Claremont Avenue, extending through the block to Telegraph Avenue.
- 2) The vacant lot and apartment buildings on the east side of Telegraph Avenue at 48th Street.
- 3) The lot at 48th Street and the Freeway.
- 4) The site of the former Walter Blumert Company, northeast corner of Telegraph Avenue and 43rd Street.
- 5) The proposed six story project at the site of the former Social Services office on Broadway between 45th and 49th Streets.
- 6) The vacant lot at the southwest corner of 51st Street and Broadway.
- 7) The Casper's parking lot at 55th Street and Telegraph Avenue.
- 8) The site of the former Dave's Coffee shop at 42nd Street and Broadway.
- 9) The Matilda Brown Home at 42nd Street and Manila Avenue.
- 10) The present site of Global Video at Telegraph and Claremont Avenues.
- 11) The vacant lot on the west side of Shattuck Avenue at 49th Street.
- 12) The two proposed 20+ story towers and other redevelopment at the MacArthur BART station (40th Street and Telegraph Avenue, as well as adjacent city blocks.)

What is before the City are two competing visions of what in-fill residential development should look like in our neighborhood.

The developers of this project represent one vision. Their vision is to use the most generous formula allowed under the General Plan to calculate a maximum density of 68 units on the site. Only then do they figure out how to actually fit 68 units on this site. The result is a project that is physically out of scale with the surrounding neighborhood. They propose a 65 feet tall tower at the corner of 51st Street and Telegraph Avenue, when the maximum height allowed under current zoning is only 40 feet. Please note also that the historic block of buildings directly across 51st Street from this tower are only two stories tall. The developers propose town homes of three stories on Clarke Street. Zoning allows a maximum height of 25 feet in this area with a maximum-pitched roof height of 30 feet. These town homes are 35 feet at the eaves and 41 feet at the peaks. Clarke Street is a narrow residential street with five homes directly across the street from this project. Three of these homes are one story, one home is 1 1/2 stories and the last one is barely 2 stories. Proposing three story town homes directly across the street from these much smaller homes is out of scale with the existing street.

Our vision for in-fill residential development in our neighborhood embraces ALL of the General Plan not just the increased density called for in the plan. We are in favor of increased density in our neighborhood and also embrace the General Plan's designation of our neighborhood as a 'growth and change' area. However we believe projects in our neighborhood can achieve these goals and still be consistent with the fabric of our neighborhood. Maintaining the existing fabric of Oakland's neighborhoods is also a goal of the General Plan.

We ask that the Planning Commission compel the developers of this site to reduce the

· height of their proposed project to bring it more in scale with our neighborhood.

Sincerely,

John Gatewood
360 50th Street
Oakland, CA 94609

Ranelletti, Darin

From: Dan Littman [danlittman@earthlink.net]
Sent: Tuesday, January 03, 2006 9:50 AM
To: dboxer@gmail.com; jbrunner@oaklandnet.com; ccappio@oaklandnet.com;
nicoleyfranklin@gmail.com; colland@aol.com; suzie@yhla.net; mlighty@calnurses.org;
mmcclure@appliedip.com; amudge@mof.com; jnorman@california.com;
dranelletti@oaklandnet.com
Subject: 51st and Telegraph Planning

1/3/06

Dan Littman
4108 Shafter Ave.
Oakland, CA 94609

Douglas Boxer, dboxer@gmail.com
Jane Brunner, Oakland City Councilmember, jbrunner@oaklandnet.com Claudia Cappio, Director
of Planning, ccappio@oaklandnet.com Nicole Y. Franklin, nicoleyfranklin@gmail.com Colland
Jang, colland@aol.com Suzie W. Lee, suzie@yhla.net Michael Lighty, mlighty@calnurses.org
Mark A. McClure, mmcclure@appliedip.com Anne E. Mudge, amudge@mof.com Jeff Norman,
jnorman@california.com Darin Ranelletti, Planner, dranelletti@oaklandnet.com

Greetings. I'm a Temescal resident and concerned about the proposed development at 51st
and Telegraph. I won't be able to attend the January 18 meeting so I ask you to read this
e-mail message instead.

I'm not opposed to developing the piece of land in question, but I think the current
proposal is just too big. If you're not familiar with Temescal, I urge you to visit and
walk or bicycle around (it's a good neighborhood for that) to see the scale that makes the
area coherent. The area has very few four-story buildings, let alone six-story buildings,
even on the commercial strips that border the neighborhood. It would be a shame to start
trashing one of the few neighborhoods that provide a viable model for how the city can be
both dense and livable. My other concern has to do with the greenbelt. People in Temescal
and Rockridge have labored for years--decades, in fact--to open a small, friendly, green
area along the former creek bed. The path runs into the land at 51st and Telegraph, and so
far the developer has not committed to letting the greenbelt stay. If the project closes
the southern end of it, it will cut Temescal residents off from the park they love.

Thanks for listening.

Dan Littman

Ranelletti, Darin

From: r temple [templetime@jps.net]
Sent: Wednesday, January 04, 2006 11:16 AM
To: dboxer@gmail.com
Cc: nicoleyfranklin@gmail.com; colland@aol.com; suzie@yhla.net; mlighty@calnurses.org; amudge@mofo.com; dranelletti@oaklandnet.com; jbrunner@oaklandnet.com
Subject: 51st and Telegraph Project Project Case Number CMDV05-469

Hello and Happy New Year

I am writing to express my extreme objection to the height of the proposed development at 51st and Telegraph, project case number CMDV05-469. I am also concerned about issues relating to parking, public greenbelt access and the affordability and cultural diversity.

In 1993, I bought an old house on 47th st and have put my heart and soul into fixing it up and making it a place for myself and my family to live. I have repaired and painted, keeping in mind the style of the house and the neighborhood. I bought in Temescal for it's geographic centrality, it's cultural and economic diversity, it's artistic community, (of which I am one of it's musical members), and the sense of community here.

Although I understand that the General Plan calls for high density housing, I do feel that 6 story buildings are not in keeping with the feeling of this community. One couldn't say for instance that there is affordable housing at the Temescal Place building. I also feel that 4 stories on a side street such as 48th west of Shattuck (one block from my home) are not in keeping with the historic fabric of this community. I am not opposed to building here and I understand the need for more housing, but feel the emphasis should be on more affordable housing in buildings that are respectful of the scale and architecture of Temescal.

I request that the size of this project be scaled down and future projects be subject to some form of community review.

Robert Temple
552 47th St
Oakland, Ca 94609
510 654 2329

Ranelletti, Darin

From: Janelle Cavanagh [jcavanagh@girlsinc-alameda.org]
Sent: Wednesday, January 04, 2006 5:05 PM
To: dboxer@gmail.com; mlighty@calnurses.org; nicoleyfranklin@gmail.com; mmclure@applieddip.com; colland@aol.com; amdge@mofo.com; suzie@yhla.net
Cc: DRanelletti@oaklandnet.com; ccappio@oaklandnet.com; jbrunner@oaklandnet.com
Subject: Development on 51st and Telegraph

Dear Planning Commissioners:

I am upset about the huge building which may be developed at 51st and Telegraph. You will be discussing this development on January 18th. We have received over 200 signatures against this development. I wrote the following letter to the Rockridge News to share my opinion with the neighborhood. My hope is that you will read the letter below and oppose this development until it matches the fabric of our neighborhood.

Dear Rockridge News:

You should be aware of some drastic changes that may occur in your neighborhood. I believe thoughtful real estate development can be beneficial for our neighborhood but I am gravely concerned about a condominium complex planned for the corner of 51st and Telegraph. Developers are planning to build a 67 unit complex that is significantly higher than zoning allows. This development will extend to Clarke St. where 39-ft. high townhouses would cut out light and increase traffic for those living in the mostly single story homes nearby. The 65-ft. tower proposed for the corner of Telegraph and 51st would be twice the height of Global Video next door. (Planners consider 10 feet equal to one story--this project would be equivalent to 6-1/2 stories at this corner.)

This development is critical to Rockridge residents. If our Planning Commission allows this complex as proposed, the way will be paved for this developer and others to build more six story buildings throughout the neighborhood. It is important to recognize that this developer plans to develop several properties in the Rockridge area--such as the Kingfish property on

Claremont. I am hoping our RCPC Council will listen and stand by the nearly 100 Rockridge residents that have signed the petition to lower the height of this development.

Growth and change is going to happen and can be wonderful for the neighborhood but we should not accept projects where the height is out of scale with the neighborhood. We should request that the Planning Commission insist on bringing down the height of this complex to better fit in with the neighborhood. Here are the reasons I believe you need to join me in telling our Planning Commission this excessively tall development cannot happen:

1. This plan exceeds zoning height allowances. If approved this project would establish a precedent for more 6-story (or higher) buildings in the neighborhood.
2. This proposal goes against the city's General Plan which states development must be compatible with the historic fabric of its surroundings. On almost every side of this project, the proposed heights would be twice as high as anything around it.
3. A decrease in on-street parking availability from both occupants of this project and their guests would have an adverse impact on nearby residents and local businesses.
4. While the traffic report prepared for this project concludes that the "project would not result in any significant transportation impacts, how could the additional traffic from this project not worsen the already congested nearby intersections on Telegraph, 51st St., and Claremont? Furthermore, despite the buzz words now in popular use, there is no proof, that this "transit and pedestrian oriented" development would actually get the residents of this project out of their cars.
5. Even though the shadow study presented by the developers minimized the decrease in sunlight for those on Clarke St., the impact on those who live there will be appreciable.
6. No follow-through by the developers has been made on their stated intention to work with the community to find a solution to extending the

Rockridge/Temescal Greenbelt to the corner of Telegraph and 51st Streets.

Does this development need to be so detrimental to our neighborhood? I don't think so. We should work with our local City Councilwoman Jane Brunner to create a long-range strategic growth plan for this area. We should not be developing our neighborhood piece by piece--making the developers rich at the expense of the qualities that contribute to our neighborhood's uniqueness and appeal.

Please speak up against this project.

Sincerely,

Janelle Cavanagh

Resident on Miles at 51st Street

January 5, 2006

Darin Ranelletti
City of Oakland Planning and Zoning
e-mail: dranelletti@oaklandnet.com

Re: Proposed Development Plans
Telegraph Avenue at 51st Street, Oakland

Dear Mr. Ranelletti:

This letter is submitted as public comment on the proposed development at the intersection referenced above. Specific issues I want the City to address in considering plans for the subject project are listed below:

Daylighting Temescal Creek: Temescal Creek flows under a corner of the project site in an arched culvert. This culvert is going to need repairs considering it is over 100 years old. In considering the layout of the proposed development project, I urge the City to plan for having to excavate down to the culvert level at some point. I also urge the City to consider the most cost-efficient and culturally beneficial strategy for managing the creek in the long-term: daylighting Temescal Creek when the culvert must be dealt with. Planning for the long-term now will undoubtedly save the City and taxpayers money and wasted efforts.

Matching the existing setting: The Temescal neighborhood has flourished in recent years as a unique district in our region. In reviewing the proposed development plans, the City should make sure the neighborhood is able to maintain its identity and vitality. The proposed development should match the existing architectural setting, especially with regards to building height.

I would hope the City of Oakland shows that it supports the long-term vitality of its communities. I am available at 510-459-3967 or by email at Josh@MountainCurrent.net should you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Bergstrom', with a long horizontal flourish extending to the right.

Josh Bergstrom, P. G.
1119 65th Street
Oakland, CA 94608

Ranelletti, Darin

From: Jeanne Hendrickson [hendoc@sbcglobal.net]
Sent: Thursday, January 05, 2006 2:25 PM
To: dboxer@gmail.com; nicoleyfranklin@gmail.com; colland@aol.com; suzie@yhla.net;
mmighty@calnurses.org; mmcclure@appliedip.com; amudge@mofo.com
Cc: dranelletti@oaklandnet.com; ccappio@oaklandnet.com; jbrunner@oaklandnet.com;
jnorman@california.co
Subject: Proposed Development at Telegraph and 51st

To Whom it may concern,

We have lived in the Temescal neighborhood of Oakland since 1992. We would not want to see our friendly, small scale neighborhood, overshadowed by such huge project. The proposed project is out of scale with the surrounding neighborhood and would be detrimental to the quality, look and feel of Temescal. This project would therefore be out of compliance with the General Plan, which states that higher density developments--even in "growth and change" areas--must be compatible with the fabric of their surroundings. This huge departure in scale would seriously undermine one of the key factors of our unique Oakland neighborhood.

This project would establish a precedent for more 65-foot or higher buildings along Telegraph, Shattuck, and Claremont and would open the door to a canyon of tall buildings and the destruction of our friendly neighborhood feel. There would be increased traffic congestion causing delays, environmental (air and noise) degradation as well as blocking the light for some, and decreases in pedestrian and bicycle safety.

A decrease in parking availability will have a potential adverse impact on local businesses not to mention the surrounding streets where parking is already at a premium.

Temescal's long-standing cultural and economic diversity must be preserved.

We thought City Council and the City Planners wanted to support and promote preservation of the unique charming neighborhoods of Oakland rather than degrading them. Has this changed?

Thank you for your time and attention to this matter.

Sincerely,

Jeanne M. Hendrickson and Don Dockery
497 Rich Street, Oakland, CA 94609

Ranelletti, Darin

From: Leslie Aguilar [aguilarleslie@yahoo.com]
Sent: Thursday, January 05, 2006 5:23 PM
To: dboxer@gmail.com; mlighty@calnurses.org; nicoleyfranklin@gmail.com; mmcclure@applieddip.com; colland@aol.com; amdge@mof.com; suzie@yhla.net
Cc: DRanelletti@oaklandnet.com; ccappio@oaklandnet.com; jbrunner@oaklandnet.com
Subject: 51st & Telegraph Development

I am strongly opposed to any large scale development of this area or any in the Rockridge area that doesn't fit with the historical, architectural, or community values of the neighborhood. I understand a 67 story complex is being planned at 51st & Telegraph. It'll ruin that area in so many ways and makes no sense.

Please deny any requests for height variances on this project.

Sincerely,

Leslie Aguilar

Yahoo! DSL Something to write home about. Just \$16.99/mo. or less

Ranelletti, Darin

From: Brian HENDERSON [bdh1968@msn.com]

Sent: Thursday, January 05, 2006 8:07 PM

To: suzie@yhla.net; amdge@mofa.com; colland@aol.com; mmclure@applieddip.com; nicoleyfranklin@gmail.com; mlighty@calnurses.org; dboxer@gmail.com

Cc: jbrunner@oaklandnet.com; ccappio@oaklandnet.com; DRanelletti@oaklandnet.com

Subject: 51st and Telegraph Development

Planning Commissioners:

Please do not grant the zoning variance for the condo development at 51st and Telegraph. While new development at 51st and Telegraph would be refreshing, the 6 story building being proposed is much too tall for the historic character of the neighborhood. It's simply a greedy developers attempt to make money, and if you grant this variance it will open the door to more tall structures. In addition, the proposed development will overburden traffic, parking, and pedestrian access in the neighborhood.

Please deny the variance and stand up for our community.

Sincerely,

Brian Henderson
330 Clifton Street

[3 FREE months of MSN Dial-up Internet service. Click for full details and to sign-up now!](#)

Ranelletti, Darin

From: Joan Marie Wood [joanmariew@earthlink.net]
Sent: Friday, January 06, 2006 1:22 PM
To: mlighty@calnurses.org; ccappio@oaklandnet.com; jbrunner@oaklandnet.com; jnorman@california.com
Cc: dranelletti@oaklandnet.com
Subject: Concerns regarding Project Case Number CMDV05-469 (51st and Telegraph Ave.)

January 6, 2006

Dear Planning Commissioner Lighty,

I am writing regarding the 67-unit condominium development proposed by developers for the 51st Street & Telegraph Ave. site in north Oakland (Project Case Number CMDV05-469). As a Temescal resident for twenty-two years, and owner of a house four blocks from the proposed project, I wish to voice some strong concerns.

1. I think that the project's height is out-of-scale with the surrounding neighborhood. I do not object to the principle of high density infill, but feel that any such development must complement the specific neighborhood and site for which it is proposed. In the case of Telegraph Avenue in Temescal, our neighborhood includes many unique, historic storefronts, especially on the block between 49th and 51st St. The proposed project is 65 feet high at the corner < 25 feet (2 1/2 stories) taller than zoning allows, and twice as high as the 2-story block to the south. The buildings proposed for the commercially zoned areas of the site (along 51st and in back of the Global Video wall along Telegraph) are 57-59 feet tall in a zone that has a maximum height of 40 feet. I feel strongly that a development at this gateway corner should relate to and reinforce the neighborhood assets on the block to the south, not overwhelm them, as the height and mass of this one will.

2. I am very concerned that the approval of this project would set a precedent for more six story buildings in this neighborhood. Perhaps it is possible for the Commission to create a legal document specifying that this project could not be viewed by future developers as creating a height precedent. But how will this be enforced long-term? It seems to me that the existence of three buildings over sixty feet tall in this area (this project together with Temescal Place at 48th and Telegraph, built by the same development team last year; and the UC Mini-Storage Building at 45th St.) will simply by their presence exert pressure for more of the same.

3. I'm worried about construction so close to the Temescal Creek culvert, which is 106 years old. (The arched culvert was built in 1900; its floor was reinforced in 1986.) The northwest corner of Building 1 of the project looks to be pushed up close to the culvert, and a plaza is planned to cover the area under which the creek runs. Tom Hinderlie of Alameda County Flood Control Maintenance and Operations (670-5619) has told me that anything constructed on top of this culvert would have to be removed, should a failed culvert require repair. Who will be responsible for this?

I'm concerned also about the potential water quality implications of this development for the creek and the Bay, and think that an Environmental Impact Review should not be waived.

3. Finally, I'd like to point out that the Greenbelt Extension (of FROG Park which has its current termination at Clarke and Redondo) that the developers propose, which runs through the center of the project, will not have guaranteed public access. The condo homeowners association could close it at any time. I don't see how this can be considered an adequate extension of the Greenbelt.

The last two points above relate to a more general issue that I believe any development on this site must consider central: the presence of Temescal Creek. This is the only spot on Telegraph Avenue in Oakland through which a creek (though culverted) crosses. Not to orient structures so that this fine asset can be recognized and honored, seems like a lost opportunity for the whole community, ultimately short-sighted. For example, in the proposal, the northwest building has its back facing the area which has the culverted

creek, and its tall mass will cast, it seems, a great deal of shadow on the stretch that could be, eventually, a satisfying Greenbelt.

There are many fine qualities in this project, including green building elements and a plaza that would enhance our neighborhood. I am not writing in opposition, but want to help the project succeed, and to be a model for Oakland and the East Bay, in its details and in its integration with the surrounding area. In my view, the overall height of the project must be reduced, thereby eliminating its capacity to set precedent, and bringing its aesthetic in line with the scale and distinctive character of the neighborhood. In addition, the issues around the culverted Creek and the Greenbelt must be addressed satisfactorily.

Therefore I ask that the Planning Commission NOT give the go ahead to the project as it stands.

Sincerely,

Joan Marie Wood
4907 Shafter Ave.
Oakland, CA 94609
510/653-4576

Ranelletti, Darin

From: Tomiskye@aol.com
Sent: Sunday, January 08, 2006 12:05 PM
To: dboxer@gmail.com; nicoleyfranklin@gmail.com; Colland@aol.com; suzie@yhla.net; mlighty@calnurses.org; mmcclure@appliedip.com; amudge@mofo.com
Cc: dranelletti@oaklandnet.com; ccappio@oaklandnet.com; jbrunner@oaklandnet.com; jnorman@california.com; Tomiskye@aol.com
Subject: Case Number: CMDV05-469

Case Number: CMDV05-469

Planning Commissioners,

I live on the 45th street in the Temescal neighborhood and object to the height of this proposed project at 51st. Street and Telegraph.

The tower at the corner is 25 feet over the what is allowed by code and way out-of-scale with the neighborhood context. According to the General Plan an infill project such as this should be based on what is compatible with the surrounding fabric of the neighborhood.

Approval of this project will allow developers a precedent for more buildings which are inappropriate and out-of-scale for our neighborhood.

I believe that the Planning Commissioners need to require the developers to honor all of the recommendations of the five-year community process, General Plan and other code requirements.

Please do not allow this project to proceed without requiring the developers to reduce the height of the proposed project to conform with the codes, recommendations and to be in keeping with the scale of the surrounding Temescal neighborhood.

Sincerely,
Tomi Kobara
437 - 45th Street
Oakland

Ranelletti, Darin

From: Lory Hayward [lorylyh@yahoo.com]
Sent: Monday, January 09, 2006 8:04 PM
To: dboxer@gmail.com; nicoleyfranklin@gmail.com; colland@aol.com; suzie@yhla.net; mlighty@calnurses.org; mmcclure@appliedip.com; amudge@mofo.com
Cc: jbrunner@oaklandnet.com; DRanelletti@oaklandnet.com
Subject: Planning Commission Letter

Dear Planning Commission Members:

I am writing in response to information that I received at a neighborhood meeting recently about the proposed mixed-use development at 51st and Telegraph. As I understand it, if approved, you will be allowing a 4 to 6 story building with 65-foot tower to be built. That would make it 25 feet over code and more than twice as high as the buildings across the street. A building this high, will completely overtake the skyline, congest traffic and make parking a nightmare. I am disappointed and angry that the city is allowing developers to come into our neighborhood and build beyond code. And then what's next? If I wanted to be surrounded by 65-foot buildings with no soul I would buy a house in Emeryville.

The proposed project is out of scale with the surrounding neighborhood and therefore out of compliance with the General Plan. The General Plan states that any new development must be compatible with the historic fabric of its surroundings, which this new development is not. These huge overpriced condominiums that are being built in the Temescal are sacrificing the uniqueness, appeal and livability of this neighborhood.

What I love about this neighborhood is the diversity, sense of history and community. There are a large number of homeowners in the Temescal who take pride in their homes and in this community. Every development that is built, every family that is forced out of this neighborhood because they can't afford the mounting prices is angering many of the neighbors more and more. You should only allow new developments in the area that support the historical landscape and enhance the family friendly environment of the Temescal.

Since this is a community with a large percentage of homeowners living in their residents, the community should be allowed to view future development plans. At minimum the **developers should not be able to build above code, should not build anything taller than the buildings around it, should extend the green belt and create a development that will truly benefit and add to the uniqueness of the neighborhood; rather than devour it's soul.**

Thank you for your time.

Lory Hayward
595-0924

Yahoo! DSL Something to write home about. Just \$16.99/mo. or less

JOAN E. ETTLINGER
481 Alcatraz Avenue Apt. C
Oakland, California 94609
510.658.0572 (telephone)
510.428.9345 (fax)
510.847.5967 (cell)
jettlinger@hotmail.com

January 9, 2006

City of Oakland
Planning Commissioners
250 Frank Ogawa Plaza
Suite 2114
Oakland, California 94612

To City of Oakland Planning Commissioners:

Douglas Boxer dboxer@gmail.com
Nicole Y. Franklin nicoleyfranklin@gmail.com
Colland Jang colland@aol.com
Suzie W. Lee suzie@yhla.net
Michael Lighty [mighthy@calnurses.org](mailto:mighty@calnurses.org)
Mark A. McClure: mmcclure@appliedip.com
Anne E. Mudge amudge@mofo.com

Re: CMDV05-469
 Proposed Mixed-Use Development at 51st and Telegraph Avenue

Dear Planning Commissioners:

I object to several aspects of the proposed project: (1) building heights, (2) parking, (3) traffic congestion, (4) lack of public access to the proposed extension of Temescal Creek (5) building construction materials.

The intent of the C-28 zoning, adopted in 1992, as envisioned by the Upper Telegraph Coalition, the citizens group I co-founded to initiate zoning changes that would encourage economic growth and development along Telegraph Avenue, considered building heights in its deliberations. Six story buildings were considered, discussed and abandoned as Manhattanizing Telegraph Avenue and out-of-character with the historically pedestrian-scale nature of Telegraph Avenue and the surrounding neighborhoods. What was discussed and is reflected in the zoning is consideration of higher density at gateway areas such as the intersection of 51st Street and Telegraph Avenue.

A note: At the time of the adoption of C-28 zoning, the zoning on Telegraph Avenue had not been changed since the era of streetcars. Times change and the zoning written for a

world geared to streetcars was no longer appropriate for a world where car is king. As a result, Telegraph Avenue in the 1980s was struggling economically. In 1987, I, along with other community people formed the Upper Telegraph Coalition (UTC) and worked with the city planning department to establish the C-28 zoning.

The overall design and mixed-use compliments the neighborhood commercial character of Temescal but as stated above, there are several problems with the proposed project.

Building Heights

The entire project should be built to the heights allowed by the zoning code. Approval of this project may well set a precedent for projects that are out-of-keeping with the pedestrian-scale character of the neighborhood and will incrementally lead to a congested neighborhood that will destroy the very characteristics that make it the liveable neighborhood it is today and has been historically.

Traffic

This intersection has become very congested in recent years. It is not uncommon to sit in the middle of the Telegraph and 51st intersection waiting for the light to change at Claremont and Telegraph Avenues. The traffic generated by the businesses and residents of the project will exacerbate this problem. The intersection is presently considered very poor by the City's Traffic Engineering Department in terms of its ability to handle traffic. This project will exacerbate that problem. It will be a safety issue for the cars that are caught in the intersection as well as pedestrians and a liability issue for the City.

Parking

The project's proposed 90 parking spaces do not adequately serve the residents, commercial tenants or their guests and customers, respectively. There are 68 proposed units. Each unit will provide one parking space per resident. Although this may be code compliant, as a practical matter it will impact the neighborhood. Given the number of bedrooms in each unit, it is a reasonable assumption there will be more than one adult in most households and each adult will have a car. While the developers emphasize the public transportation options available to residents – implying that residents will use this option, they also remind people how close the project is to the freeway. It's nice to think residents will use public transit as their major form of transportation but it is unlikely. Like most people, residents will rely on their cars and where will those second household cars be parked? In the neighborhoods causing yet more parking problems.

The second component of the parking problem is the commercial businesses and their customers. Do the math. There are 90 parking places, subtract 68 units for the residents and the remaining 23 parking spaces will not adequately serve residents' guests, commercial tenants and their customers. There simply won't be enough on-site parking and the overflow will spill into the neighborhoods.

Greenbelt/Frog Park

The developers are proposing to extend the Temescal Greenbelt into the interior of the development and will offer no public access. The Greenbelt is a neighborhood treasure available to everyone. It is disingenuous, at best, to propose a project as extending the

neighborhood's public open space into a private sanctuary while adding traffic and parking congestion to the public areas.

Building Technology

The developers are using a new building technology. Unfortunately, we live in earthquake country. Has this technology been used in other earthquake prone areas? If so, how has it held up in an earthquake? If not, where is it being used and how is it holding up?

In summary, this is the kind of project I would like to see at this intersection, the mixed-use nature complements the mixed-use historical character of the Temescal neighborhood commercial shopping district but the buildings are too high, it promotes parking and traffic congestion, it expands on the Greenbelt for the exclusive use of the residents – this should also be available to the public, it is using building technology that may not hold up in an earthquake – unfortunately, in California, we often learn the hard way how well new building technologies hold up or not in an earthquake -- and it creates a density that is out-of-keeping with the current zoning.

An Environmental Impact Report should be conducted to determine the impacts of this project especially in the area of parking and traffic.

C-28 zoning reflects the community's vision for its little piece of Oakland and its vision was correct. The Temescal neighborhood has become the liveable, economically vibrant neighborhood the zoning was intended to create. Don't destroy the success of the C-28 zoning by incrementally approving projects, like this one and projects yet-to-be-proposed that are at densities too high for the sustainability of the quality of life offered by this neighborhood.

Sincerely,

Joan E. Ettliger

cc: Darin Ranelletti, Planner
Claudia Cappio, Director of Planning
Jane Brunner, City Councilmember
Jeff Norman

dranelletti@oaklandnet.com
ccappio@oaklandnet.com
jbrunner@oaklandnet.com
jnorman@california.com

Ranelletti, Darin

From: linda.rudolph [linda.rudolph@earthlink.net]
Sent: Tuesday, January 10, 2006 9:12 PM
To: dboxer@gmail.com; nicoleyfranklin@gmail.com; colland@aol.com; suzie@yhla.net; mlighty@calnurses.org; mmclure@appliedip.com; amudge@mofo.com
Cc: dranelletti@oaklandnet.com; ccappio@oaklandnet.com; jbrunner@oaklandnet.com; jnorman@california.com
Subject: 51st/Telegraph development proposal

I am writing to strongly urge you to vote against the current proposal for development at 51st Street and Telegraph Avenue. I have lived in this neighborhood since 1979, and have watched it go through many changes. I agree that the general plan vision for our neighborhood of higher density is positive - but only if managed in a way that complements and honors the existing neighborhood.

The proposed development would, if anything, destroy the entire ambiance of the neighborhood because it is completely out of scale with anything in the neighborhood. Constructed as proposed, the development would set a terrible precedent for this area - maximizing density at the expense of all other considerations.

Please do not allow developers to proceed with their current proposal - if they are not required to significantly scale back (particularly with regard to height), and to address real concerns regarding traffic impact, pedestrian safety, building safety, and environmental impact, the project should not proceed at all.

Thank you very much.

Linda Rudolph
5000 Manila ave
Oakland 94609

Ranelletti, Darin

From: Jeff Norman [jnorman@california.com]
Sent: Tuesday, January 10, 2006 5:00 PM
To: Darin Ranelletti
Cc: Claudia Cappio; Douglas Boxer; Nicole Y. Franklin; Colland Jang; Suzie W. Lee; Michael Lighty; Mark A. McClure; Anne E. Mudge
Subject: Telegraph and 51st St. proposal

Date: January 10, 2006
To: Darin Ranelletti, Planner
From: Jeff Norman
Re: Case Number CMDV05-469

E-mail copy to: Planning Commission members Douglas Boxer, Nicole Y. Franklin, Colland Jang, Suzie W. Lee, Michael Lighty, Mark A. McClure, and Anne E. Mudge; Claudia Cappio, Planning Director

Dear Darin,

As a homeowner and active community member in the Temescal neighborhood for over twenty years, I am writing to express my concerns regarding the proposed development at Telegraph and 51st St. in North Oakland (Case Number CMDV05-469). While there are many positive aspects of the proposal, I offer the following comments in the spirit of wanting to make this project as successful as possible while providing maximum benefit to the community and city.

Height

While higher density along the designated transit corridor of Telegraph is appropriate, the project as proposed fails to adhere to the General Plan's guideline that infill projects be compatible with their surrounding fabric. In addition, the excessive heights of the project fail to adhere to the Zoning Ordinance's requirement that projects should not adversely affect the livability of the surrounding neighborhood, with respect ³to harmony of scale,² or have a harmful effect ³upon the desirable neighborhood character.²

The proposed heights of all four buildings significantly exceeds zoning regulations. The proposed tower at the corner of 51st and Telegraph (C-28 zone) is 65 feet, 25 feet over what code allows (and twice as high as the buildings across the street and next door). Proposed heights on 51st St. (C-28 and R-35) exceed zoning by up to 17 feet (1-1/2 stories). Clarke Street (zoned R-40), with proposed heights up to 41 feet, exceed zoning by 11 feet. Building 4, which runs along the property line with Global Entertainment, is 29 feet over the allowable 30-foot height limit (R-40).

While there might not be ³a single design style in the area surrounding the project,² as the developers contend in their application, the largely uniform, predominant scale of Telegraph for many blocks in either direction is one or two stories of residential above commercial. This pervasive, historic, distinctive quality of Temescal's human scale along Telegraph is a key community asset that should be preserved and in doing so serve as the precedent in determining appropriate scale for any new development in the neighborhood.

In the Variance of Findings, the applicant does not demonstrate why the strict compliance with the specified height limits would result in practical difficulty or unnecessary hardship. There is nothing about the walkways and plazas that require the buildings to be taller than zoning allows. It even remains to be seen how the public will enjoy the plazas, given the noise and fumes generated by adjacent street traffic. Furthermore, while stepping down Building 2 along 51st St. as it approaches Clarke St. makes good sense, this does not in itself justify the excessive heights of any of the buildings proposed.

With each new higher building, the community incrementally loses more views of the hills and sky. While this might be subtle, it adds up, diminishing an important quality of life for those who live, work, and shop in Temescal. Contrary to the developers¹ contention that the height is supported by the General Plan's call for higher density, the project for all these reasons would have an adverse effect on the neighborhood by

essentially changing its character.

The city's policy should be to support infill developments that build on what is unique about Oakland's neighborhoods, rather than foster their homogenization. I urge the Planning Commission to deny all height variances the applicant seeks until the proposal reflects heights that are significantly closer to what zoning permits.

PRECEDENT. Approval of zoning variances on this project would establish a precedent for incremental changes and increased height along Telegraph, Claremont, and Shattuck Ave. Currently there are at least a dozen sites in Temescal and lower Rockridge that developers are eyeing, including several that the applicant now owns and intends to develop. If developers continue to push for maximum density on these sites, the entire distinctive fabric of the Temescal neighborhood will be compromised.

COMMUNITY PROCESS. The applicant has stated publicly that the General Plan's guidelines for density justified taking precedence over C-28 zoning heights because the zoning, established in the 1960, is outdated. While it is true that the city's zoning classifications date to that time, the current C-28 designation for Telegraph Ave. is the result of a much more recent, concerted effort on the part of the community to shape future developments and usage along Telegraph. Beginning in the late 1980s, the Upper Telegraph Coalition worked to bring Telegraph Ave., from 38th St. to the Berkeley border, from what had been a hodgepodge of zoning classifications, into a unified, C-28 designation. Among the many reasons for this effort to bring C-28 to Telegraph was to increase meet-the street, residential-over commercial, mixed-use development. Organizers were very clear that the 40-foot height limit established by C-28 would increase density in a way that was beneficial to the community while also preserving the district's characteristic scale. In 1992, with the cooperation of the Planning Department, the city councilmember from District 1, Temescal Neighbors Together, and the Temescal Merchants Association, C-28 was adopted for Telegraph Ave.

The community input effort, however, did not end there. In 2000, what has been a five-year community envisioning process relating to the Telegraph and 51st St. site began. Hundreds of Temescal and Rockridge neighbors have been involved in a process that has resulted in a Community Values Statement and a community design workshop that produced three alternative design concepts for the site. Both the Values Statement (item #7) and the designs specifically reflect the community's intention that any development on the site adhere to current zoning allowances--including height limits--for C-28, R40, and R35.

The city's zoning classifications might very well be in need of updating to make them consistent with the General Plan. However, it is also true that, in a very real sense, zoning for Telegraph was updated in 1992 and that the community has continued to reaffirm this designation. Contrary to what the applicant has inferred in his application, the Temescal community has never pursued changing the C-28 zoning along Telegraph Ave. to create higher density. Rather, were all new mixed-use projects along Telegraph to conform to current C-28 height limits, we would still have a significant increase in density, but at a level that complemented the existing fabric and which the district could support.

I encourage the Planning Commissioners to honor all the hard work and thought that has gone into this community process to establish and then adhere to the C-28 designation, and to deny the applicant's requests for the height variances they seek.

Other Key Issues

INCLUSIONARY HOUSING. Temescal has a long tradition as an affordable, diverse neighborhood. As housing prices have dramatically escalated in recent years, the economic and ethnic diversity of those able to afford living in Temescal has decreased. This trend, which is caused by factors far beyond the proposed project, nevertheless adversely affects the character of this traditionally working- and middle-class neighborhood. The residential units of this project, which range from studios to three bedrooms, will provide some diversity among the residents; however, because all the units will be offered at market rate, it will be impossible for lower income individuals and families to buy into the project. Every new infill residential development, including the one proposed for Telegraph and 51st, should include an 'inclusionary' housing component to make sure that Temescal's diversity is preserved.

TRAFFIC and PEDESTRIAN SAFETY. The finding by DKS Associates in its Traffic Study, that 'the proposed project would not result in any significant transportation impacts at the study intersections,' is simply not credible. The intersection of Telegraph and 51st St. is among the three busiest intersections in the city. On Telegraph, from 49th Street to Aileen Street (a span of only eight short blocks,

there are six metered intersections. Along 51st Street, from the Highway 24 exit to Shafter Ave. a span of only four blocks, there are three metered intersections. Already at multiple times during the day, not just rush hour, it is possible to be stuck at one of these metered intersections for more than one complete cycle of the traffic light. How could the traffic pattern in the vicinity of the project not have an adverse effect on the neighborhood when, according to the study, the proposed project would generate 778 daily trips. Furthermore, as the study states, ³the trip generation . . . does not include any trip reduction for linked or non-auto trips. Thus, the analysis presented in this report is a conservative estimate of potential impacts.² The study also reports that the Clarke St. and 51st St. intersection ³currently operates at LOS E during the P.M. peak hour conditions.² This means that residents of the proposed project are likely to be the most impacted.

The data for traffic at peak hours is vague in the study. There is no breakdown as to what constitutes a peak hour, or when during the peak hour the observations were made. It may very well be that there are conditions within a peak hour that are far worse than the average suggests.

Despite DKS's mention of the existence of controlled crossings and crosswalks at three of the four intersections studied, pedestrian safety at those intersection already are hazardous. Increased traffic from the proposed project will only decrease the level of service for pedestrians.

An area that the DKS study does not touch on is the additional level of CO2 generated by increased traffic from the project, especially during the peak A.M. period when vehicles, not yet warmed up, will be emitting higher levels of CO2. This potential impact should not be overlooked, considering that the intersection of Telegraph and 51st St. currently sees over 40,000 vehicles per day. The study also does not address the potential cumulative traffic and air quality impacts from other planned development projects nearby such as the Kaiser Hospital expansion, the MacArthur BART transit village, and the likely Children's Hospital expansion.

For these reasons, and because it is inconsistent with zoning designations, this project should not be granted an In-fill Exemption under CEQA.

A more thorough Traffic study should also be conducted, one that tests the original findings, provides a further breakdown of both DKS data and intersection turning movement volumes supplied by the city, and takes into account the additional traffic generated by the staff and customers of the project's commercial establishment(s), visitors, and maintenance staff.

ROCKRIDGE TEMESCAL GREENBELT: An Extension of the Rockridge Temescal Greenbelt (which now ends across the street at Clarke and Redondo) that the developers propose to route through the center of their project will not have guaranteed public access, as the route could be closed at any time by the condo association or its insurer. Despite what the applicant has stated in his application about how this amenity would satisfy the community's desire for a walkway through the project that links the Greenbelt with Telegraph and 51st, this cannot be considered a viable extension of the Greenbelt.

UNTESTED BUILDING TECHNOLOGY: Only recently have changes in the building code allowed 5-story wood frame construction over a concrete podium. This type of construction is not standard in California, and we're only now beginning to see it in Oakland. As I have learned from discussions with several local architects and structural engineers, buildings of this type in Seattle and Portland have begun to show problems in the upper stories due to wood shrinkage. The wood shrinks and warps, tie-downs become loose, and the slop in the system produces cracking in the upper stories. The result is a poor quality building.

While the city has its building codes to rely upon, I am concerned that they do not adequately address this new construction approach. There is an additional concern among the architects and engineers with whom I spoke that a major earthquake could cause significant damage to these types of buildings. One blighted building on Telegraph in our neighborhood would be bad enough; but a whole series of similarly constructed buildings could cause the entire neighborhood to become blighted. Despite the growing popularity of five-over-one construction in such places as San Diego, this is an untested construction method.

I urge you to require as a condition of approval of this project that construction plans for buildings 1 and 4 of the proposed project be submitted to peer review to make sure that they are engineered correctly.

TEMESCAL CREEK CULVERT: The plaza proposed for the corner of Telegraph and 51st St. is directly over a portion of the Temescal Creek culvert that dates back to circa 1900. Currently it is unclear who has jurisdiction over this section of the culvert, and who

would be liable for maintenance and repairs, including repairs to damage resulting from construction of the proposed project. The county made repairs to the culvert in 1986, but the county recently has stated that the culvert is not theirs, and that they know of no easement that had been granted to them. Meanwhile, Planning Staff has located documents indicating that in 1892 an easement was granted to the county by the then property own for the purpose of constructing a culvert at that location. It currently is unknown who actually would be responsible for future repairs or in the event of a collapsed culvert. It is also unclear how far of a setback from the culvert should be required of building 1.

Due to the potentially serious liability issues this presents, these legal issues should be clarified and reconciled between the county, City of Oakland, and the applicant before this project is approved. In addition, proper review by county and/or city engineering services should be a condition of approval.

Thank you,

Jeff Norman
477 Rich St.
Oakland, CA 94609
(510) 653-7190

Ranelletti, Darin

From: Bill/Cynthia Tilden [bctilden@earthlink.net]
Sent: Wednesday, January 11, 2006 8:22 AM
To: DRanelletti@oaklandnet.com
Subject: APPALLED

Dear City Planner:

We are appalled at the dimensions of the proposed development at Telegraph Avenue and 51st Street. This is a historic corner, important to the fabric and life of our city, and to impose such a monstrous, post-modern project on our neighborhood is to rend that fabric and do a disservice to us. The project is unaesthetic and out of scale, would exponentially increase automobile traffic and suck up parking spaces, and will cause irreparable harm to the character and quality of life for those of us who live in and use this neighborhood.

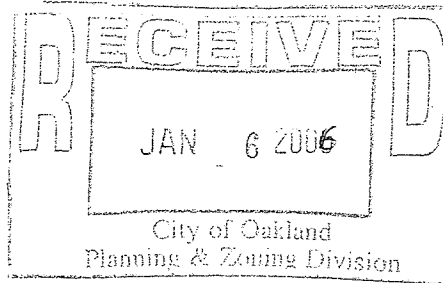
As our public servant, please do not inflict this upon us.

Sincerely

Bill and Cynthia Tilden
5499 Kales Ave.
Oakland CA 94618
510 428-0628
bctilden@earthlink.net

January 6, 2006

Darin Ranelletti, Planner III
Planning and Zoning Division
250 Frank Ogawa Plaza
Oakland, CA 94612



Telegraph/51st
Gateway Coalition
(510) 653-4576

Re: Case Number CMDV05-469

Dear Darin,

Attached are copies of the petition, signed by over 300 residents, merchants, and retail customers of the Temescal and Rockridge neighborhoods, protesting the heights of the proposed development at Telegraph and 51st St. Of those who signed, well over 100 are residents of the Rockridge neighborhood who live within a few blocks of the site.

These 315 signatures represent only those that have been gathered to date by the dozen neighbors, from both Rockridge and Temescal, who have been circulating the petition. We anticipate delivering many more signatures to the Planning Commission at its meeting on January 18.

This petition was initiated when it became apparent that the developers of this project, Ron Kriss and Roy Alper, had no intention of having a meaningful discussion about our concerns that their proposal was out of scale with its surroundings. Frankly, we were surprised by this, given that they had said publicly on a number of occasions that as members of the community they would never want to do a project that the community opposed.

While the community may not be of a single mind on the issue of height and density of infill developments in our neighborhood, this petition clearly has provided a voice for those who have not been part of the public input process. It also demonstrates that concerns about the scale of the project is shared by far more than the small group of us who met with the developers on this issue. To the contrary, we believe that those who have signed the petition represent the majority community opinion that while increased density can benefit the neighborhood, new development should not be so out of scale as to compete with Temescal's unique historic fabric and, in so doing, undermine its character and appeal as a distinct neighborhood.

Thank you.

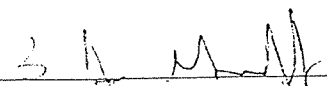
Sincerely,

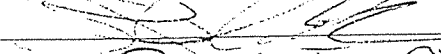
Jeff Norman
On behalf of the Telegraph/51st Gateway Coalition
477 Rich St., Oakland, CA 94609
(510) 653-7190

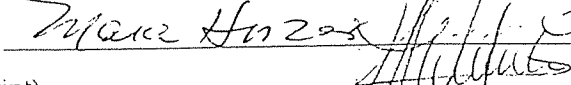
cc: Claudia Cappio
Councilmember Jane Brunner

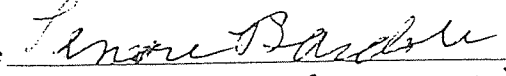
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

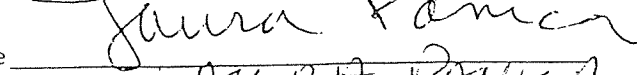
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

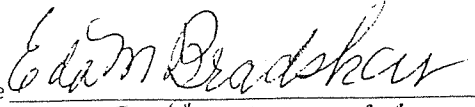
Signature 
 Name (print) Billie Jo Grueff
 Street Address 422 Cavour St
 Phone _____
 E-mail lavinagruerff@yahoo.com

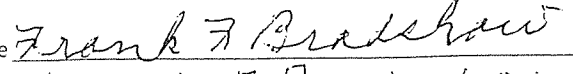
Signature 
 Name (print) Daniel J. Clark
 Street Address 422 Cavour St
 Phone _____
 E-mail danny.clark@wholefoods.com

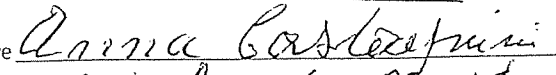
Signature 
 Name (print) Marc Horzak
 Street Address 444 CAVOUR ST
 Phone _____
 E-mail _____

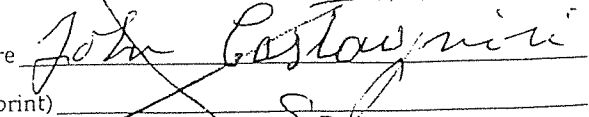
Signature 
 Name (print) LENORE BARDOLI
 Street Address 450 CAVOUR ST
 Phone _____
 E-mail _____

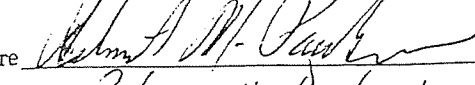
Signature 
 Name (print) LAURA PANICA
 Street Address 456 CAVOUR ST.
OAKLAND CA 94618
 Phone _____
 E-mail _____

Signature 
 Name (print) 454 Cavour St
EDAM BRADSHAW
 Street Address _____
 Phone _____
 E-mail _____

Signature 
 Name (print) FRANK F BRADSHAW
 Street Address 454 CAVOUR ST
 Phone 652 2743
 E-mail _____

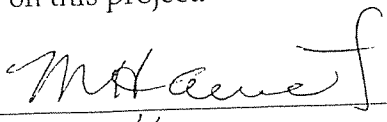
Signature 
 Name (print) ANNA CASTORJINI
 Street Address 458 CAVOUR ST
 Phone _____
 E-mail _____

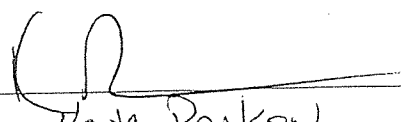
Signature 
 Name (print) _____
 Street Address See other page
 Phone _____
 E-mail _____

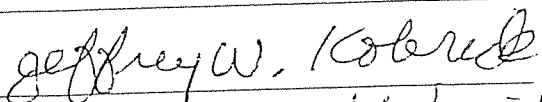
Signature 
 Name (print) ROBERT M. PAULSEN
 Street Address 5213 LAUREL AVENUE
 Phone _____
 E-mail _____

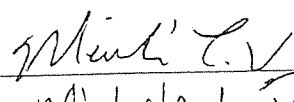
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland


We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

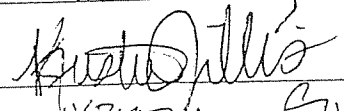
Signature 
 Name (print) M HAIMOWITZ
 Street Address 5135 Manilla
 Phone _____
 E-mail _____

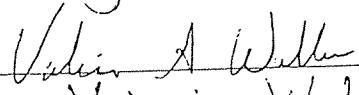
Signature 
 Name (print) Keith Pankson
 Street Address 400 CAVOUR ST
 Phone (510) 655-5771
 E-mail _____

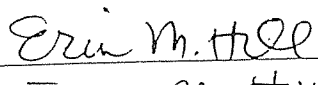
Signature 
 Name (print) Jeffrey W. Kobrick
 Street Address 358 Cavour
 Phone _____
 E-mail _____

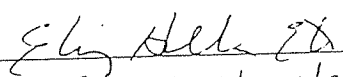
Signature 
 Name (print) Michele L. Vega
 Street Address 408 Cavour Street
 Phone 1
 E-mail mlvtabes@yahoo.com

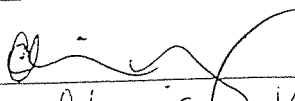
Signature 
 Name (print) Jean Johnstone
 Street Address 368 Cavour St.
 Phone 510.652.3294
 E-mail jeanej368@earthlink.net

Signature 
 Name (print) Kristin Ellis
 Street Address 418 48th St.
 Phone (530) 382-5204
 E-mail _____

Signature 
 Name (print) Valerie Weller
 Street Address 380 Cavour St
 Phone 510 652 7563
 E-mail v.weller@mcispeed.net

Signature 
 Name (print) Erin M. Hill
 Street Address 424 Cavour
 Phone 510.847.9677
 E-mail _____

Signature 
 Name (print) Elizabeth Heller Eto
 Street Address 382 Cavour St.
 Phone 510-655-9622
 E-mail _____

Signature 
 Name (print) Charis Khoury
 Street Address 424 Cavour St
 Phone 510 594 7648
 E-mail _____

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature Sybil Herick
Name (print) SYBIL HERICK
Street Address 448 49th St.
Phone (510) 653-2445
E-mail Sybil@sybilherick

Signature Markias Herick
Name (print) Markias Herick
Street Address 448 49th Street
Phone (510) 653-2445
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature *Leon Lewis*
 Name (print) Leon Lewis
 Street Address 5118 Clarke St.
 Phone (510) 655-6470
 E-mail _____

Signature *Jim Costa*
 Name (print) Jim Costa
 Street Address 434 - AUDA ST.
 Phone 655 - 9818
 E-mail SCOSTA@EARTHILK.NET

Signature *Jacoba van Stavelen*
 Name (print) Jacoba van Stavelen
 Street Address 271 1/2 - 52nd St
 Phone Oakland, CA 94608
 E-mail _____

Signature *Kate Lewisa*
 Name (print) KATE LEWISA
 Street Address 434 - AUDA ST
 Phone 655 - 8467
 E-mail KLEWISA@EARTHILK.NET

Signature *Amy Cheifetz*
 Name (print) Amy Cheifetz
 Street Address 643 57th St. Oak 94609
 Phone (510) - 547 - 2995
 E-mail amyatcho@yahoo.com

Signature *Suzanne Yazajian*
 Name (print) Suzanne Yazajian
 Street Address 5030 Telegraph Ave
 Phone 510 - 654 - 9944
 E-mail _____

Signature *Scott Whitten*
 Name (print) SCOTT WHITTEN
 Street Address 411 51st STREET
 Phone 510-653-1687
 E-mail _____

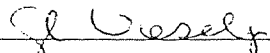
Signature *P. Magnuson-Pedra*
 Name (print) P. MAGNUSON-PEDRA
 Street Address 4130 MERT ST
 Phone (510) 532-8911
 E-mail _____

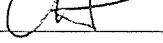
Signature *Mary Tilson*
 Name (print) Mary Tilson
 Street Address 5138 1/2 Clarke
 Phone 510 601-1314
 E-mail mtilsonemindspring.com


Signature *Andrea Zinakis*
 Name (print) Andrea Zinakis
 Street Address 5140 Clarke St
 Phone 650 387 8728
 E-mail _____

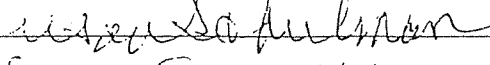
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

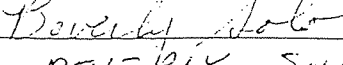
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

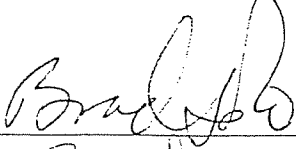
Signature 
 Name (print) Cheryl Vesely
 Street Address 5438 Shafter Ave
 Phone 510-655-5149
 E-mail cheryl@andchris@sbcglobal.net

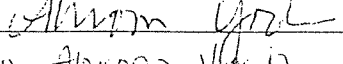
Signature 
 Name (print) CHRIS SHAYNE
 Street Address 5438 SHAFTER AV
 Phone 510-655-5149
 E-mail CHRIS.SHAYNE@MKNV.COM

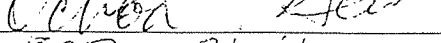
Signature 
 Name (print) Shana Reichel
 Street Address 5426 Lawton
 Phone 510-640-5686
 E-mail _____

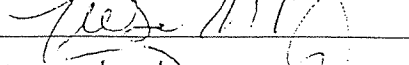
Signature 
 Name (print) SUSALE SCHUMANN
 Street Address 5358 Shafter Ave
 Phone 510-347-3602
 E-mail _____

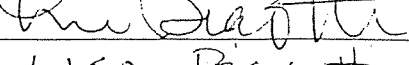
Signature 
 Name (print) BEVERLY SOLO
 Street Address 5344 SHAFTER AVE.
 Phone 510-655-6412
 E-mail bevsolo@jailg.com

Signature 
 Name (print) Brad Spio
 Street Address 5344 Shafter Ave
 Phone 655-6412
 E-mail _____

Signature 
 Name (print) Aaron Yoon
 Street Address 5328 Shafter Ave
 Phone 654-6227
 E-mail _____


Signature 
 Name (print) 5324 Shafter Ave
 Street Address _____
 Phone _____
 E-mail _____

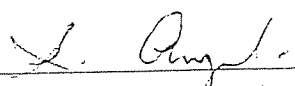
Signature 
 Name (print) T. Darrell
 Street Address 5273 Shafter Ave
 Phone _____
 E-mail _____

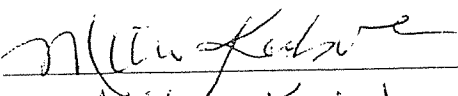
Signature 
 Name (print) LISA Biasotti
 Street Address 5261 Shafter Ave
 Phone 510-596-8987
 E-mail lbiasotti@pacbell.net

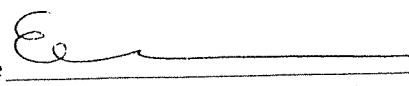
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

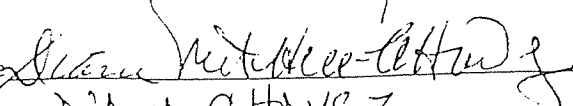
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

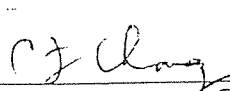
Signature 
 Name (print) MARK SZAREK
 Street Address 5210 Shafter Ave
 Phone 510 594 1586
 E-mail mark@earthlink.net

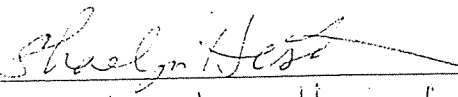
Signature 
 Name (print) S. ANGEL
 Street Address 5333 SHAFER AV
 Phone 510 655-3219
 E-mail _____

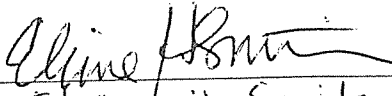
Signature 
 Name (print) Mino Kubota
 Street Address 5359 Shafter Ave
 Phone 653-8009
 E-mail _____

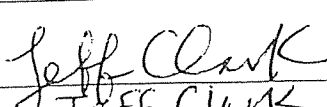
Signature 
 Name (print) Elizabeth C. Wallace
 Street Address 5371 Shafter Avenue
 Phone 510-653-4207
 E-mail e_c_wallace@yahoo.com

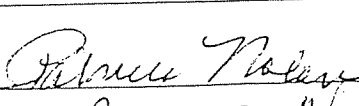
Signature 
 Name (print) DIANA CHAVEZ
 Street Address 5375 SHAFER AVE
 Phone 510-420-1066
 E-mail _____

Signature 
 Name (print) CHARLES F. CHAVEZ
 Street Address 5375 SHAFER AVE
 Phone 510-420-1066
 E-mail _____

Signature 
 Name (print) Shaelyn Hesch
 Street Address 5395 Shafter
 Phone 415-425-7611
 E-mail _____

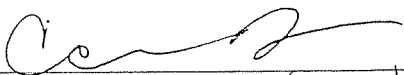
Signature 
 Name (print) Elaine H. Smita
 Street Address 5380 Shafter Ave
 Phone 510-652-3725
 E-mail _____


Signature 
 Name (print) JEFF CLARK
 Street Address 5380 Shafter Ave
 Phone 510-652-3725
 E-mail _____

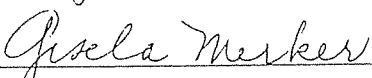
Signature 
 Name (print) 51 PATRICIA NOLAN
 Street Address 5426 SHAFER AVE
 Phone (510) 652-7841
 E-mail menbudn@pacnet.net

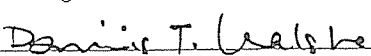
Petition to Reduce the Proposed Height of the
Development at Telegraph and 51st Street, North Oakland

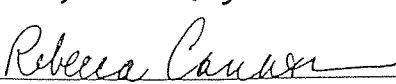
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

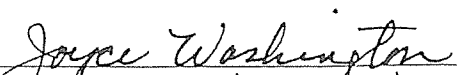
Signature 
Name (print) Carmen Johnston
Street Address 6425 Hillmont Dr.
Phone (510) 633-6389
E-mail cjohnston@girlsinc-alameda.org


Signature 
Name (print) Wendy Calinao
Street Address 3850 San Pablo Ave
Phone (510) 658-0201
E-mail dinged518@sbcglobal.net


Signature 
Name (print) GISELA MERKER
Street Address 3550 Boston Ave
Phone 482-8815
E-mail gmmerker@sbcglobal.net


Signature 
Name (print) DOMINIC T. WALSH
Street Address 5163 MILES AVENUE, OAKLAND
Phone 510-594-8408
E-mail aceydo22@yahoo.com

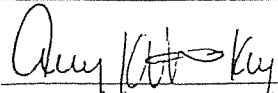
Signature 
Name (print) Rebecca Cannon
Street Address 590 Arlington Ave.
Phone Berkeley, Ca. 94707
E-mail rcannon1@pacbell.net

Signature 
Name (print) Joyce Washington
Street Address 10920 Elvessa St.
Phone 510 562-7572
E-mail joycewashington@sbcglobal.net

Signature 
Name (print) GREGORY STANCLIK
Street Address 5248 SHAFER AVE
Phone 510 985 1326
E-mail GSTANCLIK@EARTHCENK.NET

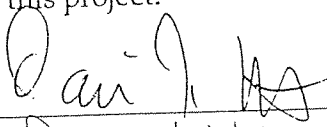
Signature 
Name (print) Donald Lee
Street Address 5264 Shafter Ave
Phone 415-710-7152
E-mail genesplitter@hotmail.com

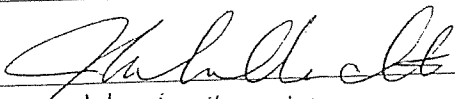
Signature 
Name (print) Tom Tauchi
Street Address 3309 Shafter Ave
Phone 601-6258
E-mail ~~tom.tauchi@sbcglobal.net~~

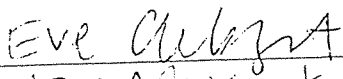
Signature 
Name (print) Amy Kitter-Kay
Street Address 5327 Shafter Avenue
Phone 510-547-4565
E-mail akitter@earthlink.net

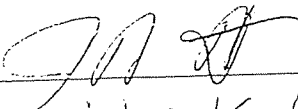
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

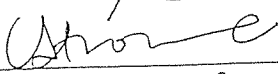
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

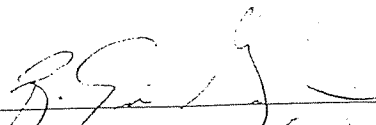
Signature 
 Name (print) Dan Littman
 Street Address 4108 Shafter Ave
 Phone 658-8051
 E-mail dan.littman@earthlink.net

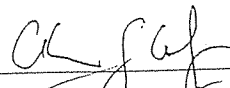
Signature 
 Name (print) Michelle Ito
 Street Address 527 43rd ST
 Phone (415) 297-6623
 E-mail keilamae@hotmail.com

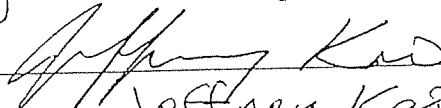
Signature 
 Name (print) Eve August
 Street Address 577 43rd St
 Phone ~~510-555-8333~~
 E-mail _____

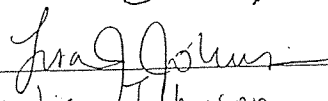
Signature 
 Name (print) John V. Gatenowich
 Street Address 360 50th St
 Phone 510-555-8333
 E-mail john.v.gatenowich@earthlink.net

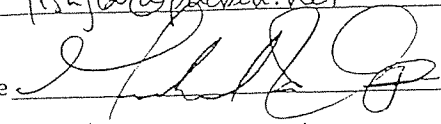
Signature 
 Name (print) Carly Stovse
 Street Address 2240 McKinley Ave, Berkeley
 Phone 510-665-1917
 E-mail _____

Signature 
 Name (print) R. Eric Cierber
 Street Address 469 Rich St
 Phone 985-2968
 E-mail eclectic@sbcglobal.net

Signature 
 Name (print) CHRISTINE G COLGAN
 Street Address 482 RICH ST
 Phone 510 547 0599
 E-mail cgcrichest@sbcglobal.net

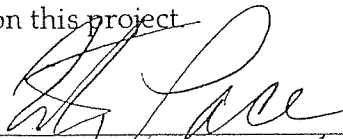
Signature 
 Name (print) Jeffrey Kao
 Street Address 495 Rich St
 Phone 510-910-9402
 E-mail emmaleejk@yahoo.com

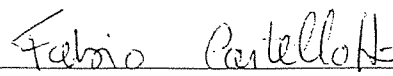
Signature 
 Name (print) Lisa Johnson
 Street Address 495 Rich St.
 Phone 510-554-4956
 E-mail lisajl@pacbell.net

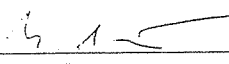
Signature 
 Name (print) MICHAEL CAMP
 Street Address 5098 TELEGRAPH AVE
 Phone 510-710-3837
 E-mail michael.gordoncamp@hotmail.com

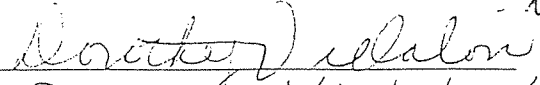
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

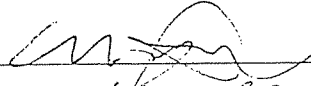
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

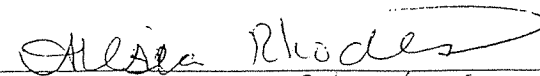
Signature 
 Name (print) KRISTIN PACE
 Street Address 27 RICHARDSON WAY
 Phone (510) 301-5906
 E-mail kpace@fbllaw.com

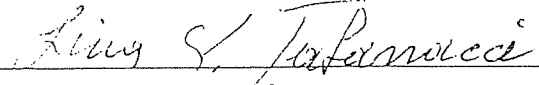
Signature 
 Name (print) CASTELLOTTA
 Street Address 459 CAVOUR ST
 Phone (510) 654 5822
 E-mail LoveCastello@earthlink.net

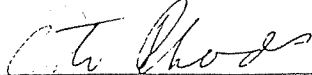
Signature 
 Name (print) Brooke Schwartz
 Street Address 11 Bay Forest Place, Oakland, CA 94611
 Phone 510 858-8854
 E-mail b.schwartz@comcast.net

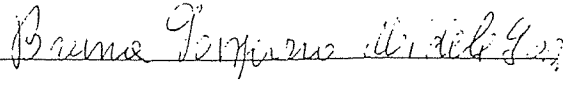
Signature 
 Name (print) DOROTHY VILLALON
 Street Address 457 CAVOUR ST.
 Phone 510-594-1810
 E-mail NONE

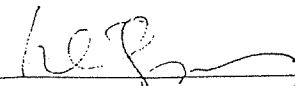
Signature 
 Name (print) WAI TSE
 Street Address 577 W. GRAND AV
 Phone (510) 251-3297
 E-mail _____

Signature 
 Name (print) Alesia Rhodes
 Street Address 457 CAVOUR ST
 Phone 510 594 1810
 E-mail alesia.white.tb@bayki.com

Signature 
 Name (print) LINA V. TABARRACCI
 Street Address 463 CAVOUR STREET
 Phone 510 652-2379
 E-mail _____

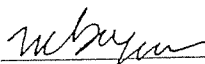
Signature 
 Name (print) Chris Rhodes
 Street Address (510) 594 1810 457 CAVOUR
 Phone (510) 594 1810
 E-mail Rhodes, Family, b@rhodes.ca


Signature 
 Name (print) _____
 Street Address 5220 McDevitt AVE
 Phone 652 7143
 E-mail _____


Signature 
 Name (print) Susan A. Corbateny
 Street Address 5341 Shaker Ave
 Phone _____
 E-mail b_inertus@yahoo.com

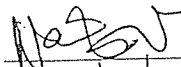
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

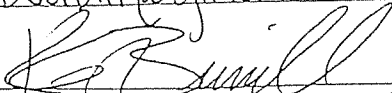
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

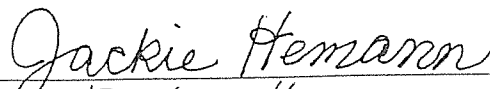
Signature 
 Name (print) Melissa Bryan
 Street Address 953 Ardenway
 Phone X
 E-mail mclbryan@yahoo.com


Signature 
 Name (print) Julia Clare
 Street Address 491 Staten #6
 Phone _____
 E-mail juliaclare@yahoo.com


Signature 
 Name (print) JAMES McERLAIN
 Street Address 1138 E. 12th St. #B
 Phone _____
 E-mail Jimmy.McERLAIN@AMAI.COM

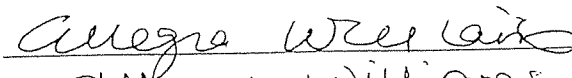
Signature 
 Name (print) Nadine Budbill
 Street Address 931 60th St. Oakland
 Phone _____
 E-mail nbudbill@girlsinc-alameda.org


Signature 
 Name (print) Katie Burrill
 Street Address 2002 Lakeshore Ave
 Phone _____
 E-mail kburrill@girlsinc-alameda.org

Signature 
 Name (print) Jackie Hermann
 Street Address 953 Ardenway
 Phone X
 E-mail X

Signature 
 Name (print) Tanod Stewart
 Street Address 491 Staten #6
 Phone X
 E-mail X

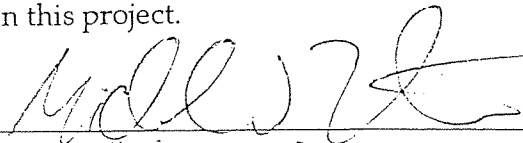
Signature 
 Name (print) KIKU JOHNSON
 Street Address 3077 RICHMOND BLVD.
 Phone (510) 875-8575 OAKLAND 946
 E-mail kjohnson@girlsinc-alameda.org

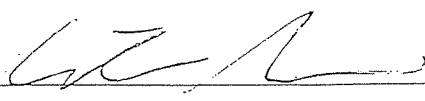
Signature 
 Name (print) Allegra Williams
 Street Address 128 Hamilton Pl.
 Phone 916 769 5446
 E-mail iheartantiflag@msn.com

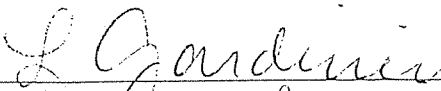
Signature 
 Name (print) Alex Mendez
 Street Address 3730 Laguna Ave. Oakland CA
 Phone (510) 482-1203
 E-mail _____

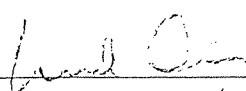
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland


We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

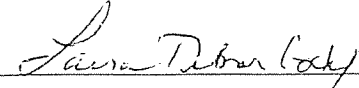
Signature 
 Name (print) Michael Ziuke
 Street Address 5249 Shafter Ave
 Phone _____
 E-mail _____

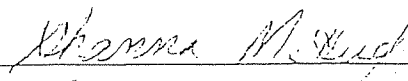
Signature 
 Name (print) Caitlin Sedwick
 Street Address 472 Canyon
 Phone _____
 E-mail _____

Signature 
 Name (print) Laura Gardinier
 Street Address 5225 Shafter Ave
 Phone 428-1023
 E-mail _____

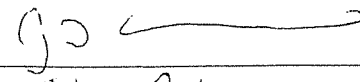
Signature 
 Name (print) Michael Davis
 Street Address 477 Canyon
 Phone _____
 E-mail _____

Signature 
 Name (print) MATTHEW PADRON
 Street Address 5221 SHAFTELE AVE
 Phone 658-7240
 E-mail _____

Signature 
 Name (print) LAURA DEMEZ CODY
 Street Address 4666 CANYON ST
 Phone 510-652-9124
 E-mail l

Signature 
 Name (print) Shannon M. Smith
 Street Address 1152 Canyon
 Phone _____
 E-mail _____

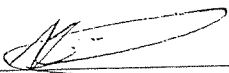
Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

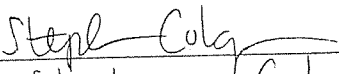
Signature 
 Name (print) John Castagna
 Street Address 458 Canyon St
 Phone 54-3915
 E-mail _____

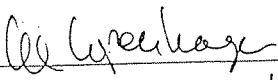
Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____


Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

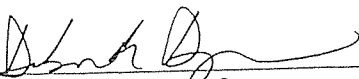
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature 
 Name (print) Kenneth Gillett
 Street Address 482 RICH ST OAKLAND
 Phone 510 415 1944
 E-mail /

Signature 
 Name (print) Stephen Colgan
 Street Address 4033 Broadway
 Phone 510 654-4049
 E-mail _____

Signature 
 Name (print) Lee Copenhagen
 Street Address 746 Rand #1
 Phone 510 520 2299
 E-mail lee@cojustice.org

Signature 
 Name (print) Cathy Copenhagen
 Street Address 746 Rand #1 Oak.
 Phone 208-3577
 E-mail noseinbooks@earthlink.net

Signature 
 Name (print) Deborah Dyer
 Street Address 1433 Josephine St
 Phone 510-527-6605
 E-mail dz

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____


Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

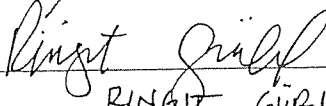
Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

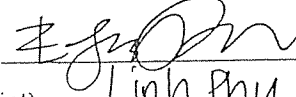
Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

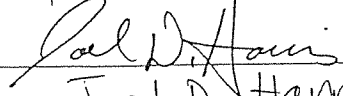
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

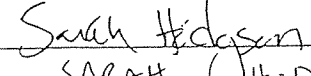
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

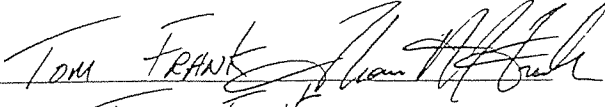
Signature 
 Name (print) James Pettit
 Street Address 311 HERIQUAN AVE Piedmont CA
 Phone 510 601 1217
 E-mail jamespettit@comcast.net

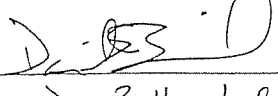
Signature 
 Name (print) RINGIT GÜRLICH
 Street Address 4928 TELEGRAPH AVE. #E
 Phone 510. 654. 3392
 E-mail RINGIT@SBCGLOBAL.NET

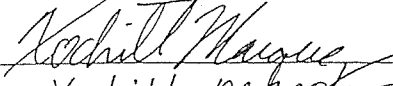

Signature 
 Name (print) Linh Phn
 Street Address 4821 Clarke Street
 Phone (415) 515-7405
 E-mail linhphu3@hotmail.com

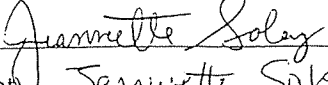
Signature 
 Name (print) Joel D. Harris
 Street Address 7411 Altura Place
 Phone (510) 569-3413
 E-mail eagleparadisepoet@yahoo.com

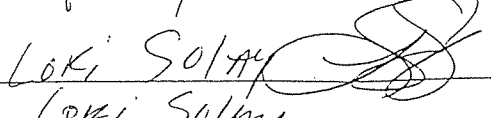
Signature 
 Name (print) SARAH HODGSON
 Street Address 1358 E. 25th ST, Oakland
 Phone 510-434-9956
 E-mail _____

Signature 
 Name (print) Tom FRANK
 Street Address 416 49th St.
 Phone _____
 E-mail Tom4FRANK@hotmail.com

Signature 
 Name (print) Dan Bollwinkel
 Street Address 64 Robe Rd.
 Phone _____
 E-mail danbollwinkel@msu.com

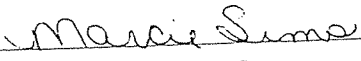
Signature 
 Name (print) Xochitl MARQUEZ
 Street Address 9125 Lawlor St.
 Phone 
 E-mail xmarquez@hotmail.com

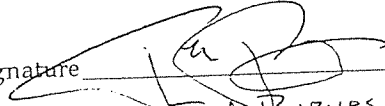
Signature 
 Name (print) Jeannette Solay
 Street Address 642 54th St
 Phone 510-985-0979
 E-mail SRS1Squade@yahoo.com

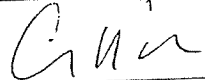
Signature 
 Name (print) LORI SOLAY
 Street Address _____
 Phone _____
 E-mail _____


Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

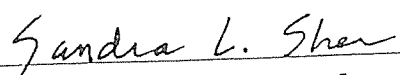
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.


Signature 
 Name (print) Marcie Sims
 Street Address 3207 Telegraph / Oakland 94609
 Phone 510-597-0952
 E-mail Marcie12678@yahoo.com

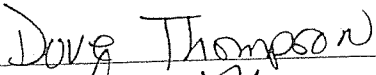
Signature 
 Name (print) Ted Purves
 Street Address 5343 Miles
 Phone 428-1210
 E-mail compaul@uacov.io

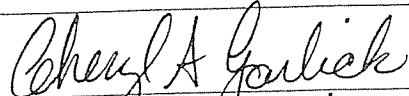
Signature 
 Name (print) Cassandra R. Todd
 Street Address 396 50th St. Oakland 94609
 Phone (510) ~~396~~ 653-3997
 E-mail CTODD@SL2USD.ORG

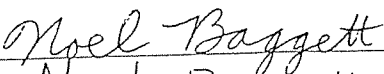
Signature 
 Name (print) ERIN SOMOGYI
 Street Address 516 52nd St. OAKL.
 Phone 510-652-5123
 E-mail ESOMOGYI@ADL.COM

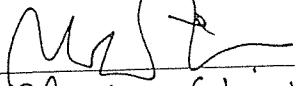
Signature 
 Name (print) SANDRA L. SHER
 Street Address 338-B WARWICK AVE.
 Phone 510-465-6312
 E-mail _____

Signature 
 Name (print) DAW BATHBUN
 Street Address 482 49th St BAK CA 9460
 Phone 510 459 7320
 E-mail _____

Signature 
 Name (print) Doug Thompson
 Street Address 532 16th #106
 Phone (510) 893-8243
 E-mail _____

Signature 
 Name (print) Cheryl Gurliek
 Street Address 480 D 42nd St
 Phone 655-2682
 E-mail cgurliek@sbcglobal.net

Signature 
 Name (print) Noel Baggett
 Street Address 5129 Miles Ave., #4, OAKL
 Phone (510) 596-9028
 E-mail _____

Signature 
 Name (print) Mark Stichman
 Street Address 477 49th Street
 Phone (510) 653-0624
 E-mail _____

Petition to Reduce the Proposed Height of the
Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature [Signature]
Name (print) Komara Miller
Street Address 4423 Webster #5
Phone 510 607-8269
E-mail _____

Signature [Signature]
Name (print) Gregory C. Hagan
Street Address 597 54th St Oakland
Phone _____
E-mail robotmonkeys@hotmail.com

Signature [Signature]
Name (print) Saeeda Parmerter
Street Address 4312 Telegraph Ave Apt #1
Phone 595-1420
E-mail _____

Signature [Signature]
Name (print) Suzy Tamimi
Street Address 4312 Telegraph Ave. Apt #1
Phone 595-1420
E-mail _____

Signature [Signature]
Name (print) PAUKA J. DORN
Street Address 636-58th St # OAK. CA
Phone _____ 94609
E-mail _____

Signature [Signature]
Name (print) Bruce Williams
Street Address 5147 Miles Ave
Phone 510-652-8121
E-mail blwfloors@yahoo.com

Signature [Signature]
Name (print) Serena Wright
Street Address 432 50th St Oakland
Phone 510-658-2138
E-mail serenalucia@hotmail.com

Signature [Signature]
Name (print) Virginia Browning
Street Address 362 Cavour St
Phone 510 654-8925
E-mail vexxie@yahoo.com

Signature [Signature]
Name (print) Joan E. Fittinger
Street Address 4361 Alcatraz #4 OAK 94609
Phone 510 633 0372
E-mail jefittinger@hotmail.com

Signature [Signature]
Name (print) Jane R. Kramer
Street Address 535-41st St #7
Phone 547-4788
E-mail _____

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature Harlan Conti
 Name (print) HARLAN CONTI
 Street Address 436 49th St, Oakland, 94609
 Phone 653-3124
 E-mail _____

Signature Moses LaSabra
 Name (print) Moses LaSabra
 Street Address 4344 Broadway
 Phone 653-5718
 E-mail _____

Signature Sarah Bailey
 Name (print) Sarah Bailey
 Street Address 3207 Telegraph/Oakland/94609
 Phone 597-0952
 E-mail _____

Signature Juan Rodriguez
 Name (print) Juan Rodriguez
 Street Address 4934 Telegraph Av
 Phone 510-655-1779
 E-mail Juan.Rodriguez@yahoo.com

Signature Matt Runkle
 Name (print) MATT RUNKLE
 Street Address 719 54th St, #6 Oakland 94609
 Phone (510) 575 6613
 E-mail _____

Signature Jeff Norman
 Name (print) JEFF NORMAN
 Street Address 477 Rich St, OAK 94609
 Phone 653-7190
 E-mail jnorman@california.com

Signature Sally K Amshury
 Name (print) Sally K Amshury
 Street Address 4804 Clarke #3
 Phone 510 595-1341
 E-mail Sallyam@pacbell.net

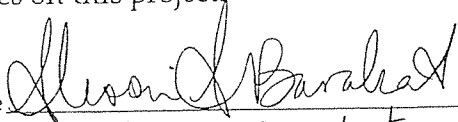
Signature Kathy Geritz
 Name (print) Kathy Geritz
 Street Address 477 Rich St. Oakland CA.
 Phone 510/652-6582
 E-mail _____

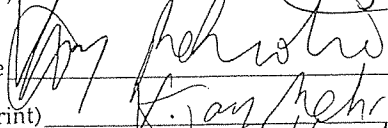
Signature Joe Martins
 Name (print) Joe Martins
 Street Address 5424 Geneva St
 Phone 646-548-5200
 E-mail _____

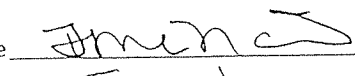
Signature Susan Miller
 Name (print) Susan Miller
 Street Address 4145 maple Ave
 Phone _____
 E-mail _____

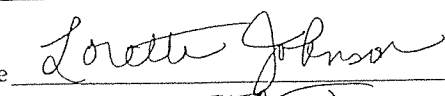
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

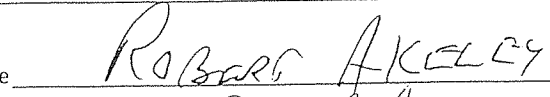
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

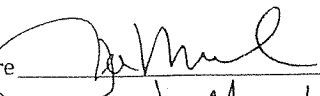
Signature 
 Name (print) ALISON A. BARAKAT
 Street Address 5040 Telegraph Ave Oakland
 Phone (510) 289-5505
 E-mail alison@bakegalibetty.com

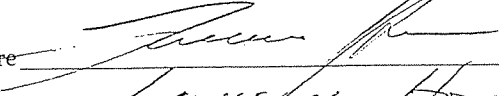
Signature 
 Name (print) Vijay Mehrotra
 Street Address 559 Valle Vista
 Phone 510-444-5665
 E-mail vjm@sfsu.edu

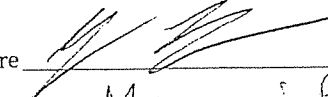
Signature 
 Name (print) TMCNA
 Street Address 541 45th St #B
 Phone (510) 923-9697
 E-mail _____

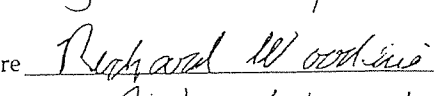
Signature 
 Name (print) LORETTA JOHNSON
 Street Address 4315 MLK JR. WAY
 Phone (510) 834-5171
 E-mail 10Y0HA-94606@Yahoo.com.

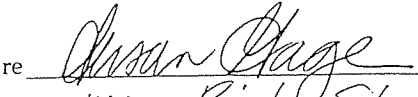
Signature 
 Name (print) ROBERT AKELLEY
 Street Address 449 49 St.
 Phone 6552 827
 E-mail N/A

Signature 
 Name (print) Joe Marsh
 Street Address _____
 Phone 510.549.3361
 E-mail _____

Signature 
 Name (print) Laurence Horn
 Street Address 5010 Praem Ave.
 Phone 510-238-4008
 E-mail _____

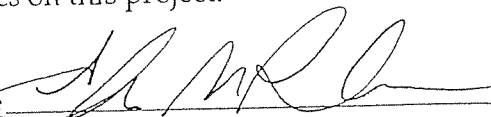
Signature 
 Name (print) Megumi Burr
 Street Address (in process of moving to this area)
 Phone 415-568-5789
 E-mail megumi@speedpost.net

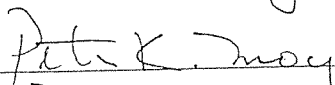
Signature 
 Name (print) Richard Woodvine
 Street Address 2363 Valley St #4
 Phone 510-836-0214
 E-mail _____

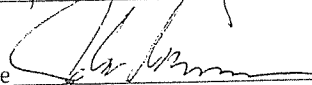
Signature 
 Name (print) ~~491 Rich St.~~ Susan Gage
 Street Address 491 Rich St.
 Phone 510-653-0528
 E-mail susuri2@sbcglobal.net

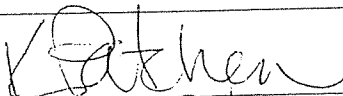
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

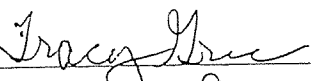
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

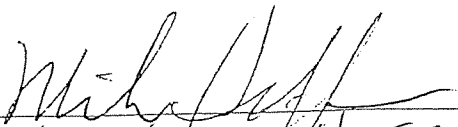
Signature 
 Name (print) ERIKA M. RANAHAN
 Street Address 5102 MILES AVE
 Phone 510. 420.0373
 E-mail eranahan@yahoo.com

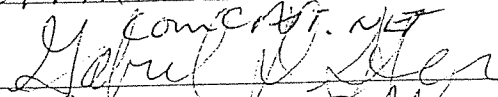
Signature 
 Name (print) PETER K. MOY
 Street Address 5169 MILES AVE
 Phone (510) 597-0726
 E-mail petermoy@ix.netcom.com

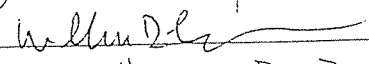
Signature 
 Name (print) John Wichmann
 Street Address 5129 miles
 Phone 871 224 7505
 E-mail _____

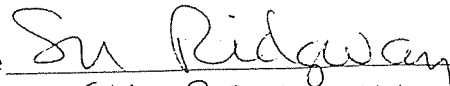
Signature 
 Name (print) Karen Patchen
 Street Address 5129 Miles Ave
 Phone 831 224 3605
 E-mail _____

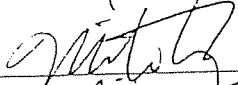
Signature 
 Name (print) Tracy Green
 Street Address 5129 Miles Ave # 4
 Phone 510 596-9028
 E-mail _____

Signature 
 Name (print) Michael Hoffman
 Street Address 5129 Miles Ave #4
 Phone 510-596-9028
 E-mail Hoffmieser@

Signature 
 Name (print) GABRIEL STERN
 Street Address 5112 MILES AVES
 Phone 510-658-9562
 E-mail gstern@gatan.com

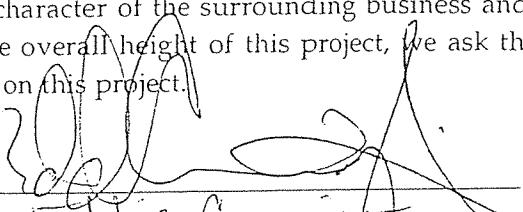
Signature 
 Name (print) William DeZenzo
 Street Address 5125 Miles Ave Oakl
 Phone _____
 E-mail _____

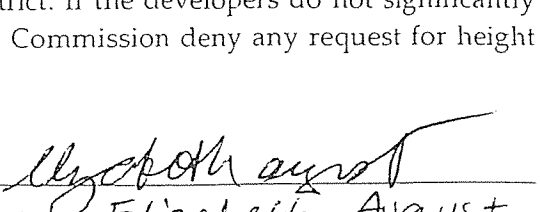
Signature 
 Name (print) SU RIDGWAY
 Street Address 5160 Miles Ave
 Phone 655-2414
 E-mail su0cty5u50@yahoo.com

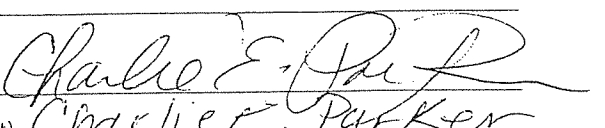
Signature 
 Name (print) Mike Ting
 Street Address 5162 Miles Ave
 Phone 510 420 1619
 E-mail mtting09@gmail.com

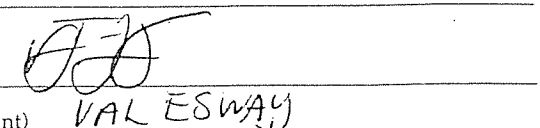
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

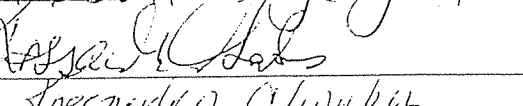
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.


Signature 
 Name (print) Eddie Cummins
 Street Address 564 47th St.
 Phone 510 290-4469
 E-mail _____

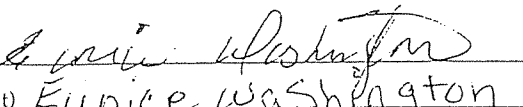
Signature 
 Name (print) Elizabeth August
 Street Address 734 45th Street
 Phone 510-428-1540
 E-mail _____

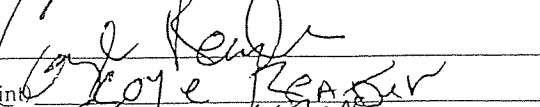
Signature 
 Name (print) Charlie E. Parker
 Street Address 562 47th Apt A
 Phone 510 923 0604
 E-mail a76butterfly@yahoo.com

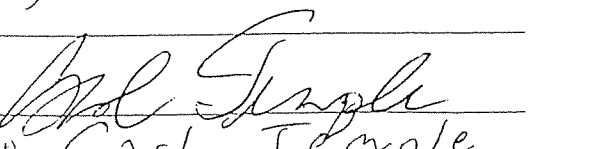
Signature 
 Name (print) VAL ESWAY
 Street Address 552 47th St.
 Phone (510) 655-5930
 E-mail _____

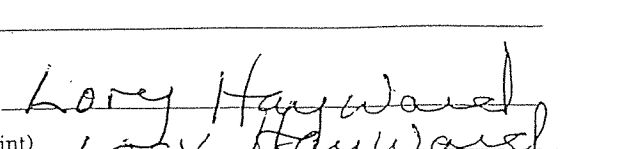
Signature 
 Name (print) CASSANDRA Clunker
 Street Address 556 47th St
 Phone @ 510 / @ 712 4413
 E-mail _____

Signature 
 Name (print) BILLY NIEKIRK
 Street Address 540 47th ST
 Phone 510 654 7488
 E-mail _____

Signature 
 Name (print) Eunice Washington
 Street Address 556-47th St. #3
 Phone (510) 472-4187
 E-mail _____

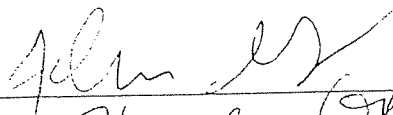
Signature 
 Name (print) Loye Reader
 Street Address 553 47th
 Phone 510 395 3573
 E-mail _____

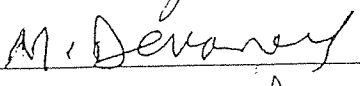
Signature 
 Name (print) Carl Temple
 Street Address 552 47th St.
 Phone (510) 684-2686
 E-mail carltemple1@hotmail.com

Signature 
 Name (print) Lory Hayward
 Street Address 552 47th St
 Phone (510) 595-0924
 E-mail lorilyh@yahoo.com

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature 
 Name (print) Frank Gratia
 Street Address 550 40th Street
 Phone 510-472-3810
 E-mail frankgratia@yahoo.com

Signature 
 Name (print) MICHELE DEVANEY
 Street Address ~~840 42nd St~~ 840 42nd Street
 Phone 510-219-0455
 E-mail Froggywogga@yahoo.com

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature Jason Marino
Name (print) JASON MARINO
Street Address 5182 miles AVE
Phone 510-420-0373
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

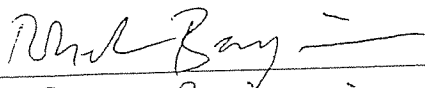
Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

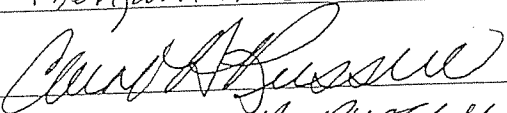
Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____


Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____


Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

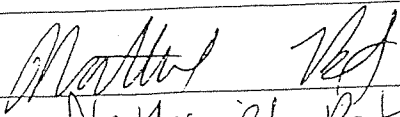
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

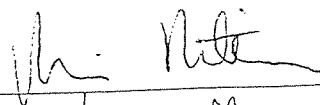
Signature 
 Name (print) Robert Benjamin
 Street Address 633 Cleveland St., Oakl.
 Phone 510-452-0602
 E-mail rbenjamin@znet.com

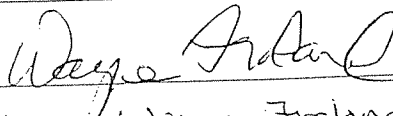
Signature 
 Name (print) CAROL A. RUSSELL
 Street Address 467 42nd St
 Phone 510 653-5088
 E-mail _____

Signature 
 Name (print) BRIAN R. BATES
 Street Address 3152 STANLEY BLVD
 Phone 510-291-6250
 E-mail _____

Signature 
 Name (print) ANNA BATES
 Street Address 3152 Stanley Blvd.
 Phone 510 559 5780
 E-mail _____

Signature 
 Name (print) Nathaniel Bates
 Street Address 3152 Stanley Blvd Lafayette, CA, 94549
 Phone 925-932-2508
 E-mail _____

Signature 
 Name (print) VICKI MITTERO
 Street Address 3 HERON CT
 Phone 510 523 4948
 E-mail Vmittero@earthlink.net

Signature 
 Name (print) Wayne Froland
 Street Address 3 Heron Ct
 Phone 510 523 4948
 E-mail wayne.froland@cerovance.co.

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

E-Mail Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Name Julie F. Ziegler
Street Address 350 50th Street
Phone 510-548-7474
E-mail jzig22@yahoo.com

Name Doug Dove
Street Address 369 42nd Street
Phone 510-853-2336
E-mail ddove1@yahoo.com

Name Linda Beaton
Street Address 4962 Manila Ave
Phone 510.547.1720
E-mail linda@beatcom.com

Name Susannah Wood
Street Address 5113 Manila Ave. Oakland 94618
Phone 510 654-8405
E-mail susannah@opera-piccola.org

Name Sejal Mistry and Robert Myers
Street Address 355 50th Street
Phone 510-985-1486
E-mail sejal.mistry@bingham.com

Name Brenda and Mike Gaspar
Street Address 5001 Lawton Ave.
Phone 510-653-1283
E-mail neekadog@sbcglobal.net

Name Theresa Nelson
Street Address 446 Hudson Street, oakland CA
Phone 510-420-0539
E-mail theresarockridge@yahoo.com

Name Kate Madden Yee
Street Address 480-F 42nd Street
Phone 510-653-7122
E-mail kate@maddyee.com

Name Leslie Aguilar
Street Address 6386 Hillegass Avenue
Phone 510-282-3577
E-mail aguilarleslie@yahoo.com

Name Mike Mooers
Street Address 4905 Manila Ave. Oakland, 94609
Phone 510-653-0115
E-mail mikedmooers@yahoo.com

E-Mail Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Name Tom Wenzel
Street Address 416 45th Street
Phone 510-601-0574
E-mail TPWenzel@lbl.gov

Name Harry Yaglijian
Street Address 4521 Telegraph Avenue
Phone (510) 301-8868
E-mail harry@hy-co.com

Name Sue Tallon
Street Address 4962 Manila Avenue, Oakland, CA 94609
Phone 510 547-1720
E-mail sue@tallonphoto.com

Name Hilary Yothers
Street Address 481 Rich St., Oakland, CA 94609
Phone 510-594-1486
E-mail hilbeanie@yahoo.com

Name Naomi Schiff
Street Address 238 Oakland Avenue
Phone 835-1819
E-mail naomi@17th.com
(formerly resident on 44th Street)

Name Lisa Gartland
Street Address 397 51st Street
Phone (510) 595-7674
E-mail lisa@pstvnrng.com

Name Jimmy Pedersen
Street Address 417 Avon Street, Oakland
Phone 510-652-8440
E-mail JimmyP@CanyonConstruction.com

Name Paul Marcus
Street Address 557 - 45th Street
Phone _____
E-mail ParadisePk@aol.com

Name Kathy Jessen
Street Address 370-49th Street
Phone 510.655.3512
E-mail kathyjessen@mac.com

Name Nancy Hart Servin
Street Address 435 41st St "C"
Phone (510) 658 8315
E-mail nharts@silcon.com

E-Mail Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Name Christopher Engl
Street Address 5216 Miles Avenue
Phone 510-658-5558
E-mail Christopher.engl@db.com

Name Akasha Madron
Street Address 5120 A Miles Ave.
Phone 655-8796
E-mail akamad2@gmail.com

Name Ruth Finnerty
Street Address 5857 Ocean View Dr./Oakland 94618
Phone 510-654-4837
E-mail ruthfinn@comcast.net

Name Margaret Cahalan
Street Address 5366 Miles Avenue
Phone Oakland, CA 94618
E-mail cool5366@aol.com

Name Mary Ann Tenuto
Street Address 5521 Vicente Way
Phone _____
E-mail cezmat@igc.org

Name Carla Koop
Street Address 456 Alcatraz
Phone 653-3049
E-mail ckoop@california.com

Name Caroline Stern
Street Address 5147 Miles Ave
Phone 601-5935
E-mail Decoart@aol.com

Name Gretchen Schneider
Street Address 482-48th St.
Phone 428-2988
E-mail gschneider@cca.edu

Name Lee V. Patterson
Street Address 5339 Miles Avenue
Phone 510-923-1084
E-mail leepa2@yahoo.com

Name Ron Bishop
Street Address 409 45th St.
Phone 652-4667
E-mail RBishop747@aol.com

E-Mail Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Name Gary Turchin
 Street Address 3776 Manila Ave Oakland
 Phone 510-654-1064
 E-mail gary@garyturchin.com

Name Iris Moy
 Street Address 5169 Miles Ave, 94618
 Phone 510-653-2035
 E-mail iris@wildflowers.org

Name Robert Temple
 Street Address 552 47th St
 Phone 510 654 2329
 E-mail templetime@jps.net

Name Janelle Cavanagh
 Street Address 5163 Miles Avenue
 Phone 594-8408
 E-mail jcavanagh@girlsinc-alameda.org

Name Marilynn Tham
 Street Address 358 50th Street, Oakland, CA 94609
 Phone 510-597-1184
 E-mail mhtham@yahoo.com

Name Chris Candell
 Street Address 7014 Homewood Dr., Oakland, CA 94611
 Phone (510) 238-6986
 E-mail ccandell@oaklandnet.com

Name Glenn Talken
 Street Address 5009 Clarke St. Oakland, CA 94609
 Phone 415-977-7124
 E-mail gtalken@earthlink.net

Name Uma Thomas
 Street Address 369 42nd Street, Oakland CA
 Phone 510-654-7402
 E-mail umathomas99@yahoo.com

Name Susanne Cockrell
 Street Address 5343 Miles Ave, Oakland 94618
 Phone 510-428-1210
 E-mail compound@norcov.com

Name Chuck Fechner
 Street Address 471 Cavour Street, Oakland, CA 94618
 Phone Phykph8@aol.com
 E-mail (510) 547-2588

E-Mail Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Name Jeanne Hendrickson
Street Address 497 Rich Street
Phone 655-8607
E-mail hendoc@sbcglobal.net

Name _____
Street Address _____
Phone _____
E-mail _____

Name Brian Henderson
Street Address 330 Clifton Street, Oakland, CA 94618
Phone 510-717-0810
E-mail brian_ppco@yahoo.com

Name _____
Street Address _____
Phone _____
E-mail _____

Name _____
Street Address _____
Phone _____
E-mail _____

Name _____
Street Address _____
Phone _____
E-mail _____

Name _____
Street Address _____
Phone _____
E-mail _____

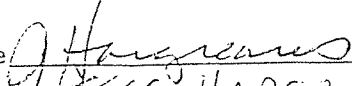
Name _____
Street Address _____
Phone _____
E-mail _____

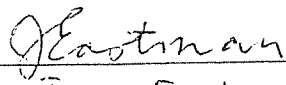
Name _____
Street Address _____
Phone _____
E-mail _____

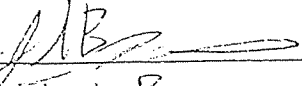
Name _____
Street Address _____
Phone _____
E-mail _____

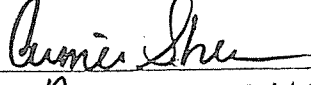
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

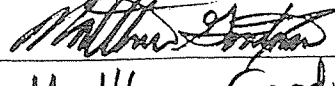
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

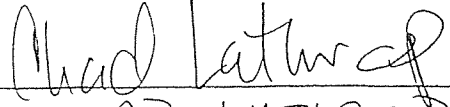
Signature 
 Name (print) JEFF HARGREAVES
 Street Address 5364 BOYD AV
 Phone _____
 E-mail jeffh652@yahoo.com

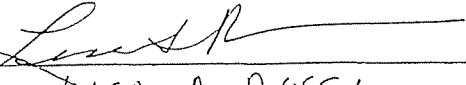
Signature 
 Name (print) John Eastman
 Street Address 70 Schooner Hill
 Phone 576-841-9104
 E-mail eastman70sh@earthlink.net

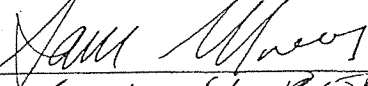
Signature 
 Name (print) Josh Bergstrom
 Street Address 1119 65th St, Oakland
 Phone 510-459-3967
 E-mail Josh@mountaincurrent.net

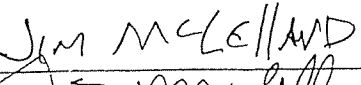
Signature 
 Name (print) AIMEE SHEA
 Street Address 5229 CLAREMONT AVE
 Phone 415 519-0574
 E-mail _____

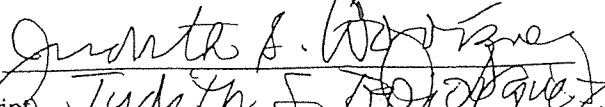
Signature 
 Name (print) Matthew Goodman
 Street Address 325 Miracle Lane *Santa Cruz CA 95060
 Phone (831) 471-9684
 E-mail mgood99@hotmail.com

Signature 
 Name (print) CHAD LATHROP
 Street Address 4987 A Shafter
 Phone 510 761 5329
 E-mail cheesesinatra@hotmail

Signature 
 Name (print) LISA A. ROSSI
 Street Address 4987 SHAFER AVE.
 Phone 510.282.4147
 E-mail rossila@sfsu.edu

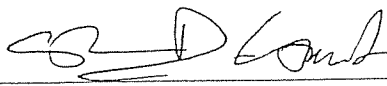
Signature 
 Name (print) SAM MORENO
 Street Address 5095 SHAFER AVE
 Phone 510-428-2079
 E-mail BERCHVAL@AOL

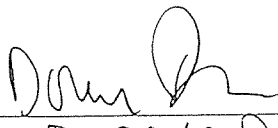
Signature 
 Name (print) Jim McLelland
 Street Address 5514 WEBSTER ST
 Phone 510 654 3516
 E-mail THEITNET+H SUN@yahoo.com


Signature 
 Name (print) Judith S. Rodriguez
 Street Address 5207 Webster St
 Phone (510) 594-0688
 E-mail _____

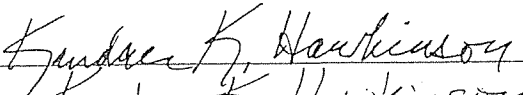
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland


We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

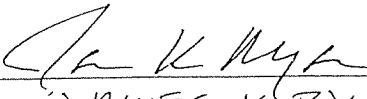
Signature 
 Name (print) STEVEN GOODMAN
 Street Address 400 49th St
 Phone Oakland
 E-mail 510-653-3872

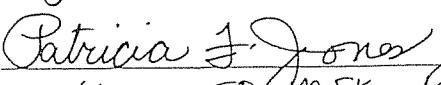
Signature 
 Name (print) DORENE DAVIS
 Street Address 429 50th St. OAKLAND
 Phone 510 658-1436
 E-mail _____

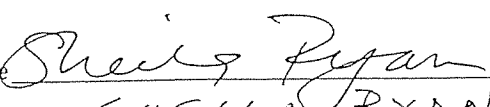
Signature 
 Name (print) Raymond Jones
 Street Address 430-50th street OAKLAND,
 Phone 510-652-7353
 E-mail zalefrances@sbcglobal.net

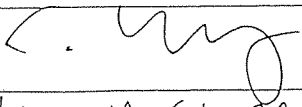
Signature 
 Name (print) Kandace K. Hawkinson
 Street Address 429 50th Street
 Phone 510-658-1436
 E-mail _____

Signature 
 Name (print) Regina Jones
 Street Address 430-50th St.
 Phone (510) 652-7353
 E-mail missjones76@hotmail.com

Signature 
 Name (print) JAMES K RYAN
 Street Address 419 49th St
 Phone 510-654-9696
 E-mail _____

Signature 
 Name (print) 430-50th St Patricia F. Jones
 Street Address 430-50th St
 Phone (510) 652-7353
 E-mail _____

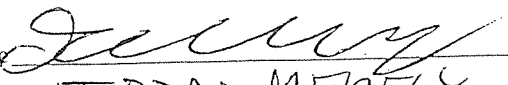
Signature 
 Name (print) SHEILA RYAN
 Street Address 421 49th St
 Phone 510-750-0496
 E-mail _____

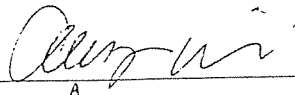
Signature 
 Name (print) Lisa McElroy
 Street Address 427 50th St.
 Phone 510-654-4098
 E-mail lisa-mcElroy-2000@yahoo.com

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

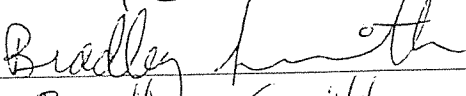
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

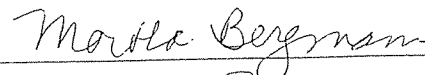
Signature 
 Name (print) TOBIAS MENELEY
 Street Address 709 56th St Oakland CA 94609

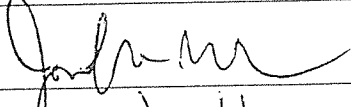
Signature 
 Name (print) Amy Willis
 Street Address _____

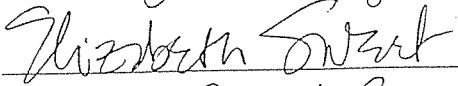
Phone _____
 E-mail tmeneley@indiana.edu

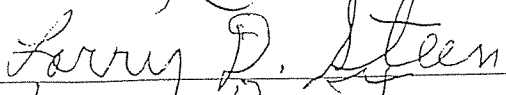
Phone _____
 E-mail amy.willis@lonelyplanet.com

Signature 
 Name (print) Bradley Smith
 Street Address 467 31st St
 Phone (510) 717-1304
 E-mail _____

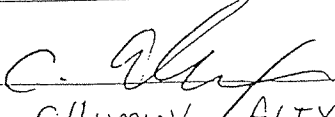
Signature 
 Name (print) Martha Bergmann
 Street Address 335 62nd St #4
 Phone (510) 655-4529
 E-mail mertha.bergmann@sbeglobal.net

Signature 
 Name (print) Jonathan Mistry
 Street Address 5248 Claremont
 Phone 510-928-1311
 E-mail JMistry@earthlink.net

Signature 
 Name (print) ELIZABETH SWEET
 Street Address 475 42nd St
 Phone 654.4573
 E-mail halfheart@yahoo.com

Signature 
 Name (print) Larry D. Steen
 Street Address 1955 San Pablo Ave.
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature 
 Name (print) CHUMMY ALEXANIAN
 Street Address 627 51st St #15
 Phone 510) 469-4127
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature Bonnie Pearson

Name (print) Bonnie Pearson

Street Address 4770 Telegraph

Phone 510-388-8966

E-mail bpdesign@sbcglobal.net

Signature Cristina K. Gerber

Name (print) CRISTINA K. GERBER

Street Address 392-44th STREET

Phone 510-652-4521

E-mail cristina716@yahoo.com

Signature _____

Name (print) _____

Street Address _____

Phone _____

E-mail _____

Signature _____

Name (print) _____

Street Address _____

Phone _____

E-mail _____

Signature _____

Name (print) _____

Street Address _____

Phone _____

E-mail _____

Signature _____

Name (print) _____

Street Address _____

Phone _____

E-mail _____

Signature _____

Name (print) _____

Street Address _____

Phone _____

E-mail _____

Signature _____

Name (print) _____

Street Address _____

Phone _____

E-mail _____

Signature _____

Name (print) _____

Street Address _____

Phone _____

E-mail _____

Signature _____

Name (print) _____

Street Address _____

Phone _____

E-mail _____

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

12/10/06
 Signature *Martha Bergmann*
 Name (print) Martha Bergmann
 Street Address 335 62nd St, #4
 Phone (510) 655-4529
 E-mail martha.bergmann@shglobal.net

Signature *Donald Hausler*
 Name (print) DONALD HAUSLER
 Street Address 687 VERNON ST.
 Phone 510-658-1083
 E-mail dehausler@hotmail.com

Signature *Lauren Richey*
 Name (print) LAUREN RICHEY
 Street Address 22 MOSS AVE #202
 Phone (510) 654-8935
 E-mail LAURENANDMARK@EARTHLINK-NET

Signature *Leslie Finta*
 Name (print) Leslie Finta
 Street Address 1775 Castaline Rd
 Phone (510) 531-8032
 E-mail lesfinta@yahoo.com

Signature *Janet Kail*
 Name (print) JANET KAIL
 Street Address 3213 Santa Clara Ave. #1
 Phone 510 558-1044
 E-mail _____

Signature *Jody Hand*
 Name (print) JODY HAND
 Street Address 3041 1/2 Fullon
 Phone 845-9134
 E-mail _____

Signature *Richard Corvin*
 Name (print) Richard Corvin
 Street Address 335 62nd St #12
 Phone 510-517-5049
 E-mail _____

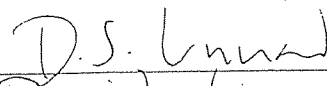
Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____


Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

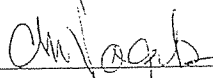
Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____


Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

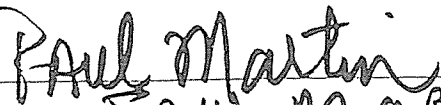
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.


Signature 
 Name (print) David Linnard
 Street Address 5143 Miles Av, 94618
 Phone 510-594-1268
 E-mail dslinnard@yahoo.com

Signature 
 Name (print) John Yencines
 Street Address 5121 Miles Ave # 1
 Phone 510-594-7667
 E-mail _____


Signature 
 Name (print) Charles M. Vaccaro
 Street Address 438 Avon St
 Phone 420 1425
 E-mail _____

Signature 
 Name (print) Mitzi Hawkwell
 Street Address 885 47th St
 Phone _____
 E-mail _____

Signature 
 Name (print) PAUL MARTIN
 Street Address 447 29th St
 Phone 510 893-8766
 E-mail pmartin@seus35.org

Signature 
 Name (print) ERIC S. GOODFIELD
 Street Address 446 62ND ST
 Phone _____

E-mail PUNKDRUNKLOVE@YAHOO.CO

Signature 
 Name (print) MARC SCHNEIDER
 Street Address 131 CHILPANCINGO PWY.
 Phone 925-825-9086
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Signature _____
 Name (print) _____
 Street Address _____
 Phone _____
 E-mail _____

Jan 30

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature [Signature]
Name (print) Tomi Kobard
Street Address 437 - 45th St.
Phone 510 420 1197
E-mail tomiske@oakland.com

Signature [Signature]
Name (print) Richard D. Winger
Street Address 5365 James Ave
Phone 510-652-1074
E-mail N/A

Signature [Signature]
Name (print) Beth Maher
Street Address 4529 Shafter Ave
Phone 510-420-5852
E-mail BethMaher@pacbell.net

Signature [Signature]
Name (print) Andrea Kiefer
Street Address 381 Adams St.
Phone 763-1408
E-mail _____

Signature [Signature]
Name (print) Josie Sommer
Street Address 416 45th St.
Phone (510)-601-6574
E-mail _____

Signature [Signature]
Name (print) Holly Scheider
Street Address 2419 Spaulding
Phone 849-3288
E-mail hscheider@mindspring.com

Signature [Signature]
Name (print) NICOLE M ARUDA
Street Address 480 MCAULEY ST
Phone 547-7970
E-mail aikogiv11968@yahoo.com

Signature [Signature]
Name (print) Jean Parker
Street Address 5405 Dover St.
Phone 601-1785
E-mail prkr@pacbell.net

Signature [Signature]
Name (print) CHRISTOPHER WATERS
Street Address 654 65th St.
Phone 510-414-1723
E-mail CHRISTOPHERE@PSYSPRINTMUSLOW.COM

Signature [Signature]
Name (print) NOEL GROSSMANN
Street Address 4180 Emerald St
Phone 510-420 8864
E-mail _____

Petition to Reduce the Proposed Height of the
Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature Ben Thompson
Name (print) Ben Thompson
Street Address 4180 Emerald, Oakland
Phone 94609
E-mail _____

Signature Christine Hebel
Name (print) CHRISTINE HEBEL
Street Address 462 36TH ST.
Phone Oakland, CA 94609
E-mail _____

Signature Andrea Goldman
Name (print) Andrea Goldman
Street Address 431 35th St, Oakland CA
Phone 94609
E-mail _____

Signature Sarah Blain
Name (print) Sarah Blain
Street Address 4039 Canyon Ave
Phone 531-1840 94602
E-mail _____

Signature Jayne Ogrodnik
Name (print) Jayne Ogrodnik
Street Address 415 48th St
Phone 6015705
E-mail _____

Signature B Greenfield
Name (print) B Greenfield
Street Address 6038 Monroe Ave
Phone (510) 428-1860
E-mail _____

Signature Arthur J. Rodgers
Name (print) Arthur Rodgers
Street Address 6038 Monroe Ave, Oakland
Phone 510-428-1860
E-mail _____

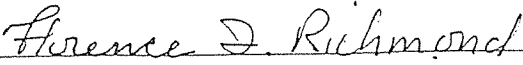
Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____


Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

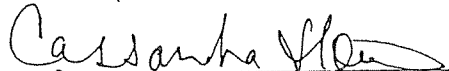
Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

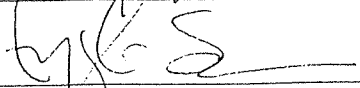
Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

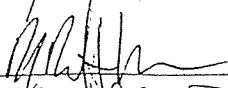
We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

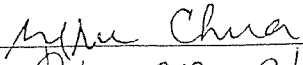
Signature 
 Name (print) FLORENCE J. RICHMOND
 Street Address 535 41st St. Apt. 4
 Phone 510-654-1067
 E-mail N/A

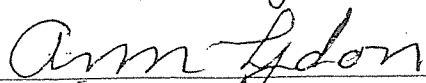
Signature 
 Name (print) Michael Gallucci
 Street Address 535 41st St #5
 Phone 510-658-9254
 E-mail rdwrt@comcast.net


Signature 
 Name (print) Cassandra Muzans
 Street Address 544 42nd Street
 Phone 510-428-0575
 E-mail N/A


Signature 
 Name (print) RAYLENE SAMSON
 Street Address 522 42nd St
 Phone 415 509 5889
 E-mail raylene@samsanpi.com


Signature 
 Name (print) Duff Ryan
 Street Address 522 42nd St
 Phone 415-640-0978
 E-mail contact@duffryan.com

Signature 
 Name (print) Pience Chua
 Street Address 529 Oakland St.
 Phone (510) 658-2593
 E-mail ~~anna@fda~~

Signature 
 Name (print) ANN LYDON
 Street Address 535 42nd St
 Phone 510 653-0791
 E-mail _____

Signature 
 Name (print) GAIL RINGGOLD
 Street Address 523 - 73rd St
 Phone 510 594-0746
 E-mail Ringgold.Gaill@DSS.CA.GOV

Signature 
 Name (print) Annie Collison
 Street Address 532 43rd
 Phone 510-3334927
 E-mail _____

Signature 
 Name (print) Amber Collison
 Street Address 532 43rd
 Phone 510-985-0178
 E-mail _____

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature Jenny C. Aker
 Name (print) Jenny C. Aker
 Street Address 516 43rd St.
 Phone 910 218 1663
 E-mail jennaker@hotmail.com

Signature Audie Smith
 Name (print) Audie
 Street Address 518 43rd St
 Phone 503 358-3395
 E-mail asmith2@cca.edu

Signature Michael Greenstasi
 Name (print) Michael Greenstasi
 Street Address 517c 44th St Oak CA 94609
 Phone (510) 450-9708
 E-mail rileywelltundra@yahoo.com

Signature Jessica Stockton
 Name (print) Jessica Stockton
 Street Address 517c 44th St. Oak Ca. 94609
 Phone (510) 450-9708
 E-mail Jessica Stockton@yahoo.com

Signature May A. Wolowic
 Name (print) MARY A. Wolowic
 Street Address 530 - 44th St Oakland 94609
 Phone 510-659-1073
 E-mail soapw@ch13@aol.com

Signature Janette Sperber
 Name (print) Janette Sperber
 Street Address 539 41st St
 Phone 510 652 7671
 E-mail jbs44@comcast.net

Signature Paul Diepenbrock
 Name (print) PAUL DIEPENBROCK
 Street Address 541 41st St
 Phone 510 489-4345
 E-mail _____

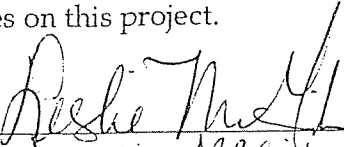
Signature Kristi A. Mathews
 Name (print) Kristi A. Mathews
 Street Address 536-41st St #20 Oakland CA 94609
 Phone 510-597-1928
 E-mail _____

Signature KC Marler
 Name (print) KENNETH C. MARLER
 Street Address 523-41st St
 Phone 510-601-7600
 E-mail _____

Signature Dennis A Brown
 Name (print) Dennis A Brown
 Street Address 535-41st street
 Phone 510-654-1067
 E-mail _____

Petition to Reduce the Proposed Height of the Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature 
Name (print) Leslie McGibbon
Street Address 539 42nd St.
Phone 510-595-9480
E-mail lchristinem@yahoo.com

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Signature _____
Name (print) _____
Street Address _____
Phone _____
E-mail _____

Petition to Reduce the Proposed Height of the
Development at Telegraph and 51st Street, North Oakland

We the undersigned believe that the development planned for Telegraph and 51st Street as currently proposed by The Telegraph and 5110 Telegraph LLC contains several serious zoning issues, which if approved, would establish a precedent for future projects that would be detrimental to the long-range development of our North Oakland neighborhood. The current plans propose heights that significantly exceed limits on all street-facing sides of the project and in each of the C-28, R-35 and R-40 zones that comprise the site. We strongly urge the developers to scale back the height of the project (which currently exceeds height limits by as much as 25 feet, or 2-1/2 stories) so that it conforms more closely to current zoning height limits and thereby maintains continuity with the character of the surrounding business and residential district. If the developers do not significantly reduce the overall height of this project, we ask that the Planning Commission deny any request for height variances on this project.

Signature Anjali Nishi
Name (print) Anjali Nishi
Street Address 489 1/2 Covarr St.
Phone _____
E-mail _____

Signature Gerald Washington
Name (print) GERALD WASHINGTON
Street Address 5248 CLAREMONT #27
Phone 510-594-1040
E-mail GERWAS4@AOL.COM

Signature Derek Wood
Name (print) Derek Wood
Street Address 5150 Shafter ave.
Phone 510 543 3100
E-mail _____

Signature Marcie Castello
Name (print) Marcie Castello
Street Address 5248 Claremont Ave, #6
Phone 510-594-1040
E-mail _____

Signature Derek McCall
Name (print) Derek McCall
Street Address 5150 Shafter ave
Phone 510 655-1427
E-mail itmightbederek@hotmail.com

Signature Meena Mevon
Name (print) MEENA MEVON
Street Address 5248 Claremont Ave, #35
Phone 510 655 7355
E-mail meena939@aol.com

Signature Tim Nise
Name (print) Tim Nise
Street Address 5248 Claremont Ave Apt 5A
Phone 510-757-8111
E-mail timnise9@ymos.com

Signature Queth Kissing
Name (print) Queth Kissing
Street Address 5248 Claremont Ave #4A
Phone 510-655-7434
E-mail queth13@earthlink.net

Signature Jennie Morgan
Name (print) JENNIE MORGAN
Street Address 5248 CLAREMONT APT 3A
Phone 653 4014
E-mail _____

Signature Mike Bogart
Name (print) Mike Bogart
Street Address 654-5452
Phone 5275 Redwood Ave.
E-mail _____

