



CITY OF OAKLAND

BASIC APPLICATION FOR DEVELOPMENT REVIEW

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031

Zoning Information: 510-238-3911

www.oaklandnet.com/planning

CERTAIN APPLICATIONS ARE ACCEPTED BY APPOINTMENT ONLY!

Please call (510) 238-3940 to schedule an appointment if your project involves any of the following:

- | | | |
|--------------------------|------------------------------|---|
| ▪ Conditional Use Permit | ▪ Parcel Map Waiver | ▪ 1,000 sq. ft. or more of new floor area/footprint |
| ▪ Variance | ▪ Tentative Parcel/Tract Map | ▪ Additions ≥ 100% of existing floor area/footprint |
| ▪ Regular Design Review | ▪ New dwelling unit(s) | ▪ Creek Protection Permit (Category 3 or 4) |

Applicants must cancel at least 24 hours in advance of appointment or pay a cancellation fee.

All other projects may be submitted to the zoning counter without an appointment.

Submit applications for Small Project Design Review to station #12 at the zoning counter by signing the sign-up sheet.

1. TYPE OF APPLICATION

(Check all that apply)

Development Permits

- ☐ Conditional Use Permit (CUP) (Major, Minor, Interim)
- ☐ Variance (Major or Minor)
- ☐ Regular Design Review (DR)
- ☐ Small Project Design Review (DS) (Type 1, 2, 3)
- ☐ Special Project Design Review (SP) (West Oakland)
- ☐ Design Review Exemption (DRX)
- ☐ Tree Preservation or Removal Permit (T)
- ☐ Determination (DET)
- ☐ Other: _____

Subdivision Applications

- ☐ Parcel Map Waiver (PMW) (Lot Line Adjustment/Merger)
- ☐ Tentative Parcel Map (TPM) (subdivision for 1- 4 lots)
- ☐ Tentative Tract Map (TTM) (subdivision 5 or more lots)
- ☐ Planned Unit Development/Mini-Lot Development

Other Applications

- ☐ Request for Environmental Review
- ☐ General Plan Amendment ☒ Rezoning
- ☐ Creek Protection Permit (separate application required)

2. GENERAL INFORMATION

APPLICANT'S NAME/COMPANY: SIGNATURE DEVELOPMENT GRP. INC.

PROPERTY ADDRESS: 41 TUNNEL RD., OAKLAND, CA. 94705

ASSESSOR'S PARCEL NUMBER(S): SEE ATTACHMENT.

EXISTING USE OF PROPERTY: Hotel, spa, and fitness club (see related application submitted on 1/27/2016 for responses to Sections 4 through 9 of this application)

DESCRIPTION OF PROPOSAL (including type of use, hours of operation, number of employees, etc., on additional sheets if needed.):

THE PROPOSAL IS TO REZONE A PORTION OF THE PROPERTY FROM RU-3 AND RH-4 TO A CUSTOM ZONING DISTRICT. SEE ATTACHED FOR MORE DETAIL.

TO BE COMPLETED BY STAFF

GENERAL PLAN LAND USE CLASS.: _____

ZONING: _____

SPECIFIC PLAN: ☐ Broadway Valdez District ☐ Central Estuary ☐ Coliseum Area ☐ Lake Merritt Station ☐ West Oakland

FEES¹:

APPLICATION FEE: \$ _____

POSTER DEPOSIT²: \$ _____

TREE PERMIT FEE: \$ _____

CREEK PERMIT FEE: \$ _____

TOTAL FEES DUE: \$ _____

EXPECTED PROCESSING TIME³:

¹Fees are subject to change without prior notice. The fees charged will be those that are in effect at the time of application submittal. All fees are due at submittal of application.

²For permit applications requiring public notice, a refundable security deposit is required for the on-site poster containing the public notice. Posters **MUST** be returned within 180 days and in good condition to claim a refund of the deposit.

³Expected processing time is only an estimate and is subject to change without notice due to staff workload, public hearing availability, and the completeness or complexity of the application.

3. PROPERTY OWNER AND APPLICANT INFORMATION

Original signatures or clear & legible copies are required.

Owner: Claremont Hotel Properties, LP, c/o Brock McDonald

Owner Mailing Address: 909 Montgomery Street, 4th Floor

City/State: San Francisco, CA

Zip: 94133

Phone No.: (415) 434-1111

Fax No.: 415.434.3130

E-mail: bmcDonald@blumcapital.com

To be completed only if Applicant is not the Property Owner:

I authorize the applicant indicated below to submit the application on my behalf.

Signature of Property Owner

Applicant (Authorized Agent), if different from Owner: Signature Development Group c/o Jamie Choy

Applicant Mailing Address: 2335 Broadway, Suite 200

City/State: Oakland, CA

Zip: 94612

Phone No.: (510) 251-9276

Fax No.: _____

E-mail: jchoy@signaturedevelopment.com

I understand that approval of this application does not constitute approval for any administrative review, conditional use permit, variance, or exception from any other City regulations which are not specifically the subject of this application. I understand further that I remain responsible for satisfying requirements of any private restrictions or covenants appurtenant to the property. I understand that the Applicant and/or Owner phone number listed above will be included on any public notice for the project.

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of planning permits as determined by the Planning Director. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature above.

I certify that statements made to me about the time it takes to review and process this application are general. I am aware that the City has attempted to request everything necessary for an accurate and complete review of my proposal; however, that after my application has been submitted and reviewed by City staff, it may be necessary for the City to request additional information and/or materials. I understand that any failure to submit the additional information and/or materials in a timely manner may render the application inactive and that periods of inactivity do not count towards statutory time limits applicable to the processing of this application.

I certify that all existing Protected Trees either on the site or within 10 feet of development activity are indicated on both the Site and Landscape Plan. I understand that if any Protected Trees are to be removed, or if Protected Trees exist within 10 feet of the proposed development activity (even if they are not being removed), I must apply for a Tree Preservation/Removal Permit (Section 6).

I certify that I have reviewed the Oakland Creek Protection Ordinance and understand that I may be subject to a Creek Protection permit pursuant to the Creek Protection, Storm Water Management and Discharge Control Ordinance (Chapter 13.16 of the Oakland Municipal Code) and that I have completed the Creek Protection Ordinance section of this application (Section 7).

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT ALL THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.

Signature of Owner or Authorized Agent

11/20/17
Date

ATTACHMENT A TO THE BASIC APPLICATION

Description of the Proposed Zone Change

The Applicant proposes a zone change on a portion of the 19.7-acre site (the "Property") of the Claremont Club & Spa, a Fairmont Hotel (the "Hotel"), which is located north of Tunnel Road, east of Domingo Avenue, and south of Claremont Avenue. The proposed area to be rezoned is the portion of the Property where the hotel and athletic club uses (the Hotel and Club) currently exist. This approximately 18-acre area is proposed to be rezoned with a custom commercial zoning district (Claremont Zoning District or D-CL), allowing hotel, athletic club and accessory uses. The Applicant has previously proposed development of 42 units of multi-family housing on an approximately one-acre parcel to be created through the mapping process. This one-acre parcel is proposed to remain in its existing residential zoning. (See Exhibit 2, Proposed Zoning.) The following Assessor Parcel Numbers would be rezoned: 64-4225-4, 64-4225-5, 48H-7670-22, 48H-7670-23, 48H-7670-24, 48H-7670-25, and a portion of 48H-7670-27.

The proposed rezoning is consistent with the General Plan. The Property currently has two General Plan land use designations: Community Commercial and Hillside Residential. Most of the Property is designated Community Commercial, except for a eucalyptus grove behind the Hotel, which is designated Hillside Residential. The Hotel, including the Club, is a use permitted by the Community Commercial General Plan land use designation. The General Plan identifies the Hotel as "an important local and regional resource and is a critical asset to the East Bay economy. *As such the expansion and facility improvement needs of the Hotel should be supported and flexible zoning should be applied to the site to meet those needs.*" (General Plan, Chapter 4, p. 223 [emphasis added].)

In 2011, the City rezoned the site from R-70 to RU-3 (with the areas bordering Claremont Avenue and Alvarado zoned Hillside Residential (RH)-4. (See Exhibit 1, Existing Zoning.) The RU-3 zoning allows fitness clubs but prohibits hotels. The RH-4 zoning allows no commercial activities. If approved, a customized commercial zoning district would create the flexible zoning called for in the General Plan to support the Hotel's expansion and facility improvement needs. Maintaining the existing RU-3 residential zoning on the one-acre parcel proposed for the multi-family housing would continue to provide an appropriate transition to areas west and south of the Hotel, which are also zoned for residential uses.