

Location:	9500 Stearns Avenue, Bishop O'Dowd High School
Assessors Parcel Numbers:	043A -4755-001-09
Proposal:	Expansion of Bishop O'Dowd High School to create a new 3,687 square-foot one story classroom and support service building (Establishment of a Center for Environmental Studies) including grading and new landscaping.
Applicant:	Dan Malmgren
Owner:	Roman Catholic Welfare Corporation of Oakland
Case File Number	CMD12-100 T1200030
General Plan:	Institutional
Zoning:	Detached Unit Residential Zone-1
Environmental Determination:	Exempt, Section 15314, State CEQA Guidelines, Minor Additions to Schools. Exempt, Section 15183 of the State CEQA Guidelines: Projects consistent with a community plan, general plan or zoning.
Historic Status:	Not a Potentially Designated Historic Property (PDHP); No survey rating
Service Delivery District:	6
City Council District:	7
Finality of Decision	Appealable to the City Council within 10 days
Date Filed:	June 25, 2012
Staff recommendation:	Decision based on staff report
For further information:	Contact case planner Moe Hackett, 238-3973 or mhackett@oaklandnet.com

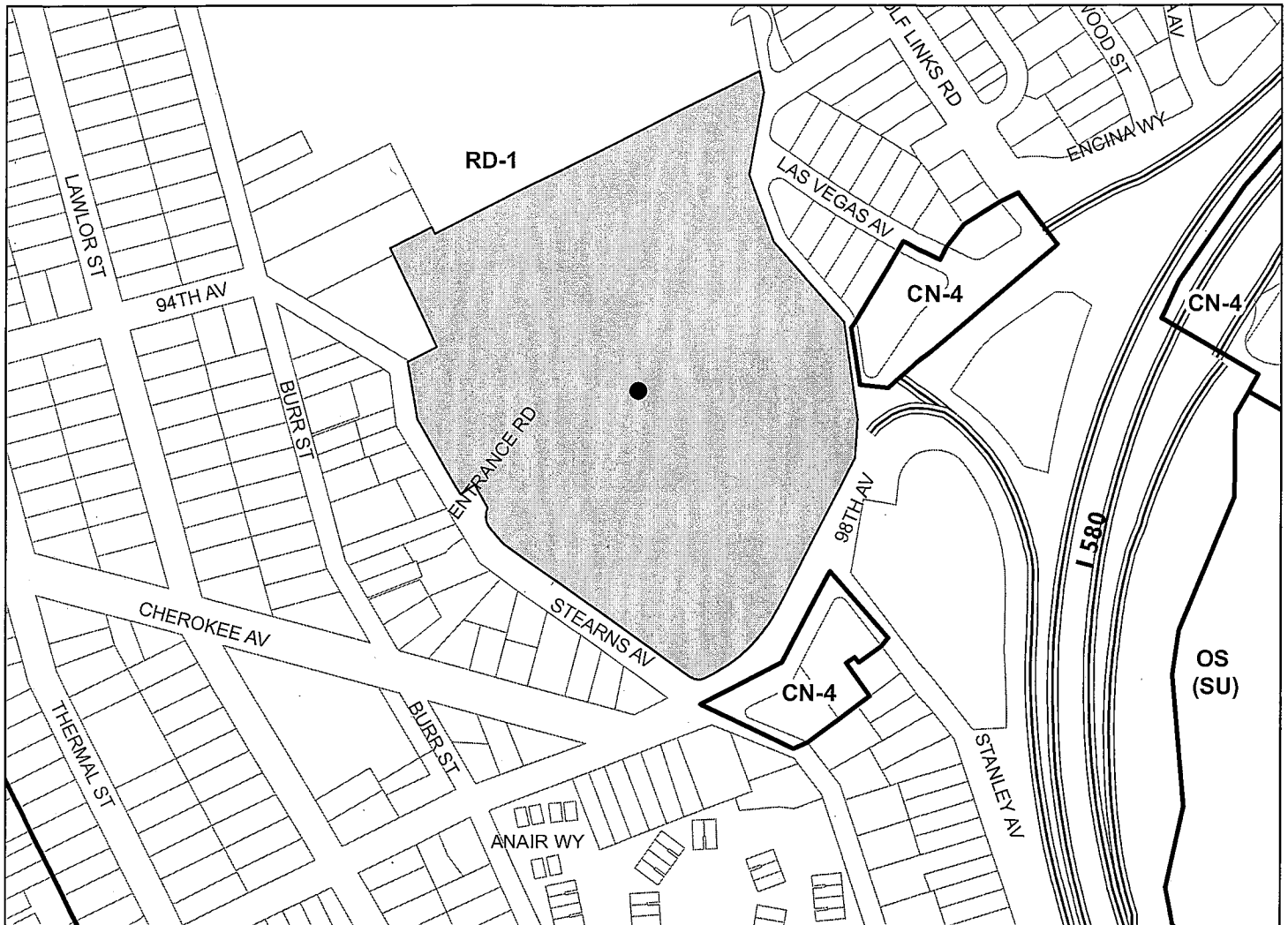
SUMMARY

Dan Malmgren on behalf of Bishop O'Dowd High School has submitted an application for a Major Conditional Use Permit and Regular Design Review to allow for the expansion of the existing High School to create a new 3,687 square-foot Center for Environmental Studies (A free standing one story classroom and support service building near the north west corner of the high School campus). The expansion will not increase the existing number of students attending the school.

A Major Conditional Use Permit is required due to the provisions set forth in a previous Zoning case (CM70-193) requiring review by the Planning Commission for any changes or expansion of the approved facility or activity.

The existing hillside abuts what is currently an automotive maneuvering aisle at the rear of a two story classroom structure. The proposal will remove 14 parking spaces (not required) and will not significantly alter the current configuration of the automotive maneuvering lane. The site (Bishop O'Dowd High School) is located near residences to the south, north and west, small commercial uses along the 98th Avenue corridor, and open space to the east across I-580. Staff recommends approval of the project subject to the plans and attached conditions.

CITY OF OAKLAND PLANNING COMMISSION



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Case File: CMD12-100 & T12-00030
Applicant: Dan Malmgern, Bishop O'Dowd High School
Address: 9500 Stearns Avenue
Zone: RD-1

PROJECT DESCRIPTION

Bishop O'Dowd High School is proposing to create a new 3,687 square-foot Center for Environmental Studies. The structure will consist of a free standing one story classroom and support service building. The building is sited on land recently acquired by Bishop O'Dowd High School from East Bay Municipal Water District (EBMUD), and is to be re-graded to allow for a flat building pad. No soil is proposed to be removed from the site. The immediate area adjacent to the proposed building will be re-landscaped with predominantly native species of trees and shrubs. There are currently no structures on the bluff where this development is proposed except an existing water storage reservoir owned by EBMUD. The use is compatible to and compliments the existing Community Education (high School) use by providing two additional laboratory classrooms that are designed specifically for environmental science course study utilizing direct access to the outdoor 'Living Laboratory' area.

PROPERTY DESCRIPTION

The existing school is located in a developed area of the City of Oakland, containing a mix of residential uses and resource conservation areas. The project site is immediately abutted by school buildings, school parking lots, and vacant land to the north and west (the area to the west is used by the high school as an existing ecological study site (Also known as the living lab). The nearest residential structures (Single family dwellings at 9330 Burr Street and 9505 Stearns) are located approximately 332 and 321 feet away respectively.

GENERAL PLAN ANALYSIS

This project is located in the Institutional General Plan classification. This General Plan classification is in conformance with regards to Community Education activities as well as Community Assembly Civic activities. The intent of this classification is to allow for an appropriate educational or other institutional facility. This particular use would enhance the existing high school by expanding its potential curriculums.

ZONING ANALYSIS

The proposed use as a Center for Environmental Studies is a minor structural expansion to allow for class room and open space (named the "Living Laboratory"). These activities are consistent with the conditioned allowance for Community Education Civic Activity (17.10.180; (C) Public, parochial, and private high schools).

The site is located in the RD-1 Detached Unit Residential Zone-1 (Section 17.15). The previously stated Civic Activities are allowed in this zoning district upon the granting of a Conditional Use Permit pursuant to Section 17.15.040, Conditionally Permitted Activities and 17.134.050. A Major Conditional Use Permit is required for this project due to the provisions set forth in a previous Zoning case (CM70-193) requiring review by the Planning Commission for any changes to or expansion of the existing facility or activity at Bishop O'Dowd High School.

The proposal will also require a Regular Design Review for additions and alterations in the form of a new structure, associated grading, landscaping, and the alteration of the north parking drive (Section 17.16.030 required design review process). The general Conditional Use Permit and Non-Residential Design Review findings of Sections 17.134.050 and 17.136.070(b) must be made in order to approve the proposed project.

ENVIRONMENTAL DETERMINATION

This proposal is consistent with the California Environmental Quality Act Article 19, Categorical Exemption 15314, Minor Additions to Schools. The proposal does not add more than 10 classrooms (the proposal adds a total of two (2) new classrooms and associated facilities), or increase the total student capacity by more than 25% (the proposal would not add any new students to the school). Moreover, the use (Community Education) will remain the same as it has always been. The only change in the activity is the addition of an environmental course curriculum and dedicated facilities for this use.

KEY ISSUES AND IMPACTS**Parking**

The existing school has 335 parking spaces where 153 spaces total are required by Code. Zoning Code Section 17.116.070(C) is as follows:

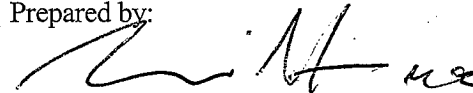
Community Education (High School) requires one (1) space for each three employees plus one space for each 10 students of planned capacity. Bishop O'Dowd High School currently has 1,130 students enrolled (with no proposal for change) generating a parking requirement of 113 parking spaces. The school also has a total of 120 full time equivalent employees (also with no proposal for change) generating a parking requirement of 40 spaces. The combined total required off street parking for the campus is 153 spaces. With the proposed loss of 14 spaces for the new Environmental Center the new total of available parking spaces on campus will be 321 (or 168 parking spaces in excess of the Code requirement).

Staff recommends approval of the project subject to the plans and attached conditions.

RECOMMENDATIONS:

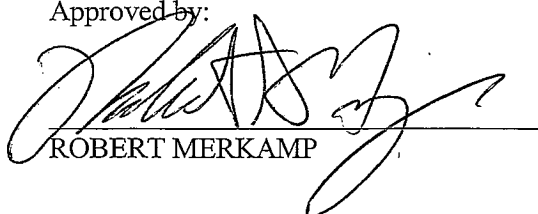
1. Affirm staff's environmental determination.
2. Approve the Major Conditional Use Permit and Design Review subject to the attached Findings and Conditions of Approval.

Prepared by:



MOE HACKETT
Planner II

Approved by:


ROBERT MERKAMP

Acting Zoning Manager

A handwritten signature in cursive script, reading "Scott Miller", is written over a horizontal line.

SCOTT MILLER

Interim Director of Planning and Zoning

ATTACHMENTS:

- A. Findings
- B. Conditions of Approval
- C. Project Plans

ATTACHMENT A**FINDINGS FOR APPROVAL**

This proposal meets the required findings under Sections 17.134.050 General Use Permit Criteria, and Section 17.136.070(B) Non-Residential Design Review Finding, as set forth below.

Required findings are shown in **bold type**; explanations as to why these findings can be made are in normal type.

Section 17.134.050 (General Use Permit Criteria):

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

The proposed 3,687 square-foot addition for the Environmental Study Center represents a small expansion in context of the overall Bishop O'Dowd campus and will be compatible with the existing school campus setting. The new facility will not adversely affect the livability or appropriate development of the surrounding neighborhood since the proposed addition will not increase the number of students at the school, therefore not adding any new traffic to the area than that of what already exists

- 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 activity will provide a convenient and functional civic environment for expanded educational opportunities at the existing high school. The proposed design is compatible with the existing character and campus setting of the school.

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

The proposed addition will allow for expanded educational opportunities within the existing High School which provides an essential service to the community and region.

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

The site is in an existing un-developed up-slope hillside located within an established high school. The addition of a one-story, freestanding, two classroom structure at this location will create very minimal visual impacts from almost all locations other than north parking drive and the existing "north" classroom building (immediately adjacent to the site). The proposed structure will be a LEED certified building with a low profile and a "V" shaped roof line. It is designed to be set into the hill side as part of a re-graded slope that will create a flat building pad for construction. It will be

FINDINGS

used for Civic Activities and is located on a portion of the Bishop O'Dowd campus that is not considered to be a landmark.

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

The proposal conforms to the Institutional General Plan classification as that designation seeks to create, maintain, and enhance areas appropriate for educational facilities as well as other uses or similar character. The establishment of the Center for Environmental Study and Living Laboratory located on the existing Bishop O'Dowd campus will allow for an ideal expansion of use for an existing Community Education activity.

17.136.070.B - Non-Residential Design Review Criteria:

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

The subject site is situated an un-developed, up-slope hillside portion of the high school. The design calls for a one-story freestanding structure with two classrooms, office and preparation areas, restrooms, storage space, and integrated open area (Living Laboratory and covered patio areas). The entire development site including buildings and paved and unpaved (or covered) surfaces will cover approximately 9,992 square feet. The building it self will be 3,687 square feet and will be sited on a flat graded area at the base of the up-sloping hill side below an existing EBMUD reservoir. The design will create very minimal visual impacts from locations other than north parking drive area, and will present a relatively low profile metal seam roof with an asymmetric pitch (the majority of the roof presents itself as a shed style roof). The building materials are glass, wood cladding, metals, and cement plaster. It features large wood barn sliders, corrugated metal shading devices, operable louvers, a photovoltaic array, and a galvanized steal rain water tank (cistern). All of the elements of the buildings design will invoke a very well suited post-modernist decorated style building. The proposed structure will be a LEED certified building and will have a relatively low profile that is intended to blend into the hill side, proposed landscaping, and the natural surroundings.

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

The design of this project compliments the immediate and surrounding area. The new center / class rooms will be a LEED certified structure of very high quality. As an environmental studies building it has been designed to utilize characteristics that are both visually and functionally in harmony with its hillside surroundings. The proposed building is well sited into the overall campus setting and does not have any negative visual impacts on surrounding neighbors as the building is significantly setback fro the public street.

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

The General Plan designation of the site is Institutional. This designation is intended to create, maintain, and enhance areas appropriate for educational facilities, cultural and institutional uses, health services and medical uses as well as other uses of similar character. The proposed Center for Environmental Study would accommodate an educational facility that would benefit the Bishop O'Dowd campus and the City with a community educational facility that is consistent with the General Plan.

ATTACHMENT B**CONDITIONS OF APPROVAL****STANDARD CONDITIONS:****1. Approved Use*****Ongoing***

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, and staff report, and the plans dated **June 12, 2012** and submitted on **June 25, 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.
- b) This action by the **City Planning Commission** ("this Approval") includes the approvals set forth below. This Approval includes: **Major Conditional Use Permit, Tree Removal Permit, and Design Review for the creation of a new 3,687 square-foot one story classroom and support service building (Center for Environmental Studies) including grading, and new landscaping (Living Laboratory).**

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 Sections 17.134.050 and 17.136.070(b) of the City Planning Code only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

CONDITIONS OF APPROVAL

4. Conformance with other Requirements

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

- a) The project applicant shall comply with all other applicable federal, state, regional and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition of Approval 3.
- b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.

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

Ongoing

- a) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.
- b) The City of Oakland reserves the right at any time during construction to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension or other corrective action.
- c) Violation of any term, Conditions or project description relating to the Approvals is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Conditions of Approval.

6. Signed Copy of the Conditions

With submittal of a demolition, grading, and building permit

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

7. Indemnification***Ongoing***

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

8. Compliance with Conditions of Approval***Ongoing***

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

9. Severability***Ongoing***

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

10. Job Site Plans***Ongoing throughout demolition, grading, and/or construction***

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

11. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Management***Prior to issuance of a demolition, grading, and/or construction permit***

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

12. 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.

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

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

14. 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.

15. 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.

16. 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.

17. Dust Control

Prior to issuance of a demolition, grading or building permit

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

- a) Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
- b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
- e) Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- f) Limit the amount of the disturbed area at any one time, where feasible.

CONDITIONS OF APPROVAL

- g) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- h) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- i) Replant vegetation in disturbed areas as quickly as feasible.
- j) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- k) Limit traffic speeds on unpaved roads to 15 miles per hour.
- l) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.
- m) All "Basic" controls listed above, plus:
- n) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- o) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
- p) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction as well as posted on-site over the duration of construction.
- q) Install appropriate wind breaks at the construction site to minimize wind blown dust.

18. Construction Emissions

Prior to issuance of a demolition, grading or building permit

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

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

19. Days/Hours of Construction Operation

Ongoing throughout demolition, grading, and/or construction

CONDITIONS OF APPROVAL

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.

20. Noise Control

Ongoing throughout demolition, grading, and/or construction

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

- a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).

CONDITIONS OF APPROVAL

- b) Except as provided herein, Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.
- d) The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

21. Noise Complaint Procedures

Ongoing throughout demolition, grading, and/or construction

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

- a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours);
- b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours);
- c) The designation of an on-site construction complaint and enforcement manager for the project;
- d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and
- e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

22. Interior Noise

Prior to issuance of a building permit and Certificate of Occupancy

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

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

23. Operational Noise-General

Ongoing.

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.

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:

- a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.
- b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- c) Location of construction staging areas for materials, equipment, and vehicles at an approved location.
- d) A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services.
- e) Provision for accommodation of pedestrian flow.

Major Project Cases:

- f) Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces **Stearns Avenue or Burr Street**.
- g) Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the applicant's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the City Building Inspector and/or photo documentation, at the applicant's expense, before the issuance of a Certificate of Occupancy.
- h) Any heavy equipment brought to the construction site shall be transported by truck, where feasible.
- i) No materials or equipment shall be stored on the traveled roadway at any time.
- j) Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion.
- k) All equipment shall be equipped with mufflers.
- l) 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. Hazards Best Management Practices***Prior to commencement of demolition, grading, or construction***

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

- a) Follow manufacture's recommendations on use, storage, and disposal of chemical products used in construction;

CONDITIONS OF APPROVAL

- b) Avoid overtopping construction equipment fuel gas tanks;
- c) During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d) Properly dispose of discarded containers of fuels and other chemicals.
- e) Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building.
- f) If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

26. 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 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.

27. Pile Driving and Other Extreme Noise Generators

Ongoing throughout demolition, grading, and/or construction

To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. The criterion for approving the plan shall be a determination that maximum feasible noise attenuation will be achieved. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of implementing the following measures. These attenuation measures shall include as many of the following control strategies as applicable to the site and construction activity:

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

28. 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.

29. Tree Removal Permit on Creekside Properties***Prior to issuance of a final inspection of the building permit***

Prior to removal of any tree located on the project site which is identified as a creekside property, the project applicant must secure the applicable creek protection permit, and abide by the conditions of that permit.

30. Tree Removal During Breeding Season***Prior to issuance of a tree removal permit***

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

31. Tree Removal Permit***Prior to issuance of a demolition, grading, or building permit***

Prior to removal of any protected trees, per the Protected Tree Ordinance, located on the project site or in the public right-of-way adjacent to the project, the project applicant must secure a tree removal permit from the Tree Division of the Public Works Agency, and abide by the conditions of that permit.

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

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

- a) No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.
- b) Replacement tree species shall consist of *Sequoia sempervirens* (Coast Redwood), *Quercus agrifolia* (Coast Live Oak), *Arbutus menziesii* (Madrone), *Aesculus californica*

- (California Buckeye) or Umbellularia californica (California Bay Laurel) or other tree species acceptable to the Tree Services Division.
- c) Replacement trees shall be at least of twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.
 - d) Minimum planting areas must be available on site as follows:
 - i. For Sequoia sempervirens, three hundred fifteen square feet per tree;
 - ii. For all other species listed in #2 above, seven hundred (700) square feet per tree.
 - e) In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.
 - f) Plantings shall be installed prior to the issuance of a final inspection of the building permit, subject to seasonal constraints, and shall be maintained by the project applicant until established. The Tree Reviewer of the Tree Division of the Public Works Agency may require a landscape plan showing the replacement planting and the method of irrigation. Any replacement planting which fails to become established within one year of planting shall be replanted at the project applicant's expense.

33. Tree Protection During Construction

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

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

- a) Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the City Tree Reviewer. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.
- b) Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the City Tree Reviewer from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.
- c) No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the Tree Reviewer from the base

CONDITIONS OF APPROVAL

of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the tree reviewer. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.

- d) Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.
- e) If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Agency of such damage. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.
- f) All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.

34. Archaeological Resources

Ongoing throughout demolition, grading, and/or construction

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

- c) Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measure measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.

35. Human Remains

Ongoing throughout demolition, grading, and/or construction

In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

36. Paleontological Resources

Ongoing throughout demolition, grading, and/or construction

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

37. Erosion and Sedimentation Control Plan

Prior to any grading activities

- a) The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.660 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.

Ongoing throughout grading and construction activities

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

38. Post-Construction Stormwater Management Plan

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

The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater management plan, for review and approval by the City, to manage stormwater run-off and to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.

- a) The post-construction stormwater management plan shall include and identify the following:
- i. All proposed impervious surface on the site;
 - ii. Anticipated directional flows of on-site stormwater runoff; and
 - iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and
 - iv. Source control measures to limit the potential for stormwater pollution;
 - v. Stormwater treatment measures to remove pollutants from stormwater runoff; and

CONDITIONS OF APPROVAL

- vi. Hydromodification management measures so that post-project stormwater runoff does not exceed the flow and duration of pre-project runoff, if required under the NPDES permit.
- b) The following additional information shall be submitted with the post-construction stormwater management plan:
 - i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and
 - ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e. non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable 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.

39. 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.

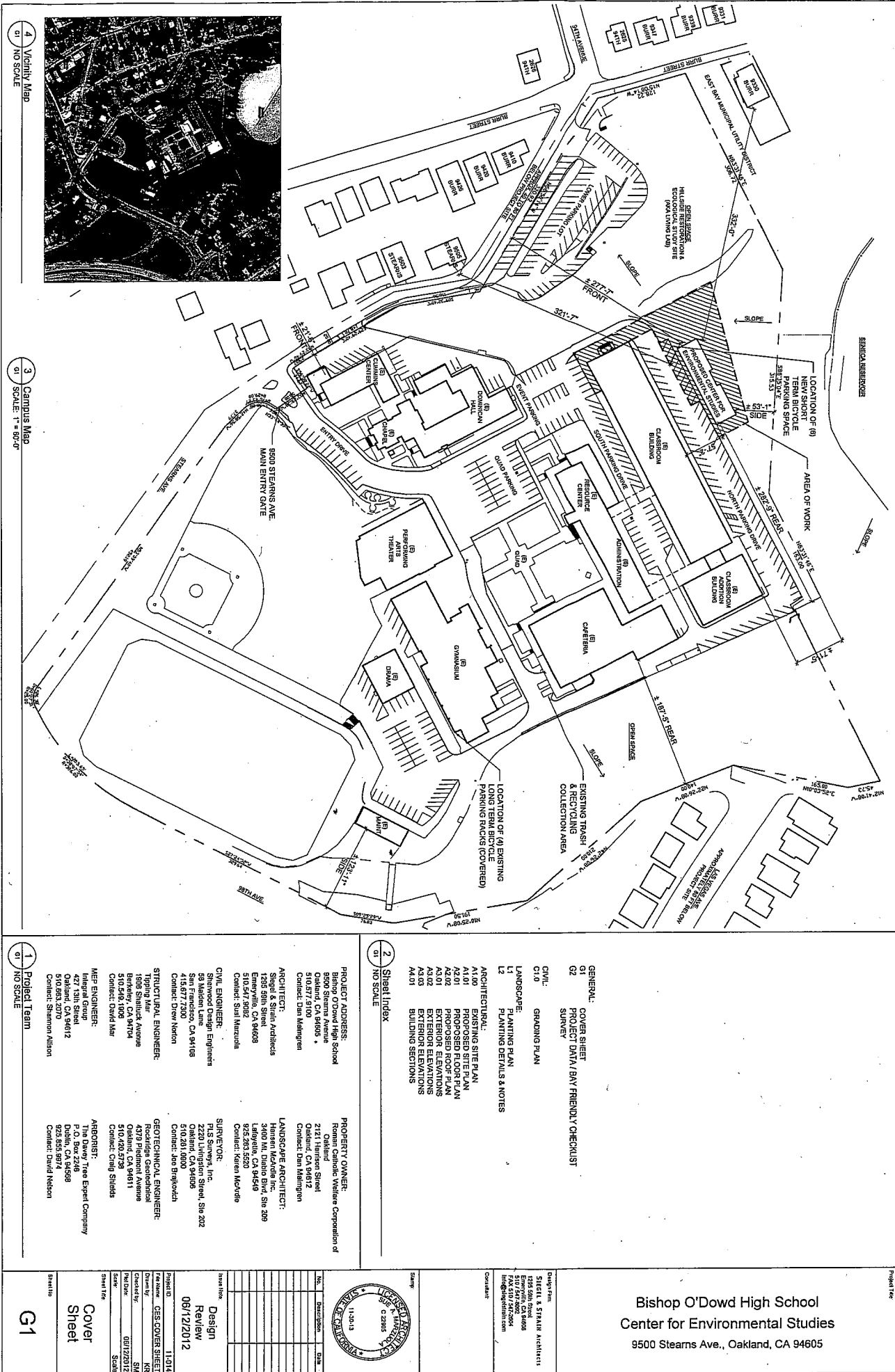
APPROVED BY:

City Planning Commission: _____ (date) _____ (vote)

City Council: _____ (date) _____ (vote)

CONDITIONS OF APPROVAL

ATTACHMENT C



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Measuring & Analyzing

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Requirement
 (For details, see [Chapter 10](#))

<p>the 1990s and 2000s, the number of people who have been convicted of a crime has increased significantly. This is due to a number of factors, including the fact that the justice system has become more efficient at processing cases, and the fact that there has been a general increase in crime rates.</p> <p>One of the main reasons for the increase in crime rates is the fact that there has been a general increase in the number of people who are unemployed. This is because the economy has been in a state of recession for a number of years, and this has led to a significant increase in the number of people who are without work.</p> <p>Another factor is the fact that there has been a general increase in the number of people who are living in poverty. This is because the cost of living has increased significantly, and this has led to a significant increase in the number of people who are unable to afford the basic necessities of life.</p> <p>Finally, there has been a general increase in the number of people who are using drugs and alcohol. This is because there has been a general increase in the availability of these substances, and this has led to a significant increase in the number of people who are addicted to them.</p>	<p>Explain the reasons for the increase in crime rates in the 1990s and 2000s.</p> <p>There have been a number of reasons for the increase in crime rates in the 1990s and 2000s. One of the main reasons is the fact that there has been a general increase in the number of people who are unemployed. This is because the economy has been in a state of recession for a number of years, and this has led to a significant increase in the number of people who are without work.</p> <p>Another factor is the fact that there has been a general increase in the number of people who are living in poverty. This is because the cost of living has increased significantly, and this has led to a significant increase in the number of people who are unable to afford the basic necessities of life.</p> <p>Finally, there has been a general increase in the number of people who are using drugs and alcohol. This is because there has been a general increase in the availability of these substances, and this has led to a significant increase in the number of people who are addicted to them.</p>
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Day-Friendly Basics Landscape Checklist

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6. Grow through adjacent C.A. patches
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Day-Friendly Basics Landscape Checklist

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Reference
 Miller P, et al. (1998) *Journal of the American Medical Association* 279: 1226-1231

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PROJECT DESCRIPTION

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Bishop O'Dowd High School
Center for Environmental Studies
9500 Stearns Ave., Oakland, CA 94605

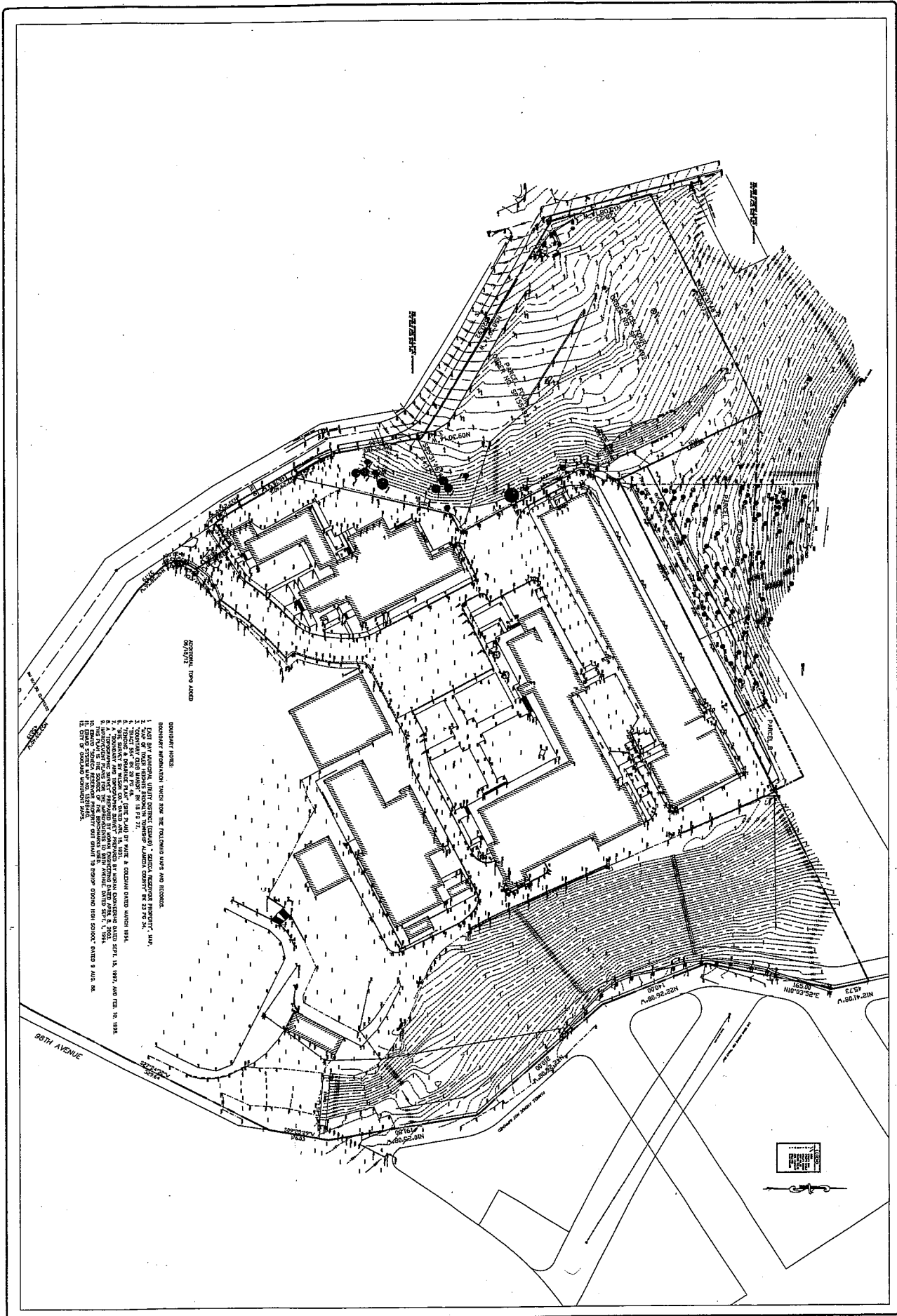
Design Firm
STIGEL & STRAIN Architects
1295 59th Street
Emeryville, CA 94608
510/547-8092
FAX 510/547-2004
info@stigelstrain.com

Stamp:

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SUE A. MARTINY
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STATE OF CALIFORNIA

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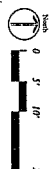
Project Data & Bay Friendly



BOUNDARY NOTES:
 1. LAND SURVEY MAPS, LUTHER LUTHER, "SCHOOL PROPERTY", 1940.
 2. "SCHOOL PROPERTY", "SCHOOL PROPERTY", 1940.
 3. "SCHOOL PROPERTY", "SCHOOL PROPERTY", 1940.
 4. "SCHOOL PROPERTY", "SCHOOL PROPERTY", 1940.
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 10. "SCHOOL PROPERTY", "SCHOOL PROPERTY", 1940.
 11. "SCHOOL PROPERTY", "SCHOOL PROPERTY", 1940.
 12. "SCHOOL PROPERTY", "SCHOOL PROPERTY", 1940.

SHERMANN DESIGN ENGINEERS IS NOT AN ENGINEERING CONTRACTOR, NOR SHOULD ITS REENGINEERING OF CUT AND FILL EARTHWORK VOLUMES BE CONSIDERED EQUIVALENT TO THE NATURE AND EXTENT OF SERVICE AN ENGINEERING FIRM PROVIDES. THE ANALYSIS OF EARTHWORK VOLUMES IS A SPECIALIZED ENGINEERING ANALYSIS, WHICH IS AS ACCURATE AS THE INFORMATION PROVIDED TO US IN RESPONSE TO EXISTING TOPOGRAPHY. THIS ANALYSIS WILL NOT REFLECT THE REALITY TO EXISTING TOPOGRAPHY. THE TOPOGRAPHIC SURVEY, WHICH WE USED TO SET THE CONDITIONS FOR OUR REENGINEERING, MAY BE INCOMPLETE, INACCURATE, OR NOT USED FOR THE SAME PURPOSES. DUE TO THESE FACTORS, SHERMANN DESIGN ENGINEERS CANNOT GUARANTEE THE ACCURACY OF OUR EARTHWORK VOLUME ESTIMATES FOR ANY OTHER PURPOSES. DUE TO THESE FACTORS, SHERMANN DESIGN ENGINEERS CANNOT GUARANTEE THE ACCURACY OF OUR EARTHWORK VOLUME ESTIMATES FOR USE AS A TOLLING TOOL.

CUT VOLUME -	1040 CY
FILL VOLUME -	750 CY
EXPORT VOLUME -	290 CY



1. ALL GRADING SHALL CONFORM WITH THE CITY OF OMAHA GRADING ORDINANCE.
2. THE CORRECTION OF ANY SUBSTANTIAL VIOLATION SHALL NOT BE A BASIS FOR EXEMPTION FROM THE CITY OF OMAHA GRADING ORDINANCE. EXCAVATION WORK BY CALLING THE TOLL-FREE NUMBER 800-227-2860 TO REPORT ANY VIOLATION. VIOLATIONS WILL BE ENFORCED BY THE CITY OF OMAHA. EXISTING GRADING SHALL BE MAINTAINED TO THE MAXIMUM FEASIBLE.
3. ACTUAL GRADING SHALL BEGIN WITHIN 10 DAYS OF ACCEPTANCE. REVISIONS TO THE AREA SHALL BE PLANNED TO CONTRARY EXISTING GRADING.
4. CONTRACTOR SHALL NOTIFY THE CITY OF OMAHA 48 HOURS PRIOR TO COMMENCING WORK.
5. A COPY OF ALL CALCULATION TESTS AND FINAL GRADING REPORT SHALL BE SUBMITTED TO THE COUNTY PRIOR TO BEGINNING ANY REVISIONS.
6. SOIL COMPACTION SHALL BE A MINIMUM OF 80-93% RELATIVE DENSITY PER GEOTECH'S RECOMMENDATION.
7. ALL SLOPES SHALL BE NO STEEPER THAN 2 HORIZ. TO 1 VERT. UNLESS OTHERWISE NOTED FOR ADDITIONAL STABILIZATION MEASURES ARE ADAPTED AFTER APPROVAL BY GEOTECHNICAL ENGINEER.
8. EROSION CONTROL OF ANY UNDERCUTS AND VULNERABLE AREAS SHALL BE INSTALLED IMMEDIATELY.
9. GRADING SHALL COMPLY WITH THE CITY OF OMAHA GRADING ORDINANCE. OFFENSES APPROVED IN WRITING BY THE CITY ENGINEER, IN CONJUNCTION WITH AN APPROVED DESIGN AND SEDIMENTATION CONTROL PLAN.

[illegible]

Bishop O'Dowd High School
Center for Environmental Studies
9500 Stearns Ave., Oakland, CA 94605



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Emeryville, CA 94608
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Oakland, CA 94612
info@steel-strain.com

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HARRIS & MCARDLE
1400 Broadway
Oakland, CA 94612

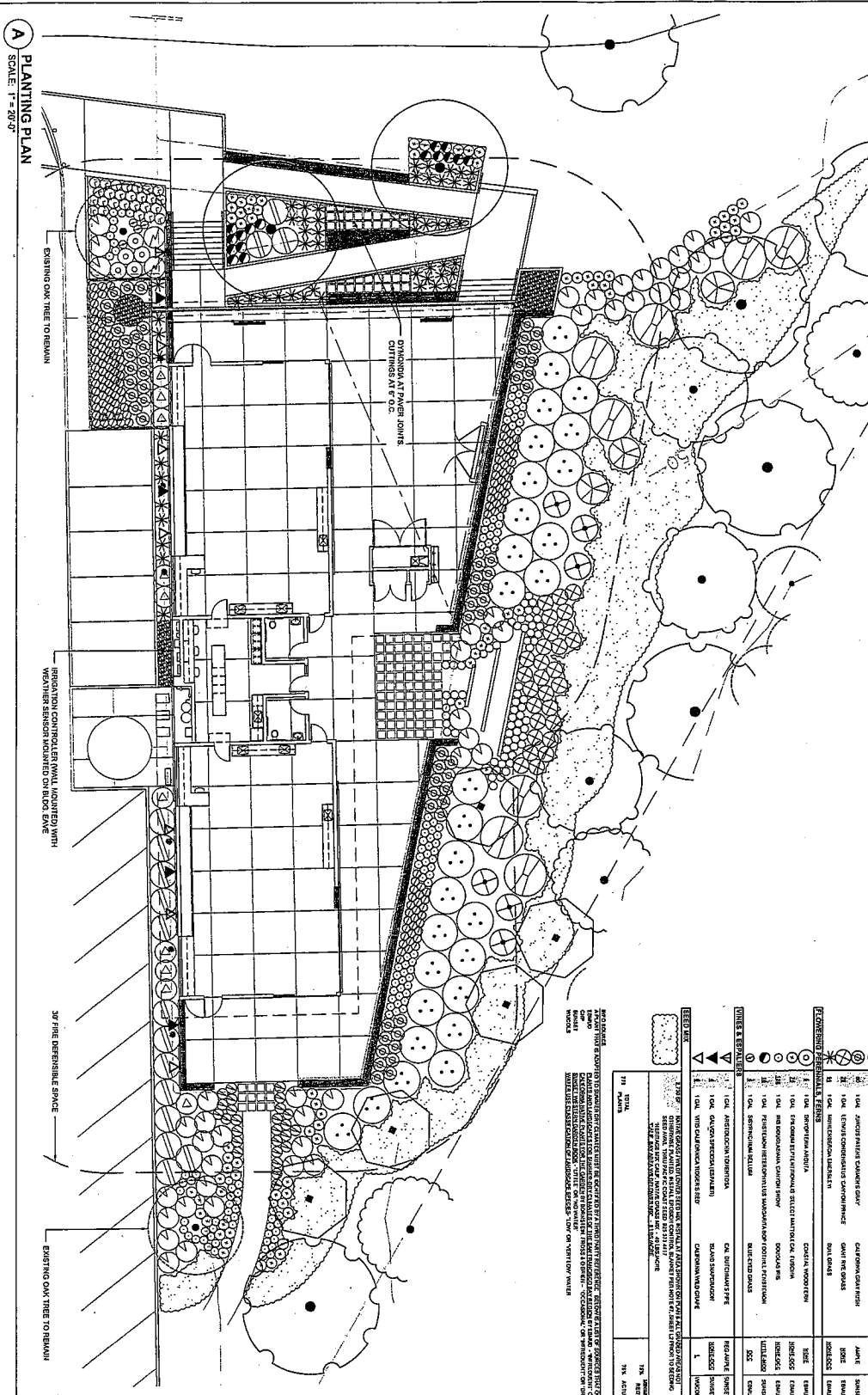


No.	Description	Unit
1	Design	
2	Review	
3	Final	

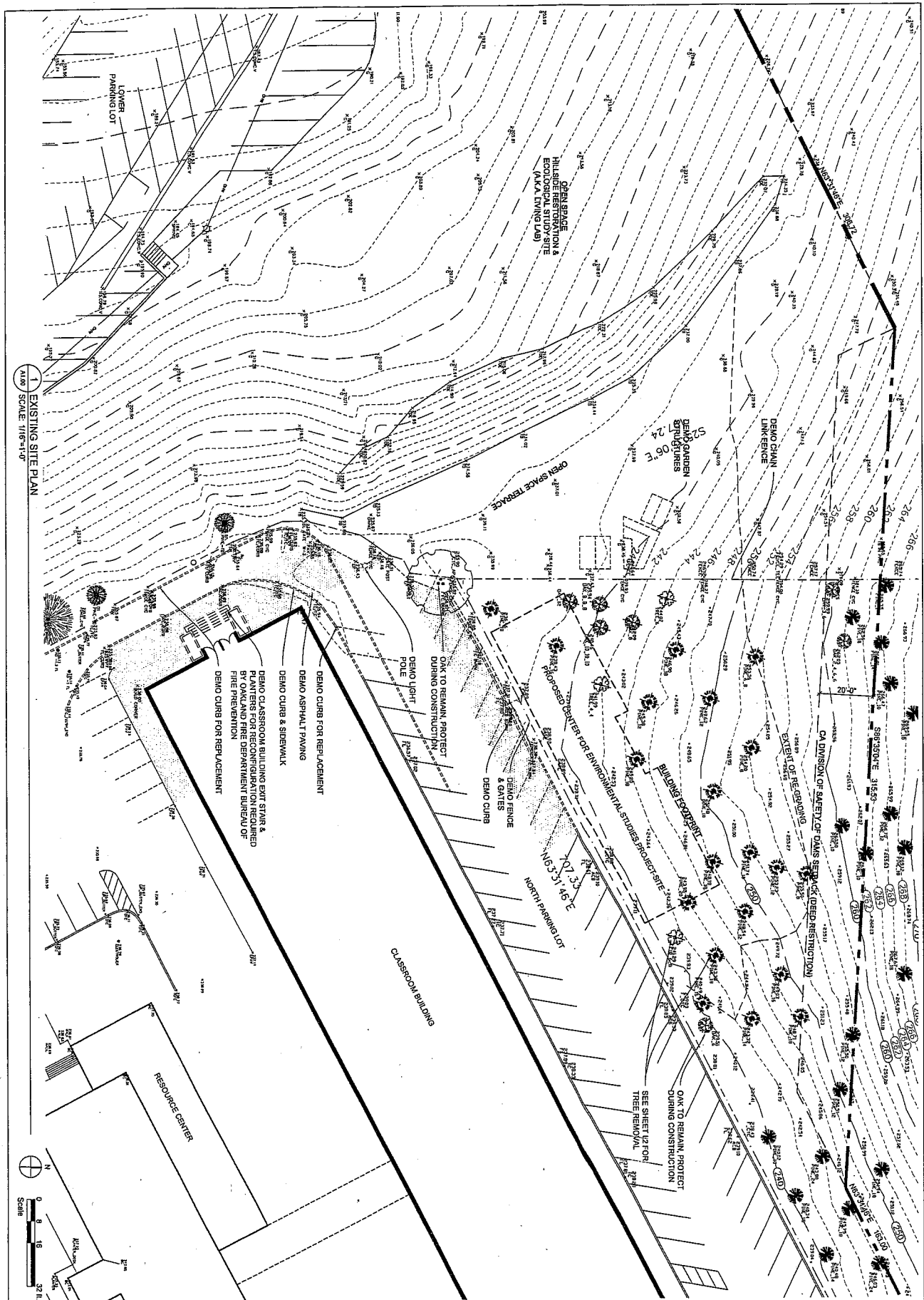
Issue Name:
Design
Review
06/12/2012
11-014
Project ID:
11-014
Revision:
1
Date:
06/12/12
AS NOTED

Planting Plan
L1

PLANT LEGEND		COMMON NAME	SC. HEIGHT	PLANT CODE	PLANT CODE	PLANT CODE	PLANT CODE	PLANT CODE	PLANT CODE
1	10' - 12'	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD
2	10' - 12'	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD
3	10' - 12'	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD
4	10' - 12'	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD
5	10' - 12'	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD
6	10' - 12'	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD
7	10' - 12'	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD
8	10' - 12'	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD
9	10' - 12'	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD
10	10' - 12'	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD	REDWOOD



PLANTING PLAN
SCALE: 1" = 20'-0"



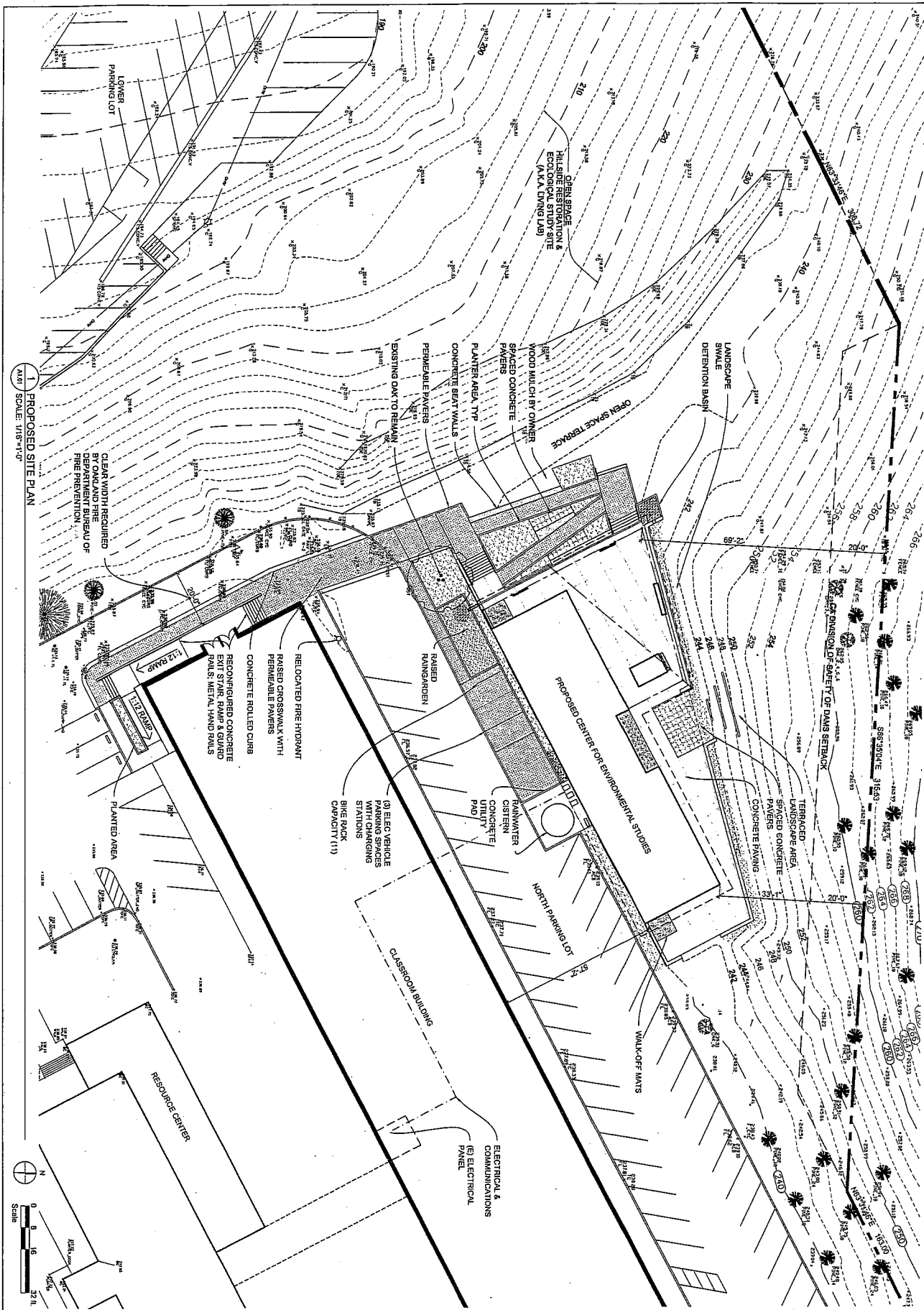
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Design Firm
 STEEL & STAIN Architects
 1055 5th Street
 Suite 200
 Oakland, CA 94612
 Phone: (510) 462-1000
 Fax: (510) 462-1001
 Email: info@steelstain.com

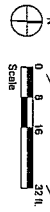


No.	Description	Date
1	Design	06/12/2012
2	Review	06/12/2012

Project ID: 11-014
 File Name: GIS PLANTING
 Drawn By: SM
 Checked By: SM
 Print Date: 06/12/2012
 Scale: As Shown
 Sheet Title: Existing Site Plan
 Sheet No: A1.00



1 PROPOSED SITE PLAN
ANS SCALE: 1/8"=1'-0"



Proposed Site Plan

Sheet Title: **A1.01**

Design Review

06/12/2012

Project ID: 11-014

Rev: 001

Drawn by: CSE-PLAN/DWG

Checked by: KR

Proj. Date: 06/12/2012

Scale: 1/8"=1'-0"

Design

06/12/2012

Project ID: 11-014

Rev: 001

Drawn by: CSE-PLAN/DWG

Checked by: KR

Proj. Date: 06/12/2012

Scale: 1/8"=1'-0"

Client: Bishop O'Dowd High School

Address: 9500 Stearns Ave., Oakland, CA 94605

Architect: STEEL & STRAIN Architects

5101 24th Avenue, Suite 200

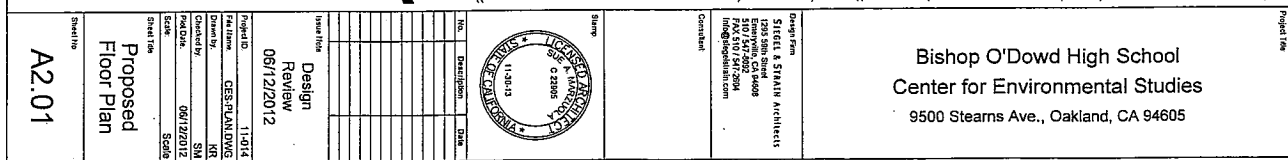
Emeryville, CA 94608

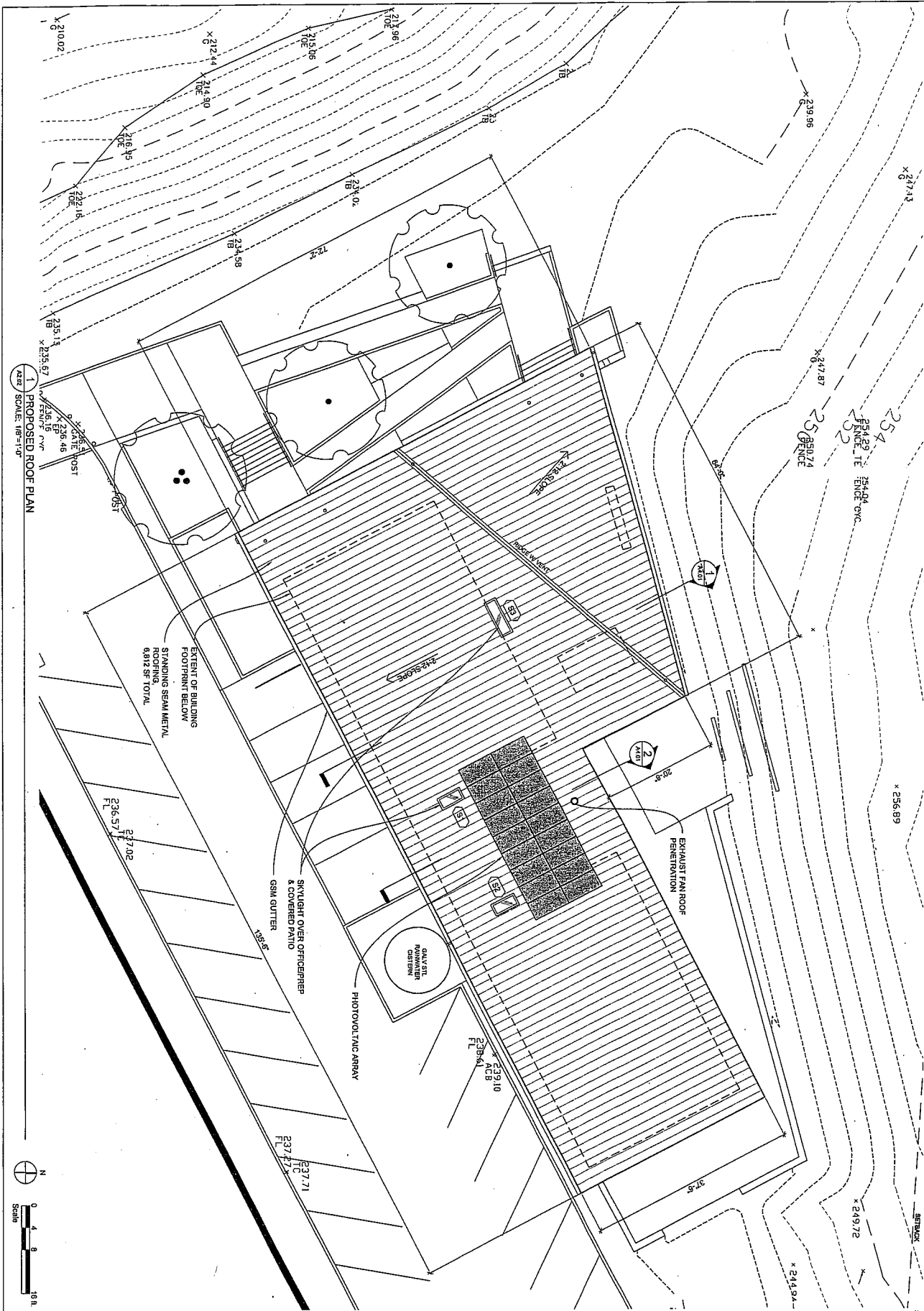
Phone: (415) 434-2804

Info: info@steelstrain.com

Project Title: Bishop O'Dowd High School Center for Environmental Studies

Project No.: 11-014





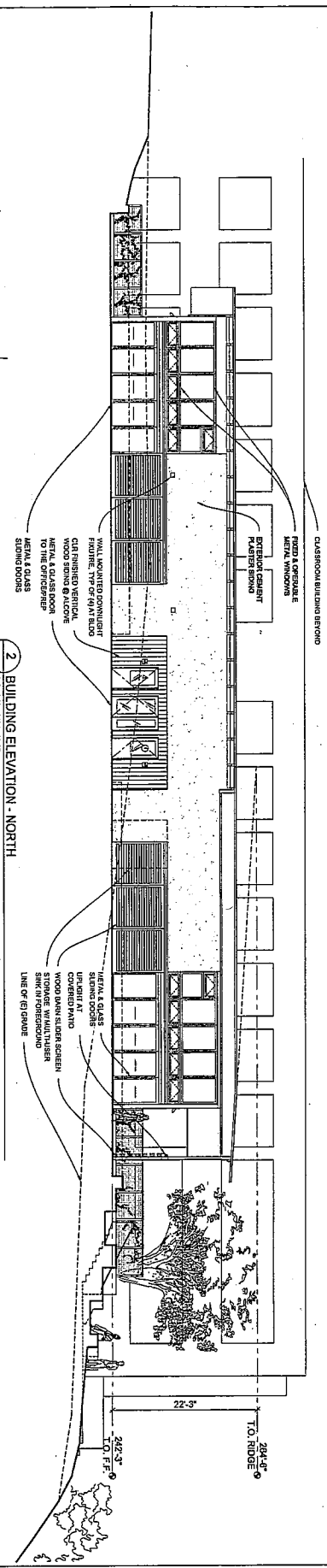
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Design Firm
SIEBEL & STARK Architects
1955 50th Street
Oakland, CA 94612
Phone: 510.464.4600
Fax: 510.464.4600
www.siebelstark.com

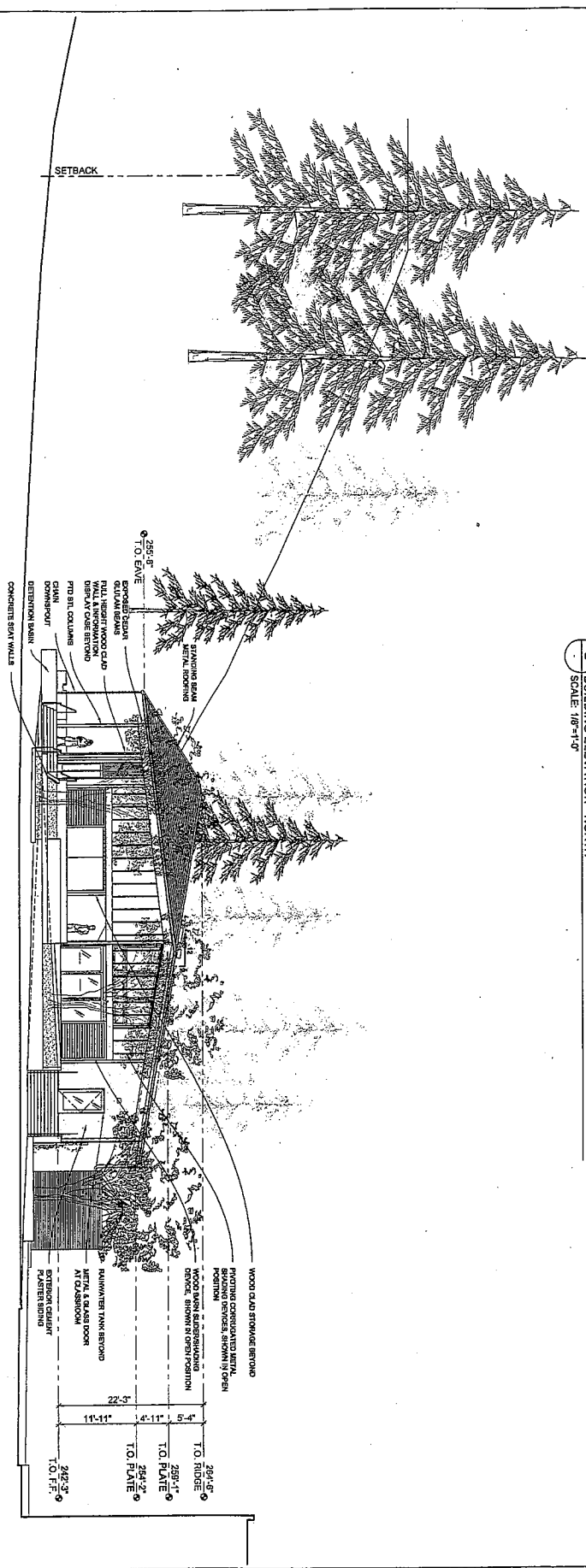


No.	Description	Date
1	Design	06/12/2012
2	Review	06/12/2012
3	Final	06/12/2012

Project ID: 11-014
Project Name: CES PLANDWG
Drawing No.: 06/12/2012
Scale: 1/8" = 1'-0"
Sheet No.: A2.02
Sheet Title: Proposed Roof Plan



2 BUILDING ELEVATION - NORTH
SCALE: 1/8"=1'-0"



1 BUILDING ELEVATION - WEST OPEN SCREENS
SCALE: 1/8"=1'-0"

0 4 8 16 ft
Scale

Bishop O'Dowd High School
Center for Environmental Studies
9500 Stearns Ave., Oakland, CA 94605

Project No. 11-014
Design
Review
06/12/2012
11-014
CIS SECTIONS DWG
KRL
06/12/2012
SMA
SMA
SMA

Sheet No. **A3.01**
Exterior Elevations

DATE: 11-28-13
C 12855
11-28-13
11-28-13

Bishop O'Dowd High School
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Berkeley, CA 94708
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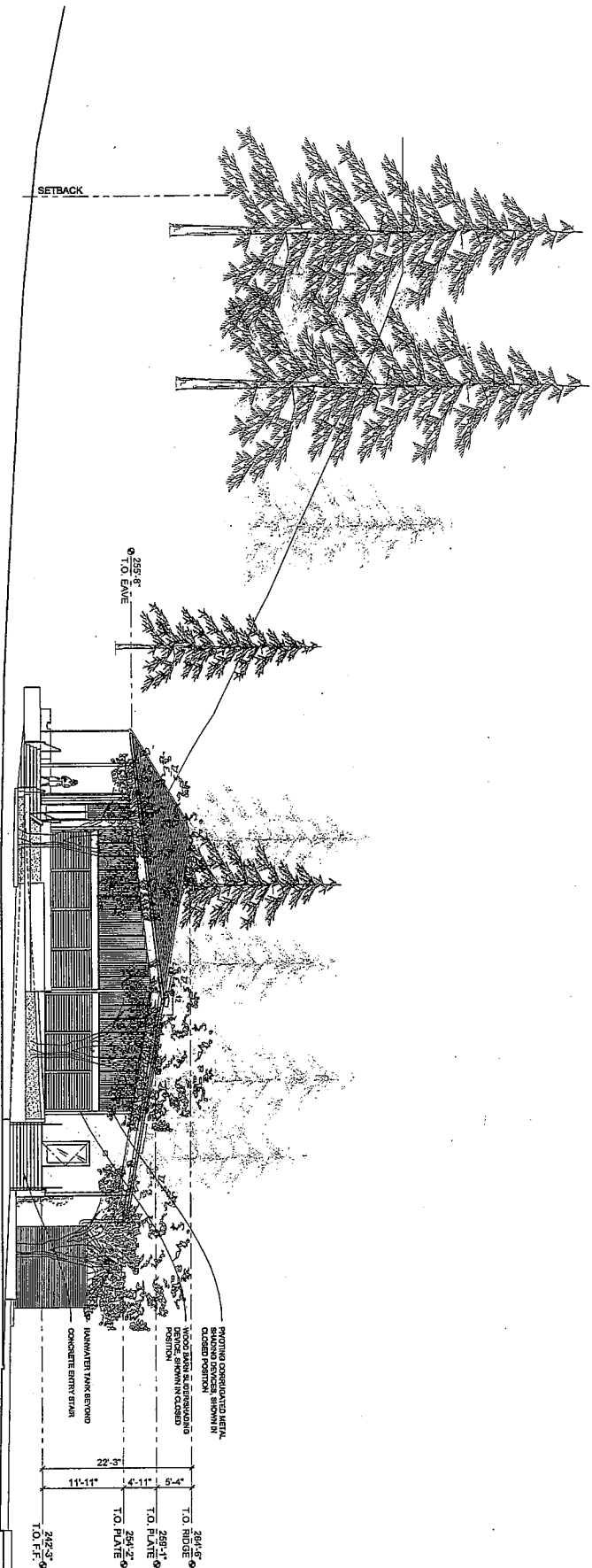
No.	Description	Date
1	Design	
2	Review	
3	Final	

Issue Note
Design
Review
06/12/2012

Project ID: 11-014
File Name: DES-SECTIONS.DWG
Drawn By: SM
Checked By: KR
Plot Date: 06/12/2012
Scale: Scale
Sheet No: 1/1

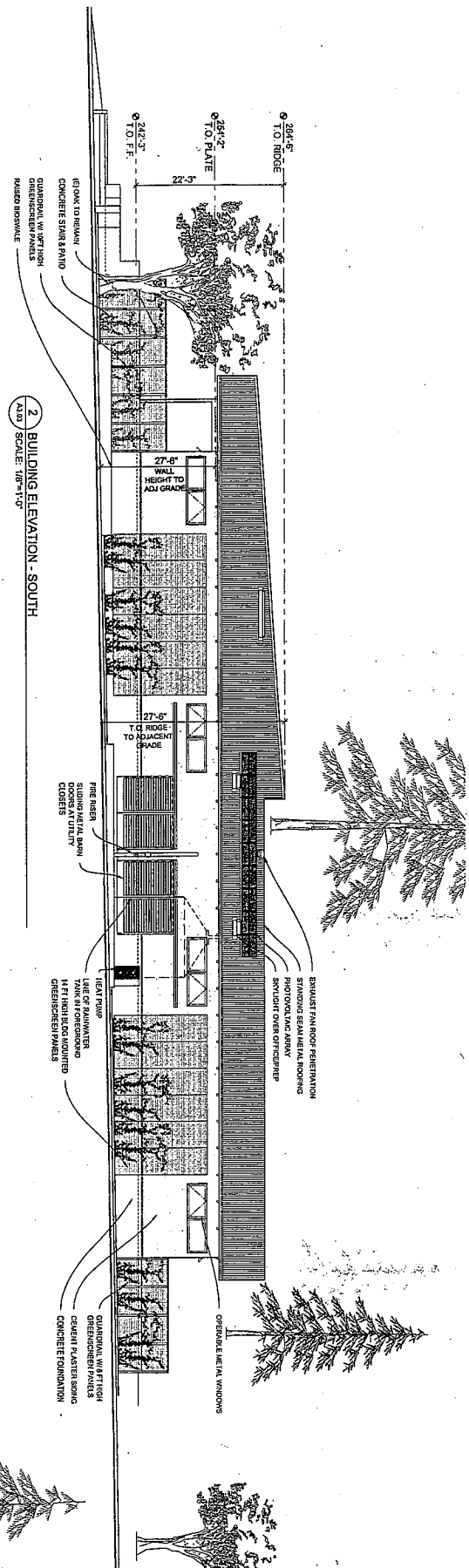
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Elevations

A3.02

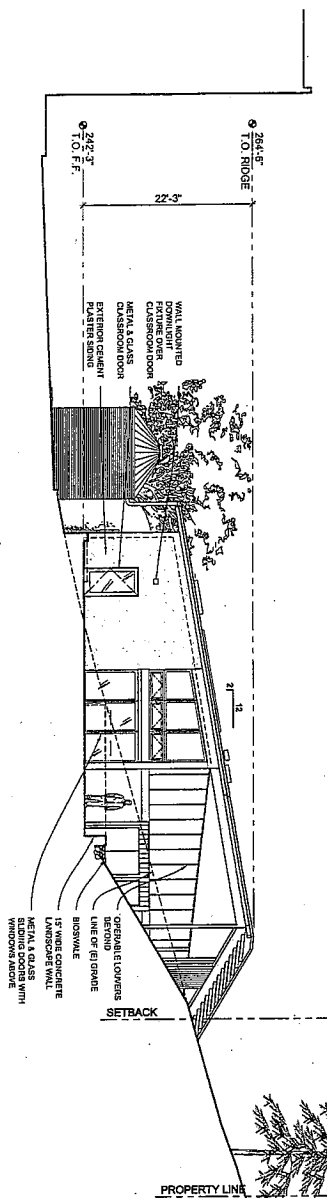


1 BUILDING ELEVATION - WEST, CLOSED SCREENS
SCALE: 1/8"=1'-0"





2 BUILDING ELEVATION - SOUTH
A3.03 SCALE: 1/8"=1'-0"



1 BUILDING ELEVATION - EAST
AS 03 SCALE: 1/8"=1'-0"



Sheet 12

A4.01

A4.01