

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 period<sup>1</sup>:**

## **MONDAY, May 08, 2023**

**In your communications, please indicate the case number (which is identified on each notice) so the Case Planner can identify what project you are 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 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 4:00 pm. 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.

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<sup>1</sup> 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.

<b>1.</b>	<b>Location:</b>	1601 39 <sup>th</sup> Avenue
	<b>Assessor's Parcel Number(s):</b>	033 213804000
	<b>Proposal:</b>	To construct two residential units and create a two-lot mini-lot development on a 7,000 square foot vacant lot.
	<b>Applicant:</b>	Pei Hua Lu / (305) 781-6898
	<b>Owner:</b>	Pablo Frusta Trust c/o Edward Lau
	<b>Case File Number:</b>	PLN20027
	<b>Planning Permits Required:</b>	Regular Design Review for the construction of dwelling units; Minor Conditional Use Permit for a Mini-Lot Development; and a Vesting Tentative Parcel Map (VTPM11036) for a two-lot subdivision.
	<b>General Plan:</b>	Mixed Housing Type Residential
	<b>Zoning:</b>	RM-2
	<b>Environmental Determination:</b>	Exempt per CEQA Guidelines Sections 15303-New Construction or Conversion of Small Structures; Section 15315- Minor Land Divisions; and 15183-Projects Consistent with a Community Plan, General Plan, or Zoning
	<b>Historic Status:</b>	Non-Historic Property
	<b>City Council District:</b>	5
	<b>Action to be Taken:</b>	Pending
	<b>Finality of Decision:</b>	Appealable to Planning Commission
	<b>For Further Information:</b>	Contact Case Planner <b>Gregory Qwan</b> at (510) 238-2958 or by email at <a href="mailto:gqwan@oaklandca.gov">gqwan@oaklandca.gov</a>

***“END”***