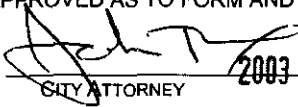


FILED
OFFICE OF THE CITY CLERK
OAKLAND
APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY
2003 JUN 12 PM 2:34

INTRODUCED BY COUNCILMEMBER _____

ORDINANCE NO. 12522 C.M.S.

AN ORDINANCE REZONING 9 PARCELS, COMPRISING OF APPROXIMATELY 11.68 ACRES OF LAND, IN AN AREA GENERALLY BOUNDED BY HANSOM DRIVE PHAETON DRIVE, CAMPUS DRIVE, AND KELLER AVENUE, FROM THE R-30 ONE FAMILY RESIDENTIAL ZONE TO THE R-30 ONE FAMILY RESIDENTIAL ZONE / S-18 MEDIATED RESIDENTIAL DESIGN REVIEW COMBINING ZONE.

WHEREAS, in 1986, the subdivision approvals for the creation of nine parcels on Pinecrest Drive included conditions limiting development on those lots to one story; and

WHEREAS, the condition was never recorded,

WHEREAS, neighborhood residents have complained of view blockage by a two-story development

WHEREAS, on March 24, 2003, the City Council directed that staff study the issue of rezoning the properties from R-30 One Family Residential to R-30 One-Family Residential / S-18 Mediated Residential Design Review and bring forward a recommendation from the Planning Commission; and

WHEREAS, on May 28, 2003, Planning & Zoning staff held an informational community meeting to discuss the proposed rezoning with the neighborhood residents, and to explain the changes that would be brought about by the proposed rezoning; and

WHEREAS, a duly noticed public hearing was held on this matter by the City Planning Commission on June 4, 2003; and

WHEREAS, at the same meeting, the City Planning Commission voted to recommend amending the Oakland Planning Code as set forth below; and

WHEREAS, said amendments to the Oakland Planning Code do not necessitate amendments to the Master Fee Schedule; and

WHEREAS, said amendments to the Oakland Planning Code are exempt from environmental review under Section 15061(b)(3), State CEQA Guidelines, "general rule": no possibility of significant effect on the environment; and

WHEREAS, the City Council finds and determines that the public safety, health, convenience, comfort, prosperity, and general welfare will be furthered by the proposed amendment; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this Ordinance.

SECTION 2. The City Council finds and determines that the adoption of this Ordinance complies with the California Environmental Quality Act.

SECTION 3. The designation and location of zones and zone boundaries on section map 129 in Chapter 17.154 of the Oakland Planning Code are hereby amended as indicated in Attachment A.

SECTION 4. This Ordinance shall be effective upon adoption, subject to the provisions of Section 216 of the Charter of the City of Oakland, but shall not apply to permits already issued.

SECTION 5. If any provisions of this Ordinance or application thereof to any person of circumstances is held invalid, the remainder of this Ordinance and the application of provisions to other persons or circumstances shall not be affected thereby.


Introduction Date: JUL 15 2003

JUL 29 2003

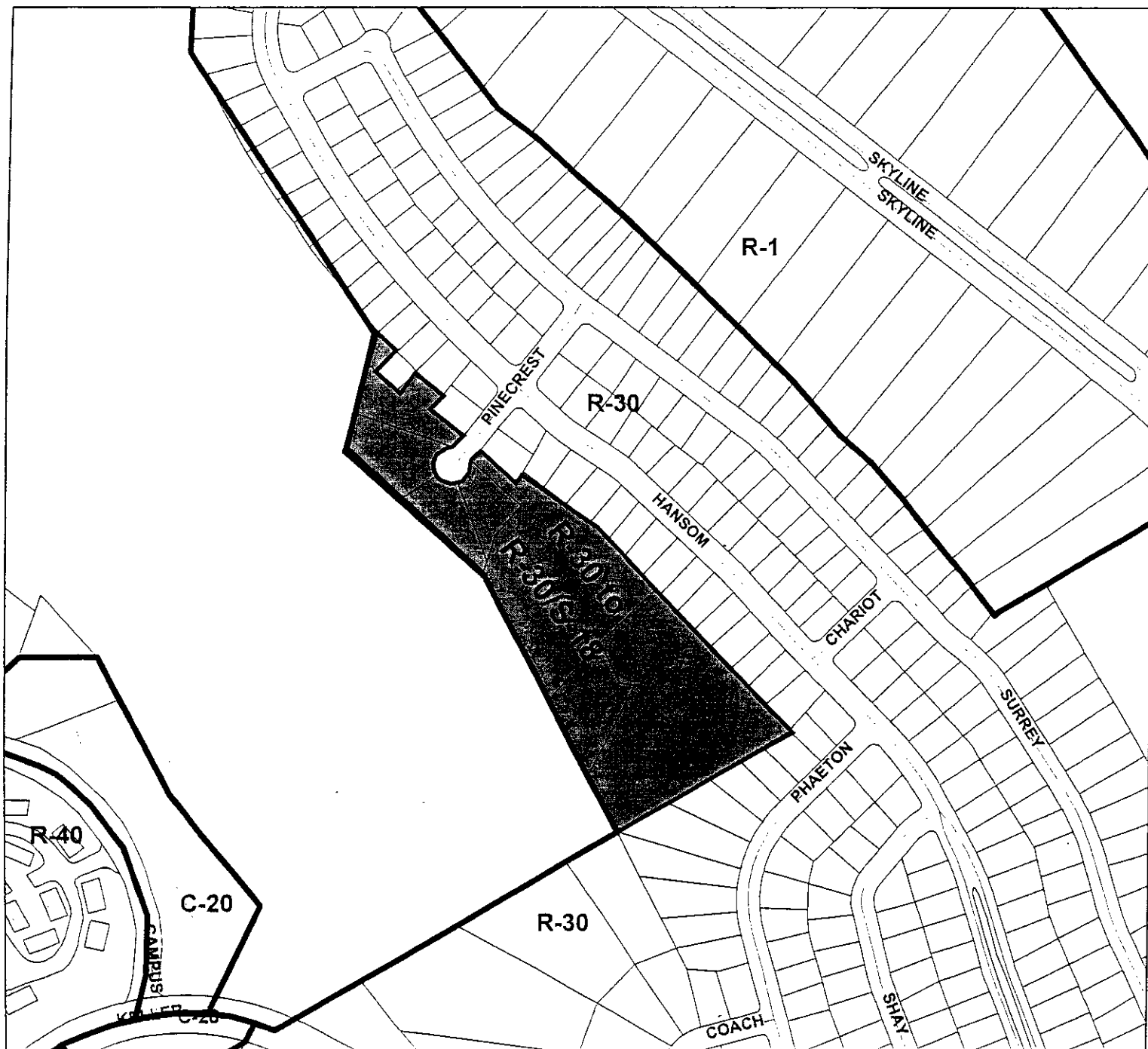
IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- **BROOKS, BRUNNER, CHANG,
NADEL, REID, QUAN, WAN**
NOES-
ABSENT-
ABSTENTION-
AND PRESIDENT DE LA FUENTE -8

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

CITY OF OAKLAND PLANNING COMMISSION



Case File: RZ03-187
Applicant: City of Oakland
Address: 5105-5255 Pinecrest Dr.

Existing Zone: R-30
Proposed Zone: F-30/S-18 (Shaded Area)

