

CM 85 282

Case No. CM 85-282

1422 Broadway

Richard Weinstein

758 Scott Street

Oakland 94610

Submitted Party:

Major Conditional Use Permit	Proposed District	CSS/S-S	CITY COUNCIL	DA
Minor Conditional Use Permit	Proposed District			
Major Variance	Proposed Use			
Minor Variance				
Re-zoning	Map No.	203		
Zone Change	See Also:			
Planned Unit Development				
Design Review *				
Administrative Appeal				
Re-zoning				
Environmental Report				
Zone Study				
Submitted Party	Sheet 40-5-13, 41-22			

33-000 0076

001595

CITY OF OAKLAND
Oakland, California 94612
Telephone: 273-3911

ZONING REPORT

City Planning Department
City Planning Commission

CASE NO: 7ND 85-253

APPLICANT: WEINSTEIN, Richard

Owner ☐ Buyer ☒ Lessee ☐ Agent

REPORT DATE: June 26, 1985

LOCATION: 1422 Broadway

APPLICATION: Major Conditional Use Permit and
Design Review

FILING DATE: June 11, 1985

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approve
☒ Conditions Attached

COMMISSION ACTION: Approved
Vote: 6 ayes, 0 noes
Date: June 26, 1985

ZONING: C-55/S-8 Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial/office building; site is surrounded by commercial uses.

ENVIRONMENTAL STATEMENT:

☐ EIR ☐ Negative Declaration ☒ Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the hotel site at 1100 Broadway to this vacant commercial space. The S-8 Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 30 feet of the front property line. Design Review is required for the awning and signs.

With appropriate conditions of approval, all the findings of Section 6461 Use Permit Criteria and Section 9204 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 6461

- (a) The restaurant will not detract from the compact character of the downtown core area.
- (b) The proposal preserves a continuous building facade along this blockface.
- (c) The storefront occupied by the restaurant comprised only a very small percentage of this retail blockface. Therefore, this proposal will not weaken the retail continuity of this area of Broadway.

(see reverse side)

(d) The restaurant will not interfere with pedestrian movement along Broadway.

(e) The proposal is consistent with the Central Business District plan.

Section 92c.

(a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.

(b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the ashing fabric should be removed.

(c) The restaurant will provide additional eating service to the surrounding area.

(d) The proposal is consistent with the Oakland Central District Plan.

tad

001597

CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CND 85-251

1. That the wrinkles in the awing fabric be removed.
 2. That all new signs be approved by the Director of City Planning prior to installation.
 3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.
- 001598

001598

001599

MINUTES

JUN 26 1985

OAKLAND CITY PLANNING COMMISSION MEETING

15. WEINSTEIN, Richard
CH 85-152

Application for a Major Conditional Use
Permit to establish a restaurant at 1422
Broadway.

Staff explained the proposal and recommended approval with conditions.
No one appeared for or against the application.

CITY OF OAKLAND



CITY HALL • ONE CITY HALL PLAZA • OAKLAND, CALIFORNIA 94612

Planning Department

TTY 819-6451

DATE: June 26, 1983

RE: Application for a Major
Conditional Use Permit to
establish a restaurant at
1422 Broadway in the
C-35/S-8 Central Core
Commercial and Urban Street
Combining zones.
Case File CM85-252.

Richard Weinstein
958 Scott Street
Oakland, CA. 94610

Your application as noted above was considered at the City Planning Commission meeting on June 26, 1983.

Commission action is indicated below. This action becomes final unless an appeal to the City Council is filed by July 8, 1983.

Appeals may be made to the City Council, at any time before that date on a form provided by the Commission and filed with the City Clerk.

If there is an appeal, Council members or citizens may have questions regarding this case. It is therefore advisable that you inquire of the City Clerk, on the above date or as soon thereafter as possible, whether or not the matter is set to be reviewed by the City Council.

- ☐ Granted in accordance with plans submitted
☐ Denied
☒ Granted with required conditions

Very truly yours,

Thomas H. Doctor

Thomas H. Doctor, Secretary
City Planning Commission

THD:elj

cc: Central Business District Assoc.
North Oakland District Community Council
OCD-Chinatown/Central
Julius Thomas, Housing Conservation

FILE COPY

NOTICE TO ALL PARTIES:

The time within which judicial review must be sought of the decision of the Planning Commission is set forth by Section 10316 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.

CITY OF OAKLAND
Oakland, California 94612
Telephone: 273-3911

ZONING REPORT

☐ City Planning Department
☒ City Planning Commission

CASE NO: CND 85-252

APPLICANT: WEINSTEIN, Richard

REPORT DATE: June 26, 1985

☐ Owner ☐ Buyer ☒ Lessee ☐ Agent

LOCATION: 1422 Broadway

FILING DATE: June 11, 1985

APPLICATION: Major Conditional Use Permit and
Design Review

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approve
☒ Conditions Attached

COMMISSION ACTION: Approved
Vote: 6 ayes, 0 noes
Date: June 26, 1985

ZONING: C-55/S-5 Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial office building; site is surrounded by commercial uses.

FILE COPY

ENVIRONMENTAL STATEMENT:

☐ EIR ☐ Negative Declaration ☒ Categorically Exempt (Class I: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel 11 site at 1100 Broadway to this vacant commercial space. The C-55 Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the awning and signs.

With appropriate conditions of approval, all the findings of Section 5461 Use Permit Criteria and Section 9204 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 5461

- (a) The restaurant will not detract from the compact character of the downtown core area.
- (b) The proposal preserves a continuous building facade along this blockface.
- (c) The storefront occupied by the restaurant comprises only a very small percentage of this retail blockface. Therefore, this proposal will not weaken the retail continuity of this area of Broadway.

(see reverse side)

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District Plan.

Section 9204

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional eating service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

END

001602

CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CMD 85-252

1. That the wrinkles in the awing fabric be removed.
 2. That all new signs be approved by the Director of City Planning prior to installation.
 3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.
- 001603

CITY OF OAKLAND
Oakland, California 94612
Telephone: 273-3911

ZONING REPORT

☐ City Planning Department
☒ City Planning Commission

CASE NO: CND 85-252

APPLICANT: WEINSTEIN, Richard

☐ Owner ☐ Buyer ☒ Lessee ☐ Agent

REPORT DATE: June 26, 1985

LOCATION: 1422 Broadway

APPLICATION: Major Conditional Use Permit and
Design Review

FILING DATE: June 11, 1985

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approve
☒ Conditions Attached

COMMISSION ACTION: Approved
Vote: 6 AYES, 0 NOES
Date: June 26, 1985

ZONING: C-55/S-8 Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant site on ground floor of multi-story retail commercial/office building; site is suitable for commercial uses.

FILE COPY

ENVIRONMENTAL STATEMENT:

☐ EIR ☐ Negative Declaration ☒ Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel 11 site at 1100 Broadway to this vacant commercial space. The C-55/S-8 Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the awning and signs.

With appropriate conditions of approval, all the findings of Section 6461 Use Permit Criteria and Section 9204 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 6461

- (a) The restaurant will not detract from the compact character of the downtown core area.
- (b) The proposal preserves a continuous building facade along this blockface.
- (c) The storefront occupied by the restaurant comprises only a very small percentage of this retail blockface. Therefore, this proposal will not weaken the retail continuity of this area of Broadway.

(see reverse side)

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District plan.

Section 9204

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional eating service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

End

CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CMP 85-252

1. That the wrinkles in the awing fabric be removed.
2. That all new signs be approved by the Director of City Planning prior to installation.
3. That this permit shall become ineffective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.

ZONING REPORT

City Planning Department
☒ City Planning Commission

CASE NO: CMD 85-252

APPLICANT: WEINSTEIN, Richard

Owner ☐ Buyer ☒ Lessee ☐ Agent

REPORT DATE: June 26, 1985

LOCATION: 1422 Broadway

APPLICATION: Major Conditional Use Permit and
Design Review

FILING DATE: June 11, 1985

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approved
☒ Conditions Attached

COMMISSION ACTION: Approved
Vote: 6 Ayes, 0 Noes
Date: June 20, 1985

ZONING: C-55/S-B Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial/office building; site is surrounded by commercial uses.

FILE COPY

ENVIRONMENTAL STATEMENT:

☐ EIR ☐ Negative Declaration ☒ Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel II site at 1100 Broadway to this vacant commercial space. The S-B Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the awning and signs.

With appropriate conditions of approval, all the findings of Section 6461 Use Permit Criteria and Section 92.4 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 6461

- (a) The restaurant will not detract from the compact character of the downtown core area.
- (b) The proposal preserves a continuous building facade along this blockface.
- (c) The storefront occupied by the restaurant comprises only a very small percentage of this retail blockface. Therefore, this proposal will not weaken the retail continuity of this area of Broadway.

(see reverse side)

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District plan.

Section 0304

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional dining service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

END

001608

CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CMD 85-242

1. That the wrinkles in the awing fabric be removed.
 2. That all new signs be approved by the Director of City Planning prior to installation.
 3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.
- 001609

CITY OF OAKLAND
Oakland, California 94612
Telephone: 273-3911

ZONING REPORT

City Planning Department
City Planning Commission

CASE NO: CND 85-252

APPLICANT: WEINSTEIN, Richard

Owner ___ Buyer X Lessee ___ Agent ___

REPORT DATE: June 26, 1985

LOCATION: 1422 Broadway

APPLICATION: Major Conditional Use Permit and
Design Review

FILING DATE: June 11, 1985

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approve
X Conditions Attached

COMMISSION ACTION: app
Vote: 6 yep, 0 nay
Date: 6/26/85

ZONING: C-55/S-U Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial/office building; site is surrounded by commercial uses.

FILE COPY

ENVIRONMENTAL STATEMENT:

___ EIR ___ Negative Declaration X Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel II site at 1100 Broadway to this vacant commercial space. The S-U Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the awning and signs.

With appropriate conditions of approval, all the findings of Section 6461 Use Permit Criteria and Section 9204 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 6461

- (a) The restaurant will not detract from the compact character of the downtown core area.
- (b) The proposal preserves a continuous building facade along this blockface.
- (c) The storefront occupied by the restaurant comprises only a very small percentage of this retail blockface. Therefore, this proposal will not weaken the retail continuity of this area of Broadway.

(see reverse side)

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District plan.

Section 8204

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional eating service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

tmd

001611

CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CMD 85-252

1. That the wrinkles in the awing fabric be removed.
 2. That all new signs be approved by the Director of City Planning prior to installation.
 3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.
- 001612

CITY OF OAKLAND
Oakland, California 94612
Telephone: 273-3911

ZONING REPORT

☒ City Planning Department
☐ City Planning Commission

CASE NO: CND 85-252

APPLICANT: WEINSTEIN, Richard

Owner ☐ Buyer ☒ Lessee ☐ Agent

REPORT DATE: June 18, 1985

LOCATION: 1422 Broadway

APPLICATION: Major Conditional Use Permit and
Design Review

FILING DATE: June 11, 1985

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approve
☒ Conditions Attached

COMMISSION ACTION:
Vote:
Date:

ZONING: C-55/S-8 Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial/office building; site is surrounded by commercial uses.

FILE COPY

ENVIRONMENTAL STATEMENT:

EIR ☐ Negative Declaration ☒ Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel II site at 1100 Broadway to this vacant commercial space. The S-8 Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the awning and signs.

With appropriate conditions of approval, all the findings of Section 6461 Use Permit Criteria and Section 3204 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 6461

- (a) The restaurant will not detract from the compact character of the downtown core area.
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(see reverse side)

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District plan.

Section 9204

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional eating service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

tmd

001614

CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CND 85-252

1. That the wrinkles in the awing fabric be removed.
 2. That all new signs be approved by the Director of City Planning prior to installation.
 3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.
- 001615

CITY OF OAKLAND
Oakland, California 94612
Telephone: 273-3911

ZONING REPORT

☒ City Planning Department
☐ City Planning Commission

CASE NO: CND 85-252

APPLICANT: WEINSTEIN, Richard

REPORT DATE: June 18, 1985

☐ Owner ☐ Buyer ☒ Lessee ☐ Agent

LOCATION: 1422 Broadway

APPLICATION: Major Conditional Use Permit and
Design Review

FILING DATE: June 11, 1985

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approve
☒ Conditions Attached

COMMISSION ACTION:
Vote:
Date:

ZONING: C-55/S-8 Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial/office building; site is surrounded by commercial uses.

FILE COPY

ENVIRONMENTAL STATEMENT:

☐ EIR ☐ Negative Declaration ☒ Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel II site at 1100 Broadway to this vacant commercial space. The S-8 Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the awning and signs.

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(see reverse side)

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District plan.

Section 9204

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional eating service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

tmd

CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CHD 85-252

1. That the wrinkles in the awing fabric be removed.
2. That all new signs be approved by the Director of City Planning prior to installation.
3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.

CITY OF OAKLAND
Oakland, California 94612
Telephone: 273-3911

ZONING REPORT

☒ City Planning Department
☐ City Planning Commission

CASE NO: CND 85-252

APPLICANT: WEINSTEIN, Richard

☐ Owner ☐ Buyer ☒ Lessee ☐ Agent

REPORT DATE: June 18, 1985

LOCATION: 1422 Broadway

APPLICATION: Major Conditional Use Permit and
Design Review

FILING DATE: June 11, 1985

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approve
☒ Conditions Attached

COMMISSION ACTION:
Vote:
Date:

ZONING: C-55/S-8 Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial/office building; site is surrounded by commercial uses.

FILE COPY

ENVIRONMENTAL STATEMENT:

☐ EIR ☐ Negative Declaration ☒ Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel II site at 1100 Broadway to this vacant commercial space. The S-8 Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the awning and signs.

With appropriate conditions of approval, all the findings of Section 6461 Use Permit Criteria and Section 9204 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 6461

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- (b) The proposal preserves a continuous building facade along this blockface.
- (c) The storefront occupied by the restaurant comprises only a very small percentage of this retail blockface. Therefore, this proposal will not weaken the retail continuity of this area of Broadway.

(see reverse side)

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District plan.

Section 9204

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional eating service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

tad

001620

CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CMD 85-252

1. That the wrinkles in the awing fabric be removed.
 2. That all new signs be approved by the Director of City Planning prior to installation.
 3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.
- 001621

0 0 1 6 2 1

NOTICE OF PUBLIC HEARING

ZONING

0 0 1 6 2 2

NOTICE IS HEREBY GIVEN
THAT

WEINSTEIN, Richard

Case No. CM 85-252

APPLICATION FOR A MAJOR CONDITIONAL USE PERMIT TO ESTABLISH A RESTAURANT
AT 1422 BROADWAY IN THE C-55/S-8 CENTRAL CORE COMMERCIAL U BAN STREET
COMBINING ZONES.

THE PUBLIC HEARING FOR THIS APPLICATION WILL BE HELD ON WEDNESDAY, JUNE
26, 1985, IN ROOM 115, CITY HALL, ONE CITY HALL PLAZA, OAKLAND. THE
MEETING WILL BEGIN AT 1:30 P.M.

PLEASE TELEPHONE 373-3911 FOR FURTHER INFORMATION.

AT SUCH HEARING, facts may be presented favoring or opposing such proposal.

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. 1.6.01 O.M.C.)

Thomas H. Carter
Secretary City Planning Commission

POSTING REGISTER

CASE: WEINSTEIN, RICHARD 1422 BROADWAY CM 85-252
(Name) (Address) (Case No.)

Date and approximate time posted: JUNE 14, 1985 11:30 a.m.

Postings for the above case were made in the following locations:

1. 15TH + BROADWAY (SIGNALL)
2. " "
3. 1419 BROADWAY (LAMP POST)
4. 19TH ST + BROADWAY (SIGNALL)
5. " "
6. 14TH NE BROADWAY (LAMP POST)
7. 1437 BROADWAY (TREE)
8. 422 14TH ST
9. 14TH + BROADWAY
10. 1440 Broadway
11. 15TH + Broadway
12. 1530 Broadway
13. Broadway + Tel. graph
14. _____
15. _____

Posted by:

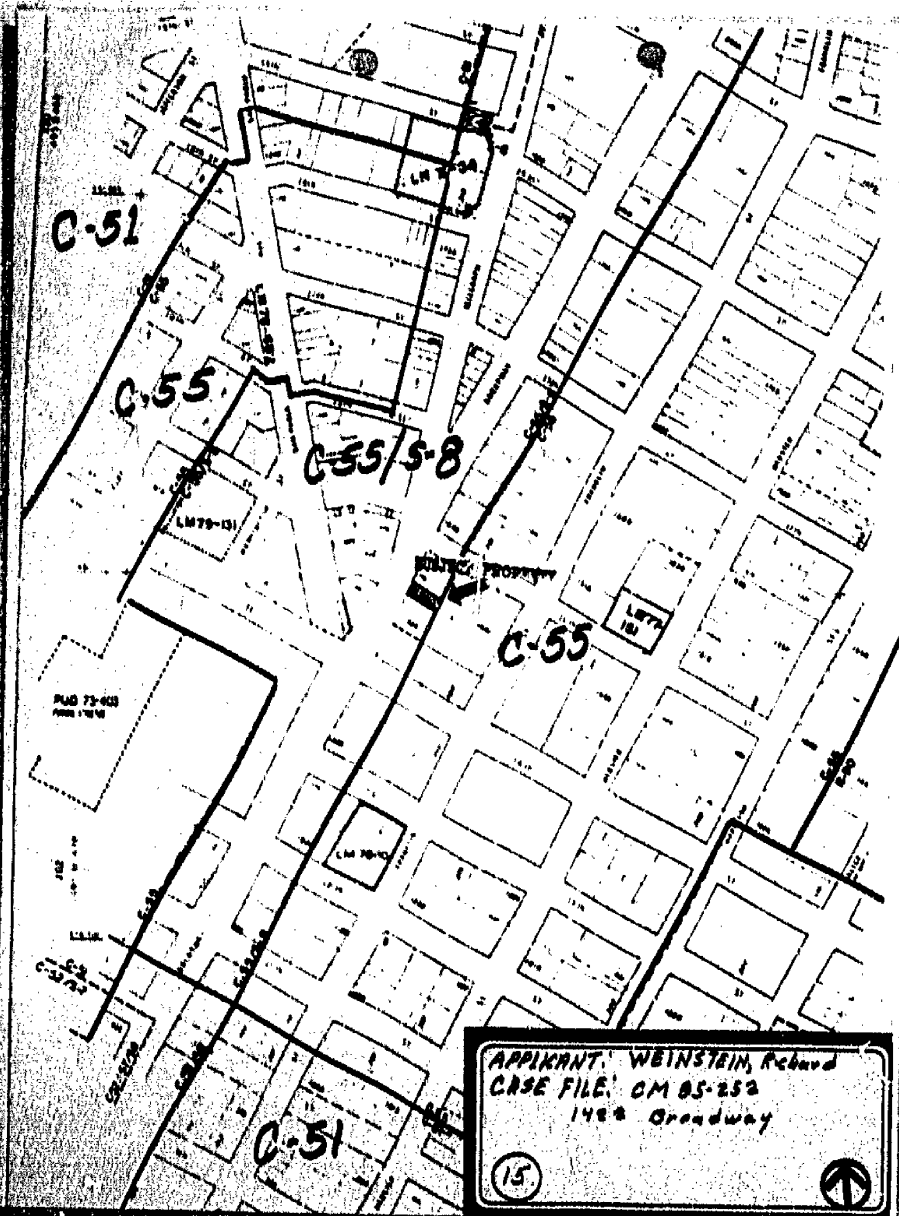
John V. Tarr
(Signature)

THD:ell
 5/8/78

001623

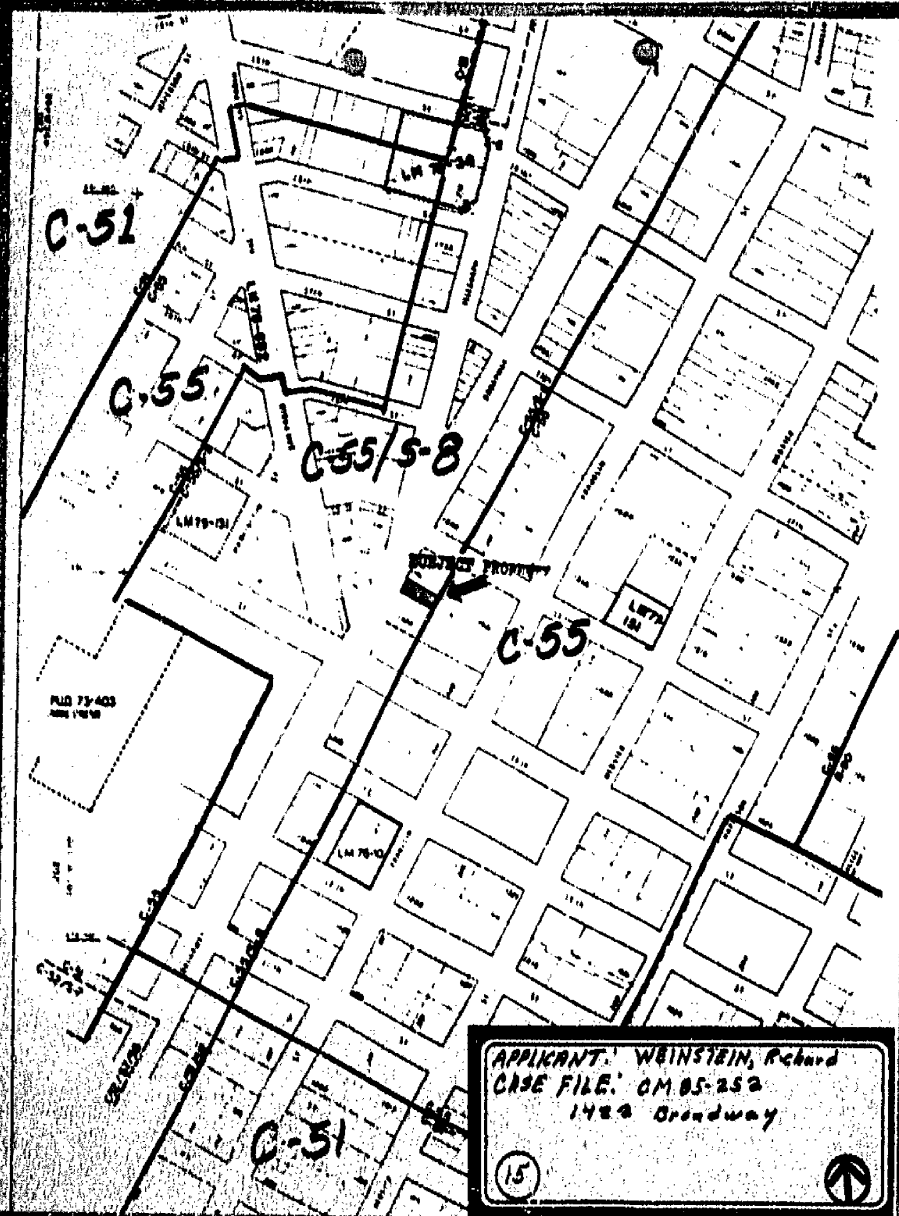
001623

001624



001624

001625



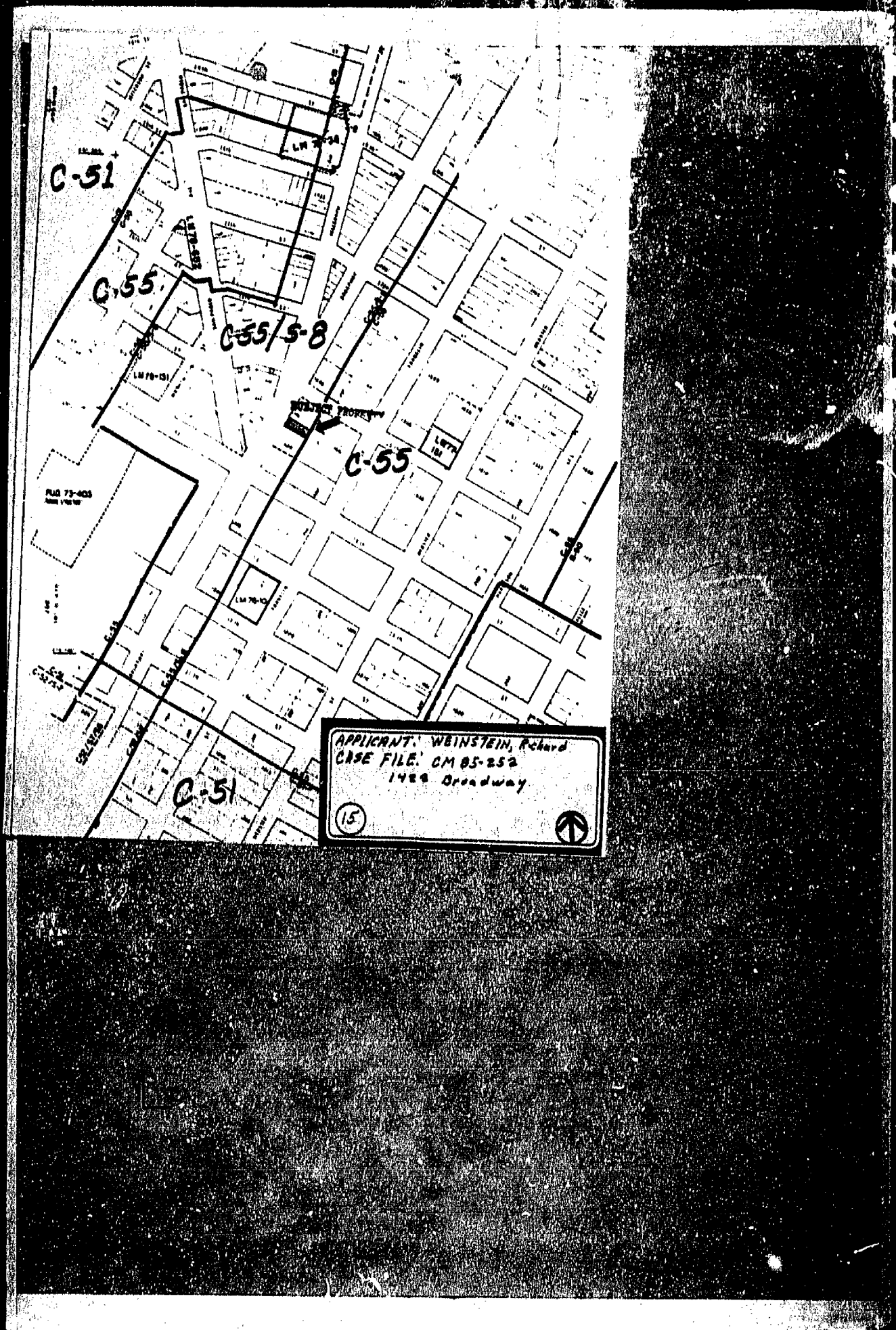
APPLICANT: WEINSTEIN, Richard
CASE FILE: CM 85-252
1424 Broadway

15



001625

001625



C-51

C-55

C-55/S-8

SUBJECT PROPERTY

C-55

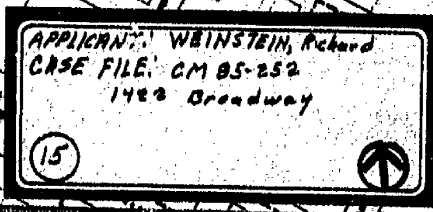
PLD 73-403

C-51

APPLICANT: WEINSTEIN, Richard
CASE FILE: CM 05-252
1426 Broadway
(15)



001827



APPLICATION FOR MAJOR/MINOR CONDITIONAL USE PERMIT

A. This application is for:

- ☐ New Construction
☐ Building Addition
☒ Change of Use
☐ Other(s) please specify.

B. Describe items checked above. (Please give exact measurements where applicable).

We are changing a retail location (in an existing building) to from new-food to food.

JUSTIFICATIONS FOR GRANTING MAJOR/MINOR CONDITIONAL USE PERMIT

APPLICATION: RICHARD WEINSTEIN CASE NO.:

Please state below in spaces provided the way in which the proposal meets criteria.

SECTION 9204 GENERAL USE PERMIT CRITERIA. A conditional use permit may be granted only if the proposal conforms to all of the following general use permit criteria, as well as to all other applicable use permit criteria:

- (a) That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the liveability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable neighboring character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.

This is a very small (850 sq ft) retail restaurant in a high-rise, "downtown" location. It will not unfavorably impact the area in any way. It provides a product not currently available.

- (b) That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be attractive as the nature of the use and its location and setting warrant.

The location was very rundown and not occupied. The renovation is to comply with all codes as well as being very attractive.

- (c) That the proposed development will enhance the successful operation of the surrounding area in its basic community function, or will provide an essential service to the community or region.

This restaurant offers a product (pizza)
that is not available in the immediate
area.

- (d) That the proposal conforms in all significant respects with the Oakland Comprehensive Plan and with any other applicable plan or development control map which has been adopted by the City Council.

This project is in total accord with the
City's plan to upgrade the downtown
area.

Special use permit criteria applicable to this permit. Section _____
(cite specific zoning code section)

(use reverse side for additional statements)

The above statements represent to the best of my knowledge the justifications for granting my zoning permit request.

DATE: 6/11/85

SIGNATURE: [Signature]
Applicant (same as appears on application form)

(REVISED: 4/3/83)

MEETING: _____
 OF: _____
 DATE: _____
 TIME: _____
 PLACE: _____

CITY OF OAKLAND

APPLICATION UNDER THE
 ZONING REGULATIONS-PLANNING CODE

PLEASE PRINT OR TYPE

Application is hereby made for a:

- ☒ MAJOR CONDITIONAL USE PERMIT
☐ MAJOR VARIANCE
☐ DESIGN REVIEW

In accordance with the attached plans and any other exhibits.

Activity Type _____
 Applicable Section _____

1. Name of Applicant: RICHARD WEINSTEIN
 2. Location of Property: 1422 BROADWAY

3. Attachments:
☒ PLAT PLAN (to state, showing present and proposed improvements and any present improvements to be retained)
☐ BUILDING PLAN ☐ ELEVATIONS ☐ SIGN DESIGN ☐ OFF-STREET PARKING DESIGN

4. Intended use of the property if this application is approved:
Restaurant

5. Present use of the property: Clothing store - VACANT!!!

6. Statement of the facts and reasons which, in the applicant's opinion, justify approval of this application under the Zoning Regulations. (NOTE: The legal requirements for approval are discussed in the "GENERAL INFORMATION AND PROCEDURES FOR ZONING APPLICATIONS".) This is a major improvement in the property - It enhances the block. There are no objections -

7. Other related Variances (See 909)

8. I understand that approval of this application does not constitute approval for variances or exceptions from any other City regulations. I understand further that I remain responsible for satisfying requirements of any private restrictions or covenants appurtenant to the property.

9. I certify that I am the applicant named herein and that the information given above and on any submission herewith is in all respects true and accurate to the best of my knowledge and belief. 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.

10. I acknowledge receipt of a copy of the "General Information and Procedures for Zoning Applications."

Signature: [Signature]

I am the ☐ Owner
☒ Lessee (include written authority)
☐ Purchaser (include copy of contract)
☐ Agent (include written authority)

Address: 958 Scott St.

Oakland, Ca 94610

Telephone No. (415) 465-4030

Owner's Name: MYRON ZIMMERMAN (If other than applicant)

Owner's Address: 1442 BROADWAY Telephone No. 444-1440

INTERESTED PARTIES

Name _____ Telephone No. _____

Address _____

DEPARTMENTAL USE ONLY

Date Submitted _____ Case No. _____

Zone _____ Census Tract _____ Sanborn Sheet _____ Atlas Page _____

Tract _____ Related Cases _____

Fees Paid _____ Receipt No. _____ By _____

CITY OF OAKLAND
Oakland, California 94612
Telephone: 273-3911

ZONING REPORT

City Planning Department
☒ City Planning Commission

CASE NO: CND 85-252

APPLICANT: WHINSTON, Richard

REPORT DATE: June 26, 1985

Owner ☐ Buyer ☒ Lessee ☐ Agent

LOCATION: 1422 Broadway

APPLICATION: Major Conditional Use Permit and
Design Review

FILING DATE: June 11, 1985

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approve
☒ Conditions Attached

COMMISSION ACTION: Approved
Vote: 6 ayes, 0 noes
Date: June 26, 1985

ZONING: C-55/S-8 Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial/office building; site is surrounded by commercial uses.

ENVIRONMENTAL STATEMENT:

☐ EIR ☐ Negative Declaration ☒ Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel II site at 1100 Broadway to this vacant commercial space. The S-8 Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the awning and signs.

With appropriate conditions of approval, all the findings of Section 6461 Use Permit Criteria and Section 9204 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 6461

- (a) The restaurant will not detract from the compact character of the downtown core area.
- (b) The proposal preserves a continuous building facade along this blockface.
- (c) The storefront occupied by the restaurant comprises only a very small percentage of this retail blockface. Therefore, this proposal will not weaken the retail continuity of this area of Broadway.

(see reverse side).

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District plan.

Section 9204

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional eating service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

tmd

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CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CMD 85-252

1. That the wrinkles in the awing fabric be removed.
 2. That all new signs be approved by the Director of City Planning prior to installation.
 3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.
- 001633

ZONING REPORT

☐ City Planning Department
☒ City Planning Commission

CASE NO: CND 85-252

APPLICANT: WEINGSTEIN, Richard

REPORT DATE: June 26, 1985

☐ Owner ☐ Buyer ☒ Lessee ☐ Agent

LOCATION: 1422 Broadway

FILING DATE: June 11, 1985

APPLICATION: Major Conditional Use Permit and
Design Review

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approved
☒ Conditions Attached

COMMISSION ACTION: Approved
Vote: 6 ayes, 0 noes
Date: June 26, 1985

ZONING: C-55/S-8 Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial/office building; site is surrounded by commercial uses.

ENVIRONMENTAL STATEMENT:

☐ EIR ☒ Negative Declaration ☒ Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel II site at 1100 Broadway to this vacant commercial space. The S-8 Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the signage and signs.

With appropriate conditions of approval, all the findings of Section 6461 Use Permit Criteria and Section 9204 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 6461:

- (a) The restaurant will not detract from the compact character of the downtown core area.
- (b) The proposal preserves a continuous building facade along this blockface.
- (c) The storefront occupied by the restaurant comprises only a very small percentage of this retail blockface. Therefore, this proposal will not weaken the retail continuity of this area of Broadway.

(see reverse side)

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District plan.

Section 9204

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional eating service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

END

CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CND-65-252

1. That the wrinkles in the awing fabric be removed.
2. That all new signs be approved by the Director of City Planning prior to installation.
3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1956 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.

ZONING REPORT

City Planning Department
City Planning Commission

CASE NO: CMD 85-252

APPLICANT: WEINSTEIN, Richard

REPORT DATE: June 26, 1985

Owner _____ Buyer X Lessee _____ Agent _____

LOCATION: 1423 Broadway

APPLICATION: Major Conditional Use Permit and
Design Review

FILING DATE: June 11, 1985

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approve
Conditions Attached

COMMISSION ACTION: Approved
Vote: 6 ayes, 0 noes
Date: June 26, 1985

ZONING: C-55/S-B (Central Core Commercial Urban Street Combining Zone).

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial/office building; site is surrounded by commercial uses.

ENVIRONMENTAL STATEMENT:

Nil Negative Declaration X Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel II site at 1100 Broadway to this vacant commercial space. The S-B Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the awning and signs.

With appropriate conditions of approval, all the findings of Section 6431 Use Permit Criteria and Section 9204 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 6361

- (a) The restaurant will not detract from the compact character of the downtown core area.
- (b) The proposal preserves a continuous building facade along this blockface.
- (c) The storefront occupied by the restaurant comprises only a very small percentage of this retail blockface. Therefore, this proposal will not weaken the retail continuity of this area of Broadway.

(See reverse side)

001637

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District plan.

Section 9204

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional eating service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

lml

CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF ZONING CASE NO. CND 35-252

1. That the wrinkles in the awing fabric be removed.
2. That all new signs be approved by the Director of City Planning prior to installation.
3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.

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CITY OF OAKLAND
Oakland, California 94612
Telephone: 273-3911

ZONING REPORT

City Planning Department
☒ City Planning Commission

CASE NO: CND 85-252

APPLICANT: KRINSTEIN, Richard

REPORT DATE: June 16, 1985

Owner ☐ Buyer ☒ Lessee ☐ Agent

LOCATION: 1422 Broadway

FILING DATE: June 11, 1985

APPLICATION: Major Conditional Use Permit and
Design Review

PROPOSAL: To establish a restaurant.

STAFF RECOMMENDATION: Approve
☒ Conditions Attached

COMMISSION ACTION: Approved
Vote: 6 ayes, 0 noes
Date: June 26, 1985

ZONING: C-55/S-2 Central Core Commercial Urban Street Combining Zone.

PROPERTY DESCRIPTION: Vacant storefront on ground floor of multi-story retail commercial/office building; site is surrounded by commercial uses.

ENVIRONMENTAL STATEMENT:

☐ EIR ☐ Negative Declaration ☒ Categorically Exempt (Class 1: Existing Facility)

DISCUSSION: The applicant has relocated his restaurant from the Hotel II site at 1100 Broadway to this vacant commercial space. The S-2 Urban Street Combining Zone requires a Major Conditional Use Permit for all General Food Sales Activities located on the ground floor of a building within 20 feet of the front property line. Design Review is required for the awning and signs.

With appropriate conditions of approval, all the findings of Section 6461 Use Permit Criteria and Section 204 General Use Permit Criteria of the Zoning Regulations can be made in favor of this application for the following reasons:

Section 6461

- (a) The restaurant will not detract from the compact character of the downtown core area.
- (b) The proposal preserves a continuous building facade along this blockface.
- (c) The storefront occupied by the restaurant comprises only a very small percentage of this retail blockface. Therefore, this proposal will not weaken the retail continuity of this area of Broadway.

(see reverse side)

- (d) The restaurant will not interfere with pedestrian movement along Broadway.
- (e) The proposal is consistent with the Central Business District plan.

Section 9204

- (a) The location, size, design and operating characteristics of the restaurant should not adversely affect the existing or future land use development or circulation.
- (b) The restaurant will be a convenient and functional commercial operation in an attractive setting. However, the wrinkles in the awning fabric should be removed.
- (c) The restaurant will provide an additional eating service to the surrounding area.
- (d) The proposal is consistent with the Oakland Central District Plan.

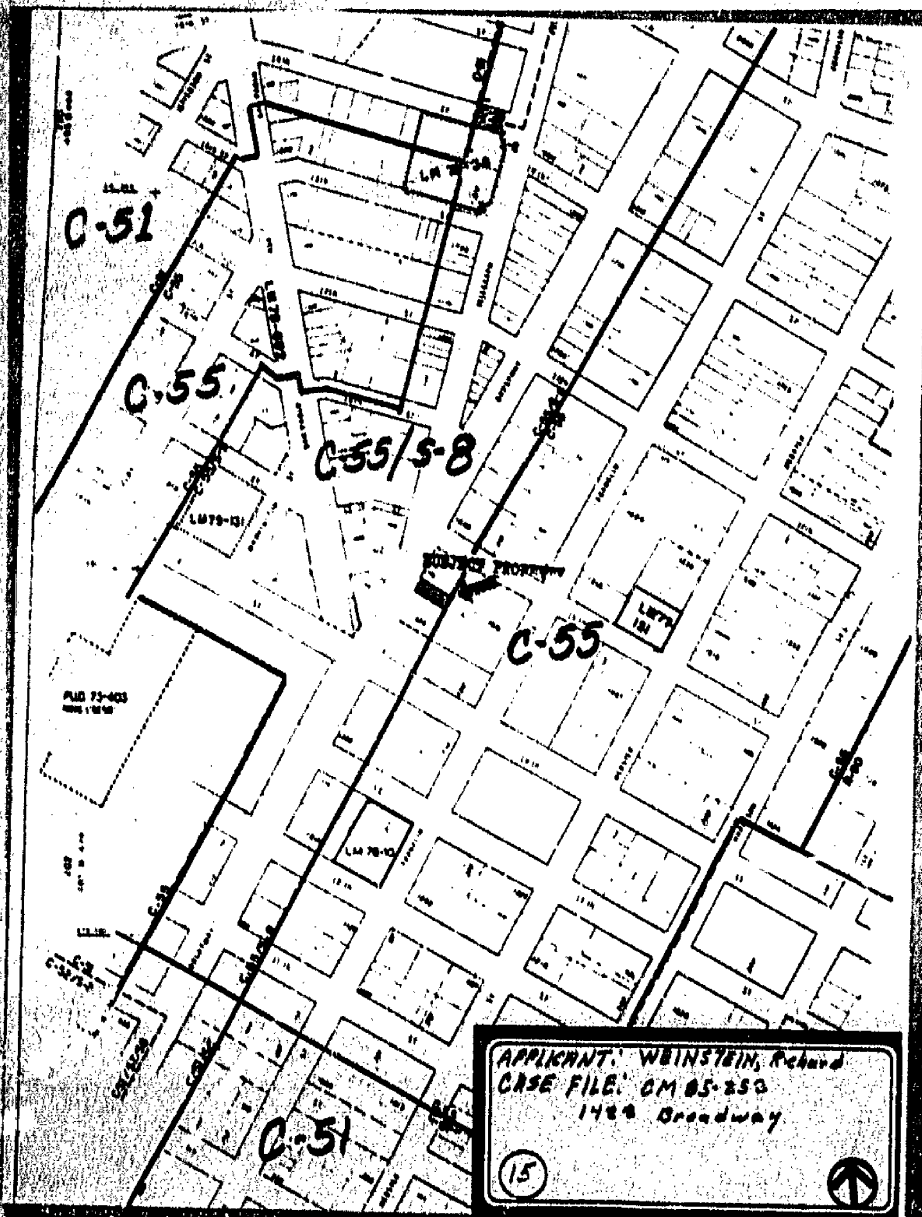
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CONDITIONS OF APPROVAL ATTACHED TO AND MADE A PART OF CONING CASE NO. CMD 85-252

1. That the wrinkles in the awing fabric be removed.
2. That all new signs be approved by the Director of City Planning prior to installation.
3. That this permit shall become effective upon satisfactory compliance with the above conditions. Failure to obtain required building permits by June 30, 1986 shall invalidate this approval, provided further that upon written request the Director of City Planning may grant a one year extension of this date, with additional extension subject to approval by the City Planning Commission.

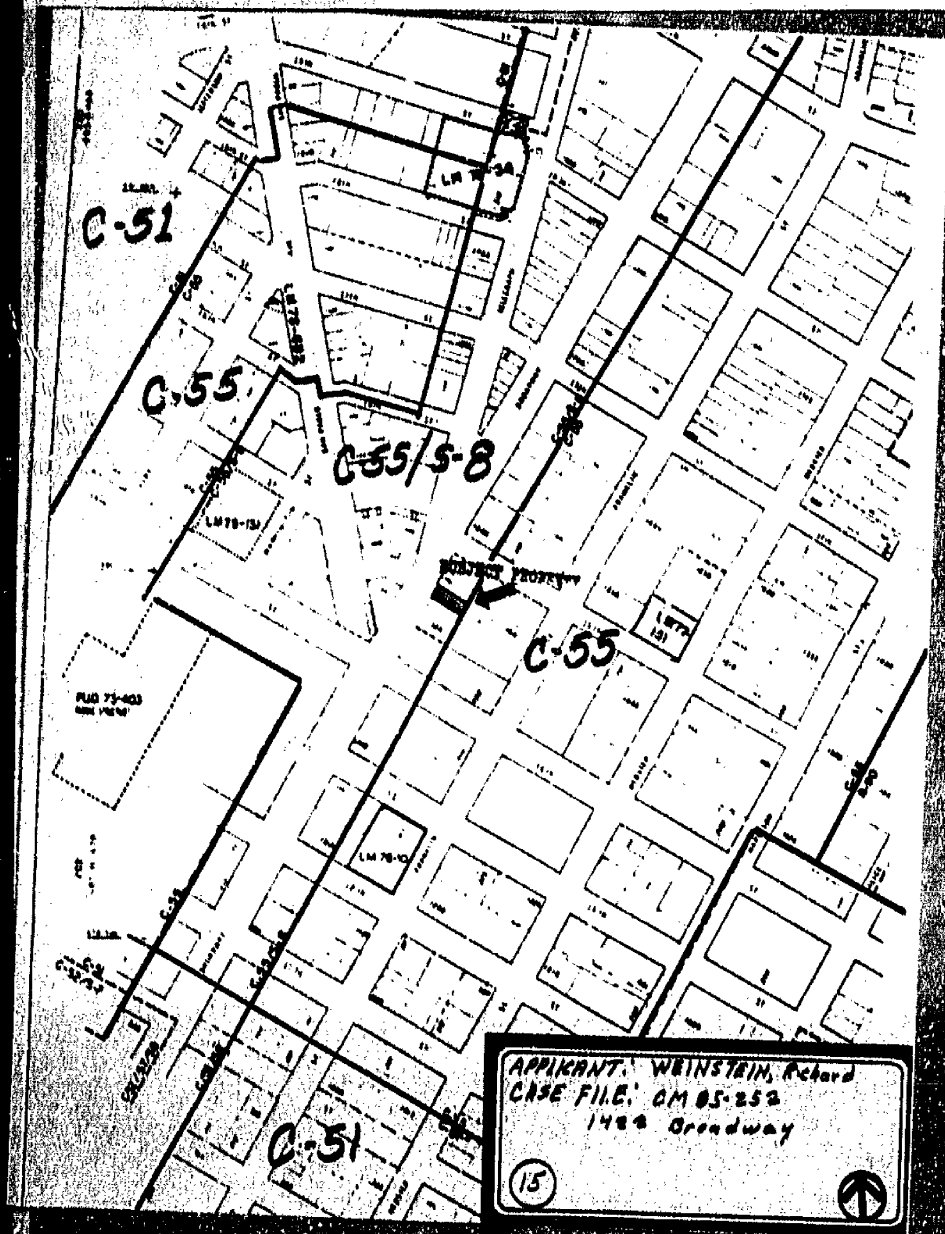
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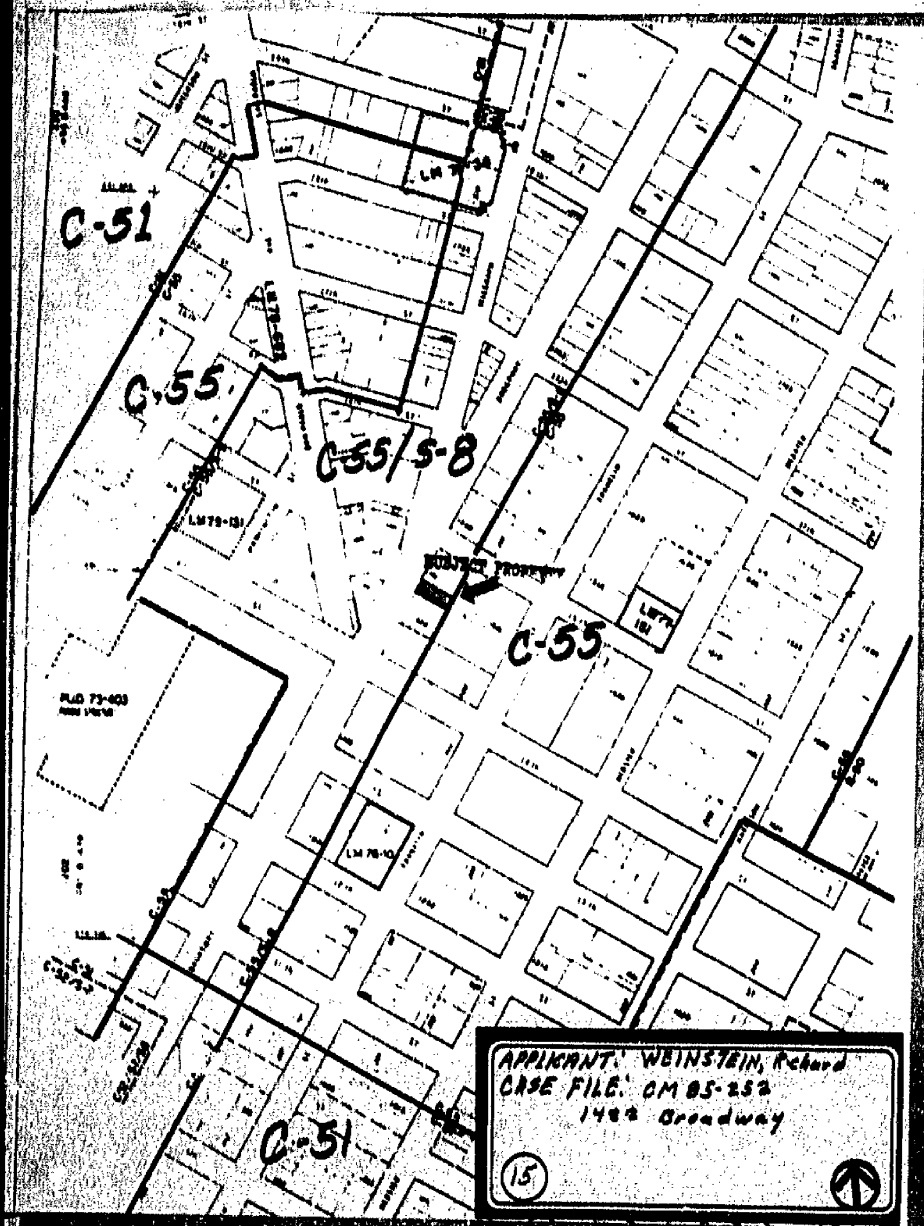
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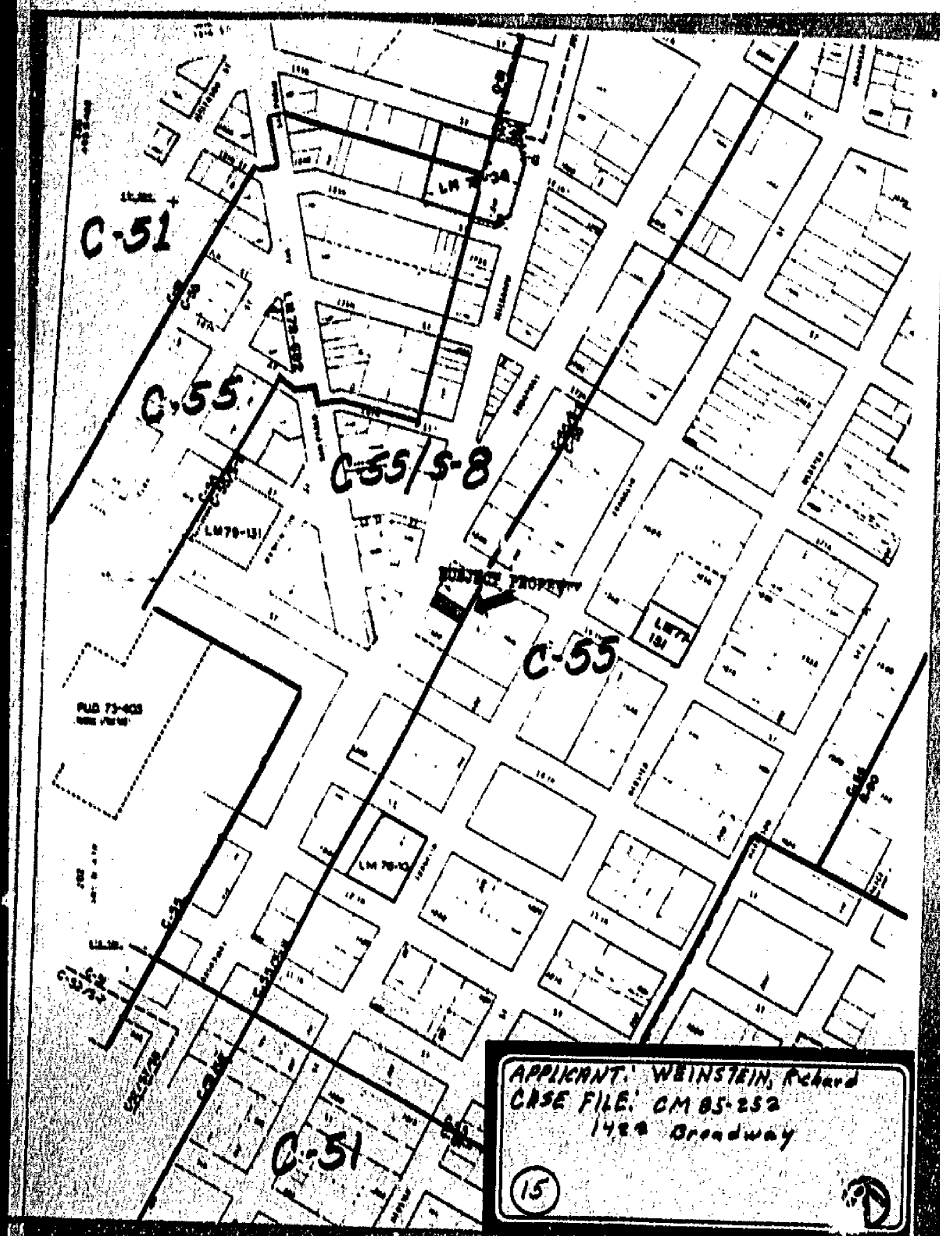


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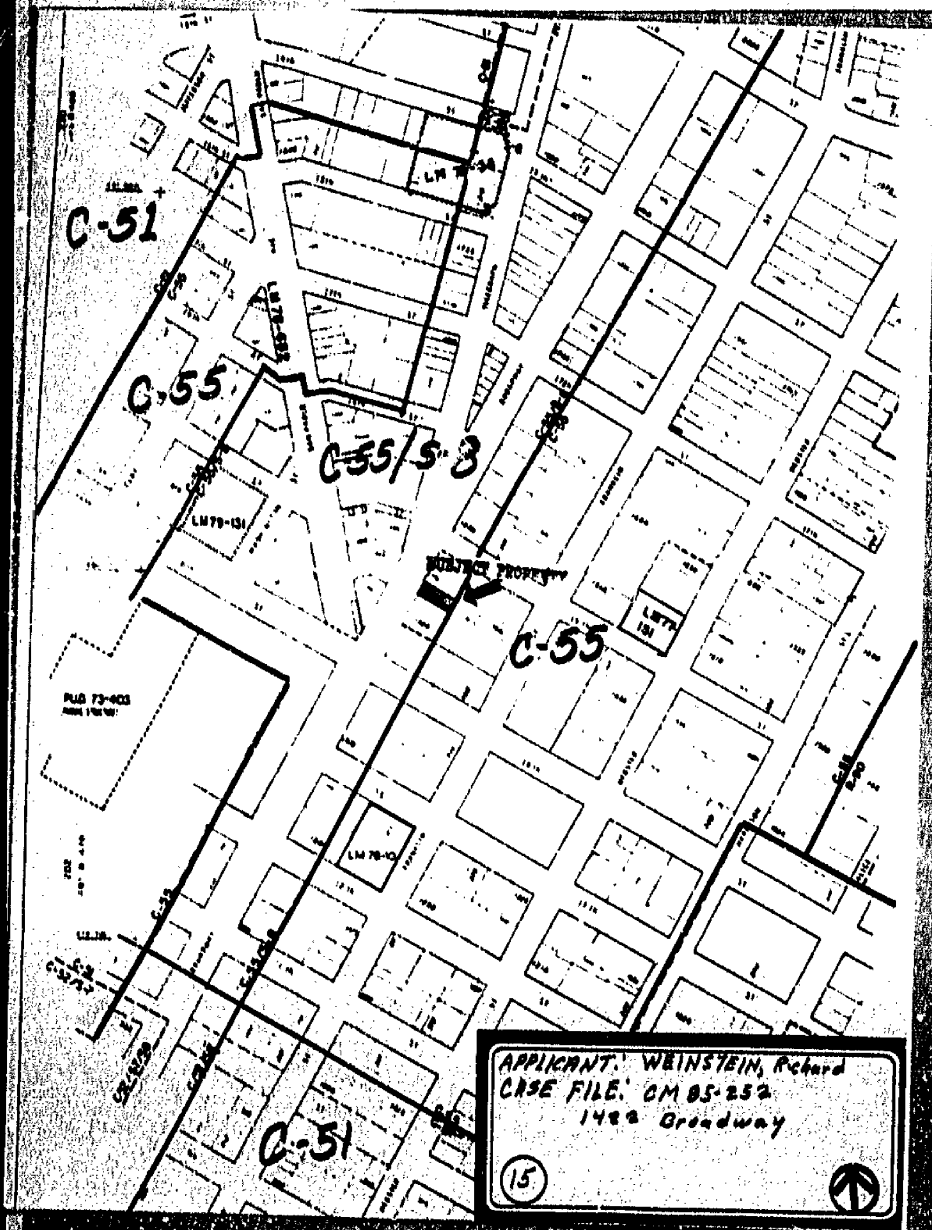


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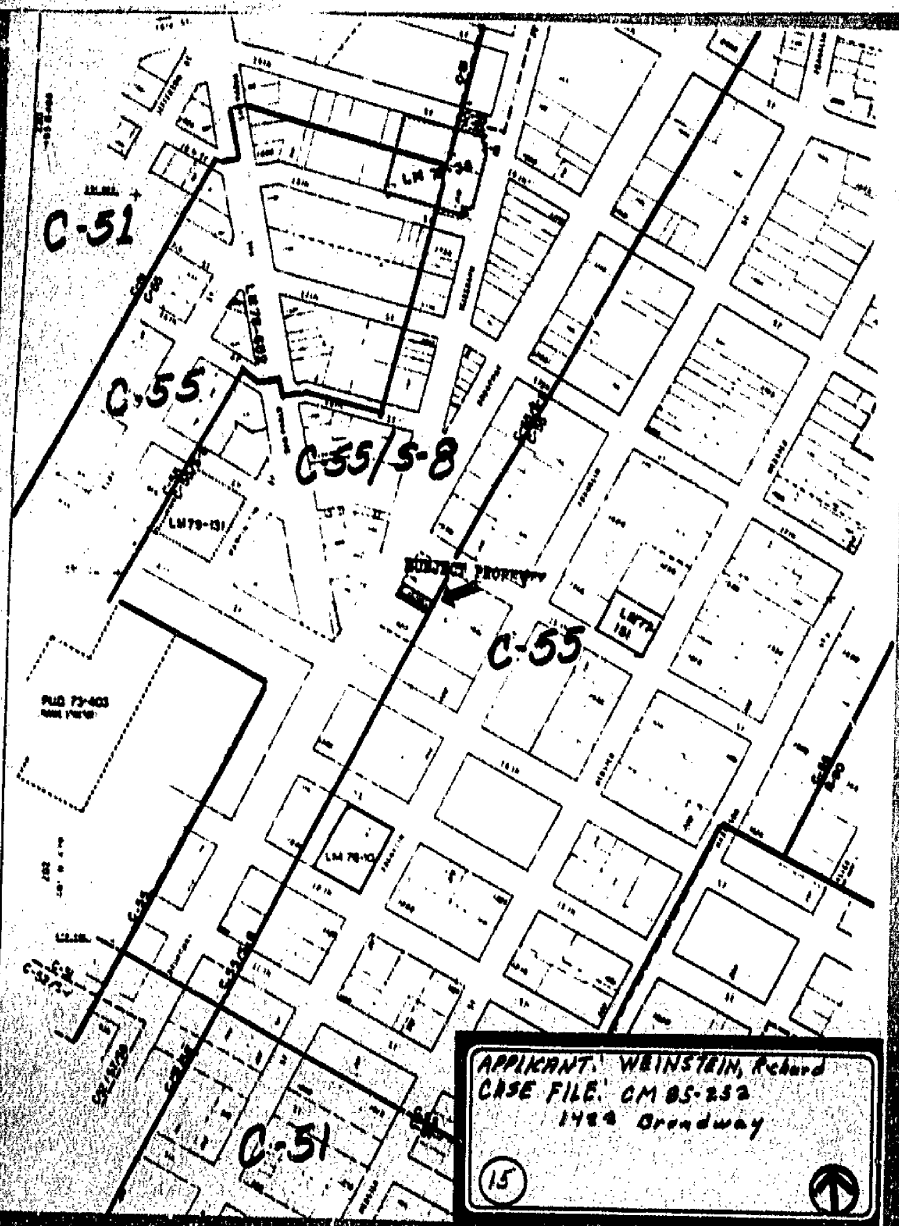
APPLICANT: WEINSTEIN, Richard
CASE FILE: CM 03-252
1422 Broadway

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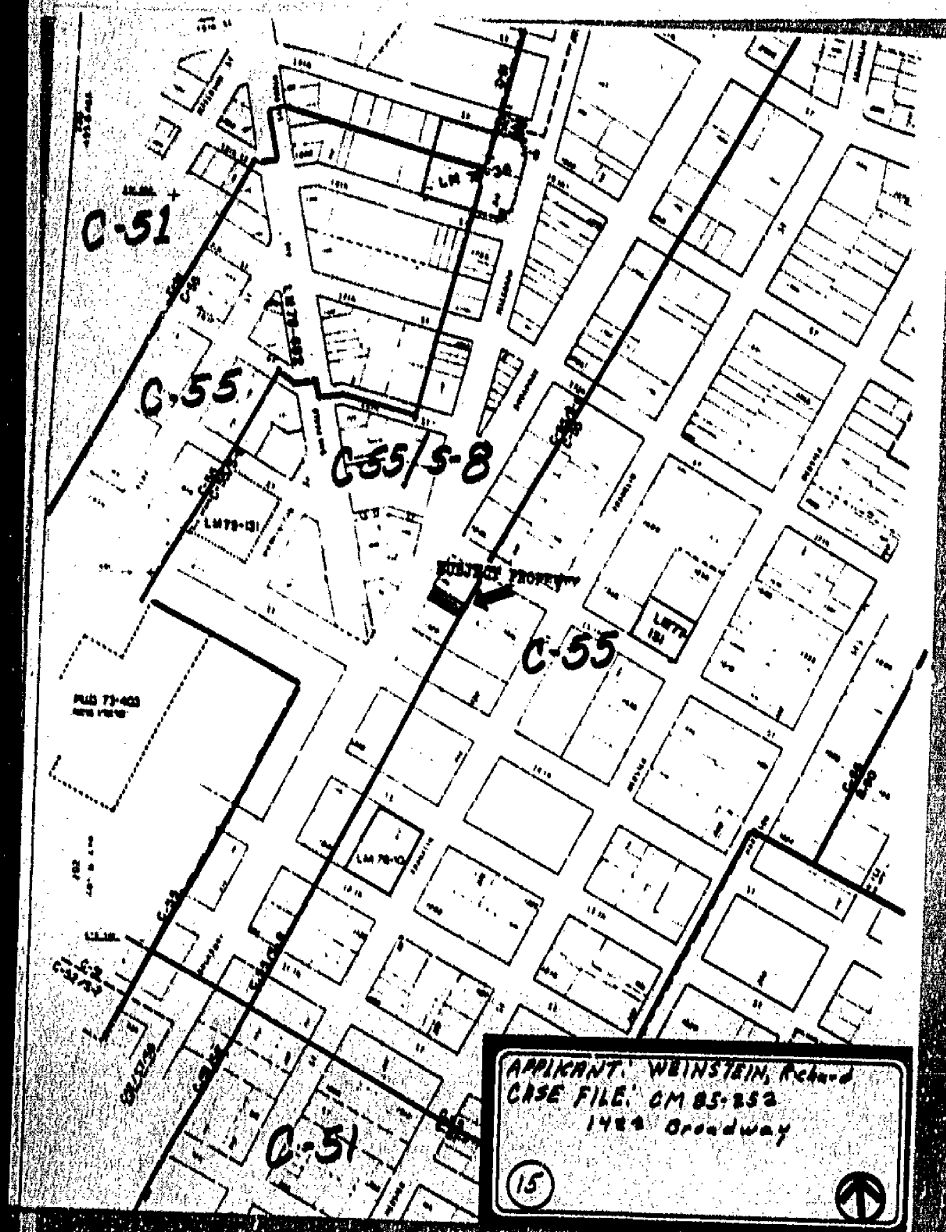
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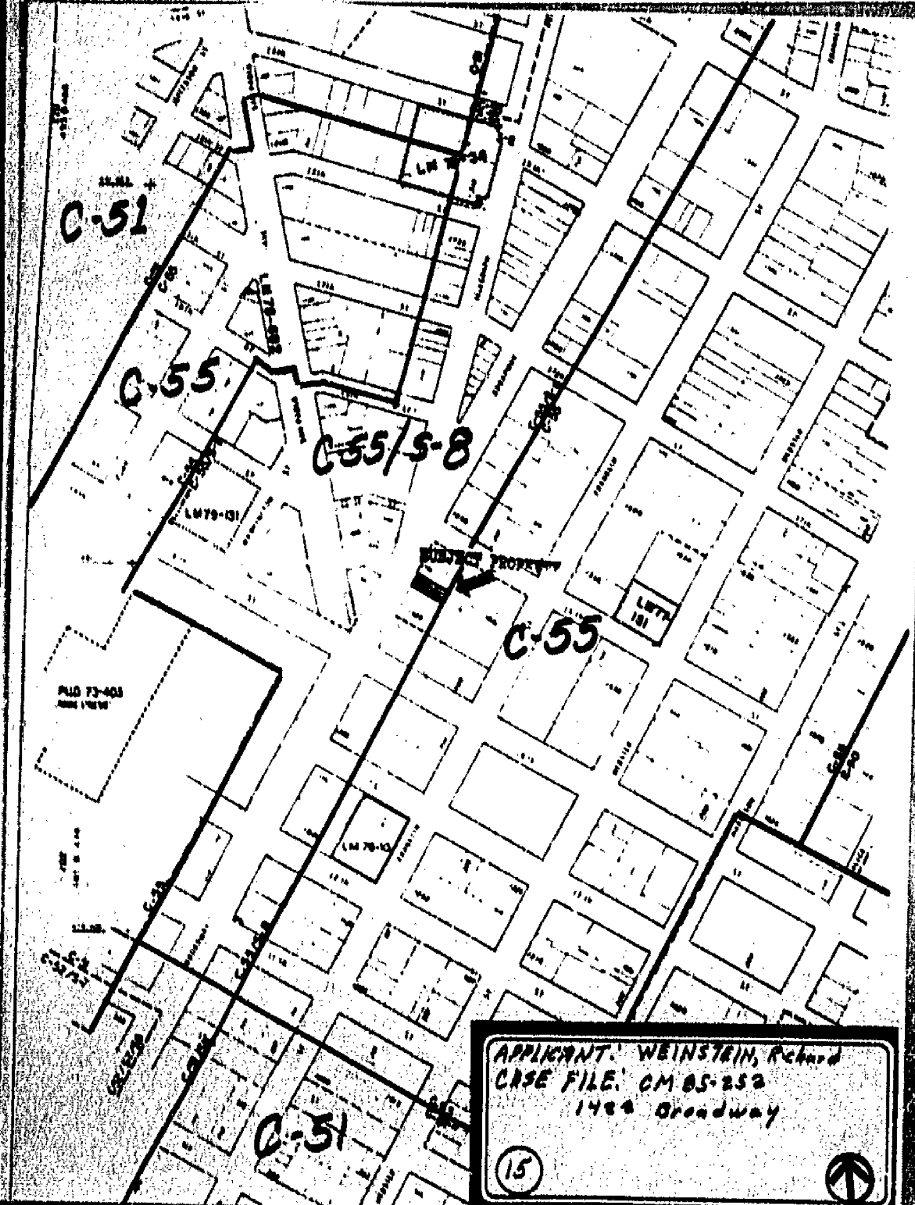


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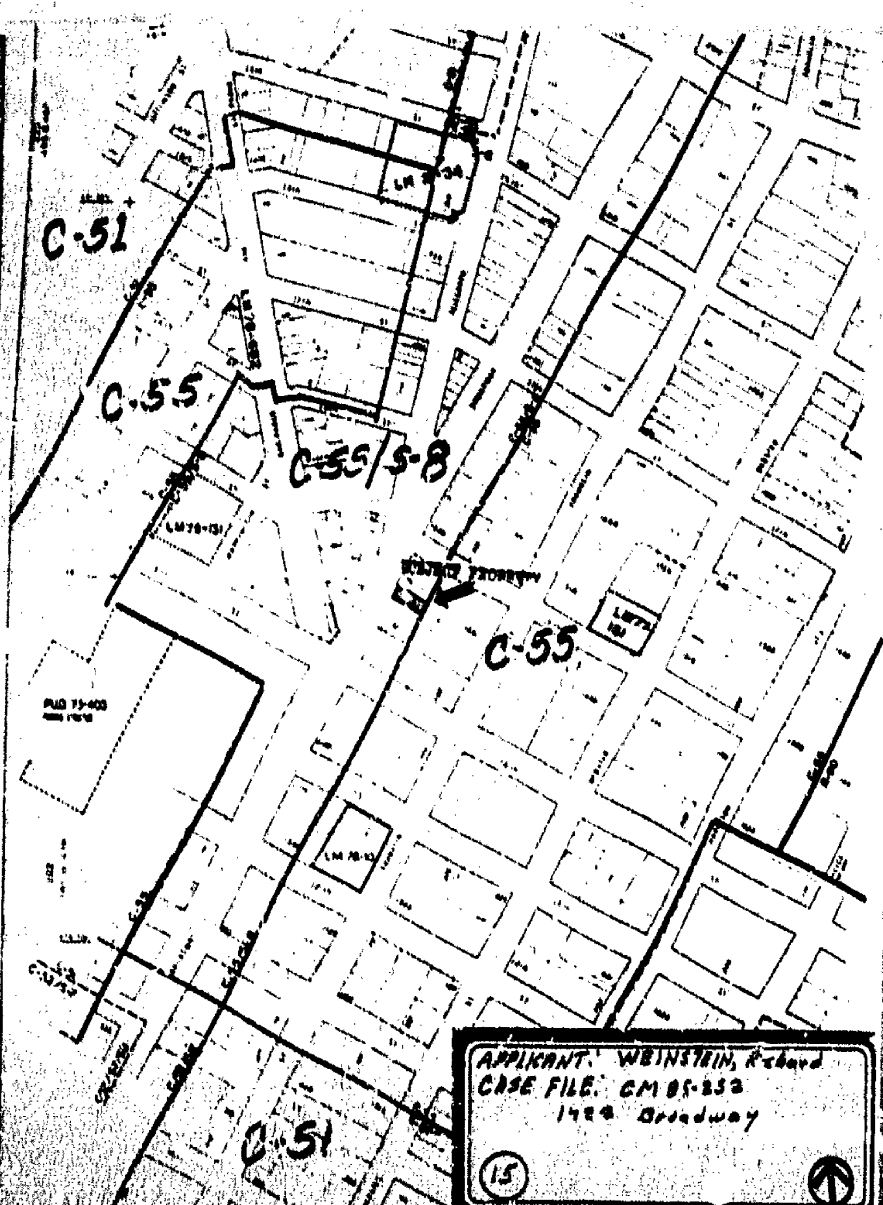


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APPLICANT: WEINSTEIN, Richard
CASE FILE: CM 85-252
1428 Broadway

(15) (U)

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MAILED "AGENDA" 6/14/65 FOR

Resident
1421 Broadway
Oakland, CA. 94612

1423 Broadway

1416 Broadway

1430 Broadway

1415 Franklin St.

001652

BLURB
(City Planning Commission Meeting)

MEETING DATE: June 26, 1985

CHECK BELOW:

- | | |
|--|---|
| <input type="checkbox"/> Old Business | <input type="checkbox"/> New Business and Other Old Business: |
| <input checked="" type="checkbox"/> Public Hearing | <input type="checkbox"/> Correspondence |
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Director's Report |
| | <input type="checkbox"/> Communication |

APPLICANT: Weinstein, Richard

CASE FILE NO.: CM85-252

DESCRIPTION: Application for a Mayor Certificate
of use permit to establish a
restaurant at 1422 Broadway in the
C55/S-8 Central Core Commercial Urban
Street Corridor Zone.

MIN PAYABLE ☐ **MAX PAYABLE** ☐

**CITY of Oakland
CASH RECEIPT**

76176

CASH	<input type="checkbox"/>
CHECK	<input type="checkbox"/>

DATE _____

REMARKS

BY CHICK

AUXILIARY RECEIPT NO.

DEPARTMENT

BY

[illegible]

2000

Duplicate