



**CITY OF OAKLAND**  
**BUREAU OF PLANNING - ZONING DIVISION**  
250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031  
Phone: 510-238-3911 Fax: 510-238-4730

Ms. Kelly Humphrey  
The Planning & Zoning Resource Company  
1300 South Meridian Ave, Suite 400  
Oklahoma City, OK 73108

July 7, 2016

**Determination Letter # DET160077**

**Re: 1) 320 Hegenberger AKA 350 Hegenberger (APN 044 507600903)**

**Ref. Number 95178-1**

Dear Ms. Humphrey,

Following is the property information you requested:

**The current zoning classification for the subject property is:** CR-1 Regional Commercial Zone

**Adjacent property zoning designations:**

**North:** CR-1 Regional Commercial Zone  
**South:** CIX-2 Industrial Zone  
**East:** CIX-2 Industrial Zone  
**West:** D-CO-3 Coliseum Area District Zone

**Is the subject property part of a Planned Unit Development?** No.

**Is the subject property part of an Overlay District?** No.

**The subject property is currently regulated by:**

Chapter 17.37 CR REGIONAL COMMERCIAL ZONES REGULATIONS

<http://www2.oaklandnet.com/oakcal/groups/ceda/documents/report/oak053289.pdf>

(pg. 224)

**According to the zoning ordinances and regulations for this district, the uses of the subject property are:** Transient Habitation (Hotels) Commercial activities.

**The subject structure(s) was developed:** In accordance with Previous Zoning Code Requirements and is Legal Non-Conforming to current zoning requirements.

**Information regarding variances, special permits/exceptions, ordinances or conditions:** Several relevant case files were located (See attached):

- DV83299
- ER9820
- PMW9832

**Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property:**  
Replicate up to 75%; rebuild 100% to current codes. Please see Chapter 17.114 NONCONFORMING  
ACTIVITY – DAMAGE OR DESTRUCTION

<http://www2.oaklandnet.com/oakcal/groups/ceda/documents/report/oak053289.pdf> (pg. 670) for current regulations regarding rebuild.

**To the best of your knowledge, do your records show any unresolved zoning code violations?** No open zoning code violations.

**Site Plan Information:** None on file.

Please call the undersigned at 510-238-3584 if you have questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Danny Thai". The signature is written in a cursive, flowing style.

Danny Thai  
Planner I  
Bureau of Planning, Zoning Division  
[dthai@oaklandnet.com](mailto:dthai@oaklandnet.com)



**CITY OF OAKLAND**  
**BUREAU OF PLANNING - ZONING DIVISION**  
250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031  
Phone: 510-238-3911 Fax: 510-238-4730

Ms. Kelly Humphrey  
The Planning & Zoning Resource Company  
1300 South Meridian Ave, Suite 400  
Oklahoma City, OK 73108

July 7, 2016

**Determination Letter # DET160077**

**Re: 1) 320 Hegenberger AKA 350 Hegenberger (APN 044 507600903)**

**Ref. Number 95178-1**

Dear Ms. Humphrey,

Following is the property information you requested:

**The current zoning classification for the subject property is:** CR-1 Regional Commercial Zone

**Adjacent property zoning designations:**

**North:** CR-1 Regional Commercial Zone

**South:** CIX-2 Industrial Zone

**East:** CIX-2 Industrial Zone

**West:** D-CO-3 Coliseum Area District Zone

**Is the subject property part of a Planned Unit Development?** No.

**Is the subject property part of an Overlay District?** No.

**The subject property is currently regulated by:**

Chapter 17.37 CR REGIONAL COMMERCIAL ZONES REGULATIONS

<http://www2.oaklandnet.com/oakcal/groups/ceda/documents/report/oak053289.pdf>

(pg. 224)

**According to the zoning ordinances and regulations for this district, the uses of the subject property are:** Transient Habitation (Hotels) Commercial activities.

**The subject structure(s) was developed:** In accordance with Previous Zoning Code Requirements and is Legal Non-Conforming to current zoning requirements.

**Information regarding variances, special permits/exceptions, ordinances or conditions:** Several relevant case files were located (See attached):

- DV83299
- ER9820
- PMW9832

**Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property:**  
Replicate up to 75%; rebuild 100% to current codes. Please see Chapter 17.114 NONCONFORMING  
ACTIVITY – DAMAGE OR DESTRUCTION

<http://www2.oaklandnet.com/oakcal/groups/ceda/documents/report/oak053289.pdf> (pg. 670) for current regulations regarding rebuild.

**To the best of your knowledge, do your records show any unresolved zoning code violations?** No open zoning code violations.

**Site Plan Information:** None on file.

Please call the undersigned at 510-238-3584 if you have questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Danny Thai". The signature is written in a cursive, flowing style.

Danny Thai  
Planner I  
Bureau of Planning, Zoning Division  
[dthai@oaklandnet.com](mailto:dthai@oaklandnet.com)

1 CITY HALL PLAZA  
OAKLAND, CALIFORNIA 94612

CITY OF OAKLAND



CITY HALL • 14TH AND WASHINGTON STREETS • OAKLAND, CALIFORNIA 94612

Planning Department

August 30, 1983

James M. Knowles, Vice President  
Lloyds Bank  
Corporate Trustee for Carpenters  
c/o McMorgan & Co.  
25 California, Suite 500  
San Francisco, CA. 94111

RE: Case File DV83-299.

Dear Sir:

Pursuant to the Design Review procedure for the C-36/S-4 Boulevard Service Commercial and Design Review Combining zones and the Minor Variance provisions, the Director of City Planning has completed the review of your applications at 320 Hegenberger Road.

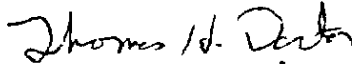
This letter is to certify that your applications have been approved subject to the following conditions:

1. That the exterior renovation be made according to the plans and elevations submitted on July 25, 1983.
2. That the exterior finishes and their colors appear according to the sample board submitted on August 24, 1983.
3. That the signage for the site appear according to the drawing submitted August 24, 1983.
4. That the "Gardco" Form Ten H, parking lot luminaires be used according to the landscaping plan submitted July 25, 1983.
5. That the areas surrounding the structure and within the parking lot be landscaped according to landscape plan submitted July 25, 1983.
6. That street trees be provided to the satisfaction of the Director of Parks and Recreation.

James M. Knowles, Vice President  
Lloyds Bank  
August 30, 1983  
Page -2-

This decision becomes effective within ten (10) days for the Design Review and five (5) days for the Minor Variance unless an appeal is made in writing to the Planning Commission.

Very truly yours,

  
Norman J. Lind *for*  
Director of City Planning

NJL:RL:slj

cc: Ted Teixeira  
Stephen Guest, Robinson Mills and Williams Architect

## Todd, Amber

---

**From:** Moffeit, Lauren <Lauren.Moffeit@pzs.com>  
**Sent:** Tuesday, July 12, 2016 7:01 AM  
**To:** Thai, Danny  
**Subject:** RE: 320 aka 350 Hegenberger Road/Oakland, CA

Perfect. Thank you very much.

Lauren Moffeit  
Zoning Analyst  
The Planning & Zoning Resource Company  
Direct: 405-546-4433  
Toll Free: 800.344.2944 EXT 4433  
Fax 405.384.8324  
1300 South Meridian Avenue, Suite 400  
Oklahoma City OK 73108

---

**From:** Thai, Danny [<mailto:DThai@oaklandnet.com>]  
**Sent:** Monday, July 11, 2016 7:20 PM  
**To:** Moffeit, Lauren <[Lauren.Moffeit@pzs.com](mailto:Lauren.Moffeit@pzs.com)>  
**Subject:** RE: 320 aka 350 Hegenberger Road/Oakland, CA

Hi Lauren,

We were not able to locate a Conditional Use Permit for this property in our database.

The current planning code states that if a Transient Habitation (Hotel) Commercial activity were to be built now, it would require a Conditional Use Permit. Since we were not able to locate a Conditional Use Permit in our system, the subject property is considered legally nonconforming.

Regards,

**Danny Thai**, Planner I | City of Oakland | Bureau of Planning  
250 Frank H. Ogawa, Suite 3315 | Oakland, CA 94612 | 510-238-3584  
Email: [dthai@oaklandnet.com](mailto:dthai@oaklandnet.com) | Website: [www.oaklandnet.com/planning](http://www.oaklandnet.com/planning)

---

**From:** Moffeit, Lauren [<mailto:Lauren.Moffeit@pzs.com>]  
**Sent:** Friday, July 08, 2016 11:16 AM  
**To:** Thai, Danny  
**Subject:** 320 aka 350 Hegenberger Road/Oakland, CA

Good afternoon,

Could you tell me if there was a Conditional Use Permit issued for this property or is the absence of one what you were referring when you stated in the Zoning Verification Letter that the subject property was built in accordance with previous Zoning requirements and is considered legally nonconforming?

Thank you.

Lauren Moffeit  
Zoning Analyst  
The Planning & Zoning Resource Company  
Direct: 405-546-4433  
Toll Free: 800.344.2944 EXT 4433  
Fax 405.384.8324  
1300 South Meridian Avenue, Suite 400  
Oklahoma City OK 73108

---

This message, and any attachments hereto, is confidential and intended exclusively for the use of the individual or entity to whom it is addressed. This communication may contain information that is confidential, proprietary, privileged, subject to a confidentiality and/or non-disclosure agreement, or otherwise exempt or protected from disclosure (either by contract or under applicable law). If you are not the intended recipient, you are hereby notified that printing, retaining, reproducing, copying, disclosing, disseminating or using this message or any information contained herein (including any reliance thereon) is strictly prohibited. If you have received this message in error, please contact the sender immediately and destroy the message (including any attachments) and any copies in their entirety, whether in electronic or hard copy format. Nothing contained in this e-mail shall be considered a legally binding agreement, amendment or modification of any agreement with The Planning & Zoning Resource Company or any of its affiliates, each of which requires a fully executed agreement to be received by The Planning & Zoning Resource Company or such affiliate.

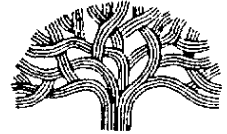
---

This message, and any attachments hereto, is confidential and intended exclusively for the use of the individual or entity to whom it is addressed. This communication may contain information that is confidential, proprietary, privileged, subject to a confidentiality and/or non-disclosure agreement, or otherwise exempt or protected from disclosure (either by contract or under applicable law). If you are not the intended recipient, you are hereby notified that printing, retaining, reproducing, copying, disclosing, disseminating or using this message or any information contained herein (including any reliance thereon) is strictly prohibited. If you have received this message in error, please contact the sender immediately and destroy the message (including any attachments) and any copies in their entirety, whether in electronic or hard copy format. Nothing contained in this e-mail shall be considered a legally binding agreement, amendment or modification of any agreement with The Planning & Zoning Resource Company or any of its affiliates, each of which requires a fully executed agreement to be received by The Planning & Zoning Resource Company or such affiliate.





CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA, 2ND FLOOR • OAKLAND, CALIFORNIA 94612

Community and Economic Development Agency  
Zoning

(510) 238-3912  
FAX (510) 238-4730  
TDD (510) 839-6451

*City Planning Commission*

October 21, 1998

Andy Layton  
22 Center St.  
Seattle, WA 98109

**RE: Case File No. - ER98-20 (DR98-181) Challenge to a Negative Declaration for a proposed 156-room Marriott Hotel on a vacant parcel at 320 Hegenberger Road in the "Regional Commercial" General Plan Land Use Classification and C-36 Boulevard Service Commercial and S-4 Design Review Combining Zones. (Historic status\*: non historic property (NHP); survey rating: N/A) (Planning Area: Elmhurst)**

Dear Andy Layton:

On October 21, 1998, the City Planning Commission denied the challenge to the above Negative Declaration and approved the Negative Declaration.

This decision is final and is not appealable to the City Council.

If you challenge this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Office of Economic Development Agency/Zoning at, or prior to, the public hearing.

If you have any questions, please contact Pamela Kershaw at (510) 238-2229.

Very truly yours,

**CHARLES S. BRYANT**, Secretary  
City Planning Commission

cc: "Interested Parties"

Antonio Acosta, Parks and Recreation

Phil Grubstick, Engineer Services/Permit Processing

Ray Derania, Housing Conservation

Calvin Wong, Building Services Division

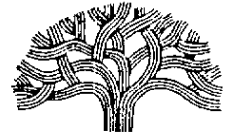
Mitch Thomson, OPRCA/Tree Section

**NOTICE TO ALL PARTIES:**

The time within which judicial review must be sought of this decision of the Planning Commission is governed by Section 1094.6 of the Code of Civil Procedure of the State of California. With certain exceptions, the time is ninety (90) days from the date of the decision. If you challenge this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Community and Economic Development Agency/Zoning at, or prior to, the public hearing.



CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA, 2ND FLOOR • OAKLAND, CALIFORNIA 94612

Community and Economic Development Agency  
Zoning

(510) 238-3912  
FAX (510) 238-4730  
TDD (510) 839-6451

*City Planning Commission*

October 21, 1998

Andy Layton  
22 Center St.  
Seattle, WA 98109

**RE: Case File No. - ER98-20 (DR98-181) Challenge to a Negative Declaration for a proposed 156-room Marriott Hotel on a vacant parcel at 320 Hegenberger Road in the "Regional Commercial" General Plan Land Use Classification and C-36 Boulevard Service Commercial and S-4 Design Review Combining Zones. (Historic status\*: non historic property (NHP); survey rating: N/A) (Planning Area: Elmhurst)**

Dear Andy Layton:

On October 21, 1998, the City Planning Commission denied the challenge to the above Negative Declaration and approved the Negative Declaration.

This decision is final and is not appealable to the City Council.

If you challenge this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Office of Economic Development Agency/Zoning at, or prior to, the public hearing.

If you have any questions, please contact **Pamela Kershaw** at (510) 238-2229.

Very truly yours,

**CHARLES S. BRYANT**, Secretary  
City Planning Commission

cc: "Interested Parties"

Antonio Acosta, Parks and Recreation

Phil Grubstick, Engineer Services/Permit Processing

Ray Derania, Housing Conservation

Calvin Wong, Building Services Division

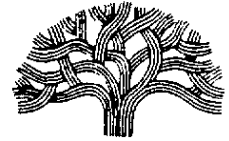
Mitch Thomson, OPRCA/Tree Section

**NOTICE TO ALL PARTIES:**

The time within which judicial review must be sought of this decision of the Planning Commission is governed by Section 1094.6 of the Code of Civil Procedure of the State of California. With certain exceptions, the time is ninety (90) days from the date of the decision. If you challenge this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Community and Economic Development Agency/Zoning at, or prior to, the public hearing.



# CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA, 2ND FLOOR • OAKLAND, CALIFORNIA 94612

Community and Economic Development Agency

Zoning

October 23, 1998

(510) 238-3912

FAX (510) 238-4730

TDD (510) 839-6451

Donald Celli  
9960 Blisiness Park DR. #140  
Sacramento, CA 95827

**RE: CASE FILE NO.: PMW98-32; 320 Alvarado Rd**

Dear Mr. Celli:

Your application for a Parcel Map Waiver to adjust lot lines between three parcels located at 320 Hegenberger Rd. in the Regional Commercial General Plan Designation and C-36 Boulevard Service and S-4 Design Review Combining zones. (Environmental Determination: Exempt, Section 15301, State CEQA Guidelines; minor lot line adjustments) has been approved subject to the following conditions:

1. That a written legal description of the reconfigured parcels be recorded at the Alameda County Offices as part of the deed.
2. That a copy of the recorded deed be sent to Philip Grubstick, Engineering Services, 250 Frank H. Ogawa Plaza – 2<sup>nd</sup> Floor, Oakland, CA 94612.

If you have any questions, please contact Anu Raud at (510) 238-6346.

Sincerely,

WILLIE YEE  
Advisory Agency

A handwritten signature in cursive script, appearing to read "Anu Raud".

By: ANU RAUD, Planner III  
Zoning Division

cc: Phillip Basada, Fire Prevention



## CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA, 2ND FLOOR • OAKLAND, CALIFORNIA 94612

Community and Economic Development Agency  
Zoning

(510) 238-3912  
FAX (510) 238-4730  
TDD (510) 839-6451

October 23, 1998

### **CERTIFICATION FOR PARCEL MAP WAIVER**

**WHEREAS**, the undersigned, are the record owners of all that certain real property.

**WHEREAS**, it is necessary to adjust lots 2 through 7 of Tract 1315

**(SEE PLOT PLAN ATTACHED HERETO AND MADE A PART HEREOF)**

**NOW, THEREFORE**, said lot lines are hereby approved, pursuant to Section 66412(d) of the Government Code. Said approval authorizes the lot lines as shown on the plot plan attached hereto and made apart hereof.

APPROVED:

-----  
OWNER, LOTS 2 THROUGH 7 OF TRACT 1315

CITY OF OAKLAND

WILLIE YEE  
Advisory Agency

A handwritten signature in cursive script, appearing to read "Anu Raud".

BY: ANU RAUD, Planner III  
Zoning Division