

CREEK PROTECTION PERMIT  
APPLICATIONS ON FILE  
November 22, 2019  
*\*REVISED*

CITY OF OAKLAND  
BUREAU OF PLANNING / ZONING  
250 Frank H. Ogawa Plaza, 2<sup>nd</sup> Floor  
Oakland, California 94612-2031

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The City has received the following Creek Protection Permit application included in this notice for review and action.

You have received this notice because our records indicate that you own property and/or reside near one of the project locations listed below or you have indicated your interest in one of the applications.

**You may view the project application and/or plan by visiting our offices. The case planner need not be present to see the project file. Your comments and/or questions regarding an application must be directed to the Bureau of Planning and Zoning, to the attention of the designated case planner, and by the end of the 10-day public comment period:**

**Monday, December 9, 2019**

**In your comment letter please indicate the case number (which is identified on each notice) at the upper right hand corner of your letter so it will reach the case planner promptly.**

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 10-day public comment period as indicated above. If you wish to be notified of the decision of any of these cases, please indicate the Case Number and submit a self-addressed stamped envelope for each case, to the **Bureau of Planning / Zoning**, at the address indicated above.

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 Planning and Zoning Division of the **Bureau of Planning / Zoning** and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of the Case Planner. 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 ten (10) day public comment period. Failure to do so will preclude you from raising such issues during the appeal hearing and/or in court.

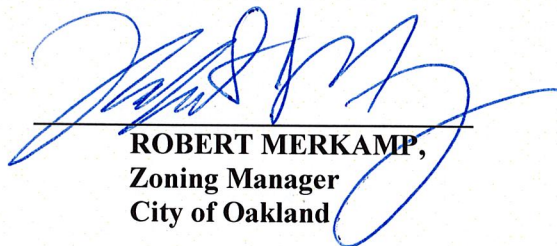
Please help us achieve wider notification by alerting your friends and neighbors if you believe they would be interested in any or the cases listed below. Please note that the descriptions of the applications found below are preliminary in nature and that the projects and/or such descriptions may change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

# Notice of Creek Protection Permit (CP) Application

1. **Location:** 5774 SCARBOROUGH DRIVE OAKLAND, CA 94605  
**APN:** 048D-7252-018-04 & 048D-7252-018-03, NOTE: This item was previously noticed with an error related to the address.
- Proposal:** Category III Creek Protection Permit for work within 100 feet of an open creek waterway. The creek preservation plans and measures are for work associated with DS190295, a 369 square-foot addition to an existing single family home. The subject lots, 5774 Scarborough Drive. (APN:048D-7252-018-04 & APN:048D-7252-018-03, were previously approved for merger by Parcel Map Waiver, PLN19024).
- Applicant:** Shannon Riley  
**Phone Number:** (510) 833-2643  
**Owner:** Muhler, Maria B  
**Case File Number:** CP19022  
**Planning Permits Required:** Category III Creek Protection Permit and Tree permit (T1900074)  
**General Plan:** Hillside Residential  
**Zoning:** RH-4/ S-9  
**Environmental Determination:** 15301-Existing Facilities  
**Historic Status:** None, 1966/ OCHS Rating X  
**City Council District:** 4  
**Action to be Taken:** Pending Decision  
**For further information:** Contact Case Planner Moe Hackett at (510) 238-3973 or [mhackett@oaklandca.gov](mailto:mhackett@oaklandca.gov)

Your comments and questions, if any, should be directed to, Moe Hackett, Planner II, Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California 94612, by 4:00 p.m., December 9, 2019. You may also call (510) 238-3973 or e-mail at [mhackett@oaklandca.gov](mailto:mhackett@oaklandca.gov)

The Director's decision regarding creek protection will be made following the end of the above public comment period, and that decision will become final unless an appeal is made to the City Planning Commission within 10 days of said decision. If you wish to be notified of the City's decision on this case, please indicate the application number and submit a self-addressed stamped envelope to the above-mentioned individual at the Bureau of Planning.

  
ROBERT MERKAMP,  
Zoning Manager  
City of Oakland

**IT IS UNLAWFUL TO ALTER OR REMOVE THIS NOTICE:**

Such an act is punishable by a fine of not more than five hundred dollars, or by imprisonment in the City Jail for not more than six months, or by both fine and imprisonment. (Sec.3-8.03 O.M.C.)



November 22, 2019

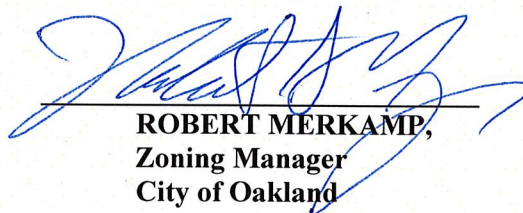
## Notice of Creek Protection Permit (CP) Application

2.                   **Location:** 851 TESTLE GLEN ROAD, OAKLAND, CA 94610  
                      **APN:** 023 043602001  
                      **Proposal:** To allow the construction of a two-story residential facility within 25' from the centerline of a creek.  
                      **Applicant:** Thomas McCollum  
                      **Phone Number:** (510) 708-4337  
                      **Owner:** Tony Elenteny  
                      **Case File Number:** CP19035  
                      **Permits Required:** Category III Creek Protection Permit to allow construction within 25'+ feet from the centerline of a creek Section 13.16.130 of the City of Oakland Creek Protection Ordinance)  
                      **General Plan:** Detached Unit Residential  
                      **Zoning:** RD-1, Detached Unit Residential 1 Zone  
**Environmental Determination:** Exempt, Section 15333 of the State CEQA Guidelines, Small Habitat Restoration Projects; Section 15301, Maintenance of wildlife habitat areas, Section 15304, Minor alterations to land and vegetation on existing wildlife management areas; Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources; Section 15308 Actions by Regulatory Agencies for Protection of the Environment Section 15183, Projects consistent with a Community Plan, General Plan or Zoning;  
                      **Historic Status:** N/A  
                      **City Council District:** II  
**For further information:** Contact case planner Jose M. Herrera-Preza at (510) 238-3808 or [jherrera@oaklandca.gov](mailto:jherrera@oaklandca.gov)

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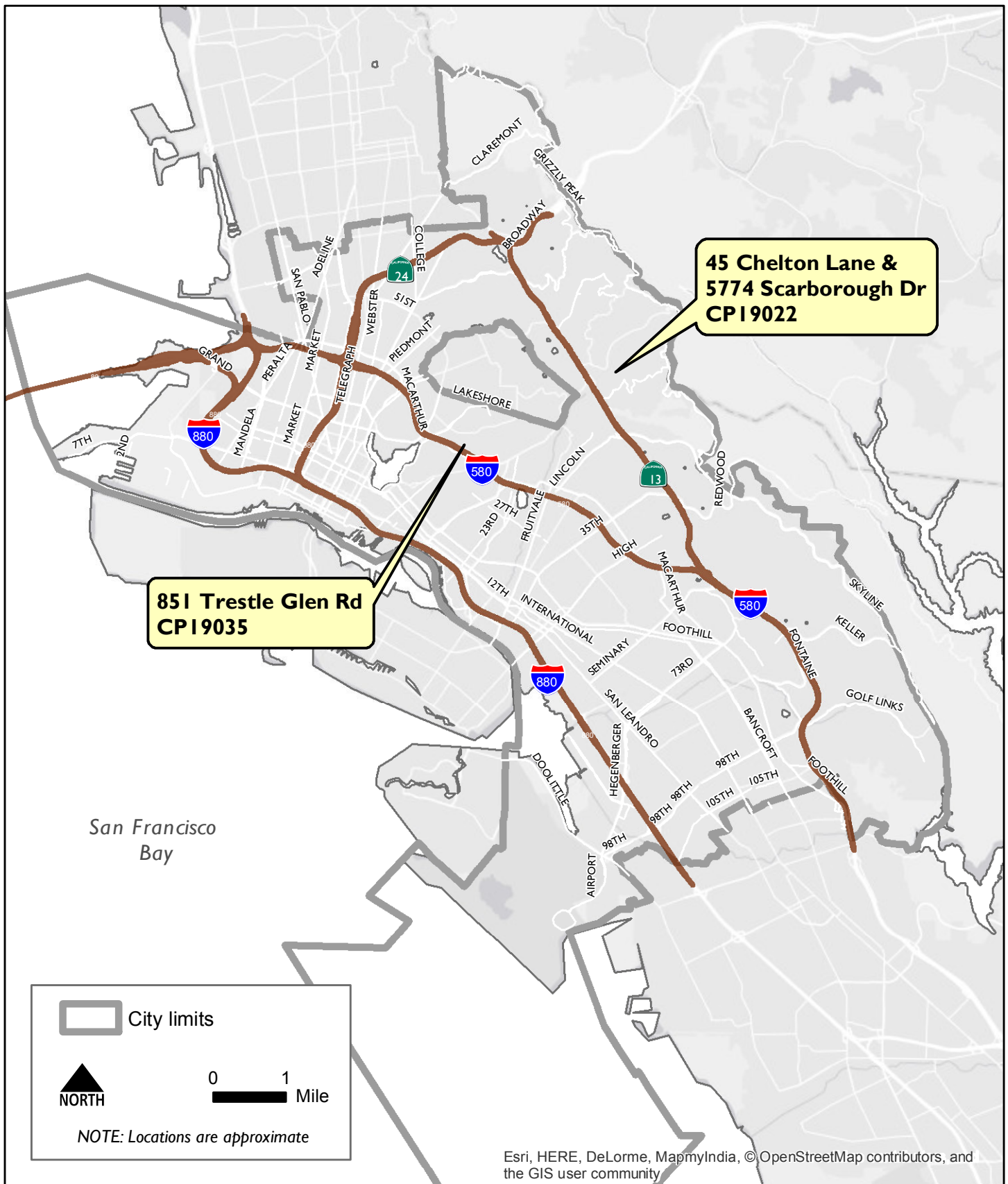
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## Creek Protection Permits on File for the Week of November 22, 2019

Planning & Building Department