

**CREEK PROTECTION PERMIT
APPLICATIONS ON FILE
February 7, 2020**

**CITY OF OAKLAND
BUREAU OF PLANNING / ZONING
250 Frank H. Ogawa Plaza, 2nd Floor
Oakland, California 94612-2031**

The City has received the following Creek Protection Permit application included in this notice for review and action.

You have received this notice because our records indicate that you own property and/or reside near one of the project locations listed below or you have indicated your interest in one of the applications.

You may view the project application and/or plan by visiting our offices. The case planner need not be present to see the project file. Your comments and/or questions regarding an application must be directed to the Bureau of Planning and Zoning, to the attention of the designated case planner, and by the end of the 10-day public comment period:

Monday, February 24, 2020

In your comment letter please indicate the case number (which is identified on each notice) at the upper right hand corner of your letter so it will reach the case planner promptly.

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 10-day public comment period as indicated above. If you wish to be notified of the decision of any of these cases, please indicate the Case Number and submit a self-addressed stamped envelope for each case, to the **Bureau of Planning / Zoning**, at the address indicated above.

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 Planning and Zoning Division of the **Bureau of Planning / Zoning** and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of the Case Planner. 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 ten (10) day public comment period. 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 or 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.

Notice of Creek Protection Permit (CP) Application

1.	Location: 3235 NICOL AVENUE, OAKLAND, CA 94602
	APNs: 027 086904100
	Proposal: Demolish and replace 4' tall retaining walls located on creek bank, by providing creek protection plan.
	Applicant / Owner: Hanan Hardy / Hardy Real Estate.
	Contact Information: (415) 663-6510
	Case File Number: CP19026
	Planning Permits Required: Category IV Creek Protection Permit for work located within 20' of the top of a creek bank. A creek is a natural occurring creek, with possible riparian habitat.
	General Plan: Mixed Housing Type Residential
	Zoning: RM-2
	Environmental Determination: 15333- Small Habitat Restoration Projects; and 15183- Projects Consistent with a Community Plan or Zoning
	Historic Status: None; Rating: X
	City Council District: 1
	Action to be Taken: Pending
	Finality of Decision: Appealable to the Planning Commission
	For further information: Contact Case Planner Moe Hackett at (510) 238-3973 or mhackett@oaklandca.gov

Your comments and questions, if any, should be directed to, Moe Hackett Planner II, Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California 94612, by 4:00 p.m., February 24, 2020. You may also call (510) 238-3973 or e-mail at mhackett@oaklandca.gov.

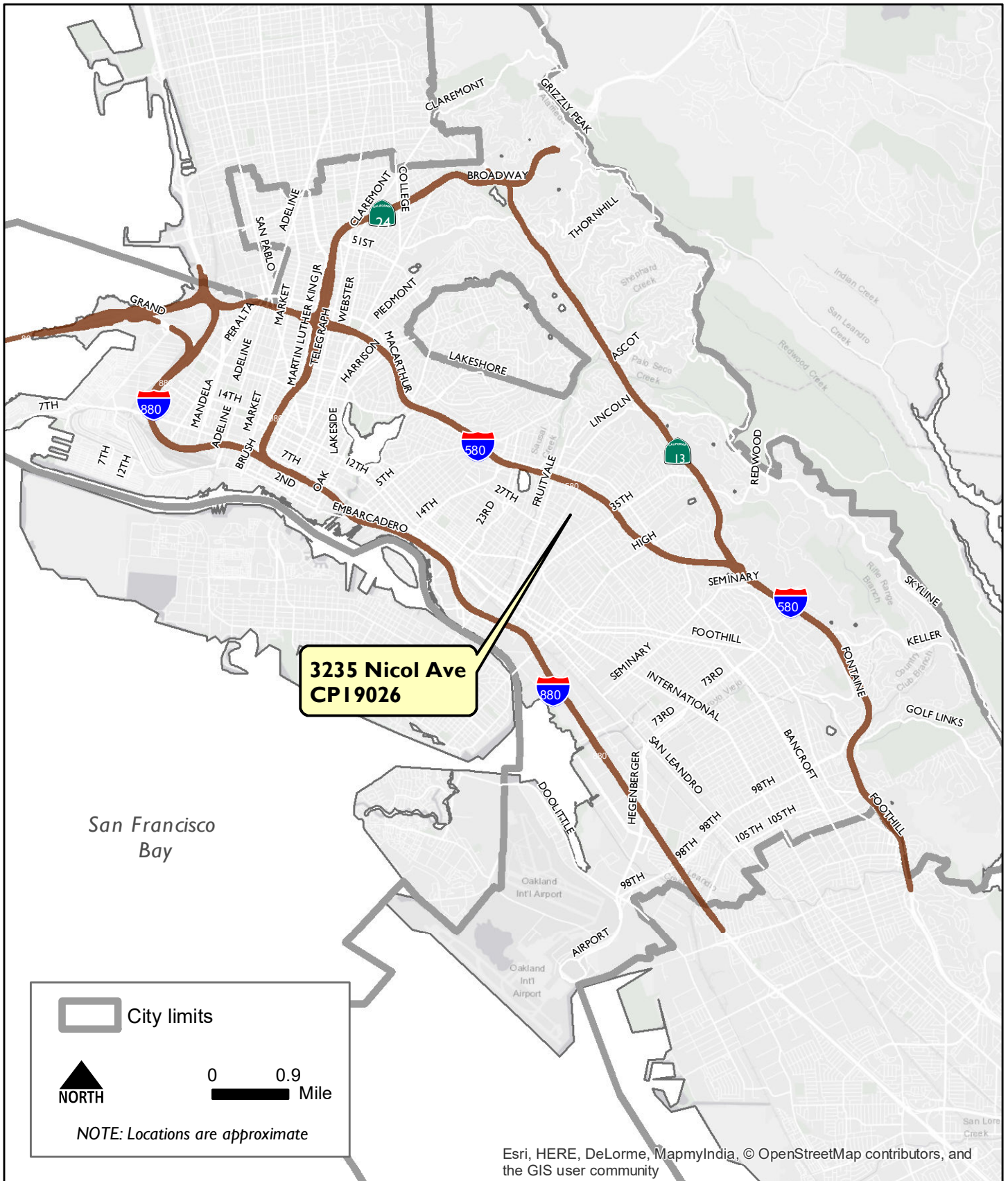
The Director's decision regarding creek protection will be made following the end of the above public comment period, and that decision will become final unless an appeal is made to the City Planning Commission within 10 days of said decision. If you wish to be notified of the City's decision on this case, please indicate the application number and submit a self-addressed stamped envelope to the above-mentioned individual at the Bureau of Planning.



ROBERT MERKAMP,
Zoning Manager
City of Oakland

IT IS UNLAWFUL TO ALTER OR REMOVE THIS NOTICE:

Such an act is punishable by a fine of not more than five hundred dollars, or by imprisonment in the City Jail for not more than six months, or by both fine and imprisonment. (Sec.3-8.03 O.M.C.)



Planning & Building Department



Creek Protection Permits on File for the Week of February 7, 2020