

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 17-day public comment period:

MONDAY, January 27, 2025

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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| Location: | 3403 Piedmont Avenue |
| Assessor's Parcel Number(s): | 009 073200502, 009 073200600 |
| Proposal: | <p>The proposal would construct 1,324 square-foot of ground-floor commercial space facing Piedmont Avenue and 105 upper-story dwelling units in a 93-foot tall, nine-story building. The project is also merging two parcels into one lot and creating residential condominiums. The office building at 3400 Broadway would remain.</p> <p>The project relies on the State Density Bonus Law (California Government Code Sections 65915-65918) which requires approval of greater than the maximum residential density and incentives/concessions when a proposal includes a certain number of affordable housing units. The proposal will provide three units to very low-income residents and 26 units to moderate-income residents. The project also includes one concession to provide less than the minimum usable open space required by the applicable Zoning designation.</p> <p><i>Note: This is the second revision to a previously approved application to demolish an approximately 2,475 square-foot, single-story commercial structure and replace it with a multi-story, mixed-use building. The original approval was for 73 dwelling units in an eight-story, 85-foot-tall building. The first revision increased the number of dwelling units to 93 without an increase in the proposed height.</i></p> |
| Applicant: | Jeremy Harris (858) 449-5270 |
| Owner: | Oakland-Piedmont Properties |
| Case File Number: | PLN21042-R02 |
| Planning Permits Required: | Regular Design Review for new residential construction; Tentative Parcel Map to merge two lots into one and create condominiums |
| General Plan: | Community Commercial |
| Zoning: | D-BV-3 Zone |
| Proposed Environmental Determination: | <p>As noticed with the original 73-unit and the 93-unit without the height increase approvals, the project is exempt from the California Environmental Quality Act (CEQA) Guidelines under Section 15183 Community Plan Exemption because it is "consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project or its site." The project is also exempt under the Qualified Infill Exemption because the proposal is an infill project, and the effects were addressed in a planning-level decision and by uniformly applicable development policies. The project would not cause any new or more significant effects and the uniformly applicable development policies or standards would substantially mitigate any such effects.</p> <p>CEQA is also satisfied through Section 15164, which states that an addendum to a certified EIR is allowed when minor changes or additions are necessary and none of the conditions for preparation of a subsequent EIR or negative declaration, per Section 15162, are satisfied. A CEQA analysis was completed for the project that demonstrates that the project is consistent with the development regulations established by the Broadway Valdez District Specific Plan (BVDSP), the project was adequately studied in the EIR prepared for the BVDSP, and project impacts will be substantially mitigated by the imposition of uniformly applied development conditions of approval. https://www.oaklandca.gov/resources/current-environmental-review-ceqa-eir-documents-2011-present</p> |
| Historic Status: | 3405 Piedmont Avenue, slated for demolition, is rated F3 by the Oakland Cultural Heritage Survey (OCHS). 3400 Broadway at the western portion of the project site (the "Sawmill Building") has an OCHS rating of Db+. The project site is partially within the Upper Broadway/Auto Row Area of Secondary Importance. |
| City Council District: | 3 |
| Action to be Taken: | Administrative decision pending |
| Finality of Decision: | Appealable to Planning Commission |

For Further Information:

Contact Project Case Planner, Neil Gray at (510) 238-3878 or by email at ngray@oaklandca.gov

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