

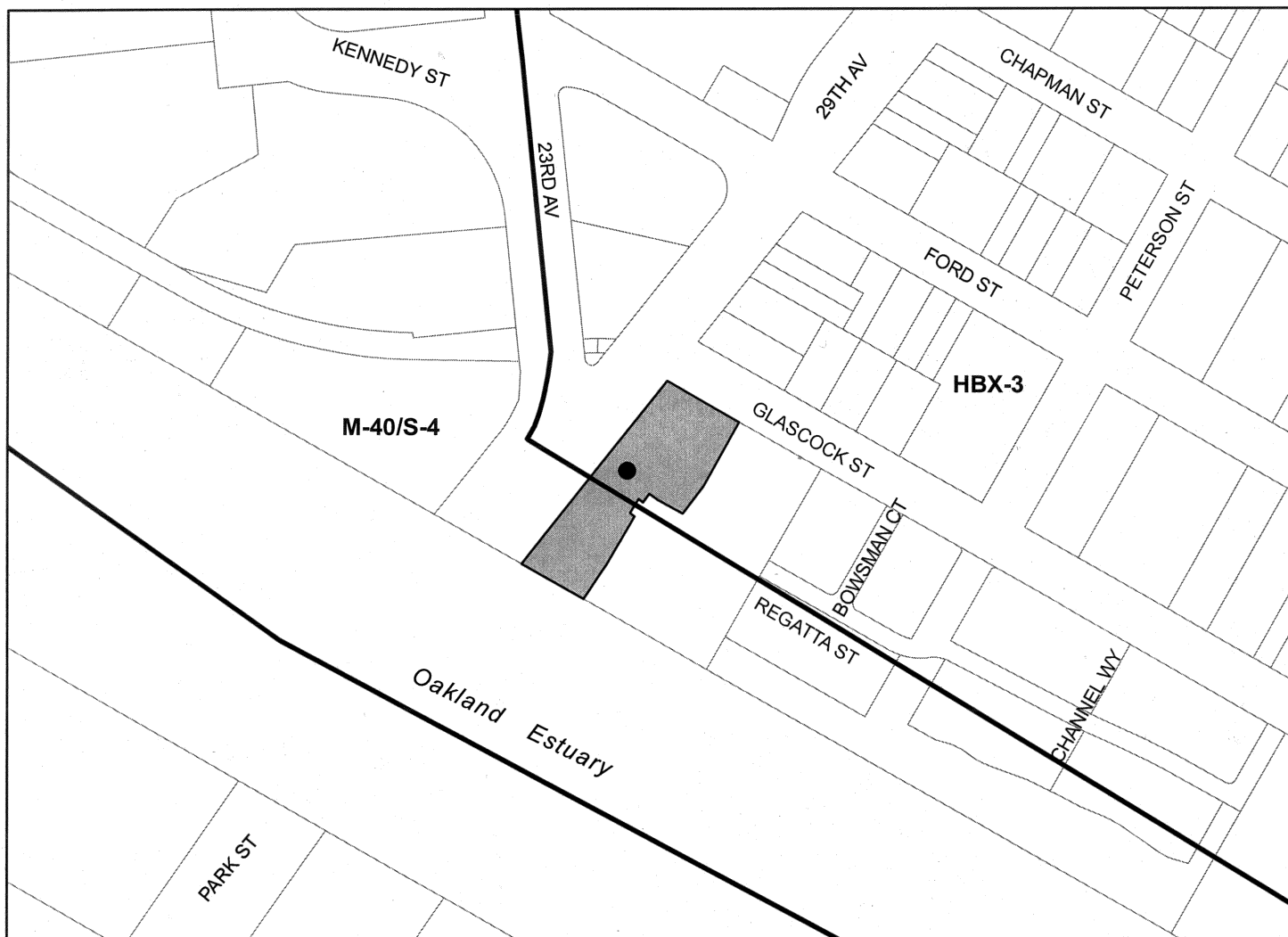
<b>Location:</b>	<b>340 29<sup>th</sup> Avenue (See map on reverse)</b>
<b>Assessor Parcel Number:</b>	<b>025-0675-001-03</b>
<b>Proposal:</b>	To construct a 41-unit senior co-housing development with senior support services provided off-site.
<b>Applicant:</b>	Jeff Zimmerman (510)749-8815
<b>Owner:</b>	Alameda Zimmerman Properties
<b>Planning Permits Required:</b>	Major Conditional Use Permit for Service Enriched Permanent Housing; a Conditional Use Permit for a density and parking bonus for senior housing; Interim Conditional Use Permit to allow housing in the M-40 zone; Major Design Review for over 28,000 square feet of new construction in the HBX-3 and S-4 zones; and a Category 3 Creek Permit for construction within 100 feet of the Estuary.
<b>Case File Numbers:</b>	CMD11179/CP11097
<b>General Plan:</b>	Estuary Policy Plan – Residential Mixed Use; Urban Open Space
<b>Zoning:</b>	Housing and Business Mix – 3; M-40 Heavy Industrial Zone; S-4 Design Review Combining Zone.
<b>Environmental Determination:</b>	Categorically exempt according to Section 15332 of the State CEQA Guidelines: Infill Development Projects.
<b>Historic Status:</b>	No historic rating.
<b>Service Delivery District:</b>	4
<b>City Council District:</b>	5
<b>Date Filed:</b>	September 15, 2011
<b>Staff Recommendation:</b>	Approve the project with attached conditions
<b>Finality of Decision:</b>	Appealable to the City Council
<b>For Further Information:</b>	Contact case planner Neil Gray at <b>(510) 238-3878</b> or by email: <a href="mailto:ngray@oaklandnet.com">ngray@oaklandnet.com</a>

**SUMMARY**

The applicant proposes to construct a 44,814 square foot, 41-unit senior cohousing project in the Kennedy Tract, a neighborhood adjacent to the Oakland Estuary that contains a mix of residential, live/work, light industrial, and commercial activities. The site is the former location of Tiki Tom's restaurant and faces the Oakland Estuary, just north of the Park Street Bridge.

Staff recommends approval of the project because it contains a variety of public improvements that increase access to the Estuary and extend the Bay Trail to the Park Street Bridge. Also, the proposed scale and style of the building are consistent with the neighborhood and the adjacent residential buildings to the east. The residents of the senior cohousing project will also bring activity to the Estuary throughout the day.

# CITY OF OAKLAND PLANNING COMMISSION



0 125 250 500 750 1,000 Feet



Case File: CMD11-179 / CP11-097  
Applicant: Jeff Zimmerman  
Address: 340 29th Avenue  
Zone: HBX-3, M-40/S-4



## **PROJECT DESCRIPTION**

The applicant proposes to construct a 44,814 square foot, 41-unit senior cohousing project in a neighborhood known as the Kennedy Tract. The site is the former location of Tiki Tom's restaurant and faces the Oakland Estuary, just north of the Park Street Bridge (Attachment A contains a full set of project plans). Three-stories of stacked flats over ground floor structured parking and community dining and recreational facilities are proposed for the site. The building is proposed to have an industrial-loft style through the use of high quality corrugated metal siding, aluminum windows, hardie panels, high ceilings, and flat and butterfly shaped roofs. Industrial style lofts are consistent with the Kennedy Tract's industrial history, industrial buildings, and warehouses converted to artist live/work spaces. The development would continue the waterfront development pattern set by neighboring sites to the east that contain recently constructed, 40 – 50 foot tall industrial style residential buildings. A waterfront promenade that is part of the bay trail runs between the Estuary and these developments. The development would extend this promenade to 29<sup>th</sup> Avenue.

### Site and Floor Plans

The bottom floor of the building would range from 45 to 52 feet from the edge of the Estuary, which coincides with the site's southern property line. Generally, the ground floor of the building extends to the other property lines on the lot. The upper stories of the north elevation are stepped back from the adjacent townhouse development to preserve light and air for residents on both properties. The upper stories project approximately nine feet out from the bottom floor on the south elevation facing the Estuary.

The site and floor plans of the project are oriented toward the Estuary. A landscaped, recreational plaza faces the Bay Trail and Estuary at the southern end of the site. There is a ground floor recreational, dining, kitchen, and theater space adjacent to the plaza to create a flow into the shoreline area. Upper story units and balcony space overlook the plaza and water. A 3.5 foot fence is between the plaza and the path to delineate public from private space.

The rear of the building that faces Glascock Street contains ground floor podium parking, a bicycle storage area, and a workshop. As conditioned, this façade will include a visually interesting garage door and art feature. The units in the building only average 896 square feet but the ground floor community space totals more than 6,000 square feet to accommodate cohousing activities.

### Elevations

The upper stories of southern façade contain large, open balconies that face the water and the landscaped plaza. The balconies flank a stucco wall in the middle of the façade to create visual interest and variety. The top story of the building contains deeply inset balconies and perforated metal louvers soften the perceived mass of the building for viewers near the water. Large windows, balconies, glass railing, and louvers give this façade a transparent appearance and feel.

The longest elevation of the building faces 29<sup>th</sup> Avenue. Upper stories of this west elevation are massed into a rhythm of separately articulated building forms. Each form is further defined by a combination of windows, balconies, and wood and hardie panel siding. The tall ceiling heights and material changes in the forth and ground levels provide the building with a clearly differentiated bottom, middle, and top that reduces the horizontal scale of the building. A clearly defined ground floor pedestrian entrance is located near the water on this façade.

The north (Glascock Street) elevation masses the facade into three forms defined by varied windows, articulations, and wood and stucco siding. The ground level contains a garage door, a pedestrian entrance, and windows into a work shop and a lobby area. Staff has also attached Condition #42, which requires that this elevation contain art on the ground floor façade and a garage door with visually

interesting materials and design.

### Public Improvements

Several public improvements to the waterfront are also proposed as part of the application, including:

- Extending the promenade established by the residential developments east of the site. This promenade is part of the Bay Trail;
- Demolishing and partly rebuilding the public dock in front of the site. This dock was damaged in the fire that burned down Tiki Tom's Restaurant;
- Providing access to the Bay Trail through 29<sup>th</sup> Avenue and facilitating an extension under the Park Street Bridge;
- Continuing the existing lighting along the Bay Trail/promenade;
- Constructing a new sidewalk on Glascock Street;
- Street trees along Glascock Street and 29<sup>th</sup> Avenue; and
- Facilitating a connection to the Bay Trail underneath the Park Street Bridge.

In addition, the applicant has requested that the City close off approximately the last 75 feet of 29<sup>th</sup> Avenue (from the stop sign at the beginning of the bridge abutment to the end of the street) from traffic, with the exception of service vehicles. The Public Works Agency concurs with this concept due to limited automobile turnaround opportunities at this street terminus. The applicant has proposed that this area be designed and landscaped as an attractive extension of the pedestrian promenade and Bay Trail and be maintained by the owner of the facility. Condition #44, below, requires that the applicant submit detailed plans of this area for staff review prior to approval of a building permit. The plan will also require Alameda County Public Works review and approval so that their vehicles can maintain access to the bridge.

### Cohousing Program Description

As mentioned, the facility is designed to accommodate a senior cohousing program. Although, the details of the program will be decided among the residents, the concept is to establish a community where the members depend on one another by pooling their resources, creating strong social connections, and sharing meal and task responsibilities. This format is designed to provide a long term option to institutionalization. Assisted living services would be located at a nearby location to provide short-term medical care and rehabilitation services designed to allow residents to live independently for as long a time as possible.

### **PROPERTY DESCRIPTION**

The property is a through lot that faces 29<sup>th</sup> Avenue to the west, Glascock Street to the south, and the Oakland Estuary and the Bay Trail promenade to the north. It is the next property west of the Park Street Bridge. The flat property is 25,350 square feet. The property is currently vacant, but it is the former location Tiki Tom's Restaurant, which burned down in October of 2010. A survey of the property is contained in Attachment A. A freight train that runs from Jack London Square to the ConAgra flour plant in East Oakland passes the lot six times per week at night on Glascock Street.

### **GENERAL PLAN ANALYSIS**

The General Plan designates this site within the Estuary Plan Area. The Estuary Policy Plan (EPP), a document that specifically implements General Plan Policies in the Estuary area, designates the site "Residential Mixed Use" (RMU). The intent of RMU is to:

Enhance and strengthen the viability and attractiveness of the Kennedy Tract as a mixed-use residential neighborhood of low- to medium-density housing within a fine grained fabric of commercial and light industrial uses (Page 135).

The EPP describes the desired character of the of the RMU designation as follows: "Future development in this area should be primarily residential, work/live, light industrial, neighborhood servicing retail, offices, public parks, and open spaces" (Page 135).

Other relevant policies and objectives in the EPP include:

- Objective SA-1: Create a clear and continuous system of public access along the Estuary Shoreline (Page 38).
- Objective SAF-4: Encourage preservation and expansion of the affordable residential neighborhood in the Kennedy Tract (Page 109).

Staff believes that the project is consistent with the policies contained in the EPP and RMU designation for the following reasons:

- Housing is consistent with the intended character in the RMU;
- The proposed senior housing project will increase the variety of housing opportunities in the Kennedy Tract;
- The relatively small units will provide affordable housing;
- The scale of the building expands upon the pattern established by neighboring residential properties to the east;
- The project will increase public access to and along the Estuary Shoreline.

Note that a General Plan designation of open space is over the southern portion of the site. This designation overlaps the RMU designation in that area. This designation extends along most of the waterfront and was intended to ensure future development allow for dedication of public access and improvement to the shoreline. The Estuary Plan was adopted subsequent to the General Plan and, therefore, takes precedence over the General Plan designation. By dedicating open space along the shoreline, the project is implementing the policies intended by the Open Space designation.

## **GENERAL PLAN CONFORMITY GUIDELINES AND BEST FIT ZONE**

As mentioned, the site has a Residential Mixed Use Estuary Policy Plan designation, which has clear policies that encourage residential development such as that proposed. The northern (Glascock Street) side of the site has a Housing and Business Mix - 3 zoning designation, which is consistent with the RMU Estuary Policy Plan designation. However, the southern (water) side of the site has an M-40 Heavy Industrial Zone designation, a zone that is inconsistent with the RMU designation because it does not allow residential construction. In cases where this inconsistency occurs, Chapter 17.01 of the zoning ordinance and the document "Guidelines for Determining Project Conformity with the General Plan and Regulations" requires the City is to choose a "best fit" zone that best implements the policies of the EPP. In this case, staff recommends that the HBX-3 designation cover the entire site because it allows residential activities and the mix of activities found in the neighborhood. HBX-3 matches the zoning designation for the rest of the site and the Kennedy Tract and was written specifically to implement the RMU Estuary Policy Plan designation.

## **ZONING ANALYSIS**

As mentioned, the best fit zone for the site is HBX-3. This section evaluates the project in terms of the regulations contained in the HBX-3 zone and other parts of the Planning Code.

### Activity

According the Chapter 17.10 of the Planning Code, the proposal fits into the "Service Enriched Permanent Housing" Land Use Classification. Section 17.10.114 states that:

Service-Enriched Permanent Housing Residential Activities include permanent housing in which residents are tenants who live independently and have access to various voluntary support services, such as, health, mental health, education and employment/training services. These services may be provided on-site and/or off-site.

The proposal is placed in this classification because the program includes assisted living services at a nearby location.

According to Section 17.65.030, Service Enriched Housing is conditionally permitted in the HBX-3 zone. Section 17.134.020 states that a Conditional Use Permit for this activity is considered major and requires approval by the Planning Commission.

Staff recommends that the Planning Commission approve the Conditional Use Permit because the project meets the Conditional Use Permit Criteria for Service Enriched Housing in Section 17.102.212 of the Planning Code. Staff has attached these required findings and how the project meets these findings.

#### Maximum Height and Minimum Setback

The HBX-3 zone has no required setbacks and has a height limit of 55 feet. The proposed building reaches a maximum height of approximately 48 feet.

Regulation	Permitted	Proposed	Comply?
Maximum Setbacks	No requirement	Front (Glascock Street), sides: no setback. Rear (Estuary): 33 feet.	Yes
Maximum Height	55 feet	48 feet	Yes

#### Maximum Floor Area Ratio

Floor area ratio (FAR) is the square footage of the site divided by the floor area of the building. The maximum permitted FAR is 2.5 (3.0 permitted upon the granting of a Conditional Use Permit). At approximately 1.56 (44,614 sf / 28665 sf), the proposal meets this requirement.

Maximum Permitted Floor Area Ratio	Proposed	Comply?
2.5 (3.0 with a CUP)	1.56	Yes

#### Minimum Usable Open Space

There are two types of usable open space: group and private. Group usable open space is outdoor recreation or leisure space that can be used by any resident on the lot while private open space, including balconies, is assigned to a particular unit. Each square foot of private usable open space counts two square feet towards the minimum required open space standard; each square foot of group counts as one square foot toward the standard.

The HBX-3 zone requires 150 square feet of usable open space per unit, for a minimum of 6,150 square feet of usable open space. The project includes 4,119 square feet of group open space and 3,688 square feet of private usable open space. The project meets this requirement by providing 11,495 [4,119 + (2\*3,688)] square feet of usable open space. The open space is provided in the area between the Estuary and the building, private balconies, gardens, and a roof deck.

Required Usable Open Space	Proposed	Comply?
6,150 sf	11,495	Yes

### Minimum Density

The HBX-3 allows a maximum density of one unit per 730 square feet of lot area. The project proposes a density of one unit per approximately 633 square feet of lot area. However, Section 17.106.060 allows a 75 percent increase in the allowed density upon the granting of a Conditional Use Permit for senior housing. This 75 percent increase would allow one unit per 182.5 square feet of lot area.

<b>Maximum Permitted Density</b>	One unit per 730 sf of lot area
<b>Conditionally Permitted Density</b>	One unit per 182.5 sf of lot area
<b>Proposed Density</b>	One unit of 633 sf of lot area

Staff recommends that the Conditional Use Permit for the additional density be approved. Section 17.106.060 states:

... The number of residential living units otherwise permitted or conditionally permitted may be increased by not to exceed seventy-five (75) percent in senior citizen housing where living units are regularly occupied by not more than two individuals at least one of whom is sixty (60) years of age or older or is physically handicapped regardless of age, upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination that the proposal conforms to both of the following additional use permit criteria:

1. That such occupancy is guaranteed, for a period of not less than fifty (50) years, by appropriate conditions incorporated into the permit; and
2. That the impact of the proposed facilities will be substantially equivalent to that produced by the kind of development otherwise allowed within the applicable zone, with consideration being given to the types and rentals of the living units, the probable number of residents therein, and the demand for public facilities and services generated.

Staff has attached Condition of Approval #41 requiring that Criteria (1) be met.

The proposal is consistent with Criteria (2). The developer is planning on only one owner/resident per unit because the facility will not include extended families or children as residents. Seniors in a retirement home also generate fewer automobile trips during peak commuting hours and regularly use van and bus services. Food and recreation services will be provided within the facility, reducing the need for residents to drive to other locations. These factors reduce the demand on public streets and impacts on the neighborhood.

### Bicycle Parking

The Service Enriched Permanent Housing land use classification requires at least one long term bicycle parking space for each 20 employees or one space for each 70,000 square feet of floor area, whichever is greater. At least two spaces must be provided regardless of floor area or employees. The applicant does not expect any employees to be at the site because the residents will be organizing activities and tasks. However, the project may require as many as two employees at some point in the future. Therefore, the project requires two long term bicycle parking spaces. The plans include 450 square feet of area set aside for long term bicycle parking, ample space to meet the requirement.

Chapter 17.117 requires that a Service Enriched Housing Residential Activity provide two short term parking spaces. Condition #43 requires that these spaces are provided at the site and that they meet City

standards in the Planning Code and Oakland Bicycle Facility Design Guidelines from the Public Works Agency.

	Required	Provided
Minimum Required Short Term Parking Spaces	2	2 (as conditioned)
Minimum Required Long Term Parking Spaces	2	2

#### Minimum Parking and Loading Spaces

Section 17.116.060 requires that Service Enriched Permanent Housing provide two spaces for each three dwelling units plus one space for each three employees on site during the shift that has maximum staffing, plus one space for each facility vehicle. This standard requires 28 spaces for the project (41 units \* 2/3 + one for a service vehicle). The project provides 22 parking spaces that meet the standards of the Planning Code. The project also includes 15 tandem parking spaces, which do not count toward fulfilling the minimum parking requirement. However, Section 17.116.110 of the zoning ordinance allows a 75 percent decrease in required parking for senior citizen housing if a project meets the following criteria:

1. In the case of senior citizen housing where living units are regularly occupied by not more than two individuals at least one of whom is sixty (60) years of age or older or is physically handicapped regardless of age, that such occupancy is guaranteed, for a period of not less than fifty (50) years, by appropriate conditions incorporated into the permit;
2. That due to the special conditions referred to above, and considering the availability, if any, of public transportation within convenient walking distance, the reduced amount of parking will be adequate for the activities served, and that the reduction will not contribute to traffic congestion or impair the efficiency of on-street parking.

Condition #41 requires that Criterion (1) be met.

Criterion (2) is also met due to the relatively low number of auto trips generated by senior housing and the three AC Transit lines that run near the development. According to Institute of Transportation Engineers, Trip Generation (8<sup>th</sup> Edition), this type of activity only produces about 2.5 trips during the morning peak hour and seven trips during the evening peak hour. This low level traffic generation will not have a significant impact on an intersection.

Therefore, the required parking for the project is reduced 75 percent, from 28 spaces to seven spaces. At 18 spaces, the project meets this standard. The proposed tandem spaces will further lower parking impacts in the neighborhood.

	Required Parking	Parking Spaces Proposed
Minimum Required Parking Spaces	7 (with an allowed 75% parking reduction)	22

**SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC)**

Any development within 100 feet of the San Francisco Bay's nine-county shoreline requires approval from BCDC. Therefore, the proposal will undergo a permitting process with that Commission subsequent to approval from the Planning Commission. BCDC staff has stated that their primary concern with the current plan is whether the applicant can receive approval from the Army Corps of Engineers to repair the dock and maintain it into the future. If they cannot receive this approval, BCDC staff has told the applicant that the building may have to be setback further from the shoreline. The applicant has told planning staff that they are working with BCDC and the Army Corps to resolve this issue. Staff will bring the application back to the Planning Commission for a second review if the process with BCDC results in major changes to the proposal.

**CREEK PROTECTION PERMIT**

The proposal requires a Category III Creek Protection Permit due to its proximity to the Estuary and nature of the waterway. Demolition and reconstruction of the dock and promenade will be within 20 feet of the creek (in this case, an estuary), which would normally require approval of a Category IV creek permit. The main difference between a Category III and a Category IV permit is that a Category IV requires a hydrology report. However, staff has downgraded the permit to a Category III because the cement wall at the banks of the Estuary at the site will prevent the project from having any impact on the nature, flow, or banks of the Estuary and, therefore, remove the necessity for preparation of a hydrology report.

Conditions of approval and the creek protection plan developed by the applicant will prevent debris from entering the Estuary. The following is a summary of the proposed protective measures during construction:

- The contractor will install a floating containment boom around the shoreline piling area to assure that any debris from the dock demolition will affect water quality (see Attachment A).
- Barriers will be installed over and around drain inlets to prevent sediment and debris from flowing into the Estuary during construction (see Attachment A).
- A silt fence will be installed at the property lines near the Estuary to prevent silt and erosion from flowing into the Estuary during construction (see Attachment A).
- Conditions of Approval #36 through #39 contain further requirements regarding stormwater pollution during construction, including: additional erosion, sedimentation, and debris control measures and a requirement to monitor the creek during construction.

The following is a summary of the proposed post-construction measures designed to protect the Estuary against contaminated runoff from the site:

- The contractor will implement the post-construction stormwater management plan developed by the applicant (see Attachment A). This plan is consistent with Section C.3 of the municipal regional stormwater permit, issued to Oakland by the Regional Water Quality Control Board, San Francisco Bay Region. Implementing this plan will reduce pollution in stormwater runoff and limit increases in runoff flows from the project into the Estuary and stormwater facilities.
- Conditions of Approval #33 through #35 contain further requirements regarding the Post-Construction Stormwater Management Plan; a Stormwater Pollution Prevention Plan; maintenance of treatment facilities; erosion, sedimentation, and debris control measures; and a creek monitoring plan.

**ENVIRONMENTAL DETERMINATION**

Staff has determined that the project is categorically exempt from the California Environmental Quality Act according to Section 15332 of the State CEQA Guidelines (Infill Development Projects). Projects are eligible for this exemption if they meet each of the conditions listed below. The following lists these conditions (*in italic*) and how the project meets these conditions (**in bold**).



- 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 General Plan designates this site within the Estuary Plan Area. The Estuary Policy Plan (EPP), a document that specifically implements General Plan Policies in the Estuary area, designates the site "Residential Mixed Use" (RMU). The intent of RMU is to:*

*Enhance and strengthen the viability and attractiveness of the Kennedy Tract as a mixed-use residential neighborhood of low- to medium-density housing within a fine grained fabric of commercial and light industrial uses (Page 135).*

*The EPP describes the desired character of the of the RMU designation as follows: "Future development in this area should be primarily residential, work/live, light industrial, neighborhood servicing retail, offices, public parks, and open spaces" (Page 135).*

*Other relevant policies and objectives in the EPP include:*

- *Objective SA-1: Create a clear and continuous system of public access along the Estuary Shoreline (Page 38).*
- *Objective SAF-4: Encourage preservation and expansion of the affordable residential neighborhood in the Kennedy Tract (Page 109).*

*Staff believes that the project is consistent with the policies contained in the EPP and the RMU designation for the following reasons:*

- *Housing is consistent with the RMU designation;*
- *The proposed senior housing project will increase the variety of housing opportunities in the Kennedy Tract;*
- *The relatively small units will provide affordable housing;*
- *The scale of the building expands upon the pattern established by neighboring residential properties to the east;*
- *The project will increase public access to and along the Estuary Shoreline.*

*The half of the parcel toward the Estuary is in the M-40 zone while the half toward Glascock Street is zoned HBX-3. Staff has determined that the "best fit zone" for the M-40 side of the site should be also designated HBX-3. The Zoning Analysis section of this report determines that the project is consistent with this zoning designation.*

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

*The subject site is only 25,350 and is surrounded by urban uses such as the Park Street Bridge, a multi-family apartment building, industrial and commercial activities, and live/work units.*

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

*There is no evidence of endangered, rare or threatened species at the site.*

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

*Traffic from the development will not impact the capacity of surrounding streets or air quality due to the relatively low number of auto trips generated by senior housing and the three AC Transit lines that run near the development. According to Institute of Transportation Engineers, Trip Generation (8<sup>th</sup> Edition), this type of activity only produces about 2.5 trips during the morning peak hour and seven*



*trips during the evening peak hour. This low level traffic generation will not have a significant effect on an intersection, local streets, or air quality.*

*Noise impacts are not commonly associated with a senior retirement home such as that proposed, particularly in a neighborhood surrounded by high density residential, light industrial and commercial activities.*

*The Creek Protection Permit section, above, describes measures taken to assure that there will not be any significant effect on water quality due to the construction and operation of the proposal.*

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

*The site is served by all City of Oakland and Oakland School District public services and has access to all required utilities such as electricity, water, and sewer.*

**KEY ISSUES AND IMPACTS**

Staff believes that the proposal will enhance the Kennedy Tract neighborhood for the following reasons. The proposal will significantly improve access to the Estuary by:

- Extending the Bay Trail and promenade;
- Establishing an attractive and prominent entrance to the Bay Trail;
- Restoring a dock on the Estuary;
- Creating a connection from 29<sup>th</sup> Avenue to the Bay Trail; and
- Providing a 45 to 52-foot wide ground floor building setback from the shoreline to create a feeling of openness to pedestrians on the Bay Trail.

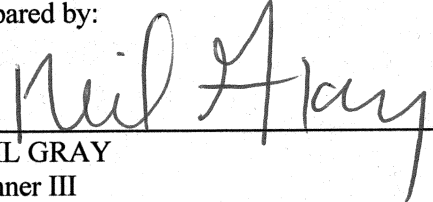
The proposal also provides active and attractive façades, particularly facing the Estuary, that are consistent with the industrial-loft architectural style found the neighborhood. Finally, residents of the senior cohousing development will create activity at the Estuary throughout the day.

Staff, therefore, recommends approval of the application.

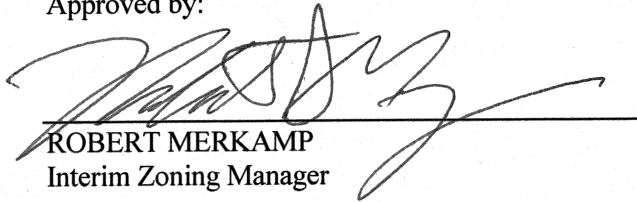
**RECOMMENDATIONS:**

1. Affirm staff's environmental determination.
2. Approve the Regular Design Review, Conditional Use, and Creek Protection Permits subject to the attached findings and conditions.

Prepared by:

  
NEIL GRAY  
Planner III

Approved by:

  
ROBERT MERKAMP  
Interim Zoning Manager

Approved for forwarding to the  
City Planning Commission:



SCOTT MILLER

Interim Planning and Zoning Director

Community and Economic Development Agency

**LEGAL NOTICE:** The decision of the City Planning Commission is final and not administratively appealable. Any party seeking to challenge such decision in court must do so within ninety (90) days of the date the decision is announced (Code of Civil Procedure Section 1094.6).

**ATTACHMENTS:**

- A. Project Plans
- B. Bollard Design from the Public Works Agency

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**FINDINGS FOR APPROVAL**

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This proposal meets the required findings under General Use Permit Criteria (OMC Sec. 17.134.050), Interim Conditional Use Permit Criteria (OMC Sec. 17.01.100(B)), Conditional Use Permit for increased number of living units in senior citizen housing (OMC 17.106.060), Criteria for reduction in parking for senior housing (OMC Sec. 17.116.110), and Regular Design Review Criteria (OMC Sec. 17.136.040(B)) as set forth below. Required findings are shown in bold type; explanations as to how these findings are met are in normal type.

**GENERAL USE PERMIT CRITERIA (OMC SEC. 17.134.050)**

**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 scale, bulk, and density of the proposal are comparable to neighboring properties. The development continues the waterfront development pattern set by neighboring sites to the east that contain recently constructed, 40 – 50 foot tall industrial style residential buildings. The density of the proposal is similar to the many live/work artist units in the neighborhood. The proposal will provide access the waterfront from 29<sup>th</sup> Avenue and rebuild the dock and waterfront promenade adjacent to the site. The building has a ground floor that is setback approximately 45 to 52 feet from the water's edge. Providing this open space near the Estuary increases its enjoyment by the public.

The development will not impact the capacity of surrounding streets due to the relatively low number of auto trips generated by senior housing and the three AC Transit lines that run near the development. According to Institute of Transportation Engineers, Trip Generation (8<sup>th</sup> Edition), this type of activity only produces about 2.5 trips during the morning peak hour and seven trips during the evening peak hour. This low level traffic generation will not have a significant impact on an intersection or local streets.

**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 community space, balconies, and dining area of the proposal are oriented toward the Estuary to maximize resident's enjoyment of the water. The building setback ranges from the water's edge and the rear property line. This setback increases the enjoyment by the public by allowing open space near the estuary. There is ample rooftop, balcony, and courtyard open space on the lot, particularly near the water, for the enjoyment of residents and for pedestrians to view. As conditioned, interior noise and vibration from the trains running on Glascow Street in the evening will be consistent with the Noise Element of the General Plan and Federal Transportation Administration standards.

The building has an industrial loft style design, which is appropriate for the residential and industrial mix of buildings in the neighborhood.

**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 facility will provide an essential service to the region by providing 41 units of senior housing designed to allow residents a long term option to nursing homes. The program will establish a unique cohousing community where the members depend on one another by pooling their resources, creating strong social connections, and sharing meal and task responsibilities. This format is designed to facilitate close relationships, allow self sufficiency, and provide a long term option to institutionalization.

**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**

This finding is met as described in a following section of this attachment.

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

The General Plan designates this site within the Estuary Plan Area. The Estuary Policy Plan (EPP), a document that specifically implements General Plan Policies in the Estuary area, designates the site "Residential Mixed Use" (RMU). The intent of RMU is to:

Enhance and strengthen the viability and attractiveness of the Kennedy Tract as a mixed use residential neighborhood of low- to medium-density housing within a fine grained fabric of commercial and light industrial uses (Page 135).

The EPP describes the desired character of the of the RMU designation as follows: "Future development in this area should be primarily residential, work/live, light industrial, neighborhood servicing retail, offices, public parks, and open spaces" (Page 135).

Other relevant policies and objectives in the EPP include:

- Objective SA-1: Create a clear and continuous system of public access along the Estuary Shoreline (Page 38).
- Objective SAF-4: Encourage preservation and expansion of the affordable residential neighborhood in the Kennedy Tract (Page 109).

The proposed cohousing residential project clearly meets the intent and desired mixed use and eclectic residential character of the RMU designation.

The project is also consistent with the following policies and objectives in the EPP:

- The proposed senior housing project will increase the variety of housing opportunities in the Kennedy Tract;
- The relatively small units will provide affordable housing;
- The scale of the building expands upon the pattern established by neighboring residential properties to the east;
- The project will increase public access to and along the Estuary Shoreline.

A General Plan designation of open space is over the southern portion of the site. This designation extends along the waterfront and was intended to ensure future development allow for dedication of public access

and improvement to the shoreline. By dedicating open space along the shoreline, the project is implementing the policies intended by the Open Space designation.

**INTERIM CONDITIONAL USE PERMIT CRITERA (OMC SEC. 17.01.100(B))****A. That the proposal is clearly appropriate in consideration of the characteristics of the proposal and the surrounding area;**

The neighborhood has a mix of loft style residential buildings, artist live/work spaces, and light industrial activities. The proposed senior cohousing development would be an appropriate addition to the eclectic types of activities in the neighborhood. The development continues the waterfront development pattern set by neighboring sites to the east that contain recently constructed, 40 – 50 foot tall industrial style residential buildings. The proposal will improve the waterfront character of the neighborhood by providing a ground floor setback that ranges from 45 to 52 feet from the water and a continuation of the Bay Trail.

**B. That the proposal is clearly consistent with the intent and desired character of the relevant land use classification or classifications of the General Plan and any associated policies;**

The site has a Residential Mixed Use (RMU) Estuary Policy Plan designation, which has clear policies that encourage residential development such as that proposed. The intent of RMU is to:

Enhance and strengthen the viability and attractiveness of the Kennedy Tract as a mixed-use residential neighborhood of low- to medium-density housing within a fine grained fabric of commercial and light industrial uses (Page 135).

The EPP describes the desired character of the of the RMU designation as follows: “Future development in this area should be primarily residential, work/live, light industrial, neighborhood servicing retail, offices, public parks, and open spaces” (Page 135).

The proposed cohousing residential project clearly meets the intent and desired mixed use and eclectic residential character of the RMU.

The project is also consistent with the following policies and objectives in the EPP:

- Objective SA-1: Create a clear and continuous system of public access along the Estuary Shoreline (Page 38).
- Objective SAF-4: Encourage preservation and expansion of the affordable residential neighborhood in the Kennedy Tract (Page 109).

Staff believes that the project is consistent with the policies contained in the EPP for the following reasons:

- The proposed senior housing project will increase the variety of housing opportunities in the Kennedy Tract;
- The relatively small units will provide affordable housing;
- The scale of the building expands upon the pattern established by neighboring residential properties to the east;
- The project will increase public access to and along the Estuary Shoreline.

***FINDINGS***

- C. That the proposal will clearly promote implementation of the General Plan. Any such proposal shall be subject to the provisions of the "best fit zone" corresponding to the land use classification in which the proposal is located, as determined in accordance with the guidelines adopted pursuant to Section 17.01.060. If there is more than one "best fit zone," the Director of City Planning shall determine which zone to apply, with consideration given to the characteristics of the proposal and the surrounding area and any relevant provisions of the General Plan.

The northern (Glascoc Street) side of the site has a Housing and Business Mix - 3 zoning designation, which is consistent with the RMU Estuary Policy Plan designation. However, the southern (water) side of the site has an M-40 Heavy Industrial Zone designation, a zone that is inconsistent with the RMU designation because it does not allow residential construction. In cases where this inconsistency occurs, Chapter 17.01 of the zoning ordinance and the document "Guidelines for Determining Project Conformity with the General Plan and Regulations" requires the City is to choose a "best fit" zone that best implements the policies of the EPP. In this case, staff recommends that the HBX-3 designation cover the entire site because it allows residential activities and the mix of activities found in the neighborhood. HBX-3 matches the zoning designation for the rest of the site and the Kennedy Tract and was written specifically to implement the RMU Estuary Policy Plan designation.

**CONDITIONAL USE PERMIT FOR INCREASED NUMBER OF LIVING UNITS IN SENIOR CITIZEN HOUSING.(OMC 17.106.060)**

- A. That such occupancy is guaranteed, for a period of not less than fifty (50) years, by appropriate conditions incorporated into the permit.

Staff has attached Condition of Approval #41 requiring that this criterion be met.

- B. That the impact of the proposed facilities will be substantially equivalent to that produced by the kind of development otherwise allowed within the applicable zone, with consideration being given to the types and rentals of the living units, the probable number of residents therein, and the demand for public facilities and services generated.

The developer is planning on only one owner/resident per unit because the facility will not include extended families or children as residents. Seniors in a retirement home also generate fewer automobile trips during peak commuting hours and regularly use van and bus services. Food and recreation services will be provided within the facility, reducing the need for residents to drive to other locations. These factors reduce the demand on public streets and impacts on the neighborhood. Noise impacts are not commonly associated with a senior retirement home such as that proposed, particularly in a neighborhood surrounded by high density residential, light industrial and commercial activities.

**CONDITIONAL USE PERMIT FOR DISCRETIONARY REDUCTION FOR SENIOR CITIZEN HOUSING AND DORMITORIES (OMC 17.116.110)**

- A. In the case of senior citizen housing where living units are regularly occupied by not more than two individuals at least one of whom is sixty (60) years of age or older or is physically handicapped regardless of age, that such occupancy is guaranteed, for a period of not less than fifty (50) years, by appropriate conditions incorporated into the permit;

Staff has attached Condition of Approval #41 requiring that this criterion be met.

- B. In the case of a dormitory, fraternity, or similar facility, that the occupants are prevented from operating a motor vehicle because they are not of driving age or by other special restriction, which limitation of occupancy by nonqualifying drivers is assured by appropriate conditions incorporated into the permit;**

The proposal is not a dormitory, fraternity, or a similar facility.

- C. That due to the special conditions referred to above, and considering the availability, if any, of public transportation within convenient walking distance, the reduced amount of parking will be adequate for the activities served, and that the reduction will not contribute to traffic congestion or impair the efficiency of on-street parking.**

Seniors in a retirement home also generate fewer automobile trips during peak commuting hours and regularly use van and bus services. Three AC Transit lines run near the site. Also, food and recreation services will be provided within the facility, reducing the need for residents to drive to other locations. These factors reduce the demand on public streets and impacts on the neighborhood.

**REGULAR DESIGN REVIEW CRITERIA (OMC SEC. 17.136.040(B))**

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

The building is proposed to have an industrial-loft style through the use of high quality corrugated metal siding, aluminum windows, hardie panels, high ceilings, and flat and butterfly shaped roofs. Industrial style lofts are consistent with the Kennedy Tract's industrial history, existing industrial buildings, and warehouses converted to artist live/work spaces. The project would also be consistent with the waterfront development pattern set by neighboring sites to the east that contain recently constructed, 40 – 50 foot tall industrial style residential buildings. Finally, project would continue the existing waterfront promenade that is part of the bay trail.

- B. That the proposed design will protect, preserve, or enhance desirable neighborhood characteristics;**

The industrial-loft style and high quality materials and detailing of the building will enhance the neighborhood's industrial character and history.

- C. That the proposed design will be sensitive to the topography and landscape.**

The site is flat and without landscaping. The proposal includes improvements to the Estuary including extending the Bay Trail, repairing a dock, and facilitating the extension of the Bay Trail under the Park street bridge.

- D. That, if situated on a hill, the design and massing of the proposed building relates to the grade of the hill;**

The site is not on a hill.

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

***FINDINGS***

The site has a Residential Mixed Use (RMU) Estuary Policy Plan designation, which has clear policies that encourage residential development such as that proposed. The intent of RMU is to:

Enhance and strengthen the viability and attractiveness of the Kennedy Tract as a mixed-use residential neighborhood of low- to medium-density housing within a fine grained fabric of commercial and light industrial uses (Page 135).

The EPP describes the desired character of the of the RMU designation as follows: "Future development in this area should be primarily residential, work/live, light industrial, neighborhood servicing retail, offices, public parks, and open spaces" (Page 135).

The proposed cohousing residential project clearly meets the intent and desired mixed use and eclectic residential character of the RMU.

The project is also consistent with the following policies and objectives in the EPP:

- Objective SA-1: Create a clear and continuous system of public access along the Estuary Shoreline (Page 38).
- Objective SAF-4: Encourage preservation and expansion of the affordable residential neighborhood in the Kennedy Tract (Page 109).

Staff believes that the project is consistent with the policies contained in the EPP for the following reasons:

- The proposed senior housing project will increase the variety of housing opportunities in the Kennedy Tract;
- The relatively small units will provide affordable housing;
- The scale of the building expands upon the pattern established by neighboring residential properties to the east;
- The project will increase public access to and along the Estuary Shoreline.



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**CONDITIONS OF APPROVAL**

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**1. Approved Use**

***Ongoing***

- i) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, Staff Report, and the plans dated and submitted on **September 5, 2012**, 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.
- ii) This action by the Planning Commission ("this Approval") includes the approvals set forth below. This Approval includes: approval to construct a 41-unit senior co-housing development with senior support services provided off-site.

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

***Ongoing***

Unless a different termination date is prescribed, this Approval shall expire two 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 and Creek Protection Ordinance 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***

- i) 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.
- ii) 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***

- i) 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.
- ii) 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.
- iii) 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***

- i) 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.
- ii) 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 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.

**Landscaping Conditions of Approval**

**12. Assurance of Landscaping Completion.**

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

The trees, shrubs and landscape materials required by the approval 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.

**13. Landscape Maintenance.**

***Ongoing***

All planting shown in the project plans, including planting in the public right-of-way, 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 fences, walls, Bay Trail surfaces, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

**Utilities and Public Improvements**

**14. 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.

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

- i) 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.
- ii) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition.
- iii) 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.
- iv) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards.

**16. 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.

**17. 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.

**18. 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.

**Construction Related Conditions****19. 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:

- i) 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.
- ii) 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).
- iii) 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.
- iv) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
- v) 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.
- vi) Limit the amount of the disturbed area at any one time, where feasible.
- vii) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- viii) 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.
- ix) Replant vegetation in disturbed areas as quickly as feasible.
- x) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- xi) Limit traffic speeds on unpaved roads to 15 miles per hour.
- xii) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.

**20. 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:

- i) 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.
- ii) 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.

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

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

- a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday.
- b) Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division.
- c) Construction activity shall not occur on Saturdays, with the following possible exceptions:
  - i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.
  - ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed.
- d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.
- e) No construction activity shall take place on Sundays or Federal holidays.
- f) Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.
- g) Applicant shall use temporary power poles instead of generators where feasible.

**22. 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:

- i) 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).
- ii) 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.

- iii) 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.
- iv) 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.

**23. 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:

- i) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours);
- ii) 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);
- iii) The designation of an on-site construction complaint and enforcement manager for the project;
- iv) 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
- v) 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.

**24. 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:

- i) 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.
- ii) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- iii) Location of construction staging areas for materials, equipment, and vehicles at an approved location.
- iv) 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.
- v) Provision for accommodation of pedestrian flow.



- vi) Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.
- vii) 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.
- viii) Any heavy equipment brought to the construction site shall be transported by truck, where feasible.
- ix) No materials or equipment shall be stored on the traveled roadway at any time.
- x) Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion.
- xi) All equipment shall be equipped with mufflers.
- xii) 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.

## **25. 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.

## **26. 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:

- i) Follow manufacture's recommendations on use, storage, and disposal of chemical products used in construction;
- ii) Avoid overtopping construction equipment fuel gas tanks;
- iii) During routine maintenance of construction equipment, properly contain and remove grease and oils;
- iv) Properly dispose of discarded containers of fuels and other chemicals.
- v) 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.
- vi) 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.

**27. Waste Reduction and Recycling**

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

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

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

***Ongoing***

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

**28. Pile Driving and Other Extreme Noise Generators*****Ongoing throughout demolition, grading, and/or construction***

This condition only applies to any project that involves pile driving or other extreme noise generation greater than 90 dba. 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:

- i) Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;
- ii) Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- iii) Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;
- iv) Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example **and implement such measure if such measures are feasible and would noticeably reduce noise impacts;** and
- v) Monitor the effectiveness of noise attenuation measures by taking noise measurements.

#### **Noise and Vibration from Railroad or Other Sources**

#### **29. Vibration**

##### ***Prior to issuance of a building permit***

A qualified acoustical consultant shall be retained by the project applicant during the design phase of the project to comment on structural design as it relates to reducing groundborne vibration at the project site. If required in order to reduce groundborne vibration to acceptable levels per Federal Transportation Agency vibration standards, the project applicant shall incorporate special building methods to reduce groundborne vibration being transmitted into project structures. The City shall review and approve the recommendations of the acoustical consultant and the plans implementing such recommendations. Applicant shall implement the approved plans. Potential methods include the following:

- i) Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a “spring isolation” system that consists of resilient spring supports that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of ground-borne vibration to the residences above.
- ii) Trenching, which involves excavating soil between the railway/freeway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project’s structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets (i.e., Styrofoam) or low-density polyethylene).

#### **30. 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:

- i) Quality control was exercised during construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed; and
- ii) Demonstrates compliance with interior noise standards based upon performance testing of a sample unit.
- iii) 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.

## **Design Conditions**

### **31. 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.

## **Radon/Vapor Intrusion (condition required on sites previously containing commercial or industrial buildings)**

### **32. Radon or Vapor Intrusion from Soil or Groundwater Sources**

#### ***Ongoing***

The project applicant shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site as part of the Phase I documents. The Phase I analysis shall be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval, along with a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. Applicant shall implement the approved recommendations.

## **Stormwater Management**

### **33. Stormwater Pollution Prevention Plan (SWPPP)**

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

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

## **CONDITIONS OF APPROVAL**

inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

**34. 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.

- i) 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.
- ii) The following additional information shall be submitted with the post-construction stormwater management plan:
  - i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and
  - ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e. non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscape-based treatment measures and/or the range of pollutants expected to be generated by the project.

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.

**35. 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
- 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.

### **Creek Protection Permit**

#### **36. Erosion, Sedimentation, and Debris Control Measures**

##### ***Prior to issuance of demolition, grading, or construction-related permit***

The project applicant shall submit an erosion and sedimentation control plan for review and approval by the Building Services Division. All work shall incorporate all applicable "Best Management Practices (BMPs) for the construction industry, and as outlined in the Alameda Countywide Clean Water Program pamphlets, including BMP's for dust, erosion and sedimentation abatement per Chapter Section 15.04 of the Oakland Municipal Code. The measures shall include, but are not limited to, the following:

- i) In accordance with an approved erosion control plan, the project applicant shall implement mechanical and vegetative measures to reduce erosion and sedimentation, including appropriate seasonal maintenance. One hundred (100) percent degradable erosion control fabric shall be installed on all graded slopes to protect and stabilize the slopes during construction and before permanent vegetation gets established. All graded areas shall be temporarily protected from erosion by seeding with fast growing annual species. All bare slopes must be covered with staked tarps when rain is occurring or is expected.
- ii) Minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. Maximize the replanting of the area with native vegetation as soon as possible.
- iii) All work in or near creek channels must be performed with hand tools and by a minimum number of people. Immediately upon completion of this work, soil must be repacked and native vegetation planted.
- iv) Install filter materials (such as sandbags, filter fabric, etc.) acceptable to the Engineering Division at the storm drain inlets nearest to the project site prior to the start of the wet weather season (October 15); site dewatering activities; street washing activities; saw cutting asphalt or concrete; and in order to retain any debris flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding.
- v) Ensure that concrete/granite supply trucks or concrete/plaster finishing operations do not discharge wash water into the creek, street gutters, or storm drains.
- vi) Direct and locate tool and equipment cleaning so that wash water does not discharge into the creek.
- vii) Create a contained and covered area on the site for storage of bags of cement, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by the wind or in the event of a material spill. No hazardous waste material shall be stored on site.

- viii) Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.
- ix) Remove all dirt, gravel, refuse, and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.
- x) Broom sweep the street pavement adjoining the project site on a daily basis. Caked-on mud or dirt shall be scraped from these areas before sweeping. At the end of each workday, the entire site must be cleaned and secured against potential erosion, dumping, or discharge to the creek, street, gutter, stormdrains.
- xi) All erosion and sedimentation control measures implemented during construction activities, as well as construction site and materials management shall be in strict accordance with the control standards listed in the latest edition of the Erosion and Sediment Control Field Manual published by the Regional Water Quality Board (RWQB).
- xii) Temporary fencing is required for sites without existing fencing between the creek and the construction site and shall be placed along the side adjacent to construction (or both sides of the creek if applicable) at the maximum practical distance from the creek centerline. This area shall not be disturbed during construction without prior approval of Planning and Zoning.
- xiii) All erosion and sedimentation control measures shall be monitored regularly by the project applicant. The City may require erosion and sedimentation control measures to be inspected by a qualified environmental consultant (paid for by the project applicant) during or after rain events. If measures are insufficient to control sedimentation and erosion then the project applicant shall develop and implement additional and more effective measures immediately.

### **37. Creek Protection Plan**

**<http://www.oaklandpw.com/creeks>**

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

- i) The approved creek protection plan shall be included in the project drawings submitted for a building permit (or other construction-related permit). The project applicant shall implement the creek protection plan to minimize potential impacts to the creek during and after construction of the project. The plan shall fully describe in plan and written form all erosion, sediment, stormwater, and construction management measures to be implemented on-site.
- ii) If the plan includes a stormwater system, all stormwater outfalls shall include energy dissipation that slows the velocity of the water at the point of outflow to maximize infiltration and minimize erosion. The project shall not result in a substantial increase in stormwater runoff volume or velocity to the creek or storm drains.

### **38. Regulatory Permits and Authorizations**

#### ***Prior to issuance of a demolition, grading, or building permit within vicinity of the creek***

Prior to construction within the vicinity of the creek, the project applicant shall obtain all necessary regulatory permits and authorizations from the U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), California Department of Fish and Game, and the City of Oakland, and shall comply with all conditions issued by applicable agencies. Required permit approvals and certifications may include, but not be limited to the following:

- i) U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps shall be obtained for the placement of dredge or fill material in Waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act.



- ii) Regional Water Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above.
- iii) California Department of Fish and Game (CDFG): Section 1602 Lake and Streambed Alteration Agreement. Work that will alter the bed or bank of a stream requires authorization from CDFG.

**39. Creek Monitoring*****Prior to issuance of a demolition, grading, or building permit within vicinity of the creek***

A qualified geotechnical engineer and/or environmental consultant shall be retained and paid for by the project applicant to make site visits during all grading activities; and as a follow-up, submit to the Building Services Division a letter certifying that the erosion and sedimentation control measures set forth in the Creek Protection Permit submittal material have been instituted during the grading activities.

**40. Landscaping Plan*****Prior to issuance of a demolition, grading, or building permit within vicinity of the creek***

The project applicant shall develop a final detailed landscaping and irrigation plan for review and approval by the Planning and Zoning Division prepared by a licensed landscape architect or other qualified person. Such a plan shall include a planting schedule, detailing plant types and locations, and a system for temporary irrigation of plantings.

- i) Plant and maintain only drought-tolerant plants on the site where appropriate as well as native plants in and adjacent to riparian corridors.
- ii) All landscaping indicated on the approved landscape plan shall be installed prior to the issuance of a Final inspection of the building permit, unless bonded pursuant to the provisions of Section 17.124.50 of the Oakland Planning Code.
- iii) All landscaping areas shown on the approved plans shall be maintained in neat and safe conditions, and all plants shall be maintained in good growing condition and, whenever necessary replaced with new plant materials to ensure continued compliance with all applicable landscaping requirements. All paving or impervious surfaces shall occur only on approved areas.

**Project Specific Conditions****41. Senior Housing*****Ongoing***

Each living unit shall be regularly occupied by not more than two individuals at least one of whom is sixty (60) years of age or older or is physically handicapped regardless of age. Such occupancy shall be required for a period of not less than fifty (50) years.

**42. Glascok Street Facade*****Prior to issuance of a building permit***

The project applicant shall submit plans for review and approval by the Planning Division that show increased visual interest on the Glascok Street facade. The plans shall include art on the facade, fenestration, and/or other visually interesting architectural elements that are consistent with the architecture of the building and neighborhood context. The plans shall also include a garage door with architectural and visual interest that is consistent with the architecture of the building.

**43. Bicycle Parking*****Prior to issuance of a building permit***

The project applicant shall submit plans for review and approval of the Planning Department that contain the design and location of long- and short-term bike parking. At least two short term parking spaces shall be provided at the site. The design and location of the parking on the plans shall meet the standards set forth in Chapter 17.117 of the Planning Code and the Oakland Bicycle Facility Design Guidelines at [www.oaklandbikes.info/design](http://www.oaklandbikes.info/design).

**44. Public Improvements*****Prior to issuance of a building permit***

- a) The project applicant shall submit plans for review and approval by the Planning Division, Building Division, and Public Works Agency Office of Transportation Services that show:
  - i) A reinforced concrete surface on the proposed Bay Trail.
  - ii) How the difference in grade in the trail between the northern and southern property lines will be designed to meet Americans with Disability Act requirements, avoid pedestrian tripping, and provide easy access for bicyclists.
  - iii) A driveway on 29<sup>th</sup> Avenue, across the proposed sidewalk, connecting to the Bay Trail to accommodate service vehicles. To accommodate bicyclists, the plans shall also show the driveway without a gutter lip.
  - iv) All proposed and existing utilities (including poles and guide wires and curbs. The plans shall not include any curbs or utilities or other barriers to the proposed Bay Trail or promenade.
- b) The project applicant shall submit plans for review and approval by the Planning Division, Building Division, Public Works Agency, and County of Alameda County Public Works Agency that show:
  - i) Closure of 29<sup>th</sup> Avenue from the stop sign adjacent to the street side property line to the Estuary. Bollards designed to block vehicle entrance shall be designed as shown in Attachment B. The bollards shall be designed to allow entrance of only City and County service vehicles and service vehicles required for the maintenance and operation of the site.
  - ii) A detailed landscape plan for the closed off area of 29th Avenue, including an extension of the promenade in front of the proposed site. The applicant shall receive input from neighborhood residents regarding the design of the space. The landscape plan shall include improvements that create an attractive visual transition and entrance to the Bay Trail.
  - iii) The public promenade separated from the vehicular roadway by a drop curb or a railing that is detectable by cane travelers.
  - iv) Access for Alameda County service vehicles to the bridge and its related facilities.

***Ongoing***

The property owner shall permanently maintain the proposed area closed to traffic at the terminus of 29<sup>th</sup> Avenue and the Bay Trail adjacent to the site.

**45. Future Bay Trail Connection Under the Park Street Bridge*****Ongoing***

City Plans propose a future extension of the Bay Trail under the Park Street Bridge. The applicant shall collaborate with the City on the extension during the design phase of the proposal.

**46. San Francisco Bay Development Commission (BCDC)*****Prior to issuance of a building permit***

The applicant shall be granted a permit by BCDC for the development. If the project approved by BCDC differs from the plans approved by the City of Oakland, the applicant shall submit the revised



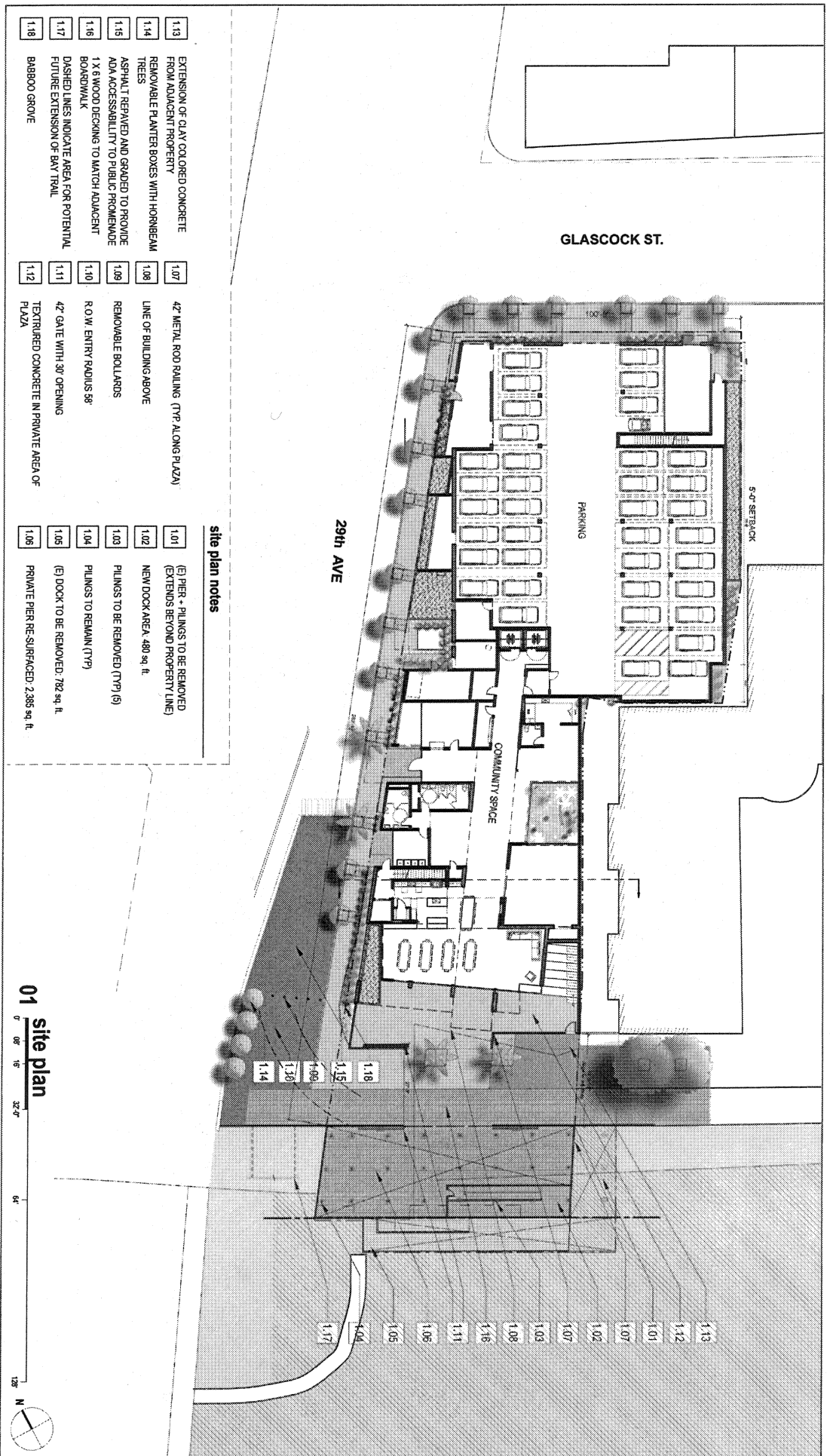
plans for review and approval by the City of Oakland. Minor changes to the plans approved by the Planning Commission may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the Planning Commission or a new, completely independent permit.

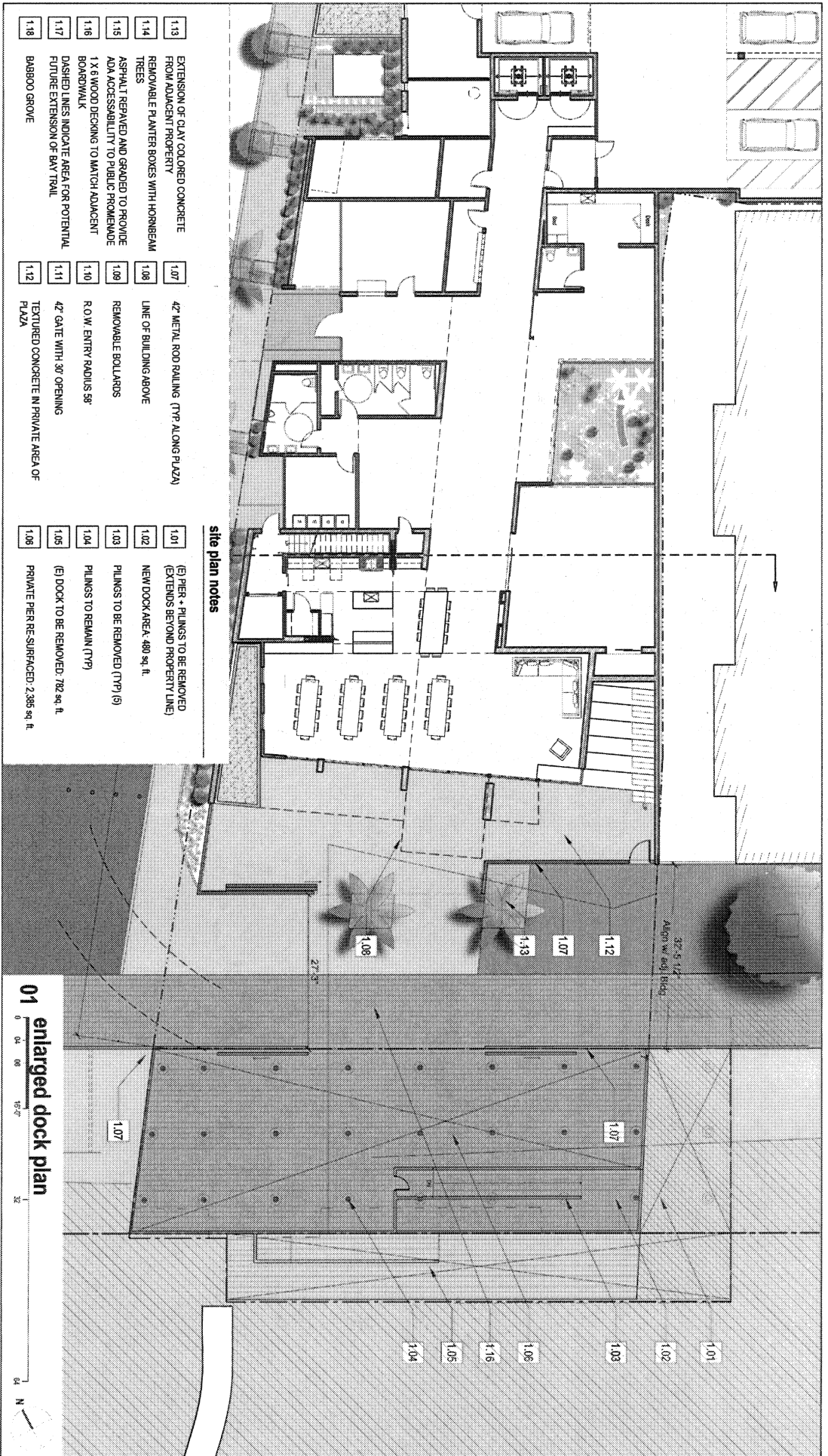
**47. Tandem Parking**

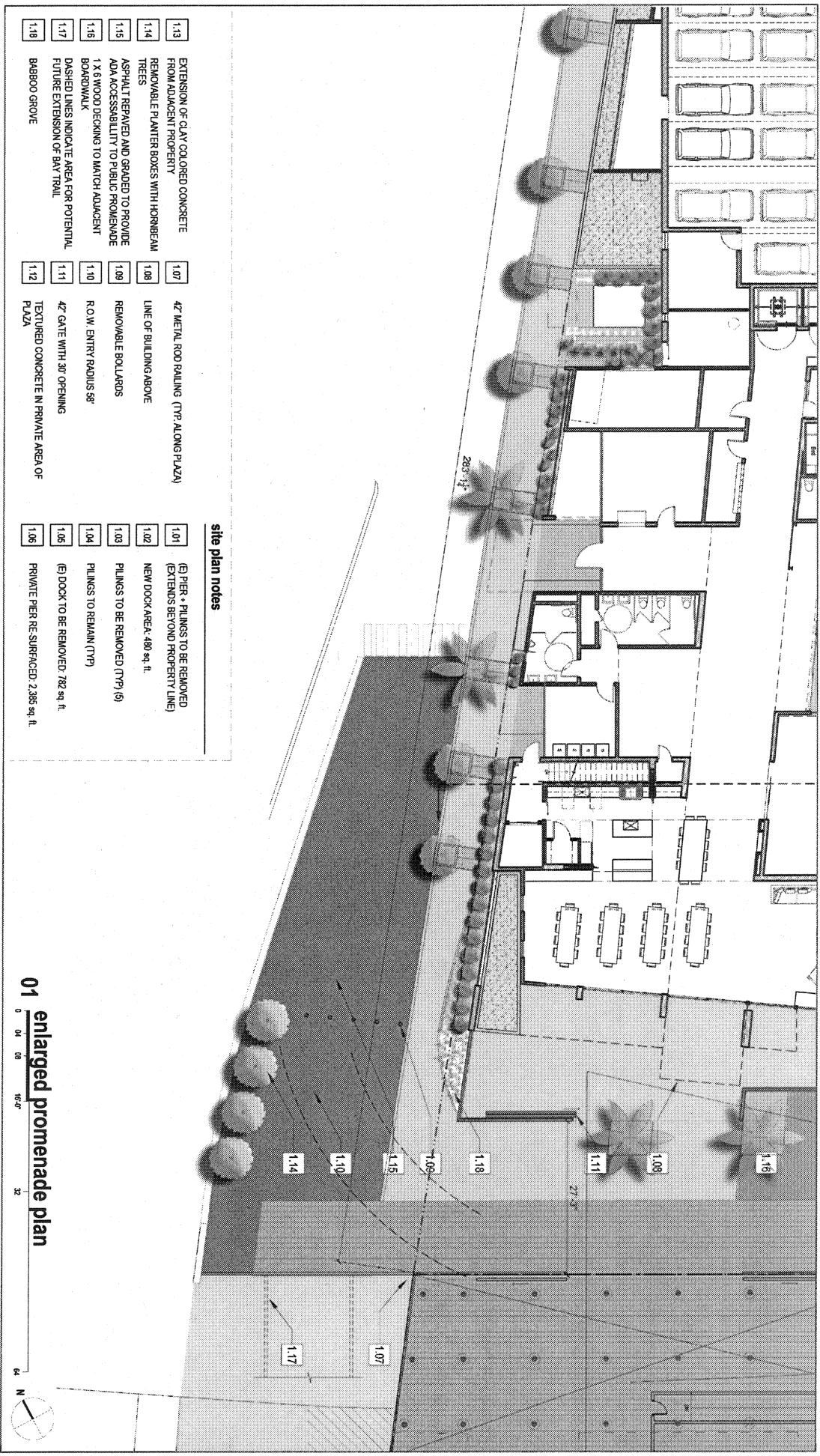
***After Issuance of Certificate of Occupancy***

Residents of the development shall develop a plan to accommodate vehicular access to and from tandem parking spaces in the parking area within the building.

# ATTACHMENT A







site plan notes

- |      |   |      |  |      |   |
|------|---|------|--|------|---|
| 1.13 | EXTENSION OF CLAY COLORED CONCRETE FROM ADJACENT PROPERTY                   | 1.07 | 42" METAL ROD RAILING (TYP. ALONG PLAZA)   | 1.01 | (E) PIER + PILINGS TO BE REMOVED (EXTENDS BEYOND PROPERTY LINE) |
| 1.14 | REMOVABLE PLANTER BOXES WITH HORIZONTAL TREES                               | 1.08 | LINE OF BUILDING ABOVE                     | 1.02 | NEW DOCK AREA, 480 sq. ft.                                      |
| 1.15 | ASPHALT REPAVED AND GRADED TO PROVIDE ADA ACCESSIBILITY TO PUBLIC PROMENADE | 1.09 | REMOVABLE BOLLARDS                         | 1.03 | PILINGS TO BE REMOVED (TYP.) (6)                                |
| 1.16 | 1 X 6 WOOD DECKING TO MATCH ADJACENT BOARDWALK                              | 1.10 | R.O.W. ENTRY RADIUS 36"                    | 1.04 | PILINGS TO REMAIN (TYP)   |
| 1.17 | DASHED LINES INDICATE AREA FOR POTENTIAL FUTURE EXTENSION OF BAY TRAIL      | 1.11 | 42" GATE WITH 30" OPENING                  | 1.05 | (E) DOCK TO BE REMOVED, 782 sq. ft.                             |
| 1.18 | BABBOO GROVE  | 1.12 | TEXTURED CONCRETE IN PRIVATE AREA OF PLAZA | 1.06 | PRIVATE PIER RESURFACED, 2,385 sq. ft.                          |

01 enlarged promenade plan

0 04 08 16'-0"

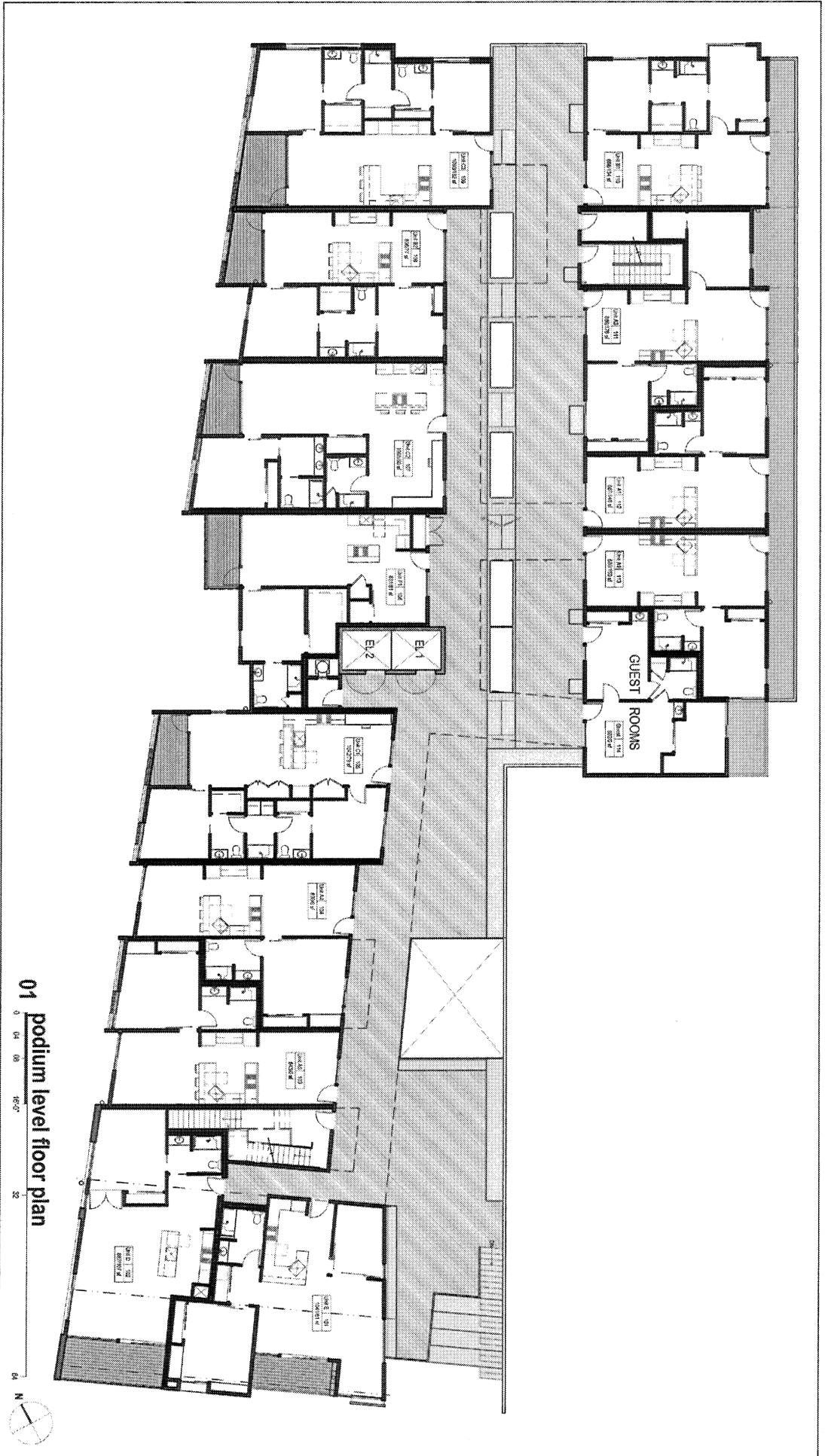
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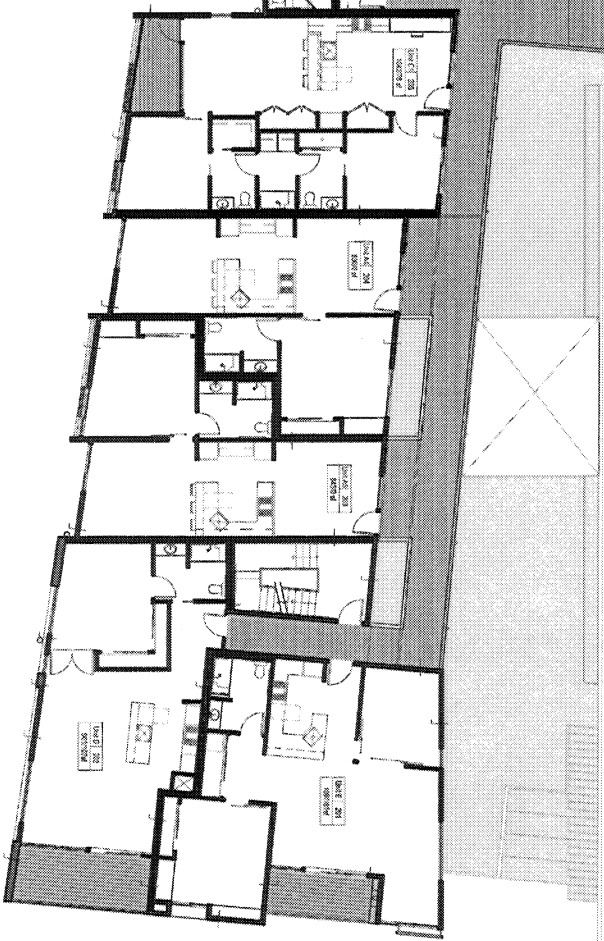
64'









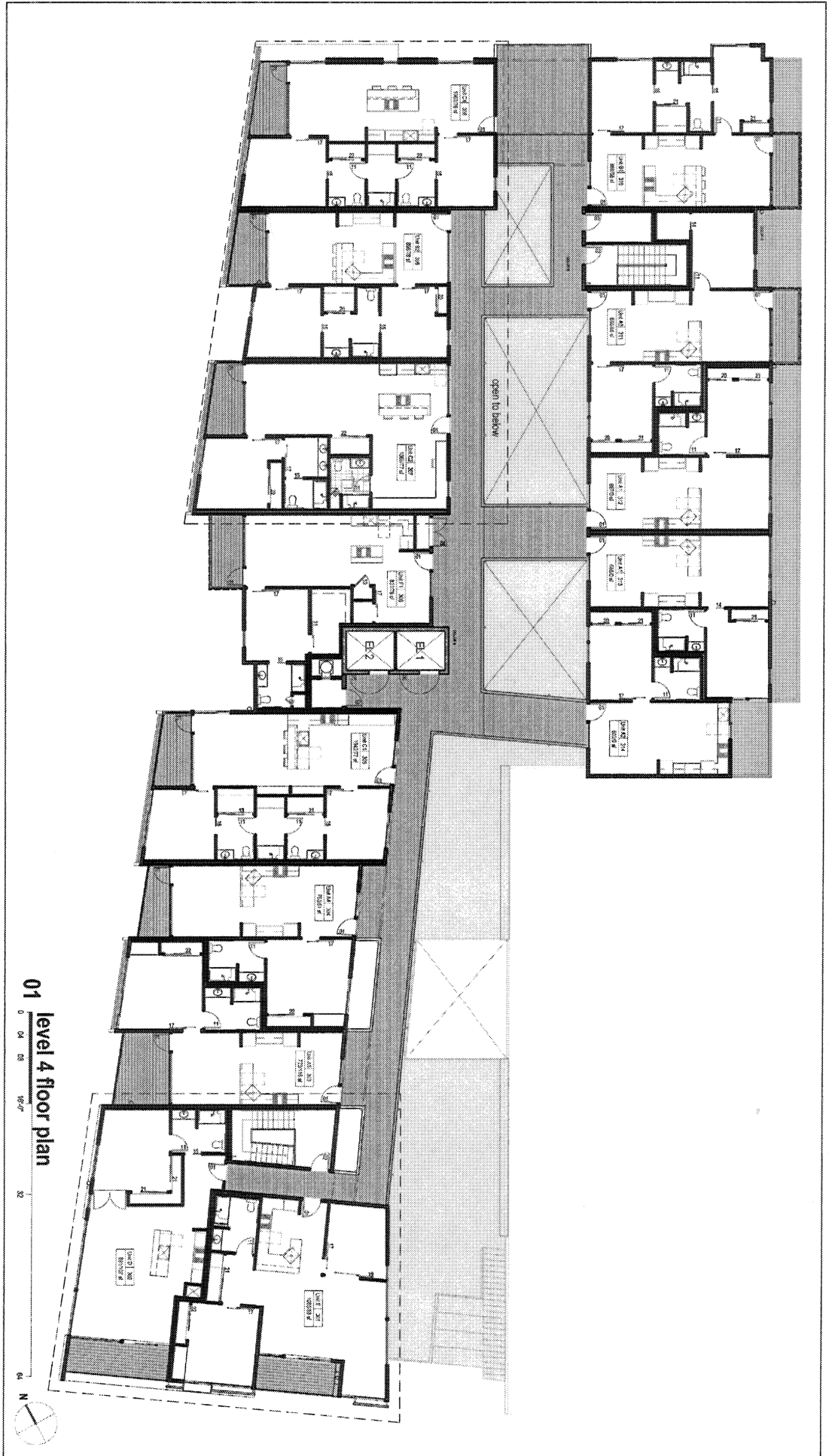


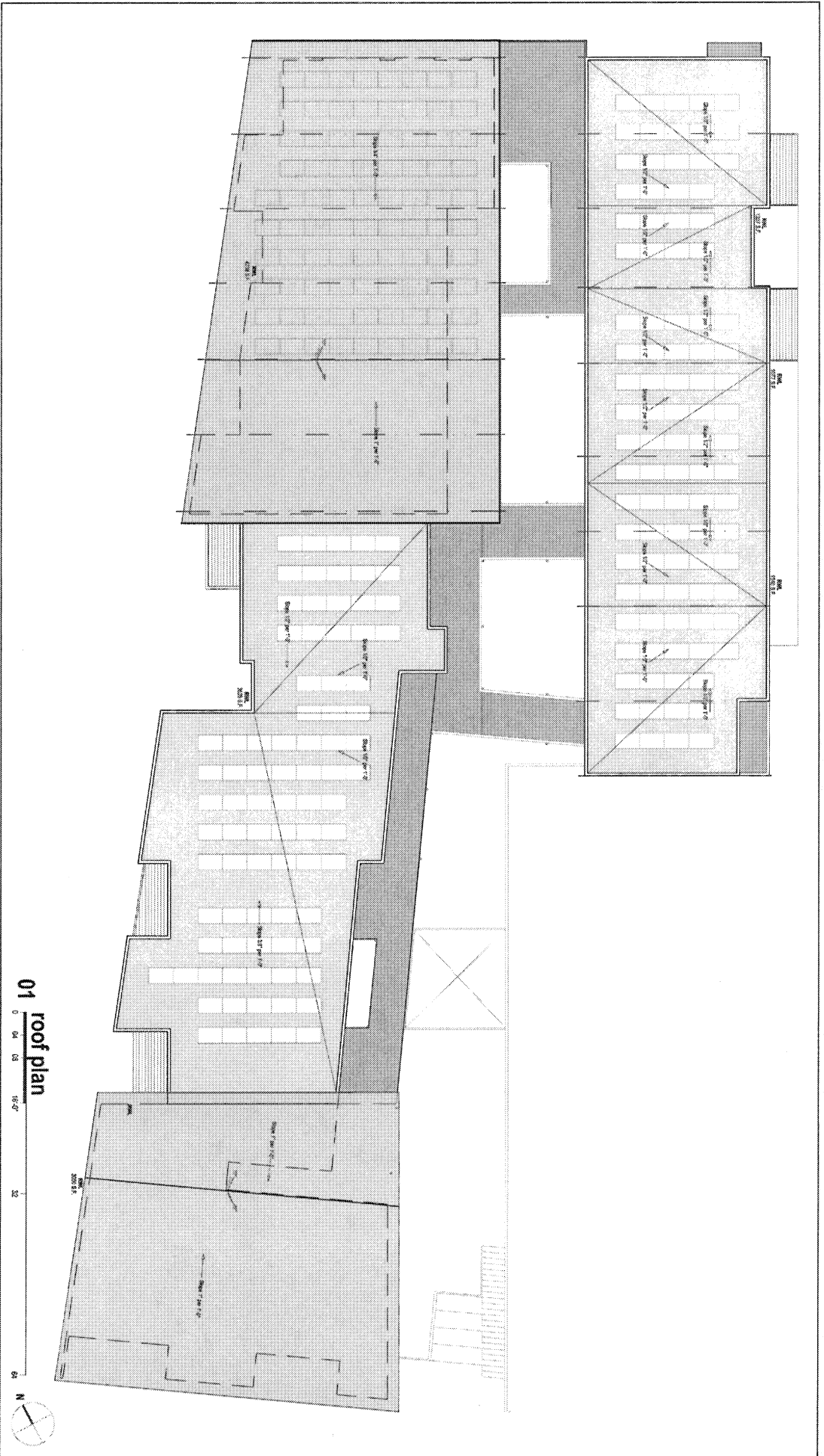
**SOLICITA**  
1707 Denmark St.  
Sonoma, CA 94965  
Tel 415.289.0630

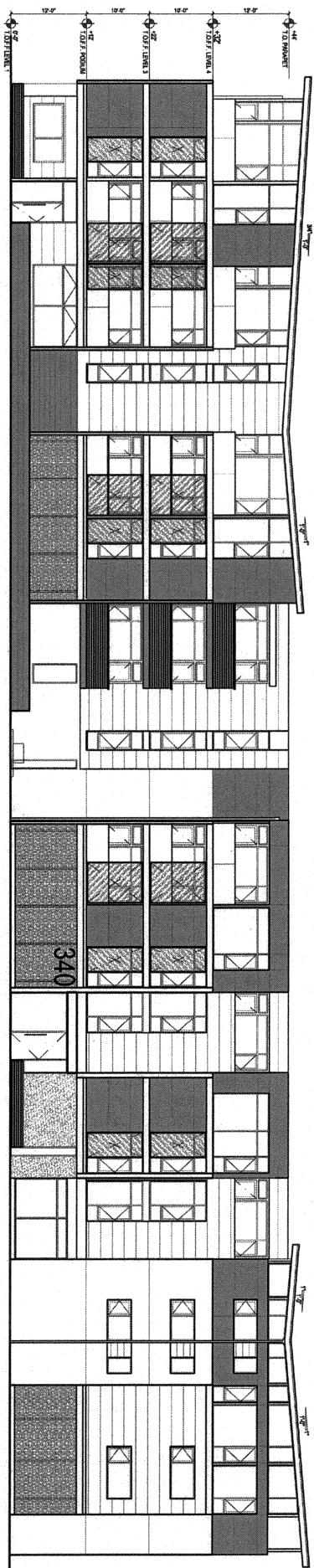
Senior Co-Housing Proposal  
340 29th Avenue Oakland, CA



**PHOENIXCOMMONS**  
 Senior Co-Housing Proposal  
 340 29th Avenue Oakland, CA







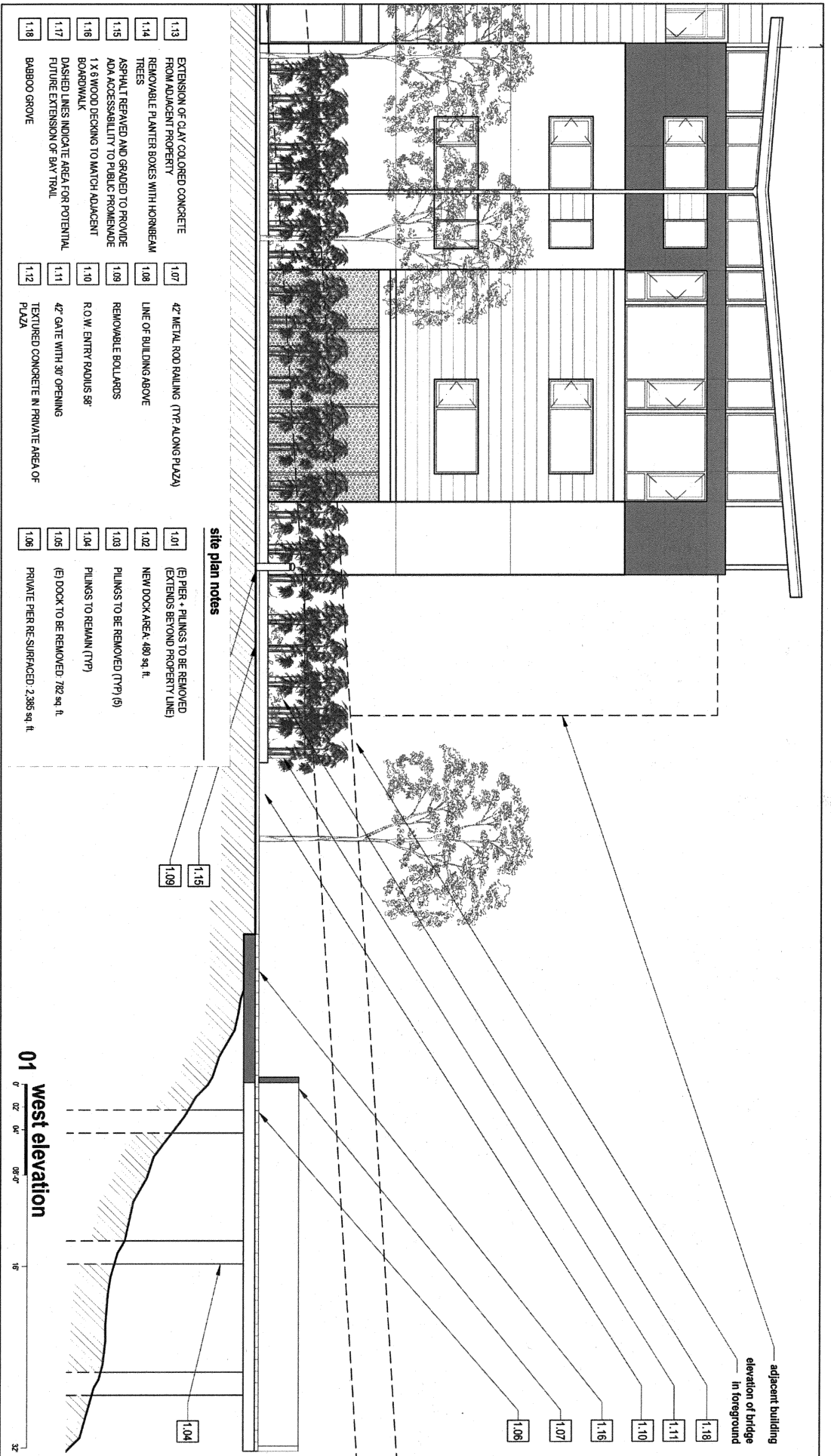
02 West elevation

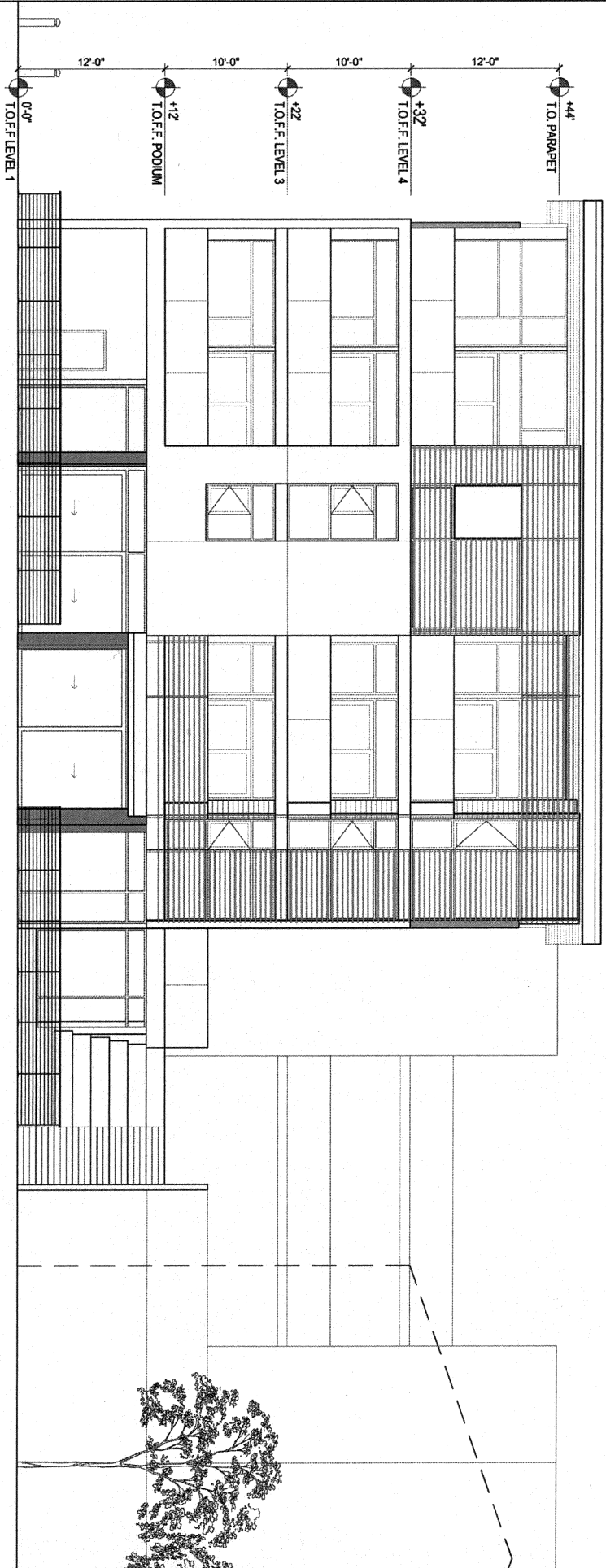
**Zimmerman + Associates**  
**Sausalito**  
 100 Cable 6 Road  
 Sausalito, CA 94965  
 Tel 415 289 0660

**Sonoma**  
 1707 Denmark St  
 Sonoma, CA 94965  
 Tel 415 289 0660

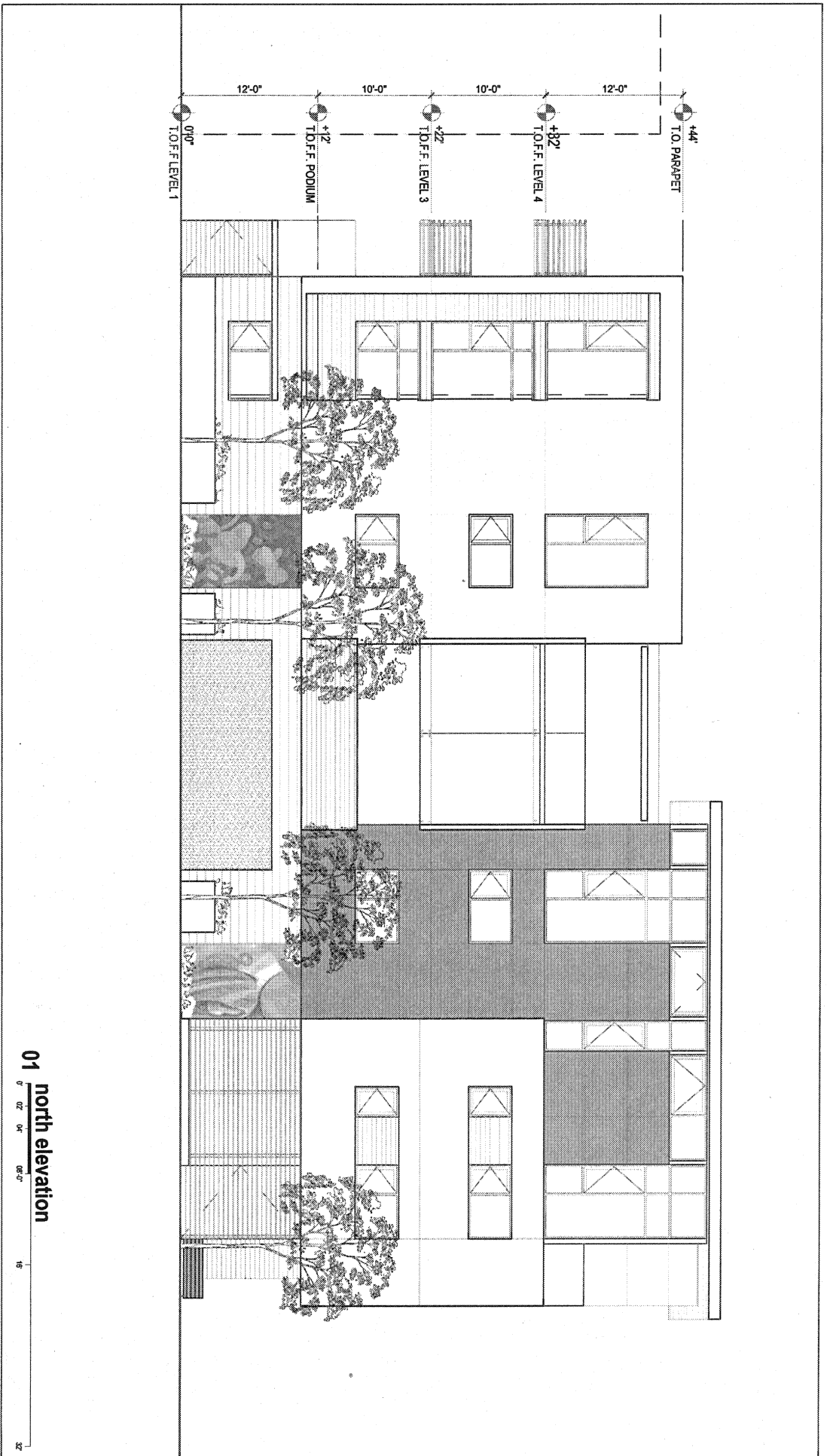
## PHOENIXCOMMONS

Senior Co-Housing Proposal  
 340 29th Avenue Oakland, CA



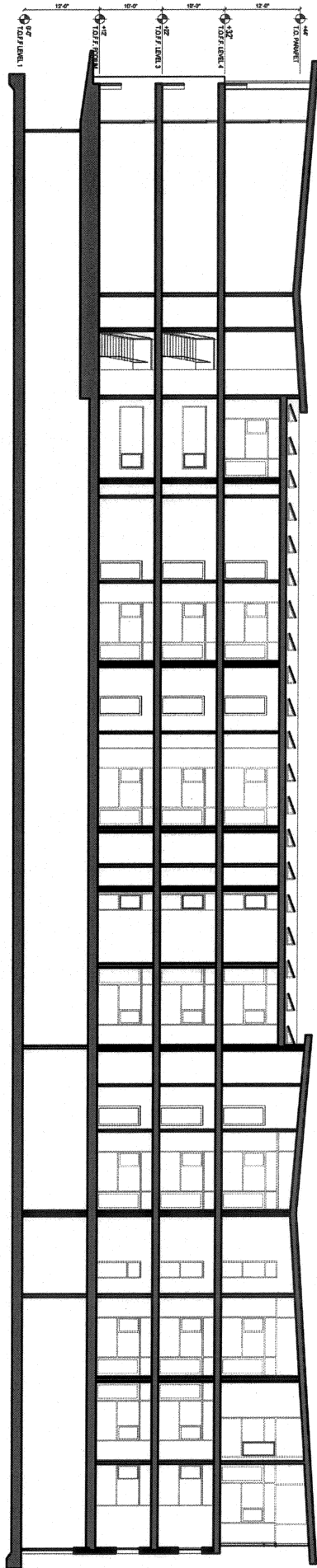


01 south elevation



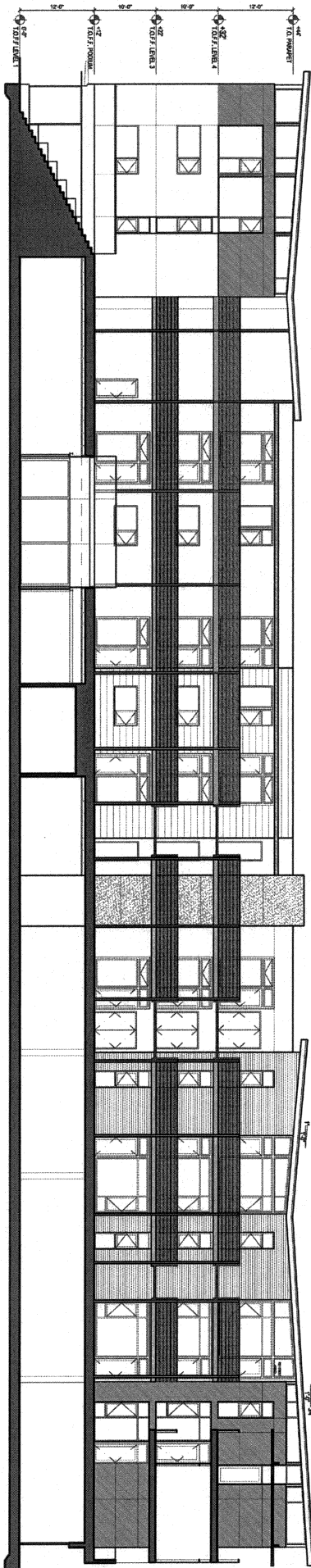






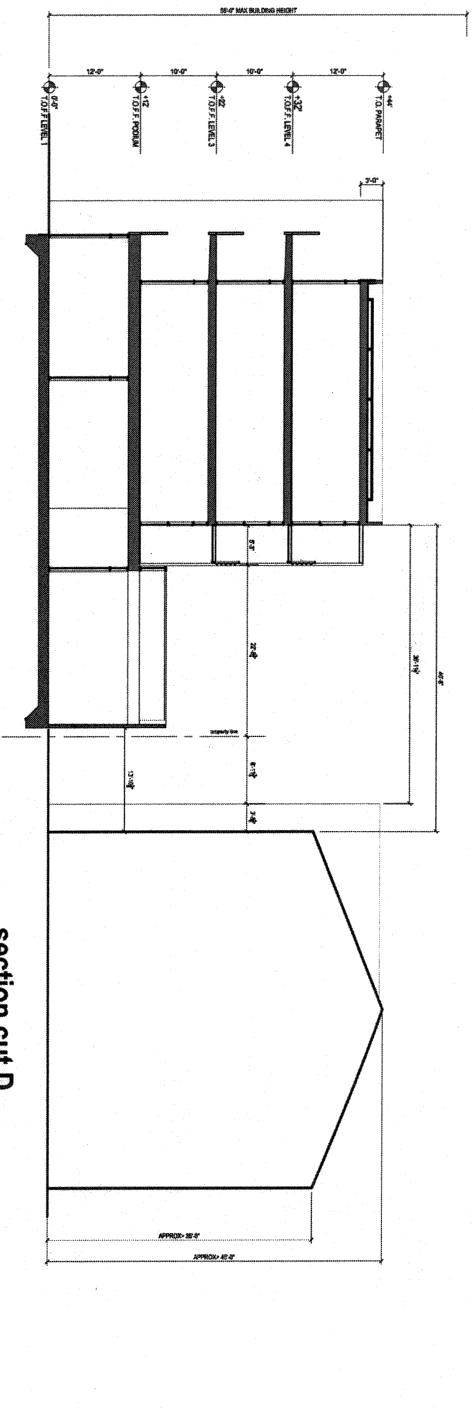
02 section cut B

0 10' 0" 20' 0" 30' 0" 40' 0"



01 section cut A

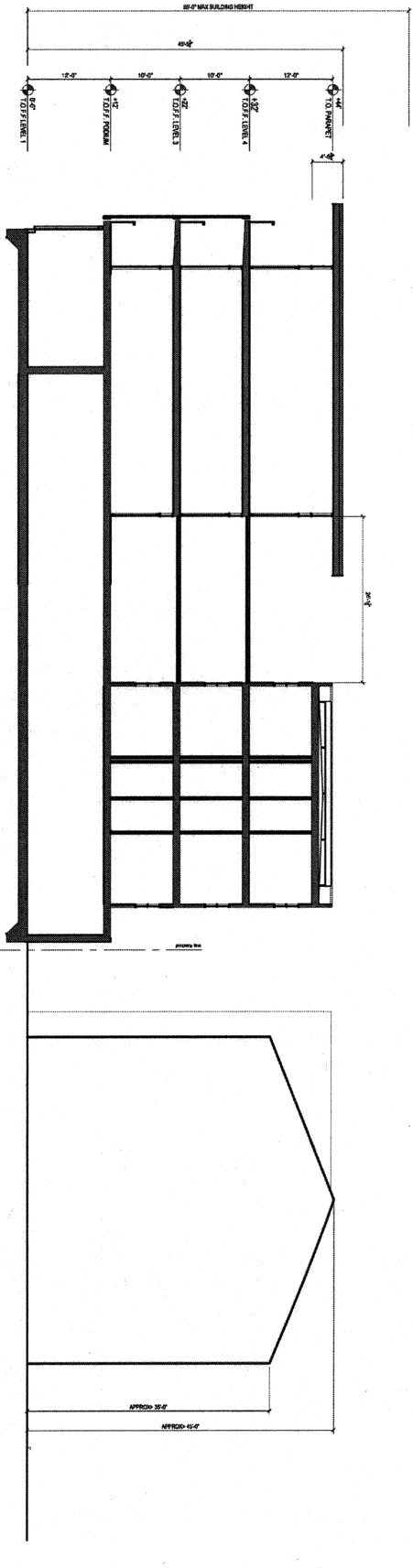
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**section cut D**

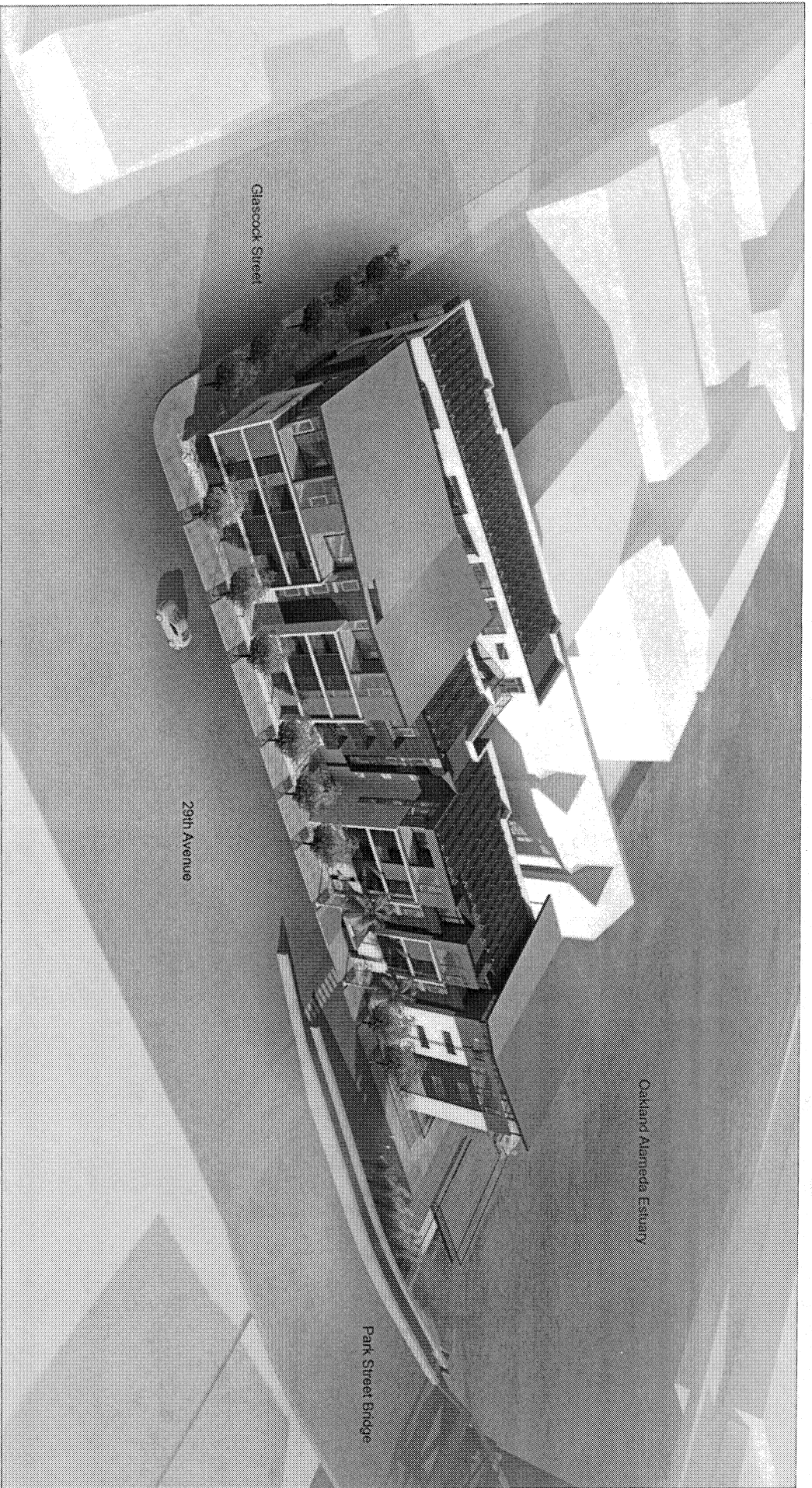
0 0.2 0.4 0.6

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**Section cut C**

01  
0  
0.2  
0.4  
16.07  
32  
64



Oakland Alameda Estuary

Park Street Bridge

Glascock Street

29th Avenue

Aerial view showing Phoenix Commons along 29th Avenue and Glascock Street

## PHOENIXCOMMONS

Senior Co-Housing Proposal  
340 29th Avenue Oakland, CA

**Zimmerman + Associates**  
**Sausalito**  
100 Calle 6 Road  
Sausalito, CA 94965  
Tel 415 286 0990  
**Sonoma**  
1707 Denmark St.  
Sonoma, CA 94965  
Tel 415 286 0990

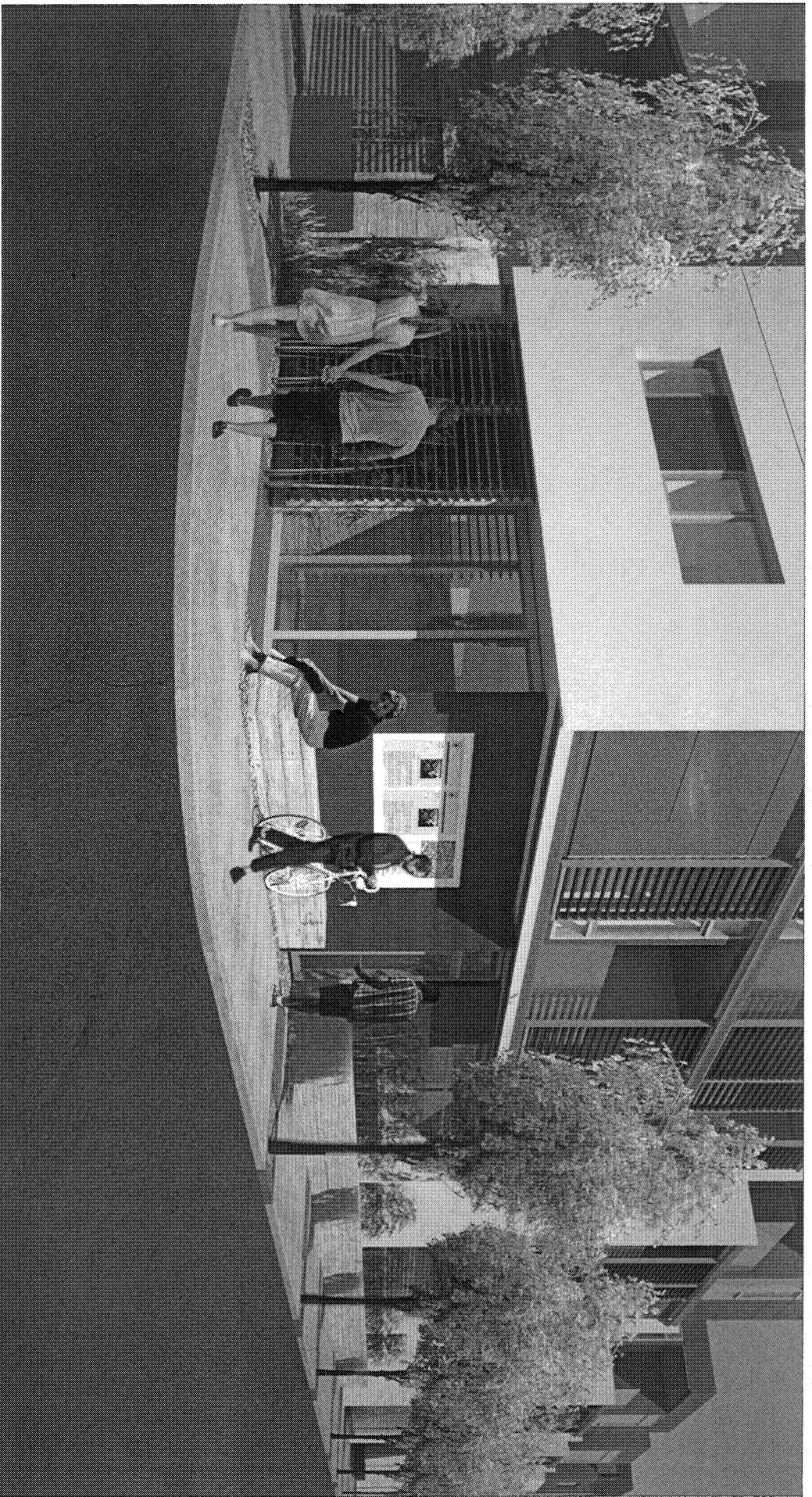




View of Phoenix Commons along 29th Avenue looking East

**Zimmerman + Associates**  
**Sausalito**  
100 Oak St  
Sausalito, CA 94965  
Tel 415 283 0990  
**Sonoma**  
1707 Denmark St  
Sonoma, CA 94965  
Tel 415 289 0990

**PHOENIXCOMMONS**  
Senior Co-Housing Proposal  
340 29th Avenue Oakland, CA



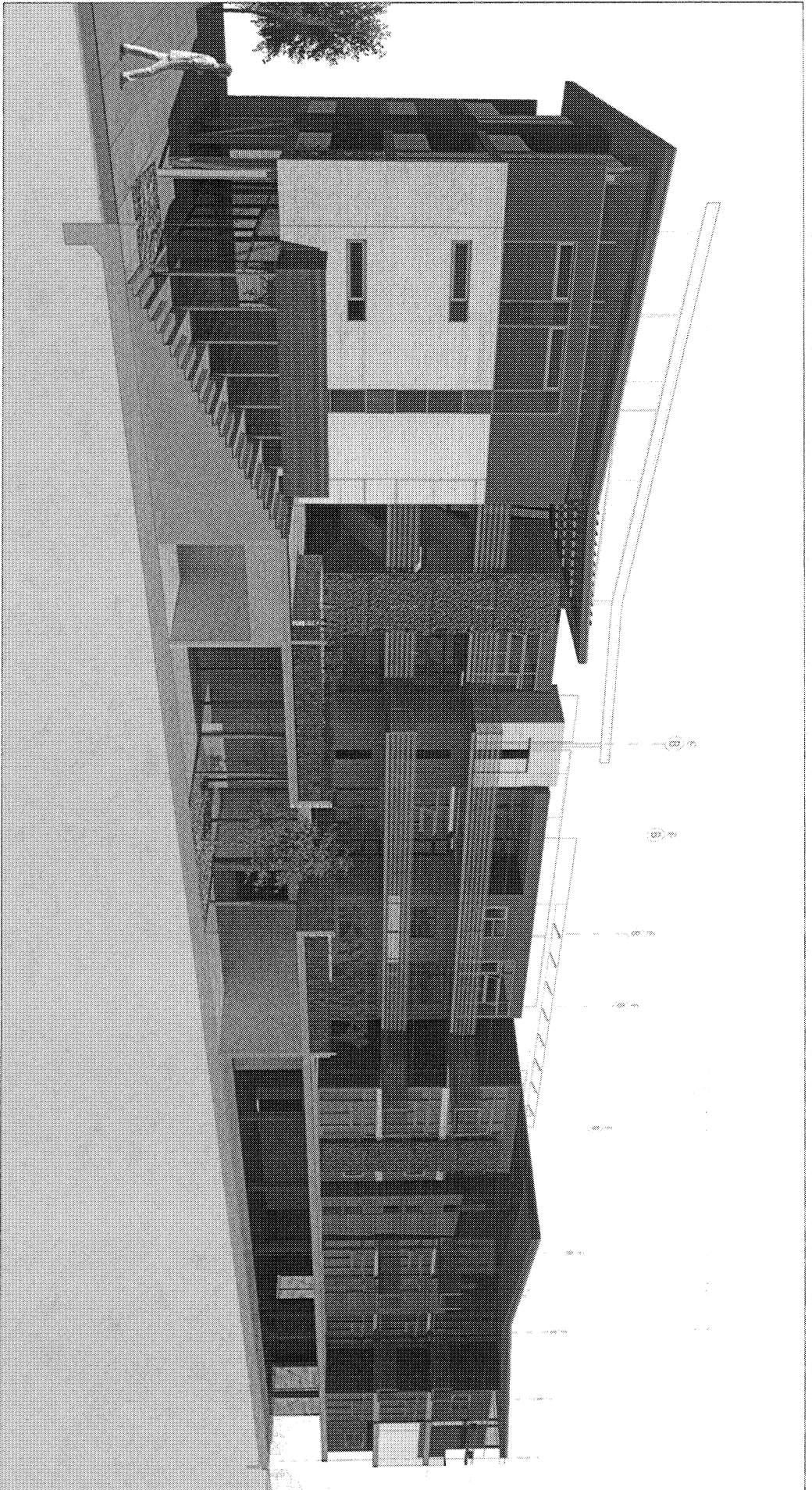
View of corner of 29th Avenue and Glascock Street showing built-in seating for bus stop and community board

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Senior Co-Housing Proposal  
340 29th Avenue Oakland, CA

**Zimmerman + Associates**  
**Sausalito** 100 Olive St. Sausalito, CA 94965 Tel 415 289 0990  
**Sonoma** 1707 Drinnin St. Sonoma, CA 94965 Tel 415 289 0960



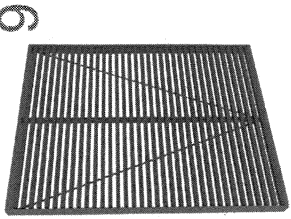


Cross-section of building through courtyard

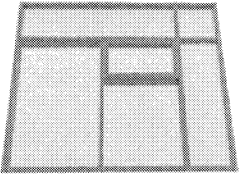
**Zimmerman + Associates**  
**Sausalito**  
 100 Glen E. Hall  
 Sausalito, CA 94965  
 Tel 415 289 0290

**Sonoma**  
 1707 Denmark St  
 Sonoma, CA 94965  
 Tel 415 289 0580

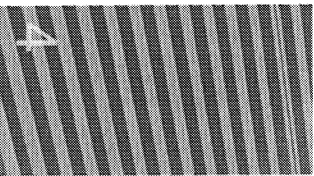
**PHOENIXCOMMONS**  
 Senior Co-Housing Proposal  
 340 29th Avenue Oakland, CA



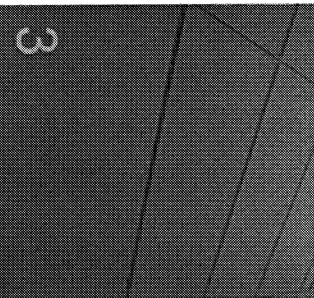
6  
Wood-louvered Repositionable  
Shading Screens



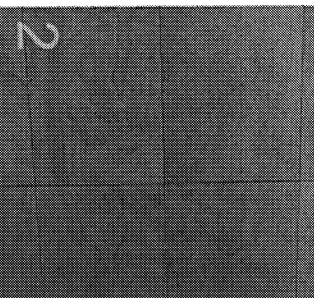
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Clear Anodized  
Aluminum Windows



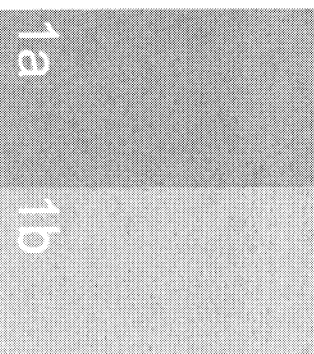
4  
Centria Corrugated  
Metal Siding



3  
Hardie Panel Reveal System



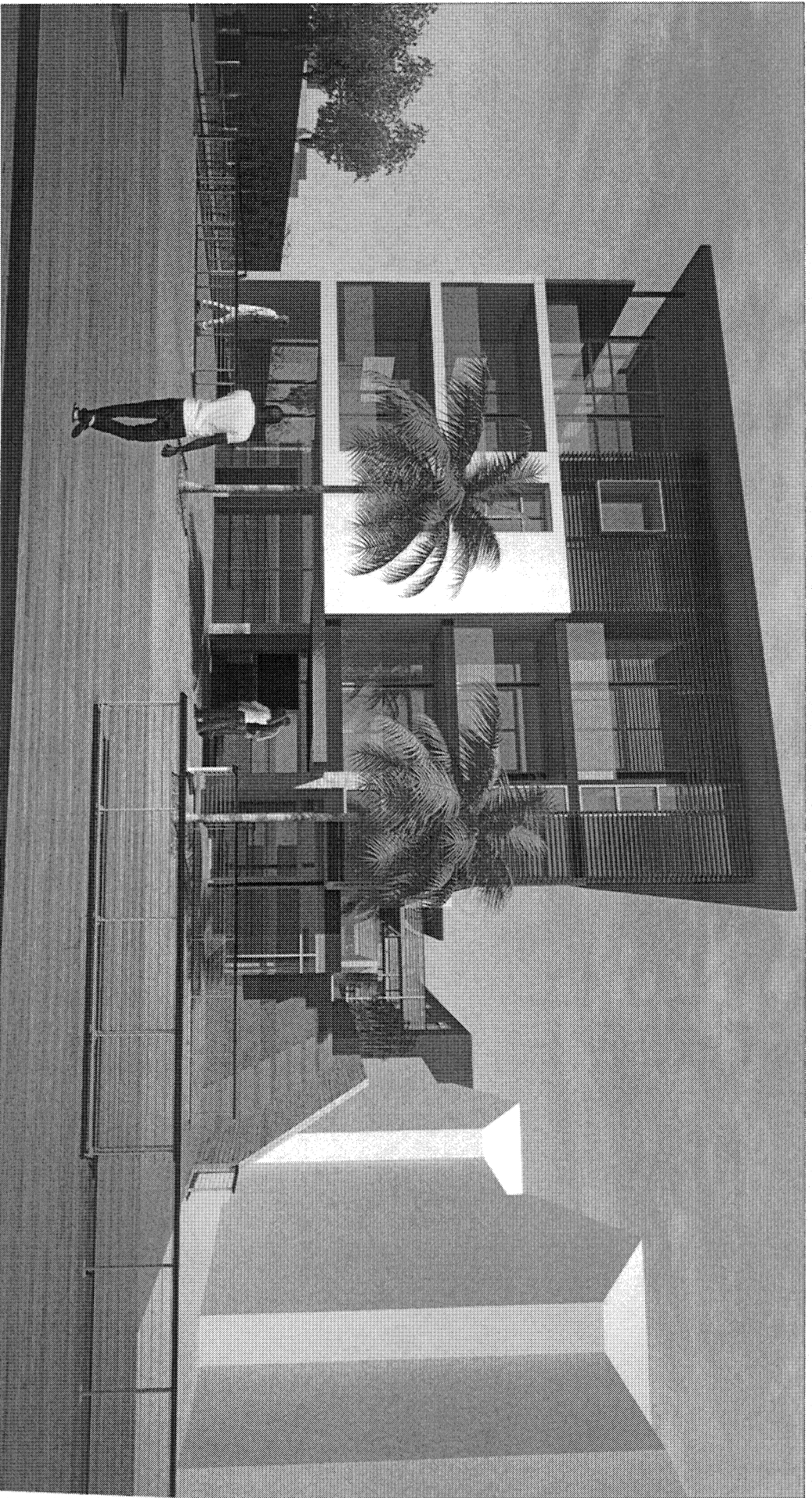
2  
Proforma Wood Laminated Panels



1a 1b  
Smooth Three-coat Stucco Finish

West elevation showing proposed material palette





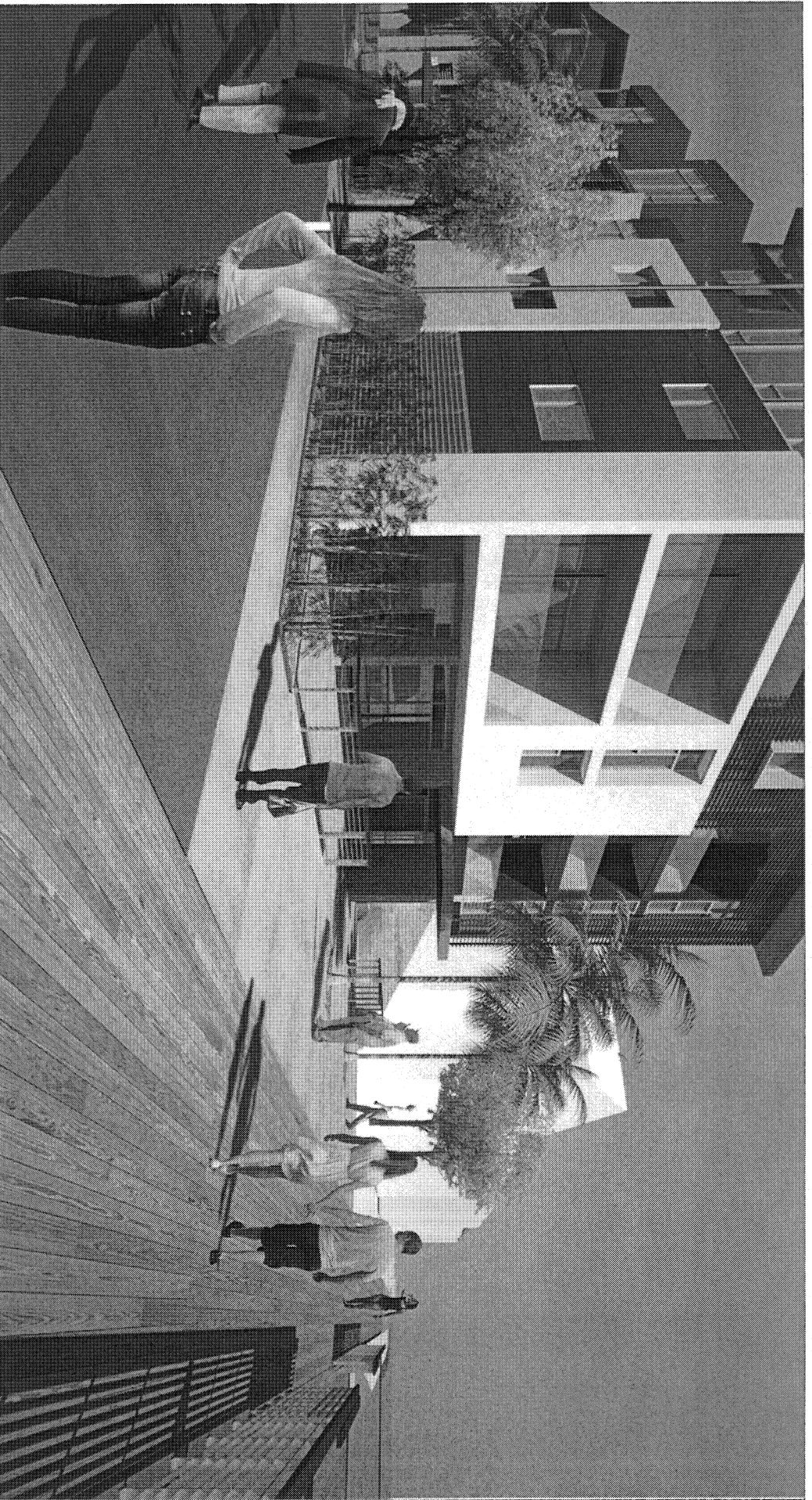
South Elevation with public promenade and private plaza fronting Phoenix Commons community area

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Senior Co-Housing Proposal  
340 29th Avenue Oakland, CA

**Zimmerman + Associates**  
**Sausalito**  
100 Oak 6 Road  
Sausalito, CA 94965  
Tel 415 289 0990

**Sonoma**  
1707 Denmark St  
Sonoma, CA 94966  
Tel 415 289 0990



View of public promenade experience along estuary, showing private pier and plaza fronting Phoenix Commons

## PHOENIXCOMMONS

Senior Co-Housing Proposal  
340 29th Avenue Oakland, CA

**Zimmerman + Associates**  
**Sausalito**  
100 Chieftain Road  
Sausalito, CA 94965  
Tel 415.289.0990

**Sonoma**  
1707 Denmark St.  
Sonoma, CA 94965  
Tel 415.289.0990



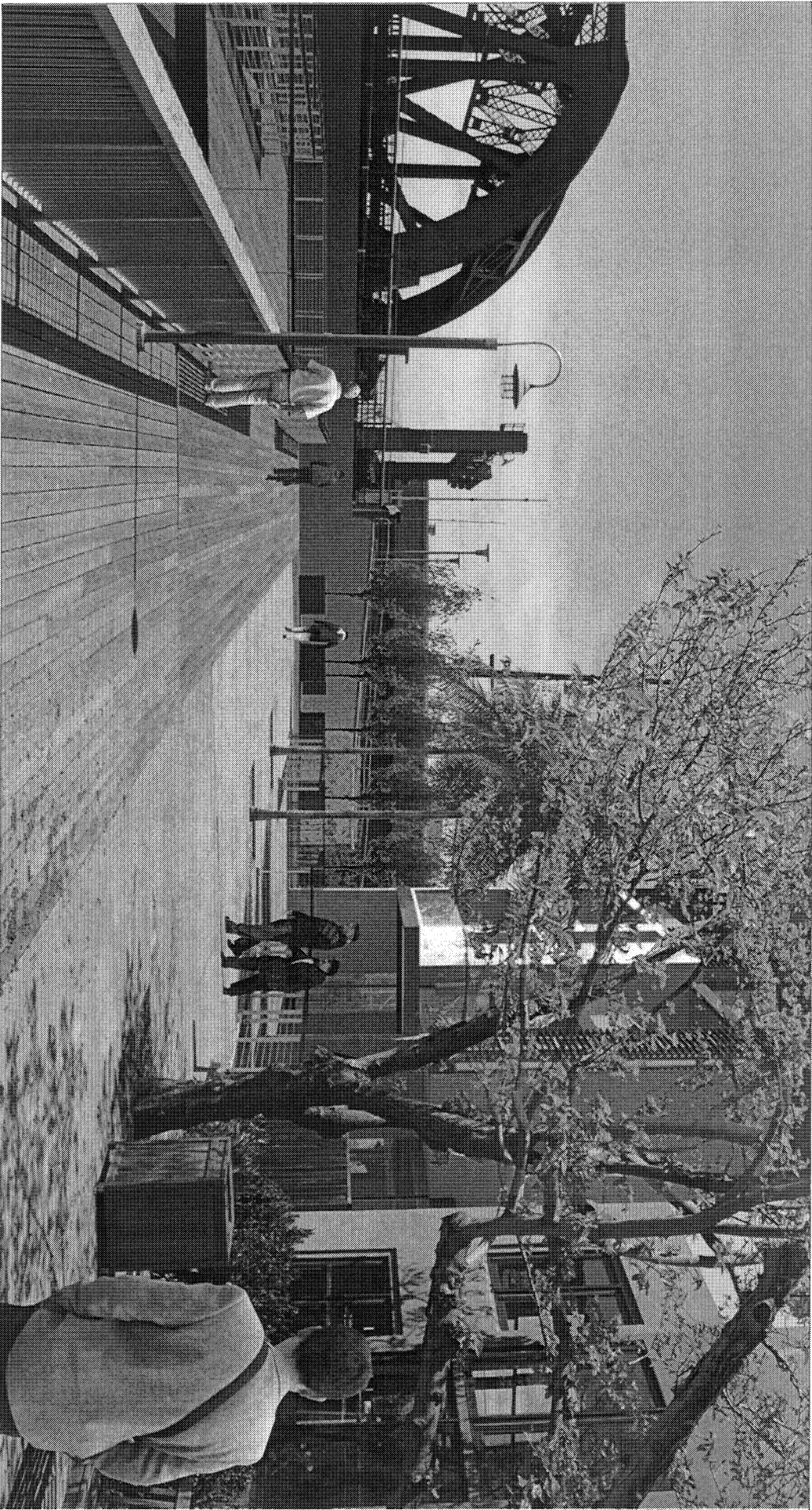


View of public promenade and pier from estuary showing South elevation of Phoenix Commons building

## PHOENIXCOMMONS

Senior Co-Housing Proposal  
340 29th Avenue Oakland, CA

**Zimmerman + Associates**  
**Sausalito** 1000 Sausalito Blvd  
 Sausalito, CA 94965  
 Tel 415.286.0990  
**Sonoma** 1707 De La Cruz St  
 Sonoma, CA 94966  
 Tel 415.286.0990



View of public promenade looking West towards Park Street Bridge

**Zimmerman + Associates**  
**Sausalito**  
100 State Street  
Sausalito, CA 94965  
Tel 415.289.7990  
**Sacramento**  
1707 J Street  
Sacramento, CA 95811  
Tel 415.289.0550

**PHOENIXCOMMONS**  
Senior Co-Housing Proposal  
340 29th Avenue Oakland, CA



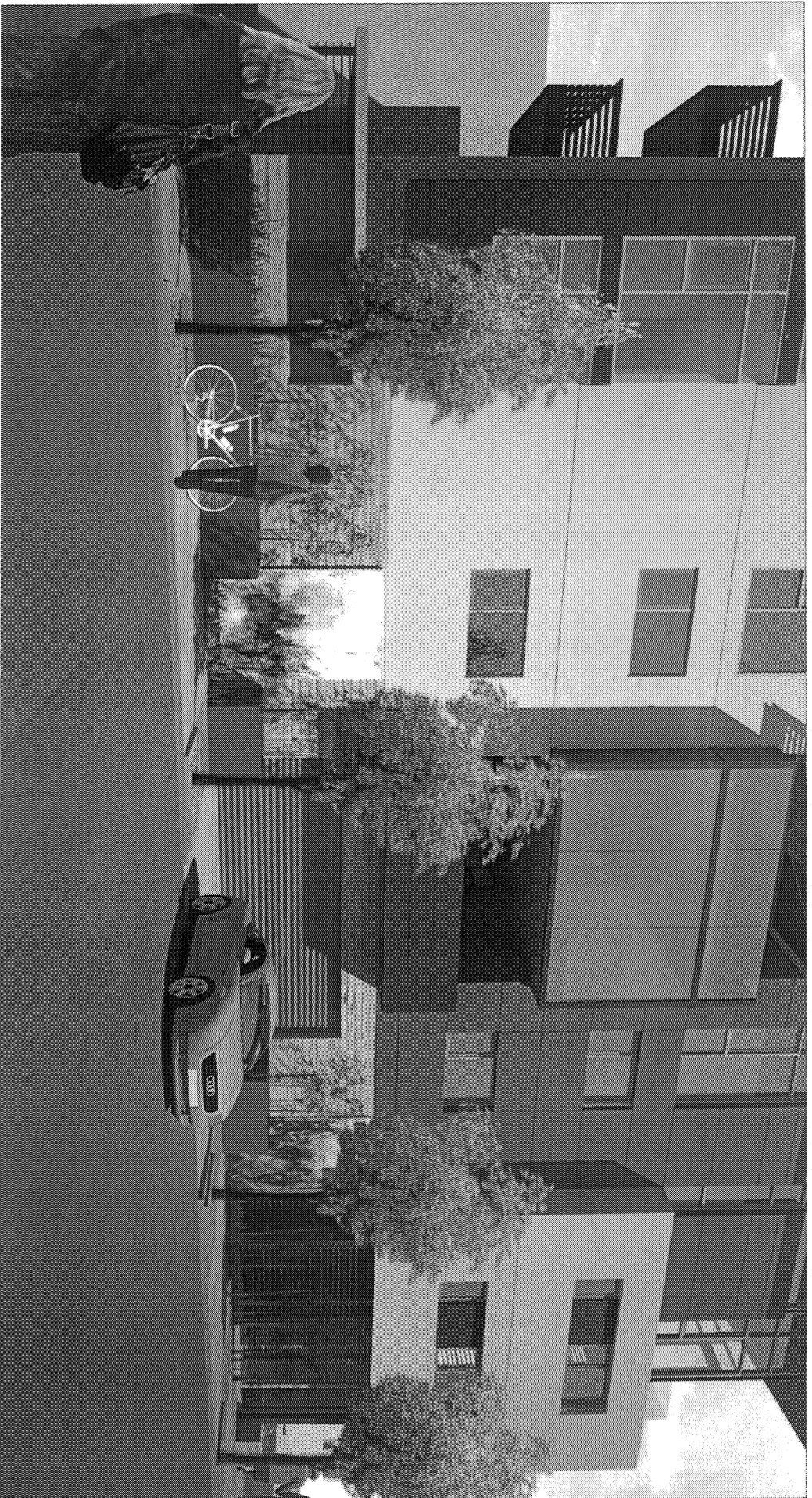


View of public entry experience along 29th Avenue frontage road

**Zimmerman + Associates**  
**Sausalito**  
 100 Green Road  
 Sausalito, CA 94965  
 Tel 415.286.0930

**Sonoma**  
 1707 Drake St  
 Sonoma, CA 94966  
 Tel 415.286.0930

**PHOENIXCOMMONS**  
 Senior Co-Housing Proposal  
 340 29th Avenue Oakland, CA



View of street experience with art canvases along Glascock Street

**Zimmerman + Associates**  
**Sausalito**  
 100 Gale 6 Road  
 Sausalito, CA 94965  
 Tel 415 289 0990

**Sonoma**  
 1707 Denmark St.  
 Sonoma, CA 94965  
 Tel 415 289 0990

## PHOENIXCOMMONS

Senior Co-Housing Proposal  
 340 29th Avenue Oakland, CA





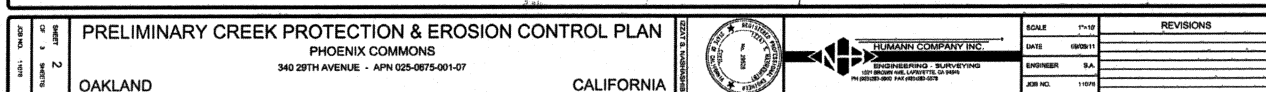
View of resident entry into garage along Glascock Street

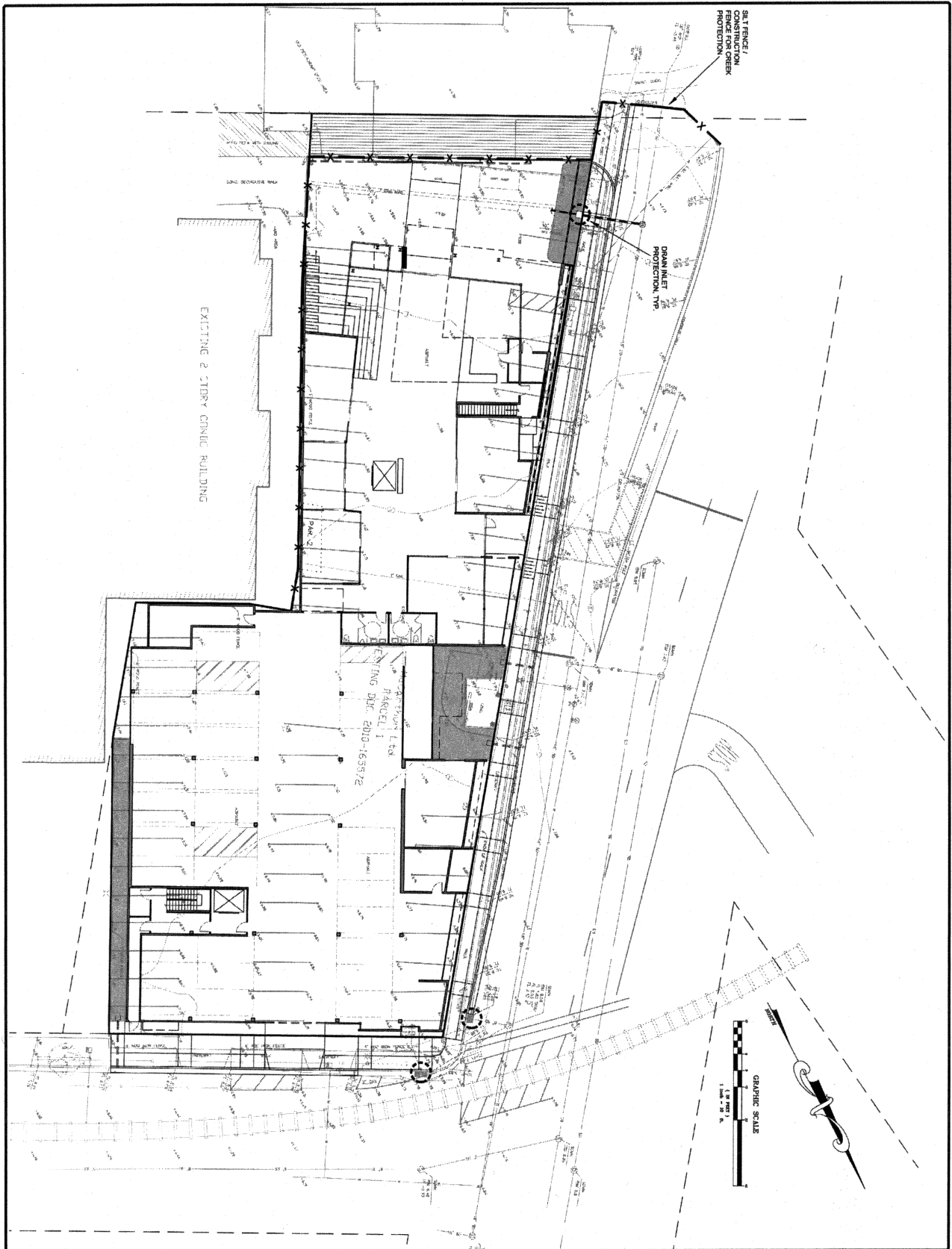
**Zimmerman + Associates**  
**Sausalito**  
 100 Gable Road  
 Sausalito, CA 94965  
 Tel 415 289 0290


**Sonoma**  
 1707 Denmark St  
 Sonoma, CA 94965  
 Tel 415 289 0580

**PHOENIXCOMMONS**  
 Senior Co-Housing Proposal  
 340 29th Avenue Oakland, CA

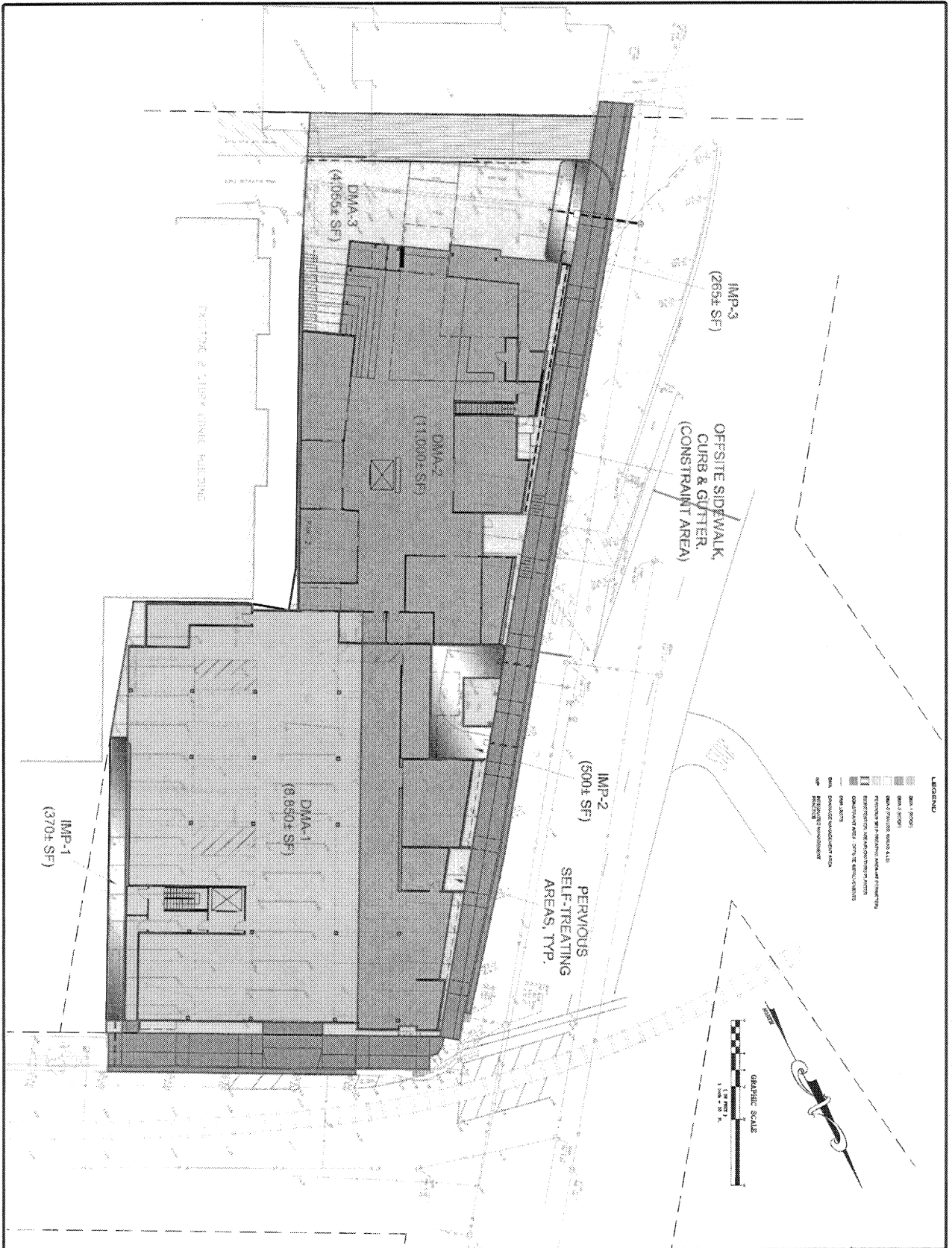






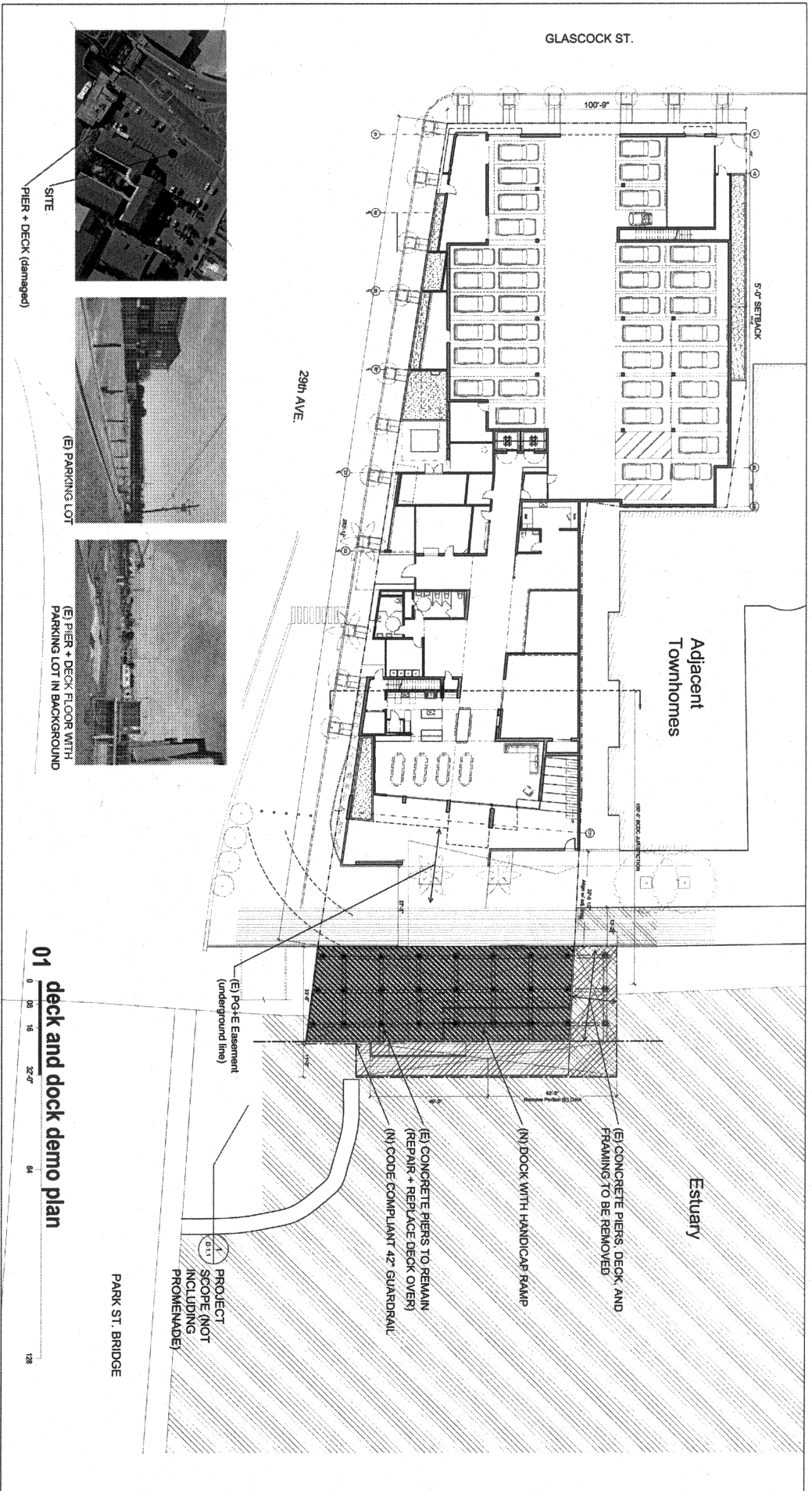
SHEET 2 OF 3 SHEETS		JOB NO. 1505		PRELIMINARY CREEK PROTECTION & EROSION CONTROL PLAN PHOENIX COMMONS 340 29TH AVENUE - APN 025-0675-001-07 OAKLAND CALIFORNIA				HUMANN COMPANY INC. ENGINEERING - SURVEYING 101 BRUSH WAY, SUITE 200 OAKLAND, CA 94612 PH (415) 762-1000 FAX (415) 762-1001	SCALE 1"=10'	DATE 08/08/11	ENGINEER S.A.	JOB NO. 1505	REVISIONS

C2.0



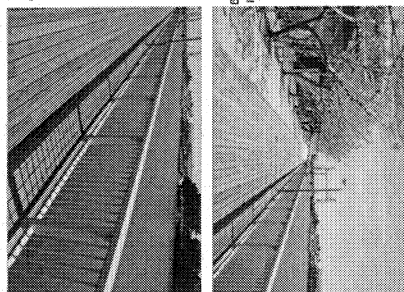
<b>PRELIMINARY C3 STORMWATER CONTROL PLAN</b> PHOENIX COMMONS 340 29TH AVENUE - APN 025-0875-001-07		OAKLAND CALIFORNIA	HARMONY COMPANY INC. 1000 10TH AVENUE, SUITE 100 OAKLAND, CA 94612 (415) 778-1000 WWW.HARMONYCOMPANY.COM	SCALE: 1" = 10' 0" DATE: 08/01/11 ENGINEER: SA CHECKED: V	<b>REVISIONS</b> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>08/01/11</td> <td>ISSUED FOR PERMIT</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	1	08/01/11	ISSUED FOR PERMIT
NO.	DATE	DESCRIPTION									
1	08/01/11	ISSUED FOR PERMIT									

C3.0

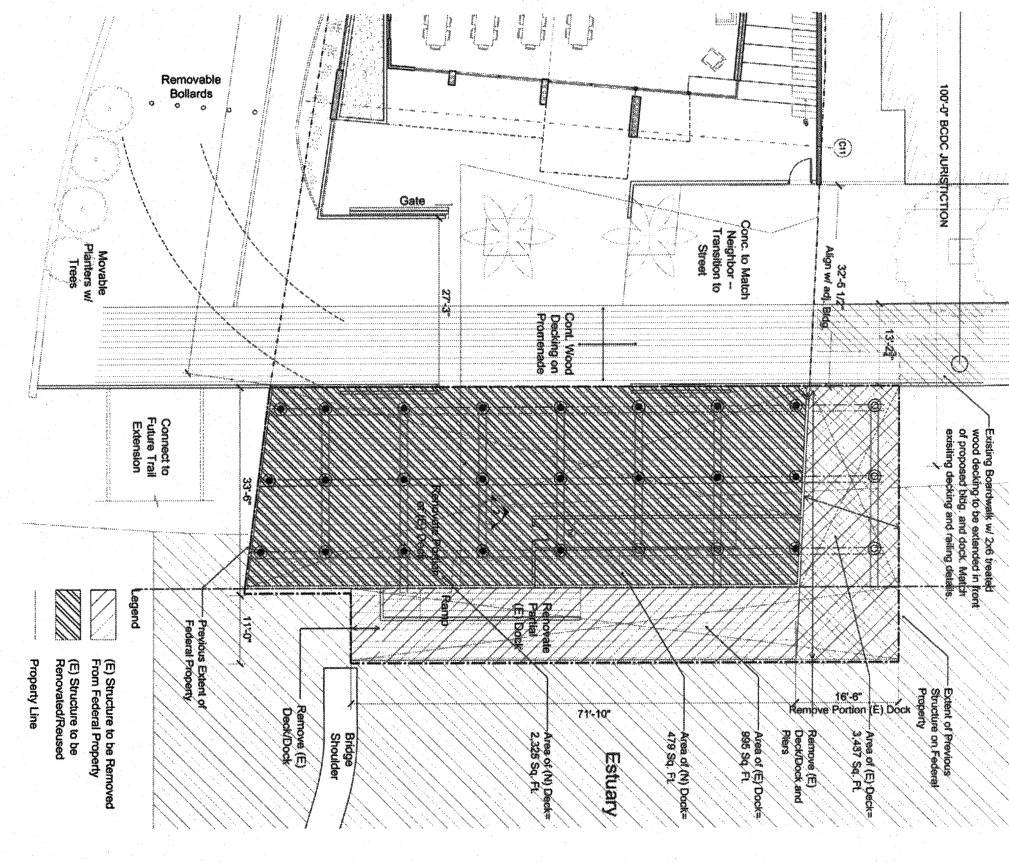
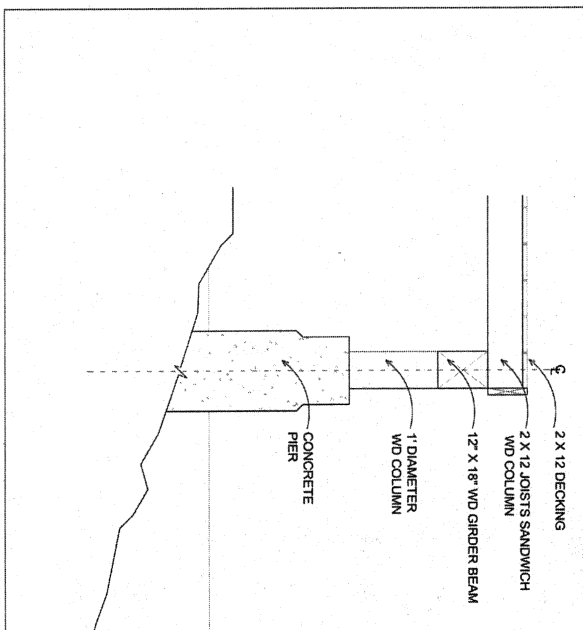


**Notes:**

1. Install a Floating Containment Boom Around the Shoreline Piling Area.
  2. Conduct All Demolition Activities Inside That Containment Boom. Remove Any Debris That Goes in the Water Immediately and Ensure There is No Debris Activity Outside the Containment Area.
  3. All Demolition Activity is Scheduled to Take Place on the Physical Shoreline of the Very Minor Demolition of Some Parts of the Existing Waterfront.
- Pulling the Material Onto the Site with Only Very Minor Activity Over the Water.













Photos of existing boardwalk and railing on adjacent property NE of proposed building and dock.



















### Enlarged Pier Demo Plan and Pier Section Detail

# PROPOSED PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
	<b>STREET TREES</b>			
	SYAGRUS ROMANZOFFIANA	QUEEN PALM	20' BTX	AS SHOWN
	CARPINUS BETULUS FASTIGIATA	UPRIGHT HORNHEAM	36" BOX	AS SHOWN
	<b>TALL SCREEN SHRUBS</b>			
	RAMBUSIA MULTIFLEX 'ALPHEONSE KARR'	NCN	5 GAL	AS SHOWN
	PHOTTINIA FRASERI	FRASERS PHOTTINIA	5 GAL	AS SHOWN
	<b>MEDIUM INFILL SHRUBS</b>			
	MAHONIA AQUIFOLIUM	OREGON GRAPE	5 GAL	AS SHOWN
	STRELITZIA REGINALD	BIRD OF PARADISE	5 GAL	AS SHOWN
	PHORMIUM DAZZLER	NEW ZEALAND FLAX	5 GAL	AS SHOWN

## PROPOSED PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
	<b>LOW SHRUBS</b>			
	HEMEROCALLIS spp	DAYLILIES	5 GAL	AS SHOWN
	MAHONIA AQUIFOLIUM COMPACTA	COMPACT OREGON GRAPE	5 GAL	AS SHOWN
	DIETES ROOT OR	PORTRIGHT LILY	5 GAL	AS SHOWN
	BERBERIS THUNBERGII CRIMSON PYMAT	JAPANESE BARBERRY	5 GAL	AS SHOWN
	ERIOGON KARWINSKIANUS	FLERABANE	5 GAL	AS SHOWN
	<b>ATRIUM PLANTS &amp; GRASSES</b>			
	ASPARAGUS DENSIFLORUS	MEYER ASPARAGUS	5 GAL	AS SHOWN
	ASPIDISTRA ELATIOR	CAST IRON PLANT	3 GAL	AS SHOWN
	OPHIOPOGON JAPONICUS	MOTHER FERN	3 GAL	AS SHOWN
	NEPHROLEPIS CORDIFOLIA	MONDO GRASS	1 GAL	AS SHOWN
	<b>VINES</b>			
	DISTICTIS BUCCINATORIA	BLOOD RED TRUMPET VINE	5 GAL	AS SHOWN
	HARDENBERGIA VIOACEA HAPPY WANDERER	NCN	5 GAL	AS SHOWN
	<b>INFILTRATION PLANTERS</b>			
	PLANTS SHALL COMPLY WITH BAASMA REQUIREMENTS			





## PROPOSED PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
<b>ATRIUM PLANTS &amp; GRASSES</b>				
☼	ASPARAGUS DENSIFLORUS	MEYER ASPARAGUS	3 GAL	AS SHOWN
☼	ASPIDISTRA ELATOR	CAST IRON PLANT	3 GAL	AS SHOWN
☼	ASPLENIUM BUTRIFERUM	MOTHER FERN	3 GAL	AS SHOWN
☼	OPHIPOGON JAPONICUS	MONDO GRASS	1 GAL	AS SHOWN
☼	PHORMIUM TENAX 'DAZZLER'	NEW ZEALAND FLAX	3 GAL	AS SHOWN

## PODIUM AMENITIES

- DECORATIVE GLASS MULCH
- WOOD DECK PAVERS ON PEDESTALS
- COLD ROLLED STEEL PLANTERS FOR RESIDENTS' GARDENS
- CONCRETE PAVING
- BENCH SEATING

01 podium floor planting

0 04 08 16'-0" 32 64

N

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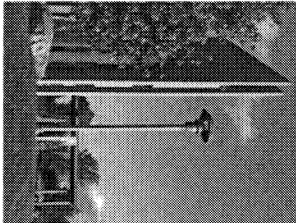


COLD ROLLED STEEL

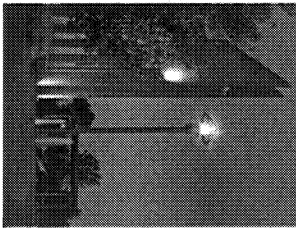
**PODIUM PLANTERS**  
[mossnrb.com](http://mossnrb.com)  
[beckwith.com](http://beckwith.com)  
[mofgrah.com](http://mofgrah.com)



**GLASS MULCH**  
[thegardenofglass.com](http://thegardenofglass.com)  
[americanpopulartypes.com](http://americanpopulartypes.com)

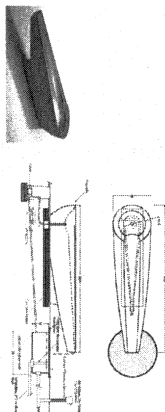


**CANDELA SERIES  
 LIGHT STANDARDS**  
[lumec.com](http://lumec.com)

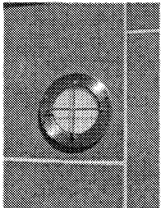


CURVED WATER WALL - BLUE GRAY GRANITE

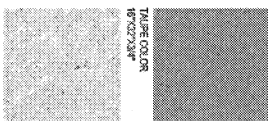
**ATRIUM GARDEN FOUNTAIN - ALT 3**  
[stoneforest.com](http://stoneforest.com)



**ATRIUM GARDEN FOUNTAIN - ALT 1**  
[borstudios.com](http://borstudios.com)



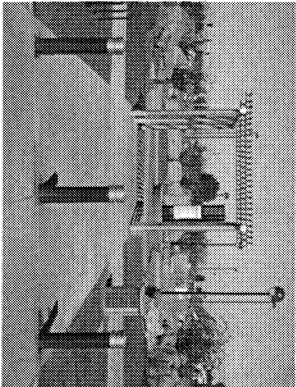
**RECESSED WALL LIGHT  
 STAINLESS STEEL WITH GUMBO  
 WALL LIGHTS**  
[begr-us.com](http://begr-us.com)



**CONCRETE PAVERS**  
[concrete-collaborative.com](http://concrete-collaborative.com)



**WATER HOLE FOUNTAIN  
 ATRIUM GARDEN FOUNTAIN - ALT 2**  
[stoneforest.com](http://stoneforest.com)

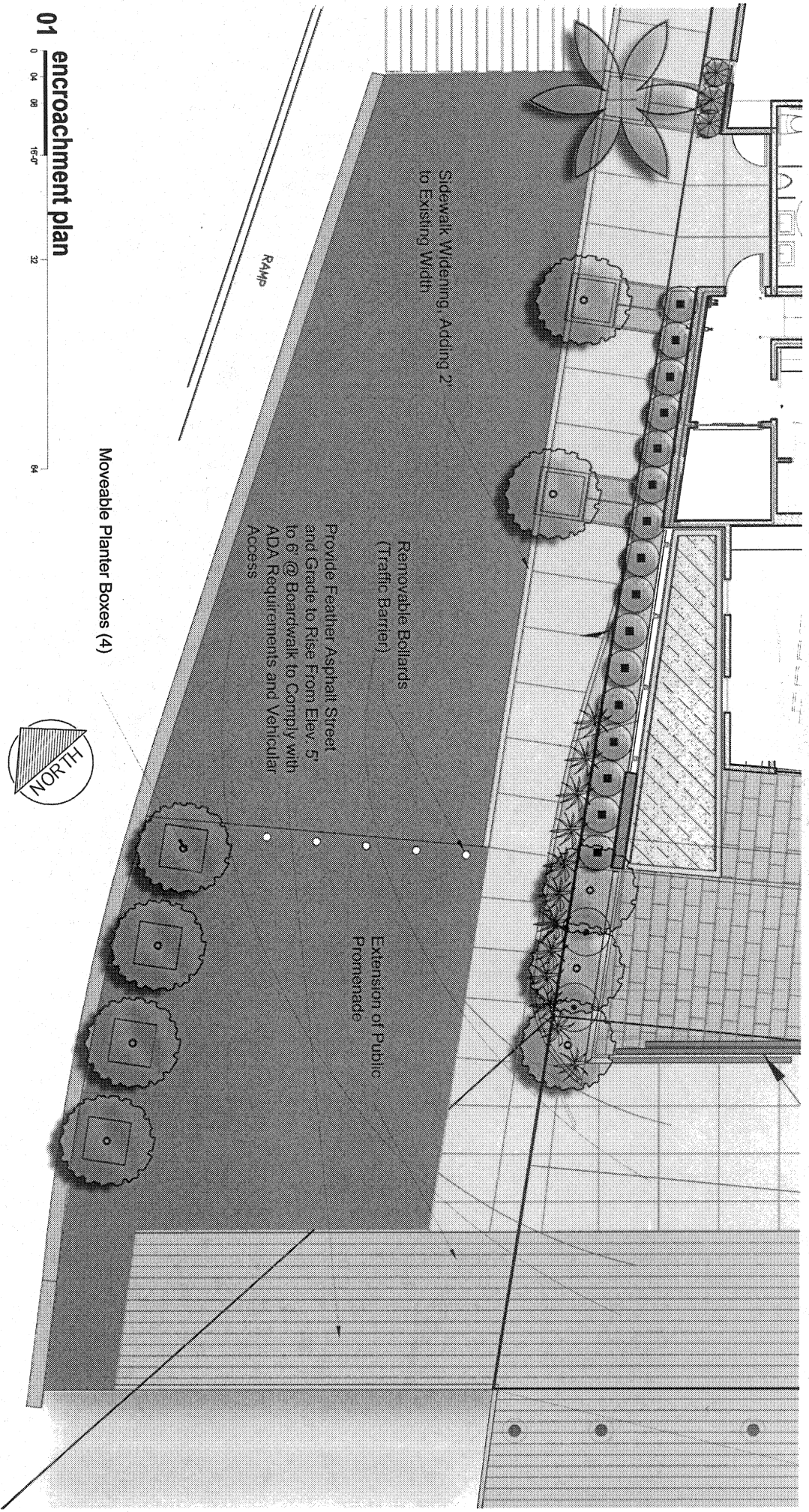


**ALT 2 FOUNTAIN WITH  
 STAINLESS STEEL CAP**

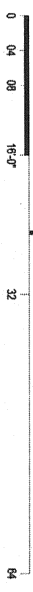
materials list

**PHOENIXCOMMONS**  
 Senior Co-Housing Proposal  
 340 29th Avenue Oakland, CA

**LANDARC**  
 Associates, Inc.  
[www.landarcassociates.com](http://www.landarcassociates.com)  
 1102 7th Avenue, Suite 218  
 San Francisco, CA 94133  
 415.778.1300  
 415.778.1303  
 3707 Market Road  
 San Francisco, CA 94118  
 415.778.1300  
 415.778.1303



**01 encroachment plan**



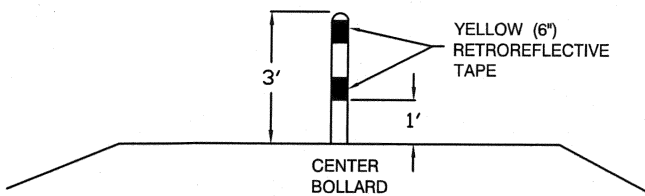
**Zimmerman + Associates**  
**Alameda**  
 1721 Webster Street  
 Suite A  
 Alameda, CA 94501  
 Tel 510.746.8413  
 Fax 510.746.8414

**Sausalito**  
 1717 Bonmark Street  
 Sausalito, CA 94965  
 Tel 707.823.8442  
 Fax 707.823.8474

**PHOENIXCOMMONS**  
 Senior Co-Housing Proposal  
 340 29th Avenue Oakland, CA

# CENTER BOLLARD

## SECTION VIEW



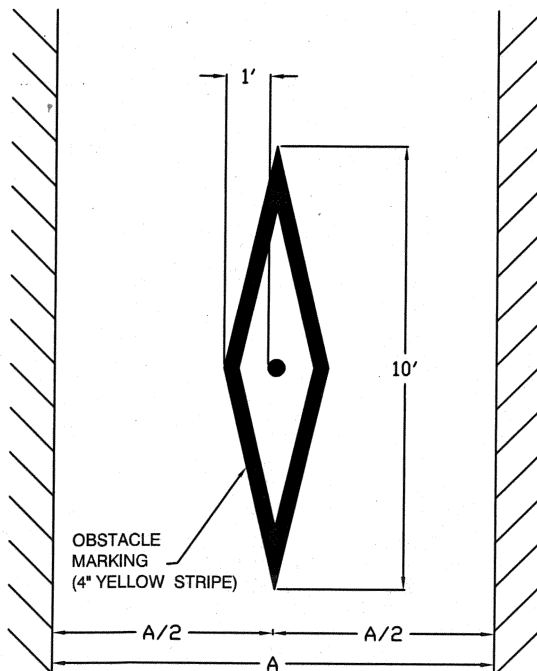
### NOTE:

**MUTCD Section 9C.101(CA) Barrier Posts on Class I Bikeways**

**Support:** Before a decision is made to install barrier posts, consideration needs to be given to the implementation of other remedial measures, such as Bike Path Exclusion (R44A(CA)) signs (see Section 9B.07) and/or redesigning the path entry so that motorists do not confuse it with vehicle access.

**Guidance:** Such devices should be used only where extreme problems are encountered.

## PLAN VIEW



### Oakland Standard:

1. Avoid the use of bollards wherever possible.
2. When deemed necessary, a center bollard shall be located in the middle of path and delineated by yellow (6") retroreflective tape at the top and midpoint of the bollard and by a yellow (4") obstacle marking stripe around the base of the bollard.
3. When additional bollards are deemed necessary, flanking bollards shall be placed in line with the center bollard and perpendicular to the direction of travel. The bollards shall be spaced with a minimum 5' clearance between bollards and all other vertical elements. Each flanking bollard shall be delineated by white (6") retroreflective tape at the top and midpoint of each bollard and by a white (4") obstacle marking stripe around the base of the bollard. See Dwg. X-2.
4. Removable bollards shall have a mount point that is flush with the travel surface.

CITY OF OAKLAND

DEPARTMENT OF ENGINEERING AND CONSTRUCTION



**BOLLARD PLACEMENT AND MARKINGS**  
FOR BICYCLE AND PEDESTRIAN PATHS

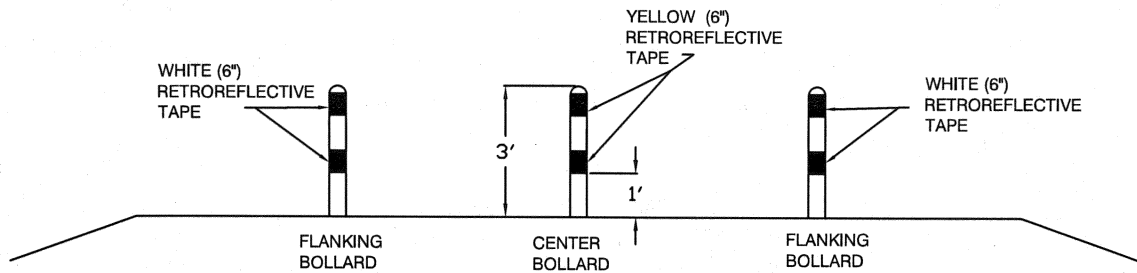
DATE: APRIL 2009

DWG.

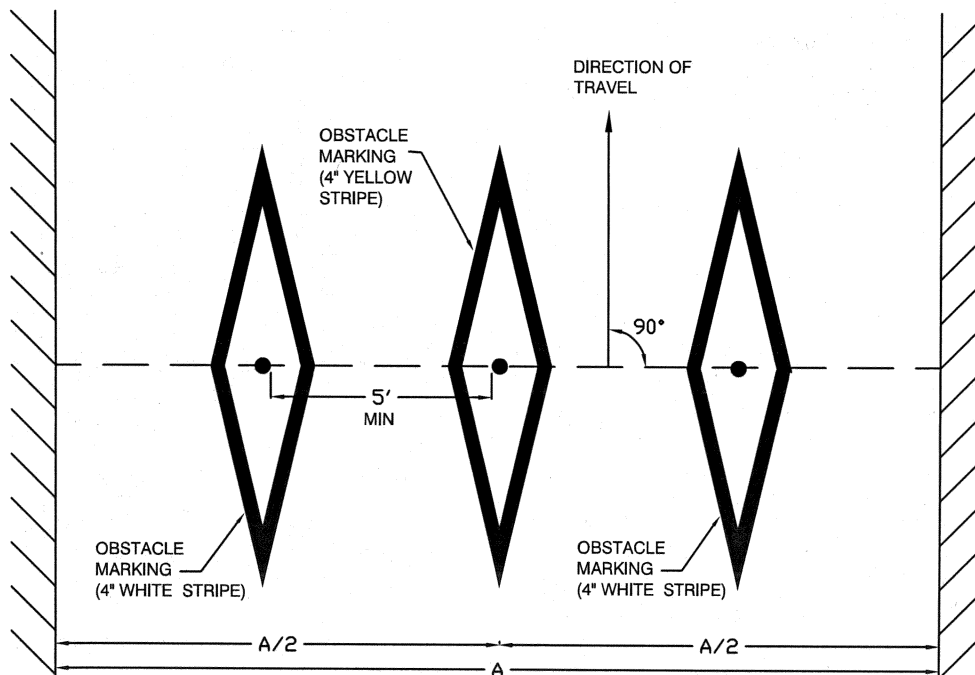
**ATTACHMENT B**

# CENTER BOLLARD WITH FLANKING BOLLARDS

## SECTION VIEW



## PLAN VIEW



CITY OF OAKLAND

DEPARTMENT OF ENGINEERING AND CONSTRUCTION



**BOLLARD PLACEMENT AND MARKINGS**  
FOR BICYCLE AND PEDESTRIAN PATHS

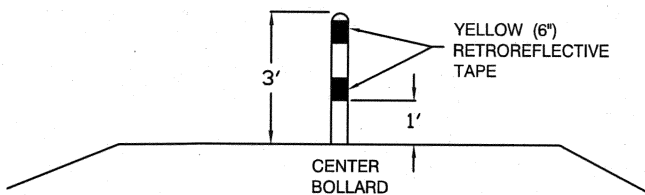
DATE: APRIL 2009  
REV. DATE: \_\_\_\_\_

DWG.  
**X-2**



# CENTER BOLLARD

## SECTION VIEW



**NOTE:**  
MUTCD Section 9C.101(CA) Barrier Posts on Class I Bikeways

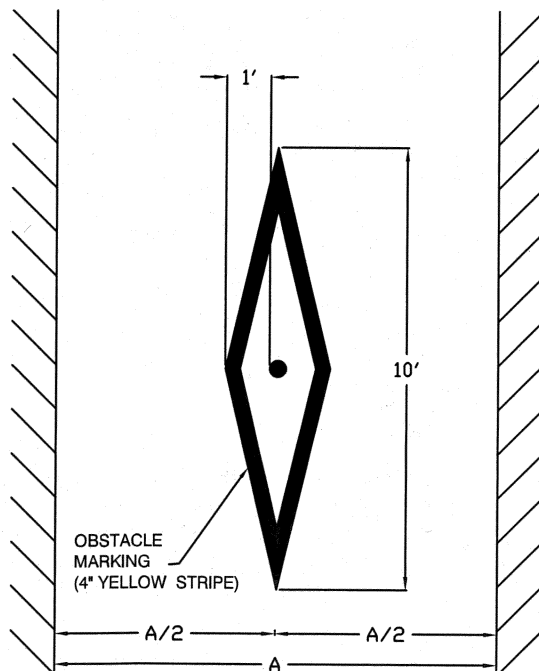
**Support:** Before a decision is made to install barrier posts, consideration needs to be given to the implementation of other remedial measures, such as Bike Path Exclusion (R44A(CA)) signs (see Section 9B.07) and/or redesigning the path entry so that motorists do not confuse it with vehicle access.

**Guidance:** Such devices should be used only where extreme problems are encountered.

### Oakland Standard:

1. Avoid the use of bollards wherever possible.
2. When deemed necessary, a center bollard shall be located in the middle of path and delineated by yellow (6") retroreflective tape at the top and midpoint of the bollard and by a yellow (4") obstacle marking stripe around the base of the bollard.
3. When additional bollards are deemed necessary, flanking bollards shall be placed in line with the center bollard and perpendicular to the direction of travel. The bollards shall be spaced with a minimum 5' clearance between bollards and all other vertical elements. Each flanking bollard shall be delineated by white (6") retroreflective tape at the top and midpoint of each bollard and by a white (4") obstacle marking stripe around the base of the bollard. See Dwg. X-2.
4. Removable bollards shall have a mount point that is flush with the travel surface.

## PLAN VIEW



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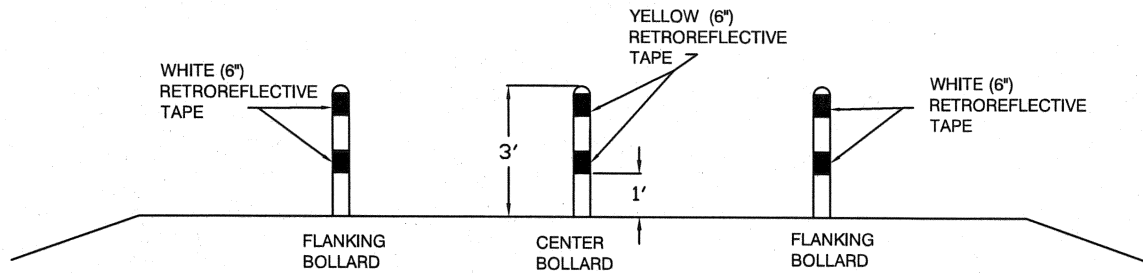
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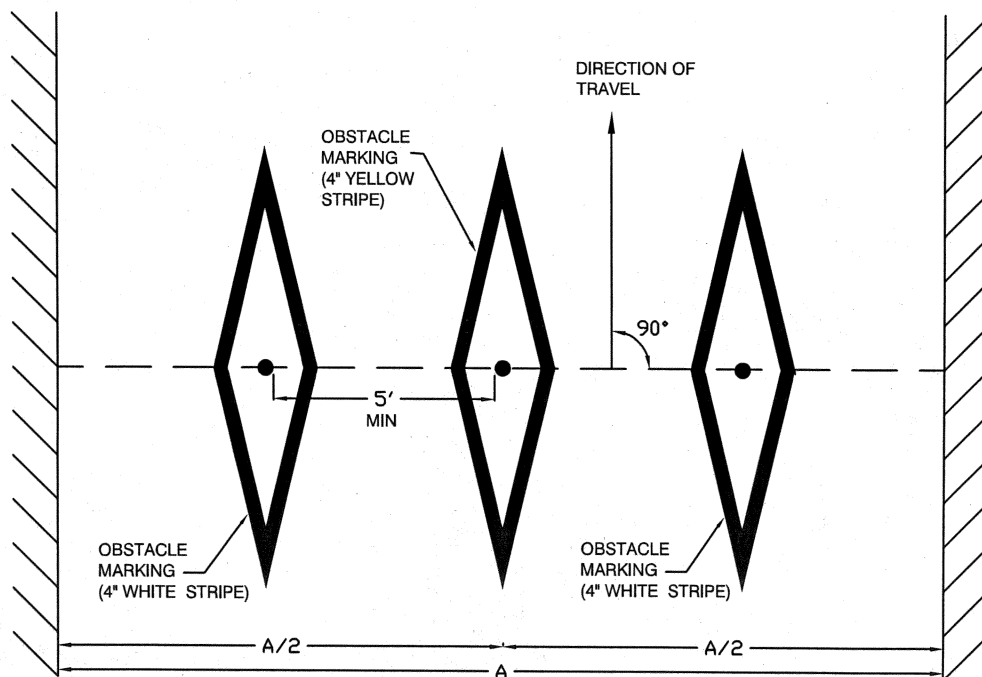
ATTACHMENT B

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## SECTION VIEW



## PLAN VIEW



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X-2