

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, JANUARY 23, 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 4:00p.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.

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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.

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| <b>1.</b> | <b>Location:</b>                    | <b>5339 Lawton Avenue</b>   |
|           | <b>Assessor's Parcel Number:</b>    | <b>014 125201300</b>  |
|           | <b>Proposal:</b>                    | To demolish an existing single-family home and construct a 3,187 square foot, 30-foot-tall two-story single-family residence with an attached one-car garage.   |
|           | <b>Applicant:</b>                   | John Newton   |
|           | <b>Owner:</b>                       | Dora & Kenneth Er   |
|           | <b>Case File Number:</b>            | <b>PLN22111</b>   |
|           | <b>Planning Permits Required:</b>   | Regular Design Review for the construction of a new dwelling unit in the RM-1 Zone.   |
|           | <b>General Plan:</b>                | Mixed Housing Type Residential  |
|           | <b>Zoning:</b>                      | RM-1 Mixed Residential Zone   |
|           | <b>Environmental Determination:</b> | The project is exempt under the following sections of the State CEQA Guidelines: Sections 15183 - Projects Consistent with a Community Plan, General Plan, or Zoning; and 15303 - New Construction or Conversion of Small Structures. (pending) |
|           | <b>Historic Status:</b>             | PDHP; Area of Secondary Importance: OCHS Rating, D2+  |
|           | <b>City Council District:</b>       | 1   |
|           | <b>Action to be Taken:</b>          | Administrative Decision   |
|           | <b>Finality of Decision:</b>        | Appealable to the Planning Commission   |
|           | <b>For Further Information:</b>     | Contact Case Planner <b>Mike Rivera</b> at (510) 238-6417 or by email at <a href="mailto:mriviera@oaklandca.gov">mriviera@oaklandca.gov</a>   |

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| <b>2.</b> | <b>Location:</b>                    | <b>2134 35th Ave</b>  |
|           | <b>Assessor's Parcel Number(s):</b> | <b>032 211200600</b>  |
|           | <b>Proposal:</b>                    | To construct a two-story 1,786 square foot single-family residence with attached two-car garage on an upslope vacant lot. The proposal includes the construction of a rear detached one-story 714 square-foot Accessory Dwelling Unit (ADU Category 2).<br><i>Note: This is the second public notice for this project. The project scope has not changed since the first public notice.</i> |
|           | <b>Applicant:</b>                   | Bill Wong (510)717-2228   |
|           | <b>Owner:</b>                       | Thinh Vo and Quang Bui  |
|           | <b>Case File Number:</b>            | <b>PLN21152</b>   |
|           | <b>Planning Permits Required:</b>   | Regular Design Review for construction of new residential facility  |
|           | <b>General Plan:</b>                | Mixed Housing Type  |
|           | <b>Zoning:</b>                      | RM-4 Mixed Housing Type Residential   |
|           | <b>Environmental Determination:</b> | 15303 – New Construction or Conversion of Small Structures and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning (assuming exempt)   |
|           | <b>Historic Status:</b>             | Non-Historic Property: Vacant Lot   |
|           | <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>Danny Thai</b> at (510) 238-3584 or by email at <a href="mailto:dthai@oaklandca.gov">dthai@oaklandca.gov</a> .  |

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| <b>3.</b> | <b>Location:</b>                    | <b>2130 35th Ave</b>   |
|           | <b>Assessor's Parcel Number(s):</b> | <b>032 211200500</b>   |
|           | <b>Proposal:</b>                    | To construct a two-story 1,789 square foot single-family residence with attached two-car garage on a upslope vacant lot. The proposal includes the construction of a rear detached one-story 695 square foot Accessory Dwelling Unit (ADU Category 2).<br><i>Note: This is the second public notice for this project. The project scope has not changed since the first public notice.</i> |
|           | <b>Applicant:</b>                   | Bill Wong (510)717-2228  |
|           | <b>Owner:</b>                       | Thinh Vo and Quang Bui   |
|           | <b>Case File Number:</b>            | <b>PLN21151</b>  |
|           | <b>Planning Permits Required:</b>   | Regular Design Review for construction of new residential facility   |
|           | <b>General Plan:</b>                | Mixed Housing Type   |
|           | <b>Zoning:</b>                      | RM-4 Mixed Housing Type Residential  |
|           | <b>Environmental Determination:</b> | 15303 – New Construction or Conversion of Small Structures and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning (assuming exempt)  |
|           | <b>Historic Status:</b>             | Non-Historic Property: Vacant Lot  |
|           | <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>Danny Thai</b> at <b>(510) 238-3584</b> or by email at <a href="mailto:dthai@oaklandca.gov">dthai@oaklandca.gov</a> .  |

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| <b>4.</b> | <b>Location:</b>                    | <b>1099 (0) 33<sup>rd</sup> Avenue</b>  |
|           | <b>Assessor's Parcel Number(s):</b> | 033 219302500   |
|           | <b>Proposal:</b>                    | Installation of a Macro Wireless Telecommunications Facility at BART's Fruitvale Station parking garage consisting of six, screened panel antennas mounted to the existing elevator shaft and associated rooftop equipment. |
|           | <b>Applicant:</b>                   | Dish Wireless LLC c/o Ryan Kerswill – Mobilitie (949)473-5062   |
|           | <b>Owner:</b>                       | Bay Area Rapid Transit (BART)   |
|           | <b>Case File Number:</b>            | <b>PLN22145</b>   |
|           | <b>Planning Permits Required:</b>   | Regular Design Review and Minor Conditional Use Permit to install a Macro Wireless Telecommunications Facility in the S-15 Zone.  |
|           | <b>General Plan:</b>                | Neighborhood Center Mixed Use   |
|           | <b>Zoning:</b>                      | S-15 Zone   |
|           | <b>Environmental Determination:</b> | Section 15303 of the state CEQA Guidelines- New construction or Conversion of Small Structures and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning (assuming exempt)                             |
|           | <b>Historic Status:</b>             | Not a historic property   |
|           | <b>City Council District:</b>       | 5   |
|           | <b>Action to be Taken:</b>          | Administrative decision Pending   |
|           | <b>Finality of Decision:</b>        | Appealable to Planning Commission   |
|           | <b>For Further Information:</b>     | Contact Case Planner <b>Samuel Becker</b> at <b>(561) 452-9907</b> or by email at <a href="mailto:sbecker@interwestgrp.com">sbecker@interwestgrp.com</a>  |

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| <b>5.</b> | <b>Location:</b>                    | <b>2131 Filbert Street</b>  |
|           | <b>Assessor's Parcel Number(s):</b> | 005 041300700   |
|           | <b>Proposal:</b>                    | Construction of a three-story building with 488 square feet of ground-floor of commercial space and one residential unit above.   |
|           | <b>Applicant:</b>                   | Anthony Quinn   |
|           | <b>Owner:</b>                       | 1007 West Grand LP  |
|           | <b>Case File Number:</b>            | <b>PLN22018</b>   |
|           | <b>Planning Permits Required:</b>   | Regular Design Review for new residential construction and Minor Variance for a reduced rear setback (5' proposed and 10' required)   |
|           | <b>General Plan:</b>                | Community Commercial  |
|           | <b>Zoning:</b>                      | Community Commercial – 2 (CC-2) Zone  |
|           | <b>Environmental Determination:</b> | Section 15303 of the state CEQA Guidelines- New construction or Conversion of Small Structures and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning (assuming exempt) |
|           | <b>Historic Status:</b>             | Not a historic property; vacant lot.  |
|           | <b>City Council District:</b>       | 3   |
|           | <b>Action to be Taken:</b>          | Administrative decision   |
|           | <b>Finality of Decision:</b>        | Appealable to Planning Commission   |
|           | <b>For Further Information:</b>     | Contact Case Planner <b>Samuel Becker</b> at (561) 452-9907 or by email at <a href="mailto:sbecker@interwestgrp.com">sbecker@interwestgrp.com</a>   |

**“END”**