

# ***Oakland City Planning Commission***

Case File Number: PLN15-0024

## **STAFF REPORT**

May 6, 2015

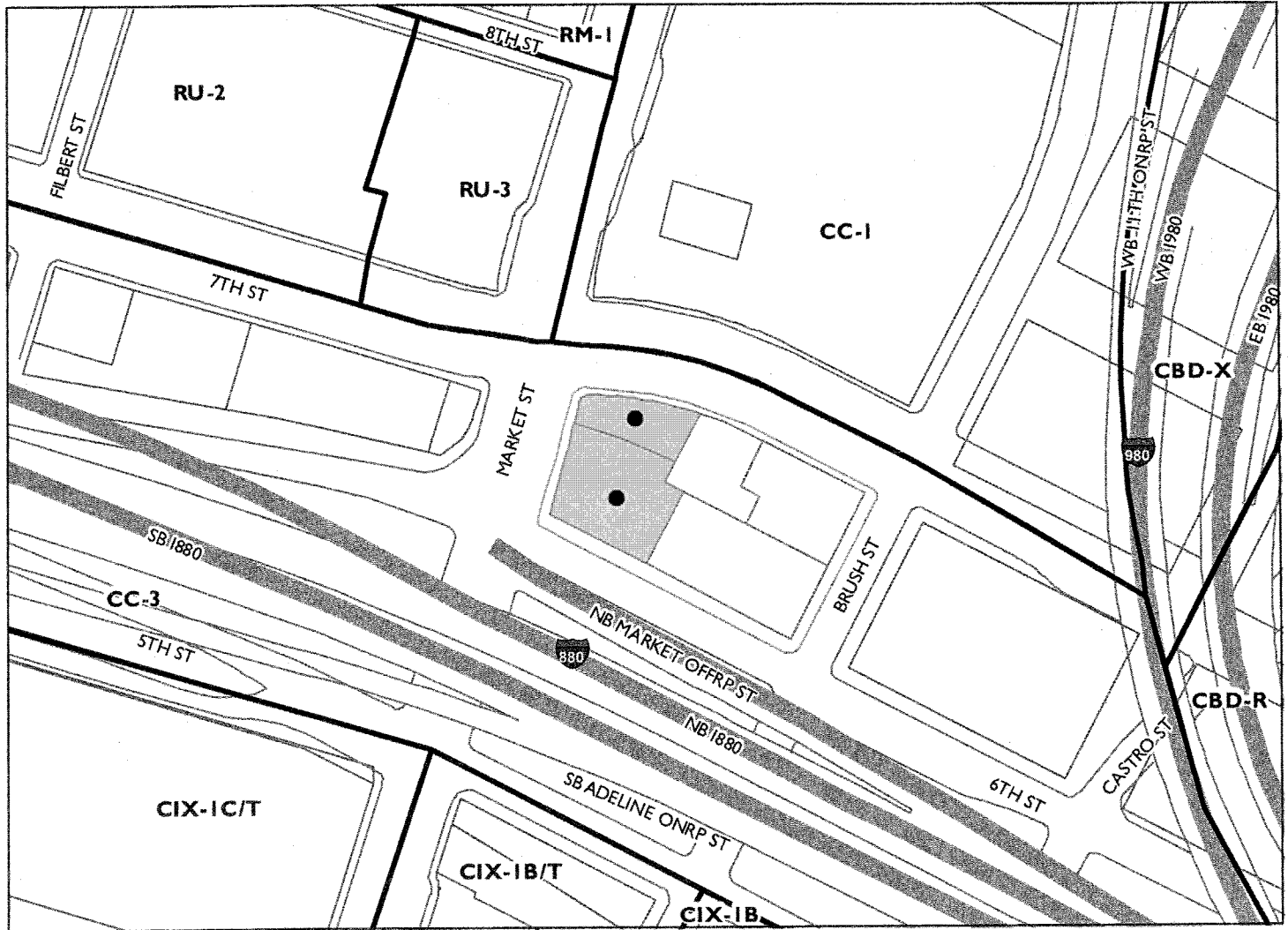
<b>Project Name:</b>	<b>Shell Minimart</b>
<b>Location:</b>	<b>610 Market Street (APN: 001022300100 &amp; 001022300500)</b>
<b>Proposal:</b>	To rebuild/expand an existing automotive service station and to establish a Convenience Market Commercial Activity.
<b>Contact Person/Phone Number:</b>	Jonathan Ramos, Barghausen 425 656 7443
<b>Owner:</b>	Darcek Pearl Investments Inc.
<b>Case File Number:</b>	<b>PLN15-0024</b>
<b>Planning Permits Required:</b>	Major Conditional Use Permit to establish a Minimart/Convenience Market in an Automobile Service Station and Drive-Through; Minor Conditional Use Permits to rebuild/expand an Automobile Service Station; Regular Design Review for additions and alterations
<b>General Plan:</b>	Community Commercial
<b>Zoning:</b>	CC-3 Community Commercial Zoning District
<b>Environmental Determination:</b>	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Sections 15302 replacement/ reconstruction and 15303 small structures, 15332 urban infill, 15183 projects consistent with adopted plans
<b>Historic Status:</b>	Not a Potential Designated Historic Property
<b>Service Delivery District:</b>	SDS-1
<b>City Council District:</b>	3
<b>Action to Be Taken:</b>	Approve Staff Recommendation
<b>Appeal:</b>	To City Council within 10 days
<b>For Further Information:</b>	<b>David Valeska at (510) 238-2075, <a href="mailto:dvaleska@oaklandnet.com">dvaleska@oaklandnet.com</a></b>

## **SUMMARY**

This application involves a request to rebuild an existing gasoline station with a drive-through car wash at 610 Market Street (at 7<sup>th</sup> Street) in West Oakland, near the Acorn Shopping Center. A 200 square foot portion of a 1,550 square foot gasoline station would be used for convenience sales, and will include continuation of a legal nonconforming sale of tobacco but no alcoholic beverage sales. Pursuant to Section 17.09 of the Oakland Planning Code, tobacco sales of less than 20% of the floor or less than 75% of gross sales receipts are excluded from a Conditional Use Permit requirement at automobile service stations.

A Major Conditional Use Permit (CUP) is required in order to establish a Convenience Market as well as a Drive-Through operation for the car wash. The purpose of the CUP is to minimize associated nuisances such as crime, noise and other effects of such businesses relative to neighbors, through conditions of approval. A Minor CUP is required to rebuild and expand a legal nonconforming Automobile Service Station. Regular Design Review is also required to replace the existing buildings. The gas station buildings were built in 1981 or before. The carwash was a permitted facility and activity in the M-20 Industrial zoning district and the carwash remains permitted in current CC-3 Community Commercial zoning. Rezoning to CC-3 made the gas station legal nonconforming. As background, a Conditional Use Permit application, CMVM96-75, was approved by the Planning Commission for a Convenience Market for this site on June 5, 1996, but expired 2 years later. Therefore a new CUP is needed to rebuild the existing facilities; another CUP is needed to modify drive-through operation; a new CUP is needed for Convenience Market activities. A Tree Permit has been requested to remove some trees and install some trees.

# CITY OF OAKLAND PLANNING COMMISSION



0 125 250 500 750 1,000 Feet



Case File: PLN150024  
Applicant: Jonathan Ramos, Barghausen  
Address: 610 Market Street  
Zone: CC-3

Issues under consideration include proximity of the Convenience Market to residential properties; vehicular access and on-site movement; and potential for late-night noise and litter from patrons exiting the property.

Potential benefits of the market include provision of convenience items at this location; and increased contribution to the economic vitality of the area. Landscape areas, including bioswale (C-3) stormwater management areas, would be increased. The site is buffered from some nearby residential areas by the freeway and by commercial facilities.

This type of facility and activity often has associated nuisances that include noise and traffic issues and sometimes causes security issues. The applicant's design addresses safety and other issues.

Staff recommends approval with conditions due to the upgrade characteristics of the rebuilding plan, which would make this facility and activity more attractive while maintaining the general existing level of noise and other effects from the site.

### **SITE DESCRIPTION**

The half acre rectangular parcel borders three streets near the Acorn Shopping Center in West Oakland. The site is flat and contains the gas station and carwash plus paving over most of the site.

### **PROJECT DESCRIPTION**

A gasoline service station with carwash has been at the site since 1981 or before. A Building Division Certificate of Occupancy was signed after canopy modification and other changes in March 1982. Freeway oriented signs were removed in 2001. The underground tanks were removed and the site soils were cleaned in 2008 with permits.

The applicant proposes to rebuild and expand by 370 square feet (24%) an existing convenience operation in a gasoline station and carwash to approximately 1,550 square feet. Convenience sales would be provided only through a pass-through window, not by door entry, and would consist of beverages, snacks and tobacco but no alcohol. The existing one-story building would be rebuilt and improved with a new façade, and the four-pump and awning gasoline service area would be rebuilt. Ample parking in excess of Planning Code minimums would be provided on a 25,000 square foot parcel property over a half acre in size. The applicant requests 24 hour operation.

Approximately one-third of the site, on 7<sup>th</sup> Street, is leased from third parties; the applicant has first right of refusal if the property comes up for sale. This site is not merged with the main station site and could be sold separately. Without this added site area, the applicant's plan shows that station operations would not involve drive through to Seventh Street, but rather U-turns onto the applicant's site with exiting onto 6<sup>th</sup> Street. Without this added site area, the carwash would have to close or be rebuilt closer to 6<sup>th</sup> Street with a subsequent permit. Due to the renewability terms of the lease, such an eventuality is very unlikely. The project would retain and enhance existing landscaped areas. The project would retain the existing three-street frontage of the gas station, and driveways to serve gas pumps and the market.

### **ENVIRONMENTAL REVIEW**

Staff has evaluated the project according to the California Environmental Quality Act (CEQA) and determined it is exempt from environmental review for the following reasons:

Section 15302 of the CEQA Guidelines exempts from environmental review rebuilding small existing facilities. The project is also exempt under 15303, since the 1,500 square foot convenience market area is only one sixth of the CEQA limit of 10,000 square feet in an existing building, and is not likely to produce measurable physical or other environmental effects. The site is not on the State Cortese and Envirostor hazardous materials lists. Therefore, the project is determined to be exempt from further CEQA review. This project is consistent with City community plans and zoning subject to CUP approval.

### **KEY ISSUES AND IMPACTS**

The applicant's proposal requires a Major Conditional Use Permit (CUP) for convenience market with drive-through, Minor CUP for rebuilding an Automotive Service Station, and Regular Design Review to rebuild and modernize the facility.

Overall crime statistics for the subject area are comparable to an average of other business districts in older flatland areas of Oakland, better than some, not as good as Jack London Square or Downtown. The Police Beat (patrol service area) including this area is over-concentrated for reported crime statistics or police service calls. The Oakland Police Department was consulted by Planning staff and did not object to the activity. While some crime does occur in the area, staff and the applicant believe the proposed rebuild of an existing convenience market and service station will not significantly contribute to crime levels due to location and design of the facility (very much out in the open) and neighborhood factors.

The applicant plans to operate a well-run store but a Conditional Use Permit would run with the property. If this operator moves out, a replacement business would be required to comply with the project description and conditions of this CUP and Design Review.

### **Parking and Traffic**

The activity would occupy a rebuild of an existing gas station facility, with a half-acre of land and a small one story building. The site has room for a dozen vehicles and will increase from 4 to 6 striped spaces, in excess of parking for either a gas station or a convenience market. Traffic generation and parking demand would be mainly before 9 pm although this would be a 24-hour facility. The property should not increase demand for on-street parking.

### **Noise and Trash**

The applicant will be responsible under the CUP conditions to control noise and trash. Proper management of noise and trash issues is required by CUP conditions of approval.

### **Property Improvements**

The modification of this existing gasoline service station is a substantial change warranting property improvements including removal of impervious surface area, addition of bioswales (implementing C-3 stormwater rules) and increased landscaping. See Conditions 21 and 22.



A Tree Permit has been requested (T15-00011) to remove some trees and install others as shown on the landscaping plan, in Attachment C. The permit is necessary to make more practical use of the site and to balance the landscaping plan.

**Conclusion**

On balance, the positive effects of enhanced night presence in this area offset the potential (and typical) potential for noise, trash and crime issues. Therefore, staff concludes that the Findings for the Major and Minor CUP s and Design Review are fulfilled, as further explained in the Findings Section and proposed Conditions of Approval of this report.

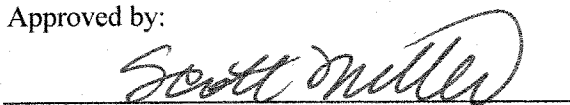
**RECOMMENDATION:**

1. Affirm staff's environmental determination.
2. Approve the Major Conditional Use Permit for Convenience Market activity with Drive-Through, Minor CUP's for Automotive Service Station, and Regular Design Review, at 610 Market Street, based on findings and subject to the attached conditions.


Prepared by:

  
David Valeska, Planner II

Approved by:

  
SCOTT MILLER  
Zoning Manager

Approved for forwarding to the  
City Planning Commission:

  
DARIN RANELLETTI, Deputy Director  
Bureau of Planning

**Attachments:**

- A. Findings for Approval
- B. Conditions of Approval
- C. Plans and Photographs
- D. Applicant and Neighbor Correspondence

## **ATTACHMENT A: FINDINGS**

### **FINDINGS FOR APPROVAL**

This proposal meets the required findings under the Oakland Planning Code. Required findings are shown in **bold type**; explanations as to why these findings can be made are in normal type.

#### **Section 17.134.050 (General Use Permit Criteria):**

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

The proposed store would satisfy a community need which does not affect livability of the surrounding neighborhood, and will be operated in a scale which is compatible with neighborhood character. The store will offer 24 hour convenience shopping in a neighborhood which has fewer of such facilities than other areas. No alcohol would be sold and the small area of tobacco sales from the past will not be enlarged. The recommended conditions of approval limit noise, light, trash/litter, loitering, late hours and similar factors to offset any potential for negative effects of convenience sales related activities. Improvements are recommended that will provide a more attractive facility.

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

The expanded store will promote availability of food, beverages, sundries, newspapers and other items, and enhance the convenience and functional living environment of its customers. The small size, reusing an existing office area, will create an attractive facility as warranted by location and setting. Market Street is a business district where such uses are appropriate. Alcohol sales will not be conducted and tobacco sales will not increase in area.

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

The proposed store will function to meet the community's food and beverage convenience needs, for vehicular drivers and for pedestrians. This facility would have similar traffic, noise and light to that which it had in the past as a legal business. This facility complements the offerings of nearby businesses by attracting customers to the area.

- D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070.**

The building to be utilized by the convenience market at 610 Market Street is existing, and would be enlarged in area by only 24% (370 square feet). The changes in the building design which are proposed from the existing façade are mainly cosmetic and an improvement.

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

The General Plan allows for review and approval of Convenience Sales uses by Conditional Use Permit. The General Plan also allows for businesses that will not cause undue nuisance activity. The Community Commercial Type land use category envisions small commercial services for neighborhoods, similar to the mom and pop stores of the past, to supplement full size retailers elsewhere. An attractive and well-managed store at this location will conform to adopted plans.

**Section 17.102.210 (A) - Special Use Permit Criteria:**

- 1. That the proposal will not contribute to undue proliferation of such uses in a area where additional ones would be undesirable, with consideration to be given to the area's function and character, problems of crime and loitering, and traffic problems and capacity.**

The proposed store is not envisioned to contribute to the same types of loitering and other problems as do some other convenience stores, due to physical separation from areas which might produce loitering. City crime statistics for recent months show that overall crime rates near the applicant's site are similar to commercial areas elsewhere in similar areas of the City. The neighborhood streets have sufficient capacity to support this small facility without causing undue problems, subject to compliance with conditions. Some of the traffic is foot traffic due to its location in a neighborhood commercial area.

- 2. That the proposal will not adversely affect adjacent or nearby churches, temples or synagogues; public or parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds**

The proposed facility will not be within 1,000 square feet from a church and other sensitive uses. Most of these activities are closed during the evening, so half of the hours of operation would not overlap with hours of such uses. Staff believes that the design will protect nearby uses from adverse effects.

- 3. That the proposal will not interfere with the movement of people along an important pedestrian street.**

The facility entrance will include ADA access. Hundreds of projected daily customers would be arriving throughout the day and evening, monitored by a counter staff which minimizes the crowd management issues. The building entry does not impede pedestrian corridors.

- 4. That the proposed development will be of an architectural and visual quality and character, which harmonizes with, or where appropriate enhances the surrounding area.**

The building's simple façade is compatible with nearby facilities and has details similar to some of its neighbors. The facility will retain and enhance an architectural character that harmonizes with and enhances the area.

5. **That the design will avoid unduly large or obtrusive signs, bleak unlandscaped parking areas, and an overall garish impression.**

Proposed signage and parking is provided on-site, with only minimal expansion from existing conditions and is consistent with the Oakland Planning Code standard.

6. **That adequate litter receptacles will be provided where appropriate.**

As conditioned, there will be non-flammable trash containers installed proximate to the entrance of the facility and litter will be removed from the sidewalk and gutter in front of and to twenty feet beyond the premises.

7. **That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, it will be limited in hours of operation, or designed or operated, so as to avoid disruption of residents' sleep between the hours of ten PM and seven AM.**

Most of the nearby dwellings are sufficiently distant to limit noise effects, located above and behind the facility. Existing roadway noise including nearby raised Highway 880 and BART tracks sounds create an ambient level which may mask some of the store's noise effects. Attached conditions are provided to ameliorate some of the potential noise effects, including minimizing sound from carwash entries/exits facing homes, as well as operational and lighting controls.

#### **17.103. FINDINGS FOR DRIVE-THROUGH FACILITIES**

1. **The proposed facility will not impair a generally continuous wall of building facades.**

There is no wall of building facades existing or planned in this area.

2. **The proposed facility will not result in weakening the concentration and continuity of retail retail facilities at ground level and will not impair the retention or creation of a shopping frontage.**

There is no concentration of retail facilities on the west side of the street.

3. **The proposed facility will not directly result in a significant reduction in the circulation level of service of adjacent streets.**

The changes to existing circulation conditions is not expected to change Level of Service nearby because approximately the same number of customers would use the site as in the past.

#### **17.136.050(B) FINDINGS FOR REGULAR DESIGN REVIEW (Non-Residential Facilities and Signs**

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

**relationship to outside appearance shall be considered, except as otherwise provided in Section 17.136.060;**

The proposed building facilities would enhance the appearance of the site, updating past improvements, and would provide an aesthetically appealing street frontage, helping to draw customers to this neighborhood location. The revised architecture and a requirement for added landscaping, which is justified by CUP findings, will create a welcoming façade for drivers through this freeway-oriented entry to the neighborhood.

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

The proposed design features would provide an aesthetically appealing street frontage compatible with neighboring commercial and residential facilities, similar to similarly sized and positioned buildings located in the area. Additional landscaping would be provided along Market Street and in existing open areas behind the building.

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

The project adds retail activities to an existing gasoline service station in the CC-3 Community Commercial District. Staff finds it to be consistent with the Oakland General Plan. In addition, the proposal includes features such as landscaping and architectural detailing intended to provide an aesthetically pleasing frontage along the public Right-of-Way, consistent with the objectives of the Design Review criteria.

**ATTACHMENT B: CONDITIONS OF APPROVAL**

**STANDARD CONDITIONS:**

**1. Approved Use.**

***Ongoing.***

a. The project shall be constructed and operated in accordance with the authorized use as described in this letter and the plans dated **May, 2014** and submitted **May 15, 2014** and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall require prior written approval from the Director of City Planning or designee.

b. This action by the City Planning Commission ("this Approval") includes the approval set forth as follows: Major Conditional Use Permit to establish a Mini-mart/Convenience Market in existing Automobile Service Station and Drive-Through; Minor Conditional Use Permits to rebuild/expand an Automobile Service Station; Regular Design Review for additions and alterations

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

***Ongoing.***

Unless a different termination date is prescribed, this Approval shall expire **two calendar years** from the approval date, unless within such period all necessary permits have been issued, or 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 permit, 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 valid building permit for this project may invalidate this approval if the said extension period has also expired.

**3. Scope of This Approval; Major and Minor Changes**

***Ongoing.***

The project is approved pursuant to the Planning Code only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

**4. Conformance with Other Requirements.**

***Prior to issuance of a demolition, grading, P-job or other construction related permit.***

a. The project applicant shall comply with all other applicable federal, state, regional and/or local codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshall, and the City's Public Works Agency.

b. The applicant shall submit approved plans for project-specific needs related to fire protection including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access and vegetation management for preventing fires and soil erosion.

**5. Conformance to Approved Plans; Modification of Conditions or Revocation**

***Ongoing.***

- a. Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.
- b. The City Planning Department reserves the right at any time during construction, to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification or other corrective action.
- c. Violation of any term, Conditions or project description relating to the Approvals 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 Approvals 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 Conditions of Approval.

**6. Signed Copy of the Conditions**

***With submittal of a demolition, grading and building permit.***

A copy of the approval letter and Conditions shall be signed by the property owner and submitted with each set of permit plans submitted for this project.

**7. Indemnification**

***Ongoing***

- a. To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Agency, the Oakland City Planning Commission and their respective agents, officers, and employees (hereafter collectively called the City) from any liability, damages, claim, judgment, loss (direct or indirect) action, causes of action or proceeding (including legal costs, attorney's 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, (1) an approval by the City relating to a development-related application or subdivision or (2) implementation of an approved development-related project. The project applicant shall reimburse the City for its reasonable legal costs and attorneys fees.
- b. Within ten (10) calendar days of the filing any Action as specified in subsection A above, the project applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter Agreement does not relieve the project applicant of any of the obligations contained in this condition or other requirements, or other conditions of approval that may be imposed by the City.

**8. Assurance of Landscaping Completion.**

***Prior to Issuance of a Certificate of Occupancy***

The trees, shrubs and landscape materials required by the conditions of approval attached to this project shall be planted before the certificate of occupancy will be issued.

**9. Landscape Maintenance.*****Ongoing***

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. All required fences, walls and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced. The applicant shall contract with a licensed landscape maintenance contractor to maintain the landscaping at this site.

**10. Bicycle Parking*****Prior to the issuance of first certificate of occupancy.***

The applicant shall submit for review and approval of the Planning and Zoning Division, plans that show bicycle storage and parking facilities to accommodate 2 short-term bicycle parking spaces onsite or on public sidewalk, and 2 long-term bicycle parking spaces. The plans shall show the design and location of bicycle racks within the secure bicycle storage areas. The applicant shall pay for the cost and installation of any bicycle racks in the public right of way.

**10. Underground Utilities*****Prior to issuance of a building permit***

The project applicant shall submit plans for review and approval by the Building Services Division and the Public Works Agency, and other relevant agencies as appropriate, that show all new electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities placed underground. The new facilities shall be placed underground along the project applicant's street frontage and from the project applicant's structures to the point of service. The plans shall show all electric, telephone, water service, fire water service, cable, and fire alarm facilities installed in accordance with standard specifications of the serving utilities.

**11. Improvements in the Public Right-of-Way (General)*****Approved prior to the issuance of a P-job or building permit***

- a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW.
- b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition.
- c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit.
- d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards.

**12. Improvements in the Public Right-of Way (Specific)*****Approved prior to the issuance of a grading or building permit***

Final building and public improvement plans submitted to the Building Services Division shall include the following components:

- a) Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter.



- b) Reconstruct drainage facility to current City standard.
- c) Provide separation between sanitary sewer and water lines to comply with current City of Oakland and Alameda Health Department standards.
- d) Construct wheelchair ramps that comply with Americans with Disability Act requirements and current City Standards.
- e) Remove and replace deficient concrete sidewalk, curb and gutter within property frontage.
- f) Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and standards.

**13. Payment for Public Improvements**

***Prior to issuance of a final inspection of the building permit.***

The project applicant shall pay for and install public improvements made necessary by the project including damage caused by construction activity.

**14. Compliance Matrix**

***Prior to issuance of a demolition, grading, or building permit***

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division a **Condition** compliance matrix that lists each condition of approval, the City agency or division responsible for review, and how/when the project applicant has met or intends to meet the conditions. The applicant will sign the Conditions of Approval attached to the approval letter and submit that with the compliance matrix for review and approval. The compliance matrix shall be organized per step in the plancheck/construction process unless another format is acceptable to the Planning and Zoning Division and the Building Services Division. The project applicant shall update the compliance matrix and provide it with each item submittal.

**15. Dust Control**

***Prior to issuance of a demolition, grading or building permit***

During construction, the project applicant shall require the construction contractor to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic and enhanced dust control procedures required for construction sites. These include:

- a) Water all 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 possible.
- 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) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
- e) Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- f) Limit the amount of the disturbed area at any one time, where feasible.
- g) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- h) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- i) Replant vegetation in disturbed areas as quickly as feasible.

- j) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- k) Limit traffic speeds on unpaved roads to 15 miles per hour.
- l) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.

**16. Construction Emissions*****Prior to issuance of a demolition, grading or building permit***

To minimize construction equipment emissions during construction, the project applicant shall require the construction contractor to:

- a) Demonstrate compliance with Bay Area Air Quality Management District (BAAQMD) Regulation 2, Rule 1 (General Requirements) for all portable construction equipment subject to that rule. BAAQMD Regulation 2, Rule 1 provides the issuance of authorities to construct and permits to operate certain types of portable equipment used for construction purposes (e.g., gasoline or diesel-powered engines used in conjunction with power generation, pumps, compressors, and cranes) unless such equipment complies with all applicable requirements of the "CAPCOA" Portable Equipment Registration Rule" or with all applicable requirements of the Statewide Portable Equipment Registration Program. This exemption is provided in BAAQMD Rule 2-1-105.
- b) Perform low- NOx tune-ups on all diesel-powered construction equipment greater than 50 horsepower (no more than 30 days prior to the start of use of that equipment). Periodic tune-ups (every 90 days) shall be performed for such equipment used continuously during the construction period.

**17. Days/Hours of Construction Operation*****Ongoing throughout demolition, grading, and/or construction***

The project applicant shall require construction contractors to limit standard construction activities as follows:

- a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving 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. Monday through Friday.
- b) Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division.
- c) Construction activity shall not occur on Saturdays, with the following possible exceptions:
  - i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.
  - ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed.
- d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.
- e) No construction activity shall take place on Sundays or Federal holidays.

- f) 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.
- g) Applicant shall use temporary power poles instead of generators where feasible.

**18. Noise Control*****Ongoing throughout demolition, grading, and/or construction***

To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures:

- 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) Stationary noise sources shall be located as far from adjacent receptors 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.
- d) 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.

**19. Noise Complaint Procedures*****Ongoing throughout demolition, grading, and/or construction***

Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:

- a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours);
- b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours);
- c) The designation of an on-site construction complaint and enforcement manager for the project;
- d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and

- e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

**20. Operational Noise-General*****Ongoing.***

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 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 Planning and Zoning Division and Building Services.

**21. Construction Management*****Prior to the issuance of a demolition, grading or building permit***

The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements:

- a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.
- b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- c) Location of construction staging areas for materials, equipment, and vehicles at an approved location.
- d) A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services.
- e) Provision for accommodation of pedestrian flow.
- f) Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.

**22. Hazards Best Management Practices*****Prior to commencement of demolition, grading, or construction***

The project applicant and construction contractor shall ensure that construction of Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:

- a) Follow manufacture's recommendations on 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) Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of

potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building.

- 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 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 notification of 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.

### **23. Waste Reduction and Recycling**

The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency.

#### ***Prior to issuance of demolition, grading, or building permit***

Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at [www.oaklandpw.com/Page39.aspx](http://www.oaklandpw.com/Page39.aspx) or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.

#### ***Ongoing***

The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.

### **24. Pile Driving and Other Extreme Noise Generators**

#### ***Ongoing throughout demolition, grading, and/or construction***

To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. The criterion for approving the plan shall be a determination that maximum feasible noise attenuation will be achieved. A special inspection deposit is required to ensure compliance with the noise reduction

plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of implementing the following measures. These attenuation measures shall include as many of the following control strategies as applicable to the site and construction activity:

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

## **25. Lighting Plan**

### ***Prior to the issuance of an electrical or building permit***

The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.

## **26. Tree Removal During Breeding Season**

### ***Prior to issuance of a tree removal permit***

To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of raptors shall not occur during the breeding season of March 15 and August 15. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to start of work from March 15 through May 31, and within 30 days prior to the start of work from June 1 through August 15. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency. If the survey indicates the potential presences of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFG, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.

## **27. Tree Removal Permit**

### ***Prior to issuance of a demolition, grading, or building permit***

Prior to removal of any protected trees, per the Protected Tree Ordinance, located on the project site or in the public right-of-way adjacent to the project, the project applicant must secure a tree removal

permit from the Tree Division of the Public Works Agency, and abide by the conditions of that permit.

**28. Tree Replacement Plantings*****Prior to issuance of a final inspection of the building permit***

Replacement plantings shall be required for erosion control, groundwater replenishment, visual screening and wildlife habitat, and in order to prevent excessive loss of shade, in accordance with the following criteria:

- a) 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.
- b) Replacement tree species shall consist of *Sequoia sempervirens* (Coast Redwood), *Quercus agrifolia* (Coast Live Oak), *Arbutus menziesii* (Madrone), *Aesculus californica* (California Buckeye) or *Umbellularia californica* (California Bay Laurel) or other tree species acceptable to the Tree Services Division.
- c) Replacement trees shall be at least of 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.
- d) Minimum planting areas must be available on site as follows:
  - i. For *Sequoia sempervirens*, three hundred fifteen square feet per tree;
  - ii. For all other species listed in #2 above, seven hundred (700) square feet per tree.
- e) In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.
- f) Plantings shall be installed prior to the issuance of a final inspection of the building permit, subject to seasonal constraints, and shall be maintained by the project applicant until established. The Tree Reviewer of the Tree Division of the Public Works Agency may require a landscape plan showing the replacement planting and the method of irrigation. Any replacement planting which fails to become established within one year of planting shall be replanted at the project applicant's expense.

**29. Tree Protection During Construction*****Prior to issuance of a demolition, grading, or building permit***

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:

- a) 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 City Tree Reviewer. 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.
- b) 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 City Tree Reviewer 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.

- c) 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 Tree Reviewer 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 tree reviewer. 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.
- d) 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.
- e) 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 Agency of such damage. 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.
- f) 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.

### 30. Archaeological Resources

#### *Ongoing throughout demolition, grading, and/or construction*

- a) Pursuant to CEQA Guidelines section 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.
- b) In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light 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) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out.
- c) Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to



approval by the City of Oakland, which shall assure implementation of appropriate measure measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.

### **31. Human Remains**

#### ***Ongoing throughout demolition, grading, and/or construction***

In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines 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 Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. 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.

### **32. Paleontological Resources**

#### ***Ongoing throughout demolition, grading, and/or construction***

In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in Section 15064.5 of the CEQA Guidelines. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.

### **33. Erosion and Sedimentation Control Plan**

#### ***Prior to any grading activities***

The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.780 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete,

the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.

***Ongoing throughout grading and construction activities***

The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.

**34. Site Review by the Fire Services Division**

***Prior to the issuance of demolition, grading or building permit***

The project applicant shall submit plans for site review and approval to the Fire Prevention Bureau Hazardous Materials Unit. Property owner may be required to obtain or perform a Phase II hazard assessment.

**35. Phase I and/or Phase II Reports**

***Prior to issuance of a demolition, grading, or building permit***

Prior to issuance of demolition, grading, or building permits the project applicant shall submit to the Fire Prevention Bureau, Hazardous Materials Unit, if required by that Unit, a Phase I environmental site assessment report, and a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.

**36. Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment**

***Prior to issuance of any demolition, grading or building permit***

The project applicant shall submit a comprehensive assessment report to the Fire Prevention Bureau, Hazardous Materials Unit, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACM), lead-based paint, and any other building materials or stored materials classified as hazardous waste by State or federal law.

**37. Environmental Site Assessment Reports Remediation**

***Prior to issuance of a demolition, grading, or building permit***

If the environmental site assessment reports recommend remedial action, the project applicant shall:

- a) Consult with the appropriate local, State, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits and sumps.
- b) Obtain and submit written evidence of approval for any remedial action if required by a local, State, or federal environmental regulatory agency.
- c) Submit a copy of all applicable documentation required by local, State, and federal environmental regulatory agencies, including but not limited to: permit applications, Phase I and II environmental site assessments, human health and ecological risk assessments, remedial action plans, risk management plans, soil management plans, and groundwater management plans.

**38. Lead-based Paint Remediation**

***Prior to issuance of any demolition, grading or building permit***

If lead-based paint is present, the project applicant shall submit specifications to the Fire Prevention Bureau, Hazardous Materials Unit signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all

applicable laws and regulations, including but not necessarily limited to: Cal/OSHA's Construction Lead Standard, 8 CCR1532.1 and DHS regulation 17 CCR Sections 35001 through 36100, as may be amended.

**39. Other Materials Classified as Hazardous Waste**

***Prior to issuance of any demolition, grading or building permit***

If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.

**40. Health and Safety Plan per Assessment**

***Prior to issuance of any demolition, grading or building permit***

If the required lead-based paint/coatings, asbestos, or PCB assessment finds presence of such materials, the project applicant shall create and implement a health and safety plan to protect workers from risks associated with hazardous materials during demolition, renovation of affected structures, and transport and disposal.

**41. Hazardous Materials Business Plan**

***Prior to issuance of a business license***

The project applicant shall submit a Hazardous Materials Business Plan for review and approval by Fire Prevention Bureau, Hazardous Materials Unit. Once approved this plan shall be kept on file with the City and will be updated as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle the materials and provides information to the Fire Services Division should emergency response be required. 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.

**42. Stormwater Pollution Prevention Plan (SWPPP)**

***Prior to and ongoing throughout demolition, grading, and/or construction activities***

The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of

the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

**43. Post-Construction Stormwater Management Plan**

***Prior to issuance of building permit (or other construction-related permit)***

1. The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater management plan, for review and approval by the City, to manage stormwater run-off and to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.
2. The post-construction stormwater management plan shall include and identify the following:
  - i. All proposed impervious surface on the site;
  - ii. Anticipated directional flows of on-site stormwater runoff;
  - iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and
  - iv. Source control measures to limit the potential for stormwater pollution; and
  - v. Stormwater treatment measures to remove pollutants from stormwater runoff; and
  - vi. Hydromodification management measures so that post-project stormwater runoff does not exceed the flow and duration of pre-project runoff, if required under the NPDES permit.
3. The following additional information shall be submitted with the post-construction stormwater management plan:
  - i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and
  - ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e. non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscape-based treatment measures and/or the range of pollutants expected to be generated by the project.
4. All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program.

***Prior to final permit inspection***

5. The applicant shall implement the approved stormwater management plan.

**44. Maintenance Agreement for Stormwater Treatment Measures**

***Prior to final zoning inspection***

For projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following:

- i. The applicant accepting responsibility for the adequate installation/construction, operation,

- ii. 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
- iii. 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 agreement shall be recorded at the County Recorder's Office at the applicant's expense.

**45. Tobacco Sales**

***Prior to commencement of use and ongoing***

The store may only sell the amount and area of tobacco sales provided by Oakland Planning Code Section 17.09, of 20% (twenty percent) of sales/display area with less than 75% (seventy five percent) of revenue from tobacco.

**46. Windows in Convenience Market**

***Ongoing***

- a) The surface of the windows of the convenience market shall be kept free of posters, signage, advertisement, and obstructions of any kind.
- b) No shelves, equipment, or other structures shall impede the view through the windows in the convenience market.

**47. Fire Department**

***Prior to Building permit submittal***

The applicant shall submit permit applications for the installation of the new diesel tank. The current fire flow is adequate for the site.

**48. Special Signage**

***Prior to Building Final***

- a. A sign shall be posted at the entry to the car wash stacking requests that windows be closed and radio/cd players and other sound emitting devices be turned off when entering this area.
- b. Signage shall be posted around the property prohibiting loitering and the playing of loud music from vehicles.

**49. Street Lighting**

***Prior to Building Application***

- 1. The applicant shall initiate a request to Public Works Agency DIO Electrical for modification to streetlights, with the payment of \$500.00 to cover city cost to evaluate the request. The funds will be used to cover staff expense in field check, records check, and photometric calculations to accommodate the request.
- 2. Based on the field check performed in Step 1 above, the City may require the developer to modify streetlights. There may be additional work or cost associated with this phase of the work.

**50. Landscaping Below Windows**

***Ongoing***

Landscaping below the windows of the building shall not be allowed to go above the window sills.

**51. Security.****a. Ongoing**

The applicant/property owner shall keep windows clear of visual obstructions including, but not limited to signage, any advertising displays, chip/product racks, refrigerated equipment, cardboard, trash, wire mesh/security bars, reflective coatings, or other materials. Note that this is more restrictive than the state regulations related to signage. The purpose of this condition is to maintain good sight lines in and out of the store to allow police to monitor activity inside and to allow store staff to monitor and discourage inappropriate activity in front of the store.

**52. Hours.****a. Ongoing.**

The entire facility may be open 24 hours. The carwash hours may be 6 am to 11 pm.

**53. Site Lighting and Cleanup****a. Ongoing**

Lighting shall be maintained to meet the B&P code section providing enough illumination to identify loiterers standing in front of the store and in the parking lot. Such illumination shall remain lit during all hours of darkness.

**b. Ongoing**

The licensees/property owners shall clear the gutter and sidewalks twenty (20) feet beyond the property lines along these streets of litter twice daily or as needed to control litter. In addition to the requirements of B&P Section 25612.5, (sweep or mechanically clean weekly) the licensee shall clean the sidewalk around the property with steam or equivalent measures once per month.

**54. Prevention of Littering, Loitering and Graffiti****a. Ongoing.**

Within 30 days of the date of decision, at least one (1) sign (one square foot maximum) shall be posted and maintained in a legible condition at the public entrance to the building prohibiting littering and loitering. Required signage prohibiting open containers and drinking in public shall also be maintained in legible condition near each public entrance to the store. The "No Open Container" signs are available from the cashier located on the second floor of 250 Frank H. Ogawa Plaza.

**b. Ongoing.**

The applicant/property owners shall clear the sidewalks adjacent to their property of all "Street Furniture" including mattresses, crates, pads, and other items for sitting or laying on by loiterers on a daily basis.

**c. Ongoing.**

Graffiti shall be removed from the premises within 72 hours (3 days) of application.

**d. Ongoing.**

No pay phones are permitted outside the building.

**e. Ongoing.**

The owner, manager, and employees of this establishment shall make appropriate efforts to discourage loitering from the premises including calling the police to ask that they remove loiters who refuse to leave. Persons hanging around the exterior of the establishment with no apparent business for more than ten minutes shall be asked to leave. Techniques discussed in the manual entitled "Loitering:

Business and Community Based Solutions" may be used and are recommended by the Alcoholic Beverage Action Team.

***f. Ongoing.***

The owner, manager, and employees of this establishment shall not allow patrons to smoke on or inside any portion of the licensed premise.

**55. Trash and litter**

***a. Prior commencement of use and ongoing.***

The applicant/property owner shall install and maintain at least one (1) non-flammable trash can, located near the entrance of the store.

**56. Compliance Review**

***After one year***

Within six (6) months of occupancy, the applicant shall return to the Bureau of Planning and Zoning with a report by a qualified third-party consultant agreeable to the Director. Upon review of the report, the Director may refer the item back to the Planning Commission under a Director's Report. If the Commission, upon hearing a Director's Report, determines that the project is in compliance with Conditions based upon evidence it may grant the close of the matter; or if further review is required, or if substantial noncompliance with other conditions is found, it shall direct staff and the applicant to return with a more formal Compliance Review. In that case, the applicant shall submit for a Compliance Review, and pay all appropriate fees consistent with the current Master Fee Schedule at that time (currently \$1,310.00). The Compliance Review will be agendaized for an upcoming Planning Commission meeting. The Compliance Review shall provide an opportunity for the Commission and the public to provide comment on the operation and determine whether there is a violation of any term. Conditions or project description relating to the Approvals including but not limited to parking and security conditions, or if there is violation of any provision of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance or there exists adverse impacts caused will be reviewed. As a result of the hearing, the Commission may direct staff to initiate enforcement proceedings pursuant to Condition of Approval 5C, and/or may impose additional conditions related to the operation.

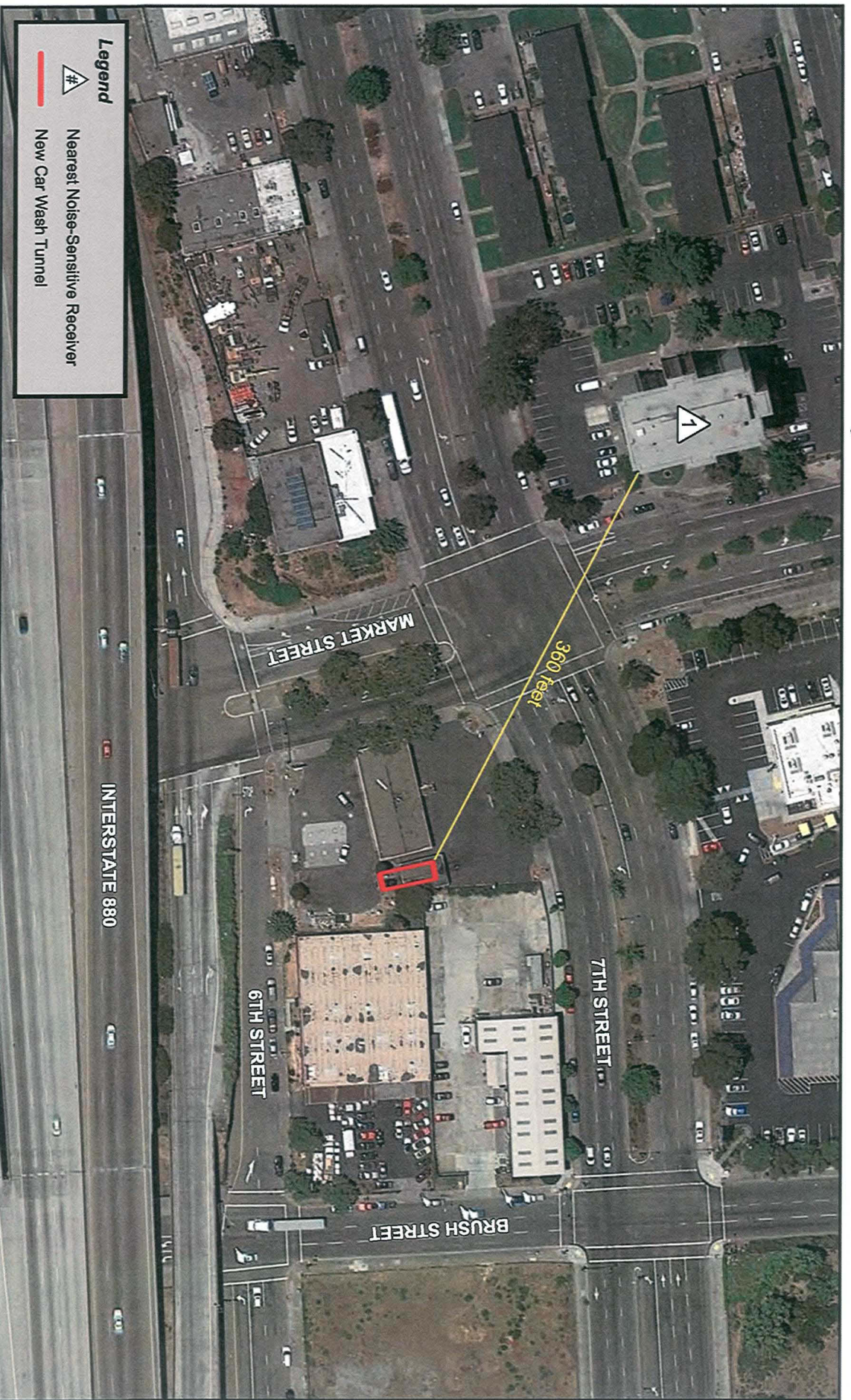
**57. Limitations on Merchandise and Sales**

***Prior to commencement of use and ongoing***

The applicant will not sell spirit liquors, beer or wine. The applicant may sell prepared food and packaged food, clothing (e.g. shirts with logos), sundries, newspapers, drug store type items and other merchandise commonly sold at convenience markets.



**Attachment A**  
**610 Market Street Car Wash - Oakland, California**  
**Project Area and Nearest Noise-Sensitive Receiver**

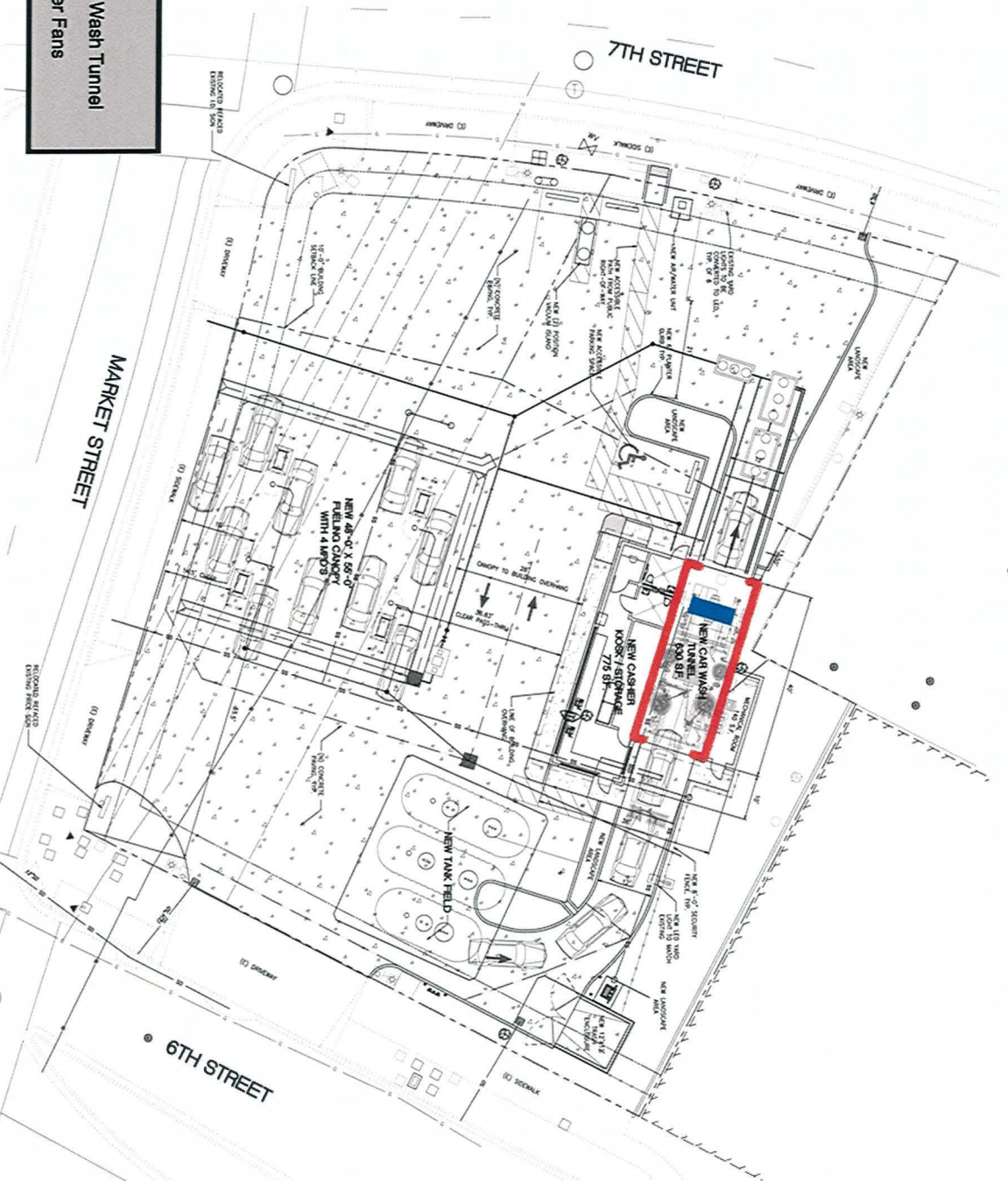




# Attachment B

## 610 Market Street Car Wash - Oakland, California

### Project Site Plan



**Legend**

- Car Wash Tunnel
- Dryer Fans





01/13/2014











01/13/2014

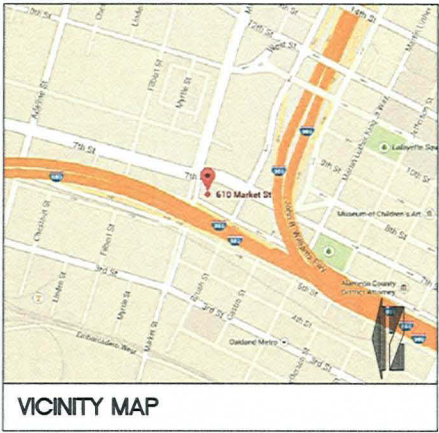
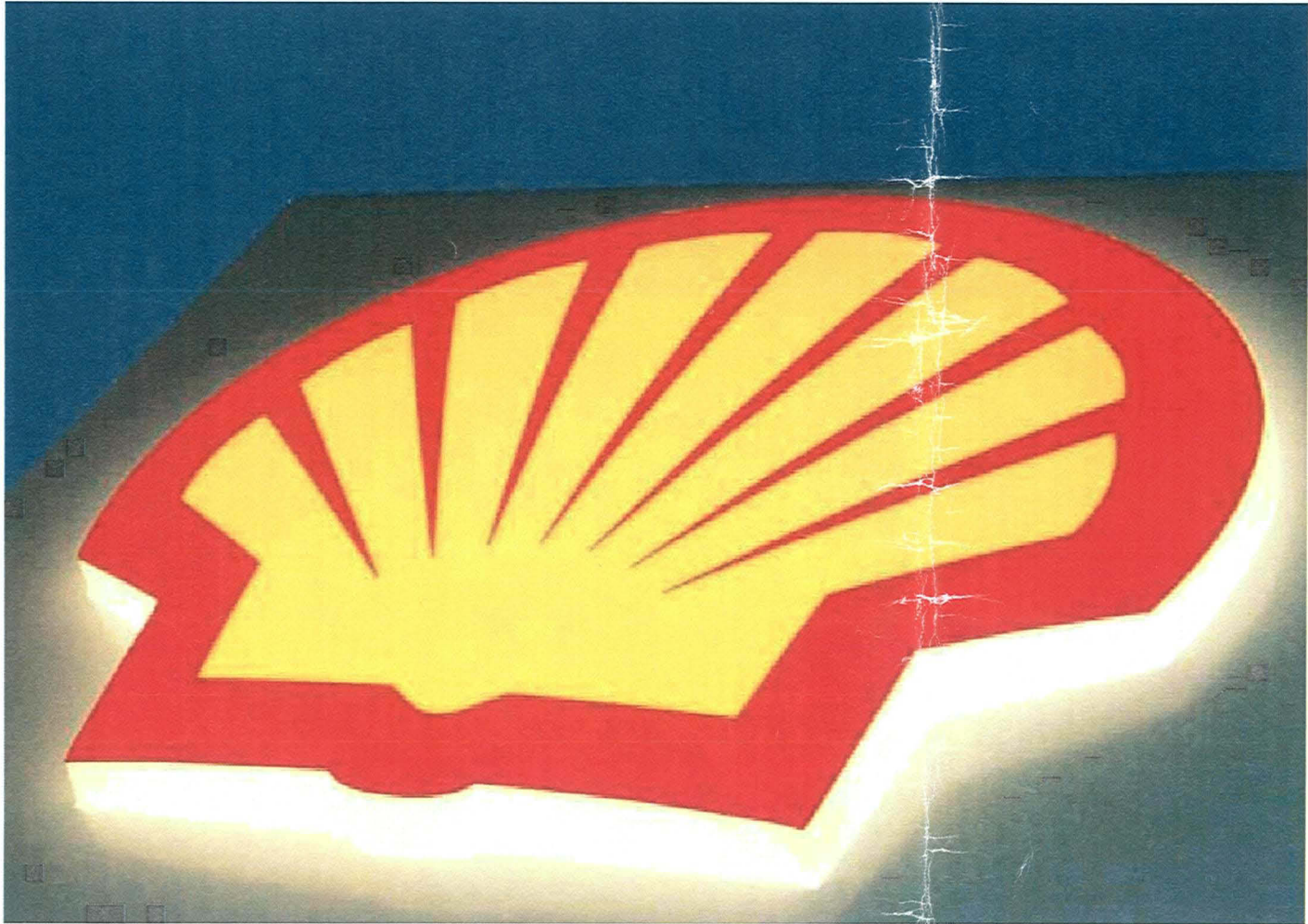




01/13/2014

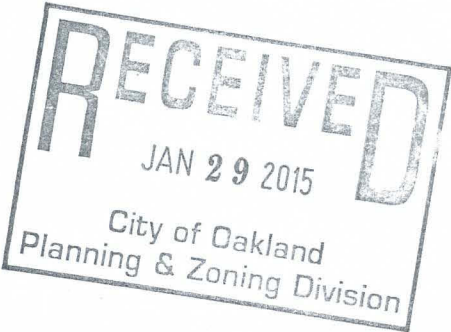


610 MARKET STREET - OAKLAND CALIFORNIA  
CONDITIONAL USE PERMIT REVISION  
SHELL FACILITY REBUILD



VICINITY MAP

DWG. NO.	REV. / DATE
CS-1	COVER SHEET AND DRAWING INDEX
SP-0	SITE DEMOLITION PLAN
SP-1	PRELIMINARY SITE PLAN
SNA-1	PRELIMINARY SIGNAGE PLAN
ALTA	ALTA SURVEY
C-1	PRELIMINARY POST CONSTRUCTION STORMWATER MANAGEMENT PLAN
PH-1	PHOTOMETRIC SITE PLAN
L-1	PRELIMINARY LANDSCAPE PLAN
L-2	TREE SURVEY PLAN
A-1	BUILDING FLOOR PLAN
A-2	BUILDING ELEVATIONS
CA-2	CANOPY ELEVATIONS



Job Number  
**16854**

Sheet  
**CS-1**  
of

18215 72ND AVENUE SOUTH  
KENT, WA 98032  
(425)251-6222  
(425)251-8782 FAX  
CIVIL ENGINEERING, LAND PLANNING,  
SURVEYING, ENVIRONMENTAL SERVICES

**BAGHAUSEN**  
ENGINEERS, INC.  
CONSULTING ENGINEERS

Designed ☐ PB  
Drawn ☐ RB  
Checked ☐ PBT  
Approved ☐ JSG  
Date 02/19/14

Scale:  
Horizontal  
1" = 20'  
Vertical

DANIEL BRIAN GOALKWIN  
C-18865  
8/31/14  
LICENSED ARCHITECT

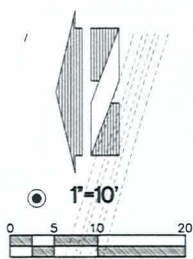
For: **DARCOCK PEARL INVESTMENTS, LLC**  
**2000 BROADWAY STREET, SUITE 150**  
**REDWOOD CITY, CA 94063**

Title:  
**COVER SHEET**  
**OAKLAND SHELL IMPROVEMENTS**  
**610 MARKET STREET**  
**OAKLAND, CA**

No. \_\_\_\_\_ Date \_\_\_\_\_ By \_\_\_\_\_ Ckd. \_\_\_\_\_ Appr. \_\_\_\_\_ Revision \_\_\_\_\_



610 MARKET STREET - OAKLAND CALIFORNIA  
DEMOLITION SITE PLAN



7TH STREET

6TH STREET

MARKET STREET

RELOCATE EXISTING  
PRICE SIGN TO THE  
CORNER OF 6TH  
STREET

RELOCATE EXISTING  
T.D. SIGN TO THE  
CORNER OF 7TH  
STREET

(E) DRIVEWAY

(E) SIDEWALK

(E) DRIVEWAY

(E) DRIVEWAY

(E) SIDEWALK

(E) DRIVEWAY

(E) SIDEWALK

(E) DRIVEWAY

EXISTING YARD  
LIGHTS TO REMAIN  
TYP.

EXISTING PLANTER  
CURBS TO REMAIN  
TYP.

REMOVE EXISTING  
VACUUM ISLAND

REMOVE EXISTING  
PAVING TYP.

REMOVE EXISTING CASHIER  
KIOSK BUILDING

REMOVE EXISTING  
FUELING CANOPY,  
DRIVE SLAB, FUELING  
DISPENSERS,  
ASSOCIATED PIPING  
AND ELECTRICAL

REMOVE EXISTING  
CAR WASH BUILDING  
AND EQUIPMENT

REMOVE EXISTING  
YARD LIGHT

REMOVE EXISTING  
HEAVY TANK AND  
STORE FOR RE-USE  
REMOVE EXISTING  
VENT RISER AND  
ASSOCIATED PIPING

REMOVE EXISTING  
TRASH ENCLOSURE

REMOVE EXISTING  
STORAGE BUILDING

REMOVE PLANTER  
CURBS AS INDICATED

REMOVE EXISTING  
UNDERGROUND  
STORAGE TANK SLAB AND  
ASSOCIATED PIPING  
TYP.

REMOVE EXISTING  
PAVING TYP.

Job Number

16854

Sheet

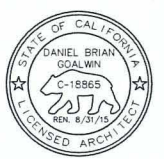
SP-0



18215 72ND AVENUE SOUTH  
KENT, WA 98032  
(425)251-6222  
(425)251-8782 FAX  
CIVIL ENGINEERING, LAND PLANNING,  
SURVEYING, ENVIRONMENTAL SERVICES

Designed: FB  
Drawn: BB  
Checked: PBT  
Approved: JSS  
Date: 02/18/14

Scale:  
Horizontal  
1" = 20'  
Vertical



For: DARCK PEARL INVESTMENTS, LLC  
2000 BROADWAY STREET, SUITE 150  
REDWOOD CITY, CA 94063

Title:

DEMOLITION SITE PLAN  
OAKLAND SHELL IMPROVEMENTS  
610 MARKET STREET  
OAKLAND, CA

No.	Date	By	Chk.	Appr.	Revision



610 MARKET STREET - OAKLAND CALIFORNIA  
SITE PLAN

PROJECT DATA

LOCATION: 610 MARKET STREET, OAKLAND, CA  
ZONING: CIX-1-519

BUILDING SETBACKS:  
FRONT: NONE  
REAR: NONE  
SIDE YARD: NONE  
SIDE CORNER LOT: 10'-0"

LANDSCAPE REQUIRED: 5% LOT COVERAGE  
TOTAL LOT AREA: 31,976 S.F.

PARKING SPACES REQUIREMENTS: NONE

Revision  
No. Date By Ckd. Appr.  
Title:  
PRELIMINARY SITE PLAN  
OAKLAND SHELL IMPROVEMENTS  
610 MARKET STREET  
OAKLAND, CA

For: DARCK PEARL INVESTMENTS, LLC  
2000 BROADWAY STREET, SUITE 150  
REDWOOD CITY, CA 94063



Scale:  
Horizontal  
1" = 20'  
Vertical  
1" = 20'

Designed: PB  
Drawn: BR  
Checked: FBT  
Approved: JSC  
Date: 03/19/14

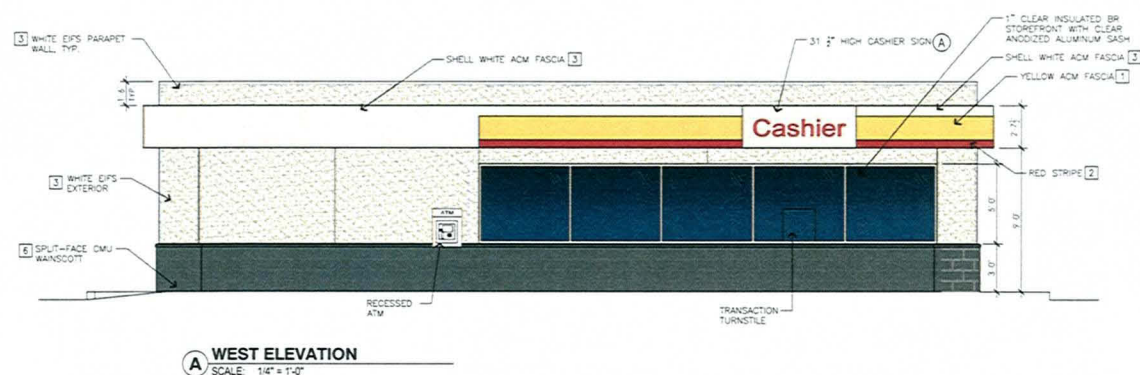
18215 72ND AVENUE SOUTH  
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(425)251-6222  
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CIVIL ENGINEERING, LAND PLANNING,  
SURVEYING, ENVIRONMENTAL SERVICES



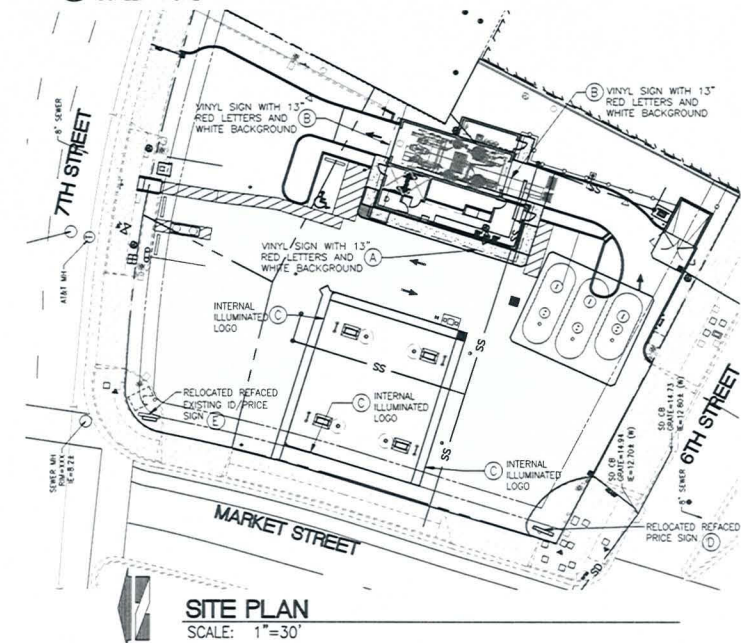
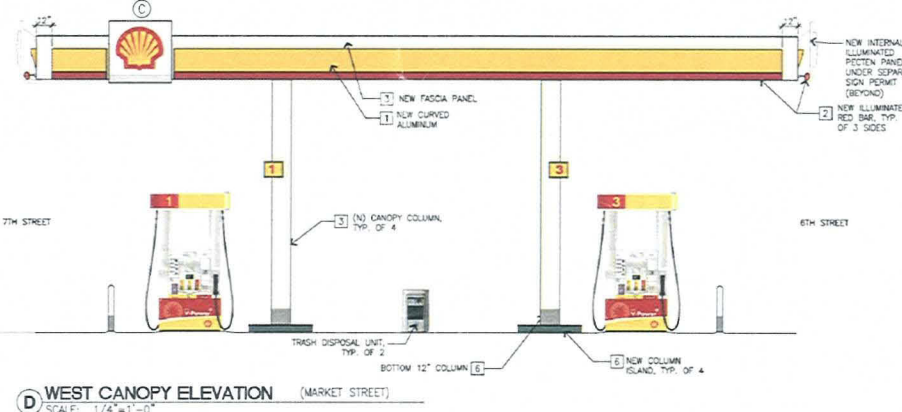
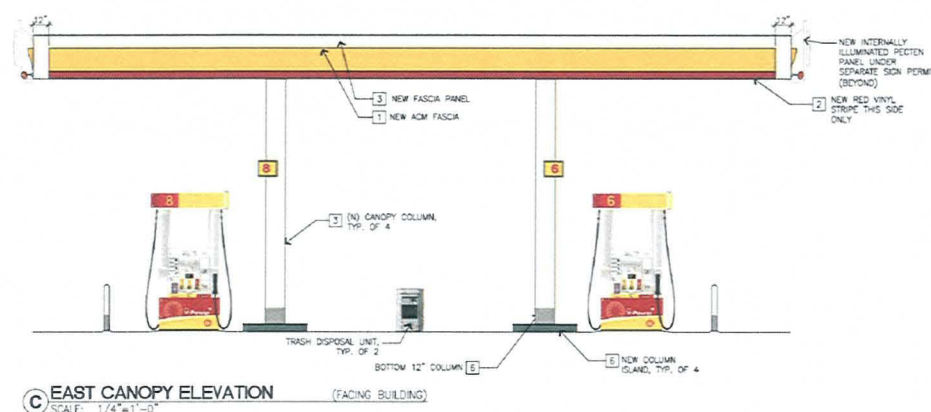
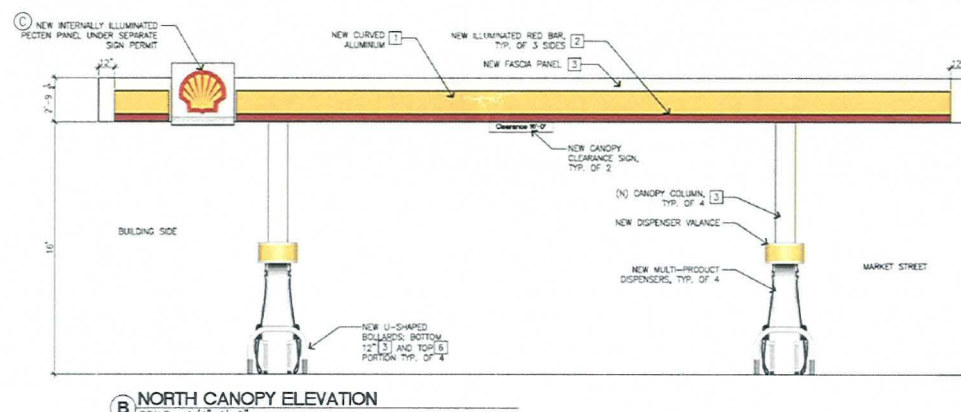
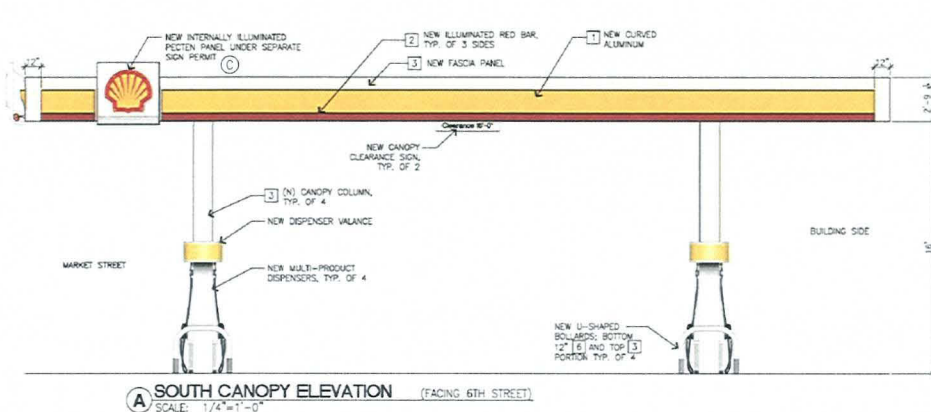
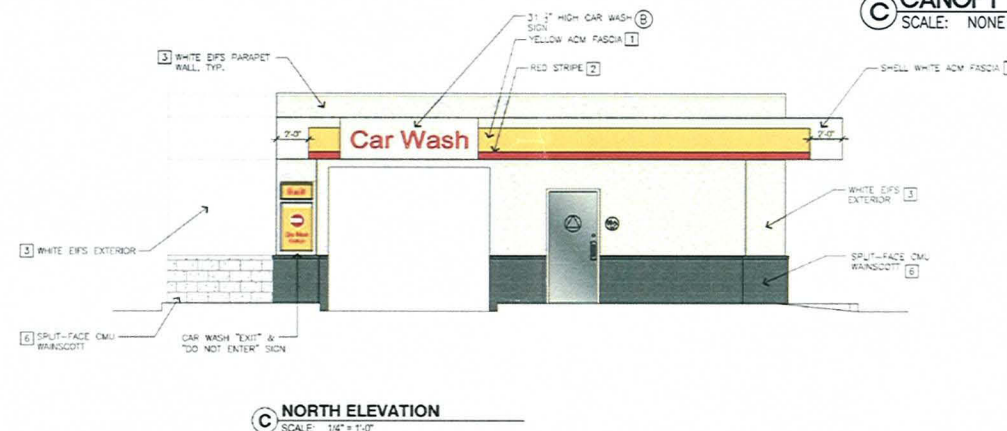
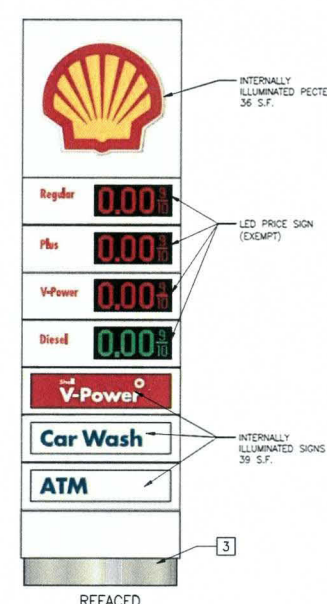
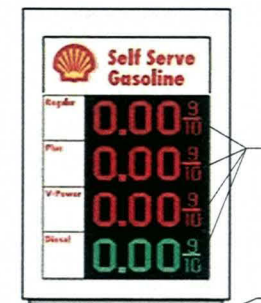
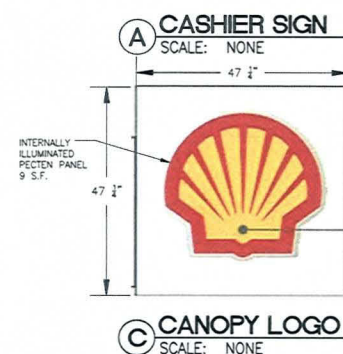
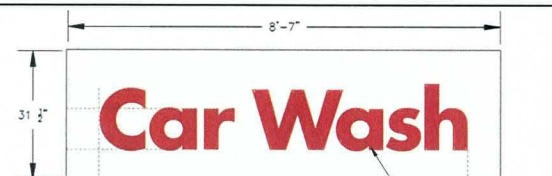
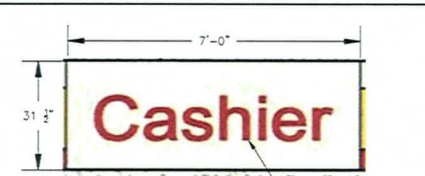
Job Number  
16854  
Sheet  
SP-1







COLOR LEGEND	
1	SHELL YELLOW PANTONE SHL003 (IF UNAVAILABLE, USE PMS 116C)
2	SHELL RED PANTONE SHL005 (IF UNAVAILABLE, USE PMS 485C)
3	SHELL WARM WHITE RAL 9016
5	SHELL WARM SILVER PANTONE 8002
6	SHELL GRAY PANTONE SHL001 (IF UNAVAILABLE, USE PMS 431C)



Do.	Date	By	Ckd.	Appr.	Revision
-----	------	----	------	-------	----------

PRELIMINARY SIGNAGE PLAN  
OAKLAND SHELL IMPROVEMENTS  
610 MARKET STREET  
OAKLAND, CA

For: **DARCK PEARL INVESTMENTS, LLC**  
**2000 BROADWAY STREET, SUITE 150**  
**REDWOOD CITY, CA 94063**



Scale:  $1'' = 20'$

Designed PB  
 Drawn PB  
 Checked PBI  
 Approved JSG

8215 72ND AVENUE SOUTH  
CENT, WA 98032  
425/251-6222  
425/251-8782 FAX



Job Number  
**16854**

Sheet



## 9 LEGEND

AC	ASPHALT	PLTR	PLANTER
APN	ASSESSOR PARCEL NUMBER	PP	POWER POLE
BFP	BACK FLOW PREVENTOR	PL	PROPERTY LINE
BOLL	BOLLARD	PUE	PUBLIC UTILITY EASEMENT
BLDG	BUILDING	SO. FT.	SQUARE FEET
BSL	BUILDING SETBACK LINE	SL	STREET LIGHT
CB	CATCH BASIN	SDH	STORM DRAIN MANHOLE
CL	CENTERLINE	SSCO	SANITARY SEWER CLEANOUT
CONC	CONCRETE	SSMH	SANITARY SEWER MANHOLE
CP	CONCRETE PAD	TEL	TELEPHONE
DCV	DOUBLE CHECK VALVE	TRANS	TRANSFORMER
DWY	DRIVEWAY	TSS	TRAFFIC SIGNAL BOX
EB	ELECTRICAL BOX	VT	VAULT
EC	ELECTRICAL CABINET	WM	WATER METER
EV	ELECTRICAL VAULT	WV	WATER VALVE
FC	FACE OF CURB	YL	YARD LIGHT
FDC	FIRE DEPARTMENT CONNECTION	Ⓢ	DENOTES ENCROACHMENTS
FH	FIRE HYDRANT	Ⓜ	MEASURED BEARING AND DISTANCE
GM	GAS METER	[ P2 ]	PARCEL TWO BEARING AND DISTANCE
GV	GAS VALVE	[ P3 ]	PARCEL THREE BEARING AND DISTANCE
MH	MANHOLE	[ P5 ]	PARCEL FIVE BEARING AND DISTANCE
MW	MONITORING WELL		

## 17 SCALE



## 10 BASIS OF BEARING

THE MONUMENT LINE OF 7TH STREET AS SHOWN ON THE CITY OF OAKLAND MONUMENT MAP NO. 202, HELD AS S62°35'34"E, WAS USED AS THE BASIS OF BEARINGS.

## 11 SURVEYOR'S NOTES

1. OBSERVED NO DISCERNIBLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
2. OBSERVED NO DISCERNIBLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIR.
3. OBSERVED NO DISCERNIBLE EVIDENCE OF SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
4. THE EXISTENCE AND LOCATION OF ALL UTILITIES, PIPES, POLES, AND/OR STRUCTURES SHOWN ON THIS SURVEY WERE OBTAINED BY OBSERVED EVIDENCE ONLY. THE POINT OF ENTRY ON SAID UTILITIES CANNOT BE DETERMINED.
5. ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/ACSM SPECIFICATIONS UNLESS OTHERWISE SHOWN.
6. THIS SURVEY HAS BEEN PREPARED FOR TITLE INSURANCE PURPOSES ONLY. THIS SURVEY MAY NOT CONTAIN SUFFICIENT DETAIL FOR DESIGN PURPOSES. THE BOUNDARY DATA AND TITLE MATTERS AS SHOWN HEREON HAVE BEEN DEVELOPED FROM THE REFERENCED TITLE REPORT.
7. UNLESS THIS PLAN HAS THE SEAL AND SIGNATURE OF THE SURVEYOR AND/OR ENGINEER RESPONSIBLE FOR ITS PREPARATION, THIS IS NOT AN AUTHENTIC COPY OF THE ORIGINAL SURVEY AND SHALL NOT BE DEEMED RELIABLE.
8. PARCELS ONE, TWO AND THREE PHYSICALLY ABUT AND HAVE DIRECT ACCESS TO MARKET STREET AND 7TH STREET, PUBLICLY DEDICATED RIGHT OF WAYS.
9. PARCEL ONE IS CONTIGUOUS WITH PARCELS TWO AND THREE ALONG ITS COMMON BOUNDARY, WITHOUT GAPS OR GORES OR STRIPS.

## 12 PARKING INFORMATION

- 0 STALLS
- 0 HANDICAP STALLS
- 0 TOTAL STALLS

## 13 LAND AREA

PARCEL ONE  
2,781 SQ.FT.  
0.5678 ACRES  
PARCEL TWO  
4,451 SQ.FT.  
0.1022 ACRES  
PARCEL THREE  
17,502 SQ.FT.  
0.4018 ACRES  
TOTAL PARCEL AREA  
24,744 SQ.FT.  
0.5678 ACRES

## 6 CEMETERY

OBSERVED NO DISCERNIBLE EVIDENCE OF SITE BEING USED AS A CEMETERY OR BURIAL GROUNDS.

## 5 FLOOD INFORMATION

FLOOD NOTE: By graphic plotting only, this property is in Zone(s) X of the Flood Insurance Rate Map, Community Panel No. 06001C-0066-G, dated 08/03/2009 and is not in a Special Flood Hazard Area. By telephone call dated 09/28/2009 to the National Flood Insurance Program (800-638-6620) we have learned this community does currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

## 8 ZONING INFORMATION

THE ZONING INFORMATION WAS PROVIDED BY THE CITY OF OAKLAND PLANNING DIVISION, 250 FRANK H. OGAWA PLAZA, SUITE 2114 OAKLAND, CA 94612. TEL: (510) 238-3911 FAX: (510) 238-6538 WWW.CIOAKLAND.CA.US

ZONE M-20/S-4; LIGHT INDUSTRIAL/DESIGN REVIEW SETBACKS FRONT SIDE REAR HEIGHT BULK/FAR/LOT COVERAGE PARKING 1,500 SQ.FT. OF FLOOR AREA OR 1/3 EMPLOYEES, WHICHEVER REQUIRES MORE SPACE

\*ZONING AND RESTRICTIONS SHOWN HEREON WERE OBTAINED BY A GENERAL REQUEST AT THE PUBLIC COUNTER OF THE ABOVE NAMED DEPARTMENT. NO REPRESENTATION IS MADE FOR THE ACCURACY OR COMPLETENESS OF SAID THIRD PARTY INFORMATION. THIS FIRM IS NOT AN EXPERT IN THE INTERPRETATION OF COMPLEX ZONING ORDINANCES. COMPLIANCE IS BEYOND THE SCOPE OF THIS SURVEY. ANY USER OF SAID INFORMATION IS URGED TO CONTACT THE LOCAL AGENCY DIRECTLY.

## 7 POSSIBLE ENCROACHMENTS

\* THIS IS A LISTING OF OBSERVED IMPROVEMENTS THAT CROSS PROPERTY LINES, STATEMENT OF OWNERSHIP OR POSSESSION IS NOT THE INTENT OF THIS LISTING.

- A - WALL ENCROACHES OVER P BY UP TO 0.9'
- B - FENCE ENCROACHES OVER P BY UP TO 0.4'
- C - CONCRETE ENCROACHES OVER P BY UP TO 0.4'
- D - CONCRETE ENCROACHES OVER P BY UP TO 0.3'
- E - OVERHANG ENCROACHES OVER BSL BY UP TO 4.4'
- F - BUILDING ENCROACHES OVER PUE BY UP TO 12.82'

## 3 SCHEDULE 'B' ITEMS

- 3 COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS PER 939 OR 369, MODIFIED PER 1216 OR 548 INCLUDING: 10' STREET BUILDING SETBACK (PLOTTED) 20' BUILDING SETBACK FROM ADJACENT RESIDENTIAL PROPERTY PARKING: 1/400 SQ. FT. OF GFA (AFFECTS SUBJECT PARCEL)
- 11 PIPELINE AND UTILITY EASEMENT PER 1692 OR 795 (PLOTTED, AFFECTS SUBJECT PARCEL)
- 12 DECLARATION OF RESTRICTIONS PER 1723 OR 617 (NOTHING TO PLOT, AFFECTS SUBJECT PARCEL)
- 13 COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS PER 1723 OR 628 (NOTHING TO PLOT, AFFECTS SUBJECT PARCEL)
- 14 CONSENT TO COMMON USE PER 2187 OR 328 (NOTHING TO PLOT, AFFECTS SUBJECT PARCEL)
- 16 MINOR ENCROACHMENT PER INST. NO. 2002271230 (EXACT LOCATION NOT DISCLOSED BY RECORD, AFFECTS SUBJECT PARCEL)

## 1 TITLE DESCRIPTION

AS TO PARCELS ONE AND TWO: THE PROPERTY HEREIN BELOW DESCRIBED IS THE SAME PROPERTY DESCRIBED IN THE MEMORANDUM OF LEASE BETWEEN HAROLD W. ROBINSON AND R.C. ROBINSON, HIS WIFE AND SHELL OIL COMPANY, A DELAWARE CORPORATION RECORDED JUNE 12, 1968 AS INSTRUMENT NO. 68-BA64021, RECORDS OF ALAMEDA COUNTY.

AS TO PARCEL THREE: THE PROPERTY HEREIN BELOW DESCRIBED IS THE SAME PROPERTY GRANTED FROM RONALD L. LABATT AND CATHY L. LABATT, HUSBAND AND WIFE TO EQUILON ENTERPRISES LLC, A DELAWARE LIMITED LIABILITY COMPANY IN THE GRANT DEED RECORDED SEPTEMBER 07, 2000 AS INSTRUMENT NO. 2000270434, OFFICIAL RECORDS OF ALAMEDA COUNTY.

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

BEGINNING AT THE NORTHERN CORNER OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND TO CESERINA COMOTTO, RECORDED MARCH 10, 1966 ON REEL 1723, IMAGE 628 RECORDER'S SERIES NO. AY/31552, ALAMEDA COUNTY RECORDS, RUNNING THENCE ALONG THE NORTHERN LINE OF SAID PARCEL AND ALONG THE SOUTHERN LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM CESERINA COMOTTO TO THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND RECORDED MARCH 10, 1966 ON REEL 1723, IMAGE 625 RECORDER'S SERIES NO. AY/31551, ALAMEDA COUNTY RECORDS, SAID POINT BEING ON THE SOUTHERN LINE OF 7TH STREET, AS IT PRESENTLY EXISTS (JUNE 12, 1968); THENCE WESTERLY ALONG SAID LINE OF 7TH STREET ON A CURVE TO THE LEFT WITH A RADIUS OF 459.60 FEET, A DISTANCE OF 47.87 FEET [47.82 FEET MEASURED]; THENCE TANGENT TO SAID CURVE, NORTH 66° 48' 09" WEST 11.20 FEET; THENCE LEAVING SAID LINE OF 7TH STREET, ON A CURVE TO THE LEFT WITH A RADIUS OF 15 FEET, THENCE A DISTANCE OF 21.48 FEET; AND THENCE, ON REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 654 FEET AN ARC DISTANCE OF 25.06 FEET [25.07 FEET MEASURED], MORE OR LESS, TO THE POINT OF BEGINNING

BEING A PORTION OF WEST STREET, VACATED

PARCEL TWO:

LOT 7, AND A PORTION OF LOTS 6 AND 8, BLOCK 97, KELLERSBERGER'S MAP OF OAKLAND, BOOK 7 OF MAPS, PAGE 3, ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF THE SAID COUNTY OF ALAMEDA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERN LINE OF WEST STREET, DISTANT THEREON NORTHERLY 127 FEET FROM THE NORTHERN LINE OF 6TH STREET, AS SAID STREETS ARE SHOWN ON THE MAP HEREIN REFERRED TO; RUNNING THENCE NORTHERLY ALONG SAID LINE OF WEST STREET 49.86 FEET; THENCE EASTERLY ON A CURVE TO THE RIGHT, ALONG THE ARC OF A CIRCLE, THE RADIUS OF WHICH IS 955.04 FEET, AND THE CHORD OF WHICH BEARS SOUTH 76° 03' 30" EAST, A DISTANCE OF 77.12 FEET [SOUTH 76° 01' 25" EAST 77.11 FEET MEASURED] TO THE EASTERN LINE OF LOT 8, IN BLOCK 97, AS SAID LOT AND BLOCK ARE SHOWN ON SAID MAP; THENCE ALONG THE EASTERN LINE OF LOTS 8, 7 AND 6, IN BLOCK 97, SOUTH 27° 24' 26" WEST 67.77 FEET; AND THENCE AT RIGHT ANGLES WESTERLY 75 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERN LINE OF WEST STREET WITH THE NORTHEASTERN LINE OF 6TH STREET, AS SAID STREETS ARE SHOWN ON KELLERSBERGER'S MAP OF OAKLAND ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY; RUNNING THENCE ALONG THE DIRECT PRODUCTION OF SAID LINE OF 6TH STREET, NORTH 62 DEGREES 35'34" WEST 34.56 FEET; THENCE NORTH 17 DEGREES 06'11" EAST 72.51 FEET; THENCE ON THE ARC OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 654.00 FEET, THROUGH A CENTRAL ANGLE OF 3 DEGREES 43'27", A DISTANCE OF 42.51 FEET TO THE NORTHERN LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND TO CESERINA COMOTTO, RECORDED MARCH 10, 1966 ON REEL 1723, IMAGE 628, RECORDER'S SERIAL NO. AY/31552, ALAMEDA COUNTY RECORDS, THENCE ALONG THE LAST NAMED LINE AND ALONG THE DIRECT EXTENSION THEREOF, SOUTH 76 DEGREES 37'16" EAST 58.22 FEET TO A POINT ON SAID SOUTHEASTERN LINE OF WEST STREET, DISTANT THEREON 2 FEET NORTHEASTERLY FROM THE SOUTHWESTERN LINE OF LOT 6, AS SAID LOT IS SHOWN ON SAID MAP; THENCE SOUTHEASTERLY, ON A LINE PARALLEL WITH SAID SOUTHWESTERN LINE OF SAID LOT 6 AND DISTANT NORTHEASTERLY 2 FEET THEREFROM, 75 FEET TO THE SOUTHEASTERN LINE OF SAID LOT 6; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERN LINE OF SAID LOT 6 AND OF LOT 5, AS SAID LOT IS SHOWN ON SAID MAP, 27 FEET TO THE MOST NORTHERN CORNER OF LOT 28, AS SAID LOT IS SHOWN ON SAID MAP; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERN LINE OF SAID LOT 28; A DISTANCE OF 25 FEET TO THE MOST EASTERN CORNER THEREOF; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERN LINE OF SAID LOT 28, A DISTANCE OF 100 FEET TO THE POINT OF INTERSECTION THEREOF WITH SAID NORTHEASTERN LINE OF 6TH STREET, THENCE NORTHWESTERLY ALONG THE LAST NAMED LINE, 100 FEET TO THE POINT OF BEGINNING.

BEING LOTS 1, 2, 3, 4, 5, 28 A PORTION OF LOT 6, IN BLOCK 97, AND A PORTION OF WEST STREET VACATED, AS SAID LOTS, BLOCK AND STREET ARE SHOWN ON THE MAP HEREIN REFERRED TO.

APN: 001-0223-001 (PARCELS ONE AND TWO) 001-0223-005 (PARCEL THREE)



## 16 VICINITY MAP

## 2 TITLE INFORMATION

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PROPERTY AS DESCRIBED IN THE PRELIMINARY TITLE REPORT ISSUED BY FIRST AMERICAN TITLE COMPANY, ORDER NO. 336407-084, DATED APRIL 26, 2010 AT 7:30 AM. UPDATED MAY 12, 2010.

## 4 SURVEYOR CERTIFICATION

TO EQUILON ENTERPRISES LLC AND ITS COUNSEL: FIRST AMERICAN TITLE INSURANCE CO.:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 2, 3, 4, 6, 7(A), 7(B), 8, 9, 10, 11(A), 13 AND 14 OF TABLE A THEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF CALIFORNIA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

DIRK C. SLOOTEN  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. LS 5342  
DATE OF SURVEY: 05/24/2010  
DATE OF LAST REVISION: 08/03/2010

## 18 CLIENT INFORMATION BOX

**SLOOTEN CONSULTING INC.**  
SURVEYING & ENGINEERING  
4740 NORTGATE BLVD., SUITE 115  
SACRAMENTO, CA 95834  
(916) 641-7570  
(916) 641-7572

MARK	DATE	REVISIONS	BY	APPD

**SHELL OIL COMPANY**  
HOUSTON, TEXAS

## ALTA LAND TITLE SURVEY

610 MARKET STREET

OAKLAND ALAMEDA CALIFORNIA

CC # 135692

SCALE: 1"=20' APPD. BY: D.C.S.

DATE: 05/24/2010 PROJECT # 8290-01

DWN. BY: T.A.

CHKD. BY: D.C.S.

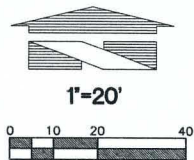
**ALTA**

## KEY TO ALTA-SURVEY

- |                          |                        |                           |
|--------------------------|------------------------|---------------------------|
| 1 TITLE DESCRIPTION      | 8 ZONING INFORMATION   | 15 BUILDING HEIGHT        |
| 2 TITLE INFORMATION      | 9 LEGEND               | 16 VICINITY MAP           |
| 3 SCHEDULE 'B' ITEMS     | 10 BASIS OF BEARING    | 17 SCALE                  |
| 4 SURVEYOR CERTIFICATION | 11 SURVEYOR'S NOTES    | 18 CLIENT INFORMATION BOX |
| 5 FLOOD INFORMATION      | 12 PARKING INFORMATION | 19 SURVEY DRAWING         |
| 6 CEMETERY               | 13 LAND AREA           |                           |
| 7 POSSIBLE ENCROACHMENTS | 14 BUILDING AREA       |                           |

## 19 SURVEY DRAWING





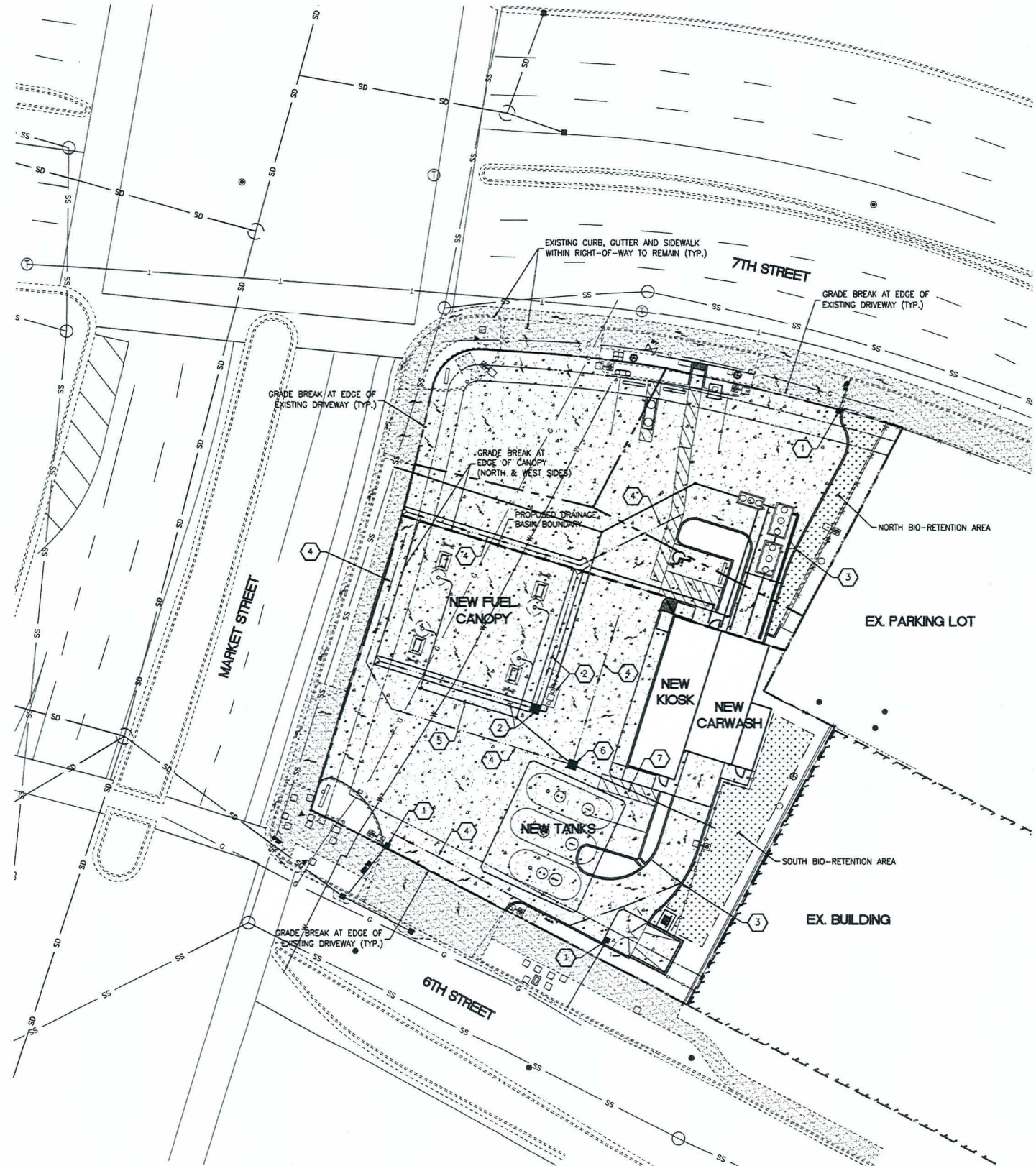
# 610 MARKET STREET - OAKLAND CALIFORNIA

## PRELIMINARY POST-CONSTRUCTION

### STORMWATER MANAGEMENT PLAN

#### GENERAL PROJECT NOTES:

- ALL CONSTRUCTION SHALL COMPLY WITH APPLICABLE BUILDING CODES AND LOCAL RESTRICTIONS. CONTRACTOR'S MUST COMPLY WITH CONTRACTOR REGISTRATION REQUIREMENTS OF ALL GOVERNING AUTHORITIES. THE GENERAL BUILDING PERMITS SHALL BE PAID FOR BY THE OWNER. ALL OTHER PERMITS SHALL BE SECURED AND PAID FOR BY THE SUBCONTRACTOR DIRECTLY RESPONSIBLE. ALL REQUIRED CITY, COUNTY AND/OR STATE LICENSES SHALL BE ACQUIRED AND PAID FOR BY THE INDIVIDUAL SUBCONTRACTOR.
- APPROVED PLANS SHALL BE KEPT IN A PLAN BOX AND SHALL NOT BE USED BY WORKMEN. ALL CONSTRUCTION SETS SHALL REFLECT THE SAME INFORMATION. CONTRACTOR SHALL MAINTAIN ONE COMPLETE SET OF PLANS ON THE PREMISES IN GOOD CONDITION AT ALL TIMES. THIS SHALL INCLUDE ALL ADDENDA AND CHANGE ORDERS.
- DISCREPANCIES BETWEEN PORTIONS OF THE CONTRACT DOCUMENTS, DRAWINGS AND SPECIFICATIONS ARE NOT INTENDED. THE CONTRACTOR IS TO CLARIFY ANY SUCH DISCREPANCIES WITH THE ARCHITECT/CONSULTANT PRIOR TO COMMENCING WORK.
- STATED DIMENSIONS TAKE PRECEDENCE OVER GRAPHICS. DO NOT SCALE DRAWINGS TO DETERMINE LOCATIONS. THE ARCHITECT/CONSULTANT SHALL BE NOTIFIED OF ANY SUCH DISCREPANCIES PRIOR TO CONTINUING WITH THE WORK.
- GENERAL CONTRACTOR WILL REFER TO THESE DOCUMENTS AS WELL AS SPECIFICATIONS FOR IDENTIFICATION OF ALL OWNER SUPPLIED ITEMS. ALL ITEMS NOT MARKED AS "OWNER SUPPLIED" ARE TO BE SUPPLIED BY THE GENERAL CONTRACTOR, UNLESS NOTED OTHERWISE. ALL ITEMS ARE TO BE INSTALLED BY THE GENERAL CONTRACTOR.
- FOR CONSTRUCTION DETAILS NOT SHOWN, USE THE MANUFACTURER'S APPROVED SHOP DRAWINGS/DATA SHEETS IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETE SECURITY OF THE SITE WHILE THE JOB IS IN PROGRESS AND UNTIL THE BUILDING IS OCCUPIED.
- ALL DEBRIS SHALL BE REMOVED FROM PREMISES AND ALL AREAS SHALL BE LEFT IN A CLEAN (BROOM) CONDITION AT ALL TIMES.
- CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO ENSURE THE SAFETY OF THE WORKERS AT ALL TIMES.
- CONTRACTOR SHALL PROVIDE TEMPORARY WATER, POWER AND TOILET FACILITIES AS REQUIRED.
- GENERAL CONTRACTOR IS RESPONSIBLE FOR RECEIVING, UNLOADING, UN-CRATING, INSTALLATION AND HOOKUP OF ALL FOOD SERVICE EQUIPMENT AND OTHER OWNER FURNISHED ITEMS.
- GENERAL CONTRACTOR IS REQUIRED TO LABEL ALL ELECTRICAL PANELS, PLUMBING VALVES, AND ROOF TOP EQUIPMENT. PLASTIC PHENOLIC ENGRAVED PLATE SCREWED ON.
- IT IS THE INTENT OF THE ARCHITECT THAT THIS WORK BE IN CONFORMANCE WITH ALL REQUIREMENTS OF THE BUILDING AUTHORITIES HAVING JURISDICTION OVER THIS TYPE OF CONSTRUCTION AND OCCUPANCY.
- ALL DETAILS AND SECTIONS SHOWN ON THE DRAWINGS ARE INTENDED TO BE TYPICAL AND SHALL BE CONSTRUED TO APPLY TO ANY SIMILAR SITUATION ELSEWHERE IN THE WORK EXCEPT WHERE A DIFFERENT DETAIL IS SHOWN.
- IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO DETERMINE ERECTION PROCEDURE AND SEQUENCE TO INSURE THE SAFETY OF THE BUILDING AND ITS COMPONENT PARTS DURING ERECTION.
- MATERIALS LISTED IN DRAWINGS ARE BASED ON DESIGN INTENT. ALTERNATE SPECIFICATIONS MAY BE ACCEPTED PROVIDED THEY CLOSELY MATCH SPECIFIED MATERIAL. CONTRACTOR IS TO SUBMIT PROPOSED SAMPLES OF SUBSTITUTIONS, ALONG WITH SAMPLE OF THAT SPECIFIED IN DRAWINGS FOR REVIEW BY THE OWNER.
- GENERAL CONTRACTOR WILL VERIFY WITH OWNER IN REGARD TO ANY SPECIFICATIONS NOT INCLUDED WITHIN THESE DOCUMENTS.
- ALL WORK SHALL BE PERFORMED AS SHOWN ON THESE PLANS AND IN ACCORDANCE WITH ARCO SPECIFICATIONS.
- WHERE LOCAL CODES, ORDINANCES OR REGULATIONS ARE MORE RESTRICTIVE THAN ARCO FOOD STORES SPECIFICATIONS, THEIR LOCAL REQUIREMENTS SHALL GOVERN.
- ANY DISCREPANCY BETWEEN FIELD CONDITIONS AND THESE PLANS ARE TO BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER AND/OR ARCHITECT. NO WORK SHALL BE PERFORMED ON THE ITEMS IN QUESTION UNTIL DIRECTED BY THE OWNER AND/OR ARCHITECT.



#### LEGEND

- EX. CONCRETE TO REMAIN
- PROPOSED CONCRETE PAVEMENT
- PROPOSED BIO-RETENTION AREA
- SURFACE FLOW DIRECTION

#### STORMWATER MANAGEMENT PLAN SUMMARY:

EXISTING AREAS:  
17,437 SF IMPERVIOUS  
4,661 SF BUILDING/CANOPY  
2,637 SF LANDSCAPE  
24,735 SF TOTAL (0.57 AC)

PROPOSED AREAS:  
16,737 SF IMPERVIOUS  
4,169 SF BUILDING/CANOPY  
3,829 SF LANDSCAPE  
24,735 SF TOTAL (0.57 AC)

NORTH BASIN DRAINAGE MANAGEMENT TRIBUTARY AREA = 9,514 SF  
BIO-RETENTION AREA REQUIRED = 381 SF  
BIO-RETENTION AREA PROVIDED = 498 SF

SOUTH BASIN DRAINAGE MANAGEMENT TRIBUTARY AREA = 15,221 SF  
BIO-RETENTION AREA REQUIRED = 609 SF  
BIO-RETENTION AREA PROVIDED = 1,079 SF

#### STORMWATER MANAGEMENT PLAN NOTES:

- EXISTING DRIVEWAY CATCH BASINS AND PIPES TO BE REMOVED. CAP EXISTING DRAIN PIPES AT PROPERTY LINE OR LIMITS OF DISTURBANCE.
- UNDER CANOPY CONCRETE SWALE, CATCH BASIN AND OIL/WATER SEPARATOR (SOURCE CONTROL BMP TO HYDRAULICALLY ISOLATE FUELING SLAB AREA AND CONTAIN SPILLS FOR TREATMENT PRIOR TO RELEASE TO THE SANITARY SEWER SYSTEM)
- CURB CUT INLET FOR SURFACE FLOW INTO BIO-RETENTION AREA
- CONCRETE PAVEMENT SWALES TO DIRECT ONSITE SURFACE RUNOFF INTO BIO-RETENTION AREAS FOR TREATMENT
- CANOPY DOWNSPOUTS TIGHT-LINED TO SOUTH BIO-RETENTION AREA
- PROPOSED CATCH BASIN
- PROPOSED STORM DRAIN LINE DIRECTED INTO SOUTH BIO-RETENTION AREA

**NOTE:**  
SEE ARCHITECTURAL PLANS FOR ALL ON-SITE SIGNAGE.



#### UTILITY CONFLICT NOTE:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT BY POT-HOLING THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATE 811 AND THEN POT-HOLING ALL OF THE EXISTING UTILITIES AT LOCATIONS OF NEW UTILITY CROSSINGS TO PHYSICALLY VERIFY WHETHER OR NOT CONFLICTS EXIST. LOCATIONS OF SAID UTILITIES AS SHOWN ON THESE PLANS ARE BASED UPON THE UNVERIFIED PUBLIC INFORMATION AND ARE SUBJECT TO VARIATION. IF CONFLICTS SHOULD OCCUR, THE CONTRACTOR SHALL NOTIFY BARGHAUSEN CONSULTING ENGINEERS, INC. TO RESOLVE ALL PROBLEMS PRIOR TO PROCEEDING WITH CONSTRUCTION.

Revision  
Title: PRELIMINARY POST-CONSTRUCTION  
STORMWATER MANAGEMENT PLAN  
OAKLAND SHELL IMPROVEMENTS  
610 MARKET STREET  
OAKLAND, CA

For: DARCOCK PEARL INVESTMENTS, LLC  
2000 BROADWAY STREET, SUITE 150  
REDWOOD CITY, CA 94063



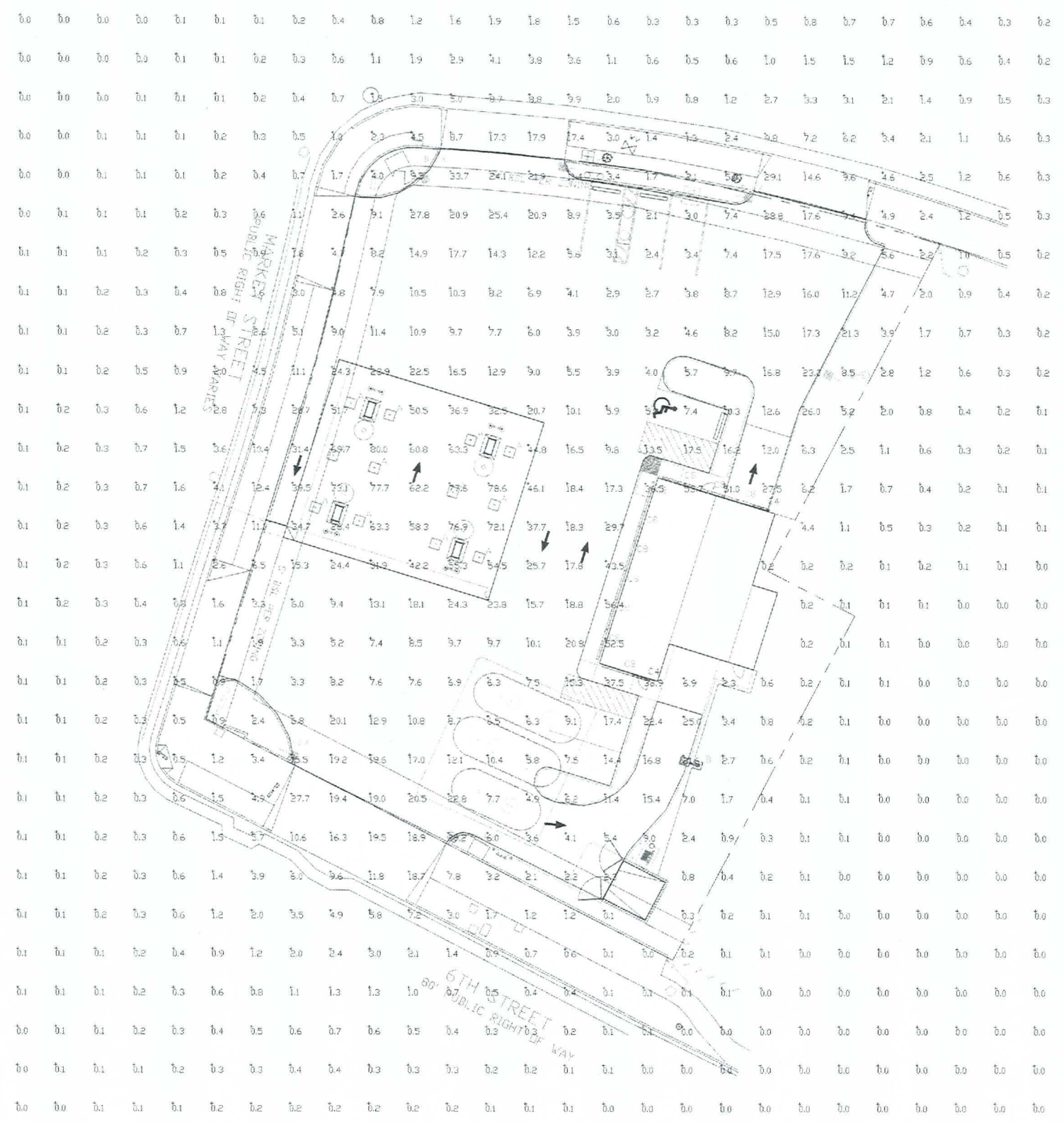
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Checked: JBL  
Approved: JBL  
Date: 12-19-14  
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18215 72ND AVENUE SOUTH  
KENT, WA 98032  
(425)251-6222  
(425)251-8782 FAX  
CIVIL ENGINEERING, LAND PLANNING,  
SURVEYING, ENVIRONMENTAL SERVICES

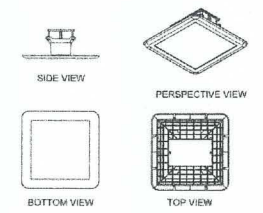


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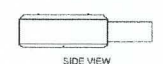
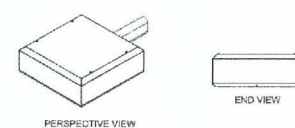




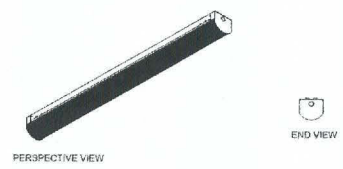
CRU-SC-LED  
LED CANOPY LIGHT - LEGACY



XGBM  
LED Crossover Area Light



SDL 4 LED  
LED Strip  
Direct



Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts	Illuminance	Fc	6.17	80.0	0.0	N.A.	N.A.
CANOPY	Illuminance	Fc	57.29	80.0	26.4	2.17	3.03
PARKING AND DRIVES	Illuminance	Fc	13.11	46.1	1.7	7.71	27.12

Luminaire Schedule								
Symbol	Qty	Label	Arrangement	Description	LLF	Lumens/Lamp	Arr. Lum. Lumens	Arr. Watts
	12	A	SINGLE	CRU-SC-LED-HO-CW-14' MH	1.000	N.A.	19630	150
	1	B	SINGLE	XGBM-FT-LED-HO-CW-SINGLE-18' MH NEW	1.000	N.A.	29070	300.8
	6	B-EX	SINGLE	XGBM-FT-LED-HO-CW-SINGLE-18' MH ON EX. POLE	1.000	N.A.	29070	300.8
	10	C8	SINGLE	SDL-8-LED-HO-CW-UE-10' MH	1.000	N.A.	10882	88
	2	C4	SINGLE	SDL-4-LED-HO-CW-UE-10' MH	1.000	N.A.	5441	44

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted.

Total Project Watts  
Total Watts = 4873.601

LIGHTING PROPOSAL LD-125562

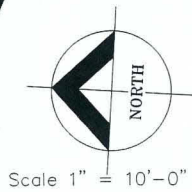
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DATE: 02/25/2015

SHEET 1 OF 1



PRELIMINARY LANDSCAPE PLAN  
610 MARKET STREET

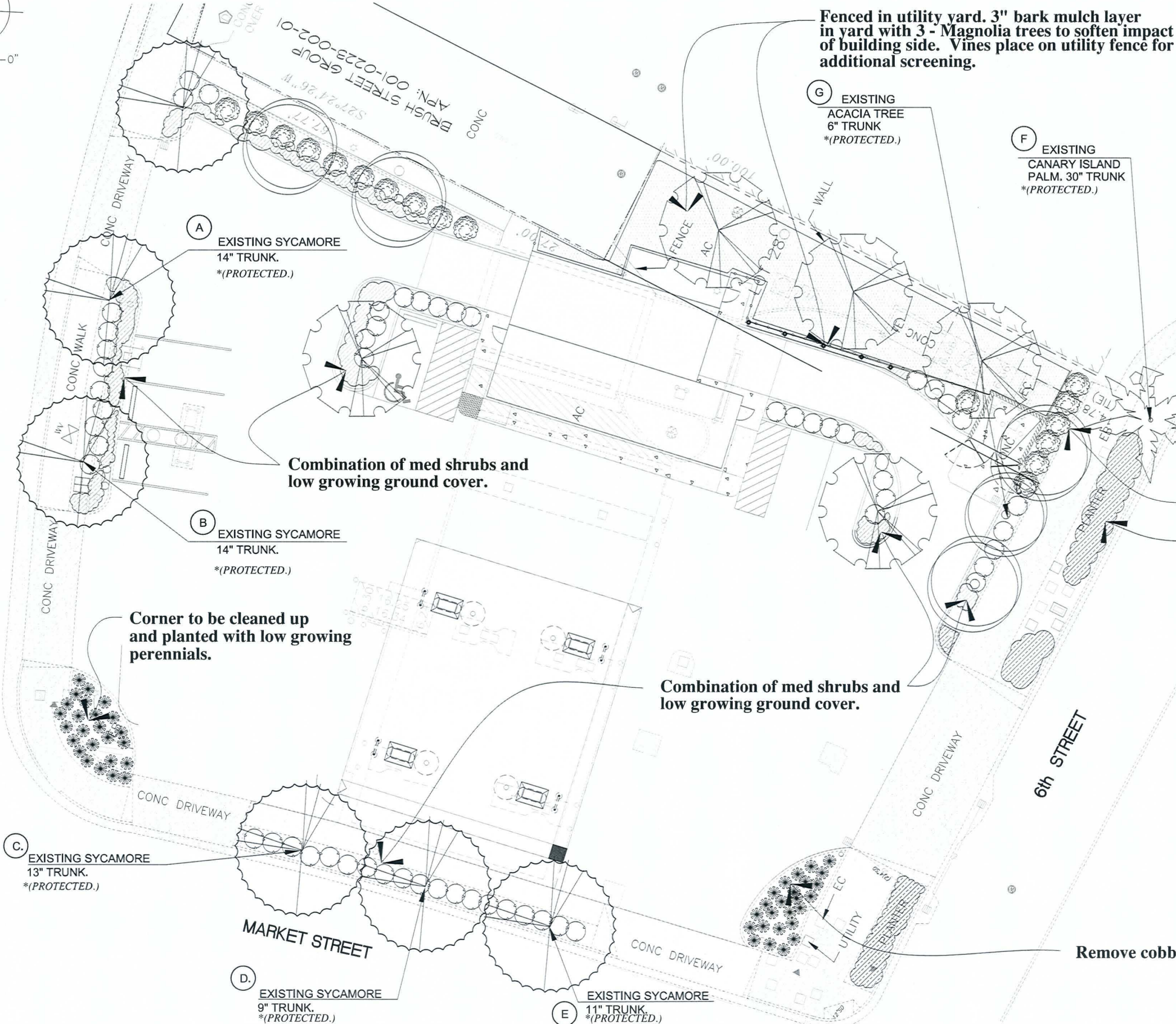


Proposed Plant List			
TREES			
Symbol	Botanical/Common Name	Water Use	
	Platanus acerifolia - London plane tree	24" BOX	Low
	Magnolia grandiflora "Majestic Beauty"	24" box	Med
	Acacia baileyana - Bailey acacia	24" box	Low
SHRUBS			
Symbol	Botanical/Common Name	Water Use	
	Raphiolepis indica / Indian hawthorn	5gal	Low
	Morrea bicolor / Butterfly Iris	5gal	Low
	Nandina Gulf Stream - Heavenly bamboo	5gal	Low
	Xylosma congestum / Shiny xylosma	5gal	Low
	Prunus caroliniana / Caroliana cherry	5gal	Low
	Perennials Agapanthus "Tinkerbell" - Dwarf agapanthus	1 gal	Low
	Hemerocallis stella-doro - Daylily	1 gal	Med
	Limnium perezii - Sea Lavender	1 gal	Med
	Vines Clematis armandii - Evergreen clematis	5gal	Med
GROUND COVERS./ VINES			
Symbol	Botanical/Common Name	Water Use	
	Hedera helix	1 gal	Low
	Vinca minor - dwarf periwinkle	1 gal	Low

**Irrigation Description**  
All planted areas to be watered with subsurface drip tubing such as Techline or Rainbird XFS tubing. Plants to be watered in zones of like water use. Trees to be on designated bubbler system.

Tall shrubs for screening  
Low growing ground cover .

Remove cobble and replace with low growing perennials.



610 MARKET STREET  
OAKLAND, CALIFORNIA

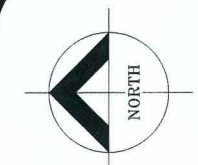
CLG  
CROUCH LANDSCAPE GROUP

LIC# 2557  
17 LINDA DRIVE  
PO BOX 100676  
PH: 916.772.0001

STEVEN L. CROUCH  
JAN 2007  
05-31-16  
RENEWAL DATE  
DATE: 1-15-15

L-1





Scale 1" = 10'-0"

# TREE SURVEY PLAN

## 610 Market Street.

7th STREET

6th STREET

(A) EXISTING SYCAMORE  
14" TRUNK.  
\*(PROTECTED.)

(3) EXISTING CUPRESSUS  
6" MULTIPLE TRUNKS.  
\*(TO BE REMOVED.)

(B) EXISTING SYCAMORE  
14" TRUNK.  
\*(PROTECTED.)

EXISTING PAVERS AND AGAVE PLANT.  
\*(TO BE REMOVED.)

(C) EXISTING SYCAMORE  
13" TRUNK.  
\*(PROTECTED.)

EXISTING HEDGE OF  
INDIAN HAWTHORNS.  
\*(TO BE REMOVED.)

(D) EXISTING SYCAMORE  
9" TRUNK.  
\*(PROTECTED.)

(2) EXISTING  
ACACIA TREE  
14" TRUNK  
\*(TO BE REMOVED.)

(1) EXISTING CUPRESSUS  
6" MULTIPLE TRUNKS.  
\*(TO BE REMOVED.)

(G) EXISTING  
ACACIA TREE  
6" TRUNK  
\*(PROTECTED.)

(F) EXISTING  
CANARY ISLAND  
PALM. 30" TRUNK  
\*(PROTECTED.)

EXISTING POURED  
IN PLACE COBBLE  
\*(TO BE REMOVED.)

(E) EXISTING SYCAMORE  
11" TRUNK.  
\*(PROTECTED.)

610 MARKET STREET  
OAKLAND, CALIFORNIA

CLG  
CROUCH LANDSCAPE GROUP  
127 LINDA DRIVE  
LIC # 2557



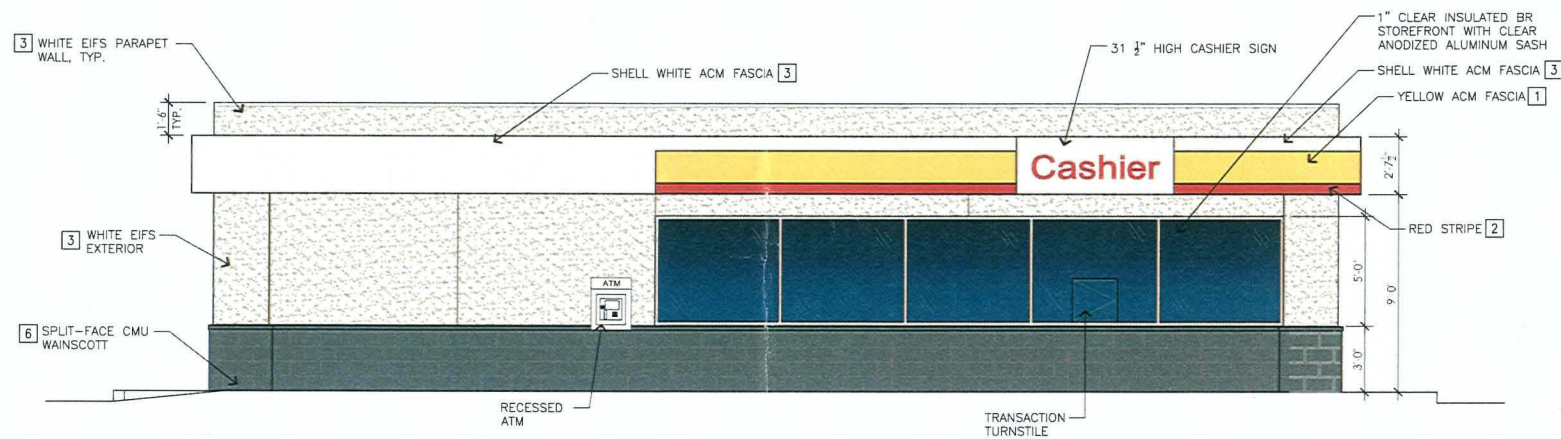
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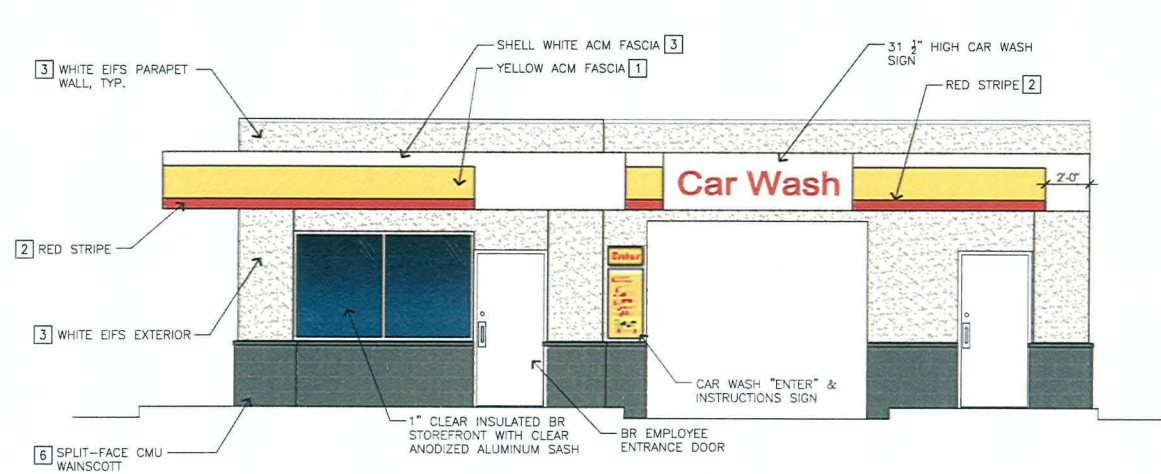




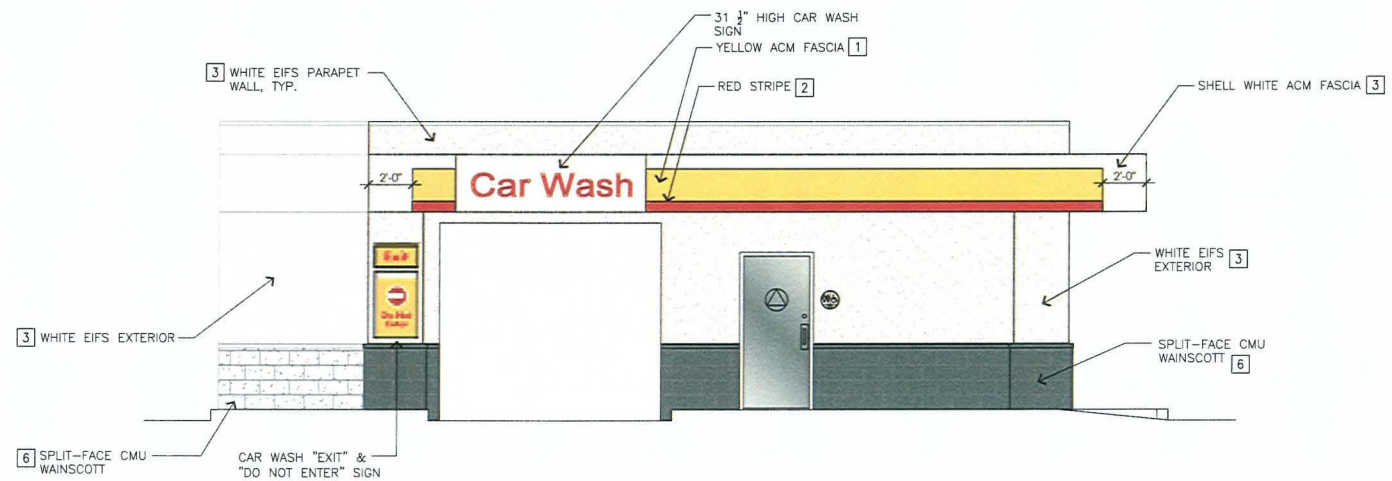




**A WEST ELEVATION**  
SCALE: 1/4" = 1'-0"



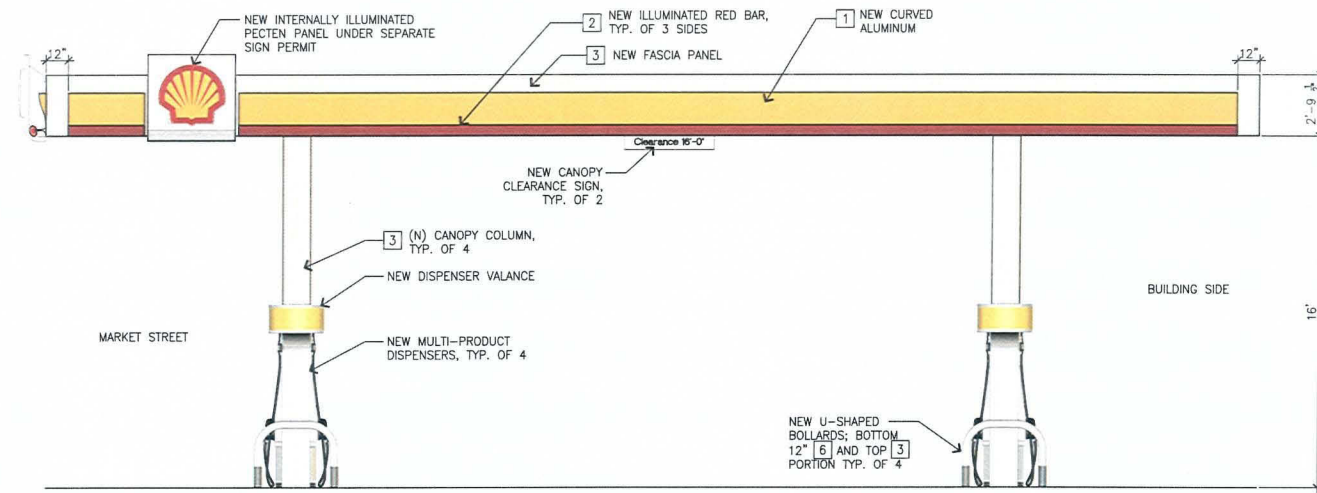
**B SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"



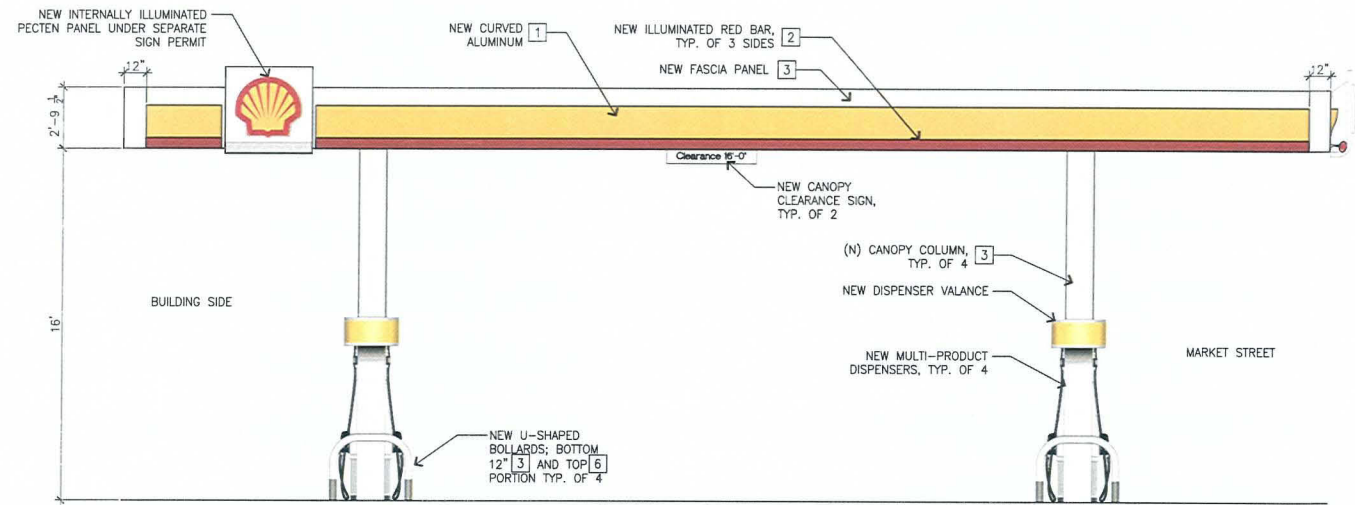
**C NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"

COLOR LEGEND	
1	SHELL YELLOW PANTONE SHL003 (IF UNAVAILABLE, USE PMS 116C)
2	SHELL RED PANTONE SHL005 (IF UNAVAILABLE, USE PMS 485C)
3	SHELL WARM WHITE RAL 9016
5	SHELL WARM SILVER PANTONE 8002
6	SHELL GRAY PANTONE SHL001 (IF UNAVAILABLE, USE PMS 431C)

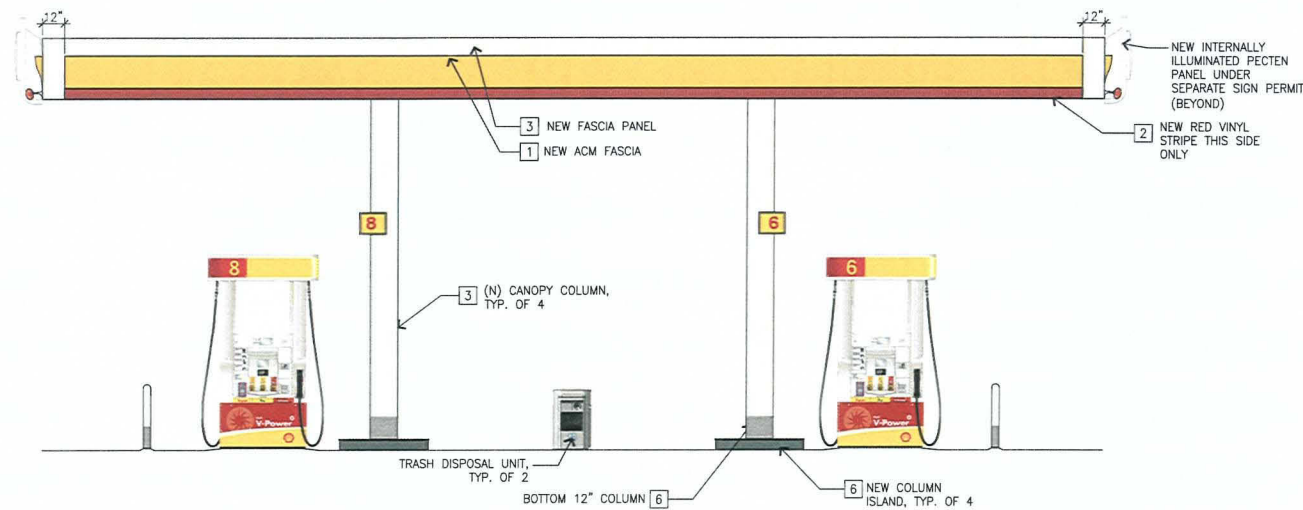




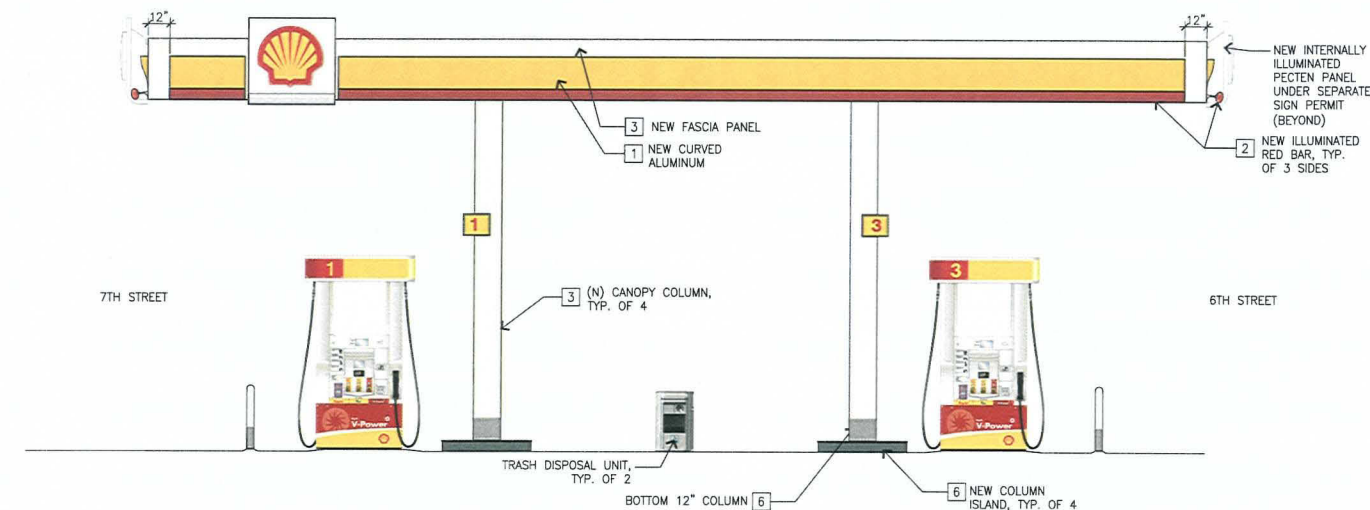
**A SOUTH CANOPY ELEVATION** (FACING 6TH STREET)  
SCALE: 1/4"=1'-0"



**B NORTH CANOPY ELEVATION**  
SCALE: 1/4"=1'-0"



**C EAST CANOPY ELEVATION** (FACING BUILDING)  
SCALE: 1/4"=1'-0"

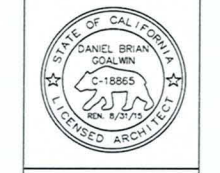


**D WEST CANOPY ELEVATION** (MARKET STREET)  
SCALE: 1/4"=1'-0"

COLOR LEGEND	
1	SHELL YELLOW PANTONE SHL003 (IF UNAVAILABLE, USE PMS 116C)
2	SHELL RED PANTONE SHL005 (IF UNAVAILABLE, USE PMS 485C)
3	SHELL WARM WHITE RAL 9016
5	SHELL WARM SILVER PANTONE 8002
6	SHELL GRAY PANTONE SHL001 (IF UNAVAILABLE, USE PMS 431C)

Revision  
No. Date By Ckd. Appr.  
Title:  
**CANOPY ELEVATIONS**  
**OAKLAND SHELL IMPROVEMENTS**  
**610 MARKET STREET**  
**OAKLAND, CA**

For:  
**DARCK PEARL INVESTMENTS, LLC**  
**2000 BROADWAY STREET, SUITE 150**  
**REDWOOD CITY, CA 94063**



Scale:  
Horizontal  
1/4"=1'-0"  
Vertical  
1/8"=1'-0"  
Designed: DB  
Drawn: DB  
Checked: DB  
Approved: JSG  
Date: 8/19/14

18215 72ND AVENUE SOUTH  
KENT, WA 98032  
(425)251-6222  
(425)251-8782 FAX  
CIVIL ENGINEERING, LAND PLANNING,  
SURVEYING, ENVIRONMENTAL SERVICES



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