

**APPLICATIONS ON FILE**  
**February 16, 2007**

**CITY OF OAKLAND**  
**COMMUNITY & ECONOMIC DEVELOPMENT**  
**AGENCY/Zoning Division**  
**250 Frank H. Ogawa Plaza, 2<sup>nd</sup> Floor, Suite 2114**  
**Oakland, California 94612-2031**

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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 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 applications and/or plans 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 Community and Economic Development Agency – Zoning Division, to the attention of the designated case planner, and by the end of the 10-day public comment period:**

**February 26, 2007**

**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 Community and Economic Development Agency – Zoning Division, 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 Community and Economic Development Agency, 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 up 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.

<b>1.</b>	<b>Location:</b> 3403 Fruitvale Avenue (APN: 026 -0836-011-03) (1/22/07)
	<b>Proposal:</b> To establish a coffee shop within an existing 1,466 square foot tenant space.
	<b>Applicant:</b> Peet's Coffee and Tea
<b>Contact Person/Phone Number:</b>	Drew Bardet (510) 594-3277
	<b>Owner:</b> Kinder Co.
	<b>Case File Number:</b> CD 07-027
<b>Planning Permits Required:</b>	Conditional Use Permit for a general food sales activity in the C-31 zone and Regular Design Review for façade improvements including new storefront windows, signs and awnings.
	<b>General Plan:</b> Mixed Housing Type Residential
	<b>Zoning:</b> C-31 Special Retail Commercial Zone
<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Minor alterations to an existing facility Exempt, Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan, general plan or zoning
	<b>Historic Status:</b> Not a Potentially Designated Historic Property Survey Rating: X
<b>Service Delivery District:</b>	4
<b>City Council District:</b>	4
<b>For further information:</b>	Contact case planner <b>Leigh McCullen</b> at (510) 238-4977 or <a href="mailto:lmccullen@oaklandnet.com">lmccullen@oaklandnet.com</a> .

<b>2.</b>	<b>Location:</b> 4069 Waterhouse Road (APN: 029A-1325-018-00) (10/16/06)
	<b>Proposal:</b> To construct a second floor addition to the existing rear garage for a 580 square foot secondary unit.
<b>Contact Person/Phone Number:</b>	Antonio Bettencourt (925) 376-0117
	<b>Owner:</b> Dirk A. Grotenhuis and Lisa Fuller
	<b>Case File Number:</b> VDRC 06-509
<b>Planning Permits Required:</b>	Variance for encroachment into the rear setback (80 foot required setback, 43 foot proposed). Special Residential Design Review for construction of the addition for the secondary unit.
	<b>General Plan:</b> Detached Unit Residential
	<b>Zoning:</b> R-30 One-Family Residential Zone
<b>Environmental Determination:</b>	Exempt, Section 15303 of the State CEQA Guidelines: New construction of small structures Exempt, Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan, general plan or zoning
	<b>Historic Status:</b> Not a Potential Designated Historic Property Survey Rating: X
<b>Service Delivery District:</b>	4
<b>City Council District:</b>	4
<b>For further information:</b>	Contact case planner <b>Laura Kaminski</b> at (510) 238-6809 or <a href="mailto:lkaminski@oaklandnet.com">lkaminski@oaklandnet.com</a> .





<b>7.</b>	<b>Location:</b> 640 3 <sup>rd</sup> Street (APN: 001 -0123-009-00) (12/27/06)
	<b>Proposal:</b> To operate a physical fitness training facility within an existing 7,000 square foot tenant space located in a single-story commercial building.
	<b>Applicant:</b> Mark W. Lynn
	<b>Contact /Phone Number:</b> (510) 469-8570
	<b>Owner:</b> Terradev Jefferson, LLC
	<b>Case File Number:</b> CU 06-620
	<b>Planning Permits Required:</b> Conditional Use Permit to operate a group assembly commercial facility in the M-30 General Industrial Zone.
	<b>General Plan:</b> Off-Price Retail District of the Estuary Plan Area
	<b>Zoning:</b> M-30 General Industrial Zone
	<b>Environmental Determination:</b> Exempt, Section 15301 of the State CEQA Guidelines: Minor alterations to an existing facility Exempt, Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan or zoning.
	<b>Historic Status:</b> Not a Potential Designated Historic Property Survey Rating: *3
	<b>Service Delivery District:</b> Metro
	<b>City Council District:</b> 3
	<b>For further information:</b> Contact case planner <b>Mike Rivera</b> at (510) 238-6417 or <a href="mailto:mrivera@oaklandnet.com">mrivera@oaklandnet.com</a> .

<b>8.</b>	<b>Location:</b> 2336 Magnolia Street (APN: 005 -0426-001-00) (1/8/07)
	<b>Proposal:</b> Revision to previously approved Live/Work conversion (CU 05-349) to modify the number of Live/Work spaces from 9 to 10. Proposal also includes the conversion of the pre-existing storage area into an office use.
	<b>Applicant:</b> Tom Dolan
	<b>Contact Person/Phone Number:</b> (510) 839-7200
	<b>Owner:</b> Keith Allward
	<b>Case File Number:</b> REV 07-001 (CU 05-349)
	<b>Planning Permits Required:</b> Conditional Use Permit to allow a Live/Work conversion in the M-20 Zone.
	<b>General Plan:</b> Business Mix
	<b>Zoning:</b> M-20 Light Industrial Zone
	<b>Environmental Determination:</b> Exempt, Section 15301 of the State CEQA Guidelines: Minor alterations to an existing facility Exempt, Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan or zoning.
	<b>Historic Status:</b> Not a Potential Designated Historic Property No Survey Rating
	<b>Service Delivery District:</b> 1
	<b>City Council District:</b> 3
	<b>For further information:</b> Contact case planner <b>Pete Vollmann</b> at (510) 238-6167 or <a href="mailto:pvollman@oaklandnet.com">pvollman@oaklandnet.com</a> .



<b>11.</b>	<b>Location:</b> 1538 Broadway (APN: 008 -0622-007-00) (10/19/06)
	<b>Proposal:</b> New construction of an eight story mixed use building containing 69 dwelling units and a commercial restaurant use that will occupy the ground floor and the roof top of the proposed building. All auto access will be provided from beneath the adjacent building, which contains an entry off of 15 <sup>th</sup> Street.
	<b>Applicant:</b> Marc Digiacomio
<b>Contact Person/Phone Number:</b>	(415) 252-7063
	<b>Owner:</b> 1538 Broadway, LLC
	<b>Case File Number:</b> CDV 06-516 & TPM 9349
<b>Planning Permits Required:</b>	Design Review for New Construction, Conditional Use permit for general food sales in the S-8 Zone, and Variance for off-street loading (one required; zero proposed). Vesting Tentative Parcel Map for Condominiums.
	<b>General Plan:</b> Central Business District
	<b>Zoning:</b> C-55 Central Core Commercial Zone S-8 Urban Street Combining Zone S-17 Downtown Open Space Combining Zone
<b>Environmental Determination:</b>	Exempt, Section 15332 of the State CEQA Guidelines: In-fill development projects Exempt Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan, general plan, or zoning
	<b>Historic Status:</b> Potentially Designated Historic Property, of no particular interest; Survey Rating: Ec3
<b>Service Delivery District:</b>	Metro
<b>City Council District:</b>	3
<b>For further information:</b>	Contact case planner <b>Pete Vollmann</b> at (510) 238-6167 or <a href="mailto:pvollman@oaklandnet.com">pvollman@oaklandnet.com</a> .

<b>12.</b>	<b>Location:</b> 3343 Lake Shore Avenue (APN: 011 -0838-009-00) (2/16/07)
	<b>Proposal:</b> To allow a first floor wine bar and restaurant in an existing commercial building with minor exterior alterations to the façade and new signage.
	<b>Owner:</b> Jae Ku Han
<b>Contact Person /Phone Number:</b>	Chris Williams (510) 410-8013
	<b>Case File Number:</b> CU 07-034
<b>Planning Permits Required:</b>	Conditional Use Permit to allow General Food Sales activity on first floor in an S-9 overlay zone.
	<b>General Plan:</b> Neighborhood Center Commercial
	<b>Zoning:</b> C-20 Shopping Center Commercial Zone S-9 Retail Frontage Combining Zone
<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Minor alterations to an existing structure Exempt Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan, general plan, or zoning
	<b>Historic Status:</b> Potentially Designated Historic Property Survey Rating: Dc3*
<b>Service Delivery District:</b>	3
<b>City Council District:</b>	2
<b>For further information:</b>	Contact case planner <b>Eric Angstadt</b> at (510) 238-6190 or <a href="mailto:egangstadt@oaklandnet.com">egangstadt@oaklandnet.com</a> .