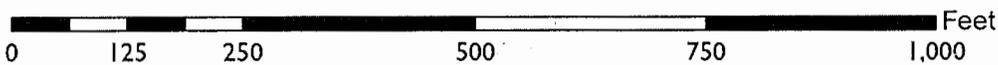
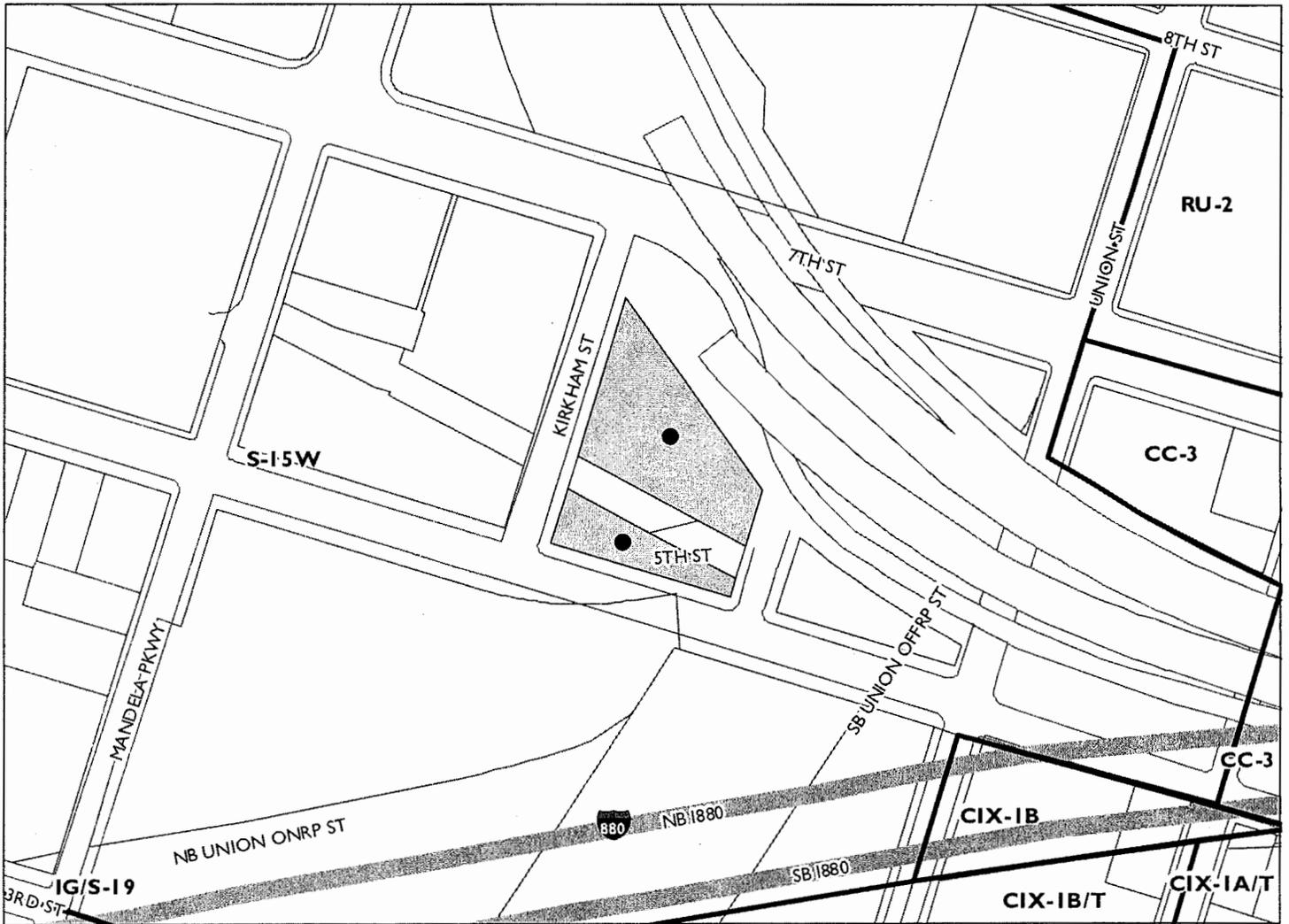


<b>Project Location:</b>	500 Kirkham Street The property is bounded by 7 <sup>th</sup> Street, Union Street and 5 <sup>th</sup> Street and is near the West Oakland BART Station.
<b>Assessor's Parcel Numbers:</b>	004-0049-001-00; 004-0049-003-00
<b>Proposal:</b>	To construct an eight-story mixed-use residential and commercial development consisting of 417 dwelling units and 21,961 square feet of ground-floor commercial area in a 448,646 square foot building, including two levels of parking above grade on a vacant lot.
<b>Project Applicant/ Phone Number:</b>	Jabari Herbert / West Oakland Development Group, LLC (510) 385-9714
<b>Property Owner:</b>	State of California - Caltrans
<b>Case File Number:</b>	PLN15211 / ER16004
<b>Planning Permits Required:</b>	Major Conditional Use Permits for large scale development over 100,000 square feet of new floor area in the S-15 Zone; Regular Design Review for new construction; and Tentative Parcel Map Subdivision for new condominiums.
<b>General Plan:</b>	Community Commercial
<b>Zoning:</b>	S-15W Transit-Oriented Development Zone (West Oakland)
<b>Environmental Determination:</b>	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies CEQA (Public Resources Code 21166) and CEQA Guidelines: Sections 15162 and 15164-Addendum to the approved and certified West Oakland Specific Plan EIR, 15183.3- Qualified Infill Projects, 15183.5- Transit Priority Projects, and 15183- Projects Consistent with a Community Plan, General Plan, or Zoning. The CEQA Analysis document (Addendum) may be reviewed at the Bureau of Planning offices, located at 250 Frank Ogawa Plaza, Suite 2114 on the 2nd Floor or online by 3:00pm, Friday April 1, 2016. The CEQA Analysis document for the proposed project can be viewed here: <a href="http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak057947.pdf">http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak057947.pdf</a>
<b>Property Historic Status:</b>	Non-Historic Property
<b>Service Delivery District:</b>	1
<b>City Council District:</b>	3
<b>Project Status:</b>	Pending
<b>Action to be Taken:</b>	Decision based on staff report
<b>Finality of Decision:</b>	Appealable to City Council within 10-days
<b>For Further Information:</b>	Contact Case Planner, <b>Mike Rivera</b> at (510) 238-6417, or by email at <a href="mailto:mriviera@oaklandnet.com">mriviera@oaklandnet.com</a>

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN15211 / ER16004

Applicant: Jabari Herbert / West Oakland Development Group, LLC

Address: 500 Kirkham Street

Zone: S-I5W

## **PROJECT SUMMARY**

The applicant seeks approval for a seven to eight-story residential and commercial development consisting of 417 residential units, 21,961 square feet of ground-floor commercial space including a two-level garage above grade for a total of 264 parking spaces, located near the West Oakland BART Station. The site does not have any buildings or structures to be demolished, and is gated by a chain-link fence. The project proposal requires approval for the following Planning permits: i) Major Conditional Use Permit for large scale development over 100,000 square feet of new floor area in the S-15 Zone; ii) Regular Design Review for new construction; and iii) Vesting Tentative Parcel Map Subdivision for new residential and commercial condominiums.

The proposal was reviewed by the Design Review Committee in March 2016 and forwarded the project to the Planning Commission. A CEQA Environmental Analysis and Addendum (ER16004) to the West Oakland Specific Plan (WOSP) was prepared and is part of this staff report. The development proposal requires final CEQA determination and approval by the Planning Commission.

## **PROJECT SITE AND SURROUNDINGS**

The subject property consists of a 2.98-acre site bounded by Kirkham Street to the west, 7<sup>th</sup> Street to the north, Union Street to the east and 5<sup>th</sup> Street to the south. The vacant property is paved, and enclosed by a 6 foot high chain-link fence and is nearby the West Oakland BART Station. The property is surrounded by a mix of medium density four-story residential with commercial buildings and light industrial buildings across 7<sup>th</sup> Street, one-story commercial buildings to the east and auto-fee parking lots to the south and west. BART elevated tracks cross over within a section of the southwest property, and are distanced approximately 50 feet from the proposed project along 5<sup>th</sup> Street. Also, a freeway access ramp for northbound I-880 is located approximately 70 feet south from the subject property and across 5<sup>th</sup> Street. Within the vicinity and to the southwest / northwest of the subject property there are low-density residential units in the South Prescott and Prescott neighborhoods.

## **PROJECT PROPOSAL**

The proposal is for a seven- to eight-story residential and commercial building that includes a two-level garage above grade. The building envelope will cover the entire property, except for a landscaped plaza and dog park that is part of this proposal and is located to the southwest of the property and partially under the elevated BART tracks. To the northeast of the subject property at the corner of Union Street, a separately owned triangle-shaped parcel has a one-story commercial building and operates as a bicycle parking and storage. This neighboring property at 1255 7<sup>th</sup> Street, however is not part of this development proposal.

The proposal offers a 21,961 square foot ground-floor retail space fronting 7<sup>th</sup> Street and Kirkham Street and a mix of residential unit types ranging from 462 square feet to 1,200 square feet in size. The principal entry to the lobby for the residential units is located mid-block along 7<sup>th</sup> Street. To the northeast and southeast of the building, the ground-floor includes a mix of one-bedroom units and studios facing 7<sup>th</sup> Street and 5<sup>th</sup> Street. The proposal also includes an optional floor plan to convert some of these residential units to two-story live-work units that would face 5<sup>th</sup> Street. Access for these ground-floor units will be either from a landscaped pathway from 7<sup>th</sup> and 5<sup>th</sup> streets or from the main building. The ground-floor includes a total of 126 parking spaces for retail and residential patrons. Access to the two-level garage will be from a two-way driveway, one located off Kirkham Street and the other one off 5<sup>th</sup> Street. The ground-level garage also provides two residential loading berths and one commercial loading berth including mail room, bicycle storages, trash/recyclable and utility rooms.

The second-level contains a mix of one-bedroom and studios partially facing 5<sup>th</sup> Street and 7<sup>th</sup> Street, and a total of 138 parking spaces for the residents including additional bicycle storage, enclosed trash/recyclable areas and utility rooms. The third-level provides a mix of studios, one and two-bedroom residential units, as well as commercial/office space facing 5<sup>th</sup> Street, a swimming pool, club/fitness areas, offices and three separate landscaped courtyards. Between the fourth and seventh floor levels, the building provides similar layout configuration of studios and one and two-bedroom units. The eighth floor level contains mezzanines that are part of the residential units below on the seventh floor level. Most of the residential units will contain private balconies facing the surrounding streets and the court yards. The project contains three separate elevator lobbies and six separate access stairways, all connected from the ground-floor to the top floor of the building.

## **BUILDING DESIGN**

The proposed building design provides a variety of architectural style to create visual interest on site that has been undeveloped for a long time. The proposal would relate to the architectural style of the neighboring residential properties located, across and along 7<sup>th</sup> Street and near Mandela Parkway. The height of the proposed seven to eight-story building average from 81 feet to 91 feet high, and its mass is broken-up by three separate courtyards, located above the second floor level. These courtyards open up to 7<sup>th</sup> Street, Kirkham Street and Union Street to provide additional natural light to the residential units and views to the streets. The building mass is also managed through the execution of a variety of roof and angle wall planes, aluminum awnings, semi-recessed balconies with perforated railings, raised residential porches, a mix of window pattern, and architectural elements such as plaster siding, horizontal Cementitious siding, vertical/horizontal metal siding and solid laminator panels with a colorful palette.

The proposed ground-floor retail space, which measures about 150 linear feet along Kirkham Street and 280 linear feet along 7<sup>th</sup> Street with 22 feet high ceilings, contains architectural features such as clear anodized window framing and articulated brick veneer walls that create an interesting rhythm pattern to reinforce the setting of an inviting storefront in an urban environment in the West Oakland Transit Corridor. To the southwest of the two-level garage, the proposal includes metal mesh grill openings to provide design articulation on the facade and natural light in the garage.

The proposed project contains a variety of landscaping such as Red Horse Chestnut and Maidenhair street trees around the property. The plan includes Western Redbud trees along the residential pathway, Chinese Elm and Strawberry trees within the dog park, vase planters along the storefront, decorative front yards along the ground-floor residences and a mix of landscape / hardscape courtyards with medium and small size trees, shrubs, lawns, raised planters, colorful paved areas with outdoor furniture and a swimming pool. In addition, the proposal provides street furniture such as decorative street light poles and trees, benches, detail sidewalks as part of the City's Seventh Street Concept and Urban Design by Walter Hood.

## **DESIGN REVIEW COMMITTEE-SUMMARY**

In July and August of 2015, the Design Review Committee held two separate public meetings to review a mix-use residential and commercial development that included the following options:

1. An 11-story building with 204 residential units, 222 live-work studios, 36,680 square feet of ground-floor commercial space, 64,870 square feet charter school with a 442 parking space garage; and
2. A 17-story building with 351 residential units, 222 live-work studios, 36,680 square feet of ground-floor commercial space, 64,870 square feet charter school with a 432 parking space garage.

The Design Review Committee believed that the proposed buildings options were massive and too institutional looking for the site and recommended further changes as also recommended by staff.

In September of 2015, the applicant presented a building mass study that included a different design concept where the footprint of the building was broke-up in sections and the building height varied from (north to south) six-story and up to 12-story high to manage building mass. The Committee believed that the new mass study approach was in the right track, but recommended further design development be made to reduce visual scale in order to create a building with interesting design features for this site.

In March 2016, the applicant presented to the Committee a new design concept of a much different building scale. The new eight-story building designed by a new project architect contained a variety of architectural styles and the building mass was relieved by the introduction of three separate courtyards, different wall and roof planes and the use of interesting design features. The Committee believed that the new building design approach was greatly improved and consistent with the vision reflected in the West Oakland Specific Plan and supported the project. The Committee also felt that the project can be improved and recommended the following:

- a) Add prominence to the northwest corner of the building.
- b) Evaluate the color palette on the upper exterior walls.
- c) Provide additional exterior lighting along the northeast residential pathway.
- d) Use an interesting and transparent fence design around the dog park.

Based on comments provided by the Committee and staff, the project design was further modified into the revised design plans that are being presented in this staff report. Staff believes the current proposal addresses the comments made by the Design Review Committee by designing a building with interesting architectural features, selecting and executing quality materials and by implementing new landscaping that complements the project in this important transit corridor in West Oakland.

## **GENERAL PLAN POLICIES**

The proposal is located in the Community Commercial of the Oakland General Plan Land Use and Transportation Element (LUTE). The intent of the Community Commercial is to identify, create, maintain and enhance areas suitable for wide variety of commercial and institutional operations along the City's major corridors and in shopping districts and centers. The desired character and uses in the community commercial districts may include neighborhood center uses and large scale retail and commercial uses, such as auto related businesses, business and personal services, health services and medical uses, educational facilities and entertainment uses. The community commercial areas can be complemented by the addition of urban residential and compatible mixed use development. Staff has listed the following applicable policies that would be applied to the proposed development.

Policy N1.1 / Concentrating Commercial Development: *Commercial development in the neighborhoods should be concentrated in areas that are economically viable and provide opportunities for smaller scale, neighborhood-oriented retail.*

The proposal is located along a transit corridor and is also near the West Oakland BART Station. The project is close to a mix of residential and commercial properties where the proposed 21,961 square foot retail area would provide business opportunities to small scale businesses and will serve the needs of the surrounding neighborhoods.

Policy N1.5 / Designing Commercial Development: *Commercial development should be designed in a manner that is sensitive to surrounding residential uses.*

The project provides ground-floor commercial space with up to 22 foot high ceilings for future retail use that also has transparent storefront glazing facing 7<sup>th</sup> Street and Kirkham Street. The design provides scale to the multi-level residential building and is also sensitive to the scale of the abutting residential properties across 7<sup>th</sup> Street and near Mandela Parkway.

*Policy N3.1 / Facilitating Housing Construction: Facilitating the construction of housing units should be considered a high priority of the City of Oakland.*

The project will facilitate new construction of 417 regular residential units on a vacant property that has been underutilized for a long time. The residential development will provide the much needed housing to meet population growth, especially in urban areas and in major transit corridors such 7<sup>th</sup> Street and BART.

*Policy N3.2 / Encouraging Infill Development: In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland.*

The project is located in a mixed-use zone that allows residential and commercial development and is encouraged to be located near public transportation. The proposal includes the construction of different size of residential units in an urbanized area near the West Oakland BART Station that will improve the visual quality and character of the site.

*Policy N3.8 / Required High-Quality Design: High-quality design standards should be required of all new residential construction. Design requirements and permitting procedures should be developed and implemented in a manner that is sensitive to the added costs of those requirements and procedures.*

The development proposal is designed by professional architects that creates a cohesive urban design, provides high quality and interesting materials, finishes and details to provide a visual interest at this underutilized vacant site.

*Policy N3.9: Orienting Residential Development. Residential development should be encouraged to face the street and to orient their units to desirable sunlight and view, while avoiding unreasonably blocking sunlight and views for neighboring buildings, respecting the privacy needs of residents of the development and surrounding properties, providing for sufficient conveniently located on-site open space, and avoiding undue noise exposure.*

The residential development faces four different streets and is designed for the residential units to optimize sunlight, even providing access to sunlight for the units facing the courtyards. The top floor of the eight-story building is stepped back approximately 8 foot to provide sunlight to the neighboring buildings across 7<sup>th</sup> Street. The proposal includes on-site open spaces to provide outdoor space for the residents. The three large separate courtyards and upper terraces are designed to minimize potential noise issues to surrounding properties.

*Policy N3.10: Guiding the Development of Parking. Off-street parking for residential buildings should be adequate in amount and conveniently located and laid out, but its visual prominence should be minimized.*

The residential proposal provides the minimum number of off-street parking spaces required by the S-15 zone. The parking spaces are conveniently located in the two-level garage, and is accessible from two different entries, along Kirkham and 5<sup>th</sup> Streets. A small portion of the two-level garage is appropriately screened by metal mesh grill openings and landscaping along the southwest of the building to minimize its visibility from the surrounding properties and street.

*Policy N6.1: Mixing Housing Types. The City will generally be supportive of a mix of projects that provide a variety of housing types, unit sizes, and lot sizes which are available to households with a range of incomes.*

The residential project will provide a mix of housing types that range from studios, one-bedroom, two-bedroom units, and potentially live-work types of different sizes that would be suitable for households of different incomes and needs.

*Policy N8.1: Developing Transit Villages. "Transit Village" areas should consist of attached multi-story development on properties near or adjacent to BART Stations or other well-used or high volume transit facilities, such as light rail, train, ferry stations or multiple-bus transfer locations. While residential units should be encouraged as part of any transit village, other uses may be included where they will not negatively affect the residential living environment.*

The development proposal would create 417 new residential units in an eight-story building, located near the West Oakland BART Station and other well-used and traveled facilities such as AC transit buses. The project also includes commercial development for retail uses on a 21,961 square foot ground-floor area that would complement and provide services to the residents of the project and neighboring residents.

## ZONING ANALYSIS

The regulations of S-15W Transit Oriented Development Zone regulations are intended to create, preserve and enhance areas devoted primarily to serve multiple nodes of transportation and to feature high-density residential, commercial, and mixed-use developments to encourage a balance of pedestrian oriented activities, transit opportunities, and concentrated development; and encourage a safe and pleasant pedestrian environment near transit stations by allowing a mixture of residential, civic, commercial, and light industrial activities, allowing for amenities such as benches, kiosks, lighting, and outdoor cafes; and by limiting conflicts between vehicles and pedestrians, and is typically appropriate around transit centers such as Bay Area Rapid Transit (BART) stations, AC Transit centers, and other transportation nodes.

The proposal meets the intent of the S-15W Zone by creating a high density residential and commercial building that will also promote and enhance the use of the existing major transportation systems such as BART and AC Transit lines. The proposal will facilitate the growth of pedestrian-oriented activities because retail uses are included in the project that will serve local and regional residents, thus contributing to a vibrant transit corridor in the West Oakland BART Station area.

The development proposal is outright permitted and complies with the Planning Code for providing a mix of residential and commercial facilities. The proposal requires the following Planning permit approvals: 1) Major Conditional Use Permit for large scale development over 100,000 square feet of new floor area in the S-15 Zone; 2) Regular Design Review for new construction on a vacant lot; and 3) Vesting Tentative Parcel Subdivision Map for new residential and commercial condominiums. The project is subject to the General Criteria for Conditional Use Permit, Design Review and a Tentative Parcel Map Subdivision. Staff has listed the applicable Findings in support of the project in **Attachment A**.

The table below shows the applicable standards and the project's proposal in the S-15W zone:

Development Standards	Requirements	Proposed	Comments
Minimum Lot Area	4,000 sq. ft.	2.98 acres	Meets Code
Minimum Lot Width and Frontage	25 ft.	230'to400' (+)	Meets Code
Maximum Density (residential units)	534 residential units	417 units	Meets Code
Maximum Height	160 feet	92 feet	Meets Code

Maximum Stories	15	8 stories	Meets Code
Off-Street Parking	209 parking spaces	*264 spaces	Meets Code
Residential/Commercial Loading berth	3	3	Meets Code
Open Space	31,275 sq. ft.	72,354sf.ft.	Meets Code

\* Includes additional 55 retail parking spaces (offered by applicant), where off-street parking is not required by code.

**DESIGN GUIDELINES APPLICABLE TO ALL INDUSTRIAL / BUSINESS / COMMERCIAL OPPORTUNITY AREAS IN THE WEST OAKLAND SPECIFIC PLANS (WOSP)**

The following guidelines are applicable throughout the West Oakland Specific Plan’s industrial/ business/ commercial Opportunity Areas. The Intent for new construction and renovation in the four identified Opportunity Areas should be designed to maintain continuity with West Oakland’s unique history and character. The proposed project is located in the West Oakland Specific Plan (WOSP) Opportunity Area 2 (7th Street).

**SITE PLANNING**

*Site Planning 1 / Pedestrian Circulation: Active street edges with entrances from city sidewalks should directly face streets, maximizing the utilization of city sidewalks by users of the buildings.*

The mixed-use proposal has ground-floor retail space that provides direct access along 7<sup>th</sup> Street and Kirkham Street. The proposal also has ground-floor residential units that face 5<sup>th</sup> Street and Union Street thus providing good pedestrian circulation to patrons and residents to City sidewalks around the property. Staff believes that entries should be distinctive when seen from public view, so staff recommends a condition that the principal residential entry door along 7<sup>th</sup> Street is recessed and include prominent awnings. **See Condition of Approval # 30.**

*Site Planning 2 / Vehicular Circulation: Vehicular entrances and garages should be less prominent than pedestrian entrances.*

The mixed-use residential and commercial proposal provides two separate in-and-out vehicular access points along Kirkham Street and 5<sup>th</sup> Street. The two vehicular circulation areas for the residential and retail garage are less prominent because they are located near the southwest and south of the property when compared with the residential entries.

*Site Planning 3 / Service Circulation: Service areas should be hidden from view from sidewalks whenever possible.*

The proposal includes a commercial loading berth within the property and is well located away from street view. No other new service areas are proposed on the streets under this development application.

*Site Planning 4 / Building Footprint: New construction should be built to the edge of sidewalks to maintain the continuity of the area’s street walls. Small ground-level inset bays for entrances, outdoor seating, and special corner features are appropriate variations within the street wall. In addition, an occasional plaza may be also appropriate.*

- *Relate to existing buildings and utilitarian structures, which need to be rehabilitated and reused.*
- *Expansion of existing buildings is encouraged, with unique aspects of existing buildings respected, featured, and protected.*
- *Surface parking is strongly discouraged along frontages facing public streets.*

The proposal provides new construction to the edge of sidewalks to the maximum extent to maintain continuity similar to some of the existing buildings nearby. The proposal does not include a plaza, but the project will replace a vacant lot that had been proposed for a surface parking lot in the past by previous applicants.

*Site Planning 5 / Open Space: West Oakland's public streetscapes along with its parks need to be embraced, improved, and enriched as public open space elements. Any new open space located in public view should not be walled from the street by dense planting or a tall fence.*

The proposal does not include new public open space or parks within its property, however the applicant proposes a small plaza and dog park that is surrounded by a transparent gated, located within and to the rear of the property along 5<sup>th</sup> Street that would also be open to the public.

### **BUILDING DESIGN**

*Building Design 1 / Massing: New buildings should be designed with major massing elements that are consistent with those found in existing desirable buildings located in the immediate vicinity.*

The proposal is consistent with the masses of the neighboring buildings because the project breaks up the building in sections, uses vertical volumes and recesses wall and roof planes to provide a similar design context with the buildings along 7<sup>th</sup> Street and Mandela Parkway.

*Building Design 2 / Fenestration and Materials: Fenestration elements, such as windows, doors, louvers, vents, wall panels, skylights, storefronts, curtain walls, and other glazed systems, can be either more historic or more contemporary depending on the context, and should be articulated to maintain the sense of scale found in the immediate context.*

The proposal incorporates a contemporary design that includes large ground-floor glazing, window patterns, and a variety of exterior wall panels to create a cohesive architectural arrangement when viewed from public points.

### **WEST OAKLAND SPECIFIC DESIGN GUIDELINES TO THE 7TH STREET OPPORTUNITY AREAS**

The following section of the Design Guidelines addresses the urban design strategies and guidelines that are particular to the 7th Street Opportunity Areas, especially as to neighborhood commercial corridors with housing. The 7th Street guidelines intend that the project become the focus of the surrounding neighborhoods with active street edges that would encourage neighbors and visitors to experience a high-quality urban streetscape.

### **NEIGHBORHOOD COMMERCIAL**

*Neighborhood Commercial 1/ Site Planning: Buildings should be built immediately fronting 7th Street to emphasize and re-establish where necessary the continuity of the neighborhood commercial street. Ground floors should have active publically accessible uses such as restaurants, retail, lobbies and galleries. Driveways and vehicular entrances are discouraged from accessing directly from 7th Street and moved to side streets where feasible.*

The residential and commercial building is designed to face 7<sup>th</sup> Street and conveniently provides the general public with direct access to the retail and residential units, similar to the neighboring properties across 7<sup>th</sup> Street and the properties located at the intersection of Mandela Parkway and Union Street. The

proposal does not include driveways and vehicular entrances along 7<sup>th</sup> Street, driveways are instead located to the side on Kirkham Street and to the rear on 5<sup>th</sup> Street.

*Neighborhood Commercial 2 / Massing: Residential upper stories are encouraged to include bay windows above the ground floor to provide light and air, and to break up the scale of buildings and convey residential use.*

The proposal includes angle bay windows on the upper residential units along 7<sup>th</sup> Street and Kirkham Street to provide light and air. The design of the bay windows also helps to provide scale and visual interest on the multi-level story building.

*Neighborhood Commercial 3 / Height: Except when located at important intersections such as Mandela Parkway and 7th Street, buildings over 5 stories in height should generally include a significant step-back along commercial arterial roadways to harmonize the scale of new buildings with the existing neighborhood.*

The project proposal which faces 7<sup>th</sup> Street and is located between Kirkham Street and Union Street steps back the seven-story facade to create usable open space for the residential tenants. By stepping back the upper story, the building provides scale to create relief and visual interest when compared to the nearby buildings.

*Neighborhood Commercial 4 / Fenestration: Ground floors should have as many openings as possible with as few blank wall sections as possible. Awnings and canopies are encouraged.*

The proposal contains a storefront with a large ground-floor commercial area with 22 foot high ceilings that provide moderate scale openings to 7<sup>th</sup> Street and part of Kirkham Street. To provide a more interesting ground-floor façade, staff recommends a Condition that commercial entries include recessed doors and prominent awnings to distinguish the entries available from public vantage points. **See Condition of Approval # 30.**

*Neighborhood Commercial 5 / Materials: Buildings should have a variety of high quality materials that will define an interesting character when viewed up close and from a distance.*

The proposal uses a variety of exterior building materials such as plaster sand finish siding, horizontal Cementitious siding, vertical metal or clear anodized siding, horizontal metal copper-stone siding, solid laminator panels, metal tube steel stairs, perforated balcony railings, brick veneer, clear anodized storefront, white vinyl windows and color window walls to create texture and interest to the design context.

*Neighborhood Commercial 6 / Renovation of Older Buildings: Older commercial buildings should be restored in a manner consistent with their original architectural style.*

The proposal is for the construction of a new mixed-use building, therefore this criterion does not apply.

*Neighborhood Commercial 7 / Landscape: Street trees should be of a type that allows high visibility to storefronts and spaced to allow street lights to penetrate to sidewalks during nighttime.*

The proposal calls for the installation of Horse Chestnut street trees along 7<sup>th</sup> Street and Maidenhair street trees along Kirkham Street. The Horse Chestnut trees would be spaced about 35 feet from each other and

are also part of the City's established Seventh Street Concept and Urban Design Plan. Given that other utilities would be installed in the street (e.g., street lights, the City's Public Works Division would also make a final determination regarding the type of street trees to be installed including other street furniture.

*Neighborhood Commercial 8 / Landscape: Publicly accessible outdoor space areas should be comprehensively designed with high quality pavement, landscaping, and seating, and are encouraged at the following locations: Mandela and 7th Street, Pablo and West Grand Avenue, San Pablo and 32nd Street.*

Although the proposal is not located in the above locations, the site is nearby Mandela Parkway. Consequently, the project includes (in addition to the street trees) street furniture such as contemporary precast concrete landscape pots, light poles, benches, trash containers and scored concrete sidewalks that measure about 13 feet wide along 7<sup>th</sup> Street. The proposal also includes similar landscaping and street furniture around the subject property.

## **KEY ISSUES**

### **Buildings Over 100,000 Square Feet of New Floor Area in the S-15 Transit Zone**

The proposal is a mixed-use residential and commercial development that would measure approximately 448,646 square feet in floor area. The multi-story building would be one of the first large buildings to be constructed in the area since the 1990's and after the adoption of the West Oakland Specific Plan in 2014. The West Oakland Specific Plan (WOSP) designated "Opportunity Sites" to encourage new growth and change in underutilized vacant properties. The goal of the WOSP is also to promote high-density residential development near the West Oakland BART Station and to intensify neighborhood-serving commercial uses along major corridors. As envisioned under the WOSP, the proposal meets the regulations of the S-15W Transit Oriented Development Zone because the project would intensify with permitted land uses that would support the existing transportation nodes, thereby enhancing pedestrian-oriented activities. Staff believes that the mixed-use building would meet the intent of the WOSP and the S-15W Zone by creating new physical development that will generate future employment and residential opportunities for local residents.

### **Building Design**

The construction of the seven to eight-story building contains architectural elements to manage building mass by applying a variety of roof and wall planes, angle bay windows, semi-recessed balconies with perforated metal railings, raised residential porches, mix of window pattern, and materials such as plaster siding, horizontal Cementitious siding, vertical/horizontal metal siding, solid laminator panels, vibrant colors and a mix of interesting landscaping along the streets and within the property. The storefront retail space contains architectural features such as clear anodized window framing, articulated brick veneer walls and metal awnings that create an interesting rhythm pattern to reinforce the setting of an inviting storefront in an urban environment in the West Oakland Transit Corridor. Overall, the contemporary building design would be prominent and attractive and relate to the context of similar urban multi-story residential buildings along 7<sup>th</sup> Street.

### **CEQA**

The proposal includes a detailed CEQA Analysis that was prepared for this project which concluded that the proposed development satisfies CEQA and each of the following CEQA Guidelines: 1) 15183-Projects Consistent with a Community Plan, General Plan, or Zoning; 2) 15183.3- Qualified In-Fill Exemption; and 3) 15164-Addendum to the Approved and Certified 2014 West Oakland Specific Plan EIR (ER120018); Each of the foregoing provides a separate and independent basis for CEQA compliance. The CEQA Analysis and Addendum document was published and made publically available on Friday, April 1, 2016.

### **Summary of Findings-**

In accordance with California Public Resources Code Sections 21083.3, 21094.5, and 21166 and/or CEQA Guidelines Sections 15183, 15183.3, 15168 15164 and as set forth in the CEQA Checklist within the 500 Kirkham Street Project-CEQA Analysis and Addendum document, the proposed project qualifies for an addendum because the following findings can be made:

- The Proposed Project would not result in significant impacts that (1) are peculiar to the project or project site; (2) were not previously identified as significant project-level, cumulative, or offsite effects in the WOSP EIR; or (3) were previously identified as significant effects, but which—as a result of substantial new information not known at the time the WOSP EIR was certified—would increase in severity above that described in the EIR. Therefore, the WOSP EIR adequately evaluated the environmental impacts of the Proposed Project and the Project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, 15183.3, and 15168.
- The Proposed Project would not cause any new project-specific significant effects on the environment that were not already analyzed in the WOSP EIR or are substantially more severe than the impacts previously analyzed in the WOSP EIR. The effects of the Proposed Project have been addressed in the WOSP EIR, and only minor technical revisions and additions are required in order to document that the Proposed Project would not result in additional environmental impacts in accordance with Public Resources Code Section 21094.5 and CEQA Guidelines Section 15164.
- The analyses conducted and the conclusions reached in the WOSP EIR certified by the Planning Commission on June 11, 2014 and confirmed by the City Council on July 15, 2014, remain valid, and no supplemental or subsequent environmental review is required for the Proposed Project. The Proposed Project would not cause new significant impacts not previously identified in the WOSP EIR, or result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the original project that would cause significant environmental impacts to which the Proposed Project would contribute considerably, and no new information has been put forward that shows that the Proposed Project would cause significant environmental impacts. Therefore, no supplemental or subsequent environmental review is required in accordance with Public Resources Code Section 21166 and CEQA Guidelines Sections 15164 and 15168.

The CEQA Analysis document was provided under separate cover to the Planning Commission and is also available to the public at the Planning offices, located at 250 Frank Ogawa Plaza, 2nd Floor, Suite 2114, Oakland, CA 94612 during normal business hours. The CEQA Analysis and Addendum document for the “500 Kirkham Street Mixed Use Development Project can be viewed under “Current Environmental Review Document” and on the following link below:

<http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak057947.pdf>

### **STAFF COMMENTS**

Staff believes that the proposed design for the mixed-use residential and commercial development provides a variety of interesting architectural expression that would provide visual interest and distinction to the urban character along the 7th Street commercial corridor. The proposed building is also designed to complement the existing medium-density residential facilities, located across 7<sup>th</sup> Street and a block west on Mandela Parkway. The seven to eight-story building manages mass by breaking the footprint through the use of upper courtyards, different roof and wall planes, stepped upper stories, angled walls, mix

window pattern with awnings and semi-recessed balconies. The use of different exterior materials and colors including full-glazed storefront with tall ceilings will result with an interesting design that would appeal to the general public and promote a stronger urban community. There are however, some design issues that staff believes needs further consideration to enhance and contribute to a desirable neighborhood characteristic. Staff recommends that the ground-floor commercial storefront and residential lobby entries have recessed doors and prominent awnings to distinguish them from the building façade.

## CONCLUSION

Staff believes the project meets the primary goal of providing new housing units and ground-floor retail uses on an underutilized vacant site. The proposal conforms with the City's General Plan Policies and the S-15 Zoning Regulations by developing and concentrating high-density residential and viable commercial facilities within transit corridors that lead to the success of urban neighborhoods. Staff determines that the application meets the required findings (**See Attachment A**), and recommends approval to the Planning Commission, subject to the Conditions of Approval. (**See Attachment B**)

## RECOMMENDATIONS

1. Affirm staff's Environmental Determination and adopt the attached CEQA Findings; and
2. Approve the Project, including Major Conditional Use Permit, Regular Design Review, and Vesting Tentative Parcel Map, subject to the attached findings and conditions (including the SCAMMRP).

Prepared by:



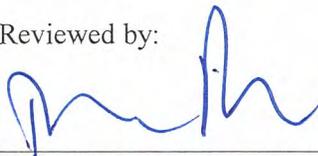
Mike Rivera  
Planner II, Major Projects Development  
Bureau of Planning

Reviewed by:



Robert D. Merkamp  
Development Planning Manager  
Bureau of Planning

Reviewed by:



Darin Ranelletti, Deputy Director  
Bureau of Planning

Approved for forwarding to the  
City Planning Commission:



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Rachel Flynn, Director  
Planning and Building Department

#### ATTACHMENTS

- A. Project Findings
- B. Conditions of Approval
- B1. Standard Conditions of Approval Mitigation Monitoring and Reporting Program (SCAMMRP)
- C. Design Plans, submitted on April 1, 2016

## ATTACHMENT A

### Findings for Approval

The findings required for granting approval for this application for Conditional Use Permit, Regular Design Review and Tentative Parcel Map Subdivision are (shown in normal type) found in Sections 17.134.050, 17.97.100, 17.136.050, 16.08.030 and 16.24.040 and the reasons this proposal satisfies these findings (shown in **bold**), are as follows

(Note: the Project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record):

**SECTION 17.134.050- GENERAL USE PERMIT** (Major CUP for buildings over 100,000 square feet of new floor area in the S-15 Zone and additional Minor CUP in the S-15 Zone)

- A. That the location, size, design and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability 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 neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.

**The proposal for a mixed-use residential and commercial development is permitted in the S-15 Transit-Oriented Development Zone. The size of the 448,646 square foot building and design are compatible to the site and in scale with some of the surrounding mixed-use buildings along 7<sup>th</sup> Street, a 100 feet wide road. While the building base covers the site, the three separate courtyards provide mass relief, reduces bulk and provide additional light and street views to the project residents. The transportation analysis prepared for the proposed project shows no significant traffic impact in the surrounding area.**

- 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 as attractive as the nature of the use and its location and setting warrant.

**The new residential units will be located in a major transit area that will provide transportation opportunities to the new residents. The commercial project is located near the West Oakland BART Station that will be accessible to employees and shoppers.**

- C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide as essential service to the community or region.

**The proposal will provide needed housing and commercial opportunities that will increase additional residents and will contribute to the economic vitality and will encourage the use of public transportation in the West Oakland transit village.**

- D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedures at Section 17.136.050.

**The mixed-use residential and commercial proposal meets the Design Review Findings listed below in this report.**

- E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.

**The project proposal conforms to the policies of the General Plan by providing residential and commercial development in high-density areas that are located along commercial corridors and in transit-oriented development sites such as the S-15 Zone. The project also conforms to the applicable design review criteria as described in the body of this report.**

**17.97.100-ADDITIONAL USE PERMIT CRITERIA IN THE S-15 ZONE**

- A. That the proposal will be of a quality and character which harmonizes with and serves to protect the value of private and public investment in the area.

**The design proposal will be an improvement to the site and will relate to the surrounding area, thus providing value of private and public investment in the area.**

- B. That the proposal will encourage an appropriate mixture of Residential and Commercial Activities in a manner which promotes and enhances use of multiple modes of transportation.

**The proposal will provide a mix size of studios, one-bedroom and two-bedroom residential units including ground-floor and commercial areas that will encourage and promote the use of existing transit facilities along 7<sup>th</sup> Street and the West Oakland BART Station.**

- C. That the proposal is designed to provide a safe and pleasant pedestrian environment.

**The proposal is surrounded by four different public streets and the new wide sidewalks along 7<sup>th</sup> and Kirkham Streets are designed to accommodate landscaping and street furniture to provide a safe and pleasant experience to future pedestrians.**

- D. That no front yard parking, loading area, or driveway shall connect or abut directly with the principal commercial street unless the determination can be made:
1. That vehicular access cannot reasonably be provided from a different street or other way.
  2. That every reasonable effort has been made to share means of vehicular access with abutting properties.
  3. That the proposal is enclosed or screened from view of the abutting principal street by the measures required in Section 17.110.040B.

**The proposal provides a two-level garage above grade, loading area within the building and two driveways that are located on the side and rear of the property, so none of the three determinations above apply.**

- E. That the amount of off-street parking, if any, provided in excess of this code will not contribute significantly to an increased orientation of the area to automobile or truck movement.

**The proposal meets the minimum off-street parking spaces required for the residential units in the S-15 Zone including the residential loading berths, located in the garage.**

- F. In addition to the foregoing criteria and any other applicable requirements, auto fee parking within this zone shall be subject to the following use permit criteria:
1. Auto fee parking shall be part of a larger development that contains a significant amount of commercial and/or residential facilities.
  2. Auto fee parking may only be contained in a structured parking facility of at least three stories that replaces an existing at grade parking facility.
  3. The new parking structure shall represent no more than a seventy-five percent (75%) increase of existing parking at the site.
  4. Auto fee parking at the site shall be specifically designated by a city sponsored plan or study designed to promote a transit oriented district as defined by the general plan.
  5. The facility or facilities containing the residential and/or commercial activities shall be adjacent to the principal street(s) and the auto fee parking shall be behind and substantially visually obstructed from the principal Street(s) by the residential and/or commercial facility or facilities; and
  6. The project shall be consistent in all significant respects with the general plan's goals, objectives, and policies that promote transit oriented development and districts.

**The mixed-use residential and commercial facility does not include auto-fee parking.**

#### **SECTION 17.136.050- DESIGN REVIEW CRITERIA**

##### **A. For Residential Facilities.**

1. That the proposed design will create a building or set of buildings that are well related to the surrounding area in their setting, scale, bulk, height, materials, and textures.

**The proposal is designed to contribute to the urban setting, where architectural elements such as building scale, design details and high quality materials are expected to relate to the surrounding area. The building manages building mass by applying a variety of roof and wall planes, angle bay windows, semi-recessed balconies, raised residential porches, mix of window pattern, floor to ceiling glazing storefront, and a mix of colored materials all of which create an interesting design that relates to the materials and textures of the surrounding area.**

2. That the proposed design will protect, preserve, or enhance desirable neighborhood characteristics.

**The proposal is designed to enhance the neighborhood setting by creating a contemporary style building that will enhance and encourage development of quality design along 7<sup>th</sup> Street. The proposal provides transparent storefront with tall ceilings, new landscaping and street furniture that reflect the City's adopted 2004 Seventh Street Concept and Urban Design Plan by Walter Hood.**

3. That the proposed design will be sensitive to the topography and landscape.

**The development site has a paved surface and new additional street trees and a mix of landscaping will be planted around property.**

4. That, if situated on a hill, the design and massing of the proposed building relates to the grade of the hill.

**The site is not on a hillside property.**

5. That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.

**As discussed in this report, the proposal conforms to the related policies of the General Plan by providing residential and commercial uses in high-density areas and along major corridors in the community commercial area. The project also conforms to the applicable design review criteria as discussed in the findings sections within this report.**

#### **B. For Nonresidential Facilities.**

1. That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section 17.136.060.

**The proposal provides a storefront with up to 22 foot high glazing surfaces and aluminum framing on 7<sup>th</sup> Street and Kirkham Street. The storefront contains interesting brick veneer that provide a visual interest and façade articulation. The project includes street trees, vase planters and other street furniture such as decorative sidewalks, light poles and benches to create a transition and interest when seen from the surrounding area. To provide a more interesting façade on the ground-floor commercial and residential entries, staff recommends a Condition that the entry doors are recessed and include prominent awnings to distinguish them when seen from public view. See Condition of Approval # 30.**

2. That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area.

**The proposal for the ground-floor commercial space contains interesting architectural features that will be attractive and in character with the surrounding commercial uses. The project replaces a vacant site and will protect and increase the value of private and public investment in this thriving neighborhood.**

3. That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.

The design proposal conforms to the General Plan by creating an attractive commercial space in the West Oakland neighborhood and conforms to the design review criteria discussed in the applicable design review findings.

**16.08.030 – VESTING TENTATIVE PARCEL MAP FINDINGS** (Pursuant to California Government Code Section 66474, Chapter 4 of the Subdivision Map Act, the findings are presented as a basis for denial; thus, in order to approve the Project, none of the findings should be satisfied).

1. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

**The subdivision proposal for residential condominiums is consistent with the designated Community Commercial Classification of the City's General Plan by encouraging urban multi-story residential development. The project would enhance the 7<sup>th</sup> Street major corridor and by creating 417 high-density residential condominium units in the West Oakland Transit Area.**

2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

**The proposal for residential condominiums is consistent with the policy framework of the Community Commercial area for intensifying urban housing, and operating new commercial businesses near major transportation systems.**

3. That the site is not physically suitable for the type of development.

**The project site is physically suitable for residential condominium development because it will meet the zoning development standards, and requirements from other City agencies. The site will also contain available infrastructure such as utilities, and vehicular and pedestrian access from the existing streets.**

4. That the site is not physically suitable for the proposed density of development.

**The subdivision proposal is located in the S-15 Transit-Oriented Development Zone and nearby the West Oakland BART Station. The project site is suitable for the residential density because the property is located in a high density district with existing supportive infrastructure already in existence.**

5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

**The site has a paved surface and was previously developed with commercial uses in an urbanized area and is not habitat for any wildlife, as indicated in the environmental analysis.**

6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

**The subdivision proposal is not likely to cause any serious public health problems because the property will be subject to the remediation process as discussed in the environmental analysis including mitigation measures and/or conditions of approval. The proposal will be served by public water and sewer service.**

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed

subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

**The proposal will be located on a vacant site previously developed and based on plans submitted, there are no public access easements or use of property within the proposed subdivision. The City Engineer may place conditions as necessary prior to the approval of the final Map.**

8. The design of the subdivision provides to the extent feasible for future passive or natural heating or cooling opportunities in the subdivision.

**The subdivision proposal for residential condominium development is designed to provide natural heating or cooling opportunities as required by building codes.**

**SECTION 16.24.040- LOT DESIGN STANDARDS**

- A. No lot shall be created without frontage on a public street, as defined by Section 16.04.030, except:
1. Lots created in conjunction with approved private easements.
  2. A single lot with frontage on a public street by means of a vehicular access corridor provided that in all cases the corridor shall have a minimum width of twenty (20) feet and shall not exceed three hundred (300) feet in length. Provided further, the corridor shall be a portion of the lot it serves, except that its area (square footage) shall not be included in computing the minimum lot area requirements of the zoning district.

**This finding is not applicable as the proposal will not create new lots, but instead 417 condominium units.**

- B. The side lines of lots shall run at right angles or radially to the street upon which the lot fronts, except where impractical by reason of unusual topography.

**This finding is not applicable as the proposal will not create new lots, but instead 417 condominium units.**

- C. All applicable requirements of the zoning regulations shall be met.

**The subdivision proposal for condominium development will meet the zoning regulations of the S-15 Transit-Oriented Development Zone as discussed in this staff report.**

- D. Lots shall be equal or larger in measure than the prevalent size of existing lots in the surrounding area except:
1. Where the area is still considered acreage.
  2. Where a deliberate change in the character of the area has been initiated by the adoption of a specific plan, a change in zone, a development control map, or a planned unit development.

**This finding is not applicable because the proposal will not create new lots, but instead 417 condominium units.**

- E. Lots shall be designed in a manner to preserve and enhance natural out-croppings of rock, specimen trees or group of trees, creeks or other amenities.

**This finding is not applicable as the proposal will not create new lots, but instead 417 condominium units.**

## ATTACHMENT B

### CONDITIONS OF APPROVAL

---

The proposal is hereby approved subject to the following Conditions of Approval:

**1. Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, and the approved plans, submitted to the City on April 1, 2016, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

**2. Effective Date, Expiration, Extensions and Extinguishment**

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire two-years from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

**3. Compliance with Other Requirements**

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City’s Bureau of Building, Fire Marshal, Public Works Department and Bay Area Rapid Transit District (BART). Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

**4. Minor and Major Changes**

- a. Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning.
- b. Major changes to the approved project, plans, Conditions, facilities, or use shall be reviewed by the Director of City Planning to determine whether such changes require submittal and approval of a revision to the Approval by the original approving body or a new independent permit/approval. Major revisions shall be reviewed in accordance with the procedures required

for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

**5. Compliance with Conditions of Approval**

- a. The project applicant and property owner, including successors, (collectively referred to hereafter as the “project applicant” or “applicant”) shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.
- b. The City of Oakland reserves the right at any time during construction to require certification by a licensed professional at the project applicant’s expense that the as-built project conforms to all applicable requirements, including but not limited to, approved maximum heights and minimum setbacks. Failure to construct the project in accordance with the Approval may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension, or other corrective action.
- c. Violation of any term, Condition, or project description relating to the Approval is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approval or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City’s Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Approval or Conditions.

**6. Signed Copy of the Approval/Conditions**

A copy of the Approval letter and Conditions shall be signed by the project applicant, attached to each set of permit plans submitted to the appropriate City agency for the project, and made available for review at the project job site at all times.

**7. Blight/Nuisances**

The project site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60 days of approval, unless an earlier date is specified elsewhere.

**8. Indemnification**

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called “City”) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys’ fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called “Action”) against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys’ fees.

- b. Within ten (10) calendar days of service to the City of any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

**9. Severability**

The Approval would not have been granted but for the applicability and validity of each and every one of the specified Conditions, and if one or more of such Conditions is found to be invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid Conditions consistent with achieving the same purpose and intent of such Approval.

**10. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Monitoring**

The project applicant may be required to cover the full costs of independent third-party technical review and City monitoring and inspection, including without limitation, special inspector(s)/inspection(s) during times of extensive or specialized plan-check review or construction, and inspections of potential violations of the Conditions of Approval. The project applicant shall establish a deposit with the Bureau of Building, if directed by the Building Official, Director of City Planning, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

**11. Public Improvements**

The project applicant shall obtain all necessary permits/approvals, such as encroachment permits, obstruction permits, curb/gutter/sidewalk permits, and public improvement (“p-job”) permits from the City for work in the public right-of-way, including but not limited to, streets, curbs, gutters, sidewalks, utilities, and fire hydrants. Prior to any work in the public right-of-way, the applicant shall submit plans for review and approval by the Bureau of Planning, the Bureau of Building, and other City departments as required. Public improvements shall be designed and installed to the satisfaction of the City.

**12. Compliance Matrix**

The project applicant shall submit a Compliance Matrix, in both written and electronic form, for review and approval by the Bureau of Planning and the Bureau of Building that lists each Condition of Approval (including each mitigation measure if applicable) in a sortable spreadsheet. The Compliance Matrix shall contain, at a minimum, each required Condition of Approval, when compliance with the Condition is required, and the status of compliance with each Condition. For multi-phased projects, the Compliance Matrix shall indicate which Condition applies to each phase. The project applicant shall submit the initial Compliance Matrix prior to the issuance of the first construction-related permit and shall submit an updated matrix upon request by the City.

**13. Construction Management Plan**

Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.

**14. Standard Conditions of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP)**

- a. All mitigation measures identified in the 2014 WOSP EIR and 2016 **CEQA Analysis for 500 Kirkham Project** are included in the Standard Condition of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP) which is included in these Conditions of Approval as **Attachment B-1** and are incorporated herein by reference, as Conditions of Approval of the project. The Standard Conditions of Approval identified in the 2016 **CEQA Analysis for 500 Kirkham Project** are also included in the SCAMMRP, and are, therefore, incorporated into these Conditions by reference. To the extent that there is any inconsistency between the SCAMMRP and these Conditions, the more restrictive Conditions shall govern. In the event a Standard Condition of Approval or mitigation measure recommended in the 2014 WOSP EIR and/or 2016 **CEQA ANALYSIS for 500 Kirkham Project** has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the 2014 EIR and/or 2016 **CEQA ANALYSIS for 500 Kirkham Project** into the SCAMMRP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable mitigation measures adopted, and with all Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or Condition of Approval, and subject to the review and approval by the City of Oakland. The SCAMMRP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval and mitigation measure. Monitoring of compliance with the Standard Conditions of Approval and mitigation measures will be the responsibility of the Bureau of Planning and the Bureau of Building, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.
- b. Prior to the issuance of the first construction-related permit, the project applicant shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

**15. Regulatory Permits and Authorizations from Other Agencies**

Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water

Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, Army Corps of Engineers and Bay Area Rapid Transit (BART) and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.

When Required: Prior to activity requiring permit/authorization from regulatory agency

Initial Approval: Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

## **16. Graffiti Control**

### Requirement:

- a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:
  - i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
  - ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
  - iii. Use of paint with anti-graffiti coating.
  - iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
  - v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
- b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:
  - i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.
  - ii. Covering with new paint to match the color of the surrounding surface.
  - iii. Replacing with new surfacing (with City permits if required).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **17. Tree Permit**

### **a. *Tree Permit Required***

Requirement: Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.

When Required: Prior to approval of construction-related permit

Initial Approval: Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building

Monitoring/Inspection: Bureau of Building

***Tree Protection During Construction***

Requirement: Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:

- i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.
- ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.
- iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.
- iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.
- v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.
- vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.

When Required: During construction

Initial Approval: Public Works Department, Tree Division

Monitoring/Inspection: Bureau of Building

***Tree Replacement Plantings***

Requirement: Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:

- i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.
- ii. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye), Umbellularia californica (California Bay Laurel), or other tree species acceptable to the Tree Division.
- iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.
- iv. Minimum planting areas must be available on site as follows:
  - For Sequoia sempervirens, three hundred fifteen (315) square feet per tree;
  - For other species listed, seven hundred (700) square feet per tree.
- v. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.
- vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.

When Required: Prior to building permit final

Initial Approval: Public Works Department, Tree Division

Monitoring/Inspection: Bureau of Building

#### **18. Exposure to Air Pollution (Toxic Air Contaminants)**

##### **a. *Health Risk Reduction Measures***

Requirement: The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:

- i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.
- or -
- ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:

**CONDITIONS OF APPROVAL**

- Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-16 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.
- Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).
- Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
- The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.
- Sensitive receptors shall be located on the upper floors of buildings, if feasible.
- Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (*Pinus nigra* var. *maritima*), Cypress (*X Cupressocyparis leylandii*), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwood (*Sequoia sempervirens*).
- Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.
- Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.
- Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:
  - Installing electrical hook-ups for diesel trucks at loading docks.
  - Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.
  - Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.
  - Prohibiting trucks from idling for more than two minutes.
  - Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**b. *Maintenance of Health Risk Reduction Measures***

Requirement: The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**19. Construction-Related Permit(s)**

Requirement: The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

**20. Earthquake Fault Zone**

Requirement: The project applicant shall submit a site-specific fault location investigation, as defined in California Geological Survey Note 49 (as amended), prepared by a certified engineering geologist for City review and approval containing at a minimum the results of subsurface investigations, locations of hazardous faults adjacent to the project site, recommended setback distances of proposed structures from hazardous faults, and additional recommended measures to accommodate warping and distributive deformation associated with faulting (e.g., strengthened foundations, engineering design, flexible utility connections). The project applicant shall implement the recommendations contained in the approved report during project design and construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

**21. Seismic Hazards Zone (Landslide/Liquefaction)**

Requirement: The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant shall implement the recommendations contained in the approved report during project design and construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

**22. Hazardous Materials Related to Construction**

Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:

- a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction;
- b. Avoid overtopping construction equipment fuel gas tanks;

- c. During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d. Properly dispose of discarded containers of fuels and other chemicals;
- e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and
- f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### **23. Hazardous Materials Business Plan**

Requirement: The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following:

- a. The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.
- b. The location of such hazardous materials.
- c. An emergency response plan including employee training information.
- d. A plan that describes the manner in which these materials are handled, transported, and disposed.

When Required: Prior to building permit final

Initial Approval: Oakland Fire Department

Monitoring/Inspection: Oakland Fire Department

### **24. Construction Activity in the Public Right-of-Way**

#### **a. *Obstruction Permit Required***

Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

- Monitoring/Inspection: Bureau of Building
- b. ***Traffic Control Plan Required***  
Requirement: In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.  
When Required: Prior to approval of construction-related permit  
Initial Approval: Public Works Department, Transportation Services Division  
Monitoring/Inspection: Bureau of Building
- c. ***Repair of City Streets***  
Requirement: The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.  
When Required: Prior to building permit final  
Initial Approval: N/A  
Monitoring/Inspection: Bureau of Building

## 25. **Bicycle Parking**

- Requirement: The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.  
When Required: Prior to approval of construction-related permit  
Initial Approval: Bureau of Planning  
Monitoring/Inspection: Bureau of Building

## 26. **Transportation Improvements**

- Requirement: The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Study for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, and pedestrian and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA

standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:

- a. 2070L Type Controller with cabinet accessory
- b. GPS communication (clock)
- c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)
- d. Countdown pedestrian head module switch out
- e. City Standard ADA wheelchair ramps
- f. Video detection on existing (or new, if required)
- g. Mast arm poles, full activation (where applicable)
- h. Polara Push buttons (full activation)
- i. Bicycle detection (full activation)
- j. Pull boxes
- k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum
- l. Conduit replacement contingency
- m. Fiber switch
- n. PTZ camera (where applicable)
- o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor
- p. Signal timing plans for the signals in the coordination group
- b. When Required: Prior to building permit final or as otherwise specified
- c. Initial Approval: Bureau of Building; Public Works Department, Transportation Services Division
- d. Monitoring/Inspection: Bureau of Building

## **27. Underground Utilities**

Requirement: The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **28. Recycling Collection and Storage Space**

Requirement: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For

nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

## 29. Green Building Requirements

### *a. Compliance with Green Building Requirements During Plan-Check*

Requirement: The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).

i. The following information shall be submitted to the City for review and approval with the application for a building permit:

- Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.
- Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
- Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
- Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.
- Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
- Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.  
Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

ii. The set of plans in subsection (i) shall demonstrate compliance with the following:

- CALGreen mandatory measures.

All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.

The required green building point minimums in the appropriate credit categories.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

### *b. Compliance with Green Building Requirements During Construction*

Requirement: The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.

The following information shall be submitted to the City for review and approval:

- i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.

- ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.
- iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

When Required: During construction

Initial Approval: N/A

**c. Compliance with Green Building Requirements After Construction**

Requirement: Prior to finalizing the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.

When Required: After project completion as specified

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**PROJECT SPECIFIC CONDITIONS:**

**30. Ground-Floor Commercial and Residential Entries Condition of Approval**

The applicant shall revise the plans for Planning staff review and approval through the Small Project Design Review process that shall include recessed commercial and residential entry doors including prominent awnings. These revisions shall be architecturally integrated with the overall design of the storefront and building facade.

**31. Final Parcel Map Subdivision for Condominiums Condition of Approval**

Prior to the submittal of building permits for the project, the applicant shall file with the City a final map subdivision for residential and commercial condominiums.

**32. Public Art for Private Development Condition of Approval**

Prior to issuance of Final Certificate of Occupancy for the first unit and Ongoing  
The project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). The public art contribution requirements are equivalent to one-half percent (0.5%) for the "residential" building development costs, and one percent (1.0%) for the "non-residential" building development costs. The contribution requirement can be met through the commission or acquisition and installation of publicly accessible art fund, or satisfaction of alternative compliance methods described in the Ordinance. The applicant shall provide proof of full payment of the in-lieu contribution, or provide proof of installation of artwork on the development site prior to the City's issuance of a final certificate of occupancy for each phase unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval. On-site art installation shall be designed by independent artists, or artists working in conjunction with arts or community organizations that are verified by the City to either hold a valid Oakland business license and/or be an Oakland-based 501(c) (3) tax designated organization in good standing.

**33. Development Impact Fees**

The project shall be subject to, and Applicant shall agree to pay, any applicable development impact fees adopted by the City Council unless a vested right is obtained prior to the impact fee adoption date and such project is diligently pursued toward completion, as reasonably determined by the Planning Director or designee.

**Applicant Statement**

I have read and accept responsibility for the Conditions of Approval. I agree to abide by and conform to the Conditions of Approval for the 500 Kirkham Street Project, as well as to all provisions of the Oakland Planning Code and Oakland Municipal Code pertaining to the project.

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Name of Project Applicant

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Signature of Project Applicant

Date: \_\_\_\_\_

# ATTACHMENT B.1 STANDARD CONDITIONS OF APPROVAL & MITIGATION MEASURES

## Environmental Protection Measures

### GENERAL

#### Regulatory Permits and Authorizations from Other Agencies

**Requirement:** The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.

**When Required:** Prior to activity requiring permit/authorization from regulatory agency

**Initial Approval:** Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning

**Monitoring/Inspection:** Applicable regulatory agency with jurisdiction

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<b>GENERAL ADMINISTRATIVE CONDITIONS</b>		
<b>SCA 3-Compliance with Other Requirements</b> The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Bureau of Building, Fire Marshal, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4 (Minor and Major Changes).		

STANDARD CONDITIONS OF APPROVAL & MITIGATION MEASURES

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>[The following condition applies to all major development projects, specifically those involving any of the following:  <b>a. Construction of 50 or more residential dwelling units;</b>  <b>b. Construction of 50,000 sq. ft. or more of nonresidential floor area; or</b>  <b>c. CEQA review (e.g., negative declaration, mitigated negative declaration, or EIR).]</b></p> <p><b>SCA 13-Construction Management Plan</b>                      Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.</p>		
<b>AESTHETICS, SHADOW AND WIND</b>		
<p><b>SCA 17-Landscape Plan</b>  <b>a. Landscape Plan Required</b>  <u>Requirement:</u> The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.</p> <p><b>b. Landscape Installation</b>  <u>Requirement:</u> The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.</p> <p><b>c. Landscape Maintenance</b>  <u>Requirement:</u> All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping</p>	<p><u>When Required:</u>                      Prior to approval of construction-related permit</p> <p><u>When Required:</u>                      Prior to building permit final</p> <p><u>When Required:</u>                      Ongoing</p>	<p><u>Initial Approval:</u>                      Bureau of Planning  <u>Monitoring/</u>  <u>Inspection:</u> N/A</p> <p><u>Initial Approval:</u>                      Bureau of Planning  <u>Monitoring/</u>  <u>Inspection:</u> Bureau of Building</p> <p><u>Initial Approval:</u>                      N/A  <u>Monitoring/</u></p>

STANDARD CONDITIONS OF APPROVAL & MITIGATION MEASURES

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.		<u>Inspection:</u> Bureau of Building
<b>SCA 18-Lighting</b> <u>Requirement:</u> Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.	<u>When Required:</u> Prior to building permit final	<u>Initial Approval:</u> N/A <u>Monitoring/Inspection:</u> Bureau of Building
<b>AIR QUALITY</b>		
<b>Mitigation Measure AIR-9: Risk Reduction Plan.</b> Applicants for projects that would include backup generators or other stationary sources of toxic air contaminants shall prepare and submit to the City, a Risk Reduction Plan for City review and approval. The applicant shall implement the approved plan. This Plan shall reduce cumulative localized cancer risks to the maximum feasible extent. The Risk Reduction Plan may contain, but is not limited to the following strategies: a. Demonstration using screening analysis or a health risk assessment that all project sources of toxic air contaminants, when combined with local cancer risks from cumulative sources with 1,000 feet would be less than 100 in one million. b. Installation of non-diesel fueled generators. c. Installation of diesel generators with an EPA-certified Tier 4 engine or Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy.	<u>When Required:</u> Prior to building permit	<u>Initial Approval:</u> Prior to building permit <u>Monitoring/Inspection:</u> Bureau of Building
<b>Mitigation Measure Air-9B:</b> Place loading docks as far from residences as feasible.	<u>When Required:</u> Prior to building permit	<u>Initial Approval:</u> Prior to building permit <u>Monitoring/Inspection:</u> Bureau of Building
<b>Mitigation Measure Air-10:</b> In addition to the City's Standard Conditions of Approval (Supplemental SCA B and C), require future discretionary development projects that would place new sensitive receptors in areas subject to cancer risks and exposure to diesel PM concentrations that exceed applicable thresholds to incorporate the following additional (i.e., in addition to the SCAs) best management practices (BMPs) for air quality: a. Air filtration units shall be installed to achieve BAAQMD effectiveness performance standards in removing PM2.5 from indoor air. The system effectiveness requirement shall be determined during final design when the exact level of exposure is known, based on proximity to emission sources. According to recent BAAQMD recommendations, air filtration systems rated MERV 16 or higher protect sensitive receptors from toxic air containments and PM2.5 concentrations while inside a building. This measure is effective for reducing exposure from TACs and PM2.5 emissions from diesel engines, highways and roadways.	<u>When Required:</u> Prior to building permit	<u>Initial Approval:</u> Prior to building permit <u>Monitoring/Inspection:</u> Bureau of Building

STANDARD CONDITIONS OF APPROVAL & MITIGATION MEASURES

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>b. When locating sensitive receptors near at-grade highways, to the extent feasible, encourage uses that serve sensitive receptors to locate on the upper floors of buildings. PM2.5 concentrations generally decrease with elevation.</p> <p>c. Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).</p>		
<p><b>SCA 19-Construction-Related Air Pollution Controls (Dust and Equipment Emissions)</b>  <b>Requirement:</b> The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p>	<p><b>When Required:</b> During construction</p>	<p><b>Initial Approval:</b> N/A  <b>Monitoring/ Inspection:</b> Bureau of Planning</p>
<p><b>[BASIC CONTROLS (apply to ALL construction sites)]</b></p> <p>a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.</p> <p>b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).</p> <p>c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>d. Pave all roadways, driveways, sidewalks, etc. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used.</p> <p>e. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</p> <p>f. Limit vehicle speeds on unpaved roads to 15 miles per hour.</p> <p>g. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.</p> <p>h. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations").</p> <p>i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>j. Portable equipment shall be powered by electricity if available. If</p>	<p><b>When Required:</b> Prior to building permit</p>	<p><b>Initial Approval:</b> Prior to building permit  <b>Monitoring/ Inspection:</b> Bureau of Building</p>

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electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.		
<p>[ENHANCED CONTROLS: All "Basic" controls listed above plus the following controls because the project involves 240 or more multi-family units.]</p> <p>k. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</p> <p>o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</p> <p>p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity.</p> <p>q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.</p> <p>s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <p>t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off Road Diesel Regulations") must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met.</p> <p>v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).</p> <p>w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.</p> <p>x. Off-road heavy diesel engines shall meet the California Air Resources</p>	<p><b>When Required:</b></p> <p>Prior to building permit</p>	<p><b>Initial Approval:</b></p> <p>Prior to building permit</p> <p><b>Monitoring/</b></p> <p><b>Inspection:</b> Bureau of Building</p>

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<p>Board's most recent certification standard.</p> <p>y. Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.</p>		
<p>[The following condition applies to all projects that involves a stationary pollutant source requiring a permit from BAAQMD, including but not generators. The California Building Code requires back-up diesel generators for all buildings over 70 feet tall.]</p> <p><b>SCA 20-Stationary Sources of Air Pollution (Toxic Air Contaminants)</b>  <b>Requirement:</b> The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose <u>one</u> of the following methods:</p> <p>a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p>- or -</p> <p>b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ol style="list-style-type: none"> <li>i. Installation of non-diesel fueled generators, if feasible, or;</li> <li>ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.</li> </ol>	<p><b>When Required:</b> Prior to approval of construction-related permit</p>	<p><b>Approval:</b> Bureau of Planning  <b>Monitoring/ Inspection:</b> Bureau of Building</p>
<b>BIOLOGICAL RESOURCES</b>		
No applicable SCAs or Mitigation Measures		
<b>CULTURAL RESOURCES</b>		
[The following condition applies to all projects involving construction.]		

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<p><b>SCA 29-Archaeological and Paleontological Resources – Discovery During Construction</b>  <b>Requirement:</b> Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.</p> <p>In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p>	<p><b>When Required:</b>                      During construction</p>	<p><b>Initial Approval:</b>                      N/A  <b>Monitoring/ Inspection:</b> Bureau of Building</p>
<p>[The following condition applies to all projects involving construction.]</p>		

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<p><b>SCA 31-Human Remains – Discovery During Construction</b>  <b>Requirement:</b> Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.</p>	<p><b>When Required:</b>                      During construction</p>	<p><b>Initial Approval:</b>                      N/A  <b>Monitoring/ Inspection:</b> Bureau of Building</p>
<p><b>GEOLOGY AND SOILS</b></p>		
<p>[The following condition applies to all projects involving 1) a subdivision (except condominium subdivisions and subdivisions between existing buildings with no new structures) per OMC sections 16.20.060 and 16.24.090 or 2) a grading permit per OMC section 15.04.660. The condition does not apply to projects located in an Earthquake Fault Zone or a Seismic Hazards Zone (see other conditions applicable to those projects).]</p> <p><b>SCA34-Soils Report</b>  <b>Requirement:</b> The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.</p>	<p><b>When Required:</b>                      Prior to approval of construction-related permit</p>	<p><b>Initial Approval:</b>                      Bureau of Building  <b>Monitoring/ Inspection:</b> Bureau of Building</p>
<p><b>GREENHOUSE GAS EMISSIONS / GLOBAL CLIMATE CHANGE</b></p>		
<p>No applicable SCAs or Mitigation Measures</p>		
<p><b>HAZARDS AND HAZARDOUS MATERIALS</b></p>		
<p>[The following condition applies to all projects involving (a) redevelopment or change of use of a historically industrial or commercial site; (b) a contaminated site as identified in City records; or (c) a site listed on the State Cortese List; and site remediation activities are required based on an environmental site assessment. (Note 1: Presence on the Cortese List precludes use of a Categorical Exemption under CEQA, but a Statutory Exemption (such as section 15183) may apply. In that case, staff should consult first with a supervisor and then with the City Attorney's Office. Note 2: The environmental site assessment referenced in this condition is typically required prior to project approval.)]</p>		

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<p><b>SCA 40-Site Contamination</b></p> <p><b>a. Environmental Site Assessment Required</b>  <u>Requirement:</u> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p>	<p><u>When Required:</u> Prior to approval of construction-related permit</p>	<p><u>Initial Approval:</u> Oakland Fire Department  <u>Monitoring/Inspection:</u> Oakland Fire Department</p>
<p><b>b. Health and Safety Plan Required</b>  <u>Requirement:</u> The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.</p>	<p><u>When Required:</u> Prior to approval of construction-related permit</p>	<p><u>Initial Approval:</u> Bureau of Building  <u>Monitoring/Inspection:</u> Bureau of Building</p>
<p><b>c. Best Management Practices (BMPs) Required for Contaminated Sites</b>  <u>Requirement:</u> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p> <ul style="list-style-type: none"> <li>i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements.</li> <li>ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.</li> </ul>	<p><u>When Required:</u> During construction</p>	<p><u>Initial Approval:</u> N/A  <u>Monitoring/Inspection:</u> Bureau of Building</p>
<p><b>HYDROLOGY AND WATER QUALITY</b></p>		
<p><b>SCA 44-Erosion and Sedimentation Control Measures for Construction</b>  <u>Requirement:</u> The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.</p>	<p><u>When Required:</u> During construction</p>	<p><u>Initial Approval:</u> N/A  <u>Monitoring/Inspection:</u> Bureau of Building</p>

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<p>[The following condition applies to all projects involving construction activities that require a grading permit per OMC sec. 15.04.660 or are located on a hillside property (20% or greater slope), except projects requiring a category III or IV creek protection permit (see other conditions for creek protection permits).]</p> <p><b>SCA 45-Erosion and Sedimentation Control Plan for Construction</b>  <b>a. Erosion and Sedimentation Control Plan Required</b>  <u>Requirement:</u> The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p>	<p><u>When Required:</u>                      Prior to approval of construction-related permit</p>	<p><u>Initial Approval:</u>                      Bureau of Building  <u>Monitoring/</u>  <u>Inspection:</u> N/A</p>
<p><b>b. Erosion and Sedimentation Control During Construction</b>  <u>Requirement:</u> The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.</p>	<p><u>When Required:</u>                      During construction</p>	<p><u>Initial Approval:</u>                      N/A  <u>Monitoring/</u>  <u>Inspection:</u> Bureau of Building</p>
<p>[The following condition applies to all projects that disturb one acre or more of surface area.]</p> <p><b>SCA 46-State Construction General Permit</b>  <u>Requirement:</u> The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.</p>	<p><u>When Required:</u>                      Prior to approval of construction-related permit</p>	<p><u>Initial Approval:</u>                      State Water Resources Control Board; evidence of compliance submitted to Bureau of Building  <u>Monitoring/</u>  <u>Inspection:</u> State Water Resources Control Board</p>



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<p>incorporated into the project until the responsibility is legally transferred to another entity; and</p> <p>ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary.</p> <p>The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p>		
<b>NOISE</b>		
<p>[The following condition applies to all projects involving construction.]</p> <p><b>SCA 58-Construction Days/Hours</b>  <b>Requirement:</b> The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <p>a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.</p> <p>b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.</p> <p>c. No construction is allowed on Sunday or federal holidays.</p> <p>Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a nonenclosed area.</p> <p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.</p>	<p><b>When Required:</b>                  During construction</p>	<p><b>Initial Approval:</b>                  N/A  <b>Monitoring/Inspection:</b> Bureau of Building</p>

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<p>[The following condition applies to all projects involving construction.]</p> <p><b>SCA 59-Construction Noise</b>  <u>Requirement:</u> The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p> <ol style="list-style-type: none"> <li>Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.</li> <li>Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.</li> <li>Applicant shall use temporary power poles instead of generators where feasible.</li> <li>Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.</li> <li>The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.</li> </ol>	<p><u>When Required:</u> During construction</p>	<p><u>Initial Approval:</u> N/A  <u>Monitoring/ Inspection:</u> Bureau of Building</p>
<p>[The following condition applies to all projects involving construction.]</p> <p><b>SCA 60-Extreme Construction Noise</b>  <i>a. Construction Noise Management Plan Required</i>  <u>Requirement:</u> Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <ol style="list-style-type: none"> <li>Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</li> </ol>	<p><u>When Required:</u> Prior to approval of construction-related permit.</p>	<p><u>Initial Approval:</u> N/A  <u>Monitoring/ Inspection:</u> Bureau of Building</p>

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<ul style="list-style-type: none"> <li>ii. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</li> <li>iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</li> <li>iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and</li> <li>v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</li> </ul>		
<p><b>b. Public Notification Required</b>  <b>Requirement:</b> The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented</p>	<p><b>When Required:</b> During construction</p>	<p><b>Initial Approval:</b> Bureau of Building  <b>Monitoring/</b>  <b>Inspection:</b> Bureau of Building</p>
<p>[The following condition applies to all major development projects, specifically those involving: a. Construction of 50 or more residential dwelling units; b. Construction of 50,000 sq. ft. or more of nonresidential floor area; or c. CEQA review (e.g., negative declaration, mitigated negative declaration, or EIR.)</p> <p><b>SCA 62-Construction Noise Complaints</b>  <b>Requirement:</b> The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ul style="list-style-type: none"> <li>a. Designation of an on-site construction complaint and enforcement manager for the project;</li> <li>b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;</li> <li>c. Protocols for receiving, responding to, and tracking received complaints; and</li> <li>d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.</li> </ul>	<p><b>When Required:</b> Prior to approval of construction-related permit</p>	<p><b>Initial Approval:</b> N/A  <b>Monitoring/</b>  <b>Inspection:</b> Bureau of Building</p>

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	Schedule	Responsibility
<p>[The following condition applies to all projects for which a noise study was performed during the project review process and the project exposure to community noise is Conditionally Acceptable, Normally Unacceptable, or Clearly Unacceptable per the land use compatibility guidelines of the Noise Element of the Oakland General Plan.]</p> <p><b>SCA 63-Exposure to Community Noise</b>  <b>Requirement:</b> The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following: a. 45 dBA: Residential activities, civic activities, hotels  a. 45 dBA: Residential activities, civic activities, hotels  b. 50 dBA: Administrative offices; group assembly activities  c. 55 dBA: Commercial activities  d. 65 dBA: Industrial activities</p>	<p><b>When Required:</b>  Prior to approval of construction-related permit</p>	<p><b>Initial Approval:</b>  Bureau of Planning  <b>Monitoring/</b>  <b>Inspection:</b> Bureau of Building</p>
<p>[The following condition applies to all projects.]</p> <p><b>SCA 64-Operational Noise</b>  <b>Requirement:</b> Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>	<p><b>When Required:</b>  Ongoing</p>	<p><b>Initial Approval:</b>  N/A  <b>Monitoring/</b>  <b>Inspection:</b> Bureau of Building</p>
<p>[The following condition applies to all projects involving new residential facilities or new dwelling units located adjacent to an active rail line.]</p> <p><b>SCA 65-Exposure to Vibration</b>  <b>Requirement:</b> The project applicant shall submit a Vibration Reduction Plan prepared by a qualified acoustical consultant for City review and approval that contains vibration reduction measures to reduce groundborne vibration to acceptable levels per Federal Transit Administration (FTA) standards. The applicant shall implement the approved Plan during construction. Potential vibration reduction measures include, but are not limited to, the following:  a. Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a "spring isolation" system that consists of resilient spring supports that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of groundborne vibration to the residences above.  b. Trenching, which involves excavating soil between the railway and the</p>	<p><b>When Required:</b>  Prior to approval of construction-related permit</p>	<p><b>Initial Approval:</b>  Bureau of Planning  <b>Monitoring/</b>  <b>Inspection:</b> Bureau of Building</p>

STANDARD CONDITIONS OF APPROVAL & MITIGATION MEASURES

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project's structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets [i.e., Styrofoam] or low-density polyethylene).</p>		
<b>TRANSPORTATION/TRAFFIC</b>		
<p><b>Mitigation Measure Trans-8:</b> Implement the following measure at Adeline Street and 5th Street (#24):</p> <p>a. Modify the traffic signal to remove split phasing and provide protected permitted left turn phasing for the northbound and southbound left-turn movements</p> <p>To implement this measure, individual project applicants shall submit Plans, Specifications, and Estimates (PS&amp;E) to modify the intersection to the City of Oakland for review and approval. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Individual project applicants shall fund the cost of preparing and implementing the above measures. However, if the City adopts a transportation fee program prior to implementation of this mitigation measure, individual project applicants shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate this impact to less than significant.</p>	<p><b>When Required:</b></p> <p>Per traffic report recommendation</p>	<p><b>Initial Approval:</b></p> <p>Prior to final map</p> <p><b>Monitoring/ Inspection:</b> Bureau of Planning</p>
<p>[The following condition applies to all projects generating 50 or more net new a.m. or p.m. peak hour vehicle trips.]</p> <p><b>SCA 71-Transportation and Parking Demand Management</b></p> <p>a. <b>Transportation and Parking Demand Management (TDM) Plan Required</b></p> <p><b>Requirement:</b> The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p> <p>i. The goals of the TDM Plan shall be the following:</p> <ul style="list-style-type: none"> <li>• Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project.</li> <li>• Achieve the following project vehicle trip reductions (VTR): <ul style="list-style-type: none"> <li>○ Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR</li> <li>○ Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR</li> </ul> </li> </ul>	<p><b>When Required:</b></p> <p>Prior to approval of construction-related permit</p>	<p><b>Initial Approval:</b></p> <p>Bureau of Planning</p> <p><b>Monitoring/ Inspection:</b> N/A</p>

STANDARD CONDITIONS OF APPROVAL & MITIGATION MEASURES

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<ul style="list-style-type: none"> <li>• Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate.</li> <li>• Enhance the City's transportation system, consistent with City policies and programs.</li> </ul> <p>ii. TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.</li> <li>• Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.</li> <li>• Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.</li> <li>• Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.</li> <li>• Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.</li> <li>• Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency).</li> <li>• Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.</li> <li>• Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3).</li> <li>• Guaranteed ride home program for employees, either through 511.org or through separate program.</li> <li>• Pre-tax commuter benefits (commuter checks) for employees.</li> <li>• Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-</li> </ul>		

STANDARD CONDITIONS OF APPROVAL & MITIGATION MEASURES

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>share membership for employees or tenants.</p> <ul style="list-style-type: none"> <li>• On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.</li> <li>• Distribution of information concerning alternative transportation options.</li> <li>• Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.</li> <li>• Parking management strategies including attendant/valet parking and shared parking spaces.</li> <li>• Requiring tenants to provide opportunities and the ability to work off-site.</li> <li>• Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).</li> <li>• Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.</li> </ul> <p>The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.</p>		
<p><b>b. TDM Implementation – Physical Improvements</b>  <b>Requirement:</b> For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p> <p><b>c. TDM Implementation – Operational Strategies</b>  <b>Requirement:</b> For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not</p>	<p><b>When Required:</b> Prior to building permit final</p> <p><b>When Required:</b> Ongoing</p>	<p><b>Initial Approval:</b> Bureau of Building <b>Monitoring/</b> <b>Inspection:</b> Bureau of Building</p> <p><b>Initial Approval:</b> Bureau of Planning <b>Monitoring/</b> <b>Inspection:</b> Bureau of Planning</p>

STANDARD CONDITIONS OF APPROVAL & MITIGATION MEASURES

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.		
<b>UTILITY AND SERVICE SYSTEMS</b>		
<b>Recommendation Util-1a:</b> As the area improves, underground storm drain lines should be added to several of the Opportunity Areas' street sections where such lines do not exist. Additional storm drainage structures, including conduit, would be a way to address both ponding and adequate conveyance of storm runoff.	<b>When Required:</b> Prior to final map	<b>Initial Approval:</b> Public Works Department, Engineering <b>Monitoring/ Inspection:</b> N/A
<b>Recommendation Util-2a:</b> Because many of the parcels within West Oakland's industrial areas are very large, there are several streets that have no public water main. For projects that create a new parcel which fronts a street that does not have a water main, a new public water main constructed at the developer's expense will likely be required.  <b>Recommendation Util-2b:</b> EBMUD block maps indicate that many of the lines in the area are cast iron and were installed in the 30's. These pipes have likely experienced significant corrosion and should be replaced.  <b>Recommendation Util-2c:</b> Service to new development would likely require reassessment and upsizing of conduits, especially if the pipe length is greater than 1,000 feet to the nearest transmission line.	<b>When Required:</b> Prior to final map	<b>Initial Approval:</b> Public Works Department, Engineering <b>Monitoring/ Inspection:</b> N/A
<b>Recommendation Util-3a:</b> Underground utility improvements should be installed prior to final streetscape improvements to prevent damage and the need for patching such improvements during trenching operations.  <b>Recommendation Util-3b:</b> Properties to be redeveloped and/or reused should abandon existing sewer laterals and install new laterals, and verify that there are no cross-connections from the downspouts to the sewer lateral. This would result in much lower I/I flow into the main sewer lines.  <b>Recommendation Util-3c:</b> Prior to the installation of underground utility improvements at properties to be redeveloped, sewage flow rates and I/I rates should be monitored to determine whether there is significant potential for I/I reduction.	<b>When Required:</b> Prior to final map	<b>Initial Approval:</b> Public Works Department, Engineering <b>Monitoring/ Inspection:</b> N/A
[The following condition applies to all construction projects.]		
<b>SCA 74-Construction and Demolition Waste Reduction and Recycling Requirement:</b> The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP.	<b>When Required:</b> Prior to approval of construction-related permit	<b>Initial Approval:</b> Public Works Department, Environmental Services Division

STANDARD CONDITIONS OF APPROVAL & MITIGATION MEASURES

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
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<p>Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at <a href="http://www.greenhalosystems.com">www.greenhalosystems.com</a> or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>		<p><b>Monitoring/Inspection:</b> Public Works Department, Environmental Services Division</p>
<p>[The following condition applies to all major development projects, specifically those involving any of the following:  a. Construction of 50 or more residential dwelling units;  b. Construction of 50,000 sq. ft. or more of nonresidential floor area; or  c. CEQA review (e.g., negative declaration, mitigated negative declaration or EIR).]</p> <p><b>SCA 79-Sanitary Sewer System</b>  <b>Requirement:</b> The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.</p>	<p><b>When Required:</b>  Prior to approval of construction-related permit</p>	<p><b>Initial Approval:</b>  Public Works Department, Department of Engineering and Construction  <b>Monitoring/Inspection:</b> N/A</p>
<p>[The following condition applies to all major development projects, specifically those involving any of the following:  a. Construction of 50 or more residential dwelling units;  b. Construction of 50,000 sq. ft. or more of nonresidential floor area; or  c. CEQA review (e.g., negative declaration, mitigated negative declaration or EIR).]</p> <p><b>SCA 80-Storm Drain System</b>  <b>Requirement:</b> The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.</p>	<p><b>When Required:</b>  Prior to approval of construction-related permit</p>	<p><b>Initial Approval:</b>  Bureau of Building  <b>Monitoring/Inspection:</b> Bureau of Building</p>
<p><b>Requirement:</b> The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement</p>	<p><b>When Required:</b>  Ongoing</p>	<p><b>Initial Approval:</b>  N/A  <b>Monitoring/Inspection:</b> Bureau of Building</p>

STANDARD CONDITIONS OF APPROVAL & MITIGATION MEASURES

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
schedule for the filter.		

PLN15211

ATTACHMENT C



500 KIRKHAM



VIEW TO PRIMARY RETAIL CORNER, 7TH AND KIRKHAM

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07	3rd Level Plan	19	Building Materials - Details
08	4th Level Plan	L1	Overall Landscape Plan
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11A	Concept Perspective View	L5	Sky Deck Landscape Plan - Level 7
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04/11/2015  
HPA #15483

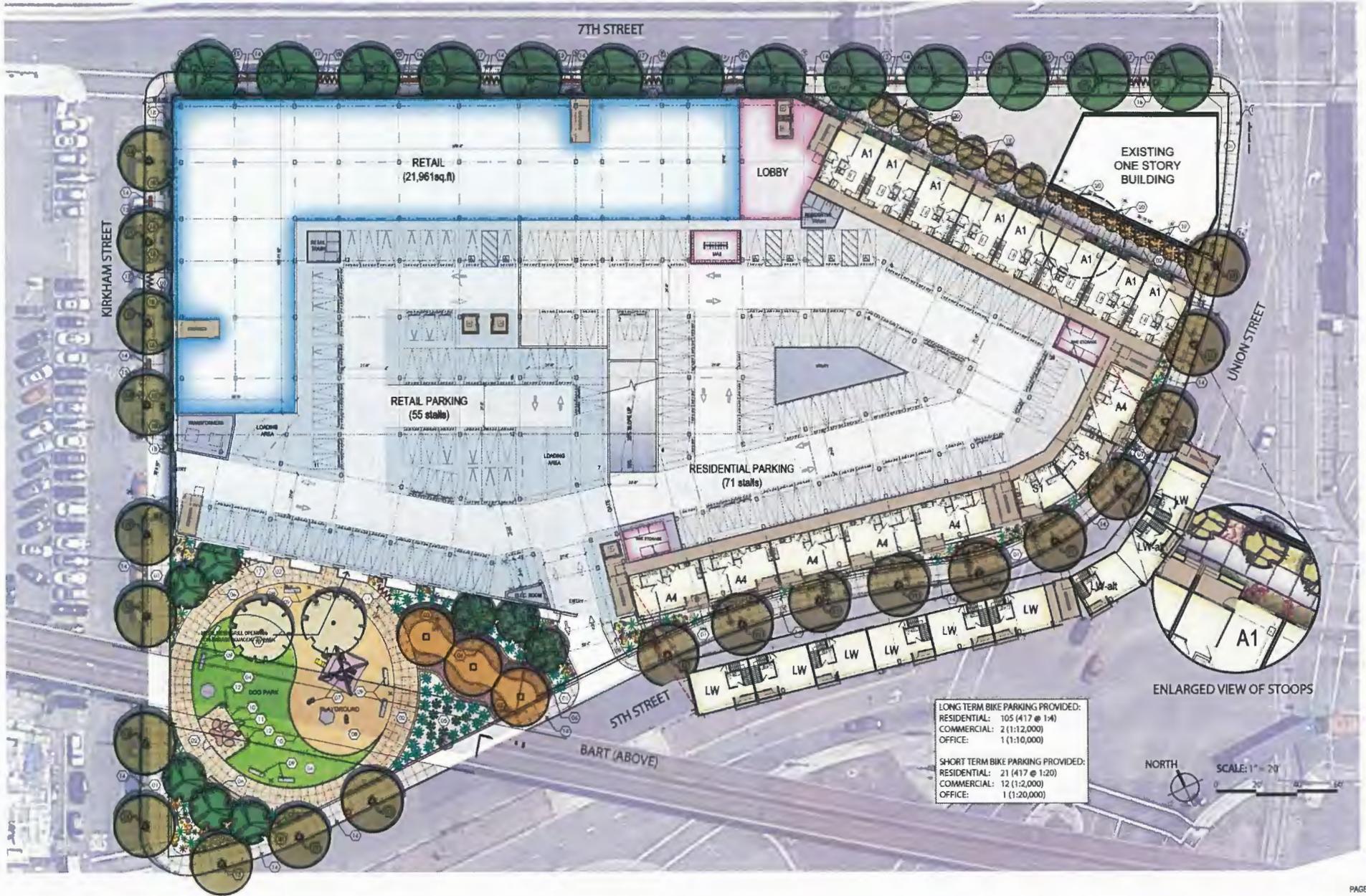
**500 KIRKHAM**  
OAKLAND, CA

**DESIGN REVIEW SET**

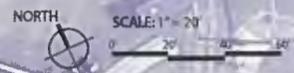


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LONG TERM BIKE PARKING PROVIDED:	
RESIDENTIAL:	105 (417 @ 1:4)
COMMERCIAL:	2 (1:12,000)
OFFICE:	1 (1:10,000)
SHORT TERM BIKE PARKING PROVIDED:	
RESIDENTIAL:	21 (417 @ 1:20)
COMMERCIAL:	12 (1:2,000)
OFFICE:	1 (1:20,000)



**GROUND LEVEL PLAN**  
April 11, 2016

**500 KIRKHAM**  
Oakland, CA  
HPA# 15483

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**Tim Lewis**  
ARCHITECT

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PODIUM LEVEL PLAN

April 11, 2018

500 KIRKHAM  
Oakland, CA  
HPA# 15483

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500 Kirkham Oakland CA

**UNIT SUMMARY**

UNIT	#	NET SF*	deck	GROSS SF	total NRSF	total GRSF	Ave NSF	Mix
<b>Studio</b>								
S1	4	462	64	526				
S2	35	544	-	544				
S2m loft	5	691	-	691				
<b>Subtotal Studio</b>	<b>44</b>						<b>553</b>	<b>10.6%</b>
<b>1-bedroom</b>								
A1	161	721	64	785				
A1m loft	15	870	64	934				
A1-A	24	764	-	764				
A1-Am loft	8	913	-	913				
A2	55	697	83	780				
A3	14	768	-	768				
A3m loft	1	915	-	915				
A4	12	724	64	788				
A4-A	5	698	64	762				
<b>Subtotal 1-bedroom</b>	<b>295</b>						<b>735</b>	<b>70.7%</b>
<b>2-bedroom</b>								
B1	16	1,035	66	1,101				
B1m loft	4	1,184	66	1,250				
B2	20	1,006	67	1,073				
B2-A	5	988	78	1,066				
B3	5	1,033	33	1,066				
B4	5	987	71	1,058				
B5	10	1,030	66	1,096				
B6	9	1,028	67	1,095				
B6-A	4	1,037	60	1,097				
<b>Subtotal 2-bedroom</b>	<b>78</b>						<b>1,028</b>	<b>18.7%</b>
<b>Total</b>	<b>417</b>		<b>22,246</b>		<b>321,450</b>	<b>343,696</b>	<b>771</b>	<b>100%</b>

\*NOTE: sf taken to outside of walls and CL of parti walls

\*\*NOTE: sfs are approx. and subject to change as more detail is known

**Gross SF:**

Level 1:	41,017
Level 2:	16,245
Level 3:	75,729
Level 4:	75,244
Level 5:	78,509
Level 6:	78,509
Level 7:	78,509
Level 7m:	4,884
<b>TOTAL:</b>	<b>448,646</b> gross sf

**Garage SF:**

Garage level 1	62,303
Garage level 2	62,303
<b>TOTAL:</b>	<b>124,606</b> gross sf

**Site Summary:**

Site Area:	120,260 SF	2.76 AC
Park/Bart:	9,637 SF	0.22 AC

Zoning: S-15W

**Parking Required:**

Resident:	du	Ratio	Total
Studios	44	0.5	22
1-bed	295	0.5	148
2-bed	78	0.5	39
<b>Subtotal Residential:</b>			<b>209</b>

0.50 ratio

**Retail:**

City req.:	sf	Ratio	Total
	21,961	0	0

**Office:**

City req.:	sf	Ratio	Total
	6,140	0	0

**Total Stalls Required:** 209 Total

**Open Space Required:** per 17.97.130

	du	ratio	total
Group Usable open space	417	75	31,275 sf
Group Usable open space	417	15	6,255 sf
when private o.s. substituted			

**Long Term Bike Parking Required:**

Resident:	Ratio	Total
Resident	1:4	105
Comm.:	1:12,000	2
Office:	1:10,000	1
<b>Subtotal Residential:</b>		<b>108</b>

**Long Term Bike Parking Provided:**

Ground Level:	108
---------------	-----

**Amenity SF:**

Lobby @ level 1	1,953
Club @ level 3	1,540
Fitness @ level 3	1,540
<b>TOTAL:</b>	<b>5,033</b> sf

Retail: 21,961 sf  
Creative Office: 6,140 sf  
Skydecks: 2 @ 360 sf

**Max residential density** per 17.97.130

	du	ratio	total
Units allowed	534	225	120,260 sf
SF of lot area required / du			
Units provided	417		

**Parking Provided:**

Resident:	Standard	Compact	Total
8'6"x18'		7'6"x15'	
Level 1	65	6	71
Level 2	113	25	138
<b>Total</b>	<b>178</b>	<b>31</b>	<b>209</b>

**Retail:**

	Standard	Compact	Total
	36	19	55

**Office:**

		Total
		0

**Total Stalls Provided:** 264 Total

**Open Space Provided:**

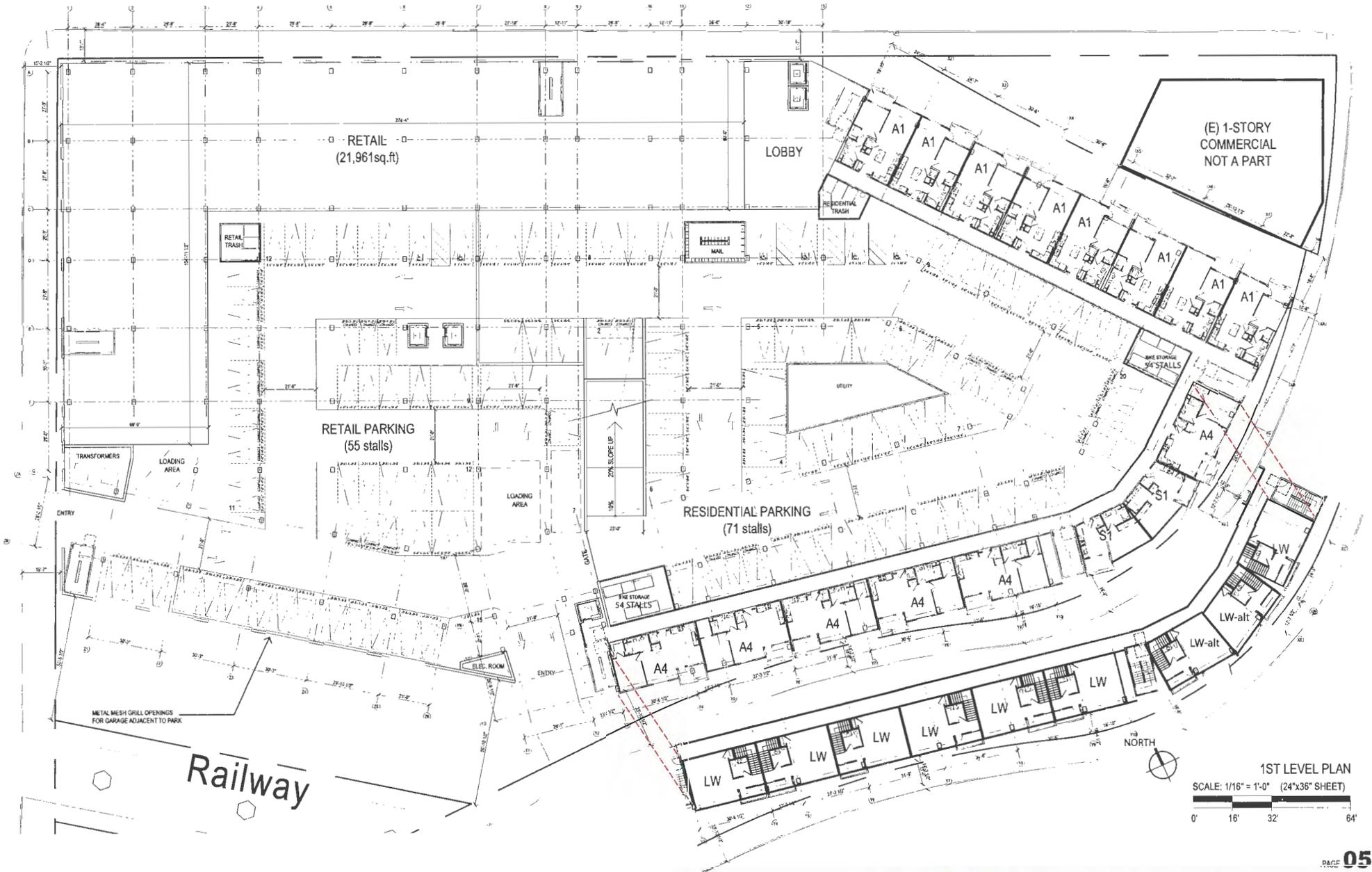
Private open space		22,246 sf
Equivalent Group Usable open space		44,492 sf
Skydecks		720 sf
Courtyard 1		8,174 sf
Courtyard 2		12,819 sf
Courtyard 3		6,149 sf
<b>Total Provided:</b>		<b>72,354</b> sf

**Short Term Bike Parking Required:**

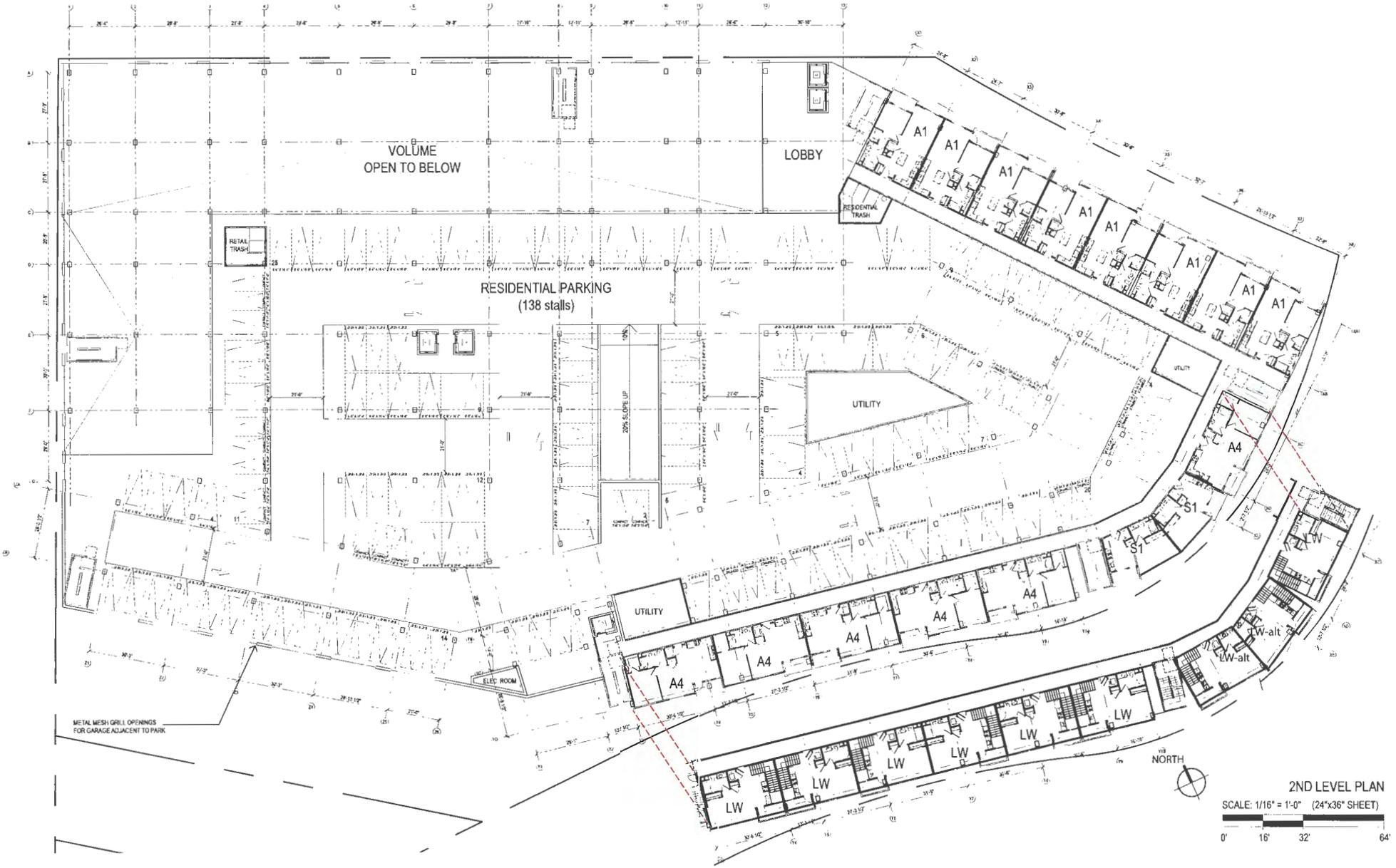
Resident:	Ratio	Total
Resident	1:20	21
Comm.:	1:2,000	11
Office:	1:20,000	1
<b>Subtotal Residential:</b>		<b>33</b>

**Short Term Bike Parking Provided:**

Ground Level:	33
---------------	----



1ST LEVEL PLAN  
 SCALE: 1/16" = 1'-0" (24"x36" SHEET)  
 0' 16' 32' 64'



2ND LEVEL PLAN  
 SCALE: 1/16" = 1'-0" (24"x36" SHEET)  
 0' 16' 32' 64'



3RD LEVEL PLAN  
 SCALE: 1/16" = 1'-0" (24"x36" SHEET)  
 0' 16' 32' 64'



4TH LEVEL PLAN  
 SCALE: 1/16" = 1'-0" (24"x36" SHEET)  
 0' 16' 32' 64'





NORTH

7TH LEVEL PLAN

SCALE: 1/16" = 1'-0" (24"x36" SHEET)

0' 16' 32' 64'

500 KIRKHAM  
Oakland, CA  
HPAR 15483

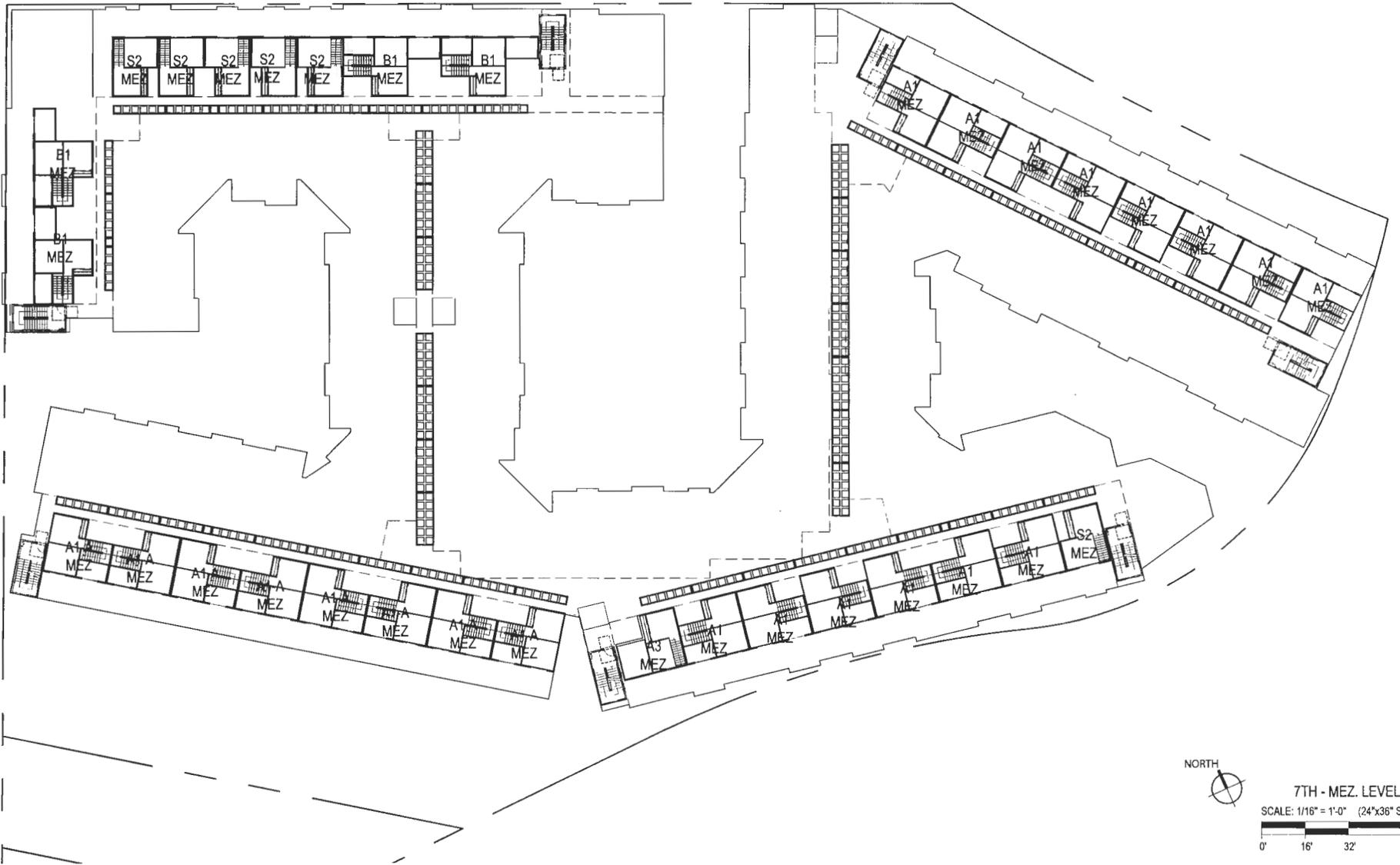
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April 11, 2016



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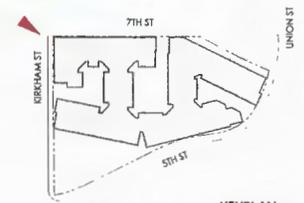
NORTH

7TH - MEZ. LEVEL PLAN  
 SCALE: 1/16" = 1'-0" (24"x36" SHEET)

0' 16' 32' 64'



VIEW TO PRIMARY RETAIL CORNER, 7TH AND KIRKHAM



KEYPLAN



1. VIEW TO LEASING OFFICE (NORTH-EAST) ELEVATION



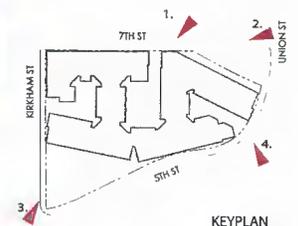
2. VIEW TO 7TH STREET ELEVATION LOOKING WEST



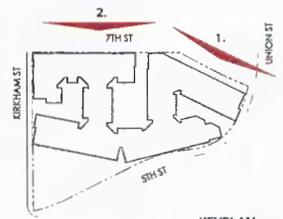
3. VIEW TO BART (SOUTH-WEST) ELEVATION



4. VIEW TO COURTYARD OVERLOOKING UNION STREET



KEYPLAN



SCALE: 1/16" = 1'-0"  
 0' 16' 32' 48'

KEYPLAN

PAGE 13

**500 KIRKHAM**  
 Oakland, CA  
 HPA# 15483

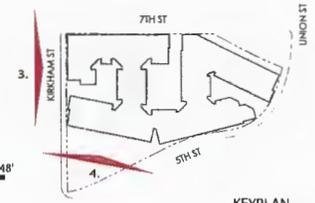
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 5338 Alpha Rd, Suite 300, Dallas, TX 75240  
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**CONCEPT ELEVATIONS**  
 April 11, 2016

*Tim Lewis*  
**CONCEPTS**

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SCALE: 1/16" = 1'-0"

0' 16' 32' 48'

KEYPLAN

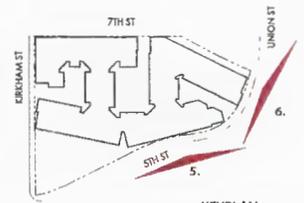


5. 5TH ELEVATION  
(SOUTH)



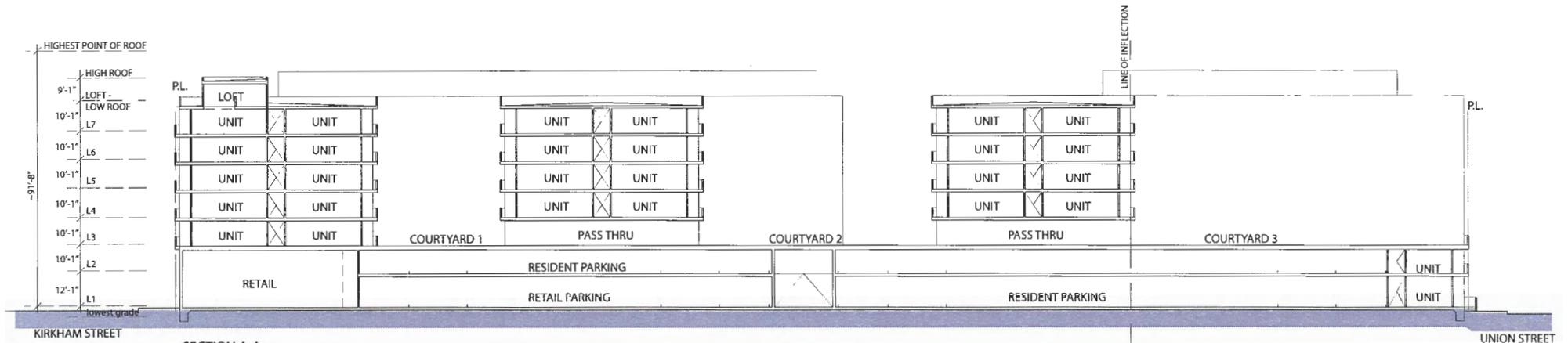
6. UNION ELEVATION  
(SOUTH-EAST)

15' SETBACK      PL.      SIDEWALK

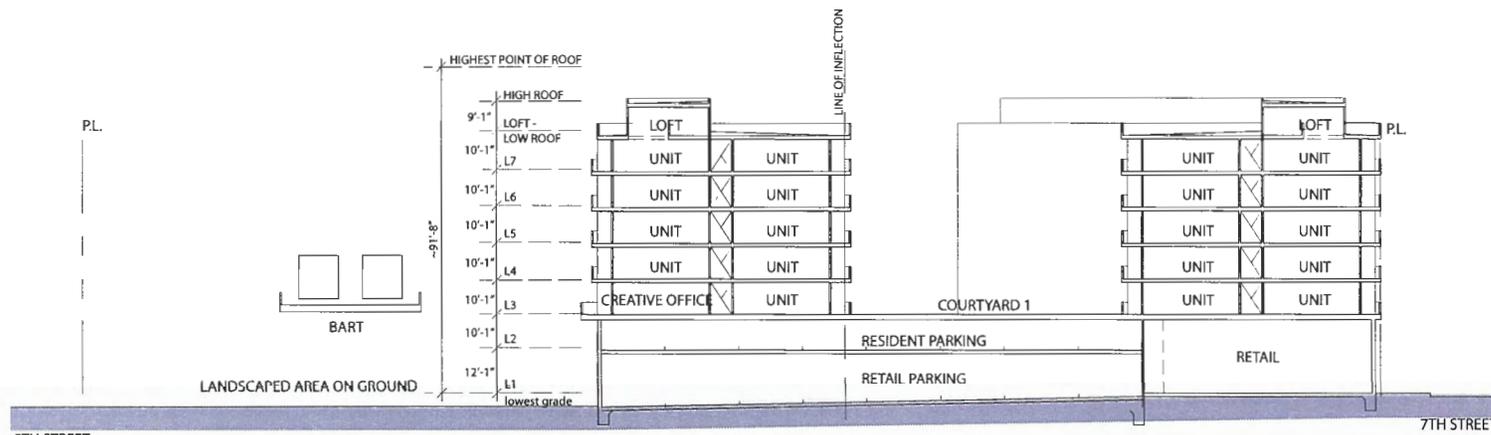


SCALE: 1/16" = 1'-0"  
0' 16' 32' 48'

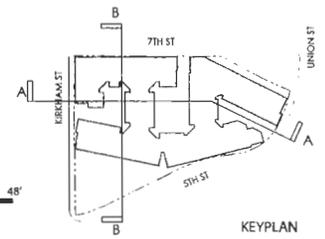
KEYPLAN



SECTION A-A  
(LOOKING NORTH)



SECTION B-B  
(LOOKING WEST)



SCALE: 1" = 16'

0' 16' 32' 48'

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HPA# 15483

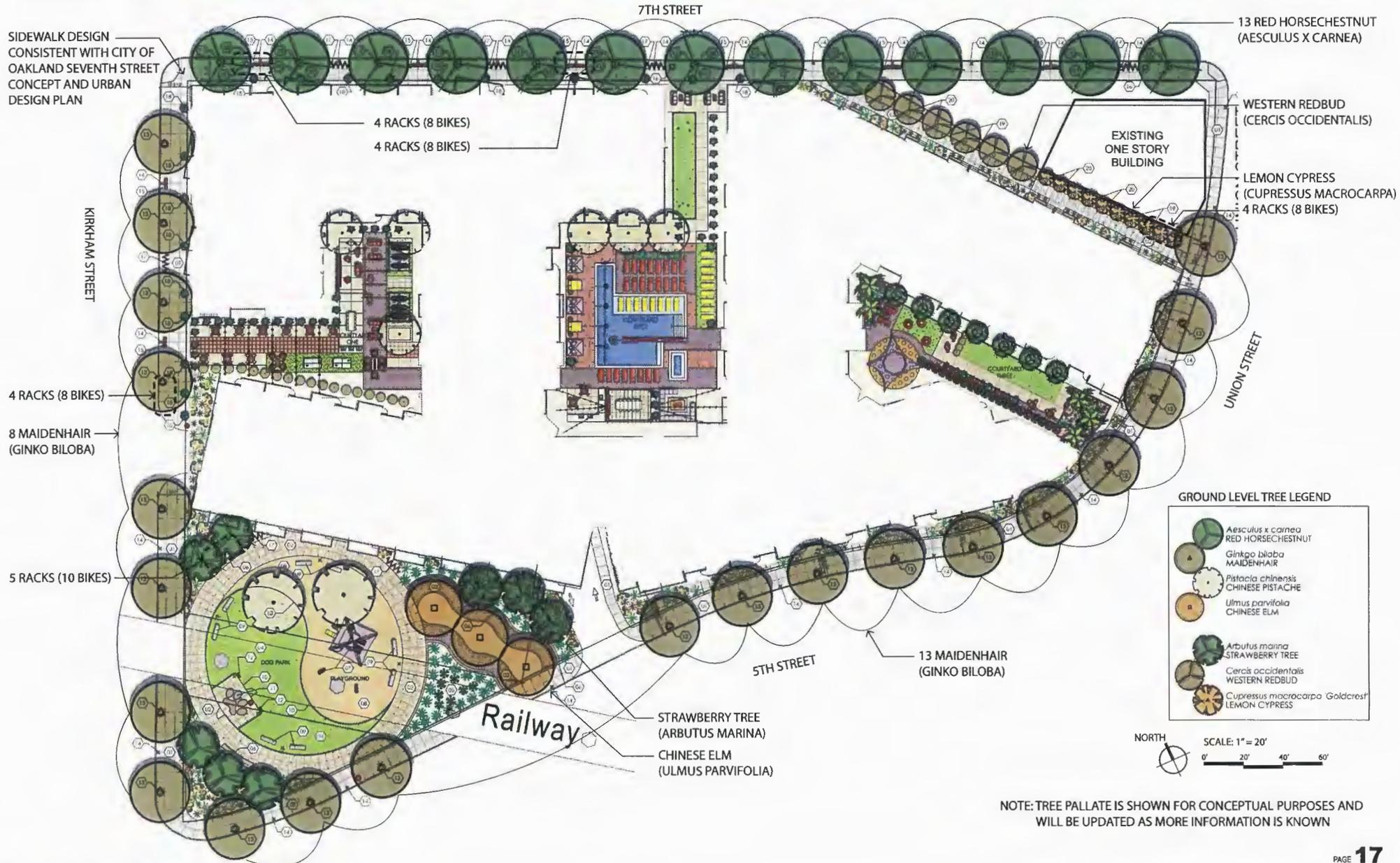
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BUILDING SECTIONS  
April 11, 2018

Tim Lewis  
COMMUNITY

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1. VIEW TO PRIMARY RETAIL CORNER ON KIRKHAM AND 7TH.



2. PEDESTRIAN MEWS IN BETWEEN BUILDINGS (LOOKING FROM 7TH STREET EAST)



3. VIEW TOWARDS BART ON 5TH ST.



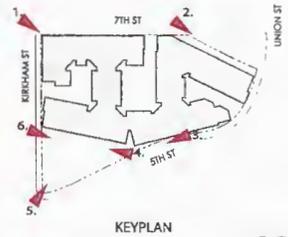
4. VIEW TO DOG PARK PARALLEL TO BART FROM 5TH ST TOWARDS KIRKHAM.



5. VIEW OF DOG PARK, BART, AND BUILDING FROM CORNER OF 5TH AND KIRKHAM.



6. AERIAL PERSPECTIVE OF DOG PARK FROM KIRKHAM TOWARDS 5TH ST.



KEYPLAN



1. EXT. PLASTER SAND FINISH  
 2. HORIZ. CEMENTITIOUS SIDING SMOOTH FINISH JAMES HARDIE  
 3. VERT. METAL SIDING ATAS OR SIM. CLEAR ANODIZED  
 4. HORIZ. METAL SIDING ATAS OR SIM. COPPERTONE  
 5. THIN BRICK VENEER ACME BRICK OR SIM. ONYX  
 6. PERFORATED RAILING BOK MODERN OR SIM. CLEAR ANODIZED  
 7. PAINTED METAL SUNSHADE  
 8. METAL AWNING W/ SIGNAGE  
 9. STOREFRONT, CLEAR ANODIZED  
 10. VINYL WINDOW COLOR: WHITE  
 11. WINDOW WALL  
 12. OMEGA PANEL LAMINATORS OR SIM. BONE WHITE  
 13. PAINTED METAL TUBE STEEL STAIR

A. DUNN EDWARDS DET666 JEFFERSON CREAM  
 B. DUNN EDWARDS DE5410 GOLDEN GLITTER  
 C. DUNN EDWARDS DE5697 JADE MOUNTAIN  
 D. DUNN EDWARDS DE5779 BAYSHORE  
 E. DUNN EDWARDS DE5585 KALE  
 F. DUNN EDWARDS DEW341 SWISS COFFEE  
 G. DUNN EDWARDS DE6367 COVERED IN PLATINUM  
 H. DUNN EDWARDS DE6369 LEGENDARY GRAY  
 J. DUNN EDWARDS DET466 MONARCH MIGRATION

NUMBERS DENOTE MATERIAL  
 LETTERS DENOTE COLOR  
 ALL MATERIALS AS SHOWN OR APPROVED EQUAL





**PLANT PALETTE - 500 KIRKHAM**

**CANOPY TREES**

NAME	SIZE/QUANTITY
Aesculus x cornica RED HORSECHESNUT	4' Cal/Single Trunk Qty: 13
Ginkgo biloba MAIDENHAIR	4' Cal/Single Trunk Qty: 21
Pistacia chinensis CHINESE PISTACHE	2-3' Cal/Single Trunk Qty: 02
Ulmus parvifolia CHINESE ELM	2-3' Cal/Single Trunk Qty: 03

**ORNAMENTAL/UNDERSTORY TREES**

NAME	SIZE/QUANTITY
Artaxilus maxima STRAWBERRY TREE	Multl Trunk Qty: 08
Cercis occidentalis WESTERN REDBUD	2' Cal/Single Trunk Qty: 06
Cupressus nana/caspa Goldcrest LEMON CYPRESS	2' Cal/Single Trunk Qty: 10

**SHRUBS**

NAME	SIZE
Fremulodendron californicum CALIFORNIA FLANNELBUSH	5 Gal.
Nandina domestica HEAVENLY BAMBOO	5 Gal.
Saxifa sp. SALVIA (SPECIES)	5 Gal.
Thunbergia chinensis GERMANDER	5 Gal.
Westringia fruticosa COAST ROSEMARY	5 Gal.
Ceanothus spp. CALIFORNIA LILAC	5 Gal.
Allypurne huepaei BLUE HIBISCUS	5 Gal.
Cornea Dusky Bell	5 Gal.
AUSTRALIAN RICHIEA heteromera subulifolia TOYON	5 Gal.
Lobelia inflata MEXICAN BUSH LOBELIA	5 Gal.
Lupinus chamosarior SILVER DUNE LUPINE	5 Gal.
Rhodomyrtos 'Soleilina' INDIAN HAWTHORN	5 Gal.
Ribes aureum GOLDEN CURRIANT	5 Gal.
Cupressus goweniana ssp. goweniana GOWEN CYPRESS	5 Gal.

**GROUNDCOVERS**

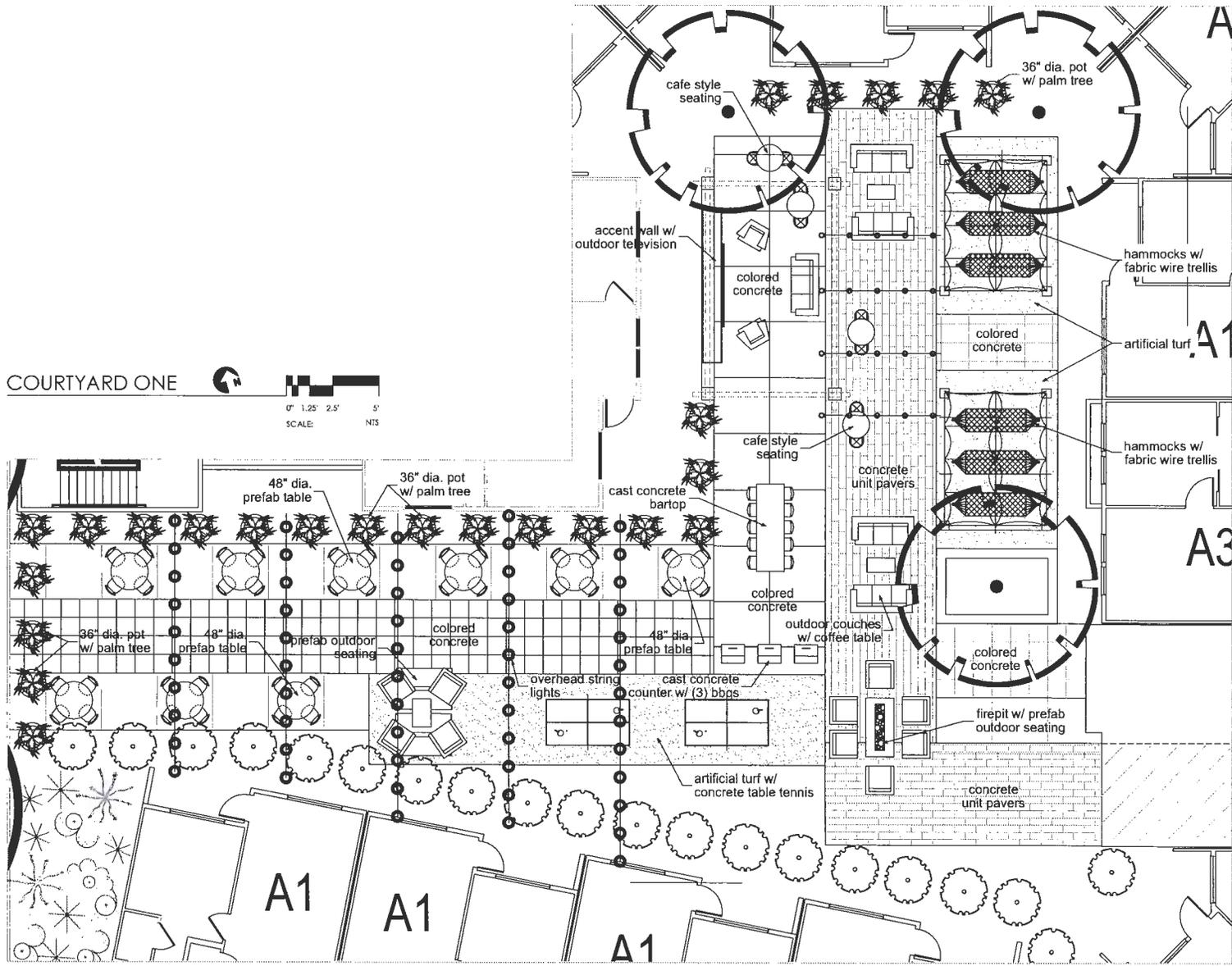
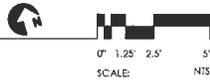
NAME	SIZE
Artemisia 'Power Castle' SILVER SAGE	1 Gal.
Allier chinensis CALIFORNIA ASTER	1 Gal.
Ceanothus glaucus POINT REYES CEANOETHUS	1 Gal.
Delosperma cooperi HARDY ICEPLANT	1 Gal.
Lotus berkeleyi PARROT'S BEAK	1 Gal.
Rosmarinus officinalis Prostratus CREEPING ROSEMARY	1 Gal.
Thymus lanuginosus WOOLY THYME	1 Gal.
Thymus x 'Archer's Gold Lemon' ARCHER'S GOLD LEMON THYME	1 Gal.
Dymondia margaritae SILVER CARPET	1 Gal.

**HARDSCAPE LEGEND - 500 KIRKHAM**

- 01 SCORED CONCRETE SIDEWALK (PER SEVENTH STREET URBAN DESIGN PLAN) -12" MIN. WIDTH ON 7TH STREET -10" MIN. WIDTH ON KIRKHAM, UNION, & 5TH STREETS
- 02 SCORED COLORED CONCRETE (3 x 3' SQUARES)
- 03 CONTEMPORARY CONCRETE UNIT PAVERS
- 04 HYBRID BERMUUDA GRASS (TIFWAY 419) BY: 500 LAWN
- 05 CAST CONCRETE RAISED PLANTER W/ ORNAMENTAL GRASSES
- 06 CAST CONCRETE SEAT WALL
- 07 CHILDREN'S PLAY EQUIPMENT
- 08 RUBBER MULCH PLAYGROUND SURFACE
- 09 PREFABRICATED GALVANIZED STEEL BENCH
- 10 GALVANIZED VERTICAL POLE FENCING (4" DIA. x 42' HEIGHT) REFER TO ELEVATION A
- 11 DOG PAW SAND BLASTED INTO COLORED CONCRETE AT DOG PARK ENTRANCE
- 12 MUIT MIT DISPENSER W/ TRASH RECEPTACLE
- 13 50" ROUND PARKWAY COLLECTION TREE GRATE (BY NFCO.COM) PRODUCT #: R-8847, W/ BOLT DOWN OPTION
- 14 AUGUSTA PEDESTRIAN LIGHT (PER SEVENTH STREET URBAN DESIGN PLAN)
- 15 DOG BENCH (BY QUICKCRETE.COM) NOTE: SECURE TO SIDEWALK PER MANUFACTURERS SPECIFICATIONS
- 16 TRASH RECEPTACLE (PER SEVENTH STREET URBAN DESIGN PLAN)
- 17 HOOP BICYCLE RACK (PER SEVENTH STREET URBAN DESIGN PLAN)
- 18 CONTEMPORARY PRECAST CONCRETE POT W/ SPECIMEN PLANTING
- 19 BOLLARD LIGHTING (MOUNTED TO IN-GROUND CONCRETE FOOTING)
- 20 UPLIGHTING ON TREES ALONG PASEO



COURTYARD ONE



COURTYARD TWO



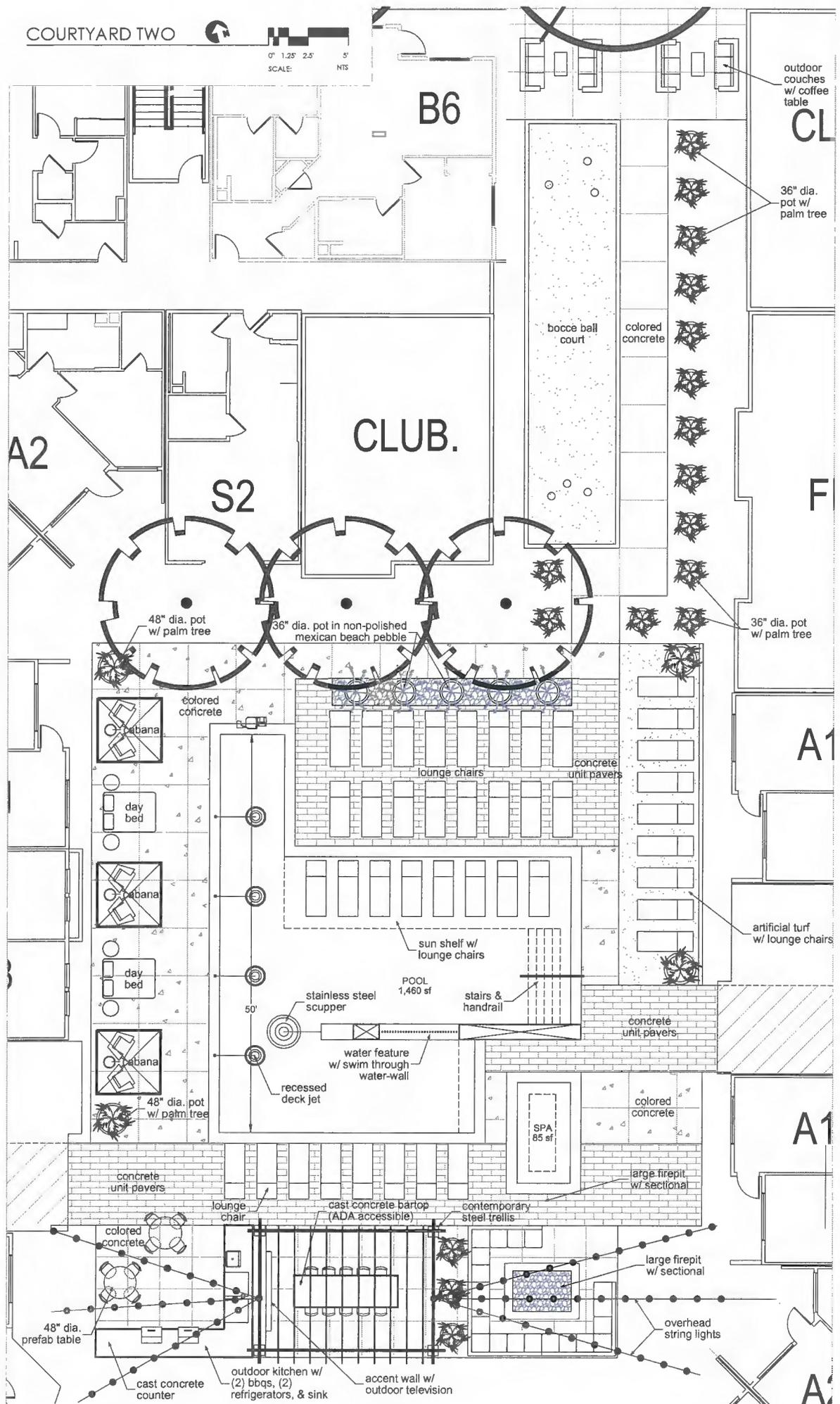
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HP#115483

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COURTYARD TWO LANDSCAPE PLAN - LEVEL 3  
April 7, 2016

TIM LEWIS  
COMMUNITIES

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outdoor couches w/ coffee table

CL

36" dia. pot w/ palm tree

bocce ball court

colored concrete

CLUB.

A2

S2

F

48" dia. pot w/ palm tree

36" dia. pot in non-polished mexican beach pebble

36" dia. pot w/ palm tree

colored concrete

cabana

day bed

cabana

day bed

cabana

48" dia. pot w/ palm tree

lounge chairs

concrete unit pavers

A1

artificial turf w/ lounge chairs

sun shelf w/ lounge chairs

POOL 1,460 sf

stairs & handrail

stainless steel scupper

water feature w/ swim through water-wall

recessed deck jet

concrete unit pavers

SPA 85 sf

colored concrete

large firepit w/ sectional

A1

lounge chair

cast concrete bartop (ADA accessible)

contemporary steel trellis

large firepit w/ sectional

overhead string lights

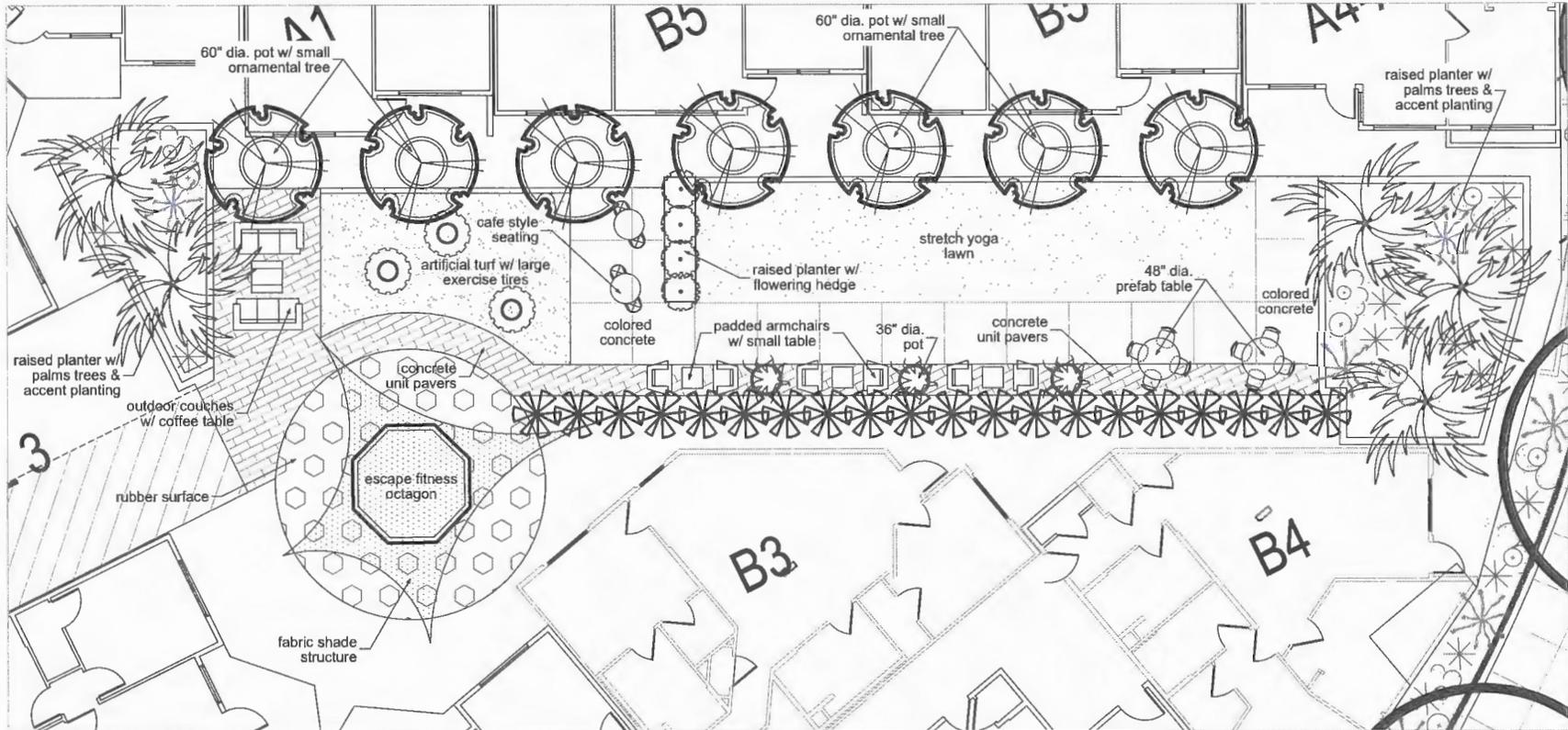
48" dia. prefab table

cast concrete counter

outdoor kitchen w/ (2) bbqs, (2) refrigerators, & sink

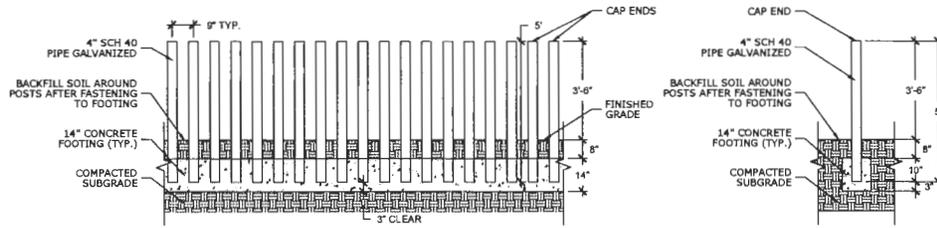
accent wall w/ outdoor television

A2



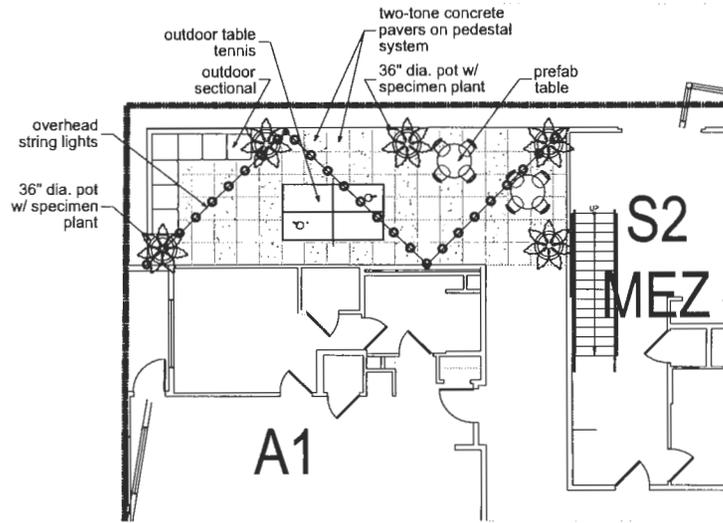
COURTYARD THREE





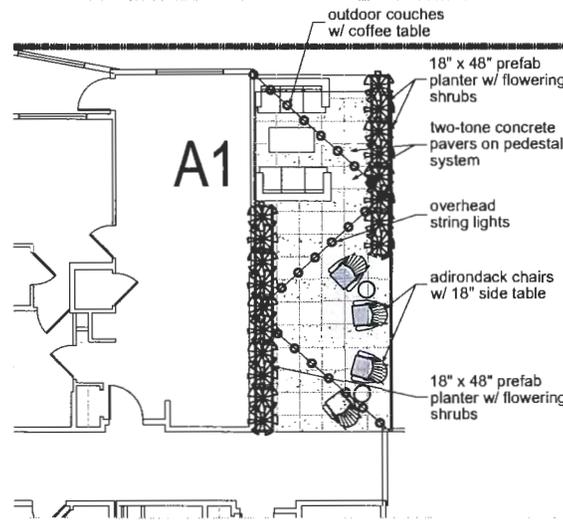
**ELEVATION A - VERTICAL POLE FENCING AT DOG PARK (GROUND LEVEL)** SCALE: 1/8" = 1'-0"

NOTE: DETAIL DOES NOT CORRESPOND TO ANY PLANS ON THIS SHEET; IT IS LOCATED HERE FOR CLARITY PURPOSES ONLY. REFER TO LANDSCAPE SHEET L1 FOR LOCATION AND LAYOUT OF FENCING ON PLANS.



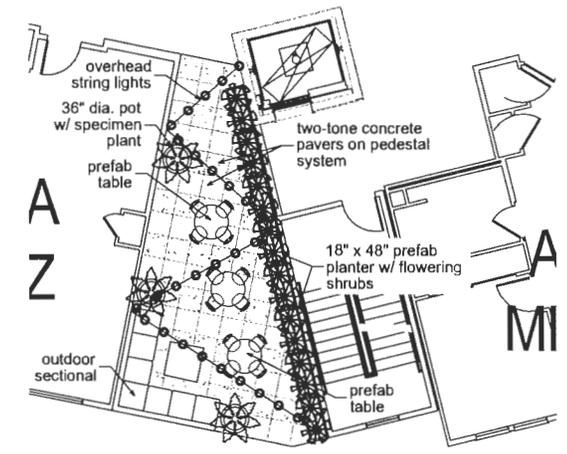
**SKY DECK ONE  
LEVEL SEVEN**

SCALE: NTS



**SKY DECK TWO  
LEVEL SEVEN**

SCALE: NTS



**SKY DECK THREE  
LEVEL SEVEN**

SCALE: NTS



**courtyard 1-(SEATING)**



**courtyard 2-(BARBECUE AREA)**



**courtyard 2-(WATER FEATURE)**



**park-(DOG PARK)**



**courtyard 1-(ACCENT PAVING)**



**courtyard 2-(FIRE PIT)**



**courtyard 2-(FABRIC RAMADAS)**



**park-(PLAYGROUND)**



**courtyard 1-(PLANTING POTS)**



**courtyard 2-(BOCCIE COURT)**



**courtyard 3-(ARTIFICIAL TURF)**



**paseo-(ACCENT PAVING)**



**courtyard 1-(ACCENT PAVING)**



**courtyard 2-(SHADE STRUCTURE)**



**courtyard 3-(OUTDOOR FITNESS)**



**streetscape-( 'DOT' SEAT CUBE)**

**500 KIRKHAM**  
Oakland, CA  
HPAR 15483



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**CHARACTER IMAGE BOARD**  
April 7, 2018

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