Case File Number: PLN14103 June 18, 2014

| Location | 3770 Piedmont Avenue | |
|----------------------------|--|--|
| Assessor's Parcel Number: | | |
| | | |
| | To operate a full-service restaurant "Chow" with a grocery market. | |
| | Tony Valadez/Lowney Architecture | |
| Phone Number: | | |
| | 3770 Piedmont Avenue, LLC | |
| Case File Number: | PLN14103 | |
| Planning Permits Required: | 1) Major Conditional Use Permit to operate a full-service restaurant in conjunction with the sale of alcoholic beverages, located within 200 feet from a restricted street area (West MacArthur Blvd); and 2) Regular Design Review for building additions and alterations to the existing two-story vacant commercial facility. | |
| General Plan: | Neighborhood Center Mixed Use | |
| | CN-1 Neighborhood Commercial Zone | |
| | Exempt, Section 15332 of the State CEQA Guidelines: | |
| | In-Fill Development Projects; | |
| | Section 15301 of the State CEQA Guidelines: | |
| | Existing Facilities; | |
| | Section 15183 of the State CEQA Guidelines: | |
| | Projects consistent with a Community Plan, General Plan or Zoning. | |
| Property Historic Status: | Not a Potential Designated Historic Property (PDHP) Survey Rating: X | |
| Service Delivery District: | | |
| City Council District: | 1 | |
| Date Filed: | 04/23/14 | |
| Action to be Taken: | Decision by the Planning Commission based on staff report | |
| Finality of Decision: | Appealable to City Council within 10 calendar days | |
| | Contact Case Planner: Mike Rivera at (510) 238-6417, or by email at mrivera@oaklandnet.com, | |

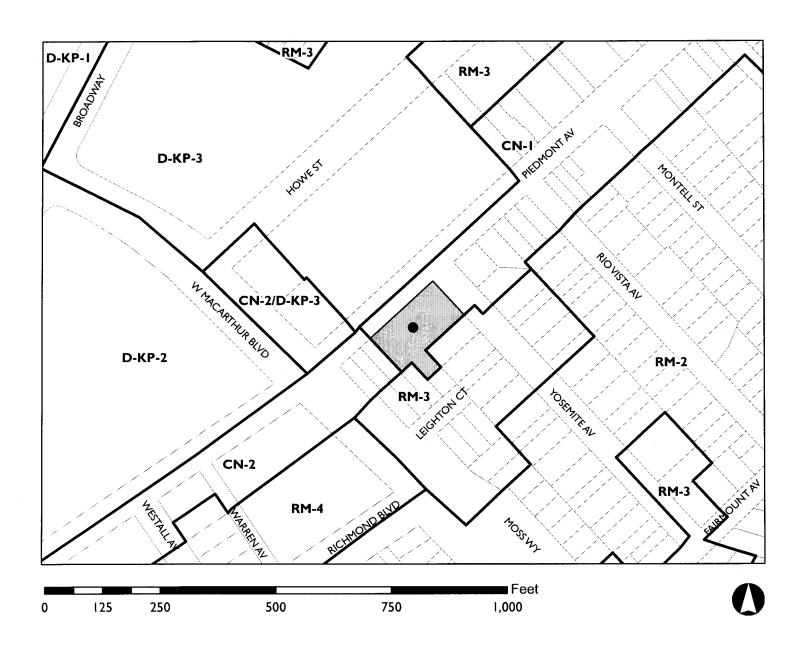
PROJECT SUMMARY

The applicant proposes to operate a full-service restaurant and a food market "Chow" in a vacant commercial building, located at the southeast intersection of Piedmont Avenue and Yosemite Avenue in the Piedmont Shopping District. The proposal includes building additions and alterations and site improvements to the existing open parking lot and within and around the property. Vehicular access to the parking lot is from two existing driveways, located on Yosemite Avenue. The property is bounded to the north and south by mixed-use buildings, to the east by multi-family properties and to the west (across Piedmont Avenue) by a public garage and commercial facilities. The proposal requires a Major Conditional Use Permit for the sale of alcoholic beverages in conjunction with a full-service restaurant within 200 feet from a restricted street area, West MacArthur Boulevard. Staff supports the application and recommends approval of the project subject to the required Findings, (Attachment A) and Conditions of Approval (Attachment B).

PROPERTY DESCRIPTION

The 0.47 acre (20,331 square foot) parcel is located in the Piedmont Avenue Shopping District, at the southeast corner of Piedmont Avenue and Yosemite Avenue, and it is approximately 120 feet north of West MacArthur Boulevard. The property contains a vacant 12,200 square foot two-story commercial

CITY OF OAKLAND PLANNING COMMISSION



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Zone: CN-I

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building and a detached 546 square foot one-story accessory building. Both buildings were constructed in 1959, and operated as an insurance company and later used medical offices. The main access to the principal building is from Piedmont Avenue and from the parking lot. Ingress and egress to the surface parking lot is from the two separate curb cuts, located on Yosemite Avenue. The property is partially surrounded by a chain-link fence along the east property line, and does not contain any significant landscaping.

PROJECT DESCRIPTION

The development proposal is to operate a full-service restaurant combined with a food market under the same ownership. The proposal includes additions and alterations to the vacant two-story building, and site improvements to the surface parking lot and around the property. The project will add approximately 2.469 square feet to the existing 7,469 square feet ground-floor area, and 234 square feet to the existing 4.734 square feet second floor area. Major exterior alterations to this building include adding a truss wood roof in the center of the building, a standing seam metal roof, wood trellises, an upper outdoor deck with steel support columns, a ground-floor outdoor seating area, a canopied walkway, metal awnings, woodslat fascia, aluminum storefront framing, wood-frame bifold windows and decorative shielded lighting. Site improvements include resurfacing and restriping the surface parking lot, adding bioretention treatment planters and pervious pavers to the parking stalls, and installing trees, shrubs and decorative groundcover. Other site improvements include replacing the chain-link fence with a new wood fence along the east property line, installing shielded parking light fixtures and bollards, replacing the sidewalks in front of the property along Piedmont Avenue and Yosemite Avenue. The project includes the installation of on-site bicycle racks, located at the southwest corner of the building and at the east side of the building, next to the small picnic area. The plans show renderings of a bicycle corral in the street, along Piedmont Avenue; however, this is a conceptual future plan, and not a part of this proposed application. The applicant is aware that the bike corral and any other physical changes in the City Rightof-Way will require review and approval by the City Public Works and Building Divisions. The proposed restaurant and food market activity will operate as one business at this location. Some of the food-related items from the market will be on display outside the building. The bakery and catering activities for the restaurant "Chow" including offices, storage, refrigerator/freezer rooms and customer bathrooms will be located on the second-floor of the renovated building. Outdoor ground-floor seating for the restaurant clientele will be located to the north and west of the building. Outdoor seating for the food market patrons will be offered on the upper deck, located to the north of the building. The business hours for the operation of the restaurant and food market will be from 7:00AM to 10:30PM daily. The operation of the bakery activity "Chow" will vary from late night hours to early morning hours, but will not be open to the public.

GENERAL PLAN ANALYSIS

The property is located in the "Neighborhood Center Mixed Use" classification of the Oakland General Plan Land Use and Transportation Element (LUTE). The intent of this classification is "to identify, create, maintain and enhance mixed use neighborhood commercial centers. These commercial centers are typically characterized by smaller scale pedestrian-oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and smaller scale educational, cultural or entertainment uses." The desired character and uses for future development "should be commercial or mixed uses that are pedestrian-oriented and serve nearby neighborhoods." The proposal will create and enhance the desired character of the area by developing a new commercial use at the south end of the Piedmont Avenue Shopping District. The proposal is consistent with the following General Plan policies, which are applicable to the project because it would provide for services that help meet local consumer needs. Staff provides an analysis for each of the policies to show the project is consistent with the policy.

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

The proposed project is located at the south end of the Piedmont Avenue Shopping District where minimal retail shops are available. The operation of the full-service restaurant and food market will provide essential services thus creating vital commercial establishments to nearby residents and to local consumers in general.

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

The proposed project includes site and building improvements that will result with a superior design that provides high-quality materials, finishes, details and landscaping that will create visual interest and relief to the abutting residential properties. The project also meets the Design Review Criteria as described in the body of this report.

ZONING ANALYSIS

The property is located in the CN-1 Neighborhood Commercial Zone. The intent of the CN-1 zone is "to maintain and enhance vibrant commercial districts with a wide range of retail establishments serving both short and long term needs in attractive settings oriented to pedestrian comparison shopping areas." Per Sections 17.134.020(A)(2)(a)(viii) and 17.103.030(B)(2) of the Planning Code, the proposal for the sale of alcoholic beverages at any full-service restaurant within a restricted street area is subject to a Major Conditional Use Permit. The subject property is located within 200 feet from one of the restricted streets, West MacArthur Boulevard, and therefore it requires a Major Conditional Use Permit and approval by the Planning Commission.

Staff determined that the property provided seven off-street parking spaces when the original commercial building was constructed and occupied by an insurance company in 1959, and later by medical offices. Over the years, staff has determined that the subject property acquired the vacant parcels to the north, thus increasing its overall lot area that resulted with an additional 26 non-required parking spaces for the existing commercial building. Subsequently, these new parking spaces were used as an auto fee parking lot, separate from the seven parking spaces provided for the original administrative building. Currently, the building is vacant and the auto fee parking lot is no longer in operation, and the applicant does not plan to use it as part of this application. The proposal includes a building addition of 2,619 square feet to the existing 12,203 square feet two-story building. Since the original building pre-dated the effective date of parking requirements in 1965, the parking regulations only require one off-street parking space for each 200 square feet of new floor area added to the existing building (2,619/200=14 parking spaces). Therefore, the existing 7 parking spaces on the lot combined with the 14 required parking spaces will result in a total of 21 off-street parking spaces, which the project will provide in the new reconfigured parking lot.

The development proposal complies with all other zoning standards, and it is also required to meet certain Findings: 17.134.050 (General Use Permit Criteria), 17.33.01(L4) (Conditional Use Permit for the CN-1 Zone), and 17.136.075 (Regular Design Review). These required Findings will be analyzed within the Findings section in this report. (See Attachment A)

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines lists the projects that qualify as Categorical Exemptions from environmental review. The project proposal is categorically exempt from the environmental review requirements pursuant to Section 15332 for In-Fill Development Projects. The

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criteria for the in-fill exemption, and staff's summary analysis for each criteria are listed below in regular text.

a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The project is consistent with the General Plan designation for Neighborhood Center Mixed Use by creating a commercial facility for eating and drinking that will meet consumer needs. The proposal also meets the General Plan policies as shown in the General Plan Analysis and in the Findings section of this report. The project is consistent with the zoning designation (CN-1) of the site and with other applicable zoning regulations. The project also complies with required conditional use permit finding. (See Findings sections of this report)

b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project is located within Oakland City limits and consists of 20,331 square feet of lot area. The property is surrounded by commercial and a mix of urban residential uses that range from medical offices, retail, an auto fee parking garage, restaurants and multi-family residential properties.

c) The project site has no value as habitat for endangered, rare or threatened species.

The project is located on a site that has been previously developed as a commercial use. The property is located in an urbanized mixed-use neighborhood, and does not pose a value for habitat to endangered, rare or threatened species.

d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Based on the City's Transportation Impact Study Guidelines, the proposal would generate fewer than 50 trips during the weekday AM and PM peak hours. Supplemental traffic analysis indicates that weekend traffic on streets adjacent to the site is anticipated to be less than the weekday traffic, and that the Saturday peak hour trip generation assumes that both restaurant and market uses peak at the same time, therefore the proposal is not anticipated to result in worse traffic during Saturday peak hours. Furthermore, with the implementation of standard conditions of approval related to construction management and noise reduction measures, the proposal would not result in any significant impacts on traffic, noise, air quality or water quality.

e) The site can be adequately served by all required utilities and public services.

The project site is located in an urbanized area of the City of Oakland. The site contains buildings that had served other commercial activities. The new development can be served by existing and/or improved utility and public services.

KEY ISSUES

Sale of Alcoholic Beverages within Restricted Areas

The proposal for a full-service restaurant "Chow" which includes the sale of alcohol beverages (beer and wine) as part of their operation is subject to regulations for restricted streets because the site is located within 200 feet from West MacArthur Boulevard, which is a restricted street. This provision on

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commercial establishments located in over-concentrated areas is to monitor the proliferation of alcoholic beverage sale activities that are known for high crime and create a public nuisance to the surrounding areas. The Alameda County Census Tract 4040 shows an over-concentration of ABC licenses issued in this area, six (6) of the nine (9) licenses are for full-service restaurants. The other three (3) licenses are for liquor stores and bars. Under the Planning Code, full-service restaurants are not considered Alcohol Beverage Sales Commercial Activities. Although the project is within 200 feet from West MacArthur Boulevard, the proposal which also includes a food market is considered compatible with the surrounding properties because it will offer a convenient and attractive business thus creating a vibrant environment to this part of the Piedmont Shopping District. Staff believes that the proposal will not contribute to the proliferation of alcoholic beverage sale activities in this over-concentrated area, and will not create adverse land use impacts or become a public nuisance in the neighborhood. The proposed full-service restaurant combines a food market (a permitted use), similar to the ones that "Chow" operates in other locations in the East Bay where it includes the sale of beer and wine for on-site and off-site consumption. Therefore, the proposal will not create similar types of loitering or related problems as some other alcoholic beverage sales facilities do such as liquor stores or bars.

Building Design

The proposal includes building additions and alterations including site improvements that will result with a high quality storefront and an enhanced surface parking lot. The two-story building incorporates architectural design elements that best fit with the concept of general retail storefronts. The new design uses bifold wood windows, transom windows, dark aluminum store framing, wood slat fascia, wood slat metal awning, wood frame entry roof, wood trellises, wood deck with steel post, shielded light fixtures and landscaping that maximize storefront visibility and relate to the use of the proposed activity. The site improvements to the existing surface parking lot and within the property include a variety of new landscaping and hardscape for buffering such as trees, shrubs, planters, groundcover, color pervious pavers, perimeter wood fence, and decorative light fixtures that will create an attractive design that compliments and enhances the use on the property including surrounding neighboring properties and from public view.

CONCLUSION

Staff finds that the project is a good use for this site because it will enhance and create a vibrant connection between the ground-floor activities and the street. The reuse of the vacant property provides a good commercial and retail use for this section of the Piedmont Avenue Shopping District. The proposal will enhance the successful operation of the commercial street and will not result in any significant negative impacts to surrounding properties. Staff determines that the application meets the required findings (See Attachment A), and recommends approval by the Planning Commission, subject to the Conditions of Approval. (See Attachment B)

RECOMMENDATIONS

- 1. Affirm staff's Environmental Determination.
- 2. Approve Major Conditional Use Permit and Regular Design Review, subject to the attached findings and conditions of approval.

Prepared by:

Mike Rivera

Planner II

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Approved by:

Scott Miller Zoning Manager

Approved for forwarding to the City Planning Commission:

Darin Ranelletti, Deputy Director Bureau of Planning

ATTACHMENTS

- A. Findings
- B. Conditions of Approval
- C. Revised Design Plans, submitted on May 30 2014
- D. Chow Restaurant Menu

ATTACHMENT A

Findings for Approval

The findings required to grant approval for this application for a General Conditional Use Permit, Conditional Use Permit for the CN-1 Zone and Regular Design Review are (shown in **bold**) found in Sections 17.134.050, 17.33.01(L4) and 17.136.07 and the reasons this proposal satisfy these findings, are as follows:

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 proposal for a new full-service restaurant that includes the sale of alcoholic beverages within 200 feet of a restricted street will be compatible with the site and with the mix of surrounding commercial and residential properties in the Piedmont Avenue Shopping District. The new restaurant also includes a food market that will offer a wide selection of quality food and beverages that would satisfy the needs of the community in general. To better manage parking within the property and surrounding areas, staff recommends some strategies. (See Condition of Approval #47)

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 proposal provides for a convenient and functional working and shopping environment. The full-service restaurant and sales of alcoholic beverages will promote quality food services and enhance the convenience and functional living environment of the customers. The building and site improvements are attractive and will compliment the use and surrounding properties.

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 proposal will meet the community's needs and enhance the area as a neighborhood shopping district by creating an attractive pedestrian dining and retail environment along this stretch of Piedmont Avenue. The proposal will also provide essential services to the neighborhood and to the regional shopping district.

D. That the proposal conforms to all applicable Regular Design Review criteria set forth in the Regular Design Review procedure at Section 17.136.050;

The project conforms with the applicable Regular Design Review criteria at Section 17.136.050. (See Design Review Findings section in this report)

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 project conforms to the General Plan by creating an in-fill use commercial development on a vacant property that is surrounded by commercial and residential uses and administrative offices. The development is consistent with the character of the Neighborhood Center Land Use designation of the General Plan.

SECTION 17.33.01 (L4) – CONDITIONAL USE PERMIT FINDINGS FOR THE CN-1 ZONE

A. That the proposal will not detract from the character desired for the area.

The development proposal will not detract from the desired character of the area because the operation of a full-service restaurant will generate foot traffic, and subsequently patronize the neighboring businesses that are vital to the success of the commercial corridor.

B. That the proposal will not impair a generally continuous wall of building facades.

The proposal for a full-service restaurant will not impair a generally continuous wall of building facades. The project will provide more transparency to the two-story building by incorporating large bifold wood windows and aluminum glazing doors to make the storefront more inviting to the public.

C. That the proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not impair the retention or creation of an important shopping frontage.

The proposal is located south of the main core of the Piedmont Shopping District, near the Kaiser medical facilities. The proposal will not weaken the concentration or continuity and will not impair the retention of retail facilities because most of the nearby businesses are medical offices, and others are general food sales facilities. Although the proposal for a full-service restaurant is not considered a general retail sales facility, the proposal provides a food market that will include the sales of perishables, prepared foods, meats, beverages and other consumer goods.

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

The proposal does not include any new structures or equipment in the City Right-of-Way other than repairing the sidewalks and installing decorative landscaping to improve and beautify the property and compliment the streetscape around the property. Any new proposal for buildings or structures in the City Right-of-Way will require review and approval by the City Traffic and Building Divisions.

E. That no driveway shall connect directly with the area's principal commercial street unless:

- 1. Vehicular access cannot reasonably be provided from a different street or other way, and
- 2. Every reasonable effort has been made to share means of vehicular access with abutting properties.

The property has two existing curb cuts that access the surface parking lot, located on the side street on Yosemite Avenue. The property does not have a driveway through the principal commercial street along Piedmont Avenue.

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

The property has a surface parking lot that will be used by the patrons of the new commercial facility. The parking lot will meet the off-street parking requirements of 21 parking spaces and will not contribute significantly to an increased orientation of the area for automobile movement.

G. That the proposal will conform in all significant respects with any applicable district plan which has been adopted by the City Council.

The project is located in the Neighborhood Center Mixed Use Area, which is intended to identify, create, maintain and enhance a mix of uses within neighborhood commercial areas. The proposal is a commercial activity that is consistent with the intent of the Neighborhood Center for establishments that provide food and drinking services, and also provides general retail sales activity from the associated food market that is part of the "Chow" operations. Therefore, the proposal will provide essential services to the general public.

SECTION 17.136.050 (B)-DESIGN CRITERIA FOR NON RESIDENTIAL FACILITIES

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

The improvements to the building and site will incorporate superior design elements that will relate to one another when viewed from the surrounding areas. The introduction of new design elements such as roof trusses, large aluminum storefront, wood-frame bifold and transom windows, horizontal wood slat fascia, wood slat/metal awnings, wood decks and trellises including earth-tone colors siding, landscaping and a variety of exterior light fixtures will create visual interest to the two-story building. Also, site improvements that include resurfacing and restriping of the open parking lot, the installation of a perimeter wood fence, the use of color pervious materials for the parking spaces, new trees, shrubs, groundcover, vines and decorative light fixtures will enhance the site from the street. As a result, the proposal will provide visual relief to the abutting residential properties and will improve the setting of the commercial street frontage.

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

The proposal will be an improvement to the property that will result with a quality design and therefore fit with the character of the neighborhood commercial district. The project will help to improve and protect the value of private and public investment due to the new alterations to the two-story building and open parking lot that has been vacant and underutilized in this important corner lot commercial property.

3. That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan.

As described in the preceding findings for Conditional Use Permit and Regular Design Review, the proposal also conforms to the Oakland General Plan because the project is vital to the pedestrian-oriented neighborhood commercial use. The project will provide food and drinking services, including general retail sales from the associated food market that is part of the "Chow" restaurant operations.

ATTACHMENT B

CONDITIONS OF APPROVAL

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

1. Approved Use

Ongoing

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, and the *revised* plans dated **May 30, 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 required prior written approval from the Director of City Planning or designee.
- b) This action by the City Planning Commission ("this Approval") includes the approvals set forth below. This Approval is for the operation of a full-service restaurant that includes beer and wine and alterations to the existing two-story building and surface parking lot.

2. Effective Date, Expiration, Extensions and Extinguishment

Ongoing

Unless a different termination date is prescribed, this Approval shall expire within two (2) years from the approval date, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this 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 necessary 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 laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition of Approval 3.
- b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, 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 of Oakland 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, stop work, permit suspension 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, notarized, and submitted with each set of permit plans to the appropriate City agency 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 its respective agents, officers, and employees (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect)action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul, (1) an approval by the City relating to a development-related application or subdivision or (2) implementation of an approved development-related project. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- b) Within ten (10) calendar days of the filing of any Action as specified in subsection A above, the applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter Agreement does not relieve the applicant of any of the obligations contained in this condition or other requirements or conditions of approval that may be imposed by the City.

8. Compliance with Conditions of Approval

Ongoing

The project applicant shall be responsible for compliance with the recommendations in any submitted and approved technical report and all the Conditions of Approval set forth below at its sole cost and expense, and subject to review and approval of the City of Oakland.

9. Severability

Ongoing

Approval of the project would not have been granted but for the applicability and validity of each and every one of the specified conditions, and if one or more of such conditions is found to be invalid by a court of competent

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jurisdiction this Approval would not have been granted without requiring other valid conditions consistent with achieving the same purpose and intent of such Approval.

10. Job Site Plans

Ongoing throughout demolition, grading, and/or construction

At least one (1) copy of the stamped approved plans, along with the Approval Letter and Conditions of Approval, shall be available for review at the job site at all times.

11. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Management

Prior to issuance of a demolition, grading, and/or construction permit

The project applicant may be required to pay for on-call third-party special inspector(s)/inspections as needed during the times of extensive or specialized plancheck review or construction. The project applicant may also be required to cover the full costs of independent technical review and other types of peer review, monitoring and inspection, including without limitation, third party plan check fees, including inspections of violations of Conditions of Approval. The project applicant shall establish a deposit with the Building Services Division, as directed by the Building Official, Director of City Planning or designee.

12. Required Landscape Plan for New Construction and Certain Additions to Residential Facilities

Prior to issuance of a building permit

Submittal and approval of a landscape plan for the entire site is required for the establishment of a new residential unit (excluding secondary units of five hundred (500) square feet or less), and for additions to Residential Facilities of over five hundred (500) square feet. The landscape plan and the plant materials installed pursuant to the approved plan shall conform with all provisions of Chapter 17.124 of the Oakland Planning Code, including the following:

- a) Landscape plan shall include a detailed planting schedule showing the proposed location, sizes, quantities, and specific common botanical names of plant species.
- b) Landscape plans for projects involving grading, rear walls on downslope lots requiring conformity with the screening requirements in Section 17.124.040, or vegetation management prescriptions in the S-11 zone, shall show proposed landscape treatments for all graded areas, rear wall treatments, and vegetation management prescriptions.
- c) Landscape plan shall incorporate pest-resistant and drought-tolerant landscaping practices. Within the portions of Oakland northeast of the line formed by State Highway 13 and continued southerly by Interstate 580, south of its intersection with State Highway 13, all plant materials on submitted landscape plans shall be fire-resistant. The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire-resistant, and drought-tolerant.
- d) All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season.

13. Landscape Requirements for Street Frontages.

Prior to issuance of a final inspection of the building permit

- a) All areas between a primary Residential Facility and abutting street lines shall be fully landscaped, plus any unpaved areas of abutting rights-of-way of improved streets or alleys, provided, however, on streets without sidewalks, an unplanted strip of land five (5) feet in width shall be provided within the right-of-way along the edge of the pavement or face of curb, whichever is applicable. Existing plant materials may be incorporated into the proposed landscaping if approved by the Director of City Planning.
- b) In addition to the general landscaping requirements set forth in Chapter 17.124, a minimum of one (1) fifteen-gallon tree, or substantially equivalent landscaping consistent with city policy and as approved by the Director of City Planning, shall be provided for every twenty-five (25) feet of street frontage. On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet, the trees to be provided shall include street trees to the satisfaction of the Director of Parks and Recreation.

14. Assurance of Landscaping Completion.

Prior to issuance of a final inspection of the building permit

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; or a bond, cash, deposit, or letter of credit, acceptable to the City, shall be provided for the planting of the required landscaping. The amount of such or a bond, cash, deposit, or letter of credit shall equal the greater of two thousand five hundred dollars (\$2,500.00) or the estimated cost of the required landscaping, based on a licensed contractor's bid.

15. Landscape Requirements for Street Frontages.

Prior to issuance of a final inspection of the building permit

On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet and does not interfere with access requirements, a minimum of one (1) twenty-four (24) inch box tree shall be provided for every twenty-five (25) feet of street frontage, unless a smaller size is recommended by the City arborist. The trees to be provided shall include species acceptable to the Tree Services Division.

16. 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 irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

17. 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.

18. 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.

19. 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.

20. 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 Conditions 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.

21. Construction Management Plan

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 for review and approval a construction management plan that identifies the conditions of approval related to construction impacts of the project and explains how the project applicant will comply with these construction-related conditions of approval.

22. Parking and Transportation Demand Management

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

The applicant shall submit for review and approval by the Planning and Zoning Division a Transportation Demand Management (TDM) plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. The applicant shall implement the approved TDM plan. The TDM shall include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use. All four modes of travel shall be considered. Strategies to consider include the following:

- a) Inclusion of additional bicycle parking, shower, and locker facilities that exceed the requirement
- b) Construction of bike lanes per the Bicycle Master Plan; Priority Bikeway Projects
- c) Signage and striping onsite to encourage bike safety
- d) Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient crossing at arterials
- e) Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.
- f) Direct transit sales or subsidized transit passes
- g) Guaranteed ride home program
- h) Pre-tax commuter benefits (checks)
- i) On-site car-sharing program (such as City Car Share, Zip Car, etc.)
- i) On-site carpooling program
- k) Distribution of information concerning alternative transportation options
- 1) Parking spaces sold/leased separately
- m) Parking management strategies; including attendant/valet parking and shared parking spaces

23. 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.

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- 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.
- 1) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.

24. 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.

25. 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.

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- 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.

26. 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.

27. 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.

28. Interior Noise

Prior to issuance of a building permit and Certificate of Occupancy

If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls), and/or other appropriate features/measures, shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval prior to issuance of building permit. Final recommendations for sound-rated assemblies, and/or other appropriate features/measures, will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phases. Written confirmation by the acoustical consultant, HVAC or HERS specialist, shall be submitted for City review and approval, prior to Certificate of Occupancy (or equivalent) that:

- (a) Quality control was exercised during construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed; and
- (b) Demonstrates compliance with interior noise standards based upon performance testing of a sample unit.
- (c) Inclusion of a Statement of Disclosure Notice in the CC&R's on the lease or title to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise occurrences. Potential features/measures to reduce interior noise could include, but are not limited to, the following:
 - i. Installation of an alternative form of ventilation in all units identified in the acoustical analysis as not being able to meet the interior noise requirements due to adjacency to a noise generating activity, filtration of ambient make-up air in each unit and analysis of ventilation noise if ventilation is included in the recommendations by the acoustical analysis.
 - ii. Prohibition of Z-duct construction.

29. 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.

30. Construction Traffic and Parking

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 onstreet spaces in the residentially zoned areas.

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- g) Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the applicant's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the City Building Inspector and/or photo documentation, at the applicant's expense, before the issuance of a Certificate of Occupancy.
- h) Any heavy equipment brought to the construction site shall be transported by truck, where feasible.
- i) No materials or equipment shall be stored on the traveled roadway at any time.
- j) Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion.
- k) All equipment shall be equipped with mufflers.
- 1) Prior to the end of each work day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors.

31. Erosion and Sedimentation Control

Ongoing throughout demolition grading, and/or construction activities

The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. Plans demonstrating the Best Management Practices shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.

32. 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.

33. 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 recycling. Affected projects include all new construction. demolition (C&D) and 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, FAOs, and forms are available at 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 in 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.

34. 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.

35. 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.

36. Asbestos Removal in Structures

Prior to issuance of a demolition permit

If asbestos-containing materials (ACM) are found to be present in building materials to be removed, demolition and disposal, the project applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code; Division 3; California Health & Safety Code 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended.

37. 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.

38. Erosion and Sedimentation Control Plan

Prior to any grading activities

a) The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.660 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

b) 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.

39. 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

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

40. Post-Construction Stormwater Management Plan

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

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.

- a) 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; and
 - 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;
 - 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.
- b) 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 or 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.

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

The applicant shall implement the approved stormwater management plan.

41. 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, 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

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ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder's Office at the applicant's expense.

42. Stormwater and Sewer

Prior to completing the final design for the project's sewer service

Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.

43. Exposure to Air Pollution (Toxic Air Contaminants)

a. Health Risk Reduction Measures

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

- i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with the California Air Resources Board (CARB) and the Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.
- ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:
 - Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents, and other sensitive populations, in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.
 - Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
 - The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods, if feasible.
 - Sensitive receptors shall not be located on the ground floor, if feasible.
 - Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (*Pinus*

Page 24

nigra var. maritima), Cypress (X Cupressocyparis leylandii), Hybrid popular (Populus deltoids X trichocarpa), and Redwood (Sequoia sempervirens).

- Within the project site, sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.
- Within the project site, existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.
- Within the project site, emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:
 - o Installing electrical hook-ups for diesel trucks at loading docks.
 - o Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.
 - o Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.
 - o Prohibiting trucks from idling for more than two minutes.
 - o Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.

When Required: Prior to approval of construction-related permit

Initial Approval: Planning and Zoning Division

Monitoring/Inspection: Building Services Division

b. Maintenance of Health Risk Reduction Measures

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

When Required: Ongoing

Initial Approval Authority: N/A

Monitoring/Inspection/Enforcement: Building Services Division

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

Ongoing throughout demolition, grading, and/or construction

During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the Bay Area Air Quality Management District (BAAQMD):

- a) Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). 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) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- e) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- f) Limit vehicle speeds on unpaved roads to 15 miles per hour.
- g) Idling times shall be minimized either by shutting equipment off when not is use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points.

Page 25

- h) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- i) Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and the BAAQMD shall also be visible. This information may be posted on other required on-site signage.
- j) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
- k) All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.
- 1) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- m) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
- n) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.
- o) Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity.
- p) Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- q) The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- r) All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- s) Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
- t) Minimize the idling time of diesel-powered construction equipment to two minutes.
- u) The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available.
- v) Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).
- w) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.
- x) Off-road heavy diesel engines shall meet the CARB's most recent certification standard.

45. Compliance with the Green Building Ordinance, OMC Chapter 18.02

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

The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02.

- a) The following information shall be submitted to the Building Services Division for review and approval with the application for a building permit:
 - i. Documentation showing compliance with Title 24 of the 2008 California Building Energy Efficiency Standards.
 - ii. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
 - iii. Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.

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- iv. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (b) below.
- v. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
- vi. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.
- vii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.
- b) The set of plans in subsection (a) shall demonstrate compliance with the following:
 - i. CALGreen mandatory measures.
 - ii. All pre-requisites per the **LEED** / **GreenPoint Rated** checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.
 - iii. Insert green building point level/certification requirement: (See Green Building Summary Table; for New Construction of Residential or Non-residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 75 points for residential and LEED Gold for non-residential) per the appropriate checklist approved during the Planning entitlement process.
 - iv. All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Planning and Zoning Division that shows the previously approved points that will be eliminated or substituted.
 - v. The required green building point minimums in the appropriate credit categories.

During construction

The applicant shall comply with the applicable requirements CALGreen and the Green Building Ordinance, Chapter 18.02.

- a) The following information shall be submitted to the Building Inspections Division of the Building Services Division for review and approval:
 - i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.
 - ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.
 - iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

After construction, as specified below

Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to **Build It Green / Green Building Certification Institute** and attain the minimum certification/point level identified in subsection (a) above. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Planning and Zoning Division the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.

46. Compliance with the Green Building Ordinance, OMC Chapter 18.02, for Building and Landscape Projects Using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist

Prior to issuance of a building permit

The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, (OMC Chapter 18.02.) for projects using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist.

- a) The following information shall be submitted to the Building Services Division for review and approval with application for a Building permit:
 - i. Documentation showing compliance with the 2008 Title 24, California Building Energy Efficiency Standards.

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- ii. Completed copy of the green building checklist approved during the review of a Planning and Zoning permit.
- iii. Permit plans that show in general notes, detailed design drawings and specifications as necessary compliance with the items listed in subsection (b) below.
- iv. Other documentation to prove compliance.
- b) The set of plans in subsection (a) shall demonstrate compliance with the following:
 - i. CALGreen mandatory measures.
 - ii. All applicable green building measures identified on the StopWaste.Org checklist approved during the review of a Planning and Zoning permit, or submittal of a Request for Revision Plan-check application that shows the previously approved points that will be eliminated or substituted.

During construction

The applicant shall comply with the applicable requirements of CALGreen and Green Building Ordinance, Chapter 18.02 for projects using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist.

- a) The following information shall be submitted to the Building Inspections Division for review and approval:
 - i. Completed copy of the green building checklists approved during review of the Planning and Zoning permit and during the review of the Building permit.
 - ii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

SPECIFIC PROJECT CONDITIONS

47. Parking Management Strategies

Ongoing

- a) The applicant shall install signage in the parking lot to limit all off-street parking spaces to 1 or 2 hours to ensure all parking spaces are available for customers only.
- b) The applicant shall provide sign information on the property and on their website that additional parking may be available at the Kaiser Hospital garage, located across Piedmont Avenue, which can be accessed on Howe Street.
- c) The applicant shall provide valet parking when needed for customers and park the cars at off-site parking facilities such as the Kaiser Hospital garage.
- d) The applicant shall lease off-site parking spaces for employee parking.

48. New Business Signage

Ongoing

Any new business signage on the property shall require a separate design review application and permit by the Planning and Building Service Division.

49. Landscape Maintenance.

Ongoing

All required planting and landscape improvements installed on-site and off-site shall be permanently maintained in good condition and, whenever necessary, replaced to ensure continued compliance with applicable landscaping requirements. All required irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

50. Screening of HVAC/Utility Meters and Equipment

Prior to issuance of a demolition, grading or building permit/Ongoing

The applicant shall submit construction plans that show details for the screening of all exterior HVAC, utility meters and related equipment from public view.

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Case File Number: PLN14103

51. Trash and Recyclable Containers Odor Control/Loading Area

Ongoing

The trash and recycling containers shall be kept and maintained and placed away from public view, except for during regular service pick up dates. The applicant shall sweep around these containers and the loading area daily, and use power-generated steam equipment in this area once weekly or as often as required.

52. Parking Lot

Ongoing

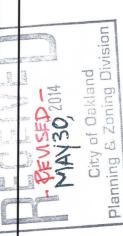
The parking stalls shall be maintained as required off-street parking spaces for the intended commercial facility. The parking lot and/or parking stalls shall not be used or converted for any other purpose without prior review and approval by the Oakland Department of Planning and Building.

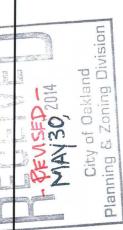
53. Delivery Restrictions

Ongoing

The facility will include restrictions on vendors and other delivery vehicles that prohibits use of Yosemite Avenue beyond a designated loading area along Piedmont Avenue. All deliveries and loading operations shall be scheduled between 7:00AM and 8:00PM (except for emergencies).

| APPROVED BY: City Planning Commission: | (date) | (vote) |
|---|---|--|
| Applicant and/or Contractor Statement | | |
| I have read and accept responsibility for the | • | • |
| Oakland Zoning Code and Municipal Code per | de by and conform to these condition rtaining to the project. | s, as well as to all provisions of the |
| Signature of Owner/Applicant: | | (date) |
| Signature of Contractor | | (date) |





PROJECT NAME
CHOW PIEDMONT

TO SEE

NOT FOR CONSTRUCTION

CHOW PIEDMONT 3770 PIEDMONT AVENUE OAKLAND, CA

NO. DATE ISSUES & REVISIONS
1. 423/4 PLANNING SUBSTITAL
2. 423/4 PLANNING UPDATE

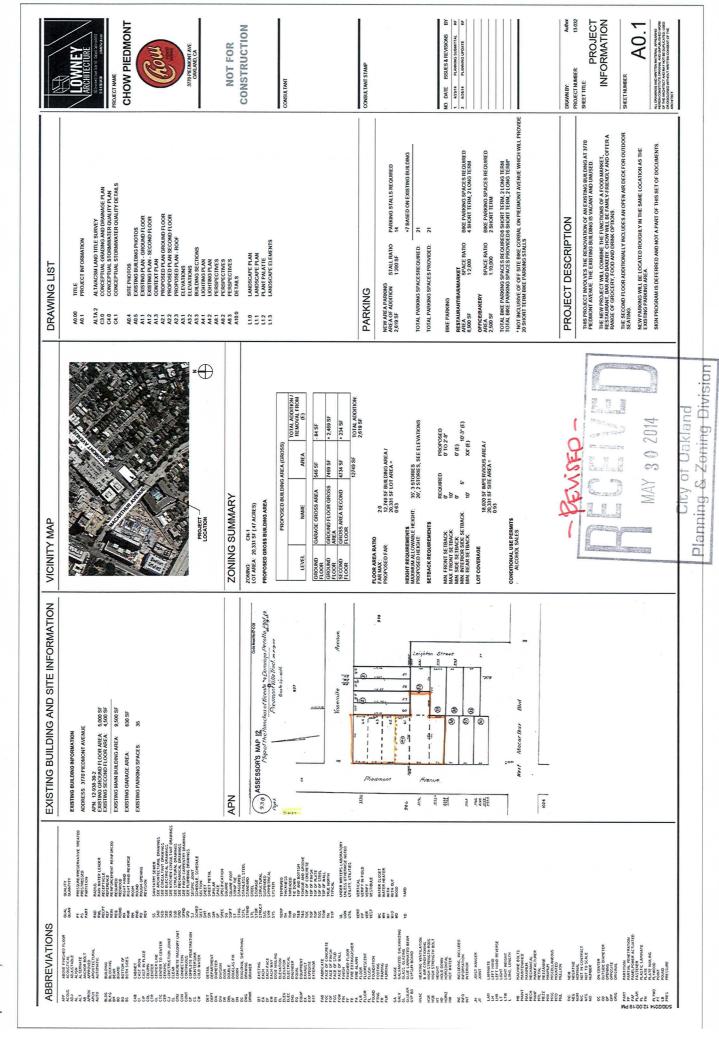
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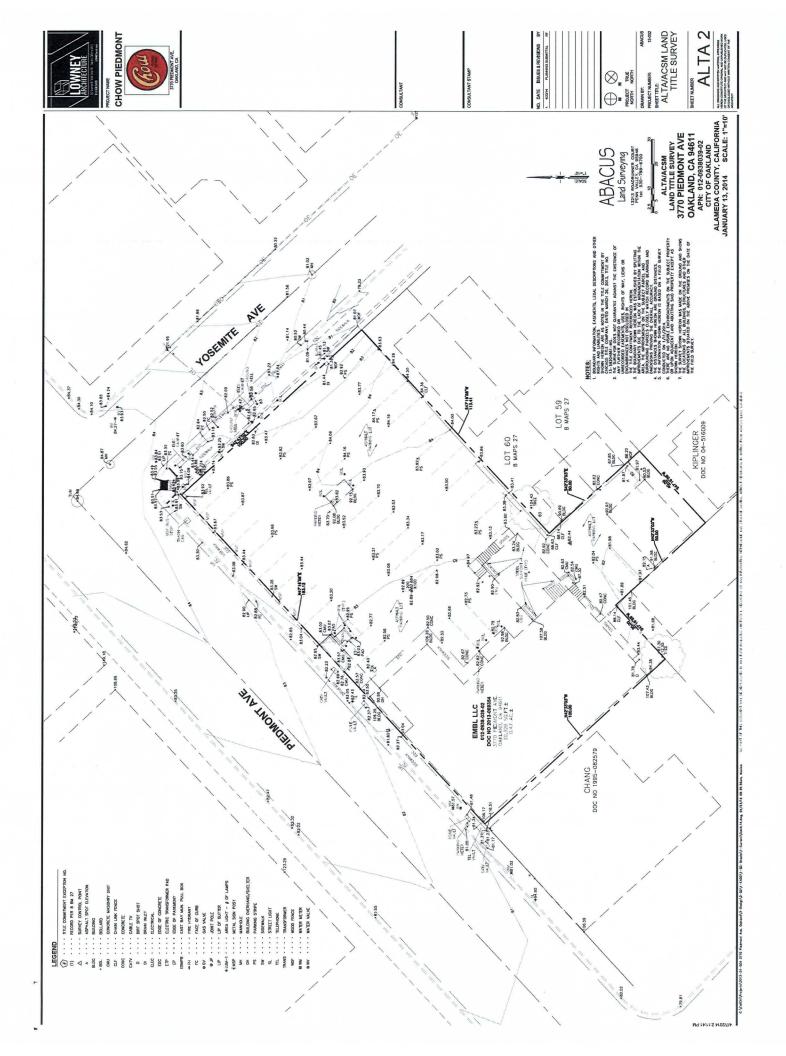
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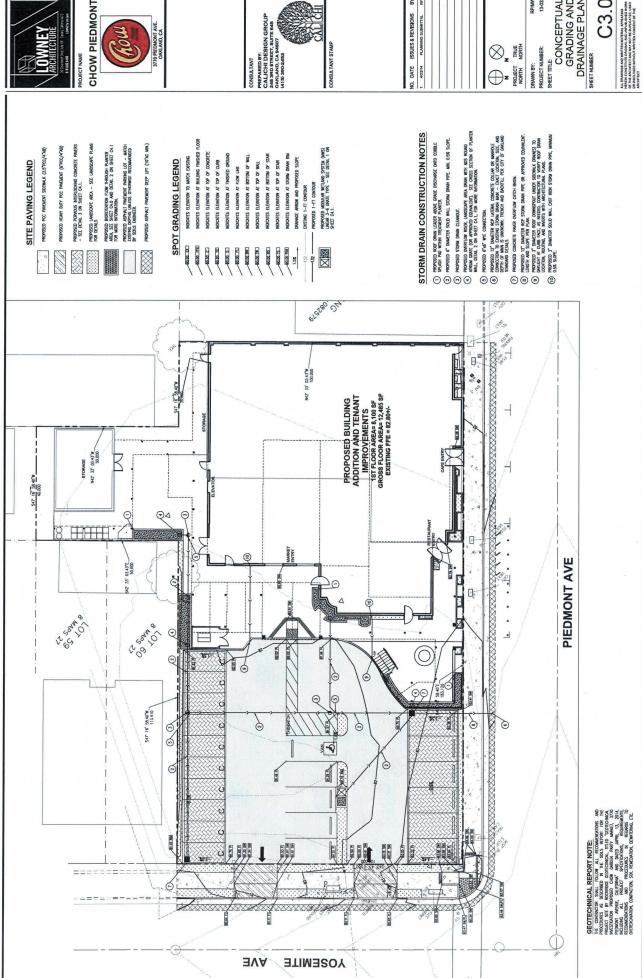
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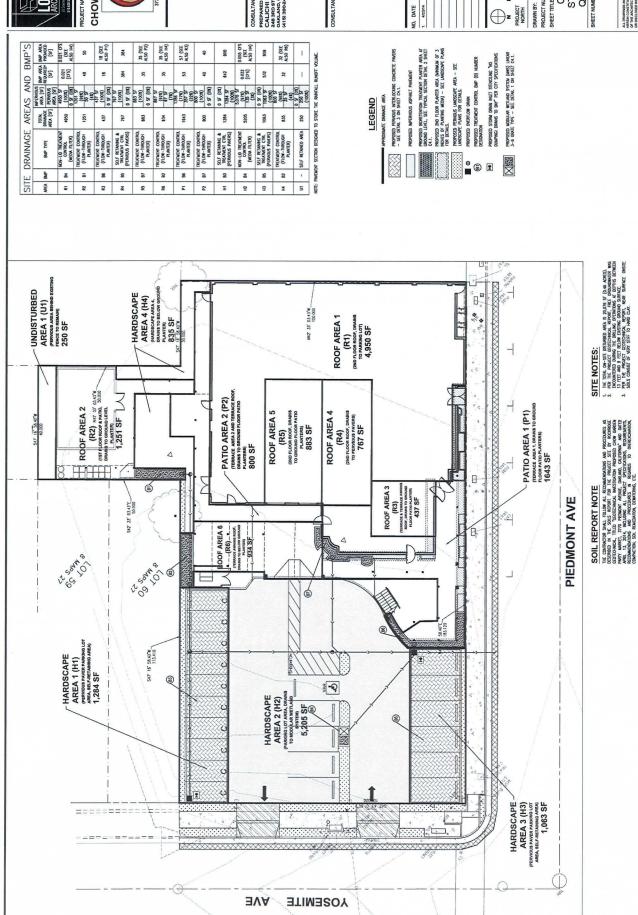
ISSUES & REVISIONS

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CONCEPTUAL
GRADING AND
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CHOW PIEDMONT

ISSUES & REVISIONS

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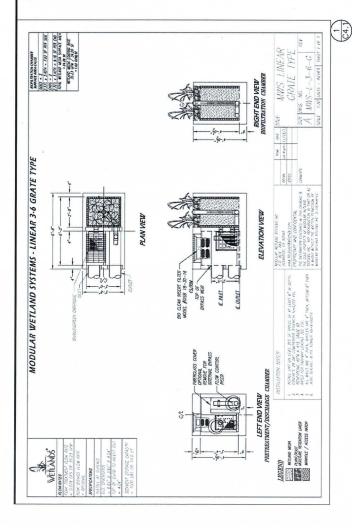
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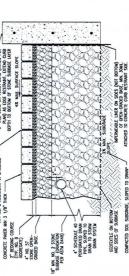
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CONCEPTUAL SHEET TITLE:

STORMWATER QUALITY DETAILS

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28) 3779 PIEDMONT

(27) 230 W MACARTHUR

(25) 3600-3698 PIEDMONT









34) 3891 PIEDMONT

(33) 3869-3883 PIEDMONT

32) 3859-3861 PIEDMONT

(31) 3853 PIEDMONT

30) 3839 PIEDMONT



NEIGHBOR KEY PLAN

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PROJECT NAME
CHOW PIEDMONT

NOT FOR CONSTRUCTION







EXISTING BUILDING PHOTOS

A0.5





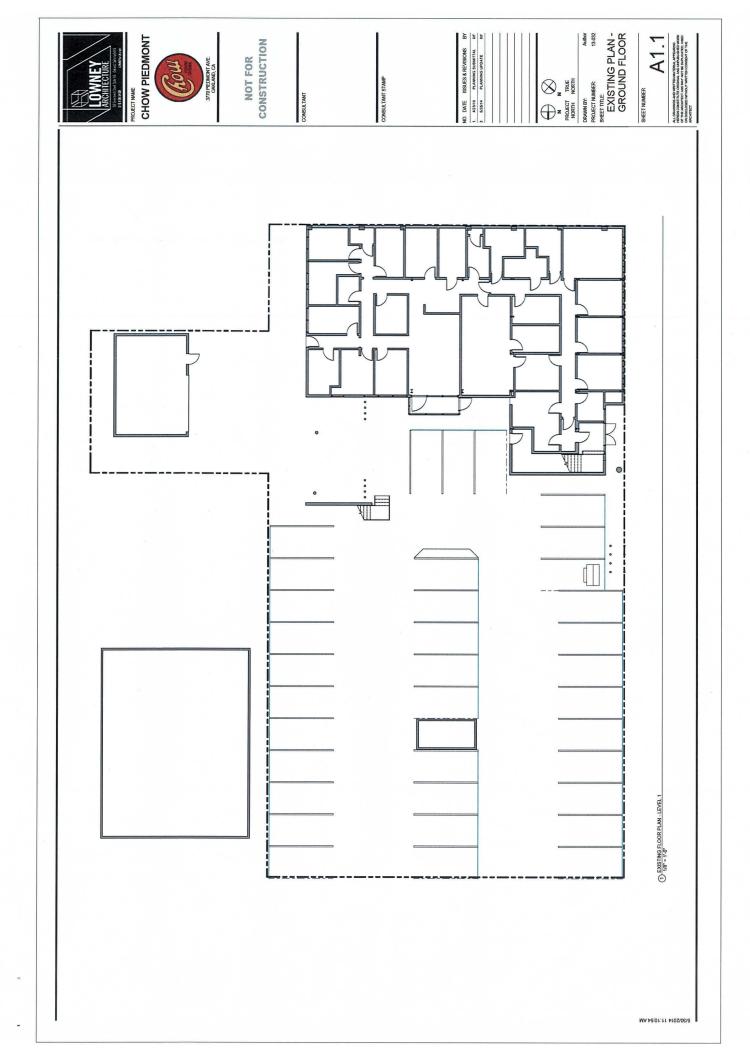
PIEDMONT ELEVATION

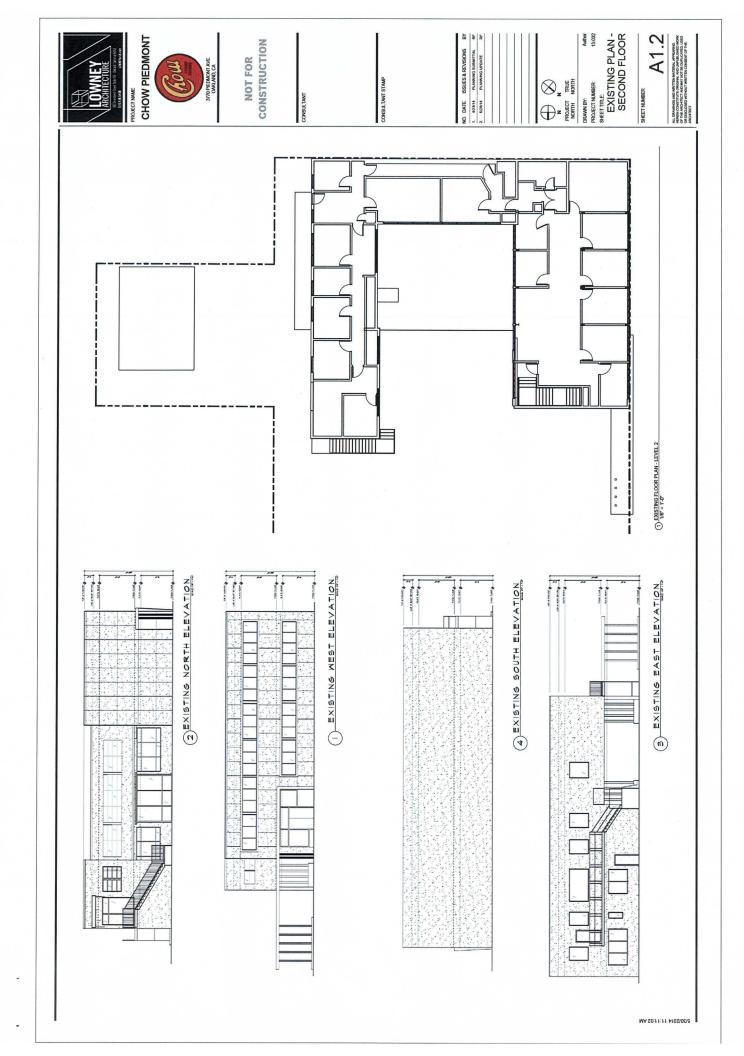


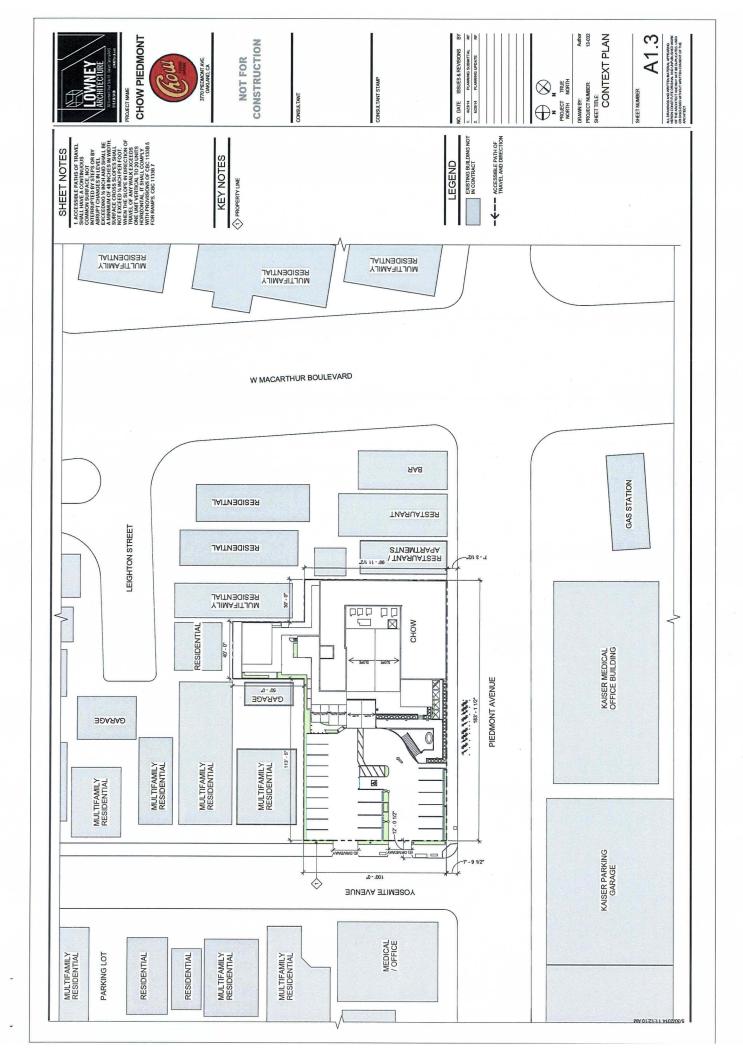
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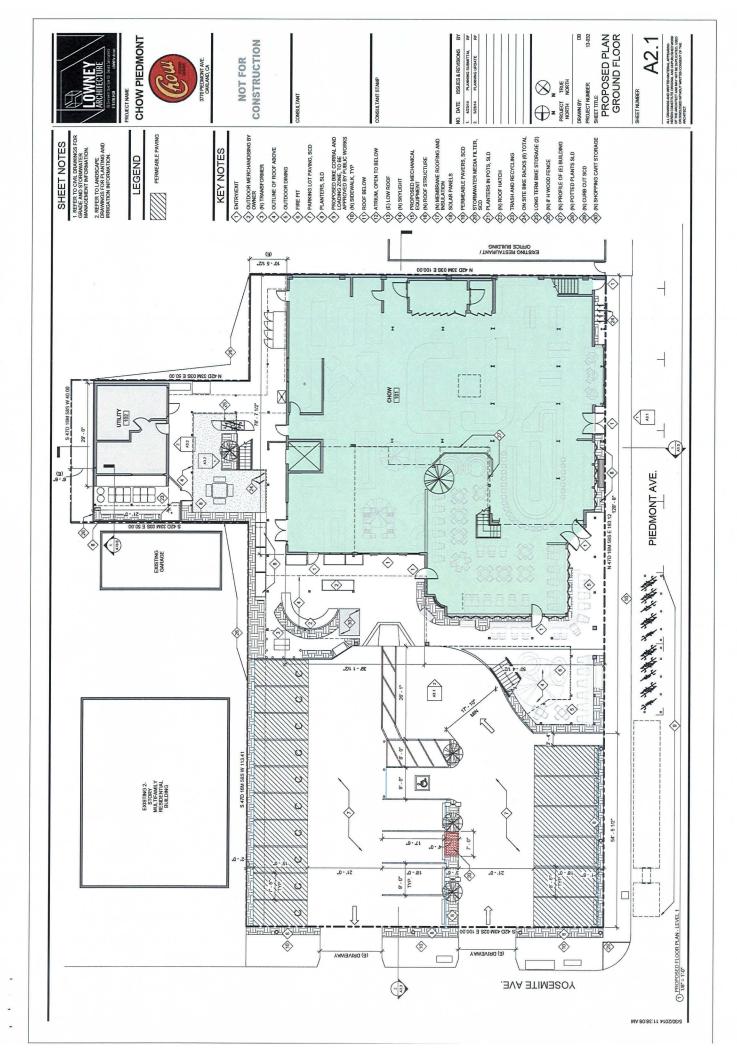


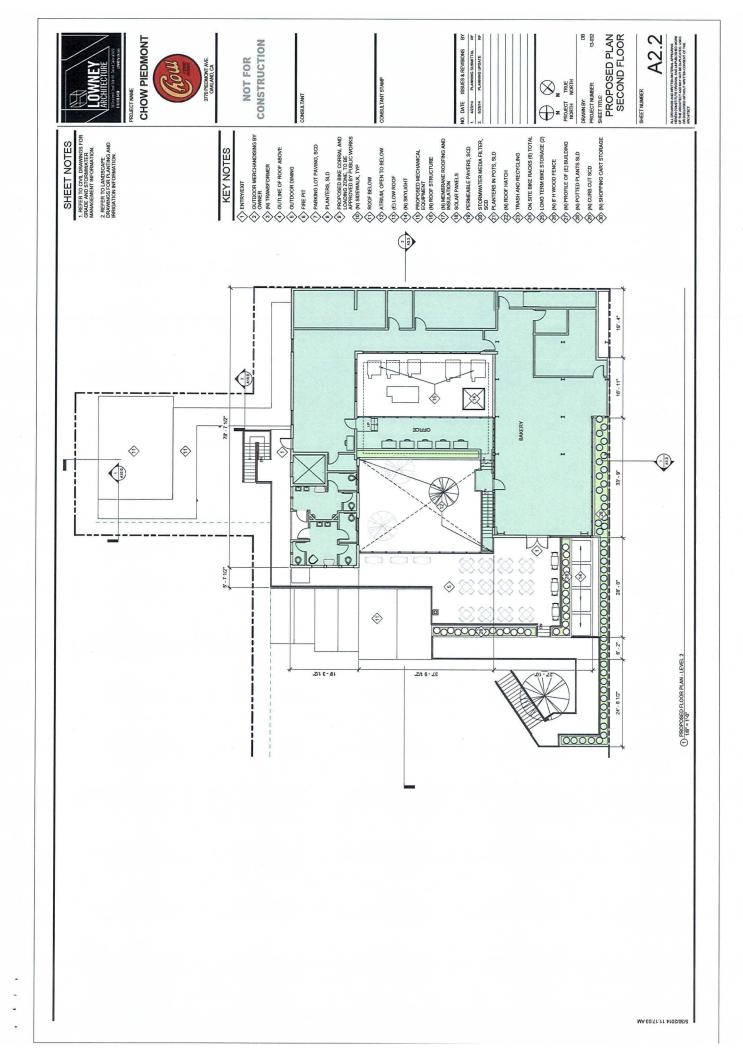
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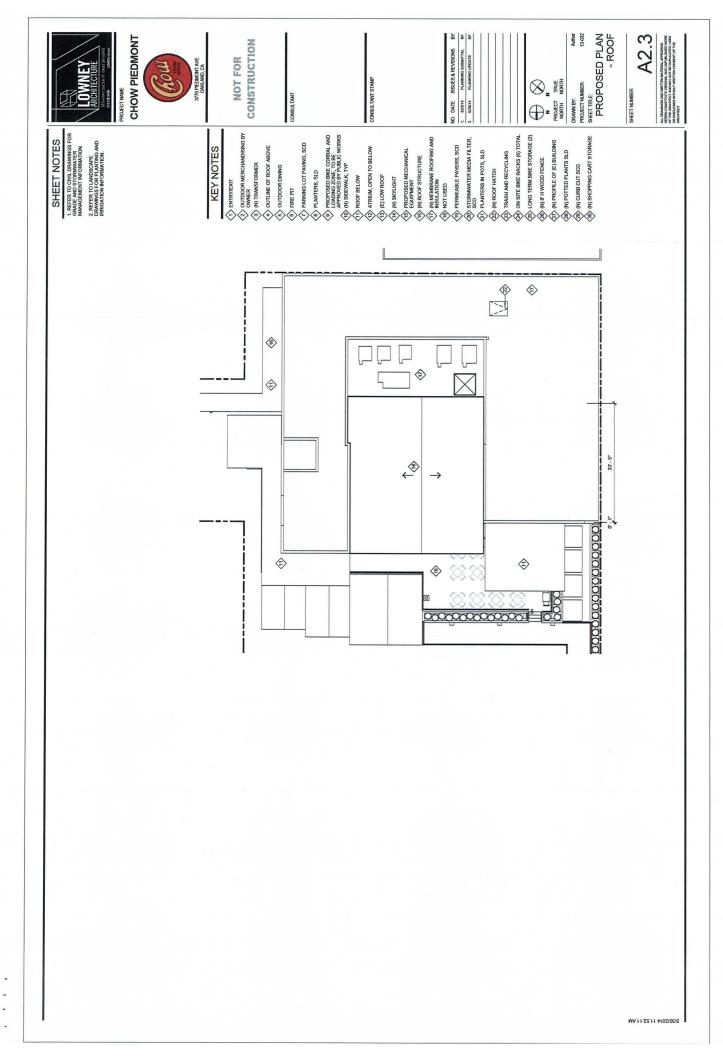


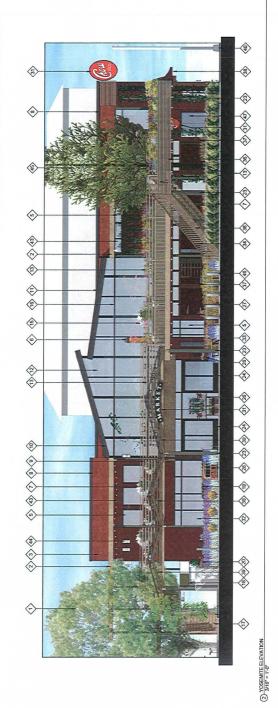












SHEET NUMBER (A) SLIDING STOREFRONT EXIT DOORS (N) OPERABLE WOOD WINDOWS, TYP (37) (N) WOOD-FRAME BIFOLD WINDOWS, (19) (N) PRODUCE BINS BY OWNER, TYP (38) (N) WOOD SLATMETAL AWNING (43) (N) TIVOLLSTYLE LIGHTING, TYP (N) WOOD TRANSOM WINDOWS (39) (N) WOOD FRAMED ROOF, TYP (N) FLOWER SHOP BY OWNER (N) POTTED TREE, TYP, S.L.D. (40) (E) STREET LIGHT TO REMAIN (A) PAINTED STEEL COLUMN (N) EXTERIOR BENCHES, TYP (N) CONCRETE BOLLARD, TYP (N) ALUMINUM STOREFRONT (N) GROCERY STORE ENTRY (4) (N) SCONCE LIGHTING, TYP (48) (N) BAKERYICAFE ENTRY
(49) (N) EXTERIOR FIREPLACE
(48) (N) PAINTED STUCCO (18) (N) BOH PRIVACY SCREEN (22) (N) HOLLOW METAL DOOR (N) INTERIOR TREE, TYP (N) CREEPING VINE, SLD (36) (E) DOORS & WINDOWS (N) WOOD SLAT FASCIA 26) (N) FLOWER DISPLAY (N) SHOPPING CARTS (41) (N) BICYCLE PARKING (N) WOOD HANDRAIL 17) (N) WOOD STAIR (N) WOOD STAIR 31) (N) SIGNAGE NIC (21) (N) ELEVATOR

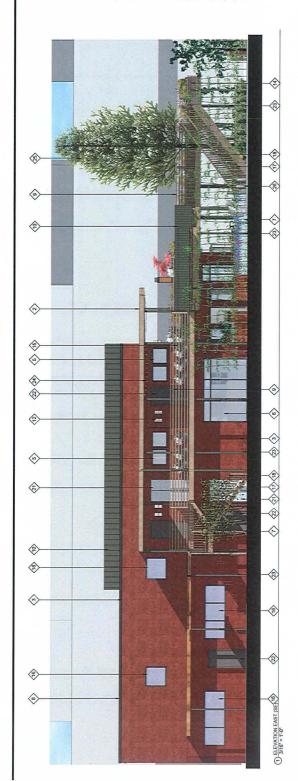
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CHOW PIEDMONT CONSTRUCTION NO. DATE ISSUES & REVISIONS
1. 42211 PLANING SUBMITTA
2 62611 PLANING UPDATE NOT FOR DRAWN BY: PROJECT NUMBER: SHEET TITLE: (N) WOOD-CLAD GAS EXHAUST CHIMNEY (N) WOOD CLERESTORY TRUSS, TYP (2) (N) WOOD/POLYCARB TRELLIS, TYP (N) STANDING SEAM METAL ROOF (N) PAINTED METAL COPING (N) WOOD GUARD RAIL, TYP (N) METAL WINDOWS, TYP KEY NOTES (E) BUILDING TO REMAIN (13) (N) EXTERIOR SEATING (1) (E) TREE TO REMAIN (N) PLANTS, SLD TYP (1) NOT USED

ELEVATIONS

A3.1

(1) PIEDMONT ELEVATION 3/16" = 1'-0"



PROJECT NAME
CHOW PIEDMONT

(N) ALUMINUM STOREFRONT, TYP

9) (N) WOOD GUARD RAIL, TYP (10) (N) STANDING SEAM METAL ROOF

12) (N) SCONCE LIGHTING, TYP

11) NOT USED

(13) (N) OUTDOOR SEATING (N) WOOD SLAT FASCIA

(N) PAINTED METAL COPING

(N) LANDSCAPING, SLD

(2) (N) WOOD/POLYCARB TRELLIS, TYP

(1) (E) TREE TO REMAIN

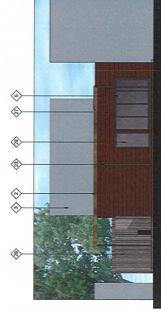
(E) BUILDING TO REMAIN (N) METAL WINDOW, TYP

KEY NOTES

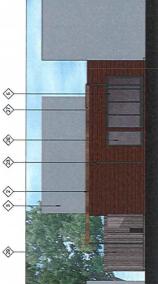
NOT FOR CONSTRUCTION

(N) WINDOW IN (E) OPENING

(N) POTTED PLANTS, TYP



TRASH BINS UNDER ROOF



26) (N) CONCRETE BOLLARD, TYP

(N) METAL GLAZED DOOR

(29) (N) WOOD FENCE

(27) PAINTED (E) WD SIDING

(25) (N) CEDAR TREE

(22) (N) PAINTED HOLLOW METAL DOOR

(21) (N) ELEVATOR

(19) (N) PRODUCE BINS BY OWNER (20) (N) FLOWER SHOP BY OWNER

(N) WOOD HANDRAIL (N) WOOD STAIR

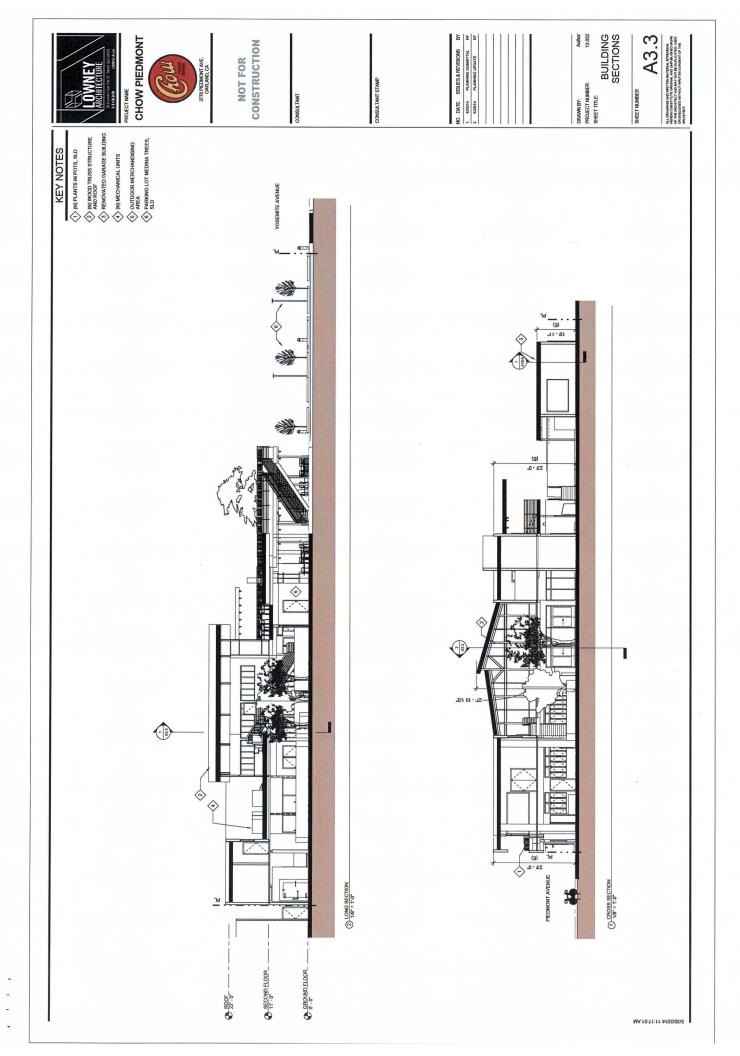
(N) PAINTED STEEL COLUMN, TYP (N) TIVOLI-STYLE LIGHTING, TYP NO. DATE 1. 423/14 2. 628/14

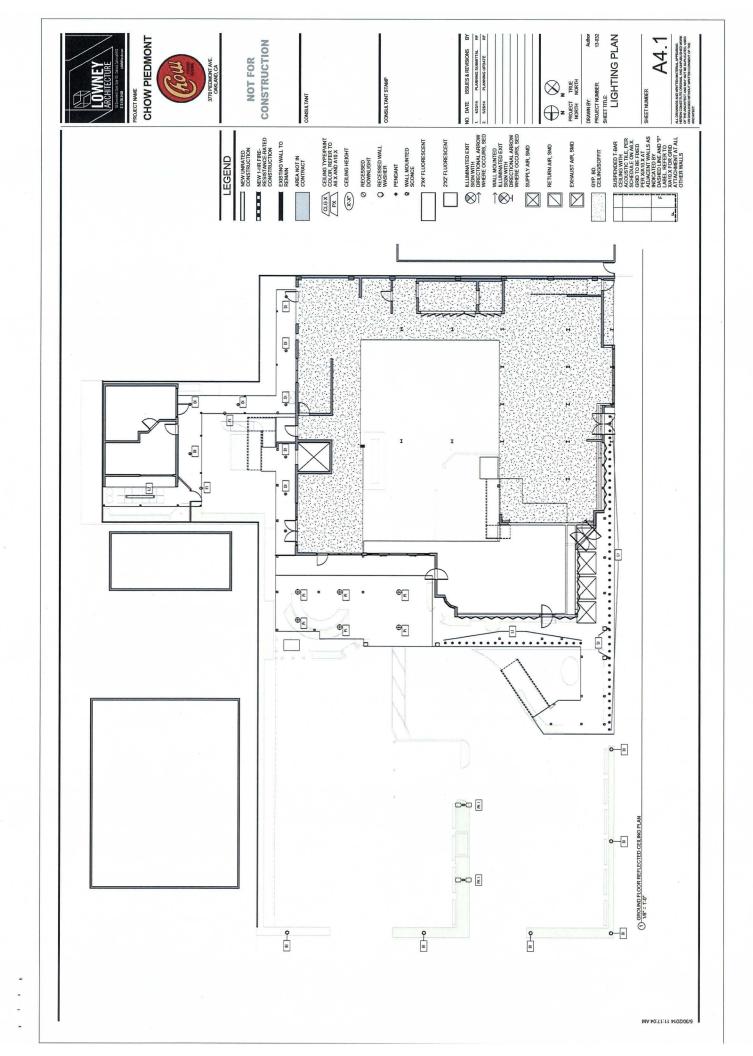
(2) ELEVATION GARAGE 3/16" = 1'-0"

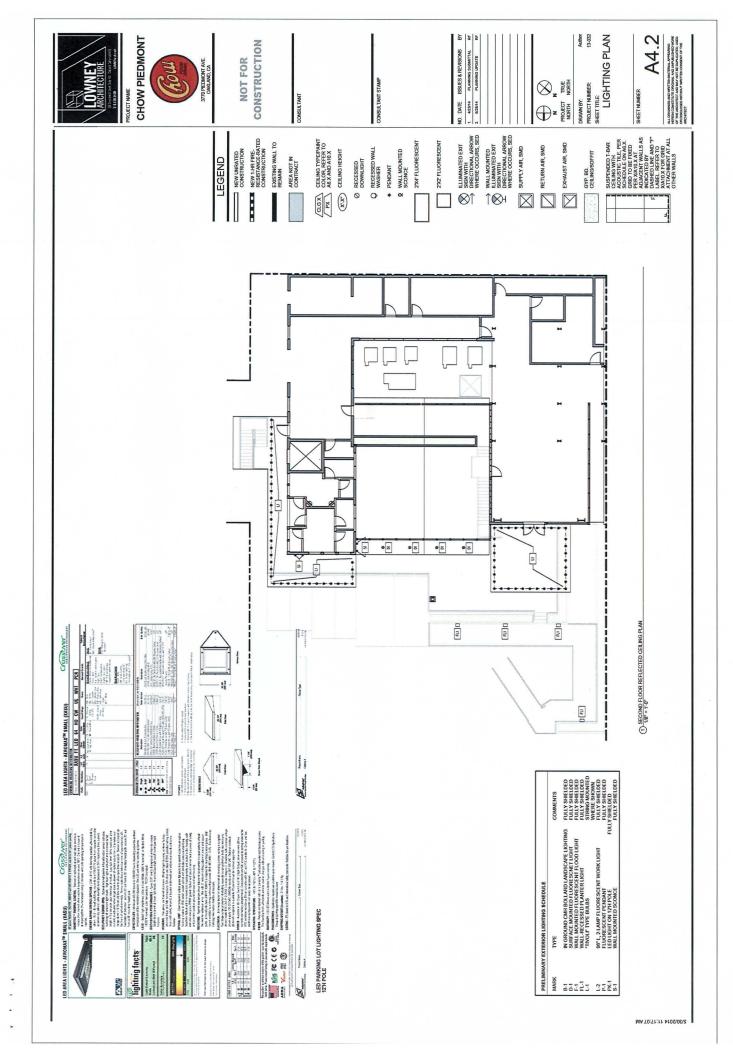
TRASH ENCLOSURE

ELEVATIONS DRAWN BY: PROJECT NUMBER: SHEET TITLE:

A3.2









PERSPECTIVES

A8.1

PROJECT NAME
CHOW PIEDMONT NOT FOR CONSTRUCTION





PIEDMONT AVENUE - CLOSE UP OF OUTDOOR DINING





PIEDMONT AVENUE - CLOSE UP OF CAFE AREA AND BIKE PARKING



PROJECT NAME
CHOW PIEDMONT

NOT FOR CONSTRUCTION

A8.2

SHEET TILE PERSPECTIVES







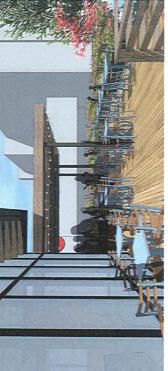


PROJECT NAME
CHOW PIEDMONT

TO SERVICE SER

NOT FOR CONSTRUCTION

NSULTANT



SECOND LEVEL OUTDOOR DECK DINING



IEW OF PEAP AP

DRAWN BY: Author
PROJECT NAMBER: 13-022
SHEET TITLE
PERSPECTIVES

A8.3



DETAIL OF GREEN WALL ON PIEDMONT





NOT FOR CONSTRUCTION

CONSULTANT

CONSULTANT STAMP

NO. DATE ISSUES & REVISIONS E

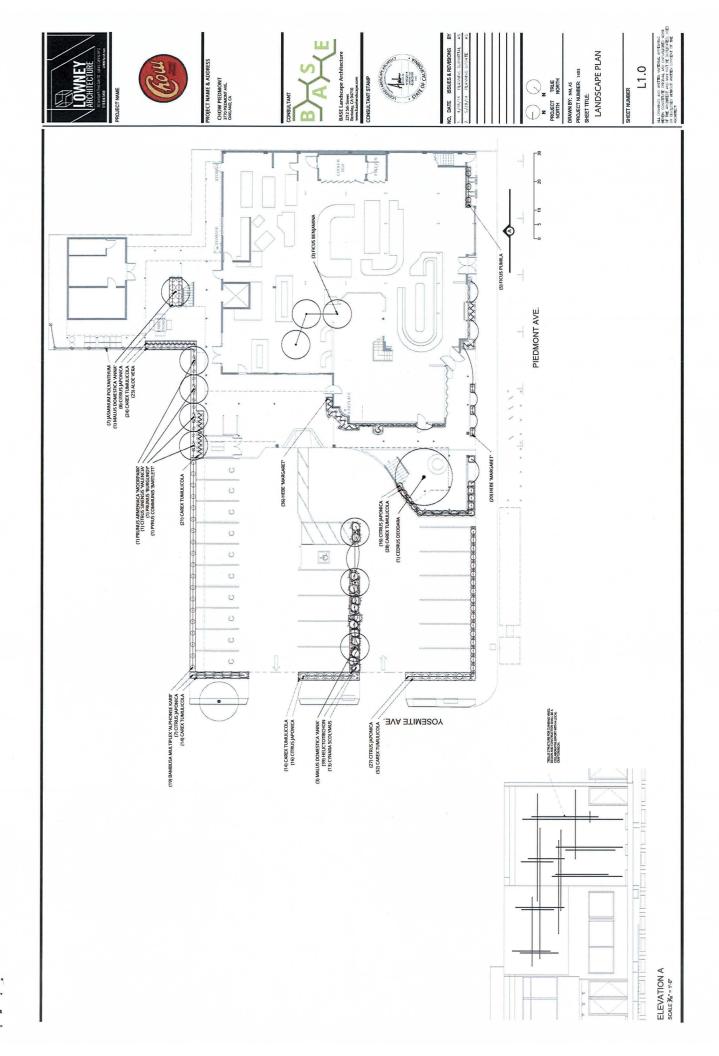
1. 422/4 PLANNING SUBMITAL F

2. 628/4 PLANNING UPDATE R

DETAILS

A10.0

- RENOVATED GARAGE, SEE PLAN (N) COVERED WALKWAY, SEE PLAN (N) STEEL COLUMNS, SEE PLAN - TRASH BINS, SEE PLAN - RENOVATED GARAGE ROOF - CORRUGATED POLYCARBONATE ROOF - WOOD BEAM AND JOISTS STL COLUMNS FULLY SHIELDED CAN LIGHTS -2) TRELLIS LIGHTING DETAIL 1"= 1"0" (1) SECTION AT TRASH AREA PROPERTYLINE (N) WOOD FENCE PER PLAN (N) JASMINE AT FENCE LINE, SLD



PLANT SCHEDULE

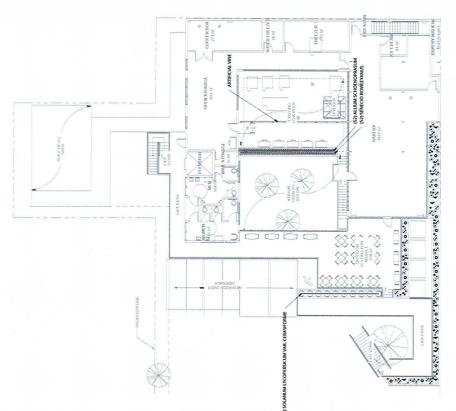
| 1 PRIMAZ MARRALA MODERNAR MODERNAR APRICOT 10 COC. 24 DEX N 10 DEBLE | | ΛIQ | BOTANICAL NAME | COMMON NAME | SPACING | SPACING POT SIZE | SIZE | NATIVE | IRRIGATION WUCOLS | WUCOLS |
|--|-----------------------|-----|---|------------------------------|-------------|------------------|---|--------|-------------------|--------|
| 1 PRINCE SURVEYOR MATERIAL PROPERTY 10 COL. 24° DOS. N. | TREES - EDIBLE | | | | | | | | | |
| 1 CTION STATES SHORTON NAMERIA (NAMERIA COMMINICAL PORTING TO CASE DON NAMERIA (NAMERIA COMMINICAL PORTING TO COMMINICAL PORTING T | | | PRUNUS ARMENIACA 'MOORPARK' | MOORPARK APRICOT | 10' O.C. | 24" BOX | | z | BUBBLER | M |
| 1 PRINCE COMMUNES BURGATORY LIMIN TO CL. 24 BOX N | | - | CITRUS SINENSIS 'VALENCIA' | VALENCIA ORANGE | 10'0.C. | 24" BOX | | z | BUBBLER | × |
| 1 PRINCE COMMUNIS "DARTIETT HAME IN TO CA. 24" BOX N | | - | PRUNUS 'BURGUNDY' | BURGUNDY PLUM | 10' O.C. | 24" BOX | -100000 | z | BUBBLER | M |
| 5 MALESTANCES | | - | PYRUS COMMUNIS 'BARTLETT' | BARTLETT PEAR | 10° O.C. | 24" BOX | | z | BUBBLER | × |
| 1 | | 2 | MALUS DOMESTICA 'ANNA' | ANNA APPLE | 18' O.C. | 24" BOX | | z | BUBBLER | M |
| 1 | | 24 | CITRUS X MEYERI | MEYER LEMON | 18' O.C. | 24" BOX | 100000000000000000000000000000000000000 | z | BUBBLER | |
| 1 CEDNIC SECONAMINA STOCK | TREES - DRNAMENTAL | | | | | | | | | |
| 1 CENTRAL SECONDAR DECOMETEDING DISPOSE CENTRAL DISPOSE CENTRAL | | 22 | ARBUTUS UNEDO 'COMPACTA' | STRAWBERRY TREE | 7.0.0 | 5 GAL | .8-9 | > | DRIP | M |
| S ROLD BENJAMINA BENJAMINY STG 15-20 5-GAL 10-70 N | | - | CEDRUS DEODARA | DEODAR CEDAR | 20-30' O.C. | _ | 40-70 | z | DRIP | _ |
| 13 | | 6 | FICUS BENJAMINA | BENJAMIN'S FIG | 15-20' | 5 GAL | 20-30 | z | DRIP | 1 |
| Si HELE WARDERT HELE WARDERT FOLG SOLG HT | SHRUBS | | | | | | | | | |
| 73 GTINE PARAMETER AND STATES AND ST | | 99 | HEBE 'MARGARET' | HEBE 'MARGARET' | 2.0.C | S GAI | 18" | 2 | DBIP | 2 |
| NHASE NHAPPLICATA WHINCORD WHINCORD KISTERN RED CENA 45° 06. 45° N N | | 73 | CITRUS JAPONICA | KUMQUAT | 3' O.C. | SGAL | 8-15 | z | DRIP | M |
| MAIGHT M | | × | THUJA PLICATA WHIPCORD' | WHIPCORD WESTERN RED CEDAR | 4-5' O.C. | 5 GAL | 4-5 | z | DRIP | M |
| 13 CONMAN SCOUNDER AUTONOME 15 NA | PERENNIALS | | | | | | | | | |
| 13 CYMANOLOGNAMINA CONTROL 14 CANDAL CONTROL 15 CANDAN CONTROL 16 CANDAN CONTROL 17 CANDAN CONTROL 18 CANDAN | | 23 | ALOE VERA | ALOE | 30" O.C. | 5 GAL | 1-3 | z | DRIP | - |
| 100 ALLINO SCHOOLONEANUM CHONSE SP 06 C SCH OPT N | | 13 | CYNARA SCOLYMUS | ARTICHOKE | 4' O.C. | SGAL | 3-4" | z | DRIP | 2 |
| 10 SCHAMULH VENDERSCHANANIC GIRREN CHANGE 10 10 10 10 10 10 10 1 | | 100 | ALLIUM SCHOENOPRASUM | CHIVES | 5-8" O.C. | SGAL | 10-12" | z | DRIP | M |
| 10 SCHAMMA INCRESSIONAN PLEASATORM 19 CAL SCHAM 1-6 N | | 74 | SENECIO ROWLEYANUS | STRING-OF-PEARLS | 8-10" O.C. | 5 GAL | .9-0 | z | DRIP | 2 |
| 27 SIGNERAWAN PRINESE FATOR SAME 45° N | | 10 | SOLANUM LYCOPERSICUM VAR. CERASIFORME | CHERRY TOMATO | 3' O.C. | 5 GAL | 1-6' | z | DRIP | ż |
| 15 15 15 15 15 15 16 17 17 17 17 17 17 17 | | 72 | SEMPERVIVUM PEKINESE" | HEN AND CHICKS | 6-12" O.C. | | 4-8- | z | DRIP | ٦ |
| 42 THOMS SHIGHER THOUGH | | 69 | EUPHORBIA MYRSINITES | DONKEY TAIL SPURGE | 18-24" O.C | | -8-9 | z | DRIP | - |
| 6.6 FORTHWINE WORTHING FORTHWINE WILLIAMS FORTHWINE WILLIAMS FORTHWINE WORTHING FORTHWINE WILLIAMS F | | 42 | THYMUS VULGARIS | ENGLISH THYME | 0-6" O.C. | 5 GAL | 18. | z | DRIP | |
| State Common Co | | 74 | DOCHARDINI CONTINUE IN INDOCTOR IN | BASIL | 10-1-0.C. | SGAL | 18. | z | DRIP | |
| 54 LAMADIA A MAGISTICUA VIDOZOTE PRIGISH LANDORR P. 10 CAL SOLA 12 10 F N | | 92 | ELIDHODRIA CHADACIAS CLIDEDE MILITEMII | CREEVING ROSEMARY | 6-12- O.C. | SGAL | 10-1Z | 2 : | DRIP | |
| State Stat | | 25 | I AVANDI II A ANGI ISTIGNI IA "HIDCOTE" | SPORGE FNCI ISH I AVENDED | 1.5-2 U.C. | SCAL | 43 404 | 2 2 | DRIP | |
| STEP PRICE CONTROLLOR STAFFENIESS STOCK LGAL 2.5 N N | | | | WORLD LOOK | 25 | 5 | 25 | | B | |
| STATE STAT | | | | | | | | | | |
| 3 HELCORICONES AMERINIES 2 To To To To To To To | RASSES | | | | | | | | | |
| 24 STANDAROMOCKA NEW ZALANOW MOGASS 26.0C G.44 1-3" N 7-36 JANCOE PATENS STANDAROMOCKA NEW ZALANOW MOGASS 26.0C G.44 1-3" N 7-36 JANCOE PATENS STANDAROMOCKA NEW ZALANOW MOCASS | | 39 | HELICTOTRICHON SEMPERVIRENS | BLUE OAT GRASS | 2, O.C. | 1 GAL | 2-3 | z | DRIP | 7 |
| 175 | | × | STIPA ARUNDINACEA | NEW ZEALAND WIND GRASS | 3-6' O.C. | 1 GAL | 1-3 | z | DRIP | M |
| 175 GARENTENDOLA RESERVENCES 12-18 OL 1 GAL 21-18 N X NOSEBIA MACOMINA RESERVENCES 12-18 OL 1 GAL 30° N X NOSEBIA MACOMINA REVOLATE FURBLEGASS 12-00. 16-04 30° N X NOSEBIA MACOMINA PRAME INTEGASS 12-00. 16-04 30° N X NOSEBIA MACOMINA PRAME INTEGASS 12-00. 16-04 30° N X NOSEBIA MACOMINA PRAME INTEGASS 11-00. 16-04 12-07 X NOSEBIA MACOMINA 11-00. 16-04 16-04 16-04 X NOSEBIA MACOMINA 11-00. 11-00. X NOSEBIA MACOMINA 11-00. 11-00 | | 24 | JUNCUS PATENS | CALIFORNIA GRAY RUSH | 1-2' 0.C. | | 1-2, | > | DRIP | _ |
| X A MACCINELAL TREADMENT MACCONTINUES GRADES A A A A A A A A A | The same of | 175 | CAREX TUMULICOLA | BERKELEY SEDGE | 12-18" O.C | | 12-18" | > | DRIP | _ |
| X | | × | NASSELLA TENUISSIMA | MEXICAN FEATHER GRASS | 1-2' O.C. | 1 GAL | 30. | z | DRIP | _ |
| X RELIMITEDAM SCOPARION SUN ROSE 45° OC 164L 44° Y | | × | KOELERIA MACRANTHA | PRAIRIE JUNEGRASS | 8-18" O.C. | 1 GAL | 1-2. | > | DRIP | ٦ |
| 29 MARCISSUS COMMONINAE 11,5 OC 11,15 N N N N N N N N N N N N N N N N N N N | ULBS | × | HELIAN I HEMUM SCOPARIUM | SUN ROSE | 4-8" 0.0 | 3 | 4-8* | > | DRIP | _ |
| 19 BAMBUSA MALTIPLEX ALPHONEE KARR MARGOO 4" 11GAL 20:30" N 19 BAMBUSA MALTIPLEX ALPHONEE KARR BAMBOO 4" 11GAL 20:30" N 19 BAMBUSA MALTIPLEX ALPHONEE KARR BAMBOO 5" 11GAL 20:30" N 19 BAMBUSA MALTIPLEX ALPHONEE KARR BAMBOO 6" 11GAL 20:30" N | | 65 | NADCISSIN | DAMA MOMAN | 2011 | | 1110 | - | uida | 57 |
| 19 EAMBLISA MALTIPLEY ALPHOINE WARR CARRENOR 64 1 GAL 20:30 N S PROCE FORM CHARLES AND CHA | SAMBOO | | | | | | | | | 4 |
| S PICUS PUMILA CREEPING PIG 3-6'-O.C. S.GALL 10-15' N | | 19 | BAMBUSA MULTIPLEX 'ALPHONSE KARR' | ALPHONSE KARR BAMBOO | 4 | 1 GAL | 20-30 | z | DRIP | × |
| HCUS PUMILA CREEPING FIG 3-6' O.C. 5 GAL 10-15' N | INES | | | | | | | | | |
| | | 5 | FICUS PUMILA | CREEPING FIG | 3-6' O.C. | 5 GAL | 10-15' | z | DRIP | 2 |



24 * S1 (Z) ALLIUM SCHOENOPRAGUM (3) SEMPERVTUM PEKINESE (3) LAWANDULA ANGUSTIFOLIA 'HIBCOTE' (5) E. S2 (2) LAWANDULA ANGUSTIFOLIA 'HIBCOTE'

QTY (QTY PER PLANTER) SPECIES

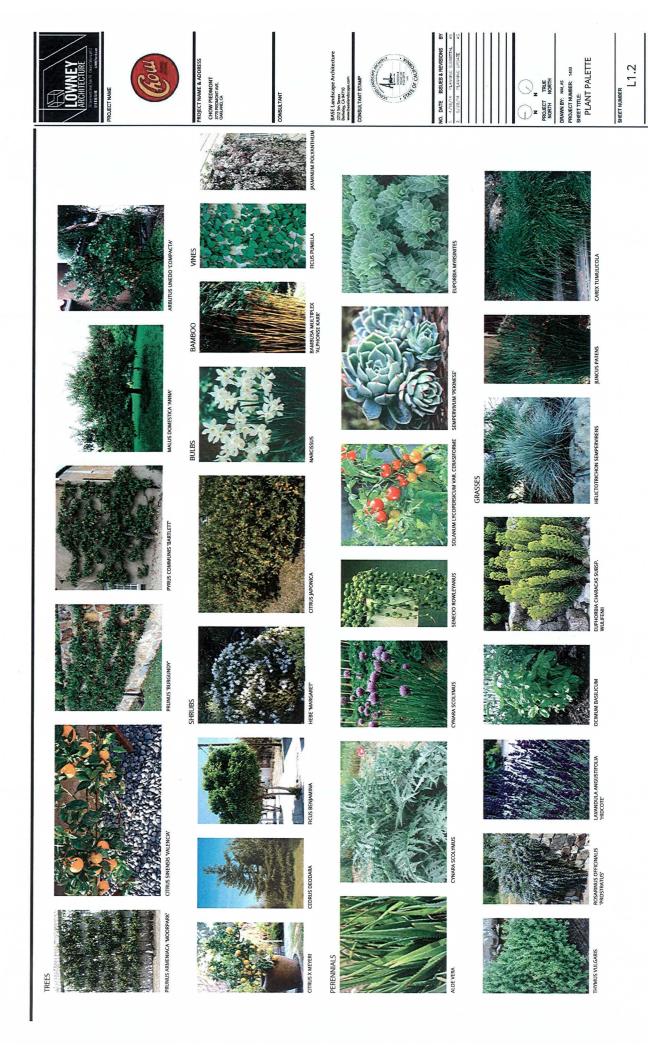
23 M. (2) EUPHORBIA CHARACIAS SUBSPS, WULIFENII (3) EUPHORBIA MYRSINITIES 21 N. M.2 (3) RODBIAMURIS OFFICINALIS 'PROSTRATUS (2) OCHAUM BASILLOM (2) THYMUS VALGARIS



PROJECT NAME & ADDRESS CHOW PIEDMONT 3770 PIEDMONT AVE. GARLAND, CA.

PROJECT TRUE
NORTH NORTH
DRAWN BY: NM, AS
PROJECT NUMBER: 1403
SHEETTIME
LANDSCAPE PLAN

ALCORNOS AO MOTES MATERA APERADO NOS PEROS COSTATA CONTAL AO ENCACARDO NOS OF TRE ACONTAL AO MAY NOT DE CONTANTO, CLED ACONTAL DE ARMALI ANTIDE CONDAL OF THE ACONTAL 1.11





















HEET TITLE: LANDSCAPE ELEMENTS

| | * 6 |
|------|--|
| L1.3 | AL DOMINICO AND WOTTEN MATERIAL POSEURES NOS PERSON CONTINUE CHERRAL AND UNDUSTRIED NOS PROPERTIES NO MAY NOT BE CONTINUED ON SECURIOR OF THE MATERIAL CHERRAL PROPERTY. |









3 0 2014

City of Oakland Planning & Zoning Division

> We Serve a Pure HEALTHY ORGANIC BREAKFAST EACH & EVERY MORNING





WINES LISTED ON BACK PAGE

Late Spring Menu, 2014 * 53 Lafayette Circle * Lafayette * Ph. (925) 962-2469 cm 5.5.14

KID'S BAR

choice... 3.50

Monkey Time Pineapple, orange, primates

ORANGE-YA-GLAD Orange, sweet milk, vanilla

PIXIE STICK Hibiscus tea, raspberry, almond

ICY BLENDS

Malteds, 5.50

Milk Shakes, 5.50

Boston Cooler, 5.95

Root Beer Float, 5.95

Blushing Dream, 5.95

7.75

DRINKS

Btl. Coke, 3.25 / Diet Coke, 7-Up, 2.50

Fizzy Water, Lrg. / 4.50, Sm. / 2.50

Hot Lips Sodas, (Selection) 3.50

Ginger Ale or Root Beer, 3.25

Kombucha, (160z bottle) 4.50

ORGANIC DRINKS

Iced Tea or Iced Coffee, 2.75

Lemonade or A. Palmer, 3.95

Raspberry Lemonade, 4.50

Hibiscus Cooler, 4.50

Coconut Water, (80z bottle) 3.50

WINE

Mimosa

Prosecco, orange juice

SPRING CRUSH Strawberry, blood orange, white wine

WINE MOJITO Albariño, lime, mint

POMEGRANATE ROYALE Prosecco, pomegranate, orange curl

ORGANIC

DELICIOUS JUICES

reg. 5.75 / sm. 4.50

APPLE, ORANGE,

CARROT, GRAPEFRUIT

(Special vegetable mixes ... A.Q.)

SQUEEZED TO ORDER !!!

COFFEE & TEA



Teas, organic 3.50

Black ~ Morning Rise, Earl Grey, Chocolate, Darjeeling Berry, De-Caf Earl Grey

Green / White ~ Gunpowder Green, Orange Spice Herbal ~ Moroccan Mint, Chamomile Lemon Chai BaBa Chai, coconut or organic milk 3.75

Organic Coffee, Humboldt organic 1/2 & 1/2 3.50

Short (half-pint) 4.75



TIED REER

Formidable! 5.95

PILSNER, Trumer Pils Brauerei, Berkeley German-style pilsner, spicy noble hops, clean finish WITBIER, Great White, Lost Coast Br., Eureka Crisp, refreshing, hint of citrus and coriander RED ALE, Prohibition Ale, Speakeasy, San Francisco Complex aroma, citrus, pine, spice, creamy mouthfeel IPA, Racer 5, Bear Republic, Healdsburg Golden amber, citrus, bready malts, bitter finish BROWN ALE, Get Up Offa That Brown, Golden Rd., LA Roasted smoky malts, caramel notes, dry finish ROTATING HANDLE, quoted

BUD / BUD LIGHT 3.25 ERDINGER WEISSBRÄU, Non-Alcoholie 5.25 ST. PETER'S LAGER, Gluten-Free, UK 6.50 STELLA ARTOIS, BELGIUM 4.50 HOEGAARDEN, BELGIUM 4.50 HARD APPLE HONEY CIDER, RED BRANCH, CA 7.50 PALE ALE, GRAND-AM, BEAR REPUBLIC, CA 6.25 IMPERIAL IPA, HEELCH O'HOPS, ANDERSON VALLEY 5.95 LE MERLE, NORTH COAST BREWING, CA 5.95 CHIMAY RED, Premiere Ale, BELGIUM 12.95

We are here to feed you !!!

We use Good Groceries. Menu changes seasonally. We reserve our rights. Try our gift cards !!!

Sales tax is added to all food & drinks sold.

Our goal is to provide a civil food system that is good, clean & fair ...

DESSERTS & PIES





(good for sharing)

Today's Pies, A.Q.

* Organic Apple

* Organic Lemon Buttermilk, blueberries

* Cream Pie of the Day

* Organic Southern Pecan

Cobbler, Organic Peach-Raspberry . . . 6.95 Flourless Chocolate Cake, ala mode 6.95

Ginger Cake, pumpkin ice cream . . . 6.95 Organic Ice Cream, scoop 2.50

We recycle & compost. Thanks for your support for the past 17 years ...

ATTACHMENT



Late Spring Menu, 2014 * 53 Lafayette Circle * Lafayette * Ph. (925) 962-2469 * cm 5.5.14

Soups,

Organic Chicken Noodle, bowl) 5.75 / cup) 4.50
Organic Spring Vegetable Minestrone, 5.50 / 4.25

*Spanish-style Spicy Potatoes, aioli, 4.95

Baked Goat Cheese Dip, tomatoes, 5.95

Wontons, prawns, pork, ginger, chilis, 7.50

Arancini, rice croquettes, mozz, tomato, 6.75

Mussels, wine-steamed, garlic toasts, 8.50

*1/2 Baked or Steamed Artichoke, lemon, 5.50

Sandwiches, choice of Salad, Fries or Minestrone

1/2 Picnic-Style Sandwich, (Quoted daily) 6.95

Organic Veggie Burger, tzatziki, avocado, 11.95

Asian-Style Sustainable Fish, ginger, sesame, A.Q.

Local Albacore Tuna Melt, cheddar, avocado, 12.25

Organic Pork Loin Cutlet, tomato, lettuce, 12.50

*Sustainable Fish or Veg Tacos, avo, salsa, 13.25 / 11.95

Organic Grilled Chicken BLT, avocado, mayo, 13.50

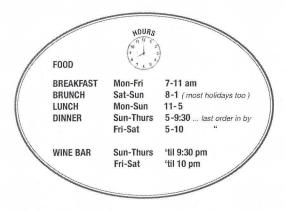
Organic Fried Egg, country ham, tomato, gruyère, 10.95

*Local Lamb Burger, yogurt, cucumber, mint, 13.25

*Organic Burger on Baguette or Acme Bun, 12.50

Healthful Salads,

| | Organic Greens, strawberries, goat cheese, olives, hazelnuts, lemon large 9.95 / medium 8.25 | ; / petite | 5.95 | |
|---|--|------------|-------|--|
| | *Caesar, romaine hearts, reggiano, croutons, caesar dressing | 9.25 / | 6.50 | |
| | Iceberg Wedge, tomato, olives, carrots, radish, Shaft blue cheese | 9.50 / | 6.75 | |
| | Organic Spinach Salad, apples, feta, spiced walnuts & currants | 9.95 / | 6.95 | |
| | Beet Salad, greens, fennel, endive, grapefruit, goat cheese, avocado | 10.50 / | 7.50 | |
| | Thai-Style Organic Chicken Breast Salad, chili, lime, mint, herbs, peanuts | 11.50 / | 7.95 | |
| 3 | Grilled Prawn Louis, iceberg, avocado, tomato, organic egg & olives | 13.50 / | 10.25 | |
| | Cobb Salad, organic chicken breast, bacon, blue cheese, avocado, tomato, egg | 11.95 / | 8.50 | |



We have a "same day" table reservation system. This is a quick and easy solution... without the hassle of traditional systems.

For impromptu dining during busy hours... you can save yourself a wait by calling in ahead. We will quote the wait (if any) and give you the time that your table will be ready.

For parties of 8 or more, we take advance reservations.

When in doubt... call Chow @ (925) 962-CHOW

Pasta & Noodles,

| Butterfly Pasta, spring asparagus, peas, cream & lemon entree 10.95 / medium 8.95 | |
|---|--|
| Rose's Old-Fashioned Spaghetti with Organic Meatball(s) | |
| Baked Lasagna, ricotta, tomato / or a Spring Lasagna of greens, asparagus, pesto & scallions14.95 / 12.75 | |
| Linguini with Clams, sustainable seafood, shrimp, garlic, lemon & parsley | |
| Fusilli of Chicken & Sausage, mushrooms, tomato & cream | |
| Organic Garden Noodles, tofu, spring veggies, chili-citrus-miso-sesame | |
| Thai-Style Noodles with Steak & Chicken, peanuts, spicy lime-chili-garlic broth | |
| Smiling Noodles of Chicken & Shrimp, bok choy, mushrooms, spicy ginger-garlic sauce 12.95 / 10.95 | |

Pizza, 9" Wood-Oven Fired

Cheese, tomato, 9.50 / Pepperoni, 10.50

Asparagus, arugula, mozz, tomato, 12.50

Sicilian, artichoke, capers, mozz, tomato, anchovy, 12.50

*Smoked Salmon, crème fraiche, watercress, cucumbers, 12.95

Spanish-Style Chorizo, fennel, olives, arugula, tomato, 12.75

Fennel Sausage, mozzarella, onions, tomato, feta, 12.50

Mains, all with a different vegetable side

| *Sustainable Fish entree / medium A.Q. |
|--|
| Organic Chicken Enchiladas, verde |
| Grilled Organic ½ Chicken, lemon |
| *Organic Pork Chop, asparagus 15.50 (extra chop, 4.95) |
| *Char-Grilled Flank Steak Frites |
| Organic "Pot Roast" of Beef, mashed |

Kid's Menu / Organic Vegetables & Sides,

Mac n' Cheese, Organic Tiny Burger, Sustainable Tuna Melt, Organic Chicken Fingers, ... includes fries or vegetable choice, 8.50

Assorted Vegetable sides, a la carte, 4.95 / Spring Garden-Party Veggie Platter, 11.50 ... add grilled protein of choice, A.Q.

We have a few additional bottles that are unlisted, please ask your server if interested

SPARKLING, WHITE, ROSÉ ...

Stars (in a bottle) (6.25 oz) Glass / Btl. Ca' di Rajo, Prosecco de Valdobbiadene, Veneto, '12 8.95 * Schramsberg, Blanc de Noirs, Napa Valley, '09 Billecart-Salmon, Brut Reserve, Champagne, NV, 375 mL 14.95 Bruno Paillard, Rosé Première Cuvée, Champagne, NV 76 Sauvignon Blanc / Loire Varietals Simonsig, Chenin Blanc, Stellenbosch, South Africa, '12 7.50 30 Mt. Beautiful, Sauv Blanc, New Zealand, '13 34 * MacLeod Family Vineyard, Sauv Blanc, Sonoma, '12 39 Domaine Cailbourdin, Pouilly-Fume, '12 14.95 59 Champalou, "Sec Tendre", Chenin Blanc, Vouvray, '12 37 Chardonnay / White Burgundy * La Fenêtre, À Côté, Santa Barbara County, '11 41 Dom. Gandines, Macon-Peronne, Burgundy, '12 35 * Stuhlmuller Vineyards, Alexander Valley, '11 45 Navarro, Mendocino, '12 9.25 * Gregory Graham, Carneros, '12 12.95 European Varietals "Force of Nature", Pinot Gris, Santa Barbara, '13 Laurenz, Singing Grüner Veltliner, Austria, '12 32 Lafken, "Single Vineyard", Riesling, Casablanca, '12 31 Rosé Charles Audoin, Rosé de Marsannay, Burgundy, '13 39 * Unti, Rosé, Dry Creek Valley, '13 9.50 38 * Kokomo, Grenache Rosé, Sonoma County, '13 43

Château du Rouët, Rosé, Côtes de Provence, '13

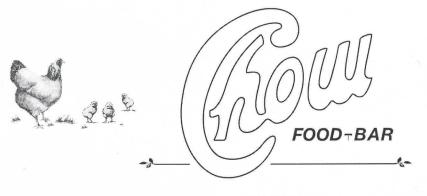
HOUSE WINES & REDS

| House Wines | (6.25 oz) Glas | s / Btl. | |
|--|----------------|----------|---|
| White, Mi Terruño, Chardonnay, Argentin | a, '12 6.25 | 25 | |
| Red, Antawara, Cabernet Sauvignon, Chile, '1 | 2 6.25 | 25 | |
| Special Wine of the Day | | A.Q. | |
| Pinot Noir / Burgundy | | | |
| Espino, Maipo Valley, Chile, '12 | 8.95 | 35 | |
| Inman Family Wines, Russian River Valley | y, ' 09 | 49 | * |
| Luli, Pinot Noir, Santa Lucia Highlands, '1 | 2 10.95 | 44 | * |
| Breggo, Anderson Valley, '11 | | 53 | * |
| Radio-Coteau, "La Neblina", Sonoma Coas | st, '11 | 60 | * |
| Cabernet / Merlot / Bordeaux | | | |
| White Oak Vineyards, Merlot, Napa Valle | y, '08 8.95 | 35 | * |
| Obsidian, Cabernet Sauvignon, Lake Cour | nty, '11 10.75 | 43 | * |
| Erba Vineyards, Merlot, Napa Valley, '06 | | 42 | * |
| Les Hauts Lastour, Coteaux du Quercy, '09 | 9.95 | 39 | |
| Rusina, Cabernet Sauvignon, Paso Robles, | '10 | 36 | * |
| Zinfandel | | | |
| Bella, Dry Creek Valley, '11 | 9.25 | 37 | * |
| Brandt Rossi Family Vineyards, Healdsbur | rg, '10 | 43 | * |
| Sky, Mt. Veeder, Napa, '11 | | 47 | * |
| Syrah / European Varietals | | | |
| Preston, Petite Sirah, Dry Creek Valley, '1 | 1 11.25 | 44 | * |
| Spellbound, Petite Sirah, Lodi, '12 | | 28 | * |
| Famiglia Bianchi, Malbec, Mendoza, '11 | 9.50 | 38 | |
| Scherrer, Syrah, Russian River Valley, '08 | | 39 | * |

^{*} West Coast Wines

33

^{*} Eating raw or undercooked fish, shellfish, eggs or meat may increase risk of foodborne illness.



Morning Hours:

Breakfast: Mon - Fri (7 - 11)

Brunch: Sat - Sun (8 - 1)

Brunch Menu

Organic Eggs, most are with home-fries & toast choice

DAILY ORGANIC EGGS



| MON/TUE ~ Sp | oicy Asian Veggie Scramble9.95 |
|-----------------|--|
| *WED / THU ~ Sn | noked Salmon Hash, poached eggs 11.95 |
| FRI - SUN ~ Sp | oring Veggie Quiche, garden salad 9.50 |

BREAKFAST SPECIALS !!!

We are here to feed you !!! We use Good Groceries. Menu changes seasonally. We reserve our rights.
Try our gift cards !!!

Our goal is to provide a civil food system that is good, clean & fair ...

Grains & Griddled

| Pancakes, (2) organic maple syrup |
|---|
| Organic French Toast, mascarpone |
| Blueberry Pancakes, (2) organic blueberry sauce 10.50 |
| Organic Oatmeal, bananas & cream |
| Marion's Pancakes, (2) ricotta, raspberry sauce 10.95 |



Sides

| Smoked Bacon, (3) strips |
|--|
| Organic Chicken-Apple Sausage, (2) house-patties4.75 |
| Pancake, (1) organic maple syrup |
| Blueberry Pancake, (1) organic blueberry sauce5.95 |
| Organic Kid's French Toast, (3) pieces, syrup6.25 |
| Marion's Pancake, (1) ricotta, raspberry sauce6.50 |

Sales tax is added to all food & drinks sold.

We recycle & compost.

Thanks for your support for the past 17 years ...



We Offer a Healthy Lunch & Dinner Menu Every Day

Late Spring Menu, 2014 * 53 Lafayette Circle * Lafayette * Ph. (925) 962-2469 * cm 5.5.14

ORGANIC Juices & Beverages

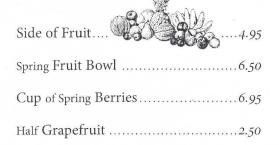


JUICES SQUEEZED TO ORDER !!!

Chilled Cereals / Grains

| Quinoa, spring fruits, yogurt & walnuts6.50 |
|---|
| Organic Housemade Granola, blueberries 6.50 |
| Granola, yogurt, bananas & blueberries 6.95 |

Organic Fruits



Coffee & Tea

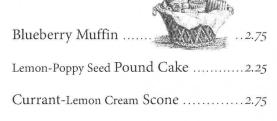


Dairy



| Humboldt Organic Milk | 9 5 |
|--------------------------|----------------|
| Cup of Cottage Cheese2.9 | 95 |
| Straus Organic Yogurt | 25 |

Our Bakery



Bran Muffin2.25

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