

APPLICATIONS ON FILE
April 1, 2022

CITY OF OAKLAND
BUREAU OF PLANNING/ZONING DIVISION
250 Frank H. Ogawa Plaza, 2nd Floor, Suite 2114
Oakland, California 94612

In addition to those applications listed on the City Planning Commission Agenda, the City has also received the applications included in this notice for review and action.

You may view the project applications and/or plans by visiting our online portal at: <https://www.oaklandca.gov/services/online-permit-center>. You may also email the case planner to learn more about the project. Your comments and/or questions regarding an application must be directed to the Bureau of Planning Zoning- Division, to the attention of the designated case Planner, and by the end of the 10-day public comment period¹:

MONDAY, APRIL 11, 2022

In your communications, please indicate the case number (which is identified on each notice) so the case Planner can identify what project you're commenting about.

A decision will be made on the application after this date. If you decide to appeal the Zoning Manager's decision or challenge the application in court, you will be limited to issues raised in written correspondence or email and delivered to the Zoning Division on, or prior to the end of the public comment period as indicated above. If you wish to be notified of the decision of any of these cases, please provide the case Planner with an r email address.

Except where noted, once a decision is reached by the Zoning Manager on these cases, they are appealable to the Planning Commission. Such appeals must be filed within ten (10) calendar days of the date of decision by the Zoning Manager and by 4:00p.m. An appeal shall be on a form provided by the Bureau of Planning-Zoning Division and submitted electronically to the Case Planner. Specific instructions for filing the appeal, including fees and deadlines for filing will be included in the decision letter. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the City of Oakland or wherein the decision is not supported by substantial evidence and must include payment in accordance with the City of Oakland Master Fee Schedule. Failure to file a timely appeal will preclude you from challenging the City's decision in court. The appeal itself must raise every issue that is contested along with all the arguments and evidence previously entered into the record during the previously mentioned public comment period described above. Failure to do so will preclude you from raising such issues during the appeal hearing and/or in court.

Please help us achieve wider notification by alerting your friends and neighbors if you believe they would be interested in any of the cases listed below. Please note that the descriptions of the applications found below are preliminary in nature and that the projects and/or such descriptions may change prior to a decision being made.

¹ Per Oakland City Administrator Emergency Order No. 3 dated May 13, 2020, the public comment timeframe has been set to 10-days for the duration of the emergency.

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| 1. | Location: | 4200 Bemis Street |
| | Assessor's Parcel Number(s): | 048 626201500 |
| | Proposal: | To construct a 999 square-foot, two-story addition to an existing one-story, 4,281 single family home, remove a rear detached pool house and construct a 809-sf accessory building in the rear of the property. |
| | Applicant: | Mason Wodhams (805) 234-3812 |
| | Owner: | Marcus Peters |
| | Case File Number: | PLN21177 / T2100140 |
| | Planning Permits Required: | Regular Design Review for residential addition over 1000 square feet. |
| | General Plan: | Hillside Residential |
| | Zoning: | RH-2 / S-9 |
| | Environmental Determination: | Section 15301 of the State CEQA Guidelines: Existing Facilities and Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan, or Zoning. |
| | Historic Status: | Vacant lot, No historic rating |
| | City Council District: | 7 |
| | Action to be Taken: | Administrative decision |
| | Finality of Decision: | Appealable to Planning Commission |
| | For Further Information: | Contact Case Planner, Eva Wu at (510) 238-3785 or by email at ewu@oaklandca.gov |

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| 2. | Location: | 6507 Melville Drive |
| | Assessor's Parcel Number(s): | 048D727304000 |
| | Proposal: | Creek Protection Permit Category III application for a rebuild and expansion of a second story, rear deck to 301 square-feet with stairs, and building façade improvements 56' from the top of the creek bank. |
| | Applicant: | Home Healing Renovations Inc. (510) 813-9600 |
| | Owner: | Alice Grub and Jeff Fleming |
| | Case File Number: | CP21071 |
| | Planning Permits Required: | Creek Protection Permit Category III, Section 13.16 of the City of Oakland Creek Protection Ordinance, related to construction between 20' and 100' from an existing creek |
| | General Plan: | Hillside Residential |
| | Zoning: | Rh-4 Hillside Residential Zone |
| | Environmental Determination: | Exempt, Section 15301 of the State CEQA Guidelines: Minor additions to existing structures. |
| | Historic Status: | Non-Historic Property |
| | City Council District: | 4 |
| | Action to be Taken: | Pending |
| | Finality of Decision: | Appealable to Planning Commission |
| | For Further Information: | Contact Case Planner, Danny Thai at (510) 238-3584 or by email at dthai@oaklandca.gov . |

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| 3. | Location: | 2725-2727 Fruitvale Avenue |
| | Assessor's Parcel Number(s): | 026 082004102 & 026 082004103 |
| | Proposal: | To construct a 1,700 square-foot addition to a one-story commercial building and renovation of the existing 2,340 square-foot commercial building. The proposed uses include a combined studio-work space and flex space for administrative, retail, communication media and personal instruction and improvement services. The project will include the merger of two lots |
| | Applicant: | Andrew Turner (510) 326-6806 |
| | Owner: | Bay Ridge Development, LLC. |
| | Case File Number: | PLN21255 |
| | Planning Permits Required: | Regular Design Review for a non-residential addition; Minor Conditional Use Permit to establish Communication Media and Personal Instruction and Improvement Services Commercial Activities in the RM-4/C Zone; and Parcel Map Waiver to merge two lots |
| | General Plan: | Mixed Housing Type Residential |
| | Zoning: | RM-4/C Zone |
| | Environmental Determination: | Exempt, Section 15303 (a) of the State CEQA Guidelines; construction of small structures; Section 15183 of the State CEQA Guidelines: Projects consistent with a Community Plan, General Plan or Zoning. |
| | Historic Status: | OCHS: Not a historic property |
| | City Council District: | 5 |
| | Action to be Taken: | Pending |
| | Finality of Decision: | Appealable to Planning Commission |
| | For Further Information: | Contact Case Planner, Jason Madani at (510) 238-4790 or by email at jmadani@oaklandca.gov . |

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| 4. | Location: | 3403 Piedmont Avenue |
| | Assessor's Parcel Number(s): | 009-0732-005-02, 009-0732-006-00 |
| | Proposal: | To demolish an existing approximately 2,475-square-foot, single-story commercial structure and surface parking lot and replace it with an eight-story, approximately 65,000-square-foot multi-use residential building, up to 85 feet in height at the roof level. The project includes 73 residential units and approximately 1,324 square feet of ground floor commercial space on Piedmont Avenue. The office building at 3400 Broadway would remain. The project relies on the State Density Bonus Law (California Government Code Sections 65915-65918), which requires approval of additional housing units and incentives/concessions when affordable housing is included. The maximum density for the site, without a density bonus, is 63 dwelling units. The project is currently proposing that a total of 14 of the units (6 studios and 8 two-bedroom units) would be made available at Moderate Income levels (81-120% of the average median income), which allows for a 16 percent density bonus equating to an allowance of 73 units on the site. The project includes two incentives per the State Density Bonus Law: 27 parking spaces are proposed when 49 are required and 2,038 square feet of open space is provided while 5,355 square feet of open space is required. |
| | Applicant: | Jeremy Harris (858) 449-5270 |
| | Owner: | Oakland-Piedmont Properties |
| | Case File Number: | PLN21042 |
| | Planning Permits Required: | Regular Design Review for new construction and a Parcel Map Waiver to merge two lots. |
| | General Plan: | Community Commercial |

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| Zoning: | D-BV-3 |
| Environmental Determination: | <p><u>Community Plan Exemption.</u> Under California Environmental Quality Act (CEQA) Guidelines Section 15183, the project qualifies for a streamlined environmental review because it is “consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project or its site.” Section 15183(c) specifies that “if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards ..., then an additional EIR need not be prepared for the project solely on the basis of that impact.”</p> <p><u>Qualified Infill Exemption.</u> Under CEQA Guidelines Section 15183.3, the proposal is an infill project that qualifies for streamlining by limiting the topics that are subject to review at the project level, provided the effects of infill development have been addressed in a planning-level decision or by uniformly applicable development policies. No additional environmental review is required if an infill project would not cause any new specific effects or more significant effects or if uniformly applicable development policies or standards would substantially mitigate such effects.</p> <p><u>Addendum.</u> CEQA is also satisfied through CEQA Guidelines Section 15164, which states that an addendum to a certified EIR is allowed when minor changes or additions are necessary and none of the conditions for preparation of a subsequent EIR or negative declaration, per Section 15162, are satisfied.</p> <p>This project includes a CEQA analysis that demonstrates that the project is consistent with the development regulations established by the Broadway Valdez District Specific Plan (BVDSP), the project was adequately studied in the EIR prepared for the BVDSP, and project impacts will be substantially mitigated by the imposition of uniformly applied development conditions of approval. The analysis also shows that preparation of an Addendum to the BVDSP EIR is allowed for the proposed project.</p> |
| Historic Status: | The existing building at 3405 Piedmont Avenue that is slated for demolition is rated “F3” by the Office of Cultural Heritage Survey (OCHS). The existing building at 3400 Broadway, which stands on the western portion of the project site (the “Sawmill Building”) has an OCHS rating of “Db+”. The project site is partially within the Upper Broadway/Auto Row Area of Secondary Importance (ASI) |
| City Council District: | 3 |
| Action to be Taken: | Administrative decision |
| Finality of Decision: | Appealable to Planning Commission |
| For Further Information: | Contact Project Case Planner, Neil Gray at (510) 238-3878 or by email at ngray@oaklandca.gov |

“END”