

January 4, 2023

Catherine Payne
Zoning Manager
Planning & Building Department, City of Oakland
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612-2032

**Re: Extension of PLN17384, ER16016 (APN 008 065300800, -900, -1501)
Design Review, Major Conditional Use Permit and Minor Variance
for 325 22nd Street (Two Kaiser Plaza)**

Dear Catherine:

On behalf of CIM Group, the purpose of this letter is to formally request a **two-year extension** of the above-referenced entitlements (office project) for the property located at 325 22nd Street and also known as “Two Kaiser Plaza.” Pursuant to Condition of Approval # 2, in the approvals granted on January 10, 2018 (the “Entitlements”), CIM hereby requests that the Entitlements for Two Kaiser Plaza be extended for two years. For ease of reference we have attached: (1) a detailed explanation providing why an extension from the Planning Commission is permissible; and (2) the City’s most recent staff report regarding the Entitlements.

As background, the Entitlements for Two Kaiser Plaza were given a one-year administrative extension from January 10, 2020 to January 10, 2021. In July 2021, the Entitlements were further extended for two years – to January 10, 2023 – pursuant to a request made under the City's Emergency Order No. 6.

With this extension request, CIM asks that the Entitlements be extended two additional year from January 10, 2023, to January 10, 2025, pursuant to Condition of Approval # 2, by the approving body, i.e., the Planning Commission. This extension is necessary as CIM continues to respond to and evaluate current market conditions (especially in light of the COVID-19 pandemic), including the impact of construction costs and evolving office trends, as it contemplates filing a building permit application for the site. While CIM is in the process of seeking entitlements for an apartment project at this site, it desires to keep the office project entitled in order to best respond to market conditions.

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As noted, we have included a copy of the staff report for the project when it was first entitled by the Planning Commission in 2018. We believe the information contained therein remains current.

Please let me know when this extension will go before the Planning Commission or if you need any additional information. Please also let me know the required fee to process this extension request.

Sincerely,

FENNEMORE WENDEL



Todd A. Williams

TAW

cc: Sean Buran, CIM
Richard Walker, Contract Planner

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ANALYSIS RE STATUS OF PLANNING ENTITLEMENTS FOR TWO KAISER PLAZA

This analysis reviews the status of the planning entitlements for Two Kaiser Plaza located 325 22nd Street, Oakland and which is owned by CIM.

CIM submitted a preapplication and application for environmental review for the proposed project in the Summer 2016. The Design Review Committee of the Planning Commission (DRC) reviewed the project on February 22, 2017, May 3, 2017 and July 26, 2017. The Planning Commission granted Design Review, Major Conditional Use Permit, and Minor Variance entitlements on January 10, 2018 along with the Conditions of Approval (COA). These entitlements were valid from **January 10, 2018 to January 10, 2020.**

The entitlements for Two Kaiser Plaza were additionally given a one-year administrative extension from January 10, 2020 to January 10, 2021. In July 2021, the entitlements were further extended for two years – to January 10, 2023 – pursuant to a request made under the City's Emergency Order No. 6.

Now without a further extension the Entitlements will expire on January 10, 2023. The Planning Commission per COA #2 has the discretionary authority to extend the entitlements for one year to January 10, 2024. All the above information can be confirmed via the attached Staff Report dated December 6, 2017 for the Planning Commission meeting where these entitlements were last considered.