



CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA • SUITE 2340 • OAKLAND, CALIFORNIA 94612-2031

Planning and Building Department
Bureau of Building
Code Enforcement Services
www.oaklandca.gov

(510) 238-3381
TDD: (510) 238-3254
inspectioncounter@oaklandca.gov

APPEAL FORM

Instructions:

If you have received a Notice of Violation (NOV) related to Building Code or Zoning violations, you have the right to appeal. Major Zoning violations must be appealed separately from Building Code, Minor Zoning, Blight and Graffiti Violations (as identified on the NOV). Please review the NOV and indicate below the violations you are appealing.

Complete this form and return it, along with the required filing fee and supporting documentation, to the Bureau of Building, at 250 Frank Ogawa Plaza, 2nd Floor, Cashiering, Oakland, CA 94612. Appeals forms may be submitted in person or by mail but must be received by the Bureau of Building no later than the **Deadline to Respond** identified on the Notice of Violation. Appeals Forms submitted without the required Filing Fees will be rejected.

All future correspondence pertaining to this appeal will be sent via email only unless you have indicated below that you do not agree.

| | | | |
|-----------------------------------|--|----------------|---|
| Filing Date: | <input type="text" value="4/11/2022"/> | Complaint No. | <input type="text" value="2106266"/> |
| Property Address: | <input type="text" value="3320 GRAND AVENUE"/> | APN | <input type="text" value="011083603300"/> |
| Name of Appellant: | <input type="text" value="CHRIS RACHAL"/> | | |
| Appellant Mailing Address: | <input type="text" value="3320 GRAND AVENUE"/> | | |
| Phone Number: | <input type="text" value="510 314 9658"/> | Email Address: | <input type="text" value="MIMOSA2OAKLAND@GMAIL.COM"/> |
| Property Owner: (if different) | <input type="text" value="CRAWFORDSCHARSCHMIDT LLC"/> | Phone Number: | <input type="text" value="(510) 763-7016"/> |
| Property Owner Mailing Address: | <input type="text" value="C/O LCB ASSOCIATES 388 17TH ST #200 OAKLAND, CA 94612"/> | | |
| Property Owner Email Address: | <input type="text" value="JOHN@LCBASSOCIATES.COM"/> | | |
| Representative/ Attorney (if any) | <input type="text"/> | Phone Number: | <input type="text"/> |
| Representative's Mailing Address: | <input type="text"/> | | |
| Representative's Email Address | <input type="text"/> | | |

NON-ATTORNEY REPRESENTATIVES MUST PROVIDE NOTARIZED AUTHORIZATION

☐ *I do not agree to receive future correspondence pertaining to this appeal by email.*

Appeal Type: (Check the appropriate box)

- ☐ **Property Blight** (*trash, debris, overgrown vegetation, graffiti, etc.*)
☐ **Building Maintenance** (*unpermitted work, no heat, water, undocumented units, landslides, drainage etc.*)
☐ **Minor Zoning** (*e.g., unpermitted window, roofing changes; fencing height, unpermitted expansions, etc.*)
☒ **Major Zoning** (*unpermitted activity; change of use; unpermitted units; expansion of non-conforming uses, etc.*)

How to Appeal:

Complete and submit this form, along with all required filing fees, to the Bureau of Building no later than the **Deadline to Respond** indicated in the Notice of Violation. The **Deadline to Respond** shall be twenty-one (21) days except in cases involving danger or imminent hazard, in which case the deadline to Respond shall be seven (7) days.

You must provide all information required by this appeal form including responding to the requests at the top of page 3. If you are appealing a **Major Zoning Violation** you should explain a) why the use of your property conforms to the zoning designation for the property or b) why the activity should be approved as set forth in Planning Code, Title 17.

| | Appeal Type: | Filing Fee |
|------------|---|-------------------|
| Category 1 | Building Code, Minor Zoning, Blight and Graffiti Violations | \$110.00 |
| Category 2 | Major Zoning Violations (zoning determination) | \$473.92 |

If you are appealing both Category 1 and Category 2 Violations, you must pay **both** filing fees. If you are filing an appeal after the deadline to respond, explain why your appeal is past the deadline and why it should still be considered. Failure to adequately explain untimely filing may result in the appeal being summarily dismissed without a hearing.

Category 1 Appeals Process:

Appeals of Building Code, Minor Zoning, Blight and Graffiti Violations will be reviewed administratively by staff who may grant the appeal without a hearing. If staff does not grant the appeal, a hearing will be scheduled before an Independent Hearing Officer within 60 days, unless you waive the right to the hearing following administrative review. If the Independent Hearing Officer grants your appeal, you will not be charged for the hearing. If the Hearing Officer denies your appeal, you must abate the violations and pay all administrative costs for the hearing as follows:

Administrative Hearing Fees

Actual Cost to Conduct Appeals Hearing
\$931 Processing Fee + \$150 per hour Hearing Officer fee

Costs include:

- Review of Evidence
- Conducting the Hearing
- Final Decision Preparation
- Parking and Postage costs

-Records Management and Technology Enhancement fee (14.75%)

Fees charged only if Appellant loses appeal

Notice of the date, time, and place of hearing will be sent to the appellant and the property owner by email and or mail at least 14 days prior to the hearing. At the hearing, you may present evidence and testimony to support your appeal.

Decisions of the Independent Hearing Officer regarding Blight and Graffiti are final and may only be appealed in court.

Decisions of the Independent Hearing Officer regarding violations identified under the Oakland Municipal Code Chapter 15.04, 15.08 or the California Model Building Construction Code may be appealed to an Appeals Board within fourteen (14) days by following the procedures set forth in Oakland Municipal Code 15.04.1.125G. Appeals not filed in a timely manner will be rejected.

Category 2 Appeals Process:

Appeals of Major Zoning Violations are routed to the Zoning Manager for a Major Zoning Determination.

The Zoning Manager will issue a written decision within 45 days from the end of the appeal period. The Major Zoning Determination fee is not refundable once the decision has been issued, regardless of outcome. Decisions of the Zoning Manager are final unless appealed to the Planning Commission within 10 days from the written decision. Appeals not filed in a timely manner will be rejected.

Please respond to all of the following:

- Briefly identify your legal interest in the property.
- Briefly identify which of the enforcement actions by the City you are appealing.
- Briefly identify how the City has erred or abused its discretion in bringing this action.
- Briefly identify how you want the City to resolve your appeal.

You may use this form to write your explanation and/or attach supplemental pages as needed.

PLEASE SEE ATTACHED

I Declare under Penalty of Perjury that the information given herewith in all respects is true and accurate to the best of my knowledge and belief.

Chris Rachal 4/11/22
Appellant Signature Date

Representative Signature Date

CHRIS RACHAL
Print Name Clearly

Print Name Clearly

Office Use Only

Record ID(s): _____ Administrative Reviewer(s): _____

Receive Date: (Stamp) _____



3320 GRAND AVENUE • OAKLAND • CA 94610 • mimosa2oakland@gmail.com

April 11, 2022

City of Oakland
Planning and Building Department
250 Frank H. Ogawa Plaza
Suite 2349
Oakland, CA 94612-2031

To whom it may concern,

This letter serves as our formal appeal to the **Notice of Violation dated 3/22/2022 Code Enforcement Case Number 2106266**. According to the notice, your department believes that we are not operating as a Restaurant and selling Alcoholic Beverages in a zone where this is not permitted without a Conditional Use Permit (CUP).

1. **Under code 17.114.030 - B. Alcoholic Beverage Control Licenses. Notwithstanding the provisions of the nonconforming use regulations, said provisions shall not apply to the extent that they would preclude the exercise of the same rights and privileges as those conferred by a valid state of California Alcoholic Beverage Control license for premises which had been used in the exercise of such rights and privileges at a time immediately prior to the effective date of the applicable provisions of Section 17.102.210. For the purposes of this Subsection, the word "premises" shall mean and include only the actual space within a building devoted to the sale of alcoholic beverage. (Prior planning code § 7402) 17.114.040 - Right to continue nonconforming use, subject to limitations. A. Right to Continue. A nonconforming use which is in existence on the effective date of the zoning regulations or of any subsequent rezoning or other amendment thereto which makes such use nonconforming, and which existed lawfully under the previous zoning controls, or which is subsequently developed or changed pursuant to Section 17.114.030, may thereafter be continued and maintained indefinitely, and the rights to such use shall run with the land, except as otherwise specified in the nonconforming use regulations. However, no substitution, extension, or other change in activities and no alteration or other change in facilities is permitted except as otherwise provided in Section 17.114.030 and except as specifically provided hereinafter. B. Right to Continue Nonconforming Auto and Truck Related Activities in All Districts. As used regarding all such nonconforming auto and truck related activities, the word "activity" refers solely to the unique function or operation occurring on the affected property and does not refer to any other activity within an activity type with which that activity is grouped. Any right to substitute, extend or alter an existing auto or truck related activity refers solely to the specific existing function or operation, and does not provide any right to substitute, extend or alter that activity with any other type of activity within the activity type with which the activity is grouped. (Ord. No. 12999, § 4(Exh. A), 3-16-2010; Ord. 12368 § 3, 2001: prior planning code § 7403)**

The previous tenant at 3320 Grand, Aisle 5, sold alcohol without a CUP. Based on the above planning code we are not in violation and are not required to have a CUP.

Mimosa on Grand is a full-service restaurant. Mr. Chris Candell, the inspector conducted his investigation on Thursday, January 20, 2022, at the time, we were closed on Thursdays, so it is unclear how the final determination was made. Mr. Candell also inspected our restaurant on December 1, 2021, and found no violations.

Is it standard practice for the City of Oakland's zoning inspectors to reinspect a business with no violations in less than two months? We are trying to understand why the inspector "conducted" a second inspection when he signed off just seven weeks prior. What prompted the second inspection? There are no clear answers, and we are feeling targeted. We are one of the few Black owned businesses in the Grand Lake business district.

When we spoke with Mr. Candell the week of March 28, he shared that part of the determination was because we are not open for lunch, even though we are open for brunch on weekends. Our neighbors, Almond & Oak, The Alley, Mijori Japanese Grill and Shogun Japanese Grill are closed for lunch during the week. (Like us, Almond & Oak is also open on the weekends for lunch.) Below is an abbreviated list of more restaurants in Oakland that are not open for lunch that also serve alcohol, have they been issued violations as well?

| | | |
|---------------|--------------|------------------|
| Blind Tiger | Millennium | Marcia |
| Shakewell | Hop Scotch | Shinimai |
| Mua | Mago | Palmetto |
| A16 | Mama Oakland | Marzano |
| Noodle Theory | Commis | Bilancio |
| A Cote' | Ala Mar | Jo's Modern Thai |
| Ramen Shop | Saucy | |

As a full-service restaurant, we have a dedicated staff of no less than 12 food service employees that include chefs, handlers, servers, and dishwashers.

Our hours are as follows:

Thursday 5pm-11pm

Friday 5pm-1:30am (kitchen open until 12am)

Saturday 2pm-1:30am (kitchen open until 12am)

Sunday 12pm-5pm

Our current dedicated kitchen staff:

Kenneth Wynn, Executive Chef

Willette Battle, Sous Chef

Sonia Porter, Sous Chef

Jairi Earring, Line Cook

Yanni Valley, Line Cook

Tamiko Ayalla, Server

Janae Cobb, Server/Hostess

Sara Collins, Server

Bemnet Demessie, Server

Kaelyn Holmes, Server

Ashlee Rosa, Server

Ja'Mes Williams, Server/Hostess

We opened our restaurant in the middle of the pandemic and like most hospitality businesses across the country, we are adapting to life in the new normal. With that in mind, we evaluated our business model and determined that opening for lunch Monday-Friday would be detrimental to our bottom line. We consistently evaluate trends and how companies in the area are handling return to work for employees. If lunchtime demands change, we are ready and willing to expand our hours of operation.

In October 2021, an anonymous noise complaint was filed with several agencies. Upon receipt of the complaint, Officer Jennifer Sena of Alcohol Beverage Action Team, informed the complainant in writing that there were four separate investigations conducted and all concluded that the noise was not coming from Mimosa on Grand (see appendix A). The complainant, now identified as Noelle Duong, proceeded to contact over 40 agencies with an inflammatory letter with complaints against Mimosa on Grand despite the findings of the investigation. It seems that Ms. Duong's accusations, spurred the formal investigation by Ricardo Salas, Municipal Code Inspector and Greg Minor, Assistant City Administrator. Mr. Salas conducted his investigation from October 21-December 4, 2021 and determined that there were no violations including cabaret activity. Mr. Candell was one of the inspectors involved in the thorough investigation on December 1, 2021. At that time, his report cleared Mimosa on Grand of any violations. What has changed in that time to determine that Mimosa on Grand is not a full-service restaurant?

As you know, it is very difficult to open and run a restaurant. Especially in the middle of a global pandemic and moving into the recovery phase that the country is currently in. During a booming economy, restaurants are high risk businesses, the risk is heightened during a time of economic instability. We took the risk and very happy we did. There are several obstacles and difficulties that we face daily - staffing, marketing, and normal operations. With Covid-19 we had to think outside the box when it came to the direction we wanted to go with our restaurant. However, we could not have anticipated what is feeling like targeted harassment...what started as an unfounded and unsubstantiated noise complaint has grown to an alleged major zoning violation. It is odd given all the scrutiny of a four-month investigation with more than 20 visits from various inspectors, that it would take that long to determine that we are not operating as a full-service restaurant.

Mr. Candell said that he used our marketing material to aid in his determination that Mimosa on Grand is not a full-service restaurant, while it is not a requirement for us to explain how we market our business, we will share that we are **not** marketing like they did in the 70's, 80's or even the 90's. We are not promoting special events, parties, or a nightclub. Our style of marketing is trendsetting, cutting edge and effective. Unlike other restaurants, we do not simply market food, we market location, food, service, cocktails, esthetics, staff, Instagram worthy moments, celebration, vibe dining and most importantly, fun. We are not just selling food; we are selling everything mentioned above. Oakland selectively prides itself on the "secret sauce" of diversity and we are fully leaning into that with up to date, current marketing strategies...the city should too. Maybe the city should hire some younger inspectors that are a bit more in touch with new ideas, everything does not fit into one or two boxes.

For decades until as recent as this past November, the Piedmont area of Oakland has had a history of systematic racism and has frowned upon the inclusion of African Americans (see appendix B). In a recent real estate advertisement in the Nob Hill Gazette, known as a publication for San Francisco's social elites, one Piedmont advertiser wrote: "The city is surrounded by Oakland but is worlds apart. Among its 11,270 residents, 74.5 percent are white" to attract home buyers. This sort of dog whistle is nothing new for Piedmont.

In 2020, a group of Piedmont residents started a nonprofit organization called Piedmont Anti-Racism and Diversity Committee, but that didn't stop the agent from sharing those stats as a point of pride to increase sales.

These complaints and the ongoing exhaustive investigations are nothing more than a racially charged attempt to keep the Piedmont area rid of diversity and "worlds apart" from the rest of Oakland. Any noise in the area, it must

be the Black people. Any loitering in the area, it must be the Black people. Any laws or city ordinances being broken in the area, it must be the Black people...when does the blatant racism end? What's it going to take? A discrimination lawsuit? A civil rights lawsuit? Defamation of character lawsuit? A loss of revenue lawsuit?

We are natives of Oakland and love our city. We are taxpaying business owners with more than 25 years' experience. Throughout our entrepreneurial journey, we have employed over 200 Oakland natives and residents. We are fully invested in our community.

Respectfully,

Chris Rachal and Jeff Surratt
Owner and Operators, Mimosa on Grand

Hi Chris,

APPENDIX A

Thought the below email might be of concern for you. See below.

Best,

Ofc Jennifer Sena

From: Salaverry, Lia, Azul <LSalaverry@oaklandca.gov>

Sent: Tuesday, December 28, 2021 3:08 PM

To: grandaveoakland@gmail.com <grandaveoakland@gmail.com>; hristianwhill@gmail.com <christianwhill@gmail.com>; poormojo@gmail.com <poormojo@gmail.com>; Eileen Morentz <emorentz@sbcglobal.net>; fitnessguru2019@outlook.com <fitnessguru2019@outlook.com>; kennymichael2002kw@gmail.com <kennymichael2002kw@gmail.com>; residentoakland98@gmail.com <residentoakland98@gmail.com>; edgarjimenz510@gmail.com <edgarjimenz510@gmail.com>

Cc: grandaveoakland@gmail.com <grandaveoakland@gmail.com>; Minor, Gregory <GMinor@oaklandca.gov>; Inspection Counter <bbcode-inspect@oaklandca.gov>; Fortunato Bas, Nikki <NFortunatoBas@oaklandca.gov>; Kang, Tiffany <TKang@oaklandca.gov>; Salas, Ricardo <RSalas@oaklandca.gov>; katrina.johnson@abc.ca.gov <katrina.johnson@abc.ca.gov>; Sena, Jennifer <JJSena@oaklandca.gov>; InspectionInfo <InspectionInfo@oaklandca.gov>

Subject: Re: Resident Concerns Re: Mimosa 2 Oak at 3320 Grand Ave

Hello all,

We appreciate you raising these concerns to City staff.

I recently spoke with the Municipal Code Enforcement staff who have been investigating this location, and they informed me that they have visited four separate times. They informed me that there was loud music coming from a location several doors down, at 3362 Grand Ave at a nearby bar.

Staff is working with both locations, M2 and the bar, to address the noise issues and bring them into compliance with the city's rules.

Please let us know if you have additional questions or concerns we can assist with.

Thank you,

Best,

Lia Azul Salaverry
 District Director & Policy Advisor
 Council President Nikki Fortunato Bas
 City of Oakland, District 2
 lsalaverry@oaklandca.gov

Pronouns: she, her, ella (what is this?)

Resource Pages
 COVID-19 Updates
 Eviction Moratorium

Subscribe to Council President Bas' newsletter.
 Visit her City of Oakland website.
 Follow on Facebook, Twitter, or Instagram.

From: Grand Ave Residents <grandaveoakland@gmail.com>

Sent: Monday, December 13, 2021 5:52:23 PM

To: Minor, Gregory <GMinor@oaklandca.gov>; Inspection Counter <bbcode-inspect@oaklandca.gov>; Fortunato Bas, Nikki <NFortunatoBas@oaklandca.gov>; Kang, Tiffany <TKang@oaklandca.gov>; Salas, Ricardo <RSalas@oaklandca.gov>; katrina.johnson@abc.ca.gov <katrina.johnson@abc.ca.gov>; Sena, Jennifer <JJSena@oaklandca.gov>; InspectionInfo <InspectionInfo@oaklandca.gov>

Cc: christianwhill@gmail.com <christianwhill@gmail.com>; poormojo@gmail.com <poormojo@gmail.com>; emorentz@sbcglobal.net <emorentz@sbcglobal.net>; fitnessguru2019@outlook.com <fitnessguru2019@outlook.com>; kennymichael2002kw@gmail.com <kennymichael2002kw@gmail.com>; residentoakland98@gmail.com <residentoakland98@gmail.com>; edgarjimenz510@gmail.com <edgarjimenz510@gmail.com>

Subject: Resident Concerns Re: Mimosa 2 Oak at 3320 Grand Ave

[EXTERNAL] This email originated outside of the City of Oakland. Please do not click links or open attachments unless you recognize the sender and expect the message.

Hi all,

Thank you for your efforts to support us grand lake residents (cc'd) to resolve the quality of life concerns created by M2 at 3320 grand ave. M2 has been consistently loud since moving to the neighborhood in August. They operate on Friday and Saturday until 2am and violate the city noise ordinance consistently. Please see the details below regarding our observations and the city zoning,

noise, and ABC license requirements we would like enforced. Please take the 3 actions below that will offer a long term solution to encourage M2 to be a good neighbor and abide by the requirements needed to operate as a restaurant in compliance with their permits and the city zoning laws.

Action #1: Please investigate and document that they are in fact operating as an establishment focused on alcohol sales which is not in compliance with the type 47 (restaurant) license and their city permitted use, please see below.

M2 has a city permit (attached) and ABC liquor license (here) to operate as a restaurant. The city's definition of a restaurant is clear as is the ABC liquor license requirement for a type 47 license for restaurants.

Please audit M2's sales to verify that their liquor sales do not exceed 40% of their total sales. According to the definitions of "restaurant" they need to serve meals during meal time and the definition is clear that appetizers are not considered meals. Please note that M2 only offers meals on Sunday aside from that during most of their operations (Friday and Saturday from 8pm-2am, not standard meal time) they serve only alcohol and appetizers.

We encourage you to also look at the owner and M2's social media in addition to the photos provided in the city administrator's office courtesy notice (attached). They host events with live DJs and amplified music which is when we experience the most noise.

Please see the videos attached for evidence that they operate as a nightclub. In the video titled M2 nightclub operations evidence there is not a single person eating a meal and 12.12.21 excessive noise evidence video shows how loud it is across the street from their venue. Please note that 12/12/21 was a work night and the other bar on the block was closed so the noise was only coming from M2 and they continued to be loud past 2AM)

We have additional videos featuring how noisy they are but the files are too large to send via email. The noise issues are a regular occurrence.

Action #2: After establishing for the record that they operate as a bar/ nightclub focused on alcohol sales not food please revoke their current liquor license and mandate that they go through the permitting process for a type 48 liquor license.

The law states that "Illegal activity means an activity which has been finally determined to be in noncompliance with the Deemed Approved performance standards in Article III of this Chapter. Such an activity shall lose its Deemed Approved Status and shall no longer be considered a Deemed Approved Activity"

Action #3: Enforce the city zoning requirements that are in place to regulate alcohol sales. The city zoning does not allow for 3320 Grand Ave to be used as a bar or nightclub. Please deny any future permit applications to operate a bar/nightclub at 3320 grand ave.

3320 Grand Ave where M2 is located is zoned for CN2, in this area alcoholic beverage sales are NOT an as of right use, conditional use authorization is required.

Code 17.103.030 makes it clear that M2's operations do not comply with the conditional use requirements to operate a bar/nightclub on Grand Ave. Listed below are the city code requirements

that need enforcement. Currently none of these requirements are being met.

17.103.030 A3 - "That the proposal will not interfere with the movement of people along an important pedestrian street"

(Note: There are double parked cars in the travel lane during their business hours and their deliveries happen in the travel lane as well see photos attached. In addition, there have been motorcyclists driving and parking on the sidewalk. This was not an issue before M2 began operating. This is a concern for pedestrians, cyclists, and emergency vehicle access.)

17.103.030 A7 - "That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, it will be limited in hours of operation, or designed or operated, so as to avoid disruption of residents' sleep between the hours of 10:00 p.m. and 7:00 a.m."

(Note: M2 operates until 2am, the venue is not sound proofed, they play amplified music, and are violating the noise ordinance consistently. The attached video is a sample of the noise we are experiencing. Please remember the video is recorded on a cell phone and the noise is much louder in person.)

17.103.030 B1 - "No Alcoholic Beverage Sales Commercial Activity or sale of alcoholic beverages shall be located closer than one thousand (1,000) feet to any other establishment selling alcoholic beverages measured between closest building walls"

(Note: The Libertine located at 3332 Grand Ave was there before M2 and is 66 feet away according to google maps, see attached)

17.103.030 B2b - "That the overall project will have a positive influence on the quality of life for the community in which it is located, providing economic benefits that outweigh anticipated negative impacts, and that will not result in a significant increase in calls for police service"

(Note: They are typically closed during the business hours of the other local shops, they are taking up space that otherwise could be activated during the typical business hours of the block. They are essentially a vacant storefront outside of their bar/nightclub hours of operation. The impact they are having on immediate neighbors is creating conditions that prevent us from sleeping. Also their customers are peeing on the sidewalk and neighboring buildings and as mentioned above they are double parking in the travel lane.)

FOR REFERENCE:

17.103.030 - Fast-Food Restaurant and Convenience Market Commercial Activities, and Establishments Selling Alcoholic Beverages.

SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONSEMAIL
SECTIONCOMPARE VERSIONS

A. Use Permit Criteria for Fast-Food Restaurants, Convenience Markets, and Establishments Selling Alcoholic Beverages. A Conditional Use Permit for any conditionally permitted Fast-Food Restaurant, Convenience Market, or Alcoholic Beverage Sales Commercial Activity may be granted

only upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit procedure in Chapter 17.134, to any and all applicable use permit criteria set forth in the particular individual zone regulations, and to all of the following additional use permit criteria: 1. That the proposal will not contribute to undue proliferation of such uses in an area where additional ones would be undesirable, with consideration to be given to the area's function and character, problems of crime and loitering, and traffic problems and capacity; 2. That the proposal will not adversely affect adjacent or nearby churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds; 3. That the proposal will not interfere with the movement of people along an important pedestrian street; 4. That the proposed development will be of an architectural and visual quality and character which harmonizes with, or where appropriate enhances, the surrounding area; 5. That the design will avoid unduly large or obtrusive Signs, bleak unlandscaped parking areas, and an overall garish impression; 6. That adequate litter receptacles will be provided where appropriate; 7. That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, it will be limited in hours of operation, or designed or operated, so as to avoid disruption of residents' sleep between the hours of 10:00 p.m. and 7:00 a.m.; 8. That proposals for new Fast-Food Restaurants must substantially comply with the provisions of the Oakland City Planning Commission "Fast-Food Restaurant—Guidelines for Development and Evaluation" (OCPD 100-18).

B. Special Restrictions on Establishments Selling Alcoholic Beverages.

1. No Alcoholic Beverage Sales Commercial Activity or sale of alcoholic beverages shall be located closer than one thousand (1,000) feet to any other establishment selling alcoholic beverages measured between closest building walls, except: a. On-sale retail licenses located in the Central District (defined for the purposes of this Chapter only as within the boundaries of 1-980 and Brush street to the west; both sides of 27th Street to the north; Harrison Street/Lake Merritt and the Lake Merritt Channel to the east; and the Estuary to the south); or b. Off-sale retail licenses located in the Jack London District (defined for the purposes of this Chapter only as within the boundaries of Martin Luther King Jr. Way to the west, I-880 to the north; the Lake Merritt Channel to the east; and the Estuary to the south); or c. If the activity is in conjunction with a Full-Service Restaurant or Limited-Service Restaurant and Cafe Commercial Activity; or d. Establishments with twenty-five (25) or more full time equivalent (FTE) employees or a total floor area of twelve thousand (12,000) square feet or more; or e. If the activity is in conjunction with the on-sale and/or off-sale of alcoholic beverages at an alcoholic beverage manufacturer: i. For the purposes of this Chapter only, an "alcoholic beverage manufacturer" means a Custom or Light Manufacturing Industrial Activity producing alcoholic beverages as a principal activity, with a State of California Department of Alcoholic Beverage Control (ABC) license type that includes, but is not limited to, a Type 02 (Winegrower) or Type 23 (Small Beer Manufacturer). The ABC license type shall not consist solely of a bar or liquor store license type, such as a Type 48, 20, or 21. The on-sale and/or off-sale of alcoholic beverages at such an alcoholic beverage manufacturer are excluded from the definition of Alcoholic Beverage Sales Commercial Activities, as specified in Section 17.10.300. ii. The sale of alcoholic beverages at an alcoholic beverage manufacturer is only permitted upon the granting of a

Minor Conditional Use Permit (CUP), regardless of whether such Custom or Light Manufacturing Industrial Activity is otherwise allowed by right in the underlying zone (see Chapter 17.134 for the CUP procedure). iii. Also, no additional CUP findings are required, regardless of whether such sale of alcoholic beverages at an alcoholic beverage manufacturer meets normally required separation requirements, and/or is located in an over-concentrated area. 2. In addition to the criteria prescribed elsewhere in the zoning regulations, a land use permit for an Alcoholic Beverage Sales Commercial Activity located within an Alcoholic Beverage Sales license over concentrated area shall only be granted, and a finding of Public Convenience or Necessity made, if the proposal conforms to all of the following criteria: a. That a community need for the project is clearly demonstrated. To demonstrate community need, the applicant shall document in writing, specifically how the project would serve an unmet or underserved need or population within the overall Oakland community or the community in which the project is located, and how the proposed project would enhance physical accessibility to needed goods or services that the project would provide, including, but not limited to alcohol; and b. That the overall project will have a positive influence on the quality of life for the community in which it is located, providing economic benefits that outweigh anticipated negative impacts, and that will not result in a significant increase in calls for police service; and c. That alcohol sales are customarily associated with, and are appropriate, incidental, and subordinate to, a principal activity on the lot.

Salas, Ricardo

Subject: FW: Muni Code Report 3320 Grand Avenue
Attachments: Planning and Zoning Information Viewer.pdf; Accela Automation.pdf; AdapterToReportViewer.pdf; Flex Streets Permit for Parklet 4 20 2021.pdf; Zoning Clearance for Full Service Resturant on 7 27 2021.pdf; [REDACTED] 2021_site_visit.pdf; 11_29_Site_Visit.pdf; 12_3_2021_Site_Visit.pdf; 10_1_2021_Site_visit.pdf

From: Salas, Ricardo
Sent: Thursday, December 9, 2021 7:49 AM
To: Minor, Gregory <GMinor@oaklandca.gov>; Marcus, Nancy <NMarcus@oaklandca.gov>
Subject: Muni Code Report 3320 Grand Avenue

Hi Greg,

Staff is reporting findings during the site visits. Below, I summarize the site visits conducted at 3320 Grand Avenue DBA M2.

Reason for site visit: Complaint regarding a possible unpermitted cabaret and loud noise.
DBA : Memosa 2 (M2)
Location : 3320 Grand Avenue
Parcel Information : 011 083603300
Parcel Zoning Type: CN-2
Currently zoned: Zoning clearance for Full-Service Restaurant Mimosa on Grand on 7/27/2021

Inspection and site visit dates:

- **October 1, 2021**
- 1:52pm
- City Staff:
 - Ofc Jennifer Sena (OPD ABAT Unit)
 - Ricardo Salas (Special Activities Division)
- Educational Site visit with OPD (ABAT unit) and Special Activities regarding Cabaret's and noise standards
 - No unpermitted equipment was found during the site visit
 - DJ booth, seats, chairs, and restaurant/bar equipment
- **October 16, 2021**
- 8:27pm and 9:55pm.
- City Staff: Ricardo Salas—Special Activities Division
- Reason for site visit: Investigate and report the source of the noise and cabaret operations in the area.
 - Commercial noise was coming from 4 establishments, e.g., bars and restaurants
 - Not possible to determine the exact location of the noise.
 - A follow up visit is needed
- **November 29, 2021**
- Time: 11am
- City Staff:
 - Miguel Villanueva Fire Prevention,
 - Chris Candell—Planning and Zoning,

- Ricardo Salas—Special Activities Division.
- Reason for site visit: Compliance with city safety and noise standards (acoustics)
- Quick Notes on Fire Prevention and Planning and Zoning Department compliance results:
 - Planning and Zoning Results
 - Noise Investigation Results (*AdapterToReportView*)
 - No violations found during the site visit.
 - Fire Prevention
 - General Assembly permit is current [REDACTED]
 - No violations found during the site visit
- Late night site visit is required to determine noise and cabaret operations from the 3300 block of Grand Avenue
- **December 3, 2021**
- Time: 7:21pm, 11:08pm and 12:01am (December 4th morning)
- Reason for site visit: Confirm where the noise is originating from and to verify that no establishments operating as a cabaret.
- Staff at 7:21pm—Ricardo Salas (Special Activities Division)
 - **Noise:** During the site visit there was commercial noise coming from all the surrounding business on 3300 block of Grand Avenue
 - **Cabaret:** No visual indications of a cabaret operation coming from M2 (see photos)
 - **Parking:** Double parking in front of M2 and The Libertine Bar
 - **Follow up needed later in the evening**
- Staff at 11:08am—Ricardo Salas (Special Activities Division)
 - Noise: During my site visit, I stopped at the corner of Elwood Avenue and Grand Avenue (3363 Grand Avenue)
 - I could hear the lows (bass) and very low highs
 - Video was taken—audio was not clear
 - I drove and parked in front of 3320 Grand Avenue to narrow down the source of the noise
 - 3320 had two speaker (High tweeter but no bass—see photos) in the parklet
 - I could not hear the bass coming from this location
 - I then followed the bass to 3332 Grand Avenue (the Libertine Bar)
 - No photographs, safety issue (intoxicated patrons)
 - I spoke with the security guard (handed him my business card) in front of the location and asked for the manager or site representative
 - When walking in, I saw a live DJ and patrons dancing
 - The music was extremely loud (bass originated from this location)
 - He then walked me to the bar, and I spoke with the bartender (I could not hear her name over the music)
 - The bartender and I walked outside to speak. The music was extremely loud inside
 - I asked her if this establishment had a cabaret permit (city records show no), she said yes. I let her know that my office has no record of a cabaret permit being issued to this location. She mentioned it was a birthday party.
 - I asked her to turn the music down (she did) and that our office will be in contact regarding a cabaret permit (Courtesy letter was mailed on 12/8/2021)
 - I was notified by a resident that the music was turned up after I left the location
- Staff at 12:01am (12/4/2021 Saturday morning)—Moises Campos and Ricardo Salas (Special Activities Division)
 - After staff returned to the location, we could confirm that the music (bass—lows) was coming from 3332 Grand Avenue (the Libertine Bar)
 - 3320 Grand Avenue (M2) we could confirm the tweeter music coming from the parklet (two speakers outside—see photos)
 - The tweeters were low, but I could not hear the loud music coming from within the establishment.
 - 3332 Grand Avenue (the Libertine Bar) staff confirmed the bass coming from this location.

Conclusion:

- Staff confirmed that 3332 Grand Avenue was operating as a cabaret on 12/3/2021
- Staff confirmed that 3320 Grand Avenue will need to either gain a sound permit for the two small speakers on the parklet or remove them. Staff could not confirm that a cabaret was operating at this location.
 - *I believe the owner has applied for a cabaret permit. (Mrs. Marcus has more information)*
- Double parking originates from these two locations. Parking enforcement will need to follow up between the hours of 10pm-2am on Friday and Saturday nights, if staff is available.
- Included is the property owner's private information (attachments)

Attachments:

- Planning and Zoning Information (copy of zoning type)
- Flex Streets parklet permit information (copy)
- Zoning clearance for Full Service Restaurant (copy)
- Planning and Zoning Report regarding the noise measurements during the afternoon (copy)
- Accela Information (copy)

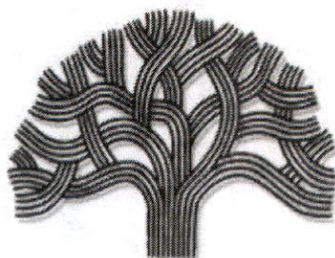
- [REDACTED]
- [REDACTED]

Thank you and please be safe!

Ricardo Salas
Special Activity Permits Division
1 Frank H. Ogawa Plaza, 11th Floor
Oakland, CA 94612
Phone: (510) 238-4754
Cell: (510) 913-7028
Rsalas@oaklandca.gov



Update Results



CITY OF OAKLAND

Record Detail with Inspection Log

Record ID: ZC210534**Description: Zoning Clearance for Full Service Restaurant Mimosa on Grand**

APN: 011 083603300

Address: 3320 GRAND AVE

Unit #:

Date Opened: 7/27/2021

Record Status: Approved

Record Status Date: 7/27/2021

Job Value: \$0.00

Requestor:

:

Business Name:

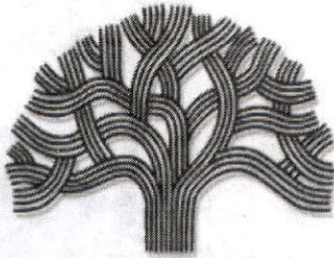
License #:

| Inspection Date ▲ | Inspector Name | Inspection Type | Status / Result | Result Comments |
|-------------------|----------------|-----------------|-----------------|-----------------|
|-------------------|----------------|-----------------|-----------------|-----------------|

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via the Internet, 24 hours a day -
<https://aca.accela.com/oakland>



Update Results



CITY OF OAKLAND

Record Detail with Comments

Record ID: OB2100810

Description: Flex Streets permit for a parklet installed in up to three legal parking spaces at 3320 Grand Ave. Permit issued subject to the following conditions. • The parklet must not project any further from the curb than the projection of a standard automobile parked diagonally. • Do not encroach on any part of the adjacent traffic lane. • Do not overhang the adjacent traffic lane. • Do not encroach upon the designated No Parking area protecting the fire hydrant. • Comply with Alameda County Dept of Health guidelines related to social distancing. • All guests in a sidewalk café or parklet must be seated. No standees. • Provide at least 17 square feet of space per seat. To determine the maximum number of seats for your parklet, calculate the total area of the parklet [length x width] and divide by 17. • Ensure that the parklet is ADA accessible from the adjacent sidewalk. • Provide at least one ADA accessible seat in the parklet, and provide an ADA accessible path to that seat. • At all times, maintain one, straight, clear pedestrian path—of at least 6 feet in width—on the adjacent sidewalk. In

APN: 011 083603300

Address: 3320 GRAND AVE

Unit #:

Date Opened: 4/30/2021

Record Status: Created

Record Status Date: 4/30/2021

Job Value: \$0.00

Requestor: Chris Rachal

:

Business Name: M2 mimosa

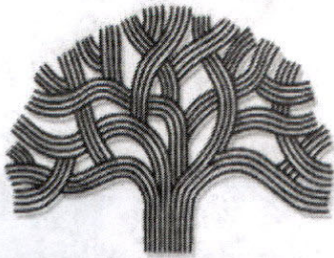
License #:

| Comment Date ▲ | Commenter | Comment |
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via the Internet, 24 hours a day -
<https://aca.accela.com/oakland>



Update Results



CITY OF OAKLAND

Record Detail with Inspection Log

Record ID: 2105554**Description:** Mimosa restaurant is noisy every Friday and Saturday from 10pm-2:15am and Sundays 11am-6pm.**APN:** 011 083603300**Address:** 3320 GRAND AVE**Unit #:****Date Opened:** 10/29/2021**Record Status:** CL-Insp-NoViolFound**Record Status Date:** 12/1/2021**Job Value:** \$0.00**Requestor:**

:

Business Name:**License #:**

| Inspection Date ▲ | Inspector Name | Inspection Type | Status / Result | Result Comments |
|-------------------|----------------|-----------------|--------------------|--|
| 12/1/2021 | Chris Candell | 1st Inspection | No Violation Found | Site inspection. I took noise readings at the curb with doors closed. The noise did not exceed ambient which was close to the code specs of 65 dBA. The ambient varied as it is traffic dependent in the mid 60's. The readings with music were also in the mid to low 60's. The music was audible but did not elevate the noise level in the vicinity. With the newly installed speakers outside the noise level was in the mid 70's exceeding the noise standards of 65 dBA. The owner will cease using the speakers. The violation is not confirmed. CMC x 6986 |

For real-time, direct access to information
via the Internet, 24 hours a day -
<https://aca.accela.com/oakland>

Piedmont Exedra | (<https://piedmontexedra.com/2021/11/nob-hill-gazette-apologizes-for-real-estate-ad-that-plays-into-old-stereotypes>)

Nob Hill Gazette apologizes for real estate ad that plays into old stereotypes

Exedra Staff | November 19, 2021

A real estate “advertorial” in this month’s Nob Hill Gazette played into old stereotypes of Piedmont in a manner that both shocked and angered some residents in town who quickly took to social media to call out the publication — and the realtors who took out the ad.

The page in question promoted Piedmont as a desirable place to live by noting that “The city is surrounded by Oakland but worlds apart,” and “Among its 11,270 residents, 74.5% are white.” Piedmont has a history of redlining — a practice common in the Bay Area and around the country prior to the passage of the Fair Housing Act of 1968 that sought to keep people of color from purchasing homes in white neighborhoods.

The page was sponsored by the Grubb Co’s Anian and Adrienne Tunney. The accompanying copy was written by a freelance writer for the Gazette, according to the magazine’s publisher.

The magazine took full responsibility for the error. “Advertising copy in the November issue of the Nob Hill Gazette used U.S. Census data to create an offensive and insensitive characterization in relation to the city of Piedmont,” it said in a statement. “The Grubb Company had no role in the creation of this language. Nob Hill Gazette accepts full responsibility, apologizes for the error, and is taking steps to ensure nothing like this happens again.”

In response to the blowback, the Gazette’s publisher, Clint Reilly, apologized to ABC7 news reporter Kate Larsen in a phone interview on Thursday. “I grew up in the East Bay and I think it’s very unfortunate that wording appeared in the publication. It’s inappropriate and wrong. It does not reflect the values of the Gazette or my own family,” he said. (Read the ABC7 story [HERE](https://abc7news.com/nob-hill-gazette-san-francisco-piedmont-real-estate-article/11252171/). (<https://abc7news.com/nob-hill-gazette-san-francisco-piedmont-real-estate-article/11252171/>)) Reilly told the reporter that the publication will not be working with the freelancer who wrote the piece again.

Sam Singer, a spokesperson for the Grubb Co said “[the company’s] agents are appalled at the language and had nothing to do with creating the copy. Anian Tunney and Adrienne Krums are longtime Piedmont residents and feel the citizens of Piedmont and Oakland have been disrespected” with this representation.

The Gazette’s media kit for potential advertisers promises to “Know your audience. Not just as a demographic. Not just their zip codes. Not as a faceless archetype. Know the people. Understand them and the ecosystem they inhabit. Build decades of credibility. Stay fresh. Stay relevant. Surprise and delight your readers.”

STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE LICENSE
ON-SALE GENERAL EATING PLACE

VALID FROM

Jul 29, 2021

LOUNGE GROUP L.L.C. THE
3320 GRAND AVE
OAKLAND, CA 94610-2737

EXPIRES

Jun 30, 2022

TYPE NUMBER DUP

47 625705

AREA CODE

0109 22

BUSINESS ADDRESS DBA: M2
(IF DIFFERENT)

EXC/PER/PRM
From: 48-423918

OWNERS LOUNGE GROUP L.L.C. THE

CONDITIONS



CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION
SELLER'S PERMIT

June 14, 2021

ACCOUNT NUMBER

251094336 - 00001

THE LOUNGE GROUP
3320 GRAND AVE
OAKLAND CA 94610-2737



Office of Control
Oakland Office

NOTICE TO PERMITTEE
You are required to obey all
Federal and State laws that
govern or control your
business. This permit does
not allow you to do
otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE
PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT
OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR
OF THE BUSINESS.

Not valid at any other address.

For general tax questions, please call our Customer Service Center at 1-800-400-7115 (CRS 711).
For information on your rights, contact the Taxpayers' Rights Advocate Office at 1-888-324-2798 or 1-916-324-2798.

m2

VIBE DINING

Baby Kale Salad 18

Baby kale, Applewood Smoked bacon, Granny smith apples, candied pecans, feta cheese crumbles, cranberries, with champagne vinaigrette

Grilled Romaine w/ Grilled Prawns 21

Grilled Romaine, shaved parmesan cheese, wasabi caesar dressing

Grilled Jumbo Asparagus 13

Lemon & Garlic Infused Oil & salt, pepper, and garlic

Portobello Mushroom Lettuce Wrap 16

Chopped Portobello, hoisin & sweet chili sauce, cucumbers, and carrots

Roasted Brussel Sprouts 11

Honey & Bourbon Balsamic Roasted with Applewood Smoked Bacon

Truffle Fries 9

Hand Cut Kennebec Potatoes, White Truffle Oil, Sea Salt, Parsley & Parmesan

Sea Salt Fries 9

Hand Cut Kennebec Potatoes, Sea Salt & Parsley

Avocado & Crab On Garlic Toast 22

Grilled Sourdough, topped with fresh avocado, lump crab meat, micro greens

This, That & The Third 13

3 Cheese Grilled Sammie on Texas Toast, with Roasted Red Pepper Tomato Dip

Grilled Prawns 22

Gulf Prawns grilled and tossed in Clarified Butter & Fresh Minced Garlic

Salmon Croquette Bites 22

Creole spiced and golden fried with signature NOLA Remoulade

Miso Glazed Fire Wings 16

Fried & tossed in house made miso glaze, garnished with sesame seeds & chives

Grilled Jerk Lamb Chops 25

Mild Jerk Spice & Ginger,

SWEETS:

Bourbon Bread Pudding 9

with Maple-Bourbon Vanilla Cream Anglais & Mixed Berry Compote

Fresh Strawberries 8

Hennessy Cream, Brown Sugar, Dark Chocolate Balsamic Drizzle, Whipped Cream and Crumbled Butter Cookies

****For SUNDAY BRUNCH - Please Ask Your Server .**

m2

THURSDAY

NOLA FARE!!

Louisiana HOT Wings, 16

Fried Redfish & Old Bay Fries, 20

Uptown Jambalaya, 27

Vegan Creole Jambalaya, 23

Crawfish Mac n Cheese, 22

White Truffle & Parmesan Fries, 9

NOLA BBQ Shrimp, 22

9th Ward Hot Link Hoagie, 18

Grilled Artichoke w/remoulade, 15

Bourbon Bread Pudding, 9

Pecan Praline Cheesecake, 9

Wingerd

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SATURDAY Brunch menu

\$28 plus tax

Minors Grand

Coconut Rice & Peas

Jerk Chicken

Curry Chickpeas & Collards

Fried Plantains

Tostones w/ Black Beans & Pulled Chicken

*Kale Salad w/ Pineapple,
Mango and Orange
w/ Citrus Honey Dressing*

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Winnipeg Grand

SUNDAY SOUL Brunch Buffet

Applewood Smoked Bacon
Beef Hot Link (Mild)
Chicken Apple Sausage

Veggie Hash (Vegan)
Brussels, Mushrooms, and Kale
Country Potatoes (Vegan)
Scrambled Eggs with Chives

Buttermilk Biscuits
Savory Garlic Parmesan Grits
Creole Crawfish Gravy

Cinnamon Challah French Toast
Powdered Sugar "Deaux-Nuts"
Bread Pudding "Muffins"

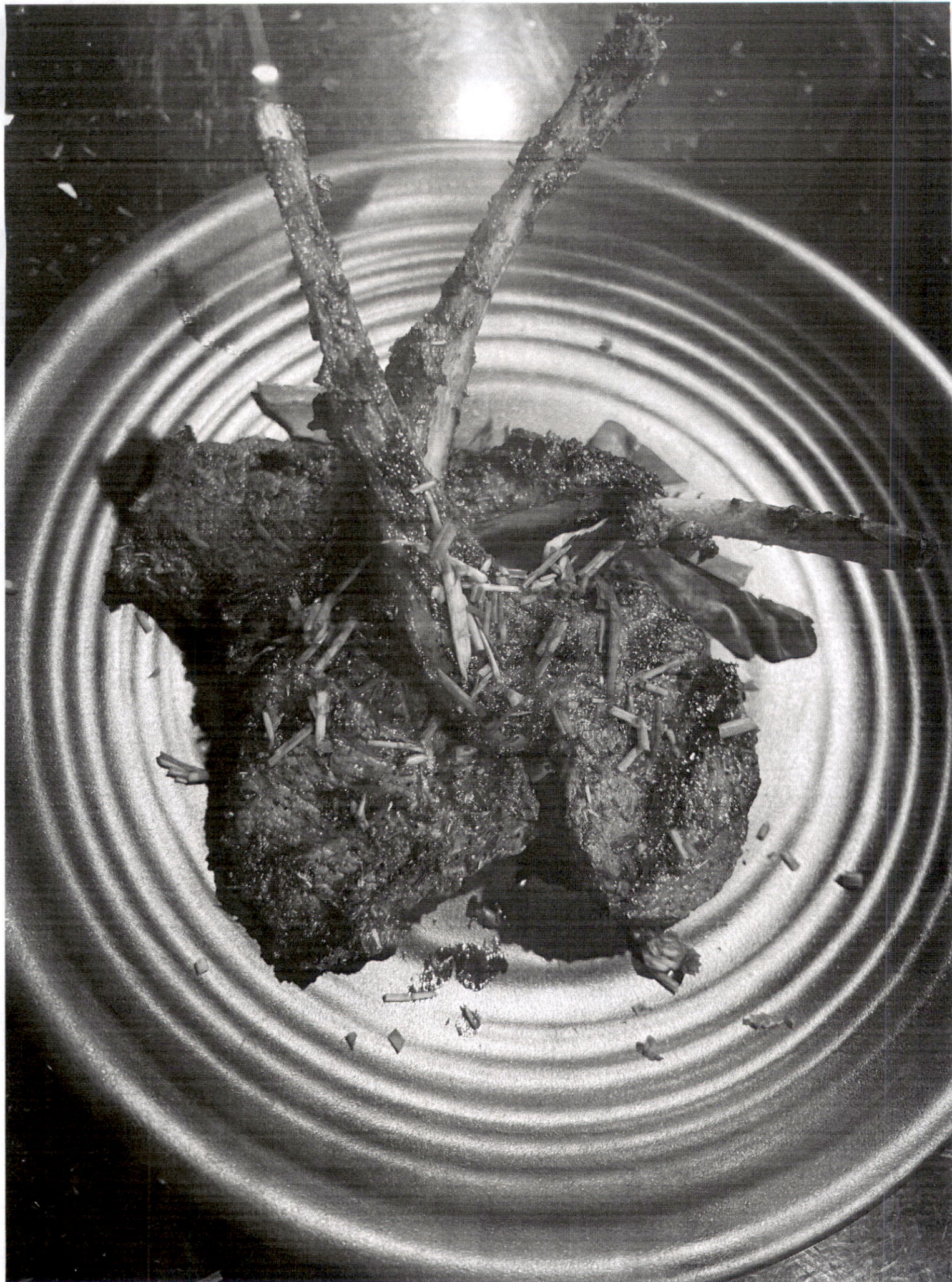
Vegan/Vegetarian Options:
Beyond Meat Sausage
Morning Star Sausage
Vegan "Just Egg" (Made to order)

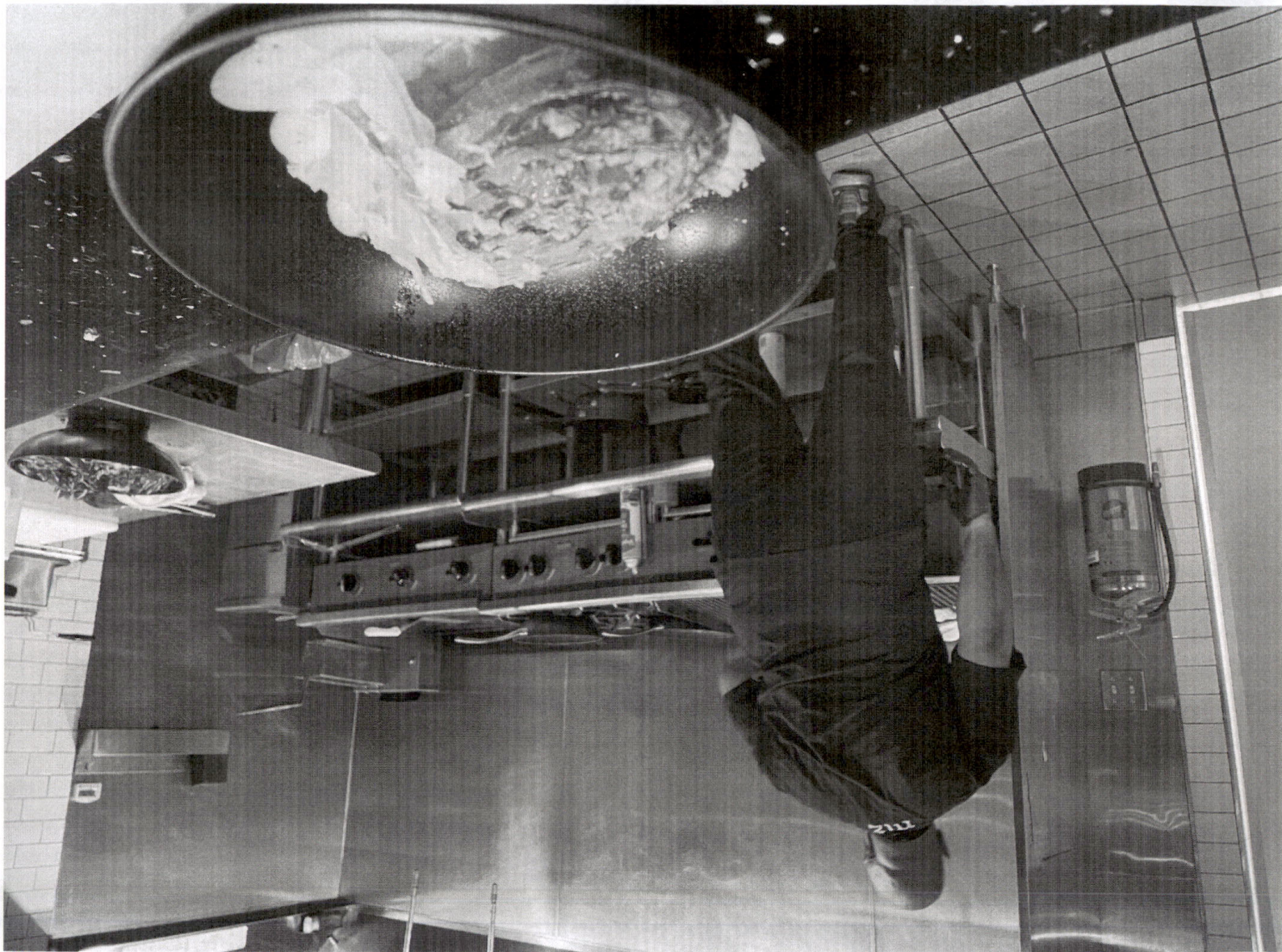




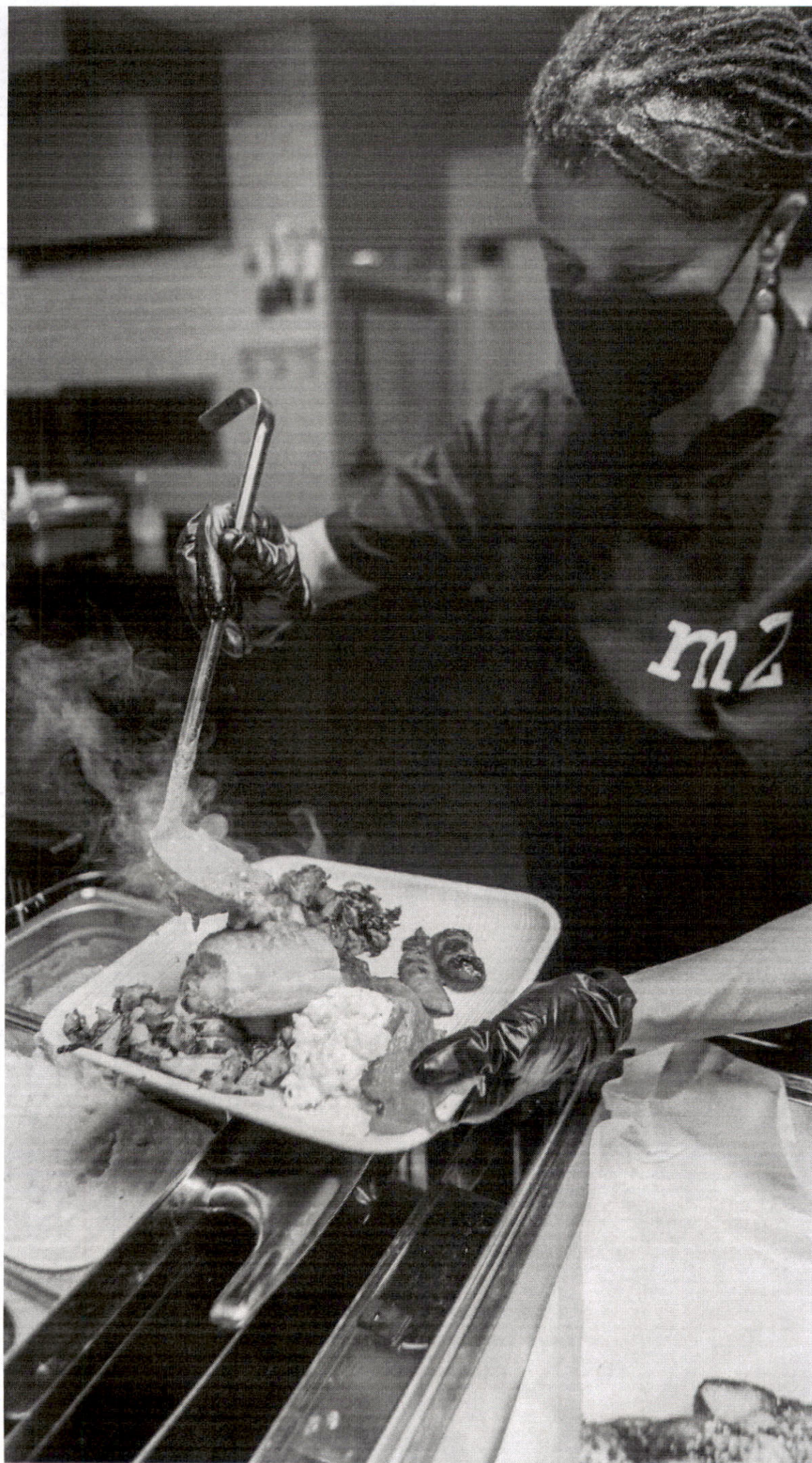


@m2oak

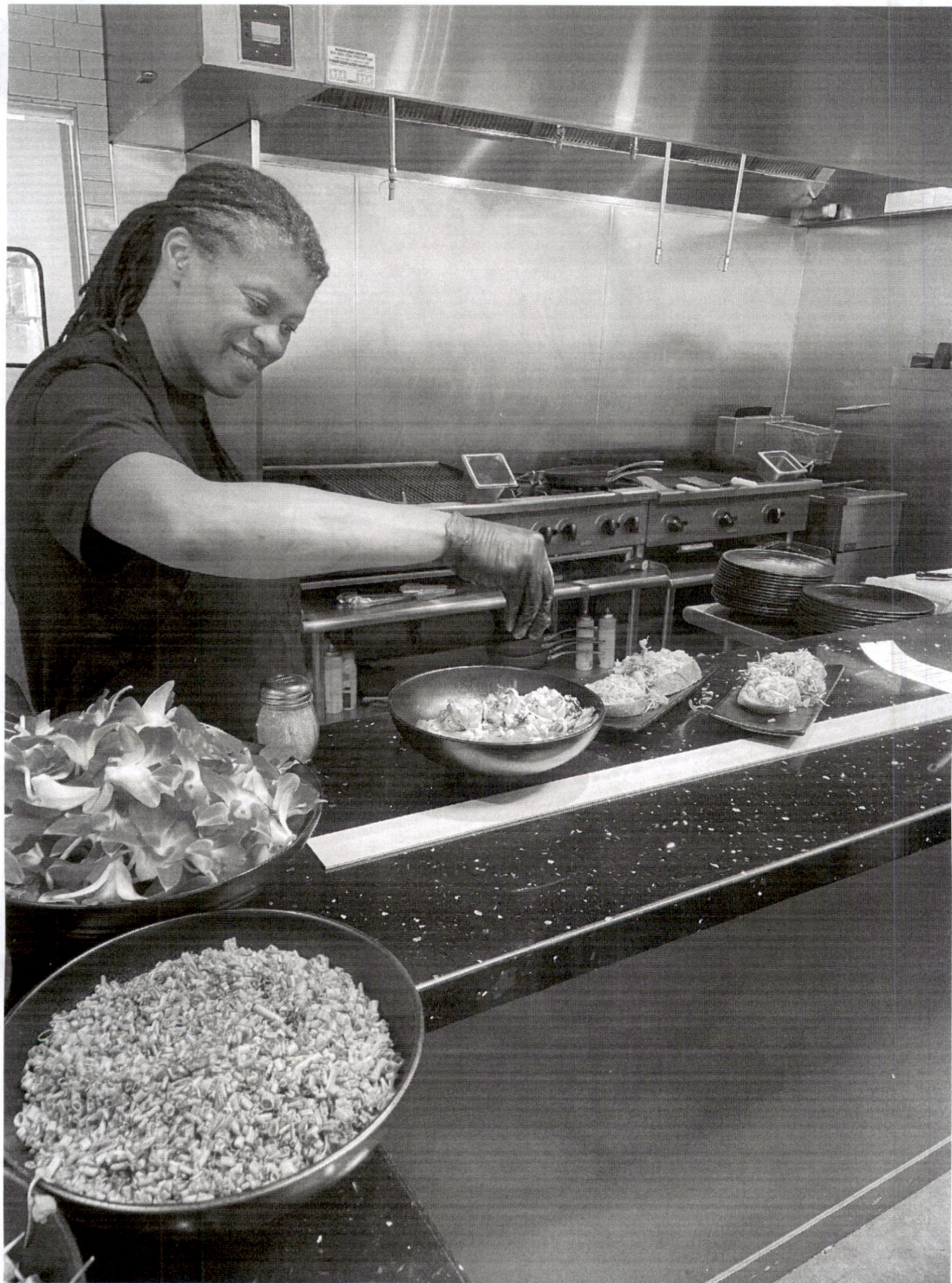












NEED TO CANCEL OR RESCHEDULE?

Please cancel and reschedule your appointment if you have COVID-19 symptoms or have been exposed to someone that has tested positive. Symptoms include, but are not limited to: chills, cough, fever, loss of taste or smell, shortness of breath, or sore throat.

Need to cancel or reschedule your appointment? Please refer to the original confirmation message you received when booking to cancel or reschedule. For Planning & Building Department appointments, you may also call (510) 238-3891. We ask that you cancel or request to reschedule at least 24 hours in advance. This will allow staff to offer appointments to other patrons in need of assistance.

WHEN YOU ARRIVE & COVID SAFETY

COVID-19 SAFETY PROTOCOLS



Masks are required for entry into all City of Oakland buildings, regardless of vaccination status.

You must check in with security and go through a temperature screening before entering the building. All customers should go to the Greeter Station on the first floor where you may check in for a previously scheduled appointment, schedule an appointment, or receive customer assistance.

- For the sake of reducing density, please come to your appointment alone if at all possible.
- Please wear a mask indoors at all times.
- Please sit in designated areas only.
- Hand sanitizer and wipes are available.
- Cough or sneeze into your elbow, not your hands.
- Throw used tissues or wipes into the trash bin.
- Please do not eat or drink inside the building.
- Please remain behind the plexiglass barriers.
- Public restrooms are available on the first floor.

For OakDOT or Fire Dept. appointments, staff will meet you on the first floor, then escort you to the second floor for your appointment. For Planning & Building Department appointments, you will be notified when staff is ready to serve you through monitors in the lobby or via text or email.

MOST SERVICES BY-APPOINTMENT-ONLY

Most Permit Center services are by-appointment-only, with limited walk-in services. We provide online services 24/7 through our Online Permit Center: bit.ly/OaklandOnlineServices

SCHEDULE YOUR APPOINTMENT:

Please note that a limited number of applications may be approved same-day or "Over the Counter". Please see reverse for a list of same-day permits. You may self-schedule appointments for the following:

- Planning/Zoning-related questions
- Building or Plan Check-related questions
- Fire Prevention issues or permits
- Department of Transportation issues or permits
- Pay/discuss fee(s) with the Cashier

We will accommodate only one project application per appointment. Multiple applications require separate appointments. We cannot guarantee "back to back" appointments. Please arrive 15 minutes early to allow time to get through building security and check in. If you arrive more than 15 minutes late, staff will need to reschedule your appointment. Staff cannot guarantee you will be seen the same day. If you fail to appear, you may be charged a fee.

SCHEDULE APPOINTMENTS:

bit.ly/PermitCenterApts



PERMIT CENTER NOW OPEN!



CITY OF
OAKLAND

ONE STOP PERMIT CENTER

City of Oakland Permit Center
250 Frank H Ogawa Plaza
1st Floor (Greeter Station & Lobby) &
2nd Floor (Permit Counters)
Oakland, CA 94612

PARTICIPATING DEPARTMENTS:

Oakland Fire Department (OFD)
Oakland Dept. of Transportation (DOT)
Planning & Building Department (PBD)

HOURS OF OPERATION:

SCHEDULED APPOINTMENTS:

Mon, Tue, Thu: 9 am - 4 pm
Wed: 10 am - 4 pm

WALK-IN SERVICES

PLANNING & BUILDING ONLY*:
Mon and Wed: 10:00 AM - 2:00 PM

PERMIT COUNTER CLOSED ON FRIDAY

PERMIT CENTER WEBSITE:

bit.ly/OaklandPermitCenter



PLANNING & BUILDING DEPARTMENT

PLANNING & ZONING:

- Ask general questions with a planner about Zoning and design requirements for your project
- Planning/Zoning: (510) 238-3911

BUILDING SERVICES:

- Ask general questions about Building Permit applications or processing issues.
- Plan Check Services – To consult with a Building Services engineer about building code-related issues (structural, fire, accessibility, safety and habitability issues).
- Building Inspections – Inspections are required to ensure construction proceeds according to approved plans, conditions-of-approval, and all current code standards. Call (510) 238-3444
- Permit Issuance – Once approved with all fees paid, your permit will be issued via email
- Code Enforcement – File a property complaint concerning blight, unpermitted work, housing or Zoning violations. Property improvement programs also available. Call (510) 238-3381
- Building Services: (510) 238-3891

PLANNING & BUILDING PERMITS: bit.ly/PBDPermits



ONE-STOP PERMIT CENTER

The City of Oakland welcomes you back to 250 Frank H. Ogawa Plaza, our One-Stop Permit Center! This guide is designed to assist you in accessing permitting services as we reopen to in-person services and continue to expand the range of services available online:
bit.ly/OaklandOnlineServices

In addition, the City has combined the permitting counter services of the Planning & Building Department, Oakland Fire Department, and Department of Transportation on the second floor to provide for a "One-Stop-Shop" experience. We thank you in advance for your patience as we make these changes that will allow us to provide you with more responsive and efficient services.

FIRE DEPARTMENT

FIRE PREVENTION PERMITS/SERVICES:

- Apply for a permit: Occupancy Permits, Mobile Food Truck Permits, Special Events
- Ask questions about Vegetation Management
- Ask questions about an existing permit application
- Review the footprint and requirements for a special event
- Submit payment to Fire Prevention Bureau
- Fire Permits & Inspections: Call (510) 238-7926 or email FPBReceptionist@oaklandca.gov

FIRE PERMITS: bit.ly/OFDPPermits



DEPT. OF TRANSPORTATION (OakDOT)

TRANSPORTATION PERMITS/SERVICES:

- Apply for a permit or get answers to permitting questions. Permits covered include:
 - Curb, Gutter & Sidewalk [CGS] Permit*
 - Traffic Control Plan [OB] Permit
 - Obstruction [OB] Permit*
 - Sewer Lateral [SL] & Minor Excavation Permits*
 - Sidewalk Certification*
 - Utility and Telecom Permits [X, OB, ENMI]
 - Offsite Infrastructure [PX] Permit
 - Major/Minor Encroachment Permit
 - * Same-day (Over the Counter) permits
- Drop off plans or other permit materials
- Meet with an OakDOT Engineer
- Pay for permits at the Cashier's Office
- OakDOT Permits, Engineering, & Plan Review: (510) 238-3199 | DOTOnlinePermits@oaklandca.gov

OAKDOT PERMITS: bit.ly/OakDOTPermits



ADDITIONAL SERVICES

- Cashier: Submit payments (Visa or Master Card only), request refunds or demand pay-offs or Code Enforcement billing appeals. Get help with fee questions. Call (510) 238-4774
- Records Requests: Submit a records request. Call (510) 238-8354
- Self-Serve Computers: Apply for permits or submit information or upload additional documents