

<b>Location:</b>	<b>3308 Grand Avenue</b>
<b>Assessor's Parcel Number:</b>	<b>011 083603100</b>
<b>Proposal:</b>	An appeal of the Zoning Manager's Approval of an application to construct a two-story rear addition and reconstruct existing rear building area for a total 1,582 square feet (net 575 square feet of added building floor area) to an existing two-story Full Service Restaurant, Boot and Shoe Company
<b>Appellants:</b>	Carl Telson and Sz Jou
<b>Phone Number:</b>	(415) 271-5004 (Appellants)
<b>Owner:</b>	Richard Weinstein
<b>Case File Number:</b>	<b>PLN15-058-A01</b>
<b>Planning Permits Required:</b>	Regular Design Review
<b>General Plan:</b>	Neighborhood Center Mixed Use
<b>Zoning:</b>	CN-2 Neighborhood Commercial
<b>Environmental Determination:</b>	<u>Staff Environmental Approval PLN15-058, October 23, 2015</u> Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation) Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning
<b>Historic Status:</b>	Potential Designated Historic Property; Dc2+Rating
<b>Service Delivery District:</b>	3
<b>City Council District:</b>	2
<b>Date Filed:</b>	November 2, 2015
<b>Action to be Taken:</b>	Deny the appeal and uphold the Zoning Manager's decision
<b>Finality of Decision:</b>	Final (Not Appealable pursuant to OMC Sec. 17.132.030)
<b>For Further Information:</b>	Contact case planner <b>David Valeska, Planner II</b> at <b>(510) 238-2075</b> or <a href="mailto:dvaleska@oaklandnet.com">dvaleska@oaklandnet.com</a>

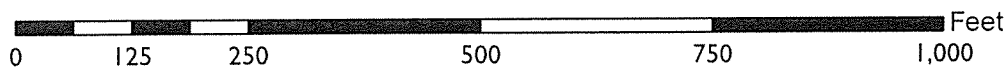
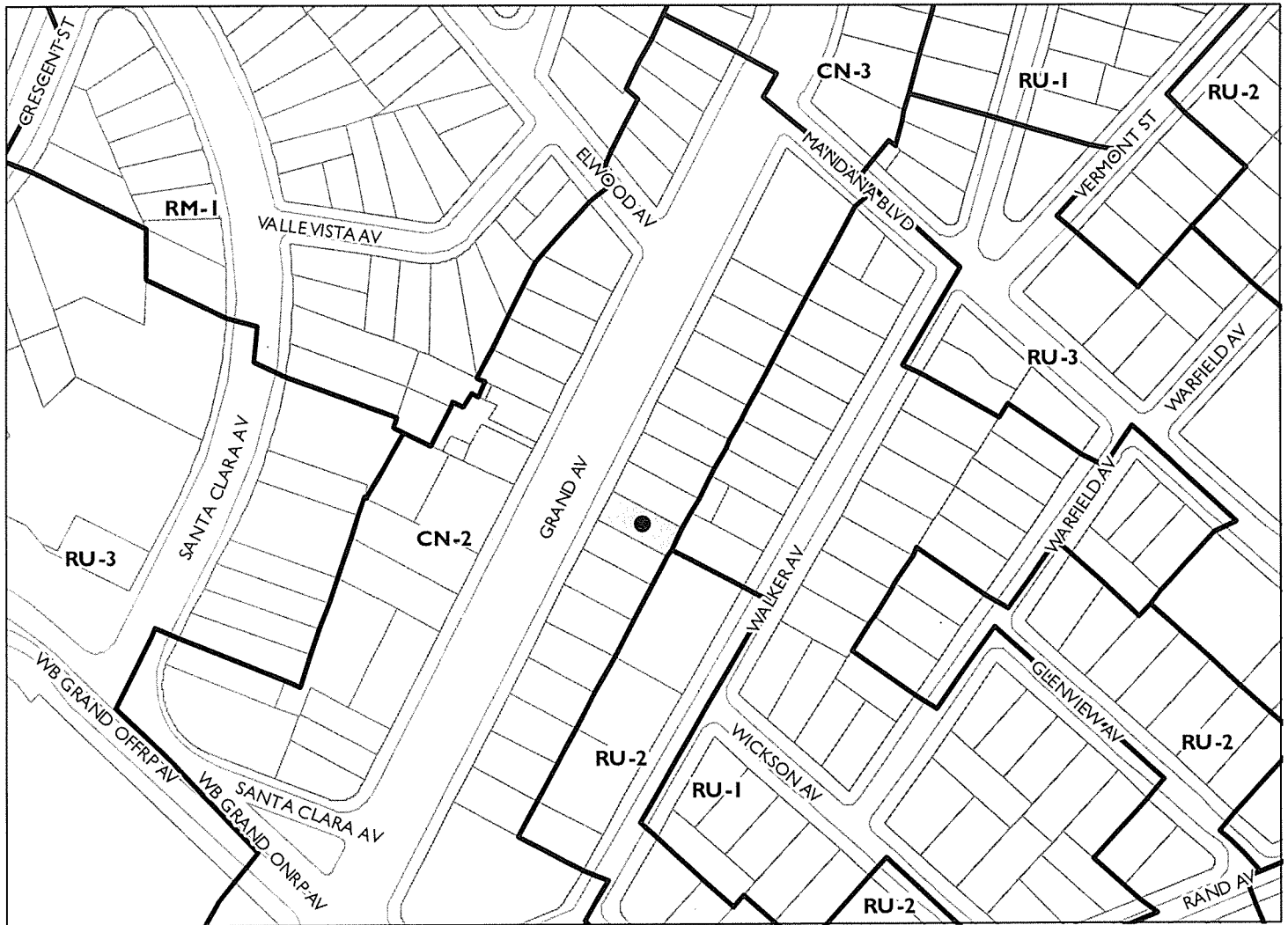
**SUMMARY**

The Appellants at 741 Walker Avenue request that the Planning Commission overturn the Zoning Manager's October 23, 2015 Administrative decision that approved a two-story expansion to the rear of an existing Full Service Restaurant. The Appellants own a residence directly behind the rear of the Boot and Shoe Company restaurant. Their rear patio is within 20 feet of the restaurant rear outdoor dining patio.

Regular Design Review is required for the addition and the restaurant expansion request was approved (subject to conditions) because the Zoning Manager found that the project met the required findings for Regular Design Review and that potential and existing effects on nearby single-family residential neighbors, including the Appellants, could be managed with design considerations and appropriate conditions of the approval. The approval included a condition requiring an enhanced sound wall at the rear property line as well as time limits on the use of the patio. Attachment A is the approval letter including Findings and Conditions of Approval.

The Appellants assert that the noise from the expanded restaurant would exceed allowed standards and unreasonably interfere with the quiet enjoyment of their home and yard.

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN15058-A01

Appellants: Carl Telson and Sz Jou

Address: 3308 Grand Avenue

Zone: CN-2

The appeal fails to correctly cite any error or abuse of discretion by the Zoning Manager, or where the decision is not supported by appropriate evidence in the record, and therefore, staff recommends that the Planning Commission deny the Appeal and uphold the Zoning Manager's decision.

## **BACKGROUND**

Boot and Shoe Company asked for Regular Design Review approval of a two-story rear addition to the kitchen and dining area, and expanded use of their rear outdoor patio. On October 23, 2015, after months of contact between the Appellants, staff and the applicant, the Zoning Manager approved the restaurant expansion. Staff and Appellants exchanged e-mails and also met on several occasions, including but not limited to April 1, April 9, June 18, July 3, August 11, and August 20, 2015. In response, staff asked the applicant to modify the project to enhance protections for the Appellants and to provide outside noise studies by a qualified consultant of the restaurant before and after the addition. The building and soundwall were redesigned twice. Appellants provided a CD ROM with multiple sound tests. After this period, the Zoning Manager concluded that the Appellants had been protected as much as would be practicable and customary for a residence which backs up to a lawful commercial property. The neighbors appealed the approval to the Planning Commission on November 2, 2015.

## **PROPERTY DESCRIPTION AND NEARBY LAND USES**

The project site is a 3,928 square-foot rectangular lot in the Grand Avenue neighborhood commercial district. The building has one tenant, a restaurant, Boot and Shoe Company with 3,490 square feet of area on two floors combined. The requested expansion was 1,582-square feet. Neighboring properties to the rear are all zoned residentially, with single family homes on lots slightly elevated above the grade of the restaurant site.

## **ENVIRONMENTAL DETERMINATION**

The California Environmental Quality Act (CEQA) Guidelines statutorily and categorically exempts specific types of projects from environmental review. Sections 15301 (exempting minor changes to existing buildings) and 15183 (exempting projects compatible with adopted plans) relates to such activities such as the applicant's request.

## **APPELLANTS' COMMENTS:**

The neighbors filed their appeal on November 2, 2015 (Attachment B). This action is treated as an administrative appeal of a determination made by the Zoning Manager, pursuant to the Planning Code's Administrative Appeal Procedures section (OMC Sec. 17.132). The Planning Code indicates that for an appeal of an administrative decision on a Regular Design Review:

"The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Director or wherein his or her decision is not supported by the evidence in the record." OMC 17.132.020.

"In considering the appeal, the Commission ... shall determine whether the proposal conforms to the applicable design review criteria, and may approve or disapprove the proposal or require such changes therein or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria." OMC 17.136.080.

The Appellants' reason for appeal is that the facility and activity will exceed reasonable noise effects on their neighboring residential property, including their enjoyment of the open rear yard near the restaurant patio. The Appellants request the following modifications to the Conditions of Approval:

	COA attached to October 23, 2015 Approval	Modified COA requested by Appellants
COA 32, Construction Days/Hours	Standard condition limits construction to 7 am to 7 pm Monday through Friday, 9 am to 5 pm on Saturday, no construction on Sundays or Federal Holidays.	Appellants request that construction activities be limited between 8am and 5pm, Monday to Friday, with no construction on Saturdays.
COA 43, Sound Attenuation Wall and Materials	Condition requires wall 10 feet tall at property line (11 feet above patio grade), with sound insulating materials as shown on latest applicant plans; and sound attenuation covers to exterior kitchen windows in rear	Appellants seeks an enhancement to request either a 20 foot tall wall between the properties, at applicant's expense, instead of 10 foot wall proposed; or elimination of the patio dining; remove east side windows or make stationary windows; and replace with stationary skylights in restaurant addition
COA 44, Music and Group Assembly	Condition allows music (with modest or no amplification) only inside enclosed spaces of the restaurant, and for only 25% of that space except by subsequent Conditional Use Permit for Group Assembly, with notice to neighbors.	Appellants request no live music be allowed, and recorded music be limited to the enclosed areas only, with the windows and patio doors closed.
COA 45, Trash Areas	Condition requires trash areas to have 8 foot sound wall to intercept noise and a noise intercepting awning at 10 feet or lower, with no trash emptying between hours of 8 pm and 8 am.	Appellants request that Boot and Shoe find a quiet way to dispose of bottles.
COA 46, Outdoor Patio Limitation of Hours	Condition limits outdoor patio dining/use to hours before 11 pm, 7 nights a week.	Appellants request elimination of patio; or closure of patio by 9pm instead of the planned 11 pm closure
New Proposed COA	Oakland Planning Code contains regulations to limit smoke, using a standard for opacity.	Require smoke/soot arrester to exhaust from wood burning pizza oven.

## **STAFF'S RESPONSE TO APPEAL**

The Planning Code's Administrative Procedures generally describes the procedure for appeal of a Determination of the Zoning Manager: "the appeal must cite *error or abuse of discretion* by the Zoning Manager, or where their decision is not supported by the evidence in the record." The Planning Commission considers the appeal in light of the intent of the applicable Zoning Ordinance, and the decision is final (non-appealable).



The Zoning Manager properly determined that all Regular Design Review criteria were satisfied, as documented in the Findings for Approval, and imposed reasonable conditions of approval. The Appellants have not demonstrated error or abuse of discretion by the Zoning Manager in approving the project. The following are staff's responses to the applicant's bases for appeal:

Condition 32, Construction: (See above for Appellants request). Staff does not recommend that construction hours be limited to weekdays. Saturday construction is frequently allowed and comprises a standard condition of approval. The sooner the work is completed, the sooner neighbors will be free of construction noise.

Condition 43, Sound Attenuation: (See above for Appellants request). Staff and the applicant considered the 20 foot tall wall and found it impractical and unaesthetic. The appellants want a wall that will screen sounds at their rear patio, which due to neighborhood topography is higher than the grade of the restaurant patio. A sound engineer hired by the appellants found that a 10 foot tall sound wall would accomplish much the same benefit, due to the angle and distance that sound would travel between the two patios.

Consultant noise studies, required by staff, demonstrated that noise from the restaurant, toward the Appellant's yard and home, would be controlled to a reasonable extent, pursuant to City noise standards. A copy of the noise study is attached (Attachment D). On July 3, 2015 the average noise level in the patio was 66 decibels/LDN and on August 14, 2015, the average was 63.6 decibels/LDN. The Noise Study concludes that indoor noise on a neighboring property, approximately 20 to 30 feet from the patio, should be below the City standard of 45 decibels/LDN once the 10 foot tall sound wall shown on the current project plan replaces the existing 7 foot rear wall near the Appellants. City noise standards do not limit reasonable noise received in back yards. Appellants produced no competing noise studies. Appellants want an enclosure of the patio.

Condition 44, Music and Group Assembly: (See above for Appellants request). Staff believes that condition 43 and other conditions sufficiently control the noise to be emitted by live or recorded music, and Appellants' requests for a prohibition on all live music and limitations on recorded music are neither reasonable nor necessary.

Condition 45, Trash Areas: (See above for Appellants request). Staff finds that the planned 10 foot tall wall plus awnings, and the limitation on hours of trash emptying to exclude 8 pm to 8 am, are sufficient protection for a residence backing up to a commercially zoned restaurant, and additional limits are not needed.

Condition 46, Outdoor Patio Limitation: (See above for Appellants request). Staff finds that typical restaurant patios in the area often stay open until 11 pm (or later). Limiting the applicant patio use to 9 pm would put the restaurant at a competitive disadvantage, without increasing the benefit of the planned 10 foot sound wall.

Appellants propose a new condition of approval related to applicant's use of a wood burning pizza oven (see above chart). The City has adopted standards for smoke emission which apply to properties. As a routine part of building permit application, the applicant is likely to file for smoke arresters that meet building and fire codes. Installing a pizza oven in a restaurant like the applicant's café is not unusual or burdensome and is essential to this restaurant's business.

The appellants have not challenged the applicants' right to expand a successful restaurant, rather their concern is how it effects their use of their own property. The Zoning Manager properly found that all Regular Design Review criteria were satisfied and imposed reasonable Conditions of Approval.

Therefore, the determination by the Zoning Manager was appropriate and staff believes the appeal should be rejected. There was no error or abuse of discretion. The Appellants are protected to the degree practicable and typical for the situation.

**RECOMMENDATIONS:**

1. Affirm the environmental determination;
2. Deny the Appeal, and uphold the Zoning Manager's decision to approve the application for Regular Design Review subject to conditions of approval.


Prepared by:

  
DAVID VALESKA  
Planner II

Reviewed by:

  
SCOTT MILLER  
Zoning Manager

Reviewed by:

  
DARIN RANELLETTI, Deputy Director  
Bureau of Planning

Approved for forwarding to the  
City Planning Commission:

  
RACHEL FLYNN, Director  
Department of Planning and Building

**ATTACHMENTS:**

- A. Zoning Manager's Approval letter dated October 23, 2015  
Including Findings and Conditions of Approval
- B. Appeal letter dated November 2, 2015 with Exhibits
- C. Appellant & Applicant Correspondence
- D. Plans, Photographs, Noise Study



CITY OF OAKLAND  
APPEAL FORM  
FOR DECISION TO PLANNING COMMISSION, CITY  
COUNCIL OR HEARING OFFICER

PROJECT INFORMATION

Case No. of Appealed Project: PLN 15058  
Project Address of Appealed Project: 3308 GRAND AVE  
Assigned Case Planner City Staff: DAVID VALESKA

APPELLANT INFORMATION:

Printed Name: CARL TELSON / SE JCH Phone Number: (415) 271-5004 (415) 609-5744  
Mailing Address: 741 WALKER AVE Alternate Contact Number: \_\_\_\_\_  
City/Zip Code OAKLAND CA 94610 Representing: SELVES  
Email: CARLTELSON@GMAIL.COM  
STC12@YAHOO.COM

An appeal is hereby submitted on:

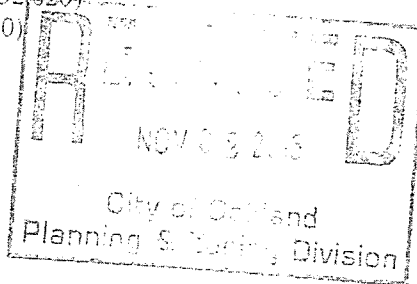
☐ AN ADMINISTRATIVE DECISION (APPEALABLE TO THE CITY PLANNING  
COMMISSION OR HEARING OFFICER)

YOU MUST INDICATE ALL THAT APPLY:

- ☒ Approving an application on an Administrative Decision  
☐ Denying an application for an Administrative Decision  
☐ Administrative Determination or Interpretation by the Zoning Administrator  
☐ Other (please specify) \_\_\_\_\_

Please identify the specific Administrative Decision/Determination Upon Which Your Appeal is  
Based Pursuant to the Oakland Municipal and Planning Codes listed below:

- ☐ Administrative Determination or Interpretation (OPC Sec. 17.132.020)  
☐ Determination of General Plan Conformity (OPC Sec. 17.01.080)  
☒ Design Review (OPC Sec. 17.136.080)  
☐ Small Project Design Review (OPC Sec. 17.136.130)  
☐ Minor Conditional Use Permit (OPC Sec. 17.134.060)  
☐ Minor Variance (OPC Sec. 17.148.060)  
☐ Tentative Parcel Map (OMC Section 16.304.100)  
☐ Certain Environmental Determinations (OPC Sec. 17.158.220)  
☐ Creek Protection Permit (OMC Sec. 13.16.450)  
☐ Creek Determination (OMC Sec. 13.16.460)  
☐ City Planner's determination regarding a revocation hearing (OPC Sec. 17.152.080)  
☐ Hearing Officer's revocation/impose or amend conditions  
(OPC Secs. 17.152.150 & or 17.156.160)  
☐ Other (please specify) \_\_\_\_\_



(continued on reverse)

## ISSUES TO BE APPEALED

### Attachment B: CONDITIONS OF APPROVAL

#### Paragraph 32: Construction Days-/Hours

Construction activities should be limited between 8 am and 5 pm, Monday to Friday. We ask that the Committee prohibit work on Saturday which is a rest day for us and our neighbors.

#### Paragraph 43: Sound Attenuation Wall and Materials

Boot and Shoe proposed a 10 ft. wall. We live on all 3 floors of the house. Noise travels upward. The noise from the restaurant's patio can be clearly heard from our top floor bedrooms. After careful consideration, we believe that the approved plans have to include a completely enclosed structure by eliminating the patio. Please refer to the DVD containing the recorded noise produced by the business. It is just a sample of the infringement of our peace and quiet.

All restaurants and bars on Grand Ave have entirely enclosed structures without back patio, precisely to prevent the noise produced by their patrons from disturbing their neighbors.

The North side windows and the East side windows on the 2<sup>nd</sup> floor of the addition have to be stationary.

#### Paragraph 44: Music and Group Assembly

The live music occupies less than 25% of the public floor area of the business, yet produces an excessive level of noise. We ask that the Committee insist on a "NO LIVE MUSIC" order. The recorded music will be limited to the enclosed areas only, with the windows and patio doors closed.

#### Paragraph 45: Trash Areas

Boot and Shoe does not use Waste Management for bottle recycling. A private truck collects their recyclable every other day, including Sundays, between 8 am and 12 noon. The noise produced by the loading of hundreds of empty bottles into that truck is simply INTOLERABLE. Boot and Shoe has to find a quiet way to dispose of their bottles.

Paragraph 46: Outdoor Patio Limitation of Hours

The patio has to be eliminated.

Another important point that has been ignored is the smoke produced by their wood burning oven. It pollutes the air and triggers the residents' asthma. The business needs to have a device that can process the smoke and remove the soot generated by their wood burning pizza oven.

To:

The Appeal Committee and Mr. David Valeska  
City of Oakland Bureau of Planning/Zoning Division  
250 Frank H. Ogawa Plaza  
Oakland, CA 94612

Re: Case File PLN 15058

We are appealing the decision of the Planning Department because it has not resolve the core issue : the NOISE produced by the restaurant dba Boot and Shoe Service.

We are submitting our request and suggestions with the hope that the Committee will render a decision that will preserve our right to peaceful enjoyment of our property.

We need that those points be resolved to our satisfaction once and for all, in order to prevent revisiting those issues in the future.

Please find enclosed in this packet:

The list of all the points to be challenged

1 DVD containing the recording of the noise produced by the business and a table of content

1 USB containing the same material as the DVD

A Nuisance notice from the Nuisance Abatement Division of the City of Oakland

A copy of a letter from our next door neighbors

Copy of our letter to Mr. Valeska on 4-6-15

5 pictures that illustrate the insufficiency of a 10 Ft. sound attenuation wall.

Carl Telson and Sz Jou

741 Walker Ave

Jan Nussbaum & Richard McKillop  
743A Walker Ave., Oakland Ca 94610  
Jnussbaum903@gmail.com

October 31, 2015

Re: Case File No: PLN15058, 3308 Grand Ave., Boot and Shoe Restaurant

Dear Mr. Valeska,

We live on Walker Ave near Boot and Shoe. We are concerned about the noise that will be generated by the construction of a second story to the restaurant, not to mention the light and view that will be lost and the increase in restaurant noise from such a premises.

Currently, we sometimes hear noise and experience a lot of pizza oven smoke, but a second story addition will exacerbate this considerably. We don't live directly behind the restaurant but two store fronts away and already experience these noise and nuisance issues.

In addition, the increase in traffic, car alarms going off and rowdy people walking around has increased considerably since we moved into our residence almost a year ago.

We would appreciate you taking all of these concerns into consideration in you decision with the expansion plans for this restaurant 3308 Grand Ave.

Thank you so very much.

Sincerely,

Jan Nussbaum and Rick McKillop

David Valeska (Planning and Zoning Division). His email address is [isdvaleska@oaklandnet.com](mailto:isdvaleska@oaklandnet.com)  
Please cc the letter to [sjou2@yahoo.com](mailto:sjou2@yahoo.com) and [carltelson@gmail.com](mailto:carltelson@gmail.com)

April 6, 2015

To: David Valeska  
City of Oakland Bureau of Planning/Zoning Division  
250 Frank H. Ogawa Plaza, 2<sup>nd</sup> Floor  
Oakland, CA 94612

Re: Case File PLN 15058

Dear Mr. Valeska,

- 1) Our house at 741 Walker Ave is directly behind 3308 Grand Ave, dba Boot and Shoe Service Restaurant. The live music and loud patrons have become a constant disruption of our peace and quiet .
- 2) We sent letters and emails regarding this matter to the operator(s) and owner(s) and landlords of the Boot and Shoe Service Restaurant located at 3308 Grand Ave, Oakland CA . The triple pane windows in our sitting room are not able to block the noise coming from Boot and Shoe.
- 3) On September 11, 2014, The City of Oakland issued a nuisance warning against Lo-Fi LLC, for the nuisance activity at 3308 Grand Ave, dba Boot and Shoe Service (see attached notice). The noise initially got slightly better but has since **got a lot worse** , primarily the never ending crowd noise at the rear patio, and the live music with brass/percussion, or singers with piano constantly diminishing our quality of life.
- 4) We are urging the zoning and planning committee of the City of Oakland to **impose modification to the proposed plan** of the Boot and Shoe Service addition, for the following reasons:

i) **Noise Nuisance:**

- a) The Boot and Shoe service restaurant has made no real effort to contain the noise produced by its customers and live music. **We respectfully request the planning committee to ask Boot and Shoe service restaurant to completely sound proof their existing establishment , so the live music and the loud, rowdy crowd will NOT be heard at all by 741 Walker Ave residents,** as both sources of noise are present after 10:00pm sometimes even lingering into midnight. For this, we also request the planning committee to **eliminate outdoor sitting** as shown in the drawings. This is to prevent the live music and the noise generated by the patrons to reach our property.



- b) The proposed second level addition includes windows that are facing directly the back of our house and deck. This addition will allow the business to accommodate more patrons; mostly during the live band performances, therefore increasing the noise volume. We are asking that those windows be eliminated in exchange for stationary skylights(manufactured not to be opened), to prevent the noise produced by patrons and music from disturbing the neighbors' peace and quiet.

Focusing on the goal of controlling the noise, the outdoor sitting area should be eliminated from the proposed plans. If the Boot and Shoe owners want to have an outdoor sitting area, they can use the Grand Ave sidewalk and apply for a Parklet license, of which a lot of cafés and restaurants in the City of Oakland have been taking advantage to the complete satisfaction of their patrons.

**The Grand Ave restaurants and bars have completely enclosed rear structures (no windows, no rear patio) to prevent noise from disturbing the nearby residents.**

ii) Privacy and light:

- a) The proposed two story addition would loom over our house and rear deck and the proposed windows of the addition would look directly into our sitting room. This severely will infringe on our right to privacy.
- b) The two story addition would also obstruct sunlight in the afternoon, especially in the summer time. When the sunlight is blocked, our deck and sitting room becomes much less enjoyable. This would greatly diminish the length of time that we can spend on our deck and in our sitting room during the day.

5) We have come to the conclusion that the following proposal might work for us as far as Boot and Shoe Service addition is concerned:

- a) To completely sound proof the existing structure and the proposed new addition.
- b) To have a completely enclosed building that includes the existing structure and the addition, and eliminate the patio, for the reason stated in 4i ).
- c) To keep the planned addition at the same height as the existing structure for the reasons stated above in 4 i, ii ).
- d) No windows for the addition. We propose stationary skylights. Boot and Shoe has failed to keep doors and windows closed despite their past promise to cooperate. Please see an attached email from Carl Telson to Boot and Shoe manager Laura Judson and cc: Greg Minor at the City of Oakland Nuisance Abatement Division.

Please see the attached corrections and feedback to the plans.

For the past 16 years we have been living in this house that is now home for us. For 16 years we have been part of this neighborhood. During the lean years , when the City was not able to support certain services in our district, with many of our neighbors, we at 741 Walker Ave, dedicated many of our weekends cleaning the parking lot that patrons of the Grand Ave businesses use for their convenience. We patronize most of the stores and restaurants on that commercial strip. For the past 16 years, we

have seen businesses come and go on Grand Ave. We want them all to be successful, but not at our expense, not by infringing upon our right to peace and quiet enjoyment.

This proposed addition is an opportunity for Boot and Shoe Service Restaurant to correct the ongoing nuisance issue. Please make sure they get it right this time and start being good neighbors.

We sincerely appreciate your help in this matter.

Residents and homeowners

741 Walker Ave

Carl Telson



415-271-5004

Sz Jou



415-609-5744

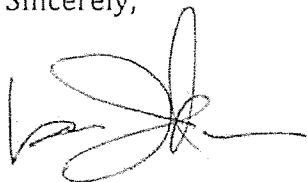
September 10, 2014

Dear Mr. Telson,

My name is Laura Judson and I am the general manager of Boot & Shoe Service. I was just handed your letter dated August 28<sup>th</sup> regarding the noise levels on Tuesdays & Sundays. I apologize for your experience of us as a noisy neighbor (and at this point you might find us to be negligent as well). I imagine you and your partner must be very frustrated. I would like to know if you would consider having a conversation with me with the hopes of finding a resolution.

Please feel free to give me a call to arrange a time to talk. Maybe we can do so before this coming Sunday?

Sincerely,

A handwritten signature in black ink, appearing to be 'Laura Judson', with a stylized, looped design.

Laura Judson  
laura@bootandshoeservice.com  
510.326.6761 (cell)



## CITY of OAKLAND

CITY HALL • 1 Frank H. Ogawa Plaza • 11th FLOOR • OAKLAND, CALIFORNIA 94612

**City Administrator's Office**  
**Nuisance Abatement Division**

Greg Minor, Assistant to the City Administrator

TTY/TDD (510) 238-2007  
FAX (510) 238-7084  
Voicemail ((510) 238-6370

September 11, 2014

Lo Fi LLC  
c/o Weinstein Commercial  
425 – 15<sup>th</sup> Street  
Oakland, CA 94612-2801

**RE: Nuisance Activity at 3308 Grand Ave., Oakland, CA**  
**dba Boot and Shoe Service**

Dear Property Owner(s),

This is a courtesy notice intended to advise you that nuisance activity, namely excessive noise in the form of live bands and open doors specifically on Tuesdays and Sundays, has been reported as occurring at 3308 Grand Avenue dba Boot & Shoe Service. Public records indicate that you are the owner of record of this property.

In addition to violating Oakland's Noise Ordinance, Oakland Municipal Code 8.18, this activity may constitute a public nuisance due to its impact to the use and quiet enjoyment of the surrounding community's property.

This letter is intended to inform you of this violation and afford you an opportunity to abate. Should our office move forward with a public nuisance abatement case against your property you will be subject to a variety of fees and penalties until the nuisance is abated, including a \$3,500.00 Nuisance case fee and civil penalties of \$500.00 a day.

Each situation is different. Your property is the site of nuisance activity, and it is up to you to determine the exact nature of the problem and take the steps necessary to abate the nuisance. We advise you to take the time to assess your property, identify the problems and call us for assistance. Thank you in advance for your attention to this matter.

Sincerely,

Greg Minor

Assistant to the City Administrator

cc: H. Gardner, Interim City Administrator (via interoffice mail)  
Business Owner, 3308 Grand Ave., Oakland, CA 94610 (via regular mail)  
Chron



Carl Telson &lt;cartelson@gmail.com&gt;

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**Re: Music moving forward**

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Carl Telson &lt;cartelson@gmail.com&gt;

Sun, Mar 29, 2015 at 9:42 PM

To: Laura Judson &lt;laura@bootandshoeservice.com&gt;

Cc: "Minor, Gregory" &lt;gminor@oaklandnet.com&gt;

Laura,

I am composing this email while the music in your establishment is again too loud. The situation was for a couple of months tolerable; however, since January it has gotten progressively worse. Tonight, when we called your restaurant to complain about the noise, the person at the other end hung up without saying a word.

The Nuisance Abatement Office of the City of Oakland clearly stated that it is your obligation to control the noise level of your establishment.

In my last email to you, I suggested that you should keep your back doors closed, as a way to contain the noise.

Obviously, my suggestions have been ignored.

Your business is infringing on our right to peace and quiet.

Carl Telson  
741 Walker Ave  
Oakland, CA 94610

On Wed, Oct 15, 2014 at 2:33 PM, Carl Telson <cartelson@gmail.com> wrote:

Hi Laura,

If the back doors and windows were closed last night (Tuesday), the noise was still loud on my side. Any other option?

Carl

On Mon, Sep 29, 2014 at 12:27 PM, Laura Judson <laura@bootandshoeservice.com> wrote:

Hi there Mr Telson,

I hope this note finds you well. After running the music in the front of the restaurant for both Sundays and Tuesdays, we have found that while it works on Sundays, it doesn't on Tuesdays. On Tuesday nights, we will be diligent about keeping doors and windows closed, and keep the music between 7 & 9pm. I assure you I will continue to look into other ways to keep the music from disturbing you.

Best,  
Laura

--

Carl Telson

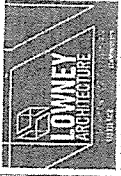
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Carl Telson



2005-2006



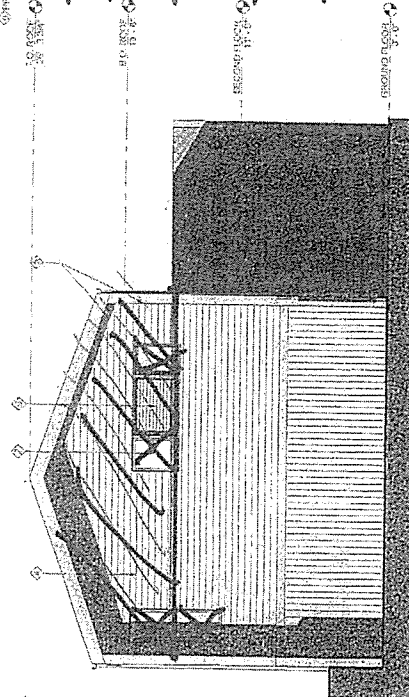


PROJECT NAME  
BOOT AND SHOE  
SERVICE  
ADDITION

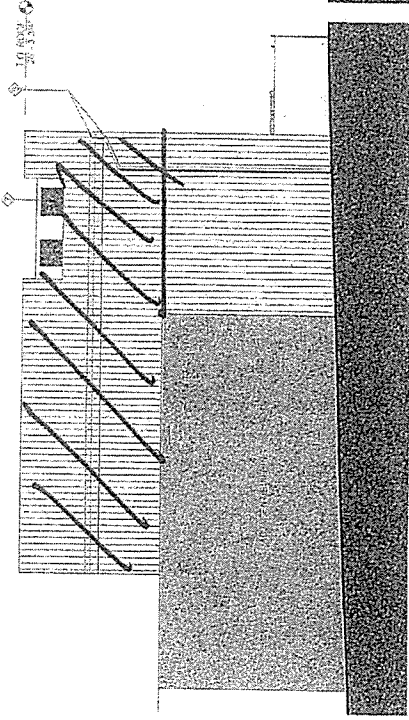
### KEYNOTES

- 1. RESTAURANT
- 2. ON SITE WINDOWS
- 3. ON SITE SILL CASE
- 4. TOUGH OVERHEADS AT 60 DEGREES ANGLE
- 5. EXTENDED VERTICAL LINE CLAD IN TO BEHIND WALL
- 6. PREPARED ROOF SILLER AND DRAINAGE
- 7. ROOF TOP MECHANICAL UNIT ENCLOSED
- 8. MECHANICAL GLAZED SKYLIGHT
- 9. PREPARED HORIZONTAL VENTILATION

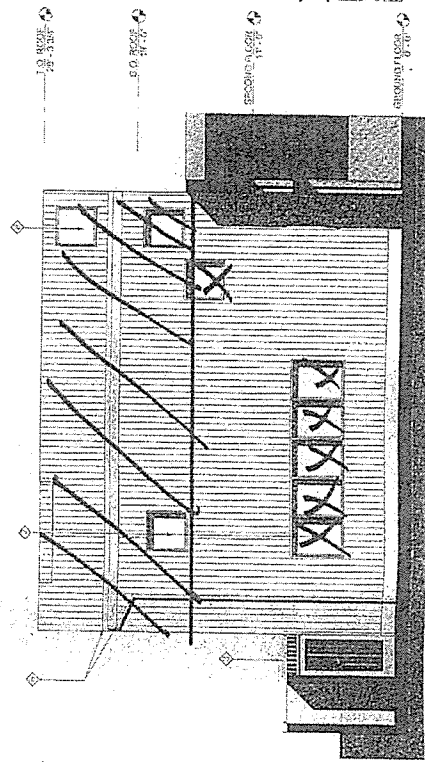
- completely enclosed structure
- No outdoor patio / sitting
- No windows
- Stationary skylight
- completely sound proofed
- the addition not higher than the existing structure



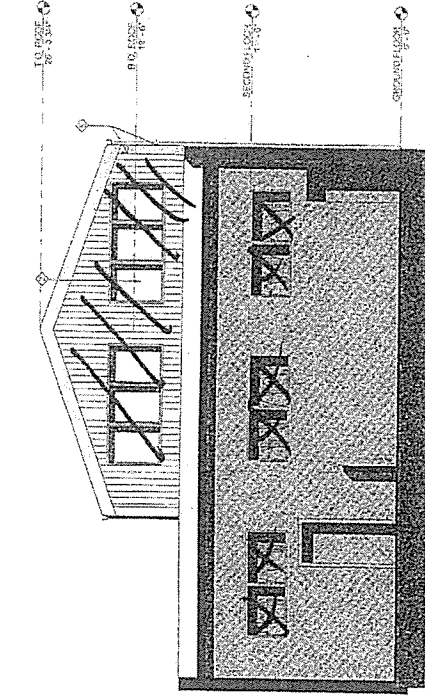
EXTERIOR ELEVATION - EAST



EXTERIOR ELEVATION - SOUTH



EXTERIOR ELEVATION - WEST



EXTERIOR ELEVATION - NORTH

NO.	DATE	DESCRIPTION	BY
1	10/10/18	CONCEPT	LOWMEYER
2	10/10/18	CONCEPT	LOWMEYER
3	10/10/18	CONCEPT	LOWMEYER
4	10/10/18	CONCEPT	LOWMEYER
5	10/10/18	CONCEPT	LOWMEYER
6	10/10/18	CONCEPT	LOWMEYER
7	10/10/18	CONCEPT	LOWMEYER
8	10/10/18	CONCEPT	LOWMEYER
9	10/10/18	CONCEPT	LOWMEYER
10	10/10/18	CONCEPT	LOWMEYER



OWNER: PROJECT NUMBER: SHEET NUMBER: SHEET TITLE: PROPOSED ELEVATIONS

DATE: 10/10/18

PROJECT NAME: BOOT AND SHOE SERVICE ADDITION

PROJECT NUMBER: 10001

SHEET NUMBER: A3.1

DATE: 10/10/18

PROJECT NAME: BOOT AND SHOE SERVICE ADDITION



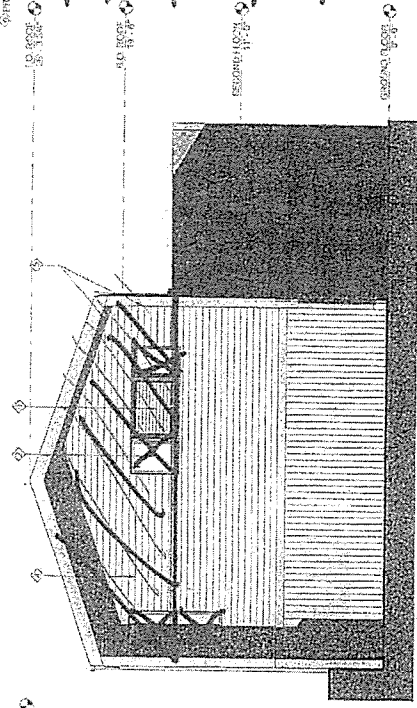


PROJECT NAME  
**BOOT AND SHOE  
SERVICE  
ADDITION**

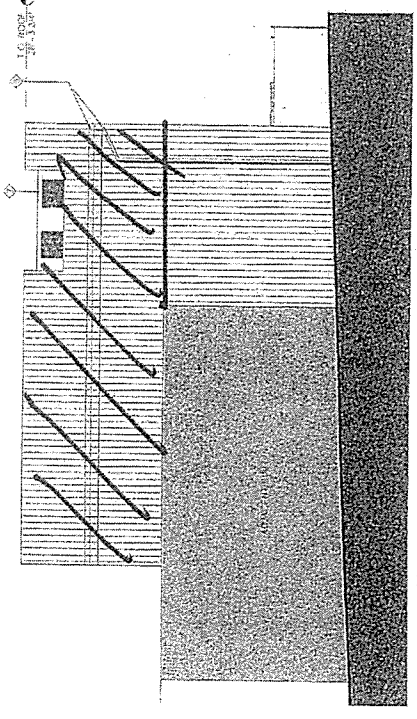
KEYNOTES

- 1. NO RESTAURANT
- 2. NO STEEL WINDOWS TYP
- 3. NO PIVOT CASE
- 4. NO TROUGH OVERHANGS AT GLAZED STORY WINDOWS
- 5. EXTERIOR "PORTAL" GLAZED GLAZED BUILT UP WALL
- 6. PREHANGED PORTAL GLAZED GLAZED BUILT UP WALL
- 7. PORTAL MECHANICAL UNIT ENGAGED
- 8. NO ACRYLIC GLAZED SKYLIGHT
- 9. INTERIOR HORIZONTAL METAL SLATS

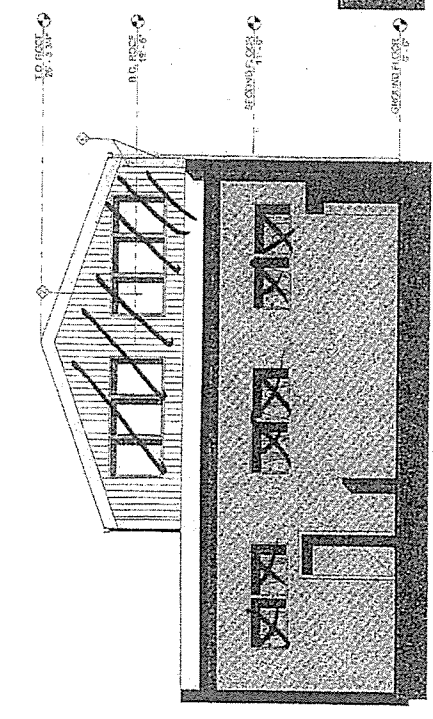
*- completely enclosed structure*  
*- No outdoor patio / sitting*  
*- No windows*  
*- Stationary skylight*  
*- completely sound proofed*  
*- the addition not higher than the existing structure*



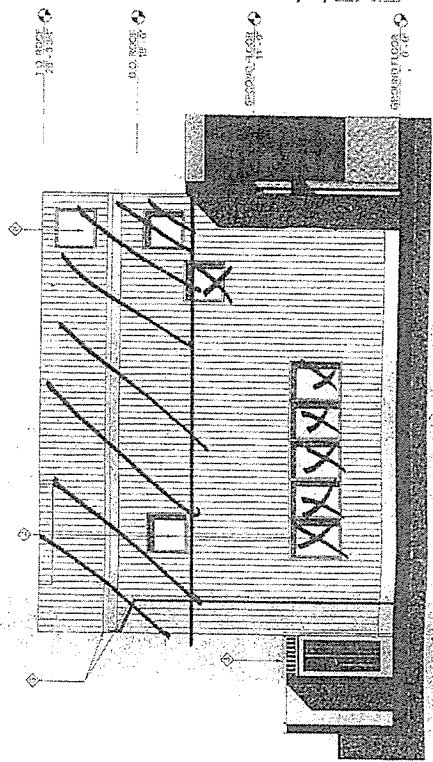
EXTERIOR ELEVATION - EAST  
1/4" = 1'-0"



EXTERIOR ELEVATION - SOUTH  
1/4" = 1'-0"



EXTERIOR ELEVATION - WEST  
1/4" = 1'-0"



EXTERIOR ELEVATION - NORTH  
1/4" = 1'-0"

LEGEND

[Symbol]	GLAZING
[Symbol]	EXTERIOR FINISH
[Symbol]	INTERIOR FINISH
[Symbol]	ROOF

REVISIONS

NO.	DATE	DESCRIPTION
1	10/15/10	ISSUED FOR PERMIT
2	10/15/10	ISSUED FOR PERMIT
3	10/15/10	ISSUED FOR PERMIT
4	10/15/10	ISSUED FOR PERMIT
5	10/15/10	ISSUED FOR PERMIT
6	10/15/10	ISSUED FOR PERMIT
7	10/15/10	ISSUED FOR PERMIT
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9	10/15/10	ISSUED FOR PERMIT
10	10/15/10	ISSUED FOR PERMIT

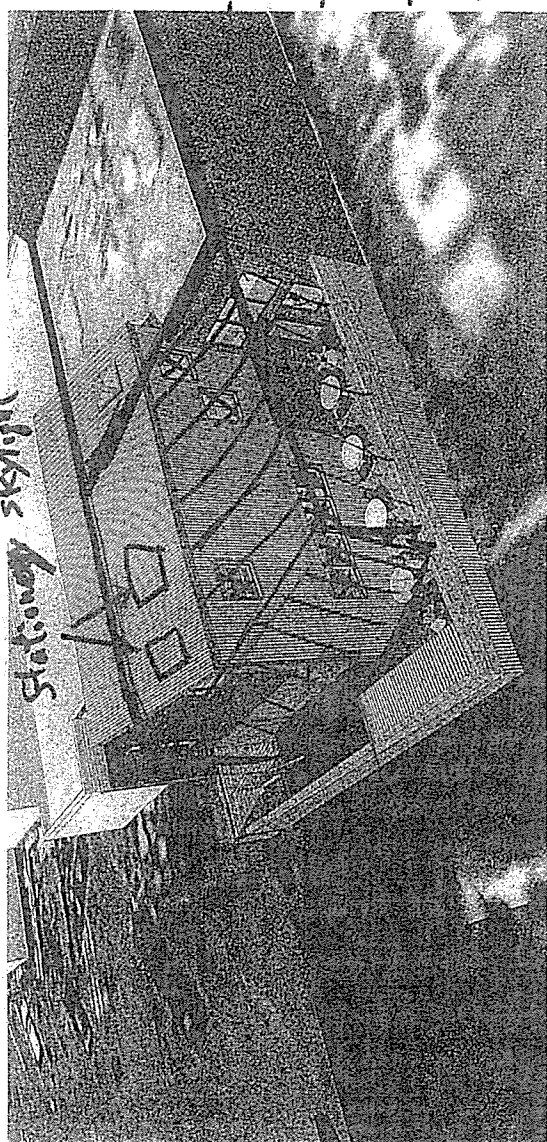
PROPOSED  
ELEVATIONS

A3.1

LOWMEYER ARCHITECTURE  
1000 10TH AVENUE  
SUITE 100  
DENVER, CO 80202  
TEL: 303.733.1000  
WWW.LOWMEYERARCH.COM



Stationary skylight



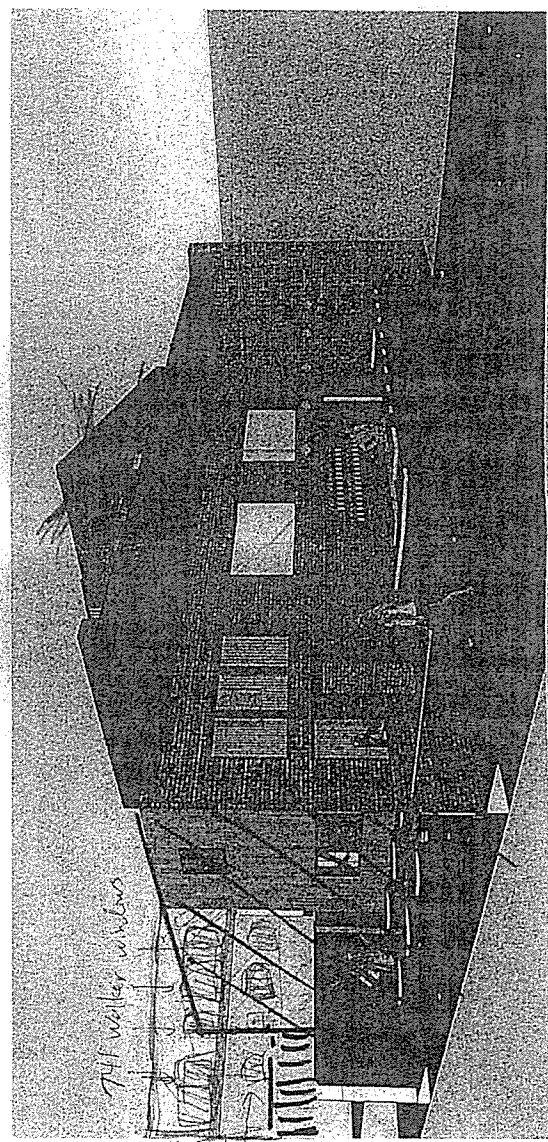
AERIAL PERSPECTIVE (OPTION)

Emergency door only  
Service

741 Walker windows

741 Walker  
House

741 Walker Deck



SECTION PERSPECTIVE FROM EXISTING LAKE

- completely enclosed structure
- no outdoor patio / sitting
- No windows
- Stationary skylights
- Completely sound proofing of existing & addition
- addition not higher than existing structure



PROJECT NAME  
BOOT AND SHOE  
SERVICE  
ADDITION

324 CHIMNEY CANYON, CA

NOT FOR  
CONSTRUCTION

FOR REVIEW

CONCEPT ONLY

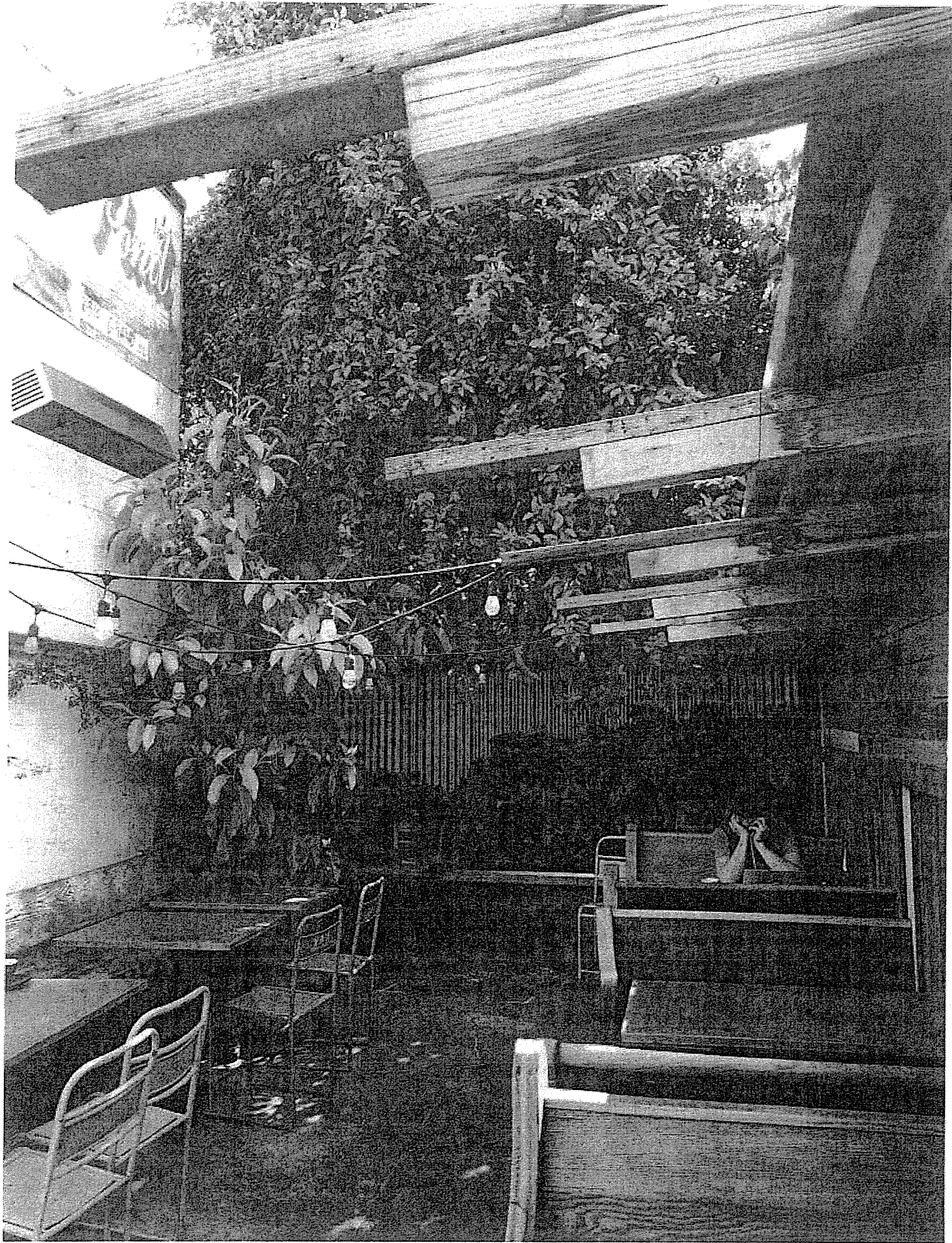
DATE	SHEET NUMBER	BY
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1/1/00	3	LOWNEY
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1/1/00	8	LOWNEY
1/1/00	9	LOWNEY
1/1/00	10	LOWNEY

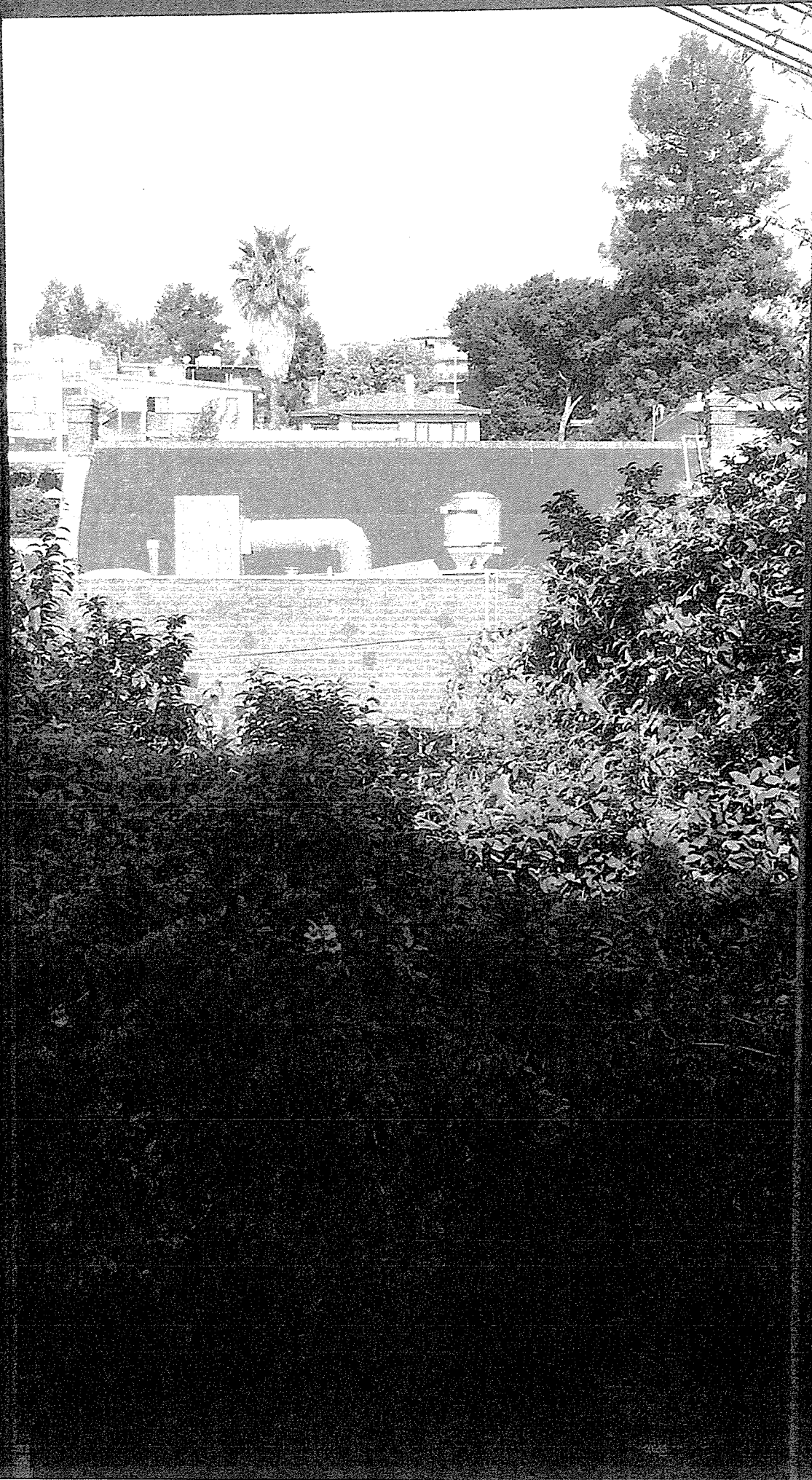
PROJECT NAME  
BOOT AND SHOE  
SERVICE  
ADDITION  
PROJECT NUMBER  
1-1-00  
SHEET DATE  
1/1/00  
SHEET NAME  
PERSPECTIVES

SHEET NUMBER  
A.8.1

LOWNEY ARCHITECTURE  
324 CHIMNEY CANYON, CA 94024  
(415) 947-1000  
WWW.LOWNEYARCHITECTURE.COM

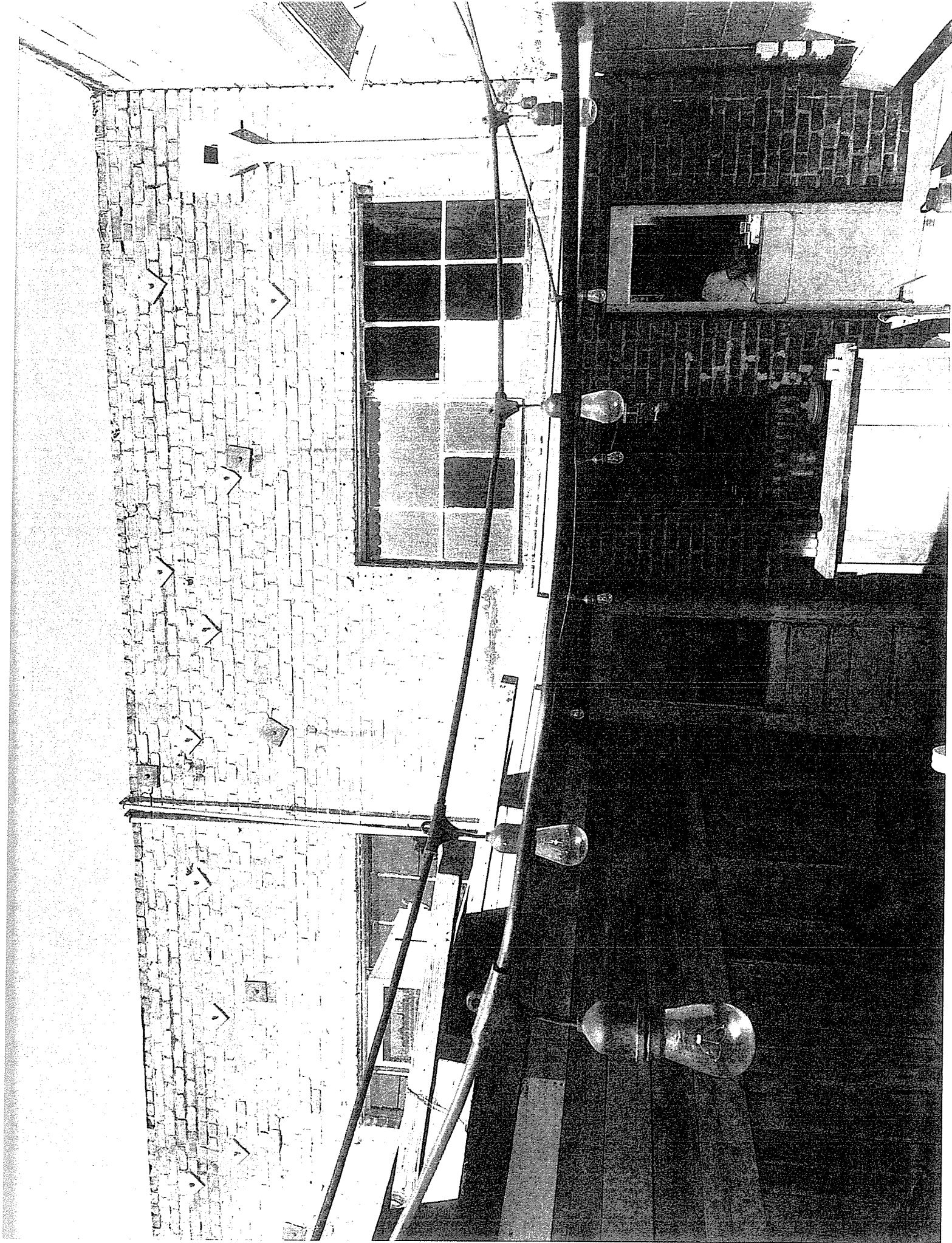














October 23, 2015

Tony Valadez  
Lowney Architecture  
360 17<sup>th</sup> Street Suite 100  
Oakland, CA 94612

**RE: Case File No: PLN 15-058, 3308 Grand Avenue; (APN 011083603100)**

Dear Mr. Valadez:

Your application for Regular Design Review has been **APPROVED** subject to conditions. The application complies with Criteria as set forth in the Oakland Zoning Regulations of the Oakland Planning Code. Attachment A contains the findings required for this approval and reasons your proposal satisfies them. Attachment B contains Conditions of Approval for the project. This decision or “approval” is effective ten (10) days after the date of this letter unless appealed as explained below.

<b>Proposal:</b>	To construct a two-story rear addition and reconstruct existing rear building area to total 1,582 square feet (net 575 square feet of added building floor area to an existing two-story Full Service Restaurant
<b>Planning Permits Required:</b>	Regular Design Review
<b>General Plan:</b>	Neighborhood Center Mixed Use
<b>Zoning:</b>	CN-2 Neighborhood Commercial
<b>Environmental Determination:</b>	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Sections 15301 & 15332; 15183, Projects Consistent with General Plan and Zoning
<b>Historic Status:</b>	Potential Designated Historic Property, Dc2+ Rating
<b>Service Delivery District:</b>	3
<b>City Council District:</b>	2

If you, or any interested party, seeks to challenge this decision, an appeal **must** be filed by no later than ten calendar (10) days from the date of this letter, by **4:00 pm on November 2, 2015**. An appeal shall be on a form provided by the Planning and Zoning Division of the Community and Economic Development Agency, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of **David Valeska, Planner II**. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Zoning Manager or wherein his/her decision is not supported by substantial evidence and must include payment of **\$3,247.43** in accordance with the City of Oakland Master Fee Schedule. Failure to timely appeal will preclude you, or any interested party, from challenging the City’s decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so may preclude you from raising such issues during your appeal and/or in court. However, the appeal will be limited to issues



and/or evidence presented to the Zoning Manager prior to the close of the previously noticed public comment period on the matter.

A signed Notice of Exemption (NOE) is enclosed certifying that the project has been found to be exempt from CEQA review. You may record the NOE, the Environmental Declaration, and, if applicable, the De Minimis Impact Findings at the Alameda County Clerk's office at 1106 Madison Street, Oakland, CA 94612, at a cost of \$50.00 made payable to the Alameda County Clerk. Please bring the original NOE related documents and five copies to the Alameda County Clerk, and return one date stamped copy to the Zoning Division, to the attention of **David Valeska, Planner II**. Although recordation of the Notice of Exemption (NOE) is optional pursuant to Section 15062(d) of the California Environmental Quality Act (CEQA) Guidelines, recordation of the NOE reduces the statute of limitations on challenges to your project, based on environmental issues, to 35 days after the NOE is recorded with the County. In the absence of a recorded NOE, the statute of limitations for challenges extends to 180 days.

If you have any questions, please contact the case planner, **David Valeska, Planner II** at (510) 238-2075 or e-mail [dvaleska@oaklandnet.com](mailto:dvaleska@oaklandnet.com), however, this does not substitute for filing an appeal as described above.

Sincerely,

---

Scott Miller  
Zoning Manager

cc: David Harlan, Building Services Division  
Richard Weinstein, Boot & Shoe Service.  
Carl Telson & SJ Jou, neighbors

**Attachments:**

- A. Findings for Approval
- B. Conditions of Approval
- C. Notice of Exemption

## ATTACHMENT A: FINDINGS FOR APPROVAL

The Zoning Manager finds that the Regular Design Review to add floor area to a commercial building meets the required findings for compliance with Oakland Planning Code Section, as set forth below. Required findings are shown in **bold** type; explanations as to why these findings can or cannot be made are in normal type. 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.

### REGULAR DESIGN REVIEW

- 1. 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 project is a two story 1,582 square-foot addition/reconstruction to an existing Full Service Restaurant. The addition will be located on the rear/interior side of the lot, next to a City parking lot, other commercial properties and backing up to residential lots. The addition will be compatible with the existing facility and nearby residences in their scale, with modulated bulk, and appropriate materials and textures. Variations in the topography vertically separate the building from the upper neighbors and retain views from rear yards of those neighboring homes. Measures will be put in place to minimize potential impacts to residential neighbors, including a new sound attenuation wall and limitations on outdoor patio activities.

- 2. The proposed design will protect, preserve or enhance desirable neighborhood characteristics.**

By adding space to the existing building, the property and area will be enhanced with desirable characteristics. The enhanced structure will resolve overcrowding in the existing restaurant and allow design solutions to control and minimize restaurant noise. Noise containment structures in the rear of the property will minimize the effects of outdoor restaurant noise on residential neighbors.

- 3. The proposed design will be sensitive to the topography and landscape.**

The facility will not result in changes to existing topography. The addition will take up part of an existing terrace at the rear of the existing building. Site excavation is minimal and minimal existing landscape is proposed for removal with this development.

- 4. If situated on a hill, the design and massing of the proposed building relates to the grade of the hill.**

The addition portion of the site is not on a hillside; however, the site backs up to a gently sloping portion of a neighboring site. The design and massing of the addition will not alter the existing elevation change.

- 5. 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 maps which have been adopted by the Planning Commission or City Council.**

The objective of the general plan for this commercial area along Grand Avenue is for concentrated development and retention and expansion of existing businesses. Citations in the General Plan Land Use and Transportation Element (LUTE) include:

LUTE 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.

LUTE POLICY I/C1.2: Retain Existing Business. Existing businesses and jobs within Oakland which are consistent with the long-range objectives of this Plan should, whenever possible, be retained.

The proposed plan fulfills these goals to expand and complete a restaurant in a developed commercial area, while providing sufficient distance from neighbors to protect their sunlight and views.

Quality construction, which is a characteristic of this area, is enhanced when older buildings are expanded in a sympathetic design with suitable materials. The applicant's proposal will help to achieve this community objective.

## **ATTACHMENT B: CONDITIONS OF APPROVAL:**

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

### **STANDARD CONDITIONS**

#### **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 dated August, 2015 as amended by the following conditions of approval, including specific project conditions #42 through #46.

#### **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 in two (2) years after 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, 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.

#### **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 the filing 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. 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

### **13. 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

## **AESTHETICS**

### **14. 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

## 15. Landscape Plan

### a. *Landscape Plan Required*

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

### b. *Landscape Installation*

Requirement: 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.

When Required: Prior to building permit final

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

### c. *Landscape Maintenance*

Requirement: 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 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.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## 16. Lighting

Requirement: 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.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building



## AIR QUALITY

### 17. Construction-Related Air Pollution Controls (Dust and Equipment Emissions)

Requirement: The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:

- 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.
- 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).
- 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.
- 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.
- e. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- f. Limit vehicle speeds on unpaved roads to 15 miles per hour.
- 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.
- 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").
- 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.
- j. Portable equipment shall be powered by electricity if available. If 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.
- 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.
- l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.
- m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).

- 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. 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.
- 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.
- 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.
- s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- 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.
- 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.
- v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).
- w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.
- x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard.
- 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.

When Required: During construction

Initial Approval: N/A

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:
  - 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-13 [insert MERV-16 for projects located in the West Oakland Specific Plan area] 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. Asbestos in Structures**

Requirement: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

**BIOLOGICAL RESOURCES**

**20. 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

***b. 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

**c. *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

## **CULTURAL RESOURCES**

### **21. Archaeological and Paleontological Resources – Discovery During Construction**

Requirement: 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.

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.

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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **22. Archaeologically Sensitive Areas – Pre-Construction Measures**

Requirement: The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources.

### **Provision A: Intensive Pre-Construction Study.**

The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. At a minimum, the study shall include:

- a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources.
- b. A report disseminating the results of this research.
- c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources.

If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during

construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction.

**Provision B: Construction ALERT Sheet.**

The project applicant shall prepare a construction "ALERT" sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil-disturbing activities within the project site.

The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in a visible location at the project site.

When Required: Prior to approval of construction-related permit; during construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

**23. Human Remains – Discovery During Construction**

Requirement: 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **GEOLOGY AND SOILS**

### **24. 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

## **HAZARDS AND HAZARDOUS MATERIALS**

### **25. 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

## **26. Site Contamination**

### **a. *Environmental Site Assessment Required***

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Oakland Fire Department

Monitoring/Inspection: Oakland Fire Department

### **b. *Health and Safety Plan Required***

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

### **c. *Best Management Practices (BMPs) Required for Contaminated Sites***

Requirement: 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:

- 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.
- 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**27. 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

**28. Site Design Measures to Reduce Stormwater Runoff**

Requirement: Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate site design measures into the project to reduce the amount of stormwater runoff. These measures may include, but are not limited to, the following:

- a. Minimize impervious surfaces, especially directly connected impervious surfaces and surface parking areas;
- b. Utilize permeable paving in place of impervious paving where appropriate;
- c. Cluster structures;
- d. Direct roof runoff to vegetated areas;
- e. Preserve quality open space; and
- f. Establish vegetated buffer areas.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

**29. Source Control Measures to Limit Stormwater Pollution**

Requirement: Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate source control measures to limit pollution in stormwater runoff. These measures may include, but are not limited to, the following:

- a. Stencil storm drain inlets “No Dumping – Drains to Bay;”
- b. Minimize the use of pesticides and fertilizers;
- c. Cover outdoor material storage areas, loading docks, repair/maintenance bays and fueling areas;
- d. Cover trash, food waste, and compactor enclosures; and
- e. Plumb the following discharges to the sanitary sewer system, subject to City approval:
- f. Discharges from indoor floor mats, equipment, hood filter, wash racks, and, covered outdoor wash racks for restaurants;
- g. Dumpster drips from covered trash, food waste, and compactor enclosures;
- h. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories;
- i. Swimming pool water, if discharge to on-site vegetated areas is not feasible; and
- j. Fire sprinkler test water, if discharge to on-site vegetated areas is not feasible.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

**30. NPDES C.3 Stormwater Requirements for Regulated Projects**

***a. Post-Construction Stormwater Management Plan Required***

Requirement: The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:

- i. Location and size of new and replaced impervious surface;
- ii. Directional surface flow of stormwater runoff;
- iii. Location of proposed on-site storm drain lines;
- iv. Site design measures to reduce the amount of impervious surface area;
- v. Source control measures to limit stormwater pollution;
- vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and
- vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

***b. Maintenance Agreement Required***

Requirement: The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:

- i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and
- 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.

The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.

When Required: Prior to building permit final

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

**31. Structures in a Flood Zone**

Requirement: The project shall be designed to ensure that new structures within a 100-year flood zone do not interfere with the flow of water or increase flooding. The project applicant shall submit plans and hydrological calculations for City review and approval with the construction-related drawings that show finished site grades and floor elevations elevated above the Base Flood Elevation (BFE).

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

**NOISE**

**32. Construction Days/Hours**

Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours:

- 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.
- 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.
- c. No construction is allowed on Sunday or federal holidays.

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 non-enclosed area.

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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### **33. Construction Noise**

Requirement: 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:

- a. 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.
- b. 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.
- c. Applicant shall use temporary power poles instead of generators where feasible.
- d. 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.
- e. 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### 34. **Extreme Construction Noise**

#### ***a. Construction Noise Management Plan Required***

Requirement: 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:

- i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;
- 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;
- iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;
- 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
- v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

#### ***b. Public Notification Required***

Requirement: 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.

When Required: During construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

### 35. **Operational Noise**

Requirement: 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.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## TRANSPORTATION/TRAFFIC

### 36. 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

### 37. 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

## UTILITY AND SERVICE SYSTEMS

### 38. **Construction and Demolition Waste Reduction and Recycling**

Requirement: 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. 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 [www.greenhalosystems.com](http://www.greenhalosystems.com) 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Environmental Services Division

Monitoring/Inspection: Public Works Department, Environmental Services Division

### 39. **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

### 40. **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

**41. Green Building Requirements – Small Projects**

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

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) for project using Stopwaste.org checklist:

- i. The following information shall be submitted to the City for review and approval with 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 green building checklist approved during the review of a 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 (b) below.
  - Other documentation to prove compliance.
- ii. The set of plans in subsection (a) shall demonstrate compliance with the following:
  - CALGreen mandatory measures.
  - All applicable green building measures identified on the checklist approved during the review of a Planning and Zoning permit, or submittal of a Request for Revision Plan-check application that shows the previously approved points that will be eliminated or substituted.

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 Green Building Ordinance during construction.

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

- i. Completed copy of the green building checklists approved during review of the Planning and Zoning permit and during the review of the Building permit.
- ii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **SPECIFIC PROJECT CONDITIONS**

### **42. Façade Enhancement Details**

The applicant shall provide full details of windows, doors and other features, including vendor catalogue sheets of the products to be used, for the façade enhancements, to the satisfaction of the Zoning Manager.

When Required: Prior to building permit issuance

Initial Approval: Bureau of Planning

Monitoring Inspection: Bureau of Building

### **43. Sound Attenuation Wall and Materials**

The applicant shall enclose and operate the rear dining area in a manner to minimize noise impacts on nearby residential properties. Patio doors to the dining area shall be kept closed except when staff or customers are passing through the doors. The rear property wall shall be designed to control noise to the maximum extent as shown on plans revised October 20 2015 on file with Planning and Zoning as summarized below.

Installation of a sound attenuation wall, 10 feet tall on the side to the rear of the property and 11 feet tall above the patio grade, as approved by the Zoning Manager, shall be built with permits. In addition, perforated metal with insulation shall be added to the exterior kitchen wall facing the patio to aid in sound attenuation as directed by the acoustical consultant.

When Required: Ongoing

Initial Approval: N/A

Monitoring Inspection: Code Compliance Staff

### **44. Music and Group Assembly**

Music service incidental to the restaurant, to entertain diners, with modest or no amplification, is accessory to dining if conducted entirely within the enclosed space. Dedication of over 25% of the public floor area of the restaurant to non-dining music events constitutes Group Assembly under the Oakland Municipal Code and requires a separate Conditional Use Permit.

When Required: Ongoing

Initial Approval: N/A

Monitoring Inspection: Code Compliance Staff

### **45. Trash Areas**

The rear trash areas shall be screened from view from adjacent residential rear yards with at least 8 feet of wall rated to intercept sound and shall be under a sound-intercepting awning no taller than 10 feet above grade to cover the trash cans from view of adjacent neighbors. No trash emptying shall occur between the hours of 8:00 pm and 8:00 am.

When Required: Prior to Building Permit final, and ongoing

Initial Approval: Bureau of Planning

Monitoring Inspection: Code Compliance Staff

46. **Outdoor Patio Limitation of Hours**

The outdoor patio shall not be operated for the public after 11 pm 7 nights a week.

When Required: Ongoing

Initial Approval: Bureau of Planning

Monitoring Inspection: Code Compliance Staff

**Boot and Shoe Service Restaurant  
3308 Grand Avenue, Oakland, CA  
Patio Noise Study**

July 16, 2015

**Prepared for:**  
Tony Valadez, Architect  
Lowney Architecture

**Prepared by:**  
Randy Waldeck, PE  
Greg Baker  
CSDA Design Group  
475 Sansome Street, Suite 800  
San Francisco, CA 94111

CSDA Project No. 1519.01

415-693-9800

(1)

## *Table of Contents*

<u>Section</u>	<u>Page</u>
1.0 Executive Summary.....	3
2.0 Project Description.....	3
3.0 Acoustical Criteria .....	3
4.0 Measurement Description .....	4
4.1 Weather .....	4
4.2 General Noise Conditions .....	4
4.3 Noise Measurement Procedure .....	4
5.0 Calculation Method.....	5
6.0 Results and Recommendations.....	5

## *List of Figures*

<u>Figure</u>	<u>Page</u>
Figure 1 – Short-Term Measurement Location.....	4

## *List of Tables*

<u>Table</u>	<u>Page</u>
Table 1 – Noise Measurement Results .....	4
Table 2 – Restaurant Patio Noise Levels at Adjacent Residence .....	5

## 1.0 Executive Summary

A patio noise study was conducted at Boot and Shoe Service (the Restaurant) in Oakland.

- Noise levels were measured on a typical busy night (Friday), and an evening with live music (Sunday). The patio is adjacent to a property line shared with a residence. The calculated noise level inside the residence during the louder night (Friday) is CNEL<sup>1</sup> 31 dB.
- Noise from the patio inside the residence meets the City of Oakland acoustical criteria without additional modifications.

## 2.0 Project Description

The Boot and Shoe Service restaurant is located on the east side of Grand Avenue between MacArthur and Mandala Boulevards in Oakland, California. The Restaurant plans to modernize their facilities by replacing the current prep kitchen building with a new two-story facility including a prep kitchen, storage space, office and restroom.

CSDA conducted a noise study to quantify the existing noise levels generated by outdoor patio activities and patrons to the neighboring residential property located behind (to the east) of the Restaurant. The results of two nights of measurements were analyzed with respect to the acoustical criteria contained in the Oakland General Plan and Planning Code. This report summarizes our findings and recommendations.

## 3.0 Acoustical Criteria

The Oakland General Plan contains the following criteria applicable to this project:

- Policy 3, Action 3.1 refers to the California State Title 24 noise criteria for residential insulation standards:<sup>2</sup> Title 24 stipulates that noise from exterior sources should not exceed CNEL 45 dB inside any habitable room with doors and windows closed.
- Policy 3, Action 3.2 refers to the Planning (Municipal) Code noise standards, which stipulate that a residential receiver cannot be exposed to noise levels above 60 dB for more than 20 minutes per one hour period after 7 AM, and 45 dB for more than 20 minutes per one hour period after 10 PM.<sup>3</sup>

Since the State Title 24 (CNEL 45 dB) criterion is more stringent than the City Planning Code criteria, we are using the State criterion for the analysis of our data.

---

<sup>1</sup> Community Noise Equivalent Level (CNEL): A metric for the 24-hour A-weighted average noise level. The CNEL metric accounts for the increased sensitivity of people to noise during the evening and nighttime hours. From 7 pm to 10 pm, sound levels are penalized by 5 dB; from 10 pm to 7 am, sound levels are penalized by 10 dB. A 10 dB increase in sound level is perceived by people to be twice as loud.

<sup>2</sup> Oakland, California, General Plan: Noise Element, Chapter 6 "Policy Statements." p. 25.

<sup>3</sup> Oakland, California, Municipal Code § 17.120.050 – Noise. (17 Feb 2015).

## 4.0 Measurement Description

### 4.1 Weather

We measured noise from patio activity and patrons on Friday, July 3 and Sunday, July 5, 2015. During the measurements, the maximum wind speed was 18 miles per hour (mph); wind noise did not affect the measurement. The temperature ranged from a low of 64°F to a high of 69°F, and the humidity level ranged from a low of 65% to a high of 81% with no precipitation.

### 4.2 General Noise Conditions

The noise environment at the outdoor patio is dominated by patrons/staff and operational noise (e.g., bringing/taking away plates and glasses) from the Restaurant. Minor sources include vehicle noise from the adjacent parking lot as well as vehicles on Grand Avenue.

### 4.3 Noise Measurement Procedure

Two short-term (2 hour) measurements were conducted in the outdoor patio of the Restaurant on July 3 and 5, 2015. The measurements were taken by attaching a microphone to the top of a pole 18 feet above the ground, near the east property line shared with the residence just behind the Restaurant.

The equipment was calibrated immediately before and after the measurements with no significant drift in response.

Figure 1 shows the measurement location.

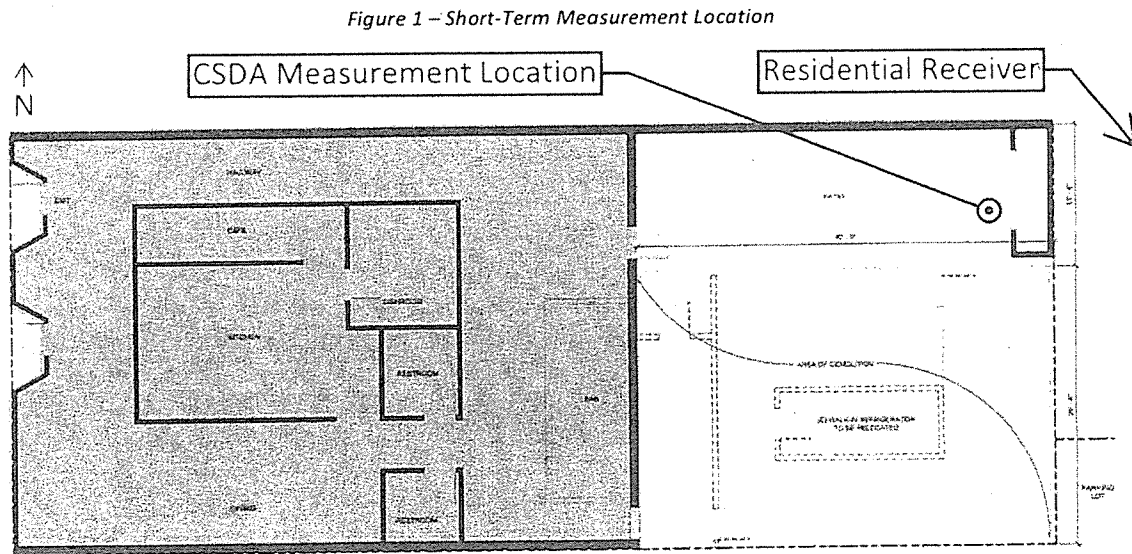


Table 1 summarizes the noise measurement results.

*Table 1 – Noise Measurement Results*

Measurement	Date	Time	$L_{eq}$ (dB)
Typical Busy Night	July 3, 2015	5:35 PM to 7:48 PM	66.1
Typical Live Music	July 5, 2015	8:01 PM to 9:23 PM	63.2



We verified with the Restaurant, via a review of gross sales receipts, that the patron volume and activity during our measurements was typical for a Friday night (dinner only) and Sunday night (live music).

## 5.0 Calculation Method

The Restaurant's hours of operation are from 7:00 AM to 2:30 PM and 5:00 PM to 11:00 PM; the Restaurant officially closes at 10:00 PM, but remains open for an extra hour to allow patrons to finish their meals. Our measurements took place during the busiest restaurant hours. We used the measured levels to calculate the 24-hour CNEL noise level, based upon the above hours of operation.

We utilized CadnaA, a three-dimensional noise modeling software, to determine the noise levels at the residence to the east. The noise model includes the effects of the corrugated metal wood pile enclosure/retaining wall, and the grade change at the east property line; we did not model a solid roof over the patio. Noise levels were calculated to the second story of the residential facade closest (facing) the Restaurant.

## 6.0 Results and Recommendations

The calculated interior noise level at the nearest residential receiver is CNEL 31 dB, which is below the criteria set forth by the Oakland General Plan. Table 2 summarizes our results.

Table 2 – Restaurant Patio Noise Levels at Adjacent Residence

Location	Exterior CNEL (dB)	Exterior-to-Interior Noise Reduction (dB)	Calculated Interior CNEL (dB)	Interior CNEL Criterion (dB)	Meets Criterion?
2nd Floor Residential Facade (Closest), windows closed	56	25	31	45	Y
2nd Floor Residential Facade (Closest), windows open	56	15	41	-	-

Notes:

- 1) Exterior-to-interior noise reduction are provided in the General Plan and other acoustical references (see footnote).<sup>4</sup>
- 2) No criteria is provided for the windows open condition, as achieving the State Title 24 requirement is based upon the windows being closed. We have provided windows open noise levels for information purposes.

We understand, as a good neighbor measure, that the Restaurant is planning on increasing the height of the east barrier/retaining wall by five feet. This would reduce noise levels by 5 dB at the neighboring residence. The wall should have a minimum surface density of 2.5 pounds per square foot with no gaps or breaks in the face (e.g., a wood privacy fence). For your reference, a difference of 10 dB is considered a halving of loudness.

This concludes our patio noise study for the Boot and Shoe Service restaurant. Please do not hesitate to contact us for further information and discussion of the findings presented in this report.

<sup>4</sup> [http://researchrepository.napier.ac.uk/2040/1/TWFrepNANR\\_116.pdf](http://researchrepository.napier.ac.uk/2040/1/TWFrepNANR_116.pdf)

August 18, 2015

Mr. Tony Valadez  
Architect  
Lowney Architecture  
360 17<sup>th</sup> Street  
Oakland, CA 94612

**Re: Boot and Shoe Service Restaurant – Patio Noise Study Addendum  
CSDA Project No. 1519.01**

**Subject: Supplemental Restaurant Noise Measurement Results**

Dear Mr. Valadez:

We have analyzed the additional Friday acoustical measurement taken on August 14, 2015 at Boot and Shoe Service in Oakland, California. The following summarizes our findings.

- Previously, we measured noise from the restaurant and patrons dining on the patio on Friday, July 3, 2015. The average level was 66.1 dB during the measurement period.
- We returned and repeated the same procedure on August 14, 2015. The average level was 63.6 dB.

Since the noise levels were lower during the supplemental measurement, the analysis summarized in our July 16, 2015 patio noise study report is still valid. Please let us know if you have any questions.

Sincerely,

CSDA Design Group



Greg Baker  
Acoustician

CSDA Design Group



Randy D. Waldeck, PE  
Principal, Acoustics



**RANDY WALDECK,**  
**P.E., LEED® AP**  
Principal, Acoustics

Years of Experience  
13

Education  
California Polytechnic State  
University, San Luis Obispo, CA, B.S.  
Industrial Technology

Licenses/Accreditations  
CA: M.E. No. 34245  
LEED® AP: No. 7D57F15BFF

Affiliations  
Institute of Noise Control  
Engineering (INCE), Associate  
Member

Acoustical Society of America  
(Full Member)

American Institute of Architects  
(AIA)

Publications  
"ACRP 02-51: Evaluation of Facade  
Acoustical Measurements,"  
National Academy of Sciences,  
Washington, D.C., 2014  
(ongoing)

Coauthor: "Acoustical Measurement  
Methods Analysis," Center for the  
Built Environment, Berkeley, CA,  
2011

Randy is an expert in architectural, environmental, aviation, and mechanical equipment noise and vibration control. **His wide breadth of experience includes consulting on over 500 environmental and architectural projects.** Randy has provided acoustical expertise for the following types of projects: theaters, educational facilities, mixed-use, transportation (air, rail, and roadway), condominiums, single-family homes, hotels and resorts, offices, medical facilities, industrial use facilities, federal buildings, and restaurants.

- Carondelet High School Theater, Concord, CA
- Eastside Preparatory School Performing Arts Theater, East Palo Alto, CA
- Stanford University James H. Clark Center, Palo Alto, CA
- Feather Falls Theater and Event Center, Oroville, CA
- Roosevelt Middle School Theater, San Francisco Unified School District, San Francisco, CA
- Los Angeles County High School for the Arts, Acoustical Study and Design, Los Angeles, CA
- International Polytechnic High School, Acoustical Study and Design, Pomona, CA
- Lennox School district Sound Mitigation, Lennox, CA
- 6701 Shellmound Street Mixed-Use, Emeryville, CA
- Silicon Valley Berryessa BART Extension Project, Residential Noise Insulation Program, San Jose, CA
- Ravenswood Family Health Center, East Palo Alto, CA
- Airport Cooperative Research Program (ACRP), Various Locations Nationwide
- The Centennial, South San Francisco, CA
- Contra Costa College Student Services Building, San Pablo, CA
- Berkeley High School Classroom CHPS Criteria, Berkeley, CA
- Redwood High School Gymnasium, Larkspur, CA
- Notre Dame High School, San Jose, CA
- Fammatre Elementary, San Jose, CA
- Contra Costa College Student Services Building, San Pablo, CA
- Poly Canyon Village Student Housing, San Luis Obispo, CA
- San Antonio Children's Center, Palo Alto, CA
- Arbor Real Condominiums, Palo Alto, CA
- Classics at Sterling Park Residences, Palo Alto, CA
- St. Peter Catholic Church, San Francisco, CA
- San Francisco Emergency Operations Center, San Francisco, CA
- Northstar at Tahoe Resort, Lake Tahoe, CA
- Monterey Bay Aquarium Marina Animal Research and Care Center, Monterey, CA
- W Hotel and Residences, Los Angeles, CA
- Hollywood and Vine Apartments, Los Angeles, CA
- East Village Retail and Entertainment Complex, Las Vegas, NV
- Milwaukee County's General Mitchell Intl. Airport Noise Management Program, Milwaukee, WI
- Wisconsin Energy Institute Ground Vibration Study, Madison, WI
- Iron Horse Hotel Lounge, Milwaukee, WI
- Ohio State University Airport Master Plan Review, Columbus, OH
- Syracuse Hancock Intl. Airport School Sound Insulation Program, Syracuse, NY
- Syracuse School, Syracuse, NY

<i>Conversion Projects</i>				
*Harp Plaza (19)	5/24/2010	1	8/1/2010	Low Income Families
*Effe's House (10)	5/4/2009	3	8/1/2010	Low Income Families
*Drachma Housing (14)	5/4/2009	4	12/1/2010	Low Income Families / Mod Rehab Conversion
*OAHPI 1554)	7/27/2009	854	In Progress	Low Income Families / Public Housing Disposition
*Hugh Taylor house (35)	6/11/2011	7	5/8/2012	Low Income Families / Mod Rehab Conversion
*Madison Park (96)	6/11/2011	69	6/7/2012	Low Income Families / Mod Rehab Conversion
<b>Units under HAP that will convert to PBV at turnover</b>		<b>938</b>		
<i>AHAP Contracts</i>				
460 Grand	3/16/2010	34	<i>in development</i>	Low Income Families
1701 Martin Luther King Jr. Way	5/20/2013	25	<i>in development</i>	Special Needs / Homeless / HIV/AIDS
<b>Units under AHAP Contract only</b>		<b>59</b>		
<i>Conditional Awards</i>				
Civic Center TOD	7/22/2014	10	<i>pending</i>	Special Needs / Homeless
94th and International	10/17/2011	14	<i>pending</i>	Low Income Families
11th and Jackson	11/30/2010	35	<i>pending</i>	Low Income Families
<b>Units with BOC award</b>		<b>59</b>		
<b>Total PBV Units Allocated</b>		<b>3,114</b>		
* Conversion to PBV ongoing as units currently occupied by HCV-assisted families turnover				

**From:** Randy Waldeck [mailto:Rwaldeck@csdadesigngroup.com]  
**Sent:** Monday, August 17, 2015 10:04 AM  
**To:** Tony Valadez <Tony@lowneyarch.com>  
**Cc:** Greg Baker <gbaker@csdadesigngroup.com>  
**Subject:** RE: Boot and Shoe measurements

Tony,

We measured between 7 pm and 9 pm. The average level over that time was 63.6 dB. Previously, on July 3<sup>rd</sup>, the average level was 66.1 dB. So, it was actually quieter this time around; Greg mentioned that the patio had less people overall (and less children) this time around, thus the reduction in noise level.

**Randy Waldeck, PE, LEED AP | Principal, Acoustics**  
475 Sansome St. Suite 800, San Francisco, CA 94111  
|T| 415.321.1145 |F| 415.693.9830  
Rwaldeck@csdadesigngroup.com | [www.csdadesigngroup.com](http://www.csdadesigngroup.com)

**CSDA DESIGN GROUP**

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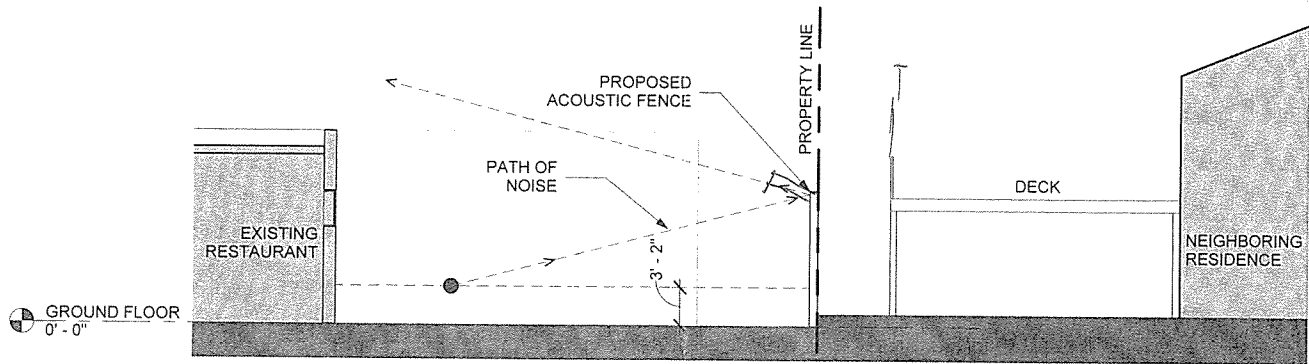
---

**From:** Tony Valadez [mailto:Tony@lowneyarch.com]  
**Sent:** Monday, August 17, 2015 9:35 AM  
**To:** Randy Waldeck <Rwaldeck@csdadesigngroup.com>  
**Subject:** Boot and Shoe measurements

Randy,

Good morning. Thanks again for taking another measurement last Friday.

8-24-15  
Lowney



GROUND FLOOR  
0' - 0"

① REAR YARD SECTION  
1/8" = 1'-0"



# BOOT AND SHOE ADDITION

## 3308 GRAND AVE, OAKLAND, CA



PLANNING UPDATE 10/22/15



PROJECT NAME  
**BOOT AND SHOE  
SERVICE  
ADDITION**

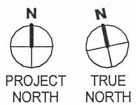
3308 GRAND AVE. OAKLAND, CA

**NOT FOR  
CONSTRUCTION**

CONSULTANT

CONSULTANT STAMP

#	DATE	ISSUES & REVISIONS	BY
1	3/9/15	Planning Submittal	
2	7/16/15	Planning Update	
3	10/22/15	Planning Update	



DRAWN BY: Author  
PROJECT NUMBER: 14-048  
SHEET ISSUE DATE: 05/11/15  
SHEET TITLE:

**COVER SHEET**

SHEET NUMBER

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# BOOT AND SHOE SERVICE ADDITION

3308 GRAND AVE. OAKLAND, CA



PROJECT NAME

## BOOT AND SHOE SERVICE ADDITION

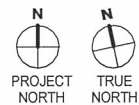
3308 GRAND AVE. OAKLAND, CA

NOT FOR  
CONSTRUCTION

CONSULTANT

CONSULTANT STAMP

#	DATE	ISSUES & REVISIONS	BY
1	3/9/15	Planning Submittal	
2	7/16/15	Planning Update	
3	10/22/15	Planning Update	



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PROJECT NUMBER: 14-048

SHEET ISSUE DATE: 05/11/15

SHEET TITLE:

## PROJECT INFORMATION

SHEET NUMBER

A0.1

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## ABBREVIATIONS

AFF	ABOVE FINISHED FLOOR	(N)	NEW
ACOUS	ACOUSTICAL	NEG	NEGATIVE
ADJ	ADJUSTABLE	NOM	NOMINAL
AL	ALIGN	NIC	NOT IN CONTRACT
ALT	ALTERNATE	NTS	NOT TO SCALE
AB	ANCHOR BOLT	NO	NUMBER
APROV	APPROVED		
ARCH	ARCHITECTURAL	OC	ON CENTER
AUTO	AUTOMATIC	OD	OUTSIDE DIAMETER
		OP	OPENING
BLDG	BUILDING	OPP	OPPOSITE
BLKG	BLOCKING	ORIG	ORIGINAL
BM	BEAM		
BD	BOARD	PART	PARTITION
BO	BOTTOM OF	PP	PARTIAL PENETRATION
BS	BOTH SIDES	PAF	POWDER ACTUATED FASTENER
		PLAM	PLASTIC LAMINATE
CAB	CABINET	PL	PLATE
CBC	CALIFORNIA BUILDING CODE	PN	PLATE NAILING
CI	CAST IRON	PLYWD	PLYWOOD
CIP	CAST IN PLACE	PT	POINT
COL	COLUMN	LB	POUND
CTR	CENTER	PRES	PRESSURE
CL	CENTER LINE		
CTC	CENTER TO CENTER	QUAL	QUALITY
CER	CERAMIC	QUAN	QUANTITY
CJ	CONSTRUCTION JOINT		
CL	CLEAR	PT	PRESSURE/
CMU	CONCRETE MASONRY UNIT		PRESERVATIVE TREATED
CON	CONNECTION	PS	PRESTRESSED
CONT	CONTINUOUS	PART	PARTITION
CP	COMPLETE PENETRATION		
CS	COUNTERSINK	RAD	RADIUS
CW	COLD WATER	RWL	RAIN WATER LEADER
		RECPT	RECEPTACLE
DET	DETAIL	REF	REFERENCE
DEPT	DEPARTMENT	REIN	REINFORCEMENT, REINFORCED
DIA	DIAMETER	REQ	REQUIRED
DIV	DIVISION	RDWD	REDWOOD
DR	DOOR	RH	RIGHT HAND
DBL	DOUBLE	RHR	RIGHT HAND REVERSE
DF	DOUGLAS FIR	RM	ROOM
DN	DOWN	RND	ROUND
DS	DIAGONAL SHEATHING	RO	ROUGH OPENING
DWG	DRAWING	REV	REVISION
DRWR	DRAWER		
		SS	SANITARY SEWER
(E)	EXISTING	SAD	SEE ARCHITECTURAL DRAWINGS
EA	EACH	SCD	SEE CONSULTANT DRAWINGS
EF	EACH FACE	SED	SEE ELECTRICAL DRAWINGS
EW	EACH WAY	SKD	SEE KITCHEN CONSULTANT DRAWINGS
EN	EDGE NAILING	SSD	SEE STRUCTURAL DRAWINGS
EL	ELEVATION	SLD	SEE LANDSCAPE DRAWINGS
ELEV	ELEVATOR	SMD	SEE MECHANICAL DRAWINGS
ELEC	ELECTRICAL	SFMD	SEE FINISH CARPENTRY DRAWINGS
ENG	ENGINEER	SPD	SEE PLUMBING DRAWINGS
EQ	EQUAL	SJ	SEISMIC JOINT
EQUIP	EQUIPMENT	SCHED	SCHEDULE, SCHEDULE
EX	EXHAUST	SECT	SECTION
EXP	EXPEDITE	SHT	SHEET
EXT	EXTERIOR	SM	SHEET METAL
		SM	SIMILAR
FAB	FABRICATE	SP	SPACE
FOC	FACE OF CONCRETE	SPEC	SPECIFICATION
FOF	FACE OF FINISH	SQ	SQUARE
FOS	FACE OF STUD	SQFT	SQUARE FOOT
FOW	FACE OF WALL	ST	STRAP TIE
FIN	FINISH	STAG	STAGGERED
FF	FINISHED FLOOR	SSTL	STAINLESS STEEL
FE	FIRE EXTINGUISHER	STAND	STANDARD
FA	FIRE ALARM	STL	STEEL
FLR	FLOOR	STOR	STORAGE
FLUOR	FLUORESCENT	STRUCT	STRUCTURAL
FL	FLUSH	SUS	SUSPENDED
FOUND	FOUNDATION	SYM	SYMMETRICAL
FTNG	FOOTING	SYS	SYSTEM
FR	FRAMING		
FUR	FURRING	TEMP	TEMPERED
		TH	THICKNESS
GA	GAUGE	THR	THREADED
GALV	GALVANIZED, GALVANIZING	TD	TIE DOWN
GL	GLASS, GLAZING	T&B	TOP AND BOTTOM
GLULAM	GLUE LAMINATED BEAM	T&G	TONGUE AND GROOVE
GYP BD	GYPSUM BOARD	TOC	TOP OF CONCRETE
		TOP	TOP OF FINISH
HVAC	HEATING VENTILATION & AIR CONDITIONING	TOP	TOP OF PLATE
		TOS	TOP OF STEEL
HSR	HIGH STRENGTH RODS	TOW	TOP OF WALL
HT	HIGH STRENGTH BOLT	TN	TRUE NORTH
HD	HOLD DOWN	TYP	TYPICAL
HORIZ	HORIZONTAL		
HW	HOT WATER	UL	UNDER WRITERS LABORATORY
		UON	UNLESS OTHERWISE NOTED
		UTIL	UTILITY, UTILITIES
INC	INCLUDING, INCLUDED	VERT	VERTICAL
INFO	INFORMATION	VIF	VERIFY IN FIELD
INT	INTERIOR	VER	VERIFY
		VEST	VESTIBULE
JH	JOIST HANGER		
JT	JOINT	WC	WATER CLOSET
		WH	WATER HEATER
LAM	LAMINATE	W	WITH
LH	LEFT HAND	W/O	WITH OUT
LHR	LEFT HAND REVERSE	WD	WOOD
LT	LIGHT		
LTW	LIGHT WEIGHT	YD	YARD
L	LONG, LENGTH		
MB	MACHINE BOLTS		
MAINT	MAINTENANCE		
MAX	MAXIMUM		
MECH	MECHANICAL		
MANF	MANUFACTURER		
MTL	METAL		
MEZZ	MEZZANINE		
MIN	MINIMUM		
MISC	MISCELLANEOUS		
MTD	MOUNTED		
MUL	MULLION		

## EXISTING BUILDING AND SITE INFO

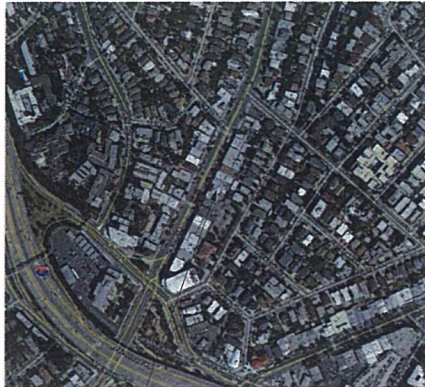
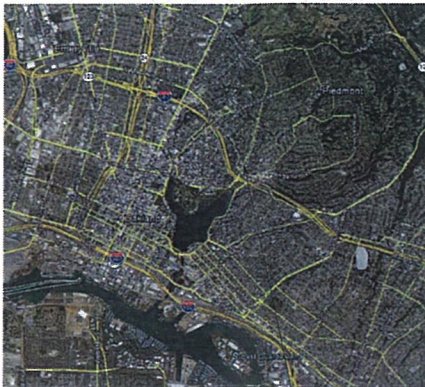
EXISTING BUILDING INFORMATION

ADDRESS: 3308 GRAND AVENUE

APN: 011 083603100

EXISTING GROUND FLOOR AREA: 3421 SF

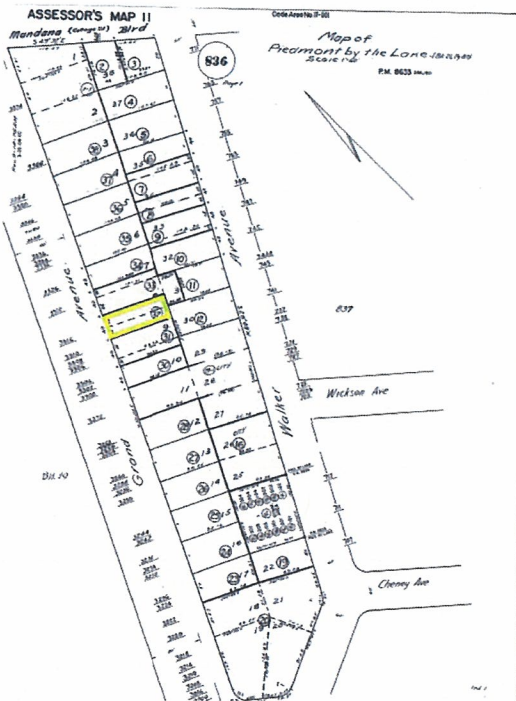
## VICINITY MAPS



PROJECT LOCATION



## APN



## ZONING SUMMARY

ZONING: CN-2  
LOT AREA: 3927.61 SF

PROPOSED GROSS BUILDING AREA (WITH ADDITION)

PROPOSED TOTAL BUILDING AREA (GROSS)		
LEVEL	AREA	TOTAL ADDITION / REMOVAL FROM (E)
GROUND FLOOR	3216 SF	- 235 SF
SECOND FLOOR	757 SF	+ 825 SF
	3,973 SF	+ 575 SF

ADDITION ONLY AREA

GROUND FLOOR: 825 SF  
SECOND FLOOR: 757 SF  
TOTAL: 1,582 SF

FLOOR AREA RATIO

FAR MAX: 4006 SF BUILDING AREA / 3927 SF LOT AREA = 1.02

HEIGHT REQUIREMENTS

MAXIMUM ALLOWABLE HEIGHT: 45'  
PROPOSED HEIGHT: 25' 3 3/4", 2 STORIES, SEE ELEVATIONS

SETBACK REQUIREMENTS

	REQUIRED	PROPOSED
MIN. FRONT SETBACK:	0'	NA
MAX. FRONT SETBACK:	10'	NA
MIN. SIDE SETBACK:	0'	0'
MIN. INTERIOR SIDE SETBACK:	0'	0'
MIN. REAR SETBACK:	10'	10'

## PROJECT DESCRIPTION

THIS PROJECT IS A NEW ADDITION TO AN EXISTING RESTAURANT. IT WILL CONTAIN KITCHEN, OFFICE AND STORAGE SPACES.



Small Commercial Green Building Checklist



This Small Commercial Checklist is intended to address small new construction and renovations/expansions projects in Alameda County. Projects are required to meet all applicable measures on the checklist including "A" and "B" portions of numbered measures (unless otherwise stated). To aid in verification, include references in the Notes column where compliance with the applicable measures can be found in the submitted plans and/or specifications. For measures that are not applicable or are not in the project's scope of work, select "N/A" and make a note of why the measure does not apply. If more space is needed, use the space provided on page 10 or attach additional pages. For appendices, electronic copies of this checklist, and other green building resources, visit [www.StowWaste.org/SmallCommercial](http://www.StowWaste.org/SmallCommercial).

Note: Some new construction projects will trigger the California Green Building Standards Code (CALGreen, Title 24, Part 11) mandatory requirements. Several of the green strategies in this Checklist are similar or equivalent to CALGreen. These measures are identified with a reference to the CALGreen code section.

Project: **Boot and Shoe Service Addition**  
Address: **3308 GRAND AVE, OAKLAND, CA** Date: **02/26/2015**

Yes	No	N/A	Measure & Requirement	Documentation	Reference/Notes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>0. Required for All Projects: Include This Checklist on Plans</b> Include a copy of the completed Small Commercial Checklist on building plans.	The Small Commercial Checklist is available as an editable PDF document. Download and complete the form and insert it into the building plan set. Indicate the location of the Checklist within the plans in the box at right.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>1. Alternative Transportation Access (both "A" and "B" are required to be addressed)</b> <b>A. Public transit:</b> Project is located within 1/4 mile of two or more bus lines AND/OR within 1/2 mile of a light rail or commuter rail transit stop (BART, Amtrak, etc.).	Provide a simple map showing distances to public transit stops from the main entry of the buildings. Use the "Nearby Routes & Services" calculator on the <a href="http://www.511.org">www.511.org</a> website or other transit agency website to calculate distances from the project address.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. Bicycle parking</b> Project includes bicycle racks or storage areas for use by building occupants (workers) and visitors (if applicable). For new construction projects: Meet the requirement of CALGreen 5.106.4 for short-term and long-term bicycle parking, based on motorized vehicle parking capacity. For existing building improvements or renovations: Meet the same thresholds as CALGreen 5.106.4 for new construction. -OR- Provide at least 1 bike rack for every 2,000 sf of the total building footprint/interior area (with a min. of 1 rack) as occupied by the tenant/owner. This requirement is independent of the project scope of work square footage (i.e. if the scope of work is only 2,000sf of a 10,000sf office, then provide racks for the entire 10,000sf space). Existing racks within 200 feet of a building entrance can count towards compliance. Additionally, for projects over 7,500 square feet, a designated changing area must be provided.	For all projects: Bike racks and storage areas must be placed in a secure and covered area for use by building occupants within 200 feet of the building entrance. If the project anticipates visitor traffic, provide permanently anchored bike racks within 200 feet of the visitor's entrance, readily visible to passers-by (or provide proof of adequate existing racks for existing building improvements/renovations). Construction documents (plans & specifications and/or site plan) must reflect the location of the required number of short-term and long-term bike parking facilities. Provide a calculation table or note on the plans showing the calculated number of spaces required as per CALGreen or based on total building square footage. Round-up to the next whole number for calculations. For projects over 7,500 square feet (total site): Provide a floor plan noting the designated changing area. A changing area is any space that allows privacy but does not cause lengthy wait times or other privacy concerns to occupants (such as single occupant restrooms in small buildings).	"This credit is required regardless of the project's scope of work"

Version 2.1, January 26, 2011

Page 1 of 10

Small Commercial Green Building Checklist



Yes	No	N/A	Measure & Requirement	Documentation	Reference/Notes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>5. Improved Energy Efficiency</b> There are 2 paths for achieving this measure (choose one path): Path 1: Performance: Buildings for which Title 24 energy modeling is performed, complete Path 1. Check "N/A" in the Path 2 box. Path 2: Prescriptive: Projects for which energy modeling is not employed, complete Path 2. Check "N/A" in the Path 1 box.  Path 1: Building Energy Modeling Best California minimum energy efficiency standards (Title 24, Part 6) by 10% or more.	Submit Title 24 report for whole building or by component. Percent better than code is determined by TDV from ECOM-1 report.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Path 2: For projects that DO NOT require building energy modeling: Complete A&amp;B below.</b> <b>A. Select at least 2 of the following prescriptive energy efficiency measures</b>  i. Reduce Lighting Power Density (LPD) in the facility to 90% of code.  ii. High performance windows - for all windows replaced. All new windows must have a U-factor no higher than 0.47. Solar Heat Gain Coefficient (SHGC) is dependent on glazing percentage and climate zone. Climate Zone 3, for buildings with: - less than 20% glazing, SHGC ≤ 0.41. - more than 20% glazing, SHGC ≤ 0.35. Climate Zone 12, for buildings with: - less than 20% glazing, SHGC ≤ 0.35. - more than 20% glazing, SHGC ≤ 0.31. *Glazing percentages are defined as non-thin window-wall ratio.  iii. High Efficiency HVAC Equipment. All new HVAC equipment must comply with the Consortium for Energy Efficiency (CEE) Tier 1 commercial HVAC standards. See <a href="http://www.stowwaste.org/smallcommercial">www.stowwaste.org/smallcommercial</a> for a link to the CEE standards or download them at <a href="http://www.cee1.org/com-main.php#">www.cee1.org/com-main.php#</a> .	1. Provide lighting design plans and/or specifications. 2. Calculate the total LPD and include on plans or in other format. The LPD can be calculated from lighting design plans or from Title 24 submissions. Must be a maximum of 90% of Title 24 LPD. Do not include occupancy sensor or other switches/control strategies in this calculation. 3. Where display lighting is used it must be calculated separately and installed lighting shall not exceed the 90% of the maximum display lighting allowed by Title 24 (Part 6).  1. Provide plans and/or specifications with a window schedule. 2. On the window schedule, include the non-thin window-wall ratio as a percentage of glazing. Do not include north-facing windows in this ratio since north-facing windows do not factor into the glazing percentage calculation for SHGC. 3. Provide manufacturer cut sheets, NFRC label or other documentation showing U-factor and SHGC for windows chosen.  1. Provide plans and specifications showing equipment schedule and performance specifications. 2. Provide manufacturer literature confirming compliance with CEE Tier 1 standards.	

Version 2.1, January 26, 2011

Page 4 of 10

Small Commercial Green Building Checklist



Yes	No	N/A	Measure & Requirement	Documentation	Reference/Notes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>2. Reduced Parking</b> Project does not exceed minimum local parking requirements. -OR- the project does not provide any new parking.	1. Provide proof of the minimum local parking requirements for the site. -OR- provide proof that no parking will be added. Minimum parking requirements usually come from the City. 2. If parking is added, provide a site plan with parking areas highlighted. Total and highlight the number of existing and new parking spaces.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>3. Reduced Heat Island Effect (both "A" and "B" are required to be addressed)</b> <b>A. Nonroof heat islands</b> Combine cool site techniques for 75% of site area being impacted by construction (including all landscaping/hardscapes on site). Cool site techniques include pervious surfaces (including open grid pavement and vegetation) and light colored concrete. Hardscape alternatives: Use one of a combination of strategies 1 through 3 for 50% of site hardscaping or put 50% of parking underground. 1. Provide shade (calculated for trees/plants that mature within 5 years of occupancy). 2. Use light-colored/high-albedo materials (light colored concrete instead of asphalt, for example). 3. Use open-grid/pervious pavers or other pervious paving system.	1. Site plan with the following areas calculated and clearly visible (if applicable): total site area, landscape area, area of hardscapes under shade (from trees or awnings, etc.), and hardscape area. 2. Calculate the percent of the total site area that includes cool site techniques.  Where hardscape alternatives are used in lieu of 75% of total site, provide a site plan showing each of the paving materials used and calculations that demonstrate compliance with the applicable strategy(ies).	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. Roof heat islands</b> Provide a cool roof for at least 75% of the roof area being impacted by construction. Cool roofs are reflective surfaces applied to the roof. To find cool roof products, go to <a href="http://www.coolroofs.org">www.coolroofs.org</a> and use the "Rated Products Directory". Note: A roofing materials having a minimum aged Solar Reflectance Index (SRI) of 78 to be considered a "Cool Roof" for this measure.	1. Roof plan with the following areas calculated and clearly visible: total building/roof area, photovoltaic array area. 2. Calculate the percent of the total area that includes a cool roof. Photovoltaic panels are exempt from the calculation if mounted on the roof (subtract the photovoltaic array area from the total site area). For low-sloped roofs (<2:12), eligible cool roof materials must have a Solar Reflective Index (SRI) of 78 or higher. If SRI is not available for the cool roof product, then products with an initial solar reflectance of 0.70 or higher AND an initial thermal emittance of 0.75 or higher are acceptable. Steep sloped roofs (>2:12) do not need to comply and should have their square footage removed from calculation. 3. Provide manufacturer literature stating the cool roof SRI.	

Version 2.1, January 26, 2011

Page 2 of 10

Small Commercial Green Building Checklist



Yes	No	N/A	Measure & Requirement	Documentation	Reference/Notes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>4. Water Efficient Plumbing Fixtures</b> Water-efficient fixtures reduce water use and sewer costs and reduce demand on water supplies and treatment facilities. For sites that have landscapes, see the <a href="#">Bay-Friendly for Paved Landscapes checklist at <a href="http://www.stowwaste.org/smallcommercial">www.stowwaste.org/smallcommercial</a></a> .		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Path 1: Prescriptive measures</b> The following maximum thresholds are required for all new fixtures (same as CALGreen requirements): 1. Toilets (water closets): High Efficiency Toilets (HETs) with flush rate ≤1.28 gallons per flush (gpf). 2. Urinals: Waterless or low-flow with flush rate ≤ 0.5 gpf. 3. Lavatory Faucets: flow rates ≤ 0.4 gallons per minute (gpm) @ 60 psi for all faucets except kitchen sinks. 4. Kitchen faucets: flow rates 1.8 gpm @ 60 psi. 5. Wash fountains: flow rates 1.8 lpm space (n/20 gpm @60 psi) 6. Metering faucets: flow rates 0.2 gallons/cycle 7. Metering faucets for wash fountains: 0.20 lpm space (n/20 gpm @60 psi) 7. Pre-rinse Spray Valves: flow rates ≤ 2.0 gpm. 8. Showerheads: flow rates 2.0 gpm @80 psi	1. Floor plan(s) showing location of all new toilets, urinals, faucets and kitchen pre-rinse spray valves in the project. 2. Specification sections or fixture schedules showing that low-flow fixtures are specified for all new fixtures (if specifications are created for the project). 3. Manufacturer literature (cut sheets) showing flush rate of toilets and urinals to be installed, and flow rates for faucets and spray valves.  See the CALGreen code section 5.303.2 for more on the prescriptive requirements for water efficient fixtures.	Choose 1 of 2 Paths Below (not both)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Path 2: Performance measures</b> Provide a calculation demonstrating a minimum 20% reduction in the building "water use baseline" based on the following flow rates (same as CALGreen): 1. Showerheads: 2.5 gpm @ 80 psi 2. Lavatory faucets: 0.5 gpm @ 60 psi 3. Kitchen faucets: 2.2 gpm @ 60 psi 4. Wash fountains: 2.2 lpm space (n/20 gpm @ 60 psi) 5. Metering faucets: 0.25 gallons/cycle 6. Metering faucets for wash fountains: 0.25 lpm space (n/20 gpm @60 psi) 7. Gravity tank type water closets, flushometer tank water closets, flushometer valve water closets, electromechanical hydraulic water closets: 1.6 gallons/flush 8. Urinals: 1.0 gpf	Provide a plumbing calculation on the plans demonstrating an overall minimum 20% water use reduction for all fixture types 1-8.  Utilize the CALGreen water calculation guidelines to determine percent savings. found in code section table 5.303.2.2	

Version 2.1, January 26, 2011

Page 3 of 10

Small Commercial Green Building Checklist



Yes	No	N/A	Measure & Requirement	Documentation	Reference/Notes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>v. High efficiency heating: Furnace Replacement.</b> For furnace replacements to units manufactured after 2001 (<10 years old), replace with units that have a minimum energy efficiency of 92 AFUE. For furnace replacements to units manufactured before 2001 (>10 years old), replace with at least the code required minimum efficiency units. If furnaces are replaced, they will have a minimum energy efficiency of 92 AFUE.	1. Submit plans or specifications highlighting efficiency of forced air furnace(s). 2. Submit manufacturer cut sheet for furnace(s) and highlight efficiency.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>vi. Provide on-site renewable energy generation</b> (solar, wind, etc) system capable of producing at least 5% of the building's total electrical load OR at least 10% of the building's hot water demand (based on annual use or cost)	1. Provide estimated output and percent of building load to be offset with renewable energy system. Calculations to be provided by a licensed solar installer, electrical contractor, or from the CEE rebate application. 2. Provide manufacturer cut sheets for generation equipment including inverters.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. Select at least 3 of the following prescriptive energy efficiency measures</b>  i. Automatic daylight sensors are installed in at least 75% of interior spaces with exterior windows. Automatic sensors must turn lights on, off, or dim depending on amount of daylight coming into the building.  ii. HVAC Tune-up: Verify outside air economizer operation Note: For HVAC replacements to units <10 years old, install new CEE Tier 1 units. For HVAC >10 years, replace units with at least standard efficiency units.  iii. Locate occupancy sensors in 40% of intermittent or non-regularly occupied spaces (hallways, bathrooms, closets, conference rooms). Exclude areas containing mechanical equipment or electrical panels which require light for maintenance  iv. All new exit signs in the project are to be LED or luminescent. Recommend replacing all existing exit signs as well, even if not in project scope.  v. Install ENERGY STAR rated office equipment and appliances. For eligible equipment, at least 75% of all new office equipment and 50% of all new appliances must be ENERGY STAR rated. See <a href="http://www.energystar.gov">www.energystar.gov</a> for product lists.	1. Highlight areas to be daylight on plans (those areas or rooms within 15 feet of skylights or exterior windows). 2. Highlight locations of daylight sensors. 3. Provide calculation showing that 75% or more of the space in daylight events (by square feet or rooms) are under daylighting control.  1. Evaluate economizer operation upon startup. Confirm operation of actuator from minimum position to 100% open. 2. Verify economizer operates per control sequence (outside air, room set point) to meet space requirements.  1. Provide lighting plans with intermittent/non-regularly occupied spaces highlighted. 2. Highlight occupancy sensors on plans that serve these spaces. 3. Provide calculation showing that 40% or more of the spaces are controlled by occupancy sensors.  Provide lighting plans specifying correct signage product.  1. Submit list of all planned new office equipment and appliances. 2. Calculate the percent of planned office equipment and appliances that are to be ENERGY STAR. If ENERGY STAR products are not available for a particular appliance or piece of equipment, note that on the list and do not include those in the percentage calculation.	

Version 2.1, January 26, 2011

Page 5 of 10

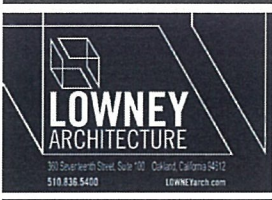
Small Commercial Green Building Checklist



Yes	No	N/A	Measure & Requirement	Documentation	Reference/Notes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>vi. High efficiency water heating: Specify gas water heaters above 0.65 EF or preferably a condensing water heater at 0.86.</b> Specify boilers with efficiency of 90% or more. (This excludes all tankless water heaters and any small kitchen or bathroom water heaters under 5 gallons.)	1. Submit plans or specifications highlighting efficiency of water heater(s) or boiler(s). 2. Submit manufacturer cut sheet for water heaters/boilers and highlight efficiency.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>vii. Tight ducts: Duct testing and sealing for all ductwork.</b>	1. Submit evidence (HERS duct testing contract or report or other documentation that ducts will be sealed and tested) that duct sealing and testing will be performed. 2. Provide final Title 24-2008 Non-Residential Acceptance Form for Duct Testing.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>viii. Develop and implement an Operations &amp; Maintenance (O&amp;M) Plan for the building.</b> Download a guide to green O&M at <a href="http://www.stowwaste.org/constructionmaterials">www.stowwaste.org/constructionmaterials</a>	1. Develop an O&M plan for the project. The plan should address all that apply: building lighting, heating, cooling, plumbing, solar, rainwater catchment, irrigation/landscaping practices and other systems as well as more general building policies (such as green cleaning, environmental purchasing, etc.). The plan should describe accessibility of units, proper maintenance techniques, descriptions of proper use, model numbers & cut sheets, manufacturer contact information for replacement/repairs/questions. The plan should include switching/control diagrams, lighting plans, heating, cooling, plumbing, solar, rainwater, irrigation/landscaping practices. 2. Submit signed O&M plan from the owner saying that the O&M plan will be followed once occupied.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>6. Construction Waste Management</b> During construction, divert 100% of concrete, dirt and asphalt and divert at least 65% of remaining job site construction and demolition waste from landfill via recycling or reuse.  Note: For new construction, 50% of construction and demolition waste is required to be recycled in CALGreen [section 5.408].	1. Prior to construction, complete a construction waste management plan. The City should provide a sample template, or one can be downloaded at <a href="http://www.stowwaste.org/C&amp;D">www.stowwaste.org/C&amp;D</a> . 2. After construction, provide final waste management plan and verification (service provider weight tags and/or receipts) that 100% of concrete, dirt and asphalt were diverted and at least 65% of remaining job site construction waste diverted from landfill via recycling or reuse. If material was taken to a transfer station, a facility average recycling rate must be applied to the amount of material sent to that facility. See <a href="http://www.stowwaste.org/C&amp;D">www.stowwaste.org/C&amp;D</a> for a list of mixed-waste diversion recycling rates and locations.	

Version 2.1, January 26, 2011

Page 6 of 10



PROJECT NAME

BOOT AND SHOE SERVICE ADDITION

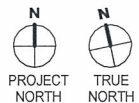
3308 GRAND AVE. OAKLAND, CA

NOT FOR CONSTRUCTION

CONSULTANT

CONSULTANT STAMP

#	DATE	ISSUES & REVISIONS	BY
1	3/9/15	Planning Submittal	
2	7/16/15	Planning Update	
3	10/22/15	Planning Update	



DRAWN BY: Author  
PROJECT NUMBER: 14-048  
SHEET ISSUE DATE: 05/11/15  
SHEET TITLE:

GREEN BUILDING CHECKLIST

SHEET NUMBER

A0.2

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT WRITTEN CONSENT OF THE ARCHITECT



Score	Measure and Requirement	Documentation	Reference/Notes
<b>7. Environmentally Preferable Materials</b> <b>New Construction projects:</b> Achieve at least 7 measures from below. <b>Renovation projects:</b> Achieve at least 5 measures from below.			
<b>Materials or finishes listed below meet at least one of the following environmentally preferable criteria (unless otherwise noted):</b> Plywood/MDF/wood is FSC certified, salvaged/reclaimed materials (including ornate materials); rapidly renewable materials (bamboo, etc.); recycled content materials (at least 30% post consumer); exposed concrete (for flooring only); or low-emitting 2008 Collaborative for High Performance Schools (CHPS) VOC criteria and listed on the Low-Emitting Materials List or certified under the FloorScore program of the Resilient Floor Covering Institute). Under CALGreen code, some of these measures are required for new construction projects. See <a href="http://www.StoveMaster.com/SmallCommercial">www.StoveMaster.com/SmallCommercial</a> for links and resources on Environmentally Preferable Materials.			
<input checked="" type="checkbox"/>	<b>i. Cabinets &amp; Shelving</b> (includes bookshelves, face frames and doors). At least 50% of cabinets and shelving (by volume or linear feet) meet environmentally preferable criteria.	1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of material (recycled content, % FSC certification, etc.). 3. Provide calculation of applicable material percentage.	
<input checked="" type="checkbox"/>	<b>ii. Interior Trim</b> (includes all trim for floors, doors, walls, ceilings, windows, etc.). At least 50% of all interior trim (by volume or linear feet) meet environmentally preferable criteria.	1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of material. 3. Provide calculation of applicable material percentage.	
<input checked="" type="checkbox"/>	<b>iii. Doors and Door Cores</b> At least 50% of all doors (by count) meet environmentally preferable criteria.	1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of material. 3. Provide calculation of applicable material percentage.	
<input checked="" type="checkbox"/>	<b>iv. Countertops and Substrates</b> At least 50% of all countertops and substrates (by volume or linear feet) meet environmentally preferable criteria.	1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of material. 3. Provide calculation of applicable material percentage.	
<input checked="" type="checkbox"/>	<b>v. Furniture</b> (includes systems and stand-alone furniture). At least 75% of all furniture (by number of pieces or by cost) meet environmentally preferable criteria.	1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of furniture. 3. Provide calculation of applicable material percentage.	
<input type="checkbox"/>	<b>vi. Ceiling Tiles</b> . At least 75% of all ceiling tile (by square feet) meet environmentally preferable criteria.	1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of material. 3. Provide calculation of applicable material percentage.	
<input type="checkbox"/>	<b>vii. Insulation</b> . At least 75% of all insulation (by volume, square feet, or cost) contain 30% recycled content (post-consumer) and are low-VOC emitting. See <a href="http://www.stoveastera.com/small-commercial">www.stoveastera.com/small-commercial</a> for a list of eligible products.	1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of material. 3. Provide calculation of applicable material percentage.	

## Small Commercial Green Building Checklist



Measure & Requirement		Documentation	Reference Notes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6. Collection of Recyclables</b>			
<p>Encourage ongoing recycling by providing at least as much bin volume for recycling as for waste. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including paper, corrugated cardboard, glass, plastics, and metals. Note: This is required in new construction CALGreen per section 5.4.0.1.</p> <p>In addition to the required recycling collection infrastructure, recycle at least 1 of the following material streams: food scraps, household hazardous wastes (fluorescent lamps, batteries, oil, etc.), or e-waste (computer equipment).</p>		<ol style="list-style-type: none"> <li>1. Provide plans showing recycling receptacles and signage are provided in all applicable areas: offices, private rooms, meeting rooms, lobbies, etc.</li> <li>2. Recycling areas must be secure, be protected from the elements, such as rain; and be adequately separated from occupied spaces for protection against impacts such as noise, odor, and pests.</li> <li>3. Where feasible, recycling areas should be located adjacent to solid waste collection areas.</li> <li>4. Provide calculation of adequate recycling volume.</li> <li>5. Provide evidence of recycling for at least 6 (the 5 required materials plus the additional 1) of the material streams. Submit recycling trailer information for recyclables and food scraps. Provide a short narrative on how the facility will collect and recycle hazardous and e-waste.</li> </ol>	
<b>Indoor Environment &amp; Air</b>			
<p><i>Effective daylighting and natural ventilation may improve indoor environmental quality. Natural ventilation can reduce heating and cooling requirements and may justify smaller, simpler HVAC systems, which can reduce the project's first cost. Ventilation (natural or mechanical) improves indoor air quality. Daylighting can offset some of the electric lighting load.</i></p>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>9. Daylight, Views &amp; Natural Ventilation</b>			
<p>Provide access to views to the outdoors (any window or skylight can provide a view) from 80% of regularly occupied areas (i.e. offices, reception areas, bedrooms, kitchens, show rooms, dining rooms, but not bathrooms or storage areas). Operable windows are recommended for all projects but are required in spaces where 2 or more views have windows that can be installed or replaced AND where the installation/operation is in the scope of work. Exceptions can be made for sites where operable windows would compromise safety or security. At least 50% of occupants within 15 feet of a window must have access to operable windows.</p>		<ol style="list-style-type: none"> <li>1. Provide site plans with view areas highlighted (those areas within sightline of skylights or exterior windows).</li> <li>2. Calculate percent of regularly occupied areas without access to views.</li> </ol> <p>For spaces where windows are installed or replaced:</p> <ol style="list-style-type: none"> <li>3. Provide window schedule showing operable and non-operable windows.</li> <li>4. Provide site plan and/or calculation on the number of occupants within 15 feet of windows, showing that at least half of the workers have access to an operable window.</li> </ol> <p>If windows cannot be operable for security or safety reasons, describe the rationale in the Notes box at right or attach a separate narrative.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>10. Fresh Air Monitors for densely Occupied Spaces</b>			
<p>For new building systems with movable outside air dampers: For all densely occupied spaces, such as multi-purpose rooms or conference rooms, provide CO2 monitors with alarms (example: small visual indicator such as a light to alert building occupants or building operator), and the ability to manually adjust air flow.</p> <p>Note: for buildings equipped with demand control ventilation, CO2 sensors and ventilation controls are required under CALGreen section 5.06.2 and Title 24, Part 6, Section 121(c).</p>		<ol style="list-style-type: none"> <li>1. Provide mechanical plans with CO2 monitors highlighted.</li> <li>2. Confirm alarm function (user adjustable) of Building Automation System. Verify control sequence resulting from "alarm" in Sequence of Operations.</li> <li>3. Provide Title 24 "Acceptance" forms.</li> <li>4. Written confirmation that testing, adjusting and balancing (TAB) contractor will adjust and balance the movable outside air damper to provide cooling as required for air conditioning the spaces. When CO2 monitor located within referenced AC unit's conditioned space sends an alarm signal the economizer damper actuator shall open outside air damper to provide 30% more air than the minimum damper setting.</li> </ol>	

## Small Commercial Green Building Checklist



Yes	No	N/A	Measure & Requirement	Documentation	Reference/Notes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>vi. Flooring. At least 75% (by square feet) of all flooring (exposed or stained concrete) or floor coverings (carpet, resilient flooring, tile, hardwood, etc.) must environmentally preferable criteria.</p>	<p>1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of material. 3. Provide calculation of applicable material percentage.</p>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>ix. Exterior Paint. At least 50% of all exterior paint (by square footage or volume) is recycled content (40%+). For new construction projects, this credit is superseded by CALGreen's low-emitting paint requirements and may not be achievable.</p>	<p>1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature showing recycled content. 3. Provide calculation of applicable material percentage.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>x. Low-Emitting Interior Paint. All interior paints are low emitting: ≤ 50 grams/liter for flat paints ≤ 150 g/L for non-flat high gloss coatings; and ≤ 100 g/L for non-flat coatings.</p>	<p>1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of material. 3. Provide documentation that all paints and coatings are low-emitting. Provide MSDS sheets.</p>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>xi. Low-Emitting Adhesives &amp; Sealants. All adhesives and sealants are low-emitting according to the South Coast Air Quality Management District Rule 1168 (see <a href="http://www.sqaqm.org/healthcheckreg1168.pdf">www.sqaqm.org/healthcheckreg1168.pdf</a> for VOC limits).</p>	<p>1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of material. 3. Provide documentation that all adhesives and sealants are low-emitting. Provide MSDS sheets.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>xii. Low-Emitting Carpeting. All carpet installed in the building interior shall meet the testing and product requirements of one of the following: 1. Carpet and Rug Institute's Green Label Plus Program. See <a href="http://www.carpetinc.org">www.carpetinc.org</a> for label requirements and product lists. 2. California Department of Public Health Standard Practice for the testing of VOCs (Specification 01350) 3. NSF/ANSI 140 at the Gold level 4. Scientific Certifications Systems Sustainable Choice. All carpet cushion installed in the building interior shall meet the requirements of Carpet and Rug Institute Green Label Program. All carpet adhesive should meet 50 g/L VOC limit.</p>	<p>1. Provide finish schedule or specifications with applicable material(s) highlighted. 2. Provide manufacturer literature to support environmental claims of material. 3. Provide CRI Green Label Plus, Spec 01350, NSF/ANSI 140 Gold, or SCS Sustainable Choice documentation.</p>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>xiii. Low-Emitting Composite Wood. Where complying composite wood product is readily available for non-residential occupancies, meet current formaldehyde limits (ppm) as specified in ARB's Air Toxics Control Measures for Composite Wood (17 CCR 83120 et seq.): Hardwood plywood veneer core: 0.05 Hardwood plywood composite core: 0.08 Particle board: 0.09 Medium density fiberboard: 0.11 Thin medium density fiberboard: 0.21</p>	<p>1. Provide finish schedule or specifications with applicable material(s) highlighted. (Specify levels of formaldehyde in composite wood products on the plans or in the project specifications.) 2. Provide manufacturer literature to support environmental claims of material. 3. Provide MSDS sheets of composite wood.</p>	

## Small Commercial Green Building Checklist

[illegible]

PROJECT NAME

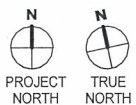
**BOOT AND SHOE  
SERVICE  
ADDITION**

3308 GRAND AVE. OAKLAND, CA

**NOT FOR  
CONSTRUCTION**

CONSULTANT

CONSULTANT STAMP

[illegible]

DRAWN BY: Author:  
PROJECT NUMBER: 14-048  
SHEET ISSUE DATE: 05/11/15  
SHEET TITLE:

# GREEN BUILDING CHECKLIST

SHEET NUMBER

# A0.3

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1 3260 GRAND



2 3264 GRAND



3 3268 GRAND



4 3300 GRAND



5 3304 GRAND



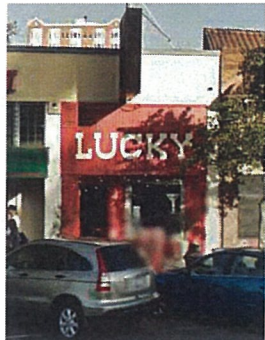
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7 3320 GRAND



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15 3325 GRAND



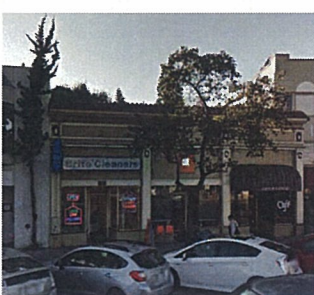
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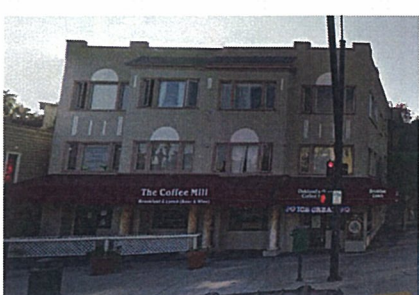
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18 3351 GRAND



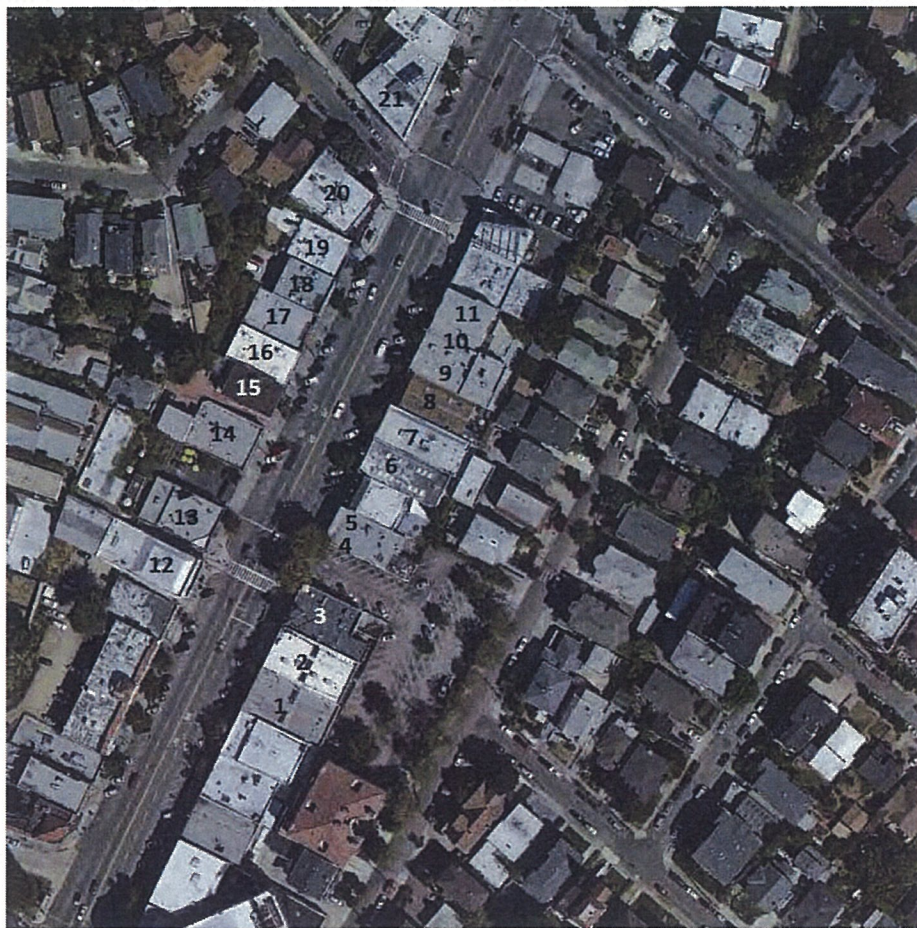
19 3353 GRAND



20 3363 GRAND



21 3409 GRAND



NEIGHBOR KEY PLAN



PROJECT NAME  
**BOOT AND SHOE  
SERVICE  
ADDITION**

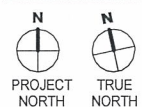
3308 GRAND AVE. OAKLAND, CA

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3	10/22/15	Planning Update	



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SHEET TITLE:

**SITE PHOTOS**

SHEET NUMBER

**A0.4**

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PROJECT NAME

**BOOT AND SHOE  
SERVICE  
ADDITION**

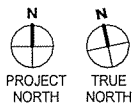
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3	10/22/15	Planning Update	



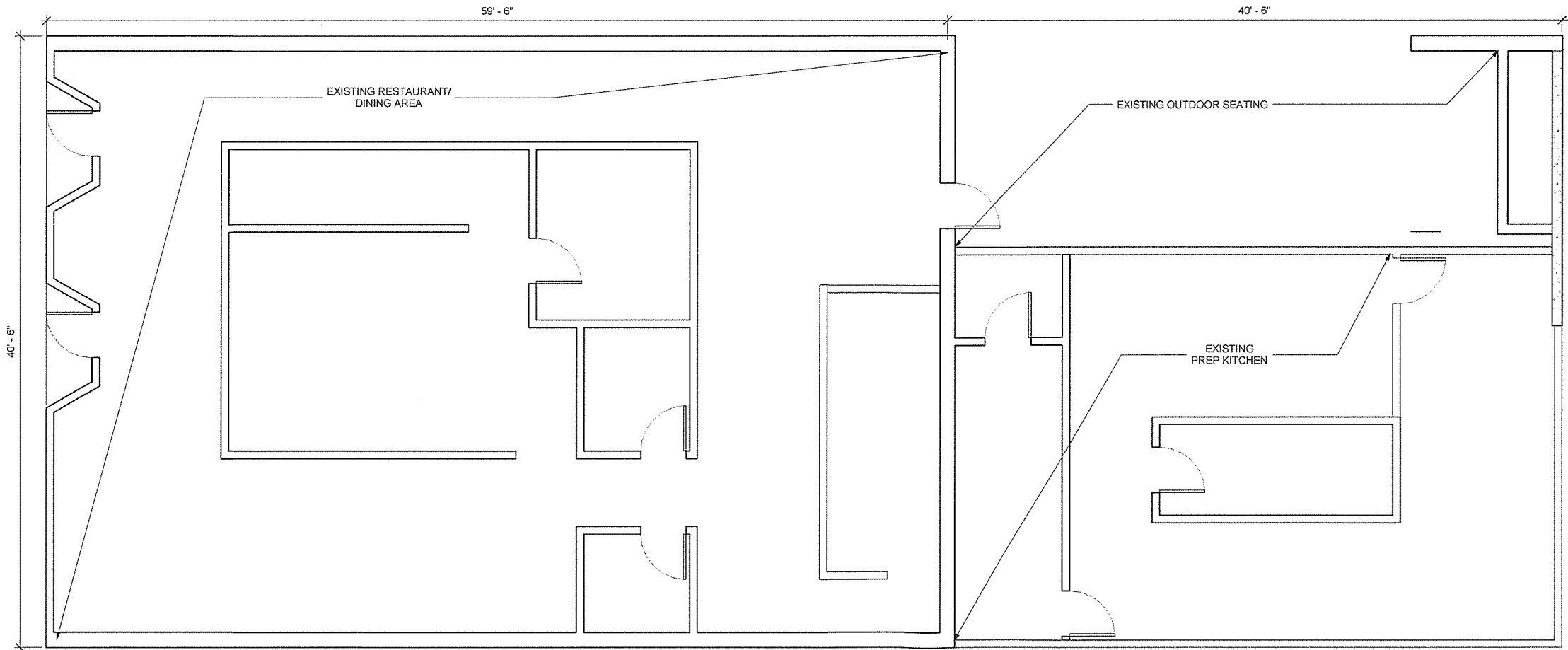
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PROJECT NUMBER: 14-048  
SHEET ISSUE DATE: 05/11/15  
SHEET TITLE:

**EXISTING FLOOR  
PLANS**

SHEET NUMBER

**A1.1**

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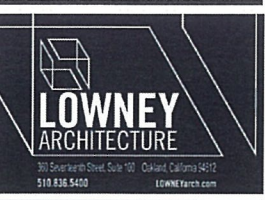
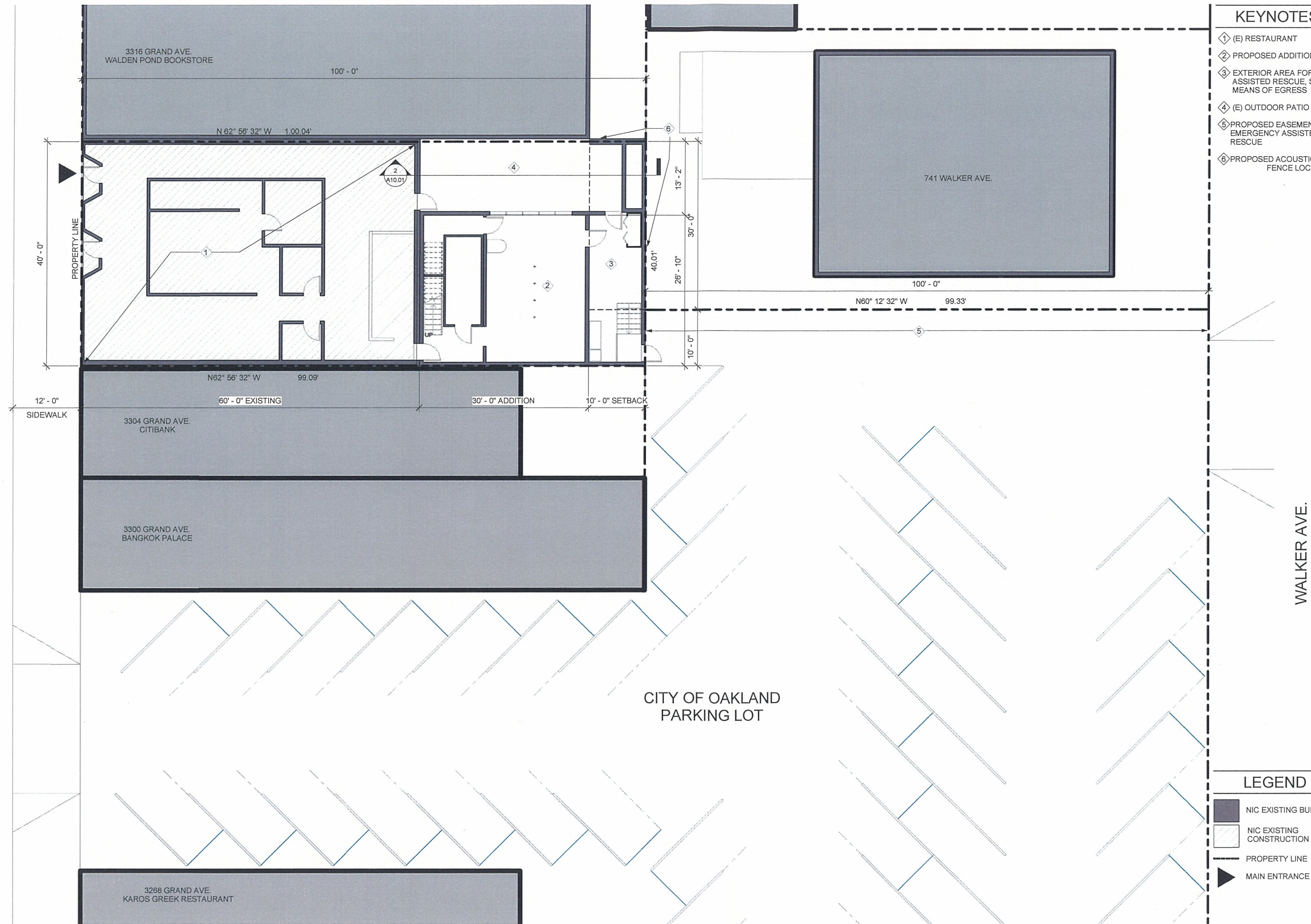


① EXISTING GROUND FLOOR PLAN  
1/4" = 1'-0"

10/22/2015 4:44:18 PM

① SITE PLAN  
1/8" = 1'-0"

GRAND AVE.



PROJECT NAME

**BOOT AND SHOE  
SERVICE  
ADDITION**

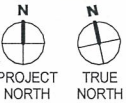
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DRAWN BY: DB  
PROJECT NUMBER: 14-048  
SHEET ISSUE DATE: 05/11/15  
SHEET TITLE:

**SITE PLAN**

SHEET NUMBER

**A1.2**

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PROJECT NAME  
**BOOT AND SHOE  
SERVICE  
ADDITION**

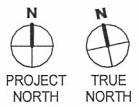
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3	10/22/15	Planning Update	



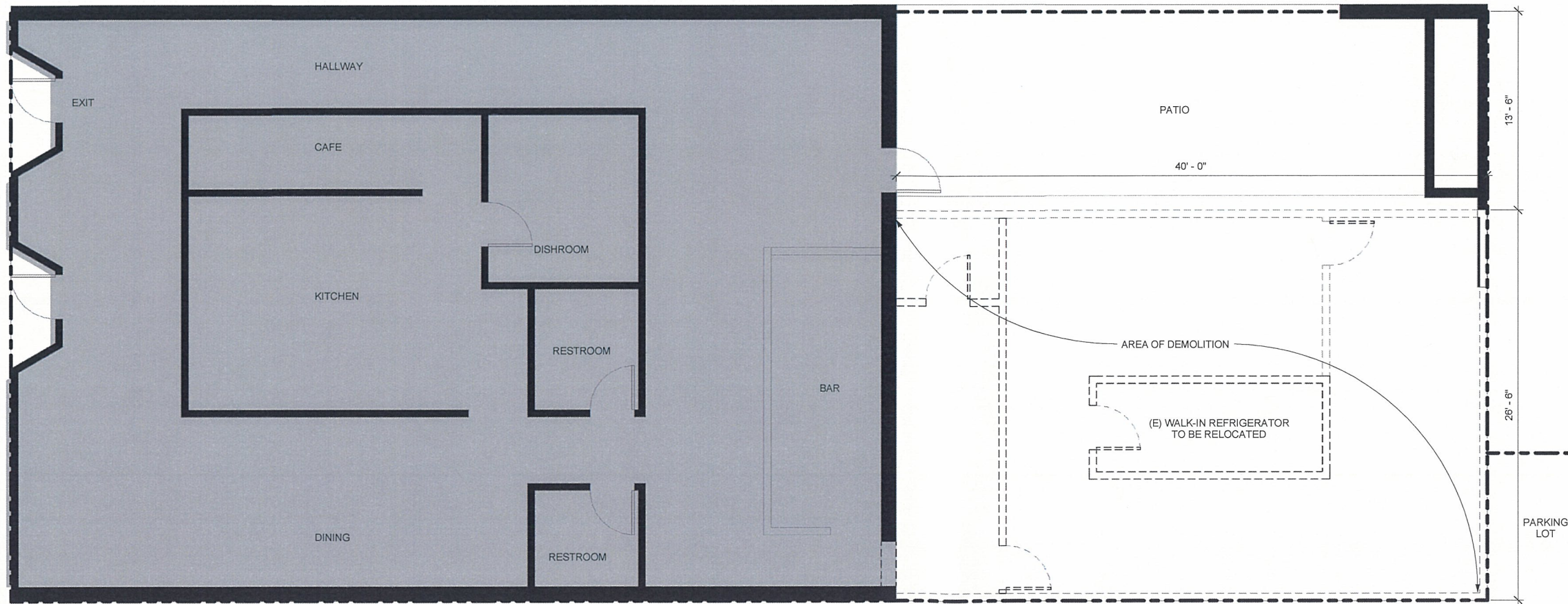
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PROJECT NUMBER: 14-048  
SHEET ISSUE DATE: 05/11/15  
SHEET TITLE:

**PROPOSED  
DEMOLITION PLAN**

SHEET NUMBER

**A2.0**

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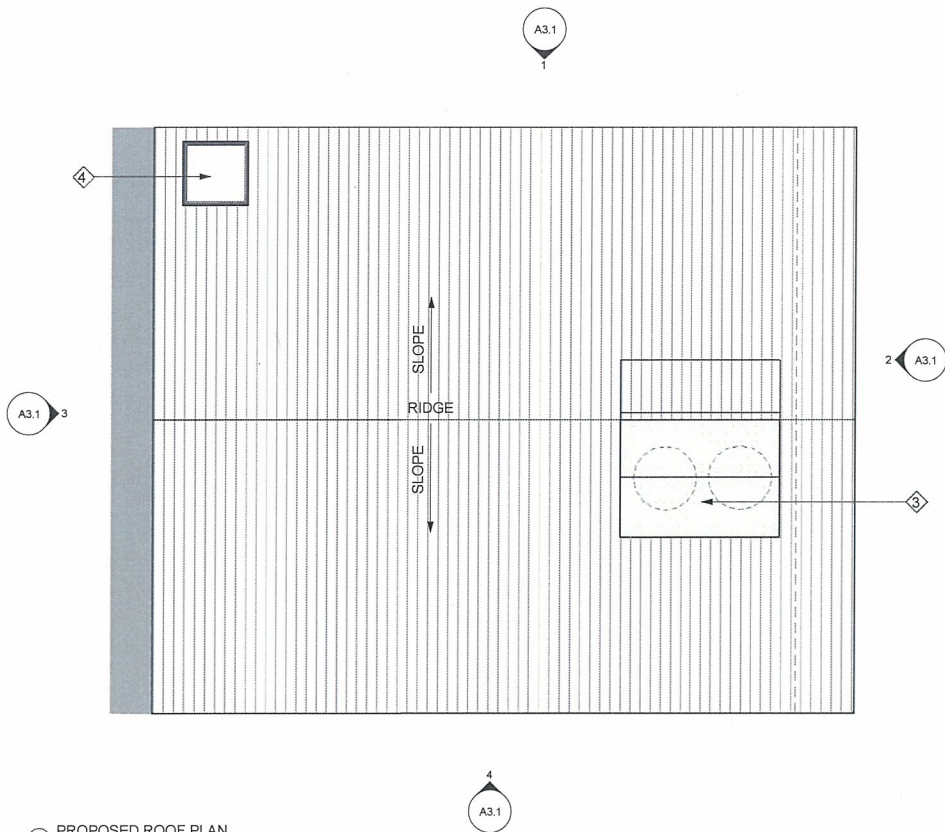


① GROUND FLOOR PLAN - DEMOLITION  
1/4" = 1'-0"

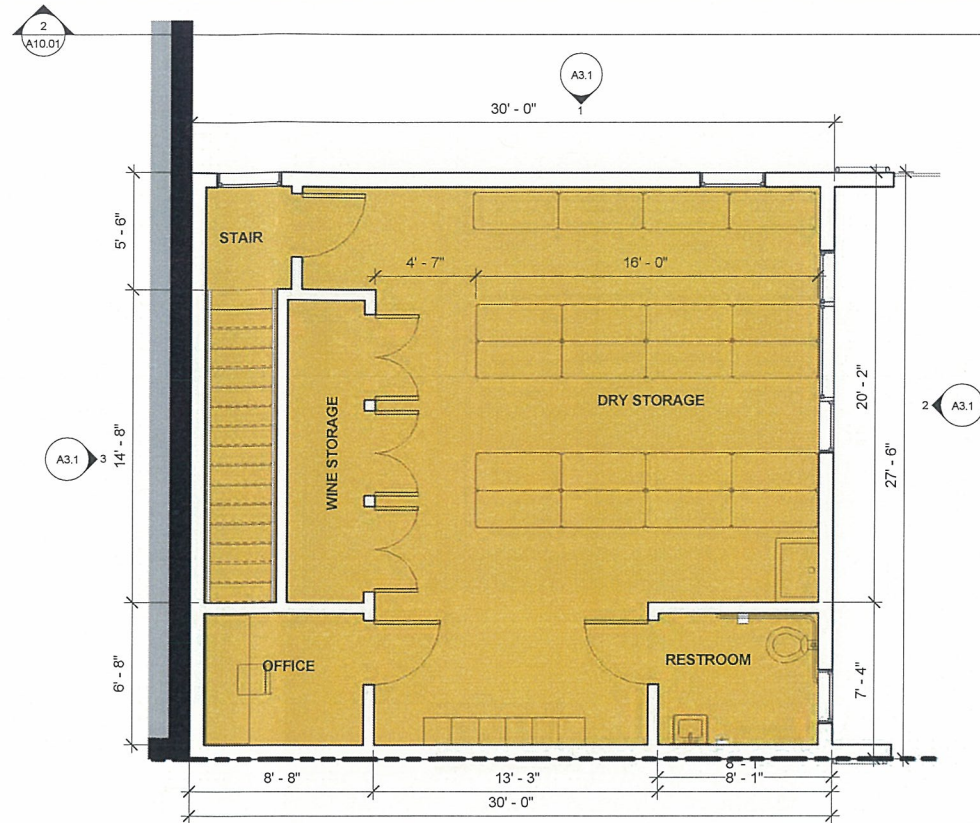


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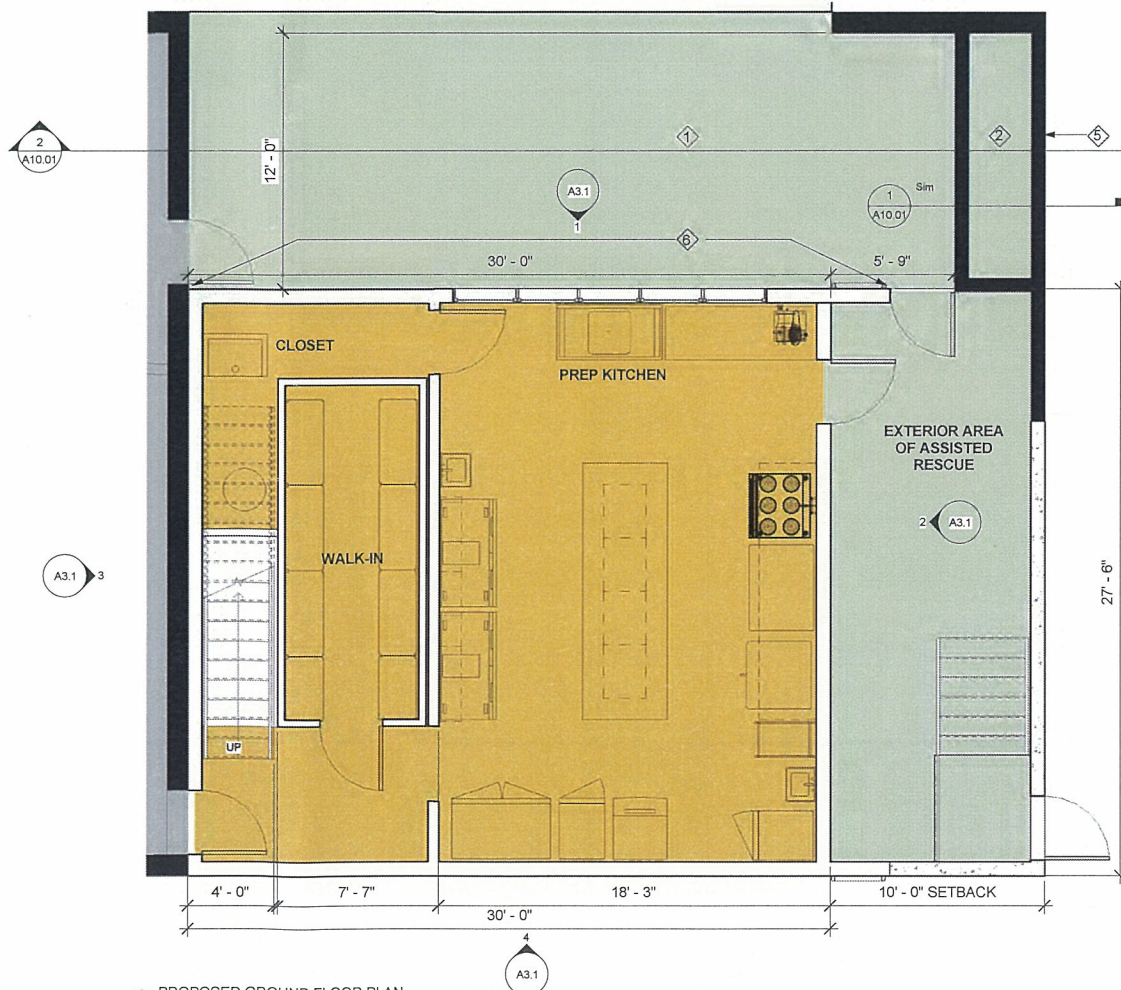
3 PROPOSED ROOF PLAN  
1/4" = 1'-0"



2 PROPOSED SECOND FLOOR PLAN  
1/4" = 1'-0"



1 PROPOSED GROUND FLOOR PLAN  
1/4" = 1'-0"



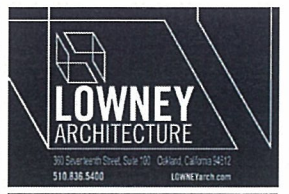
## KEYNOTES

- 1 (E) PATIO
- 2 REPAIR (E) WOOD STORAGE SHED
- 3 ROOFTOP UNIT ENCLOSURE
- 4 SKYLIGHT
- 5 NEW ACOUSTIC WOOD FENCE
- 6 NEW ACOUSTICALLY ABSORPTIVE PERFORATED METAL PANELS ON THIS FACADE

## LEGEND

- NEW UNRATED CONSTRUCTION
- NEW 1-HR FIRE-RESISTANCE-RATED CONSTRUCTION
- EXISTING WALL TO REMAIN
- AREA OF ADDITION
- EXTERIOR
- EXISTING BUILDING (NOT IN SCOPE)
- WALL TYPE - SEE SHEET A10.X FOR DETAILS & SCHEDULE
- WINDOW TYPE - SEE SHEET A10.X FOR DETAILS & SCHEDULE

GRAPHIC SCALE 1" = 2' - 0"



PROJECT NAME

## BOOT AND SHOE SERVICE ADDITION

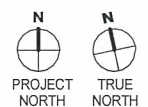
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3	10/22/15	Planning Update	



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PROJECT NUMBER: 14-048

SHEET ISSUE DATE: 05/11/15

SHEET TITLE:

## PROPOSED FLOOR PLANS

SHEET NUMBER

A2.1

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PROJECT NAME  
**BOOT AND SHOE  
SERVICE  
ADDITION**

3308 GRAND AVE. OAKLAND, CA

**NOT FOR  
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SHEET TITLE:

**PROPOSED  
ELEVATIONS**

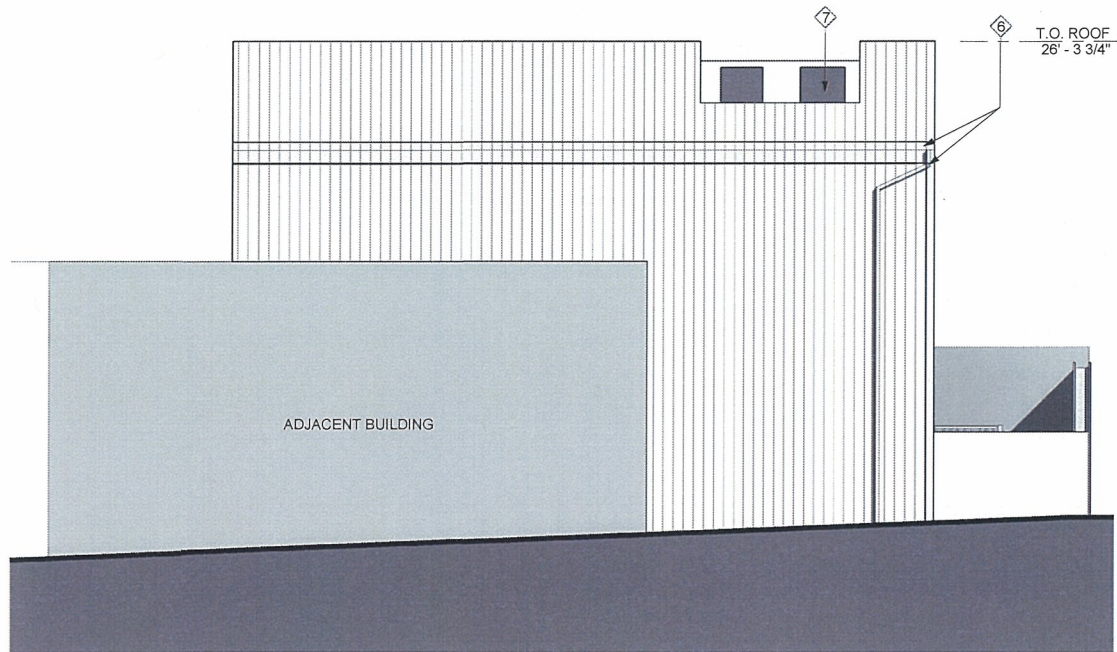
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**A3.1**

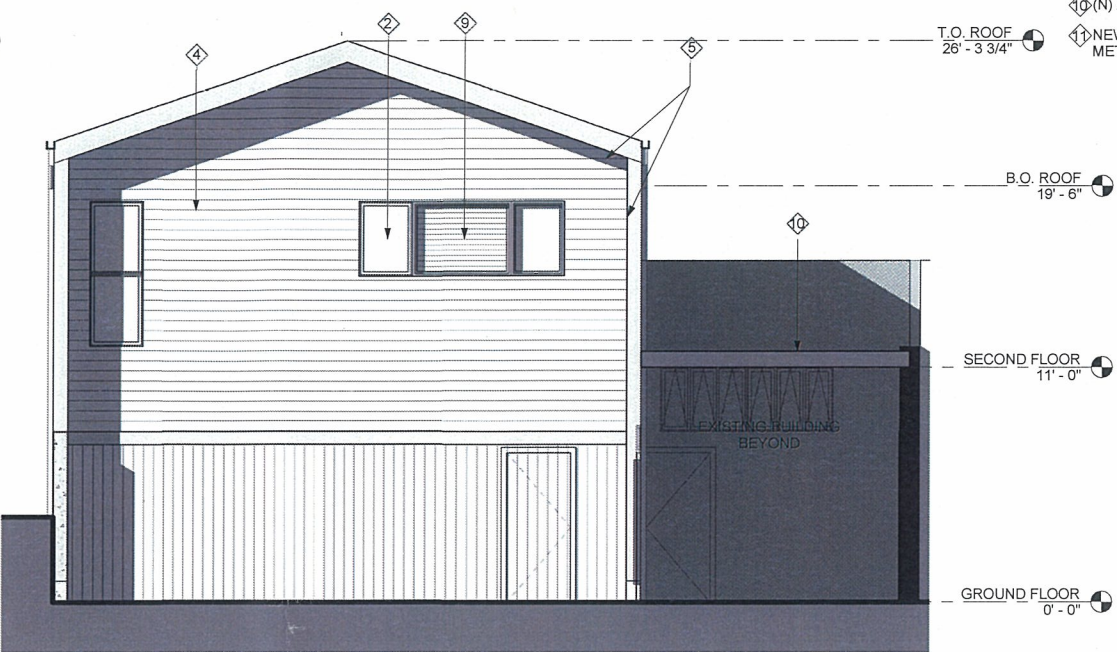
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**KEYNOTES**

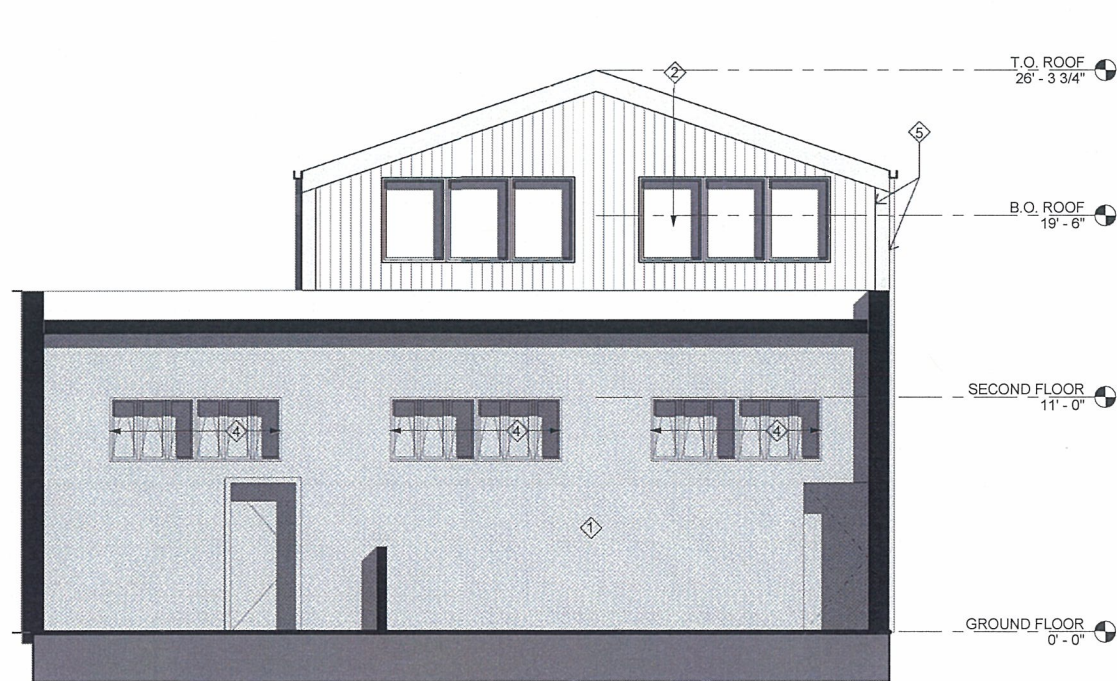
- ① (E) RESTAURANT
- ② (N) STEEL WINDOWS TYP.
- ③ (N) PTD STL GATE
- ④ (N) ROUGH OPENINGS AT (E) CLERESTORY WINDOWS
- ⑤ EXTENDED "PORTAL" EDGE CLAD IN PTD BREAK WALL
- ⑥ PREFINISHED ROUND GUTTER AND DOWNSPOUT
- ⑦ ROOFTOP MECHANICAL UNIT ENCLOSED
- ⑧ (N) ACRYLIC GLAZED SKYLIGHT
- ⑨ PREFINISHED HORIZONTAL METAL SIDING
- ⑩ (N) ACOUSTIC FENCE
- ⑪ NEW ACOUSTICALLY ABSORPTIVE PERFORATED METAL PANELS ON THIS FACADE



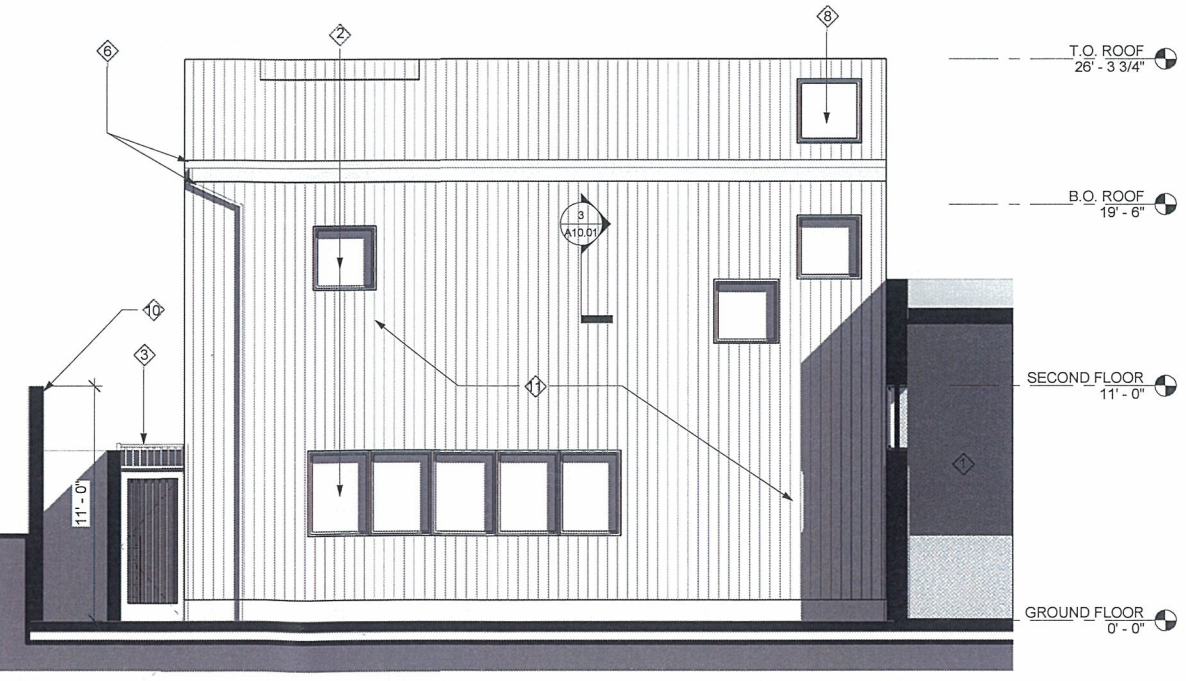
④ EXTERIOR ELEVATION - SOUTH  
1/4" = 1'-0"



② EXTERIOR ELEVATION - EAST  
1/4" = 1'-0"



③ EXTERIOR ELEVATION - WEST  
1/4" = 1'-0"



① EXTERIOR ELEVATION - NORTH  
1/4" = 1'-0"

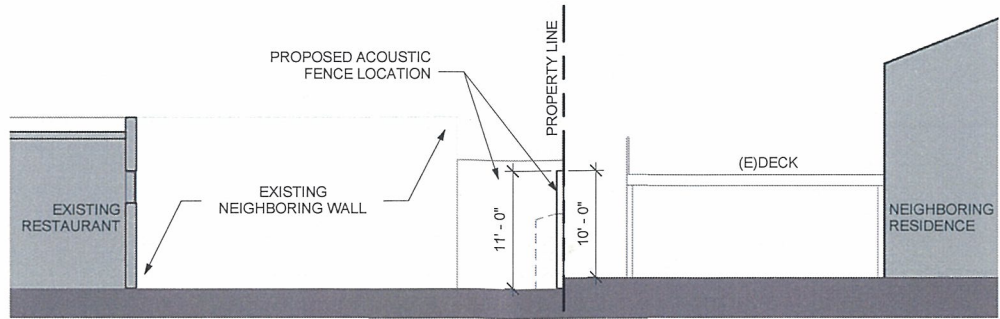
**LEGEND**

- PREFINISHED CORRUGATED MTL. PANELS
- 4" SHIPLAP CEDAR SIDING

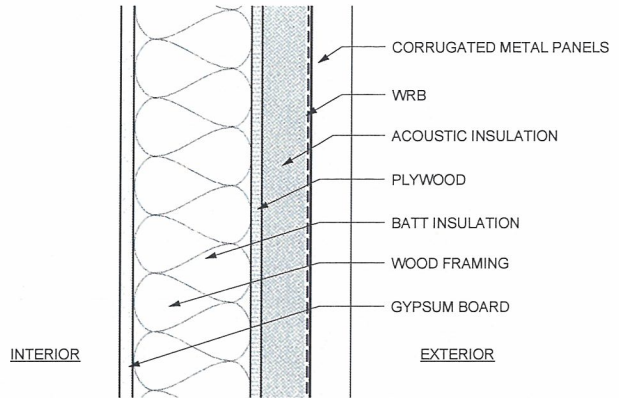
2/24/2016 5:26:50 PM



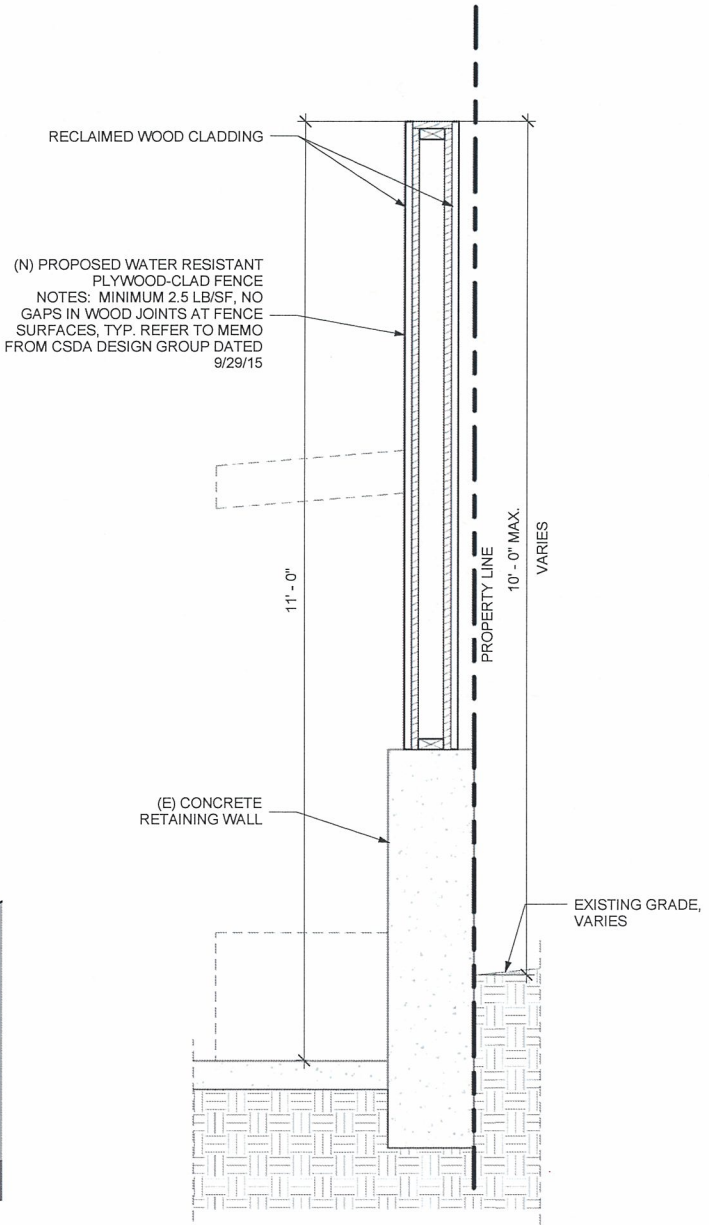
2/24/2016 5:26:53 PM



② REAR YARD SECTION  
1/8" = 1'-0"



③ ACOUSTIC EXTERIOR WALL DETAIL  
3" = 1'-0"



① WOOD FENCE DETAIL  
1" = 1'-0"

301 Southern Street, Suite 100, Oakland, California 94612  
510.836.5400 LOWNEYARCH.COM

PROJECT NAME

**BOOT AND SHOE SERVICE ADDITION**

3308 GRAND AVE. OAKLAND, CA

**NOT FOR CONSTRUCTION**

CONSULTANT

CONSULTANT STAMP

#	DATE	ISSUES & REVISIONS	BY
2	7/16/15	Planning Update	
3	10/22/15	Planning Update	

DRAWN BY: TV

PROJECT NUMBER: 14-048

SHEET ISSUE DATE: 07/16/15

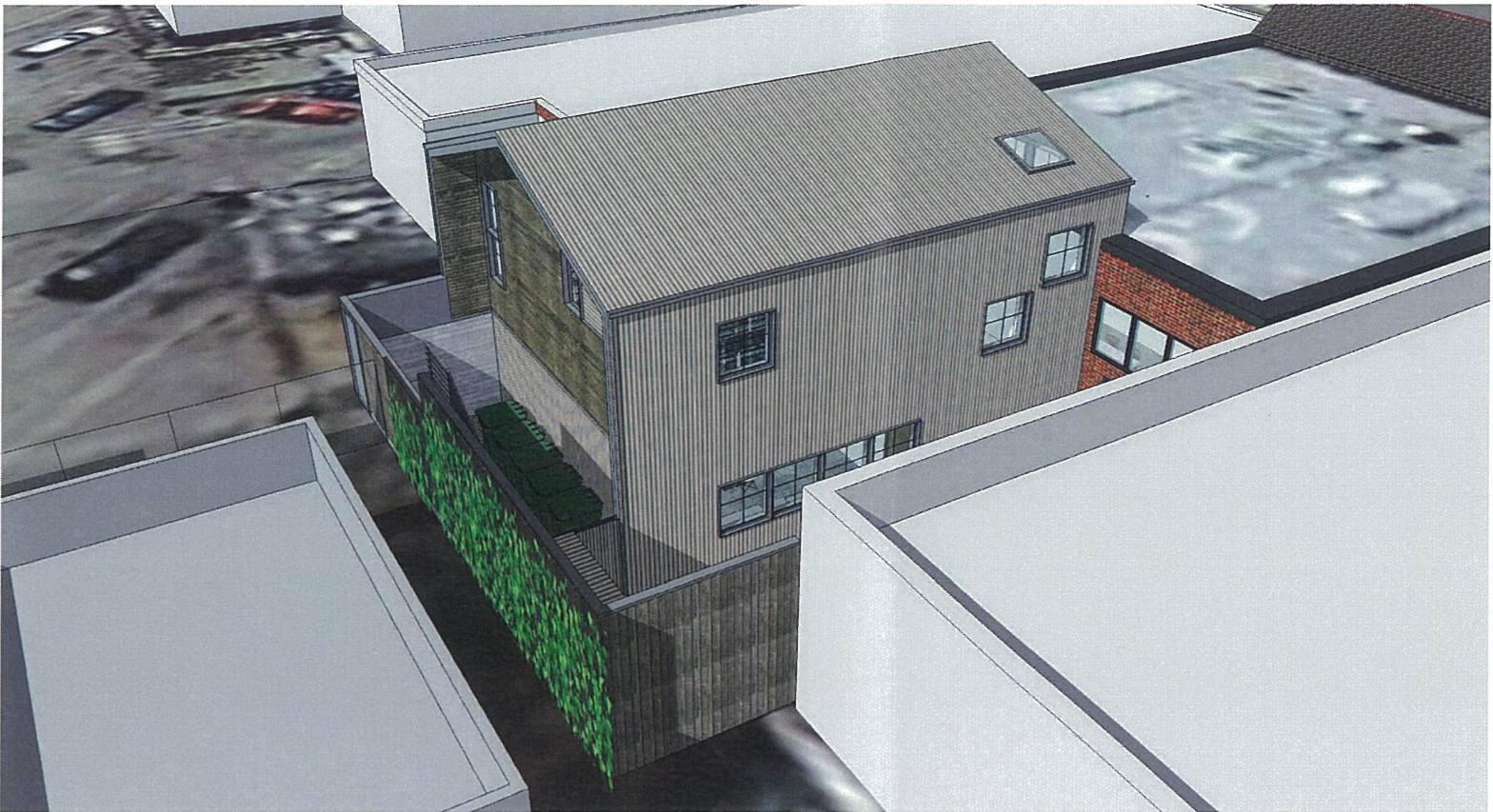
SHEET TITLE: **DETAILS**

SHEET NUMBER

**A10.01**

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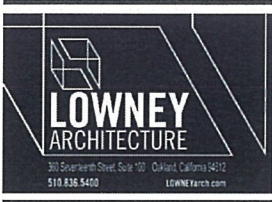




AERIAL VIEW FROM NORTH



SECTION PERSPECTIVE FROM EXISTING BAR



PROJECT NAME  
**BOOT AND SHOE  
SERVICE  
ADDITION**

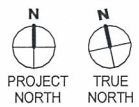
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SHEET ISSUE DATE: 05/11/15  
SHEET TITLE:  
**PERSPECTIVES**

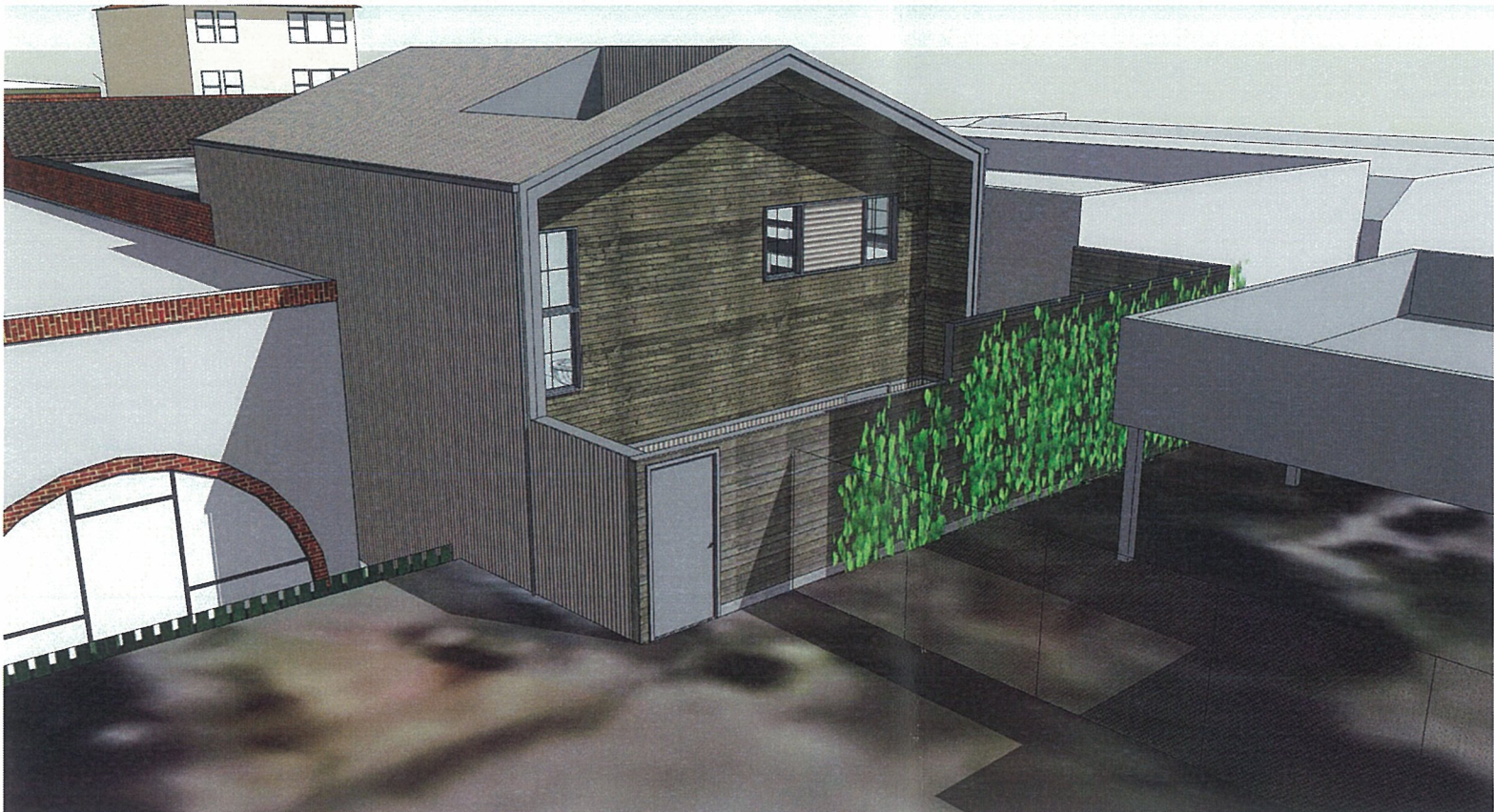
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**A.8.1**

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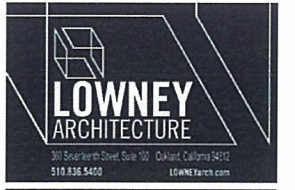




AERIAL VIEW FROM REAR PARKING LOT



AERIAL VIEW FROM SOUTH



PROJECT NAME  
**BOOT AND SHOE  
SERVICE  
ADDITION**

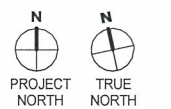
3308 GRAND AVE. OAKLAND, CA

**NOT FOR  
CONSTRUCTION**

CONSULTANT

CONSULTANT STAMP

#	DATE	ISSUES & REVISIONS	BY
1	3/9/15	Planning Submittal	
2	7/16/15	Planning Update	
3	10/22/15	Planning Update	



DRAWN BY: Author  
PROJECT NUMBER: 14-048  
SHEET ISSUE DATE: 05/11/15  
SHEET TITLE:

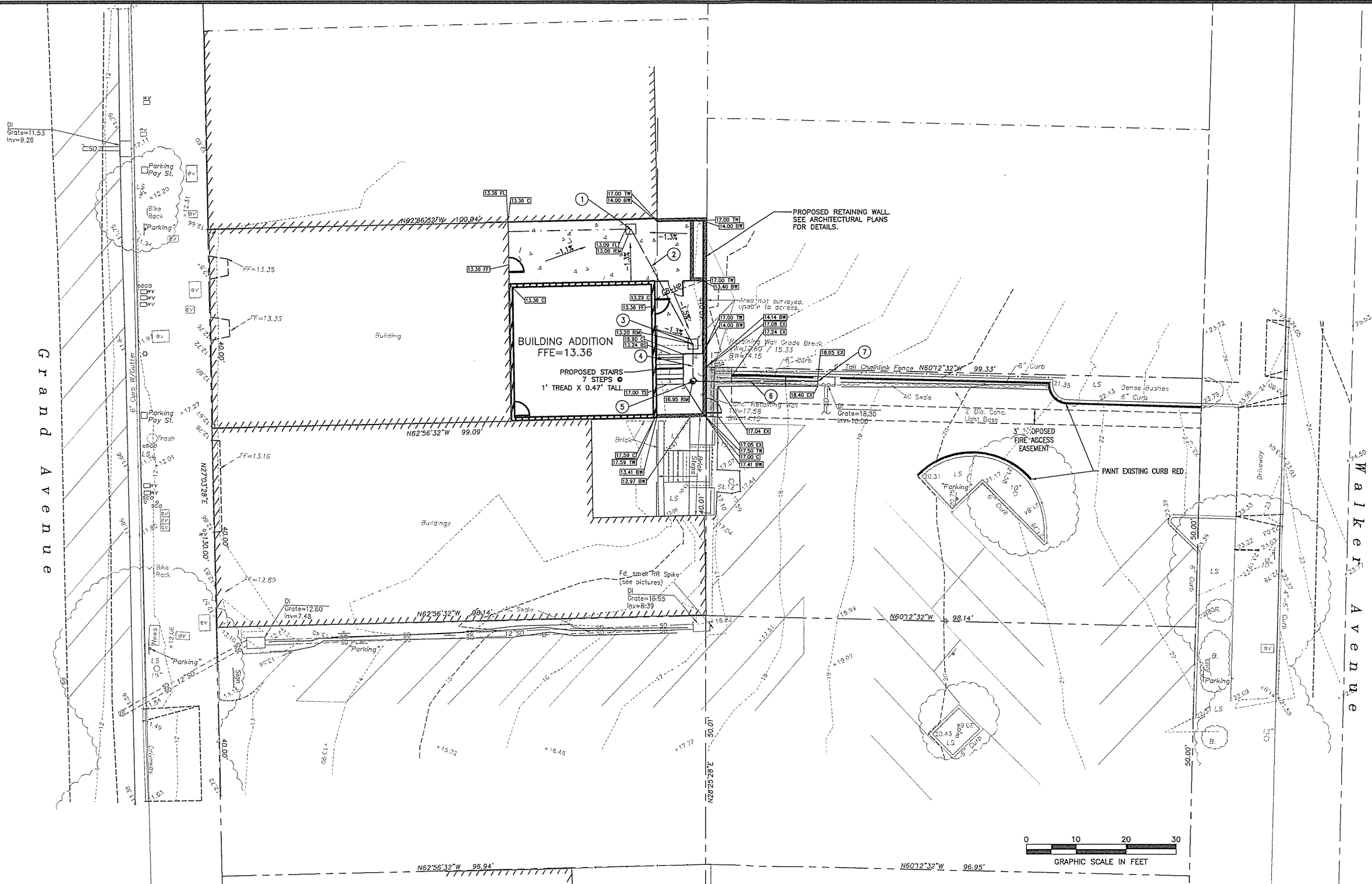
**PERSPECTIVES**

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#### BENCHMARK:

THE ELEVATIONS SHOWN ON THIS SURVEY ARE BASED UPON THE NATIONAL GEODETIC SURVEY PID HT2484. THAT ELEVATION WAS TAKEN AS 16.07' (VERTICAL DATUM, NAVD 88).

#### SITE INFORMATION:

ADDRESS: 3308 GRAND AVENUE, OAKLAND, CA 94610  
APN: 011-0836-031-00  
ZONING: EXISTING ZONING CN-2  
FLOOD ZONE: THE PROPERTY LIES WITHIN FLOOD ZONE 'X' PER MAP NUMBER 06001C0080G, DATED AUGUST 03, 2009.

#### AREA SUMMARY:

PARCEL AREA = ±3,982 SF (0.09 ACRES)  
BUILDING ADDITION AREA = ±797.5 SF

DISTURBED AREA = ±1,650 SF (0.038 ACRES)  
EXISTING IMPERVIOUS AREA = ±1,650 SF (0.038 ACRES)  
PROPOSED IMPERVIOUS AREA = ±1,650 SF (0.038 ACRES)  
EXISTING PERVIOUS AREA = ±4,000.0 SF (0.09 ACRES)  
PROPOSED PERVIOUS AREA = ±4,000.0 SF (0.09 ACRES)

#### SPOT GRADING LEGEND

60.00 EX	INDICATES ELEVATION TO MATCH EXISTING
60.00 FF	INDICATES ELEVATION AT BUILDING FINISHED FLOOR
60.00 C	INDICATES ELEVATION AT TOP OF CONCRETE
60.00 TC	INDICATES ELEVATION AT TOP OF CURB
60.00 FL	INDICATES ELEVATION AT FLOW LINE
60.00 BW	INDICATES ELEVATION AT BOTTOM OF WALL
60.00 TW	INDICATES ELEVATION AT TOP OF WALL
60.00 BS	INDICATES ELEVATION AT BOTTOM OF STAIR
60.00 TS	INDICATES ELEVATION AT TOP OF STAIR
60.00 RM	INDICATES ELEVATION AT STORM DRAIN RIM
1.5%	DRAINAGE ARROW AND PROPOSED SLOPE
---	EXISTING 1-FT CONTOUR
---	PROPOSED 1-FT CONTOUR

#### SITE PAVING LEGEND

	PROPOSED PCC PAVEMENT - 4" PCC OVER 6" AB
	PROPOSED ASPHALT PAVEMENT PARKING LOT - MATCH EXISTING DEPTHS UNLESS OTHERWISE RECOMMENDED BY SOILS ENGINEER

#### STORM DRAIN KEY NOTES

- PROPOSED STORM DRAIN DROP INLET 6" INV OUT (S)=10.56
- PROPOSED STORM DRAIN PIPE (6" PVC, 23 LF, S=1.0%)
- PROPOSED STORM DRAIN DROP INLET 6" INV THRU=10.33
- PROPOSED STORM DRAIN PIPE (6" PVC, 8 LF, S=1.0%)
- PROPOSED STORM DRAIN CLEAN-OUT 6" INV THRU=10.25
- PROPOSED STORM DRAIN PIPE (6" PVC, 25 LF, S=1.0%)
- CONNECT TO EXISTING STORM DRAIN DROP INLET 6" INV. IN (W)=10.0±

PROJECT NAME

## BOOT AND SHOE SERVICE ADDITION

3308 GRAND AVE. OAKLAND, CA

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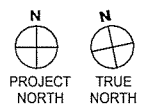
CONSULTANT



CALICHI DESIGN GROUP  
492 NINTH STREET, STE 200, OAKLAND, CA 94607  
(415) 390-2452 WWW.CALICHI.COM

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#	DATE	ISSUES & REVISIONS	BY



DRAWN BY: RVP

PROJECT NUMBER: 14-048

SHEET ISSUE DATE: 02/27/15

SHEET TITLE:

## CONCEPTUAL GRADING AND DRAINAGE PLAN

SHEET NUMBER

# C1.0

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