

**APPLICATIONS ON FILE**  
**November 7, 2008**

**CITY OF OAKLAND**  
**COMMUNITY & ECONOMIC DEVELOPMENT**  
**AGENCY/Zoning Division**  
**250 Frank H. Ogawa Plaza, 2<sup>nd</sup> Floor**  
**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 17-day public comment period:**

**November 24, 2008**

**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 17-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 seventeen (17) 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>3.</b>	<b>Location:</b> 933 40 <sup>th</sup> Avenue (APN: 033 -2167-003-00) (7/16/07)
	<b>Proposal:</b> To build a 2,131 sq. ft. detached 2-story building containing a third dwelling unit over a 2-car garage at the rear of a property containing a 2-story duplex.
	<b>Contact Person/</b> Bill Wong
	<b>Phone Number:</b> (510) 268-8889
	<b>Owner:</b> Frank L. Spinardi, Sr. Trust
	<b>Case File Number:</b> DR 07-321
	<b>Planning Permits Required:</b> Regular Design Review to allow New construction of principal facilities in the HBX zone (OMC Sec. 17.65.020(A); 17.136.040(A)(5))
	<b>General Plan:</b> Housing and Business Mix
	<b>Zoning:</b> Housing and Business Mix 1 (HBX-1) Zone
	<b>Environmental Determination:</b> Exempt, Section 15303(b) of the State CEQA Guidelines: New Construction of Small Structures (multi-family residential structure); 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> IV – San Antonio/Fruitvale
	<b>City Council District:</b> 5 – President De La Fuente
	<b>For further information:</b> Contact case planner <b>Aubrey Rose, Planner II</b> at (510) 238-2071 or <a href="mailto:arose@oaklandnet.com">arose@oaklandnet.com</a>

<b>4.</b>	<b>Location:</b> 2863 & 2865 Broadway (APN: 009 -0686-001-01) (10/28/08)
	<b>Proposal:</b> To operate a 3,600 s.f. gymnasium for children on the ground floor of a two-story building.
	<b>Contact Person/</b> Laura Stern
	<b>Phone Number:</b> (510) 697-9012
	<b>Owner:</b> Laura Stern
	<b>Case File Number:</b> CD08-279
	<b>Planning Permits Required:</b> Minor Conditional Use Permit to operate a Group Assembly Commercial Activity in the C-40 Zone; Regular Design Review to install a 13 sq. ft. awning sign on the northwest side of the building wall and 17 sq. ft. of signage along the northeast and east sides of the building windows to read: “Kids in Motion Gymnastics”
	<b>General Plan:</b> Community Commercial
	<b>Zoning:</b> C-40 Community Thoroughfare Commercial Zone/ S-5 Broadway Retail Frontage Interim Combining Zone
	<b>Environmental Determination:</b> 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
	<b>Historic Status:</b> Potential Designated Historic Property (PDHP); Survey Rating: B*2+
	<b>Service Delivery District:</b> 2
	<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>

5.                   **Location:** 6345 Coliseum Way (APN: 041 -3908-015-00) (10/8/08)  
                      **Proposal:** To construct a 40-foot tall freestanding pylon business sign.  
                      **Contact Person/** Kent Lau  
                      **Phone Number:** (510)333-6448  
                      **Owner:** Yong Ye  
                      **Case File Number:** DV08-269  
**Planning Permits Required:** Regular Design Review for business signs in the CIX-2 Zone;  
Minor Variance for sign height in excess of 20 feet (allowed).  
                      **General Plan:** Business Mix  
                      **Zoning:** CIX-2 Commercial Industrial Mix 2 Zone  
**Environmental Determination:** Exempt, Section 15303 of the State CEQA Guidelines:  
Small structures;  
Section 15183 of the State CEQA Guidelines:  
Projects consistent with a community plan, general plan or zoning  
**Historic Status:** Not a Potential Designated Historic Property (vacant lot).  
**Service Delivery District:** 5  
**City Council District:** 6  
**For further information:** Contact case planner **Moe Hackett** at (510) 238-3979 or  
[mhackett@oaklandnet.com](mailto:mhackett@oaklandnet.com)

6.                   **Location:** 5701 Skyline Boulevard (APN: 048H-7523-008-00) (11/3/08)  
                      **Proposal:** To adjust lot lines between two lots and create a Private Access Easement  
(PAE).  
                      **Contact Person/** Joe Decredico  
                      **Phone Number:** (510)883-1521  
                      **Owner:** Joe Decredico  
                      **Case File Numbers:** CU08-290/PMW08-024  
**Planning Permits Required:** Parcel Map Waiver to adjust lot lines between two lots;  
Minor Conditional Use Permit to create a PAE  
                      **Zoning:** R-20 Low Density Residential Zone/  
S-10 Scenic Route Combining Zone/  
S-11 Site Development and Design Review Combining Zone  
                      **General Plan:** Hillside Residential  
**Environmental Determination:** Exempt, Section 15301 of the State CEQA Guidelines:  
Minor alterations to existing facilities;  
Section 15183 of the State CEQA Guidelines:  
Projects consistent with a community plan, general plan or zoning.  
**Historic Status:** Not a Potential Designated Historic Property;  
Survey Rating: N/A  
**Service Delivery District:** 2  
**City Council District:** 1  
**For further information:** Contact case planner **Maurice Brenyah-Addow** at (510) 238-6342 or  
[mbrenyah@oaklandnet.com](mailto:mbrenyah@oaklandnet.com)