

CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA, OAKLAND, CALIFORNIA 94612 – 2033

Community and Economic Development Agency
Planning & Zoning Services Division

(510) 238-3941
FAX (510) 238-6538
TDD (510) 839-6451

May 26, 2010

Patrick Van Ness
Signature Properties
4670 Willow Road, Suite 200
Pleasanton, CA 94588

RE: Case File No. ER 08-0005/PUD 08-186/TTM 8038/CMD 08-185 (Fruitvale Transit Village Project - Phase 2)

Dear Mr. Van Ness:

Your application for the above project was **APPROVED** at the City Planning Commission meeting of **May 19, 2010**. The Commission's action is indicated below. This action becomes final unless an appeal to the City Council is filed as explained below.

(X) Granted with required conditions (vote: 4-0)

An Appeal to the City Council of this decision may be submitted within ten (10) calendar days of May 19, 2010 (by 4:00 p.m. on June 1, 2010). An appeal shall be on a form provided by the Planning and Zoning Division of the Community and Economic Development Agency, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California, 94612, and to the attention of Scott Miller, Zoning Manager. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Planning Commission or wherein their decision is not supported by substantial evidence and must include payment of the appeal fee in accordance with the City of Oakland Master Fee Schedule. The Planning and Zoning Division shall forward a copy of appeals submitted to the City Council to the City Clerk for scheduling. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so may preclude you from raising such issues during your appeal and/or in court.

A Notice of Determination (NOD) was filed for the project on May 20, 2010 with the Alameda County Clerk's office at 1106 Madison Street, Oakland, CA, 94612. The stamped original proof

of filing is in the project file at the City of Oakland. Pursuant to Section 15075(e) of CEQA Guidelines, recordation of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA.

If you have any questions regarding this action, please contact the Zoning Manager Scott Miller, at (510) 238-2235 or smiller@oaklandnet.com.

Kind regards,

Kristi Bascom
Project Planner

Attachments: A. CEQA Findings
 B. Project Approval Findings
 C. Conditions of Approval (as modified by the Planning Commission on May 19, 2010)

Copy: (Co-Applicant)
 Jeff Pace
 Unity Council
 1900 Fruitvale Ave, Suite 2A
 Oakland, CA 94601

(Property Owner representative)
John Rennels, Real Estate Division
BART
300 Lakeside Drive, Suite
Oakland, CA 94612