

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, NOVEMBER 28, 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:	9957 Empire Road
	Assessor's Parcel Number(s):	045 532002202
	Proposal:	Creek permit associated with construction of 779 square foot, Category 2 Accessory Dwelling Unit behind the primary house.
	Applicant:	Denise Rozporka (408) 458-0814
	Owner:	Julio and Sally Martinez
	Case File Number:	CP22021
	Planning Permits Required:	Creek Protection Permit Category III, Section 13.16 of the City of Oakland Creek Protection Ordinance, related to construction within 100' of an existing creek.
	General Plan:	Detached Unit Residential
	Zoning:	RD- 1 Zone
	Environmental Determination:	Section 15333 of the State CEQA Guidelines - Small Habitat Restoration Project; Section 15183 - Projects consistent with a community plan, general plan or zoning (assuming exempt)
	Historic Status:	Area of Secondary Importance (Columbian Gardens) OCHA rating D3
	City Council District:	7
	Action to be Taken:	Pending
	Finality of Decision:	Appealable to the Planning Commission's Residential Appeals Committee
	For Further Information:	Contact Case Planer Heather Klein at (510) 238-3659 or by email at hklein@oaklandca.gov

2.	Location:	5323 Shafter Avenue
	Assessor's Parcel Number(s):	014 125402000
	Proposal:	To demolish an existing single-family dwelling and construct a new 4,880 sf two-story single -family dwelling <i>Note: This is the second public notice for the project. Since the first notice, the project scope has been reduced. Notable changes to the scope include: removal of the roof deck, changes to and removal of windows to reduce privacy impacts, articulation of siding, changes to material, removal of lightwell and minor changes to the floorplan.</i>
	Applicant:	Jack Backus (510)393-9699
	Owner:	Kane Sweeney
	Case File Number:	PLN22014
	Planning Permits Required:	Regular Design Review for demolition and construction of a dwelling unit
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-1 Zone
	Environmental Determination:	Section 15303-New Construction or Conversion of Small Structures and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning (assuming exempt)
	Historic Status:	PDHP; Area of Secondary Importance: Hudson and Shafter; OCHS Rating: D2+

City Council District:	1
Action to be Taken:	Pending
Finality of Decision:	Appealable to Planning Commission
For Further Information:	Contact Case Planner Danny Thai at (510) 238-3584 or by email at dthai@oaklandca.gov .

3. Location:	7521 MacArthur Blvd.
Assessor's Parcel Number(s):	040 339600400
Proposal:	Construction of a six-story (67'-6" tall) mixed-use building on a 3,500 sq. ft. vacant lot. The project will include a 404 sq. ft. commercial space and three parking spaces at ground level with 10 market-rate rental units and one Very-Low income affordable unit for a total of 11 residential units on the floors above. The project includes concessions/development waivers pursuant to the state Density Bonus Law for 1) a building height of 65' (45' maximum), 2) six-stories (four-stories maximum), 3) a reduction of the transitional rear yard 1:1 setback adjacent to the RD-2 Zone, and 4) more than 25% of the required group open space on the roof.
Applicant:	Devi Dutta-Choudhury (510) 705-1937
Owner:	Cottrell Smith
Case File Number:	PLN21158
Planning Permits Required:	Regular Design Review for new construction of a mixed-use building
General Plan:	Neighborhood Center Commercial
Zoning:	CN-3
Environmental Determination:	Section 15332 of the state CEQA Guidelines - Infill Development; and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning (assuming exempt)
Historic Status:	Not a historic property; vacant lot
City Council District:	6
Action to be Taken:	Pending
Finality of Decision:	Appealable to Planning Commission
For Further Information:	Contact Case Planner Danny Thai at (510) 238-3584 or by email at dthai@oaklandca.gov .

“END”