

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 period¹:

MONDAY, MAY 23, 2022

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.

¹ 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.

#1	Location:	490 40th Street (also known as 4000 Telegraph Avenue)
	Assessor's Parcel Number(s):	012 101101802
	Proposal:	To subdivide one lot into two lots containing detached commercial and residential buildings. Lot 1 with the commercial building would be 27,768 square feet. Lot 2 with the residential building would be 35,997 square-feet.
	Applicant:	Marc Mast (925)286-6770
	Owner:	Mast Family Partnership
	Case File Number:	PLN21237
	Planning Permits Required:	Tentative Parcel Map (TPM11119) to subdivide one lot into two.
	General Plan:	Neighborhood Center Mixed Use / Urban Residential
	Zoning:	Neighborhood Commercial - 2 (CN-2) Zone
	Environmental Determination:	15315 – Minor Land Divisions; and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning (assuming exempt)
	Historic Status:	Not a historic property
	City Council District:	1
	Action to be Taken:	Pending
	Finality of Decision:	Appealable to the Planning Commission
	For Further Information:	Contact Case Planner Heather Klein at (510) 238-3659 or by email at hklein@oaklandca.gov .

#2	Location:	1721 Brush Street
	Assessor's Parcel Number(s):	003 005500602
	Proposal:	Proposal for a video game sales business in the rear of the property in an existing commercial structure
	Applicant:	Rebecca Friedberg / 415-948-0613
	Owner:	Kathy Zhang and Taylor Grimes
	Case File Number:	PLN22037
	Planning Permits Required:	Conditional Use Permit for a General Retail Sales Activity in a RM-2 Zoning district
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2 (Mixed Housing Type Residential)/S-20 (Historic Preservation District Combining Zone)
	Environmental Determination:	15301 – Existing Facilities; and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning (assuming exempt)
	Historic Status:	Local Register (C2+)/Area of Secondary Importance (Curtis and Williams Tract)
	City Council District:	3
	Action to be Taken:	pending
	Finality of Decision:	Appealable to Planning Commission
	For Further Information:	Contact Case Planner Rebecca Wysong at (510) 238-3123 or by email at rwysong@oaklandca.gov .

#3	Location:	3376 Robinson Dr.
	Assessor's Parcel Number(s):	029115501701
	Proposal:	Category III Creek Protection Permit associated with DRX220005 (replacement of existing accessory structure). Work is located within 100 feet of a dry creek.
	Applicant:	Alison Keene 510-551-6367
	Owner:	Michael Johnson and Elizabeth Glenewinkel 510-919-2898
	Case File Number:	CP22001
	Planning Permits Required:	CAT III Creek Protection Permit (CP22001)
	General Plan:	Hillside Residential
	Zoning:	RH-3/S-9
	Environmental Determination:	Exempt: Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15183 of the State CEQA Guidelines: Projects consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Not historic
	City Council District:	4
	Action to be Taken:	Administrative decision
	Finality of Decision:	Appealable to Planning Commission
	For Further Information:	Contact Project Case Planner Eva Wu at (510) 238-3785 or by email at ewu@oaklandca.gov

“END”