

Location: 1701 Martin Luther King Jr. Way (See map on reverse)

Assessors Parcel Number: APN: 003-0059-006-00

Proposal: To construct a new five-story, 26 unit multi-family affordable housing residential building with a Service-Enriched Permanent Housing Residential Activity component.

Applicant: Resources for Community Development

Contact Person/ Phone Number: Brian Saliman
(415)297-2258

Owner: Mark & Patricia Lindquist

Case File Number: CMDV11-165

Planning Permits Required: Regular Design Review to construct a new five-story, 26 unit multi-family affordable housing residential building.
Major Conditional Use Permit for a Service-Enriched Permanent Housing Residential Activities.
Minor Conditional Use Permit a Density Bonus for 26 very low income residential units and a Density Incentive for 5 parking spaces.
Minor Variance for (1) 100% of the required open space on the rooftop; (2) A ground floor height of 13'-6" where 15'-0" is required; and (3) a curb cut separation of 0' where 10'-0" is required.

General Plan: Central Business District

Zoning: CBD-X Central Business District-X

Environmental Determination: Exempt, Section 15332 of the State CEQA Guidelines; In-fill development projects.
Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.

Historic Status: Not a Potential Designated Historic Property; Survey Rating: F3

Service Delivery District: Metro

City Council District: 3

Date Filed: 8/26/11

Finality of Decision: Appealable to City Council within 10 days

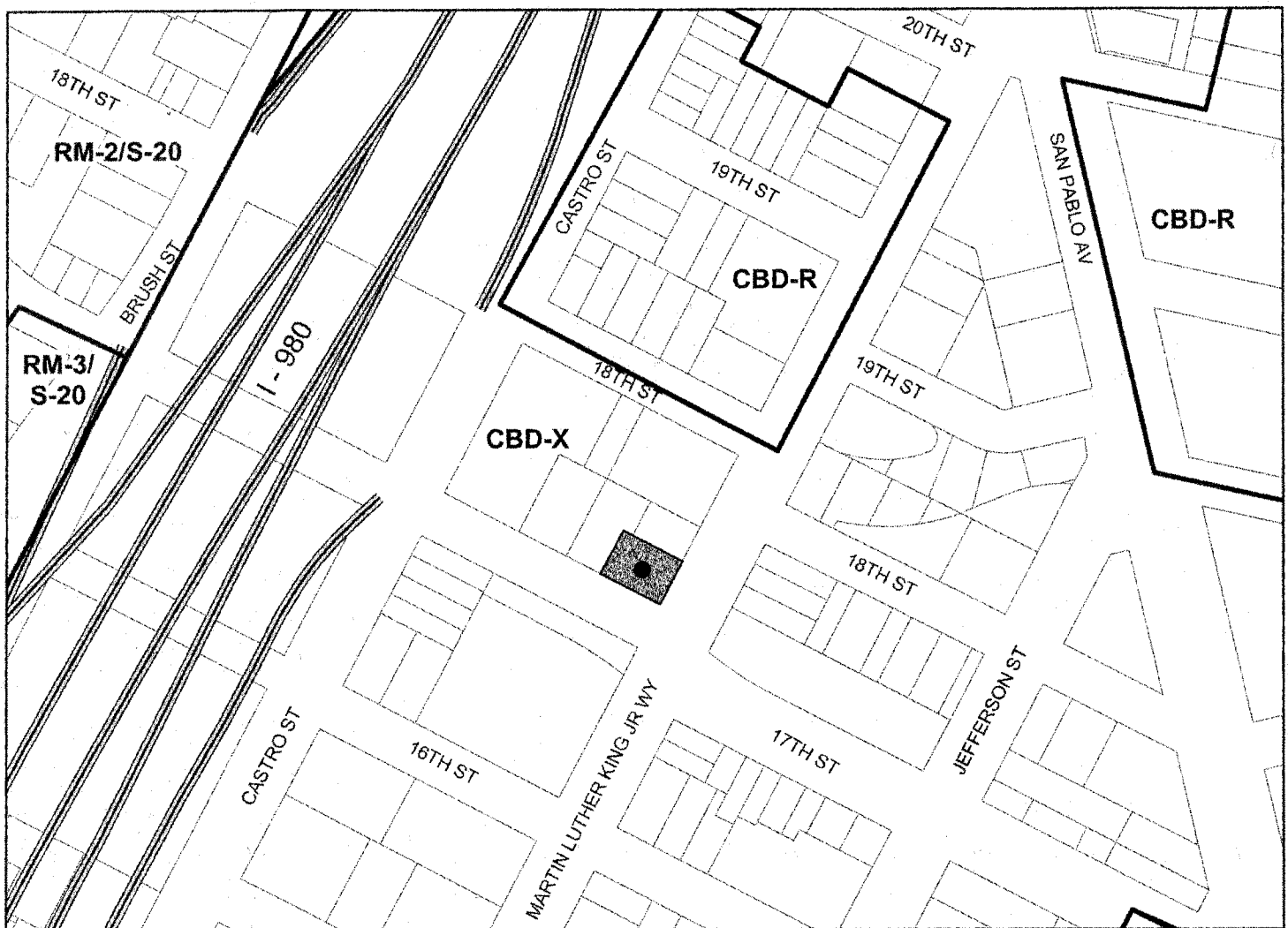
For Further Information: Contact case planner **Michael Bradley** at (510) 238-6935 or mbradley@oaklandnet.com

SUMMARY

This project proposal is to construct a new five-story, 26 unit multi-family affordable housing residential building with a Service-Enriched Permanent Housing Residential Activity component.

Regular Design Review is required to construct a new five-story, 26 unit multi-family affordable housing residential building. A Major Conditional Use Permit is required for a Service-Enriched Permanent Housing Residential Activities. A Minor Conditional Use Permit is required for a Density Bonus for 26 very low income residential units and a Density Incentive for 5 parking spaces. And Minor Variances are required for (1) 100% of the required open space on the rooftop;

CITY OF OAKLAND PLANNING COMMISSION



0 125 250 500 750 1,000 Feet



Case File: CMDV11-065
Applicant: Brian Saliman
Address: 1701 Martin Luther King, Jr. Way
Zone: CBD-X

(2) a ground floor height of 13'-6" where 15'-0" is required; and (3) a curb cut separation of 0' where 10'-0" is required.

As detailed below, the project meets all of the required findings for approval. Therefore, staff recommends approval of the project subject to the attached conditions of approval.

PROJECT DESCRIPTION

This project proposal is to construct a new five-story, 26 unit multi-family affordable housing residential building with a Service-Enriched Permanent Housing Residential Activity component. The Services Plan for the project draws on the expertise of experienced and specialized service providers to offer residents the support necessary to retain housing, improve their health, and maximize their ability to live, and work in the community. The services plan adopts a consumer-driven team approach and tenant participation in all services is voluntary. The service provider partners include LifeLong Medical Care (LMC), Goodwill Industries, and Oakland Path. The 26 unit multi-family residential apartment building will house very low income residents and will consist of five (5) studio units, 20 one-bedroom units, and one (1) two-bedroom manager's unit. The building design involves a roof top open space area for residents and will provide 5 onsite parking spaces in an enclosed garage. The ground floor will also consist of a manager's office, laundry room, community room, and bicycle parking area. Along with residential units, the second floor will consist of a communal computer room and services office space for one-on-one consultations.

(See Attachment A)

BACKGROUND

A similar Design Review and Variance application (Case File: DV07-079) was approved in 2007 for a five story building with 12 large, loft-style units with stacked parking lifts. The previously approved project was approved under the previous zoning designations C-31 Central Business Service Commercial Zone and the S-17 Downtown Residential Open Space Combining Zone. The previously approved project is within the same building envelope as the current proposal.

PROPERTY DESCRIPTION

The subject property is a small corner parcel with 4,920 square feet of area and is bordered by Martin Luther King Jr. Way and 17th Street. Martin Luther King Jr. Way has two-way traffic, where as 17th Street has only one-way traffic traveling west to east. The subject property is located within an area surrounded by predominantly residential properties. **(See Attachment B)**

GENERAL PLAN ANALYSIS

The subject site is in the Central Business District (CBD) classification of the City of Oakland General Plan. The Central Business District classification is intended to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation in Northern California.

Objective N3 of the Oakland General Plan Land Use and Transportation Element states: "Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community". This proposal, to create a 26 residential unit five story building conforms to the City of Oakland Comprehensive General Plan and is consistent with the Central Business District general plan designation.

The proposed 26 unit residential development will not detract from the character of this Central Business District neighborhood, but rather, should enhance it.

ZONING ANALYSIS

The zoning for the subject property is the CBD-X, Central Business District Mixed Commercial Zone. The intent of the CBD-X zone is to designate areas of the Central Business District appropriate for a wide range of upper story and ground level residential, commercial, and compatible light industrial activity. The proposal is for a new five-story, 26 unit multi-family affordable housing residential building with a Service-Enriched Permanent Housing Residential Activity component. A Design Review, Major Conditional Use permit, and Variances are required. Staff finds that the proposed application meets the City of Oakland Planning Code regulations (see Findings for Approval).

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines lists the projects that qualify as categorical exemptions from environmental review. The proposed project is categorically exempt from the environmental review requirements pursuant to Sec. 15332, in-fill development projects, and 15183, projects consistent with the general plan or zoning.

KEY ISSUES AND IMPACTS

1. Design Review

The project is located on a 4,920 square foot corner parcel at Martin Luther King Jr. Way and 17th Street in the CBD-X, Central Business District-X Zone. The proposed project requires Regular Design Review to construct a new five-story, 26 unit multi-family affordable housing residential building.

The proposed design applies a combination of materials including stucco, horizontal siding, concrete, ceramic tile, glass, metal, and a variation of colors consistent with the design review guidelines and will work well to integrate the development with the neighboring structures. To minimize perceived bulk, the design applies a series of projecting bays to articulate the building elevations. This design approach successfully allows the building to achieve a hierarchy of volumes and proportions that relate well to the neighborhood. The proposed design will relate well with surrounding land uses in terms of setting, scale, bulk, height, materials, and textures.

2. Conditional Use Permit for Service-Enriched Permanent Housing Residential Activities

A conditional use permit is required for Service-Enriched Permanent Housing Residential Activities.

Justification for the conditional use permit is based on the proposed project meeting the required Design Review criteria and that 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. The Service Enriched Permanent Housing activity is appropriate at the subject location because the building design with a computer room, one-on-one services office, and community room will allow residents to live comfortably as well as interact confidentially with service providers. Further the close proximity to the proposed service provider partners (LifeLong Medical Care, Goodwill Industries, and Oakland Path), make the location very desirable in the downtown Oakland area. The applicant has submitted a Services Plan. (See Attachment D)

3. Conditional Use Permit for a Density Bonus and Density Incentive

A conditional use permit is required for a Density Bonus to create 26 residential units where the existing zoning (CBD-X) would only allow for 21 units and for a Density Incentive for 5 parking spaces where 26 parking spaces would be required.

Justification for the conditional use permit is based on the proposed project meeting the required Design Review criteria and 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. Also, the subject site is in close proximity to 2 forms of transit (BART, AC-Transit), thus the additional units and reduction in parking is not likely to create an impact on the surrounding neighborhood. In addition the vast majority of, if not all, of the low-income residents will not have cars. The proposed development with an additional five units and a reduction in parking to 5 parking spaces will preserve a convenient and functional working and living environment; and therefore should not affect the general quality and character of the neighborhood. The applicant has submitted a Project Feasibility Statement. (See Attachment C)

4. Project Variances

The minor variances are for (1) 100% of the required open space on the rooftop; (2) A ground floor height of 13'-6" where 15'-0" is required; and (3) a curb cut separation of 0' where 10'-0" is required.

The lot size constitutes a unique physical condition because the lot area is 4,920 square-feet, which is 2,580 square-feet smaller than the 7,500 square-foot lot area that the open space location, ground floor height, and curb cut separation requirements are based upon, and conformance with the normal requirements would unnecessarily impact the floor plan of the proposed building.

Justification for this minor variance is based on the proposed project meeting the required Design Review criteria. The minor variance for (1) 100% of the required open space on the rooftop; (2) A ground floor height of 13'-6" where 15'-0" is required; and (3) a curb cut separation of 0' where 10'-0" is required is also justified because strict compliance with the regulations would preclude an

effective design solution and conformance with the normal requirements would unnecessarily impact the design and functionality of the proposed building.

Further the roof top open space will provide a private and viable open space area with natural light and views above the adjacent buildings. The ground floor height requirement of 15' is intended to create a viable retail space however this project does not incorporate retail so the 13'-6" height is sufficient for the ground floor activities while also, providing a ground floor that is 3'-6" higher than the floor-to-floor heights on levels 2 through 5. Also, this particular area of the CBD-X is primarily residential with little to no retail. The curb will simply be an extension of the neighboring curb cut and will be in the most appropriate location due to the garage location on Martin Luther King Jr. Way, rather than the heavily traveled more prominent one-way of 17th Street.

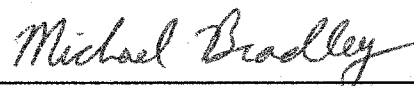
CONCLUSION

The proposed project meets all of the required findings for approval. Therefore, staff recommends approval of the project subject to the attached conditions.

RECOMMENDATIONS:

1. Affirm staff's environmental determination
2. Approve the Major Conditional Use Permit, Regular Design Review, and Variance application CMDV11-165 subject to the attached findings and conditions of approval.

Prepared by:



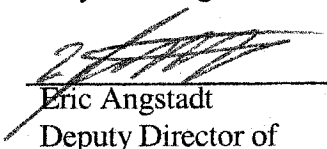
Michael Bradley
Planner I

Approved by:



Scott Miller
Zoning Manager

Approved for forwarding to the
City Planning Commission



Eric Angstadt

Deputy Director of
Community & Economic Development Agency

ATTACHMENTS:

- A. Project Plans
- B. Context Photographs
- C. Project Feasibility Statement
- D. Services Plan Description
- E. Community Meeting Notice and Summary.

FINDINGS FOR APPROVAL

FINDINGS FOR APPROVAL:

This proposal meets all the required findings under Section 17.136.050.A, of the Regular Design Review criteria for Residential Facilities; Section 17.134.050, of the General Use Permit criteria; all the required findings under Section 17.102.212.A, of the Special Regulations Applying to Service-Enriched Permanent Housing Residential Activities criteria; and all the required findings under Section 17.148.050, of the minor Variance criteria; and as set forth below and which are required to approve your application. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type.

17.136.050A - RESIDENTIAL DESIGN REVIEW CRITERIA:

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

The proposed five story 26 residential unit building is consistent with the existing location and setting. The design is both efficient and functional within the context of the surrounding area. The proposed materials and design are consistent with that of the surrounding neighbors.

The proposed design applies a combination of materials including stucco, horizontal siding, concrete, ceramic tile, glass, metal, and a variation of colors consistent with the design review guidelines and will work well to integrate the development with the neighboring structures. To minimize perceived bulk, the design applies a series of projecting bays to articulate the building elevations. This design approach successfully allows the building to achieve a hierarchy of volumes and proportions that relate well to the neighborhood. The proposed design will relate well with surrounding land uses in terms of setting, scale, bulk, height, materials, and textures.

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

The proposal will enhance the surrounding area by adding desirable site improvements to enhance the public safety, security and appearance of the neighborhood. This area of the Downtown Oakland neighborhood has a desirable mix of multi-family dwellings consisting of three to five stories, thus this new development will increase property values for the surrounding neighborhood.

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

The proposed 26 residential unit building is located on a flat lot. The proposed design incorporates landscaping into the site plan.

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

FINDINGS

The proposed 26 residential unit building is located on a flat lot.

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

The subject site is in the Central Business District (CBD) classification of the City of Oakland General Plan. The Central Business District classification is intended to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation in Northern California.

Objective N3 of the Oakland General Plan Land Use and Transportation Element states: "Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community". This proposal, to create a 26 residential unit five story building conforms to the City of Oakland Comprehensive General Plan and is consistent with the Central Business District general plan designation.

SECTION 17.134.050 – GENERAL USE PERMIT FINDINGS:

- 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 conditional use permit is for (1) a Density Bonus to create 26 residential units where the existing zoning (CBD-X) would only allow for 21 units and for a Density Incentive for 5 parking spaces where 26 parking spaces would be required and (2) for Service-Enriched Permanent Housing Residential Activities.

Justification for these conditional use permits is based on the proposed project meeting the required Design Review criteria and 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. The Service Enriched Permanent Housing activity is appropriate at the subject location because the building design with a computer room, one-on-one services office, and community room will allow residents to live comfortably as well as interact confidentially with service providers. Further the close proximity to the proposed service provider partners (LifeLong Medical Care, Goodwill Industries, and Oakland Path), make the location very desirable in the downtown Oakland area. Also, the subject site is in close proximity to several forms of transit thus the additional units and reduction in parking will

FINDINGS

not create an impact on the surrounding neighborhood. Also, the subject site is in close proximity to 2 forms of transit (BART, AC-Transit), thus the additional units and reduction in parking is not likely to create an impact on the surrounding neighborhood. In addition the vast majority of, if not all, of the low-income residents will not have cars. Further the population served at the site will be very low income and the proposed units are either studio or one bedroom units thus less likely to have car ownership. The proposed development with an additional five units and a reduction in parking to 5 parking spaces will preserve a convenient and functional working and living environment; and therefore should not affect the general quality and character of the neighborhood.

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 location, design and site planning of the proposed development will provide a convenient and functional working and shopping environment, and will attempt to preserve the attractive nature of the use and its location and setting warrant. The proposal will preserve a convenient and functional working and living environment; therefore it would not affect the general quality and character of the neighborhood.

While a services office has been incorporated into the project design to provide a private space onsite for residents to meet (as needed) with a service coordinator or case manager, the development will not be a licensed facility and most direct services will be provided at other agencies at their separate facilities, thus not impacting the surrounding neighborhood while creating a convenient and functioning living and working environment for the residents.

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 development will enhance the successful operation of the surrounding area in its basic community function and will provide an essential service to the community or region. This will be achieved by adding an affordable permanent housing development for individuals. The services plan for the proposed project draws on the expertise of experienced and specialized service providers to offer residents the support necessary to retain housing, improve their health, and maximize their ability to live and work in the community.

D. That the proposal conforms to all applicable design review criteria set forth in the DESIGN REVIEW PROCEDURE of Chapter 17.136 of the Oakland Planning Code.

The proposal conforms with all significant aspects of the design review criteria set forth in Chapter 17.136 of the Oakland Planning Code, as outlined above.

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

FINDINGS

The subject site is in the Central Business District (CBD) classification of the City of Oakland General Plan. The Central Business District classification is intended to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation in Northern California.

Objective N3 of the Oakland General Plan Land Use and Transportation Element states: "Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community". This proposal, to create a 26 residential unit five story building conforms to the City of Oakland Comprehensive General Plan and is consistent with the Central Business District general plan designation.

Conditional Use Permit Findings for Service-Enriched Permanent Housing, Residential Activities (Section 17.102.212A):

1. Staffing of the facility is in compliance with any State Licensing Agency requirements;

The development will not be a licensed service facility and most direct services will be provided by other licensed agencies at their separate offsite facilities. The services plan for the proposed project draws on the expertise of experienced and specialized service providers to offer residents the support necessary to retain housing, improve their health, and maximize their ability to live, and work in the community. The services plan adopts a consumer-driven team approach, and tenant participation in all services is voluntary.

2. If located in a residential zone, the operation of buses and vans to transport residents to and from off-site activities does not generate vehicular traffic substantially greater than that normally generated by Residential Activities in the surrounding area;

The site is not within a purely residential zone, but rather in the CBD-X, Central Business District Mixed Commercial Zone. The intent of the CBD-X zone is to designate areas of the Central Business District appropriate for a wide range of upper story and ground level residential, commercial, and compatible light industrial activity. Most of the proposed service providers are within walking distance and minimal vehicular traffic will be created from the services provided.

3. If located in a residential zone, the on-street parking demand generated by the facility due to visitors is not substantially greater than that normally generated by the surrounding Residential Activities;

The site is not within a purely residential zone, but rather in the CBD-X, Central Business District Mixed Commercial Zone. The intent of the CBD-X zone is to designate areas of the Central Business District appropriate for a wide range of upper story and ground level residential, commercial, and compatible light industrial activity. The Serviced-Enriched activities will take place mostly offsite and when onsite will only be on a one-on-one basis, thus also less likely to adversely affect the surrounding neighborhood nor create a parking demand greater than would normally be generated.

4. If located in a residential zone, arrangements for delivery of goods are made within the hours that are compatible with and will not adversely affect the livability of the surrounding properties;

The site is not within a purely residential zone, but rather in the CBD-X, Central Business District Mixed Commercial Zone. The intent of the CBD-X zone is to designate areas of the Central Business District appropriate for a wide range of upper story and ground level residential, commercial, and compatible light industrial activity. The facility will contain both studio and one-bedroom units with individuals living separately within them, thus large deliveries to multiple tenants will be unlikely. Further any deliveries that do occur will be during daytime hours and will not adversely affect the livability of the surrounding properties.

5. The facility's program does not generate noise at levels that will adversely affect the livability of the surrounding properties;

The proposal is for a 5 story 26 unit residential apartment building and the noise generated from the facility should not exceed that of any residential apartment building with a similar amount of dwelling units.

SECTION 17.148.050(A) - MINOR VARIANCE FINDINGS:

- A. That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning regulations, due to unique physical or topographic circumstances or conditions of design; or as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance.

The minor variances are for (1) 100% of the required open space on the rooftop; (2) A ground floor height of 13'-6" where 15'-0" is required; and (3) a curb cut separation of 0' where 10'-0" is required.

The lot size constitutes a unique physical condition because the lot area is 4,920 square-feet, which is 2,580 square-feet smaller than the 7,500 square-foot lot area that the open space location, ground floor height, and curb cut separation requirements are based upon, and conformance with the normal requirements would unnecessarily impact the floor plan of the proposed building.

Justification for this minor variance is based on the proposed project meeting the required Design Review criteria. The minor variance for (1) 100% of the required open space on the rooftop; (2) A ground floor height of 13'-6" where 15'-0" is required; and (3) a curb cut separation of 0' where 10'-0" is required is also justified because strict compliance of the regulations would preclude an effective design solution and conformance with the normal requirements would unnecessarily impact the design and functionality of the proposed building.

Further the roof top open space will provide a private and viable open space area with natural light and views above the adjacent buildings. The ground floor height requirement of 15' is intended to create a viable retail space however this project does not incorporate retail so the

13'-6" height is sufficient for the ground floor activities while also, providing a ground floor that is 3'-6" higher than the floor-to-floor heights on levels 2 through 5. Also, this particular area of the CBD-X is primarily residential with little to no retail. The curb cut will simply be an extension of the neighboring curb cut and will be in the most appropriate location due to the garage location on Martin Luther King Jr. Way, rather than the heavily traveled more prominent one-way of 17th Street.

- B. That strict compliance with the regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation.**

Strict compliance with the regulations for the open space location, ground floor height, and curb cut separation requirement would preclude an effective design solution. The intent of ground level open space is for usable open space adjacent to the residential units; however due to the units being on the second floor and above, rooftop open space will be just as convenient and possibly more comfortable while providing an area with natural light and views above the adjacent buildings. The ground floor height requirement of 15' is intended to create a viable retail space however this project does not incorporate retail so the 13'-6" height is sufficient for the ground floor activities while also, providing a ground floor that is 3'-6" higher than the floor-to-floor heights on levels 2 through 5. The curb cut separation requirement is intended to not create small un-usable sections of street curb; however the proposed design will simply be an extension of the neighboring curb cut and will be in the most appropriate location due to the garage location on Martin Luther King Jr. Way

- C. That the variance, if granted, will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.**

The open space location on the roof, ground floor height, and curb cut separation will be consistent with the surrounding pattern of development, and will not result in an impact to the adjacent neighbors. The ground floor open space requirement is intended to create a usable open space for residents living in a development, thus by having all of the open space on the roof will not be detrimental to the surrounding neighbors and will create an area with natural light and views above the adjacent buildings. Further the design of the open space is to locate it to the south portion of the roof and separate it from the adjacent neighbors by a non-accessible solar hot water panel area. The ground floor height requirement of 15' is intended to create a viable retail space in a proposed development; however this project does not incorporate retail so the 13'-6" height is sufficient for the ground floor activities while also, providing a ground floor that is 3'-6" higher than the floor-to-floor heights on levels 2 through 5. Also, this particular area of the CBD-X is primarily residential with little to no retail. Currently in front of the existing building there is only one useable on-street parking on Martin Luther King Jr. Way, and by installing a new curb cut and by eliminating the existing curb cut, one on-street parking space will remain in front of the proposed building, thus not creating an impact to on-street parking. The curb cut will simply be an extension of

the neighboring curb cut and will be in the most appropriate location due to the garage location on Martin Luther King Jr. Way.

- D. That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the zoning regulations.**

The granting of these variances will not be inconsistent with the purposes of the zoning regulations. With the necessary controls, it will enable the site to be improved and used to the benefit of the community in accordance with the purpose of the Zoning Regulations. Lots with similar constraints have been granted similar variances. The requested variances for the open space location on the roof, ground floor height, and curb cut separation will actually make the design more functional and comfortable for the intended residents of the building and strict compliance of the regulations would preclude an effective design solution and would unnecessarily impact the design and functionality of the proposed building.

- E. For proposals involving one or two dwelling units on a lot: That the elements of the proposal requiring the variance (e.g. elements such as buildings, walls, fences, driveways, garages and carports, etc.) conform with the design review criteria set forth in the design review procedure at Section 17.136.050.**

Not applicable. The proposed project is a multifamily residential structure.

- F. For proposals involving one or two residential dwelling units on a lot: That, if the variance would relax a regulation governing maximum height, minimum yards, maximum lot coverage or building length along side lot lines, the proposal also conforms with at least one of the following criteria:**

- a. The proposal when viewed in its entirety will not adversely impact abutting residences to the side, rear, or directly across the street with respect to solar access, view blockage and privacy to a degree greater than that which would be possible if the residence were built according to the applicable regulation and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height; or
- b. Over 60 percent of the lots in the immediate vicinity are already developed and the proposal does not exceed the corresponding as-built condition on these lots and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height. The immediate context shall consist of the five closest lots on each side of the project site plus the ten closest lots on the opposite side of the street (see Illustration I-4b); however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any decision on any variance.

Not applicable. The proposed project involves a multifamily residential structure.

CITY OF OAKLAND
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
CLASS 32 (IN-FILL DEVELOPMENT) EXEMPTION FINDINGS

CEQA, or the California Environmental Quality Act, is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. Categorical exemptions are descriptions of types of projects which the Secretary of the Resources Agency of the State of California has determined do not have a significant effect on the environment, and therefore are not subject to further environmental review under CEQA.

The Class 32 exemption (Section 15332 of the State CEQA Guidelines) is intended to promote infill development within urbanized areas. The class consists of environmentally benign in-fill projects which are consistent with local general plan and zoning requirements. This class is not intended to be applied to projects which would result in any significant traffic, noise, air quality, or water quality effects. In order to qualify for this exemption, projects must comply with all of the following findings.

Please indicate the way in which the proposal meets the following required criteria.

1. 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:

This project is consistent with the Central Business District general plan designation. The Central Business District classification is intended to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation in Northern California. The zoning of the site is the CBD-X, Central Business District Mixed Commercial Zone. The intent of the CBD-X zone is to designate areas of the Central Business District appropriate for a wide range of upper story and ground level residential, commercial, and compatible light industrial activity.

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

The proposed development occurs within City limits on a project site of 4,920 square feet.

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

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

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

Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality because of the relatively low amount of units; very low income residents that are likely own few cars; the limited number of onsite services provided; and in close proximity to BART and AC Transit.

5. The site can be adequately served by all required utilities and public services:

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

FINDINGS

CONDITIONS OF APPROVAL
CMDV11-165

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, **staff report**, and the plans dated **September 23, 2011** and submitted on **September 26, 2011**, 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: **Regular Design Review to construct a new five-story, 26 unit multi-family affordable housing residential building; a Major Conditional Use Permit for a Service-Enriched Permanent Housing Residential Activities; a Minor Conditional Use Permit for a Density Bonus for 26 very low income residential units and a Density Incentive for 5 parking spaces; and Minor Variance for (1) 100% of the required open space on the rooftop; (2) A ground floor height of 13'-6" where 15'-0" is required; and (3) a curb cut separation of 0' where 10'-0" is required at 1701 Martin Luther King Jr. Way (APN: 003-0059-006-00), under Oakland Municipal Code Sections 17.136, 17.134, 17.102.212A, and 17.148**

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

Prior to issuance of a building permit

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

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

13. Landscape Requirements for Street Frontages.

Prior to issuance of a final inspection of the building permit

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

half (6 ½) feet, the trees to be provided shall include street trees to the satisfaction of the Director of Parks and Recreation.

14. Assurance of Landscaping Completion.

Prior to issuance of a final inspection of the building permit

The trees, shrubs and landscape materials required by the conditions of approval attached to this project shall be planted before the certificate of occupancy will be issued; **or a bond, cash, deposit, or letter of credit, acceptable to the City**, shall be provided for the planting of the required landscaping. The amount of such **or a bond, cash, deposit, or letter of credit** shall equal the greater of two thousand five hundred dollars (\$2,500.00) or the estimated cost of the required landscaping, based on a licensed contractor's bid.

15. Landscape Maintenance.

Ongoing

All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required fences, walls and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. Dust Control

Prior to issuance of a demolition, grading or building permit

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

- a) Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
- b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).

- c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
- e) Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- f) Limit the amount of the disturbed area at any one time, where feasible.
- g) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- h) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- i) Replant vegetation in disturbed areas as quickly as feasible.
- j) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- k) Limit traffic speeds on unpaved roads to 15 miles per hour.
- l) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.

22. 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.

23. 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.

24. Noise Control

Ongoing throughout demolition, grading, and/or construction

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

- a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).
- b) Except as provided herein, Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered

tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.

- c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.
- d) The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

25. 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.

26. 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.

27. 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.

28. 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.

CONDITIONS OF APPROVAL

- 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.
- 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.

29. 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.

30. Hazards Best Management Practices***Prior to commencement of demolition, grading, or construction*****CONDITIONS OF APPROVAL**

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

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

31. 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.

32. 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.

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 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. Stormwater and Sewer

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

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

35. Indoor Air Quality

In order to comply with the California Air Resources Board Air Quality and Land Use Handbook (June 2005) and achieve an acceptable interior air quality level for sensitive receptors, appropriate measures, shall be incorporated into project building design. The appropriate measures shall include one of the following methods:

- a) The project applicant shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the California Air Resources Board and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of project residents/occupants/users to stationary air quality pollutants prior to issuance of a demolition, grading, or building permit. The HRA shall be submitted to the Planning and Zoning Division for review and approval. The applicant shall implement the approved HRA recommendations, if any. If the HRA concludes that the air quality risks

from nearby sources are at or below acceptable levels, then additional measures are not required.

- b) The applicant shall implement the following features that have been found to reduce the air quality risk to sensitive receptors and shall be included in the project construction plans. These shall be submitted to the Planning and Zoning Division and the Building Services Division for review and approval prior to the issuance of a demolition, grading, or building permit and ongoing.
 - a) Do not locate sensitive receptors near distribution center's entry and exit points.
 - b) Do not locate sensitive receptors in the same building as a perchloroethylene dry cleaning facility.
 - c) Maintain a 50' buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year).
 - d) Install, operate and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets the efficiency standard of the MERV 13. The HV system shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters shall be used.
 - e) Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources.
 - f) Maintain positive pressure within the building.
 - g) Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air.
 - h) Achieve a performance standard of at least 4 air exchanges per hour of recirculation
 - i) Achieve a performance standard of .25 air exchanges per hour of in unfiltered infiltration if the building is not positively pressurized.
 - j) Project applicant shall maintain, repair and/or replace HV system or prepare an Operation and Maintenance Manual for the HV system and the filter. The manual shall include the operating instructions and maintenance and replacement schedule. This manual shall be included in the CC&R's for residential projects and distributed to the building maintenance staff. In addition, the applicant shall prepare a separate Homeowners Manual. The manual shall contain the operating instructions and maintenance and replacement schedule for the HV system and the filters. It shall also include a disclosure to the buyers of the air quality analysis findings.

36. Air Pollution Buffering for Private Open Space

Prior to approval of Final Development Plan for each stage

To the maximum extent practicable, private (individual and common) exterior open space, including playgrounds, patios, and decks, shall either be shielded from the stationary source

CONDITIONS OF APPROVAL

of air pollution by buildings or otherwise buffered to further reduce air pollution for project occupants.

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

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

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

- a) The following information shall be submitted to the Building Services Division for review and approval with the application for a building permit:
 - i. Documentation showing compliance with Title 24 of the 2008 California Building Energy Efficiency Standards.
 - ii. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
 - iii. Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
 - iv. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (b) below.
 - v. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
 - vi. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.
 - vii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.
- b) The set of plans in subsection (a) shall demonstrate compliance with the following:
 - i. CALGreen mandatory measures.
 - ii. All pre-requisites per the **GreenPoint Rated** checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.
 - iii. **50 points** per the appropriate checklist approved during the Planning entitlement process.
 - iv. All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Planning and Zoning Division that shows the previously approved points that will be eliminated or substituted.
 - v. The required green building point minimums in the appropriate credit categories.

During construction

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

- a) The following information shall be submitted to the Building Inspections Division of the Building Services Division for review and approval:
 - i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.

CONDITIONS OF APPROVAL

- ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.
- iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

After construction, as specified below

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

Site Specific Conditions of Approval

38. Garage Alert Buzzer

Ongoing

A buzzer warning system shall be installed in the garage that is triggered as vehicles inside the garage approach the sidewalk to serve as an alert to pedestrians that a vehicle is approaching from the garage. The buzzer volume shall be no louder than necessary for pedestrians to hear on the Martin Luther King Jr. Way sidewalk and the volume should be adjustable such that off-site impacts are avoided.

39. Encroachment Permit

Prior to issuance of building permit.

The applicant shall obtain any encroachment permits, waiver of damages or other approvals required by the Building Services Division, for any privately constructed public improvements, or any permanent or temporary elements located in the public right of way.

40. Window and Door Details.

Prior to issuance of building permit.

The applicant shall submit to the Planning and Zoning Division for review and approval, a window and door schedule, including cross-sections and elevations, and final architectural details of the front and side elevations.

41. Meter Shielding.

Prior to issuance of building permits.

The applicant shall submit for review and approval by the Planning and Zoning Division, plans showing the location of any and all utility meters, transformers, and the like located within a box set within the building, located on a non-street facing elevation, or screened from view from any public right of way.

ATTACHMENT A



BIRD'S EYE SITE VIEW

PARCEL NO. 003-0059-006-00

GENERAL PLAN: CENTRAL BUSINESS DISTRICT

ZONING: CBD-X CENTRAL BUSINESS DISTRICT
MIXED COMMERCIAL ZONE

CEQA: SEC. 17.107, DENSITY BONUS & INCENTIVE PROCEDURE
- ALL UNITS (26) ARE SERVING VERY LOW INCOME INDIVIDUALS/HOUSEHOLDS
- DENSITY BONUS = APPLIES
- DENSITY INCENTIVE = APPLIES, USED FOR MODIFICATION TO REQUIRED OFF STREET PARKING

OPEN SPACE: 75 SF / UNIT = 1,950 SF
TOTAL REQ'D = 1,950 SF
TOTAL PROVIDED = 2,097 SF

ACCESSIBILITY: 5 UNITS FULLY ACCESSIBLE (UFAS), 21 UNITS ADAPTABLE (CBC)

1701 MARTIN LUTHER KING JR. WAY



UNIT BREAKDOWN

26 APARTMENTS FOR VERY LOW INCOME INDIVIDUALS

- (5) STUDIO
- (20) ONE-BEDROOM
- (1) MANAGER'S UNIT

LOT SIZE 82' x 60' / 4,920 SF / .113 ACRES

BUILDING AREA 24,215 SF

OPEN SPACE AT ROOF TERRACE 2,097 SF

AMENITIES: RESIDENT LOUNGE, ROOF TERRACE, SERVICES AND MANAGEMENT OFFICES, LAUNDRY ROOM, COMPUTER ROOM, BICYCLE PARKING

PARKING 5 TOTAL SPACES PROVIDED, 1 VAN-ACCESSIBLE SPACE PROVIDED

ATTACHMENT A



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PROJECT INFORMATION
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-001

UNITS PER FLOOR	
Name	Area

Level 2	
STUDIO A	434 SF
UNIT A	570 SF
UNIT B	588 SF
UNIT C	628 SF
UNIT D	596 SF
UNIT E	555 SF

Level 3	
UNIT A	570 SF
UNIT B	588 SF
UNIT C	628 SF
UNIT D	596 SF
UNIT E	555 SF
UNIT F	871 SF

Level 4	
STUDIO A	434 SF
STUDIO B	438 SF
UNIT A	570 SF
UNIT B	588 SF
UNIT C	628 SF
UNIT D	596 SF
UNIT E	555 SF

Level 5	
STUDIO A	442 SF
STUDIO B	443 SF
UNIT A	570 SF
UNIT B	588 SF
UNIT C	640 SF
UNIT D	611 SF
UNIT E	567 SF

Grand total: 26 14846 SF

SERVICE SPACES			
Name	Count	Area	Comments

COMPUTER	1	96 SF	FOR RESIDENTS' USE
CORRIDOR	4		SEE PLANS FOR AREAS
LAUNDRY	1	198 SF	FOR RESIDENTS' USE
LOUNGE	1	675 SF	FOR RESIDENTS' USE
OFFICE	1	257 SF	MANAGER'S OFFICE
ROOF TERRACE	1	2097 SF	OPEN SPACE REQ. (75 SF x 26 UNITS) = 1950 SF
SOLAR HOT WATER PANEL ROOF AREA	1	2281 SF	ROOFTOP SOLAR HOT WATER EQUIP. AREA
STOR/UTIL	4	81 SF	JANITOR'S, STORAGE, ETC.
W.C.	1	54 SF	FOR RESIDENTS' USE

Grand total: 15

UNIT TYPES			
Name	Comments	Avg. Area	Count

STUDIO A	STUDIO	400 SF	3
STUDIO B	STUDIO	430 SF	2
UNIT A	1 BDRM	570 SF	4
UNIT B	1 BDRM	588 SF	4
UNIT C	1 BDRM	627 SF	4
UNIT D	1 BDRM	602 SF	4
UNIT E	1 BDRM	555 SF	4
UNIT F	2 BDRM	870 SF	1

Grand total: 26

PROJECT DESCRIPTION:

1701 Martin Luther King Jr. Way is a proposed 5-story multifamily residential building that would replace 2 existing single-story parking structures at the northwest corner of 17th Street & MLK Jr. Way in Downtown Oakland.

A total of 26 residential units would be created, including 5 studios, 20 one-bedrooms and 1 two-bedroom onsite manager's unit.

Of the 26 units, 5 will be fully UFAS accessible and 21 will be CBC adaptable. All 26 units are serving very-low income individuals and/or households.

Located within the CBD-X Central Business District Mixed Commercial Zone, it will be designated a Permanent Housing Activity multifamily project.

Amenities for residents will include a community room, outdoor roof terrace, a services office, laundry room, computer lab and bicycle parking.

Reflecting the very low demand for parking at RCD's similar facilities, five total parking spaces will be provided, one of which will be fully van-accessible.

The building design will pursue GreenPoint Rated certification.

PROJECT TEAM:

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RESOURCES FOR COMMUNITY DEVELOPMENT
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CONTACT: MATTHEW BOKAR

CONTRACTOR
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OAKLAND, CA 94608
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CONTACT: MOHAMMAD HAKIMI

DRAWING INDEX	
Number	Sheet Name

A-001	PROJECT INFORMATION
A-002	BUILDING AREAS & PROJECT DESCRIPTION
A-003	SITE PHOTOGRAPHS
A-004	BOUNDARY & TOPOGRAPHIC SURVEY
A-101	SITE PLAN
A-201	FIRST FLOOR PLAN
A-202	SECOND FLOOR PLAN
A-203	THIRD FLOOR PLAN
A-204	FOURTH FLOOR PLAN
A-205	FIFTH FLOOR PLAN
A-206	ROOF PLAN
A-301	EAST ELEVATION - M.L.K. JR. WAY
A-302	SOUTH ELEVATION - 17th STREET
A-303	WEST ELEVATION
A-304	NORTH ELEVATION
A-401	SITE LONGITUDINAL SECTION
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A-703	GREENPOINT RATED CHECKLIST
A-704	GREENPOINT RATED CHECKLIST
A-705	GREENPOINT RATED CHECKLIST
A-706	GREENPOINT RATED CHECKLIST
A-707	GREENPOINT RATED CHECKLIST
A-708	GREENPOINT RATED CHECKLIST
A-709	GREENPOINT RATED CHECKLIST
A-710	GREENPOINT RATED CHECKLIST
A-711	GREENPOINT RATED CHECKLIST
A-712	GREENPOINT RATED CHECKLIST

Grand total: 31



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BUILDING AREAS & PROJECT DESCRIPTION

1701 MARTIN LUTHER KING JR WAY

09/23/11

A-002



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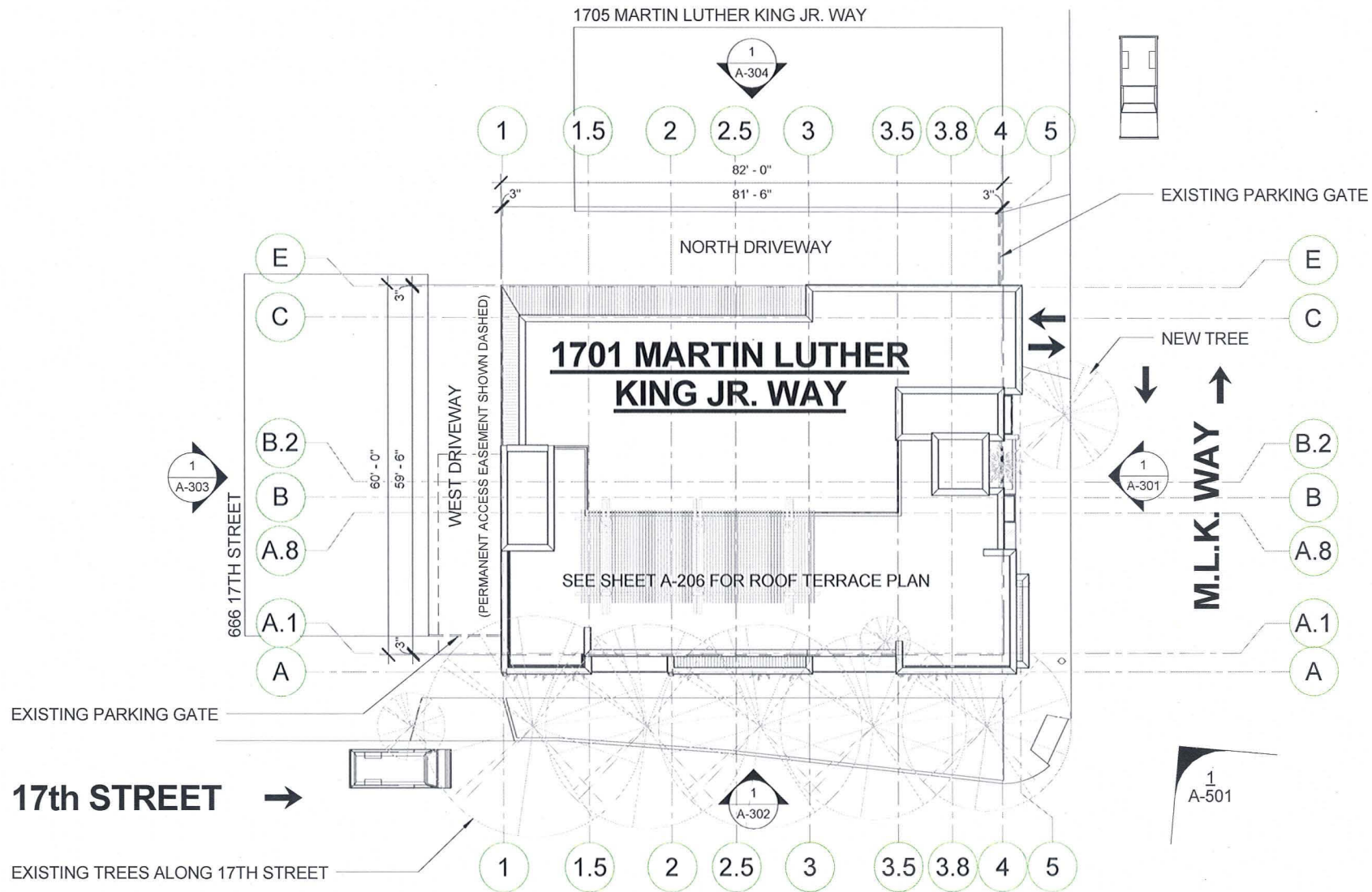


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SITE PHOTOGRAPHS
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-003



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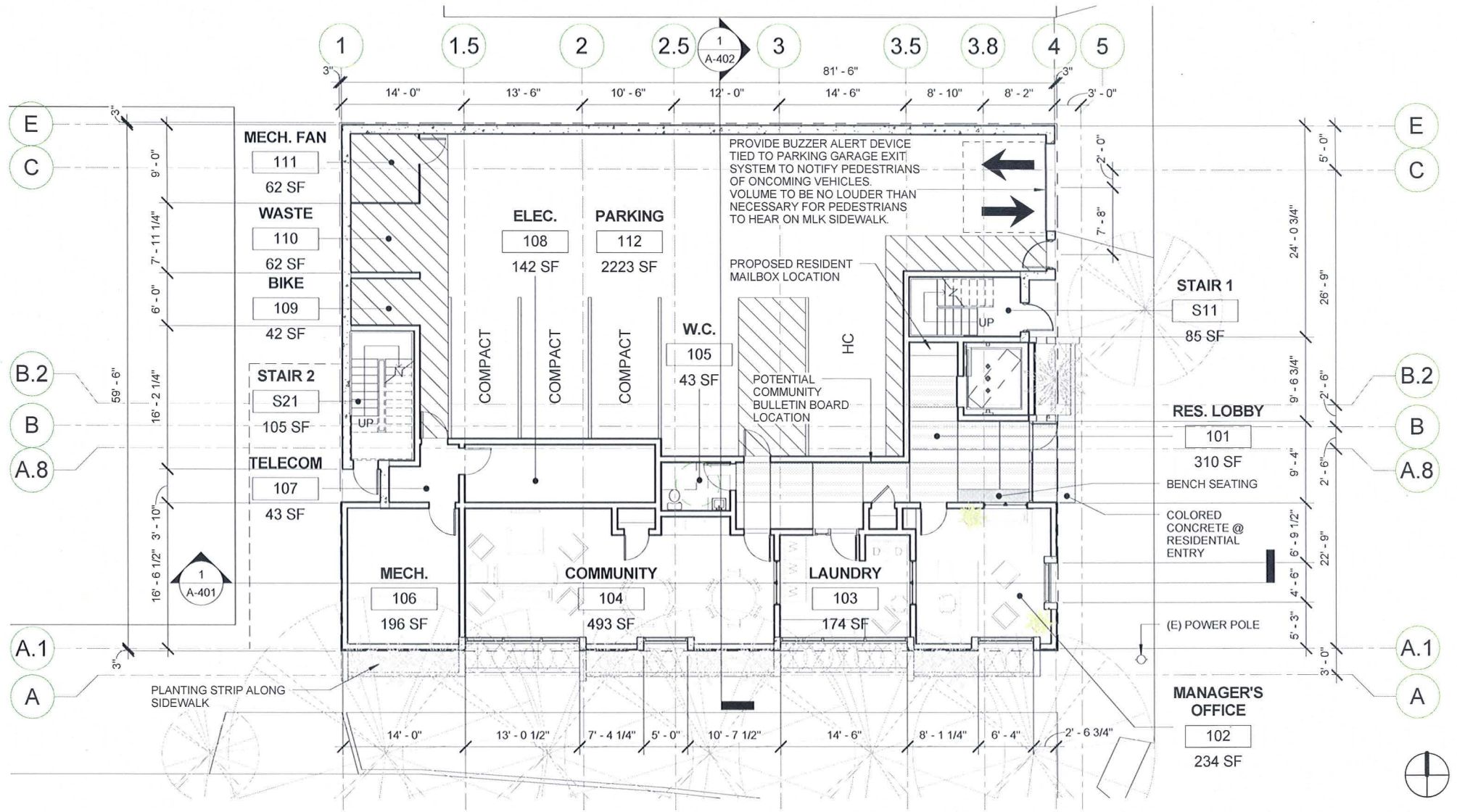


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SITE PLAN 1701 MARTIN LUTHER KING JR WAY

A-101

26 SEPTEMBER 2011
SCALE: 1/16" = 1'-0"



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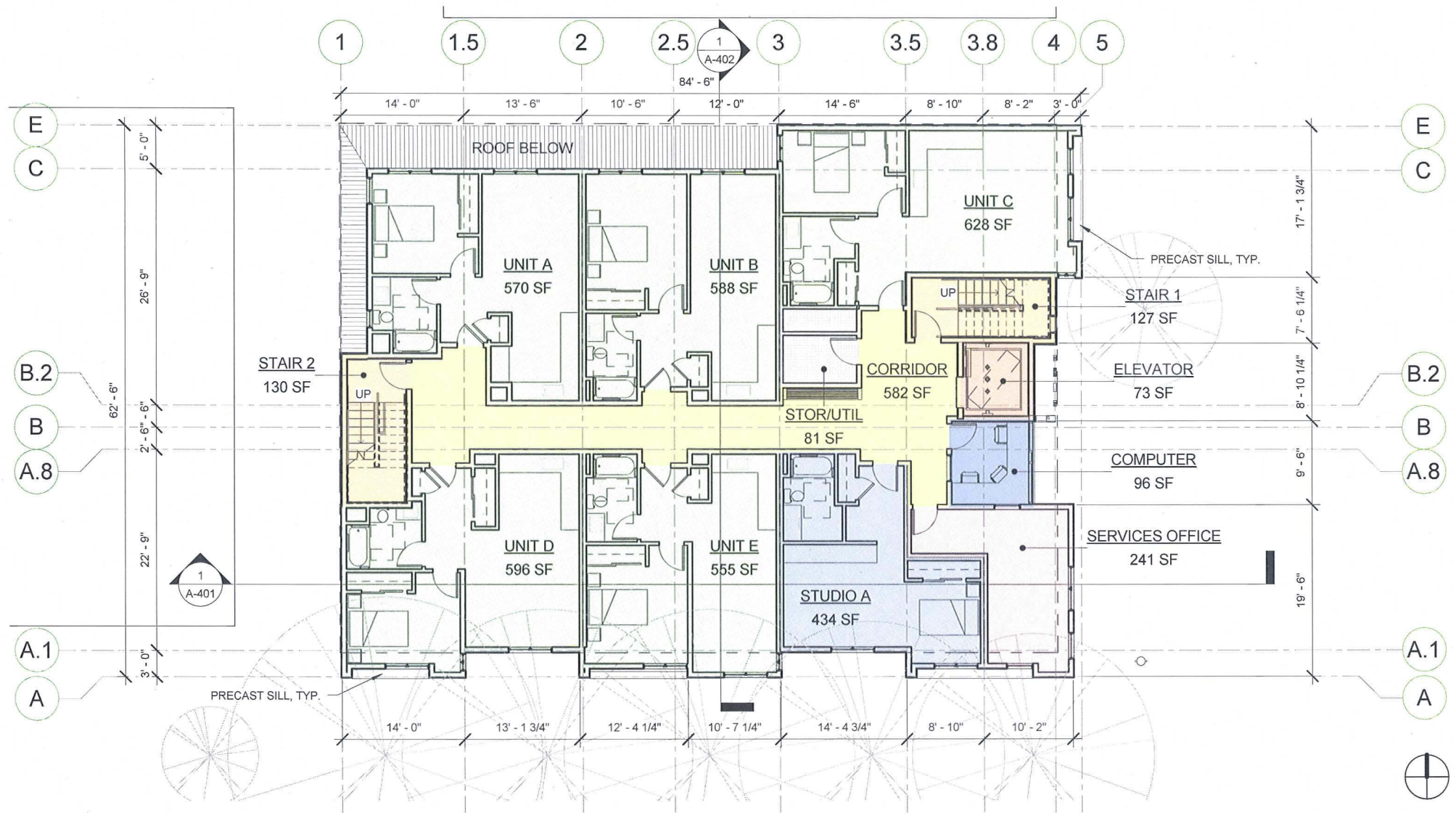


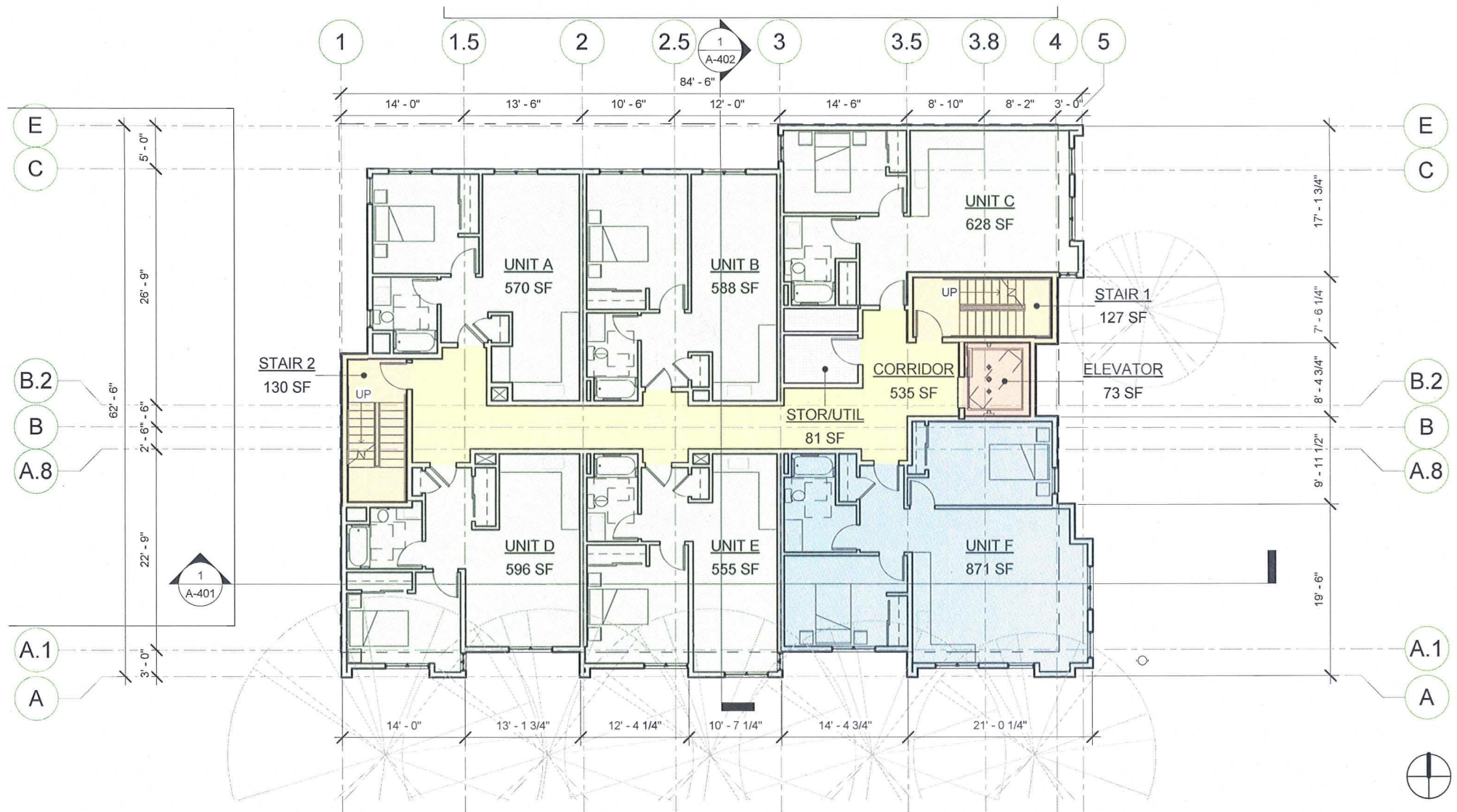
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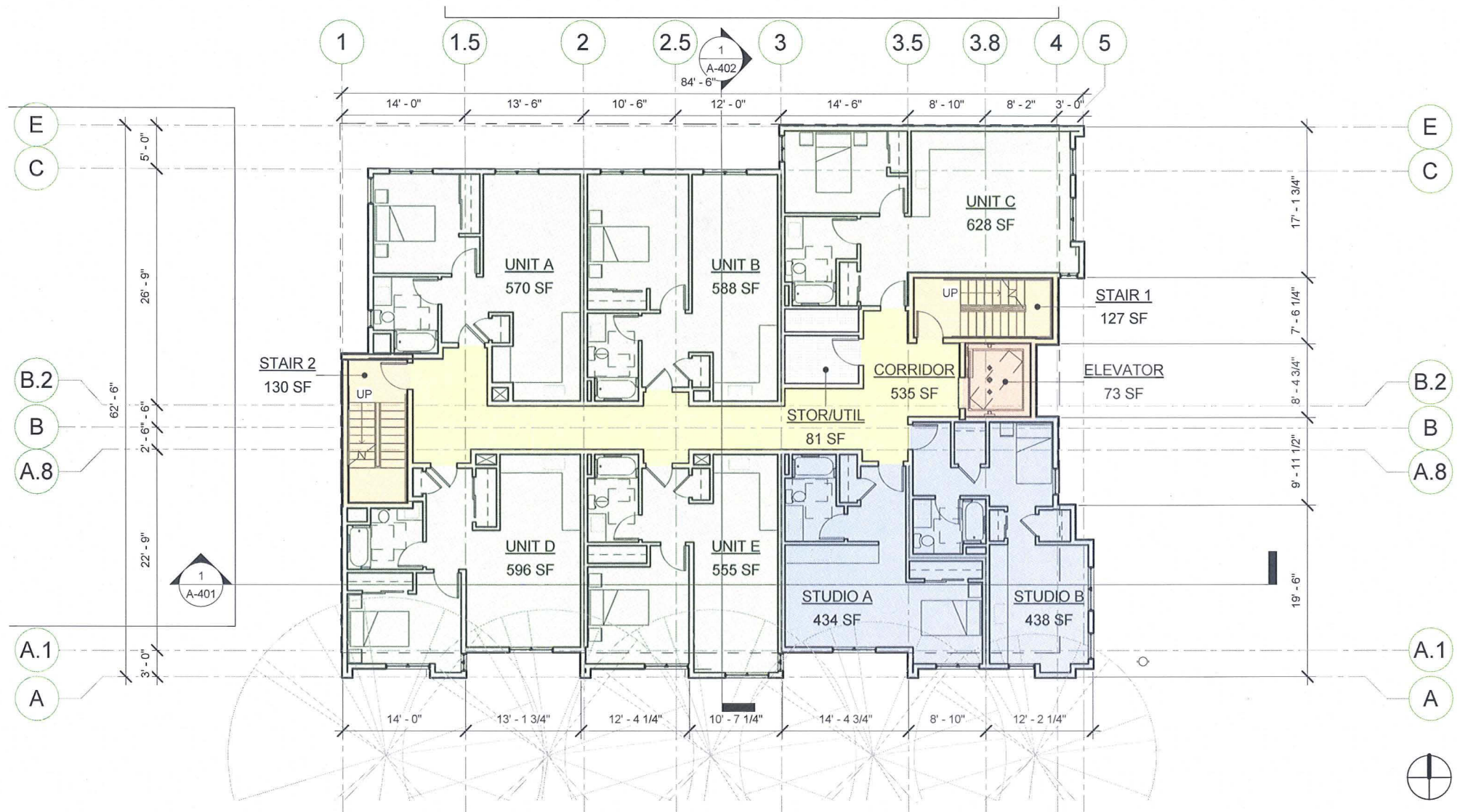
FIRST FLOOR PLAN 1701 MARTIN LUTHER KING JR WAY

A-201

26 SEPTEMBER 2011
SCALE: 1" = 10'-0"







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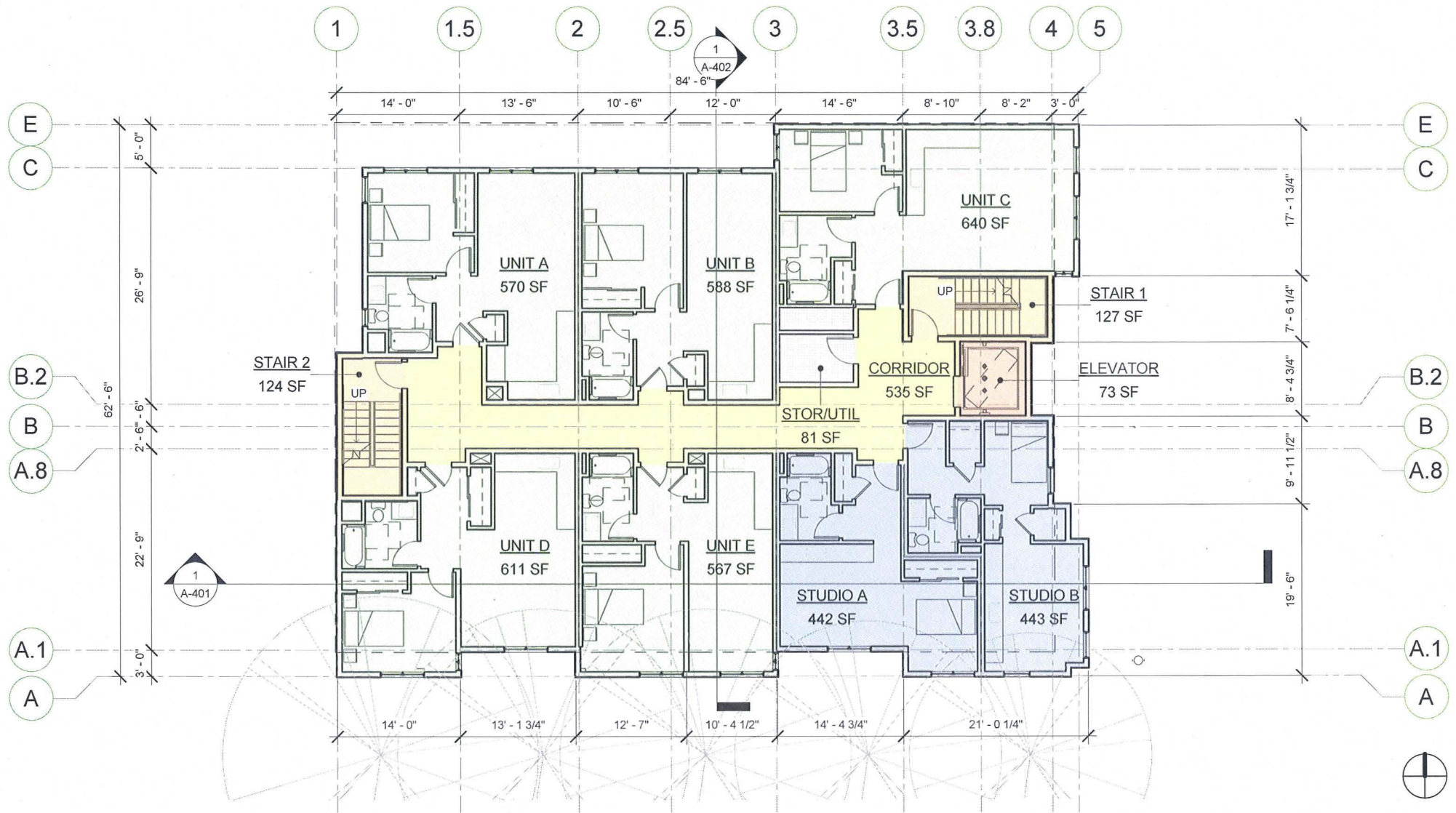
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FOURTH FLOOR PLAN 1701 MARTIN LUTHER KING JR WAY

A-204

26 SEPTEMBER 2011

SCALE: 1" = 10'-0"



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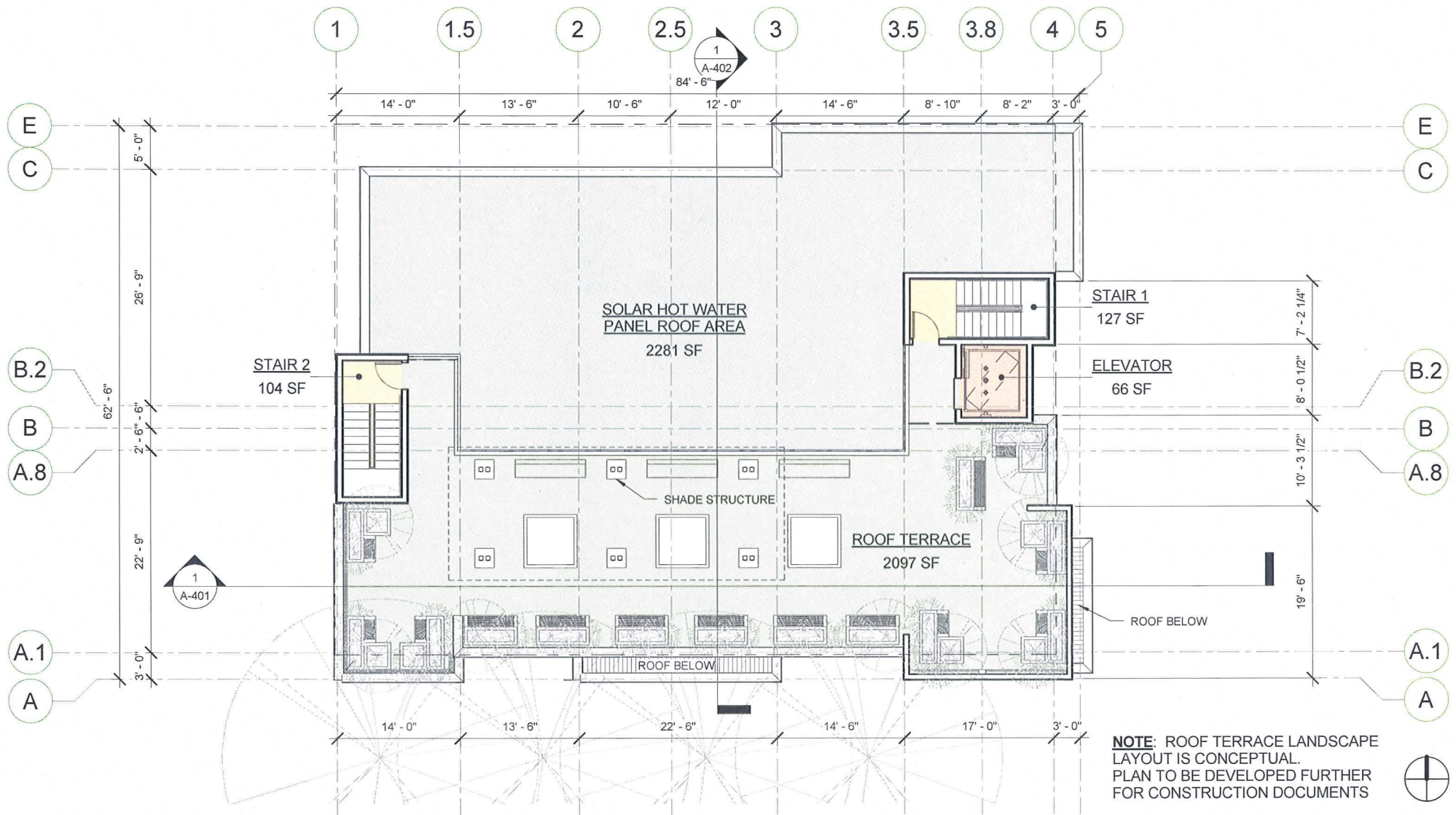


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FIFTH FLOOR PLAN 1701 MARTIN LUTHER KING JR WAY

A-205

26 SEPTEMBER 2011
SCALE: 1" = 10'-0"



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ROOF PLAN 1701 MARTIN LUTHER KING JR WAY

A-206

26 SEPTEMBER 2011
SCALE: 1" = 10'-0"



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EAST ELEVATION - M.L.K. JR. WAY
1701 MARTIN LUTHER KING JR WAY

A-301

26 SEPTEMBER 2011

SCALE: 1" = 10'-0"

SHADE STRUCTURE, BEYOND

STAIR TOWER, BEYOND

TYPICAL GSM PARAPET
COPING, PAINTED

RESIDENTIAL WINDOWS W/
LOW-E INSULATED GLASS &
FIBERGLASS/VINYL FRAMES

TYPICAL EXTERIOR WALL -
CEMENT PLASTER, PAINTED,
TEXTURED ACRYLIC FINISH

TYPICAL EXTERIOR WALL -
CEMENT PLASTER, PAINTED,
SMOOTH TROWEL FINISH

TYPICAL EXTERIOR WALL -
CEMENT BOARD LAP SIDING,
6" PROFILE, PAINTED

CANTILEVERED STEEL
SUNSCREENS, PAINTED

TYPICAL RECESSED
DOWNLIGHTING AT
PROJECTING BAY SOFFIT

LEVEL 1 EXTERIOR WALL -
CERAMIC TILE, 8"x16"

PLANTING STRIP ALONG
SIDEWALK

LEVEL 1 WINDOWS -
CLEAR ANODIZED ALUMINUM
STOREFRONT SYSTEM W/
CLEAR GLAZING

WEST
DRIVEWAY

ROOF TERRACE

ELEVATOR TOWER,
BEYOND

TYPICAL EXTERIOR WALL -
CEMENT PLASTER,
PAINTED, TEXTURED
ACRYLIC FINISH

ROOF
54' - 6"

Level 5
43' - 6"

Level 4
33' - 6"

Level 3
23' - 6"

Level 2
13' - 6"

Level 1
0' - 0"

MARTIN LUTHER KING JR. WAY



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SOUTH ELEVATION - 17th STREET
1701 MARTIN LUTHER KING JR WAY

A-302

26 SEPTEMBER 2011

SCALE: 1" = 10'-0"



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WEST ELEVATION
1701 MARTIN LUTHER KING JR WAY

A-303

26 SEPTEMBER 2011

SCALE: 1" = 10'-0"



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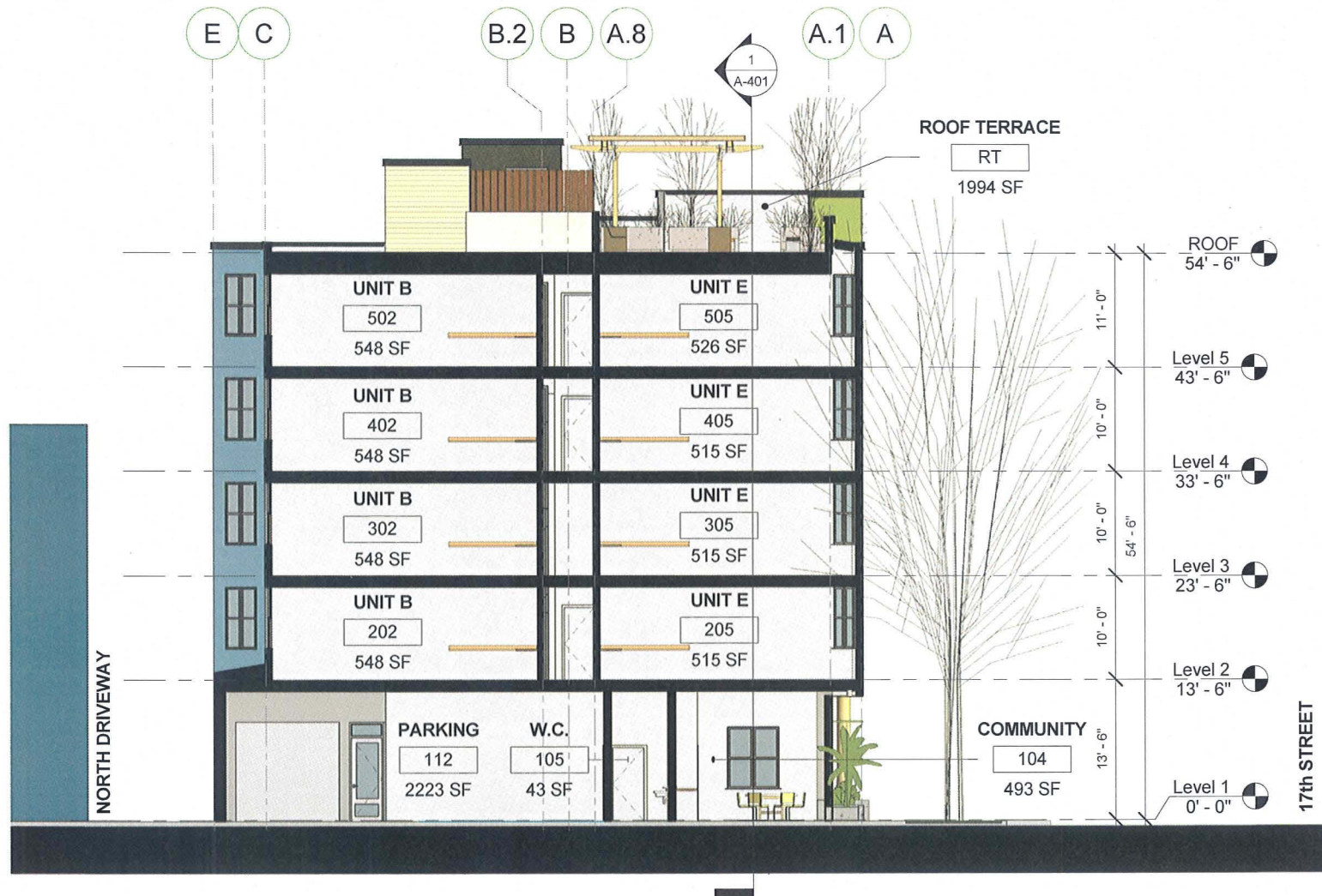
NORTH ELEVATION
1701 MARTIN LUTHER KING JR WAY

A-304

26 SEPTEMBER 2011

SCALE: 1" = 10'-0"





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SITE CROSS SECTION 1701 MARTIN LUTHER KING JR WAY

A-402

26 SEPTEMBER 2011

SCALE: 1" = 10'-0"



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3D PERSPECTIVE
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-501

EXTERIOR ELEVATIONS

MLK JR. WAY



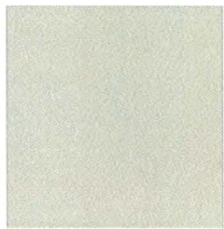
17TH STREET



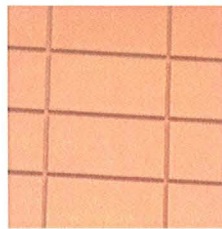
MATERIALS



1A CEMENT PLASTER -
LIGHT SAND, PAINTED



1B CEMENT PLASTER -
SMOOTH TROWEL, PAINTED



2 CERAMIC TILE -
8" x 16"



3 HORIZONTAL CEMENT BOARD
LAP SIDING - PAINTED



4 ALUMINUM STOREFRONT -
ANODIZED W/ CLEAR GLAZING



5 FIBERGLASS/ VINYL WINDOW -
PEBBLE GRAY W/ CLEAR GLAZING



6 STEEL SUNSHADE -
PAINTED



7 PROJECT SIGNAGE -
BRUSHED ALUMINUM
DIMENSIONAL LETTERING

COLORS



A BAY COLOR 1:
BM 1678
BLUE NOSE



B BAY COLOR 2:
BM 406
HUNTINGTON GREEN



C MAIN BODY 1:
BM 1451
VIOLET PEARL



D ACCENT 1:
BM 1484
ASHWOOD MOSS



E ACCENT 2:
BM 944
ALBANY WHITE



F ACCENT 3 (GLAZING):
DEEP ORANGE



G EXPOSED CONCRETE:
ARCHITECTURAL FINISH

MATERIALS & COLOR BOARD

1701 MARTIN LUTHER KING JR. WAY

Oakland, CA

26 September 2011

GreenPoint Rated Checklist: Multifamily

The GreenPoint Rated checklist tracks green features incorporated into the home. **A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green.** GreenPoint Rated is provided as a public service by Build It Green, a professional non-profit whose mission is to promote healthy, energy and resource efficient buildings in California.

The minimum requirements for a GreenPoint Rated home are: Earn a total of 50 points or more, obtain the following minimum points per category: Community (6), Energy (30), Indoor Air Quality/Health (5), Resources (6), and Water (3), and meet the prerequisites A2a, E2a, H4a, (for 2008 permitted projects), J1a, N1, and Q0.



This checklist accommodates the verification of mandatory CALGreen measures but does not signify compliance unless accepted by jurisdictional authority. All CALGreen measures within the checklist must be selected as "Yes" or "N/A" for compliance with GreenPoint Rated. Build It Green is not a code enforcement agency.

The green building practices listed below are described in the GreenPoint Rated Multifamily Rating Manual. For more information please visit www.builditgreen.org/greenpointrated.

Total Targeted Points: 67

Multifamily New Home 2.2 / 2008 Title 24

REQUIRED: ENTER FLOOR AREAS AND LANDSCAPED AREA BEFORE BEGINNING CHECKLIST

Enter Total Conditioned Floor Area of the Project:

24215

Enter Total Non-Residential Floor Area of Project:

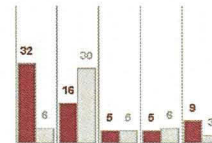
0

Percent of Project Dedicated to Residential Use

100%

Percentage of Site Dedicated to Landscaping

0%



Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
AA. COMMUNITY DESIGN AND PLANNING		Possible Points						
1. Develop Infill Sites								
Yes	a. Project is an Urban Infill Development	1	1					
230	b. Conserve Resources by Increasing Density -15 Units Per Acre or Greater (1 Point for every additional 5 dwelling units/acre) Enter Project Density Number (In du/acre)	10	10					
No	c. Project Includes the Redevelopment of At Least One Existing Building	0				1		
Yes	d. Build on Designated Brownfield Site or City-Designated Redevelopment Area	1	1					
2. Design for Walking & Bicycling								
No	a. Sidewalks Are Buffered from Roadways & Are 5 Feet Wide (8 Feet in Retail Areas)	0	1					
No	b. Install Traffic Calming Strategies	0	1					
TBD	c. Provide Dedicated, Covered & Secure Bicycle Storage for 15% of Residents	0	1					
No	d. Provide Secure Bicycle Storage for 5% of Non-Residential Tenant Employees & Visitors	0	1					
3. Alternative Transportation								
a. Site has Pedestrian Access Within 1/2 Mile of Community Services:								
8	TIER 1: Enter number of services within 1/2 Mile:							
	1) Day Care 2) Community Center 3) Public Park							
	4) Drug Store 5) Restaurant 6) School							
	7) Library 8) Farmer's Market 9) After School Programs							
	10) Convenience Store Where Meat & Produce are Sold							
6	Enter number of services within 1/2 Mile:							

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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-701

Enter Project Name			Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
	1) Bank	2) Place of Worship	3) Laundry/Cleaners						
	4) Hardware	5) Theater/Entertainment	6) Fitness/Gym						
	7) Post Office	8) Senior Care Facility	9) Medical/Dental						
	10) Hair Care	11) Commercial Office or Major Employer	12) Full Scale Supermarket						
	i. 5 Services Listed Above (Tier 2 Services Count as 1/2 Service Value)			1	1				
	ii. 10 Services Listed Above (Tier 2 Services Count as 1/2 Service Value)			1	1				
	b. Proximity to Public Transit: Development is Located Within								
Yes	i. 1/4 Mile of One Planned or Current Bus Line Stop			1	1				
Yes	ii. 1/2 Mile of a Major Transit Stop (Commuter Train/Light Rail Transit System OR Two or More Planned/Current Bus Line Stops)			1	1				
	c. Reduced Parking Capacity								
Yes	i. Less than 1.5 Parking Spaces Per Unit			1	1				
Yes	ii. Less than 1.0 Parking Spaces Per Unit			1	1				
	4. Mixed-Use Developments								
No	a. At least 2% of Development Floor Space Supports Mixed-Use (Non-Residential Tenants)			0	1				
No	b. Half of the Non-Residential Floor Space is Dedicated to Community Services (See AA3a)			0	1				
	5. Outdoor Gathering Places								
Yes	a. Private or Semi-Public Outdoor Gathering Places for Residents (Minimum of 50 sf Per Unit) (mutually exclusive with AA5b)			1	1				
No	b. Outdoor Gathering Place of Compact Site Provides Natural Elements (mutually exclusive with AA5a) (Projects Must Be a Minimum of 50 du/acre)			0	1				
No	c. Public Outdoor Gathering Places have Direct Access to At Least Two Tier 1 Community Services (See AA3a)			0	1				
	6. Design for Safety and Vandalism Deterrence								
Yes	a. Residence Entries Have Views to Callers (Windows or Double Peep Holes) & Can Be Seen By Neighbors			1	1				
Yes	b. All Main Entrances to the Building and Site are Prominent and Visible from the Street			1	1				
	7. Passive Solar Design								
No	a. Provide Appropriate Orientation for Maximum Energy Efficiency			0		2			
No	b. Provide Appropriate Shading On All South-Facing Windows for Effective Passive Solar Control			0		1			
No	c. Provide Thermal Mass			0		2			
	8. Adaptable Buildings								
	a. Include Universal Design Principles in Units								
Yes	i. 50% of Units			1	1				
Yes	ii. 80% of Units			1	1				
No	b. Live/Work Units Include A Dedicated Commercial Entrance			0	1				
	9. Affordability								

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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-702

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
a. Units are Dedicated to Households Making 80% or Less of AMI								
Yes	i. 10% of All Units	1	1					
Yes	ii. 25%	1	1					
Yes	iii. 50% or More	1	1					
No	b. Development Includes Multiple Bedroom Units (Minimum of 2 3-Bdrm Units At or Less Than 80% AMI)	0	1					
No	c. At least 20% of Units at 120% or Less of AMI are For-Sale	0	1					
Total Available Points in Community Design and Planning:		42	26					
A. SITE			Possible Points					
1. Protect Topsoil and Minimize Disruption of Existing Plants & Trees								
No	a. Protect Topsoil and Reuse After Construction	0	1			1		
No	b. Limit and Delineate Construction Footprint for Maximum Protection	0				1		
2. Divert/Recycle Job Site Construction Waste (Including Green Waste and Existing Structures)								
Yes	a. Required: Divert 50% (by weight) of All Construction & Demolition Waste (Recycling or Reuse) (CALGreen code)	Y				R		
No	b. Divert 100% of Asphalt and Concrete and 65% (by weight) of Remaining Materials	0				2		
No	c. Divert 100% of Asphalt and Concrete and 80% (by weight) of Remaining Materials	0				2		
3. Construction Environmental Quality Management Plan, Duct Sealing, and Pre-Occupancy Flush-Out [*This credit is a requirement associated with PJ1: EPA IAP]								
Yes	a. Duct openings and other related air distribution component openings shall be covered during construction. (CALGreen code if applicable)	1			1			
No	b. Full environmental quality management plan and pre-occupancy flush out is conducted (Prerequisite is A5a)	0			1			
Yes	4. Use Recycled Content Aggregate (Minimum 25%)	1				1		
No	5. Cool Site: Reduce Heat Island Effect on Site	0	1					
Total Available Points in Site:		11	2					
B. LANDSCAPE			Possible Points					
1. Landscaping								
No	Is the landscape $\geq 10\%$ of the site area? Sites with less than 10% of the total site area dedicated to landscaping can only earn up to 4 points for measure B1a through B1g. Calculate the landscape area percentage by dividing the landscape area by the total site area. Include the building footprint(s) and all other developed portions of the site up to the site boundary.							
Yes	a. Group Plants by Water Needs (Hydrozoning)	2					2	
No	b. Mulch All Planting Beds to the Greater of 3 Inches or Local Water Ordinance Requirement	0					2	
Yes	c. Construct Resource-Efficient Landscapes							
Yes	i. No Invasive Species Listed by Cal-IPC Are Planted	1				1		
Yes	ii. No Plant Species will Require Shearing	1				1		
Yes	iii. 75% of Plants are Drought-tolerant, California Natives, Mediterranean or Other Appropriate Species	0					3	
	d. Minimize Turf in Landscape Installed by Builder							

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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

A-703

09/23/11

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
Yes	i. Turf Shall Not Be Installed on Slopes Exceeding 10% and No Overhead Sprinklers Installed in Areas Less than 8 Feet Wide	0					2	
No	ii. Turf Is ≤ 25% of Landscaped Area	0					2	
	e. Install High-Efficiency Irrigation Systems							
Yes	i. System Uses Only Low-Flow Drip, Bubblers or Sprinklers	0					2	
N/A	ii. System Has Smart (Weather-based) Controller <i>CALGreen code if applicable</i>	N/A					3	
No	f. Incorporate Two Inches of Compost in the Top 6 to 12 Inches of Soil	0					3	
	g. Design Landscape to Meet Water Budget							
No	i. Install Irrigation System That Will Be Operated at <70% Reference ET (B1a. and B1b. are Prerequisites for Credit)	0					1	
No	ii. Install Irrigation System That Will Be Operated at <50% Reference ET (B1a., B1b. and B1ei. or B1eii. are Prerequisites for Credit)	0					1	
No	h. Incorporate Community Garden	0	1					
	2. Source Water Efficiency							
No	a. Use Recycled Water for Indoor and/or Outdoor Water Use	0					2	
No	b. Use Rainwater for Indoor and/or Outdoor Water Use	0					4	
	3. Outdoor Play Structures and Outdoor Furniture							
No	a. Play Structures & Surfaces Have an Average Recycled Content 20%	0					1	
Yes	b. Environmentally Preferable Exterior Site Furnishings	1					1	
Yes	4. Reduce Light Pollution by Shielding Fixtures and Directing Light Downward	1	1					
Total Available Points in Landscape: 33		6						
C. DESIGN CONSIDERATIONS			Possible Points					
	1. Acoustics: Noise and Vibration Control (minimum 2 points for credit, including 1 Tier 1 measure, maximum of 4 points)							
Yes	TIER 1: 1) Exterior Noise Reduction	1	1					
No	2) Loud Single-Event Noise Reduction in Noise-Sensitive Spaces	0	1					
Yes	3) Airborne and Structure-borne Noise Reduction (e.g., walls, floor-ceilings)	1	1					
TBD	4) Mechanical Ventilation Noise and Vibration Control	0	1					
TBD	5) Plumbing Noise and Vibration Reduction	0	1					
Yes	TIER 2: 1) Minimize Stair Impact Noise	0.5	0.5					
Yes	2) Minimize Floor Squeaks	0.5	0.5					
Yes	3) Minimize Trash Chute Noise	0.5	0.5					
No	4) Mixed-Use Noise and Vibration Reduction	0	0.5					
	2. Mixed-Use Design Strategies							
No	a. Develop Green Tenant Improvement Requirements for Build Outs	0	2					
No	b. Commercial Loading Area Separated from Residential area	0			1			
No	c. Separate Mechanical and Plumbing Systems	0			1			
	3. Commissioning							
No	a. Design Phase (Define Owner's Project Requirements, Basis of Design, and Develop Plan)	0		1	1			
No	b. Construction Phase (Perform Functional Testing)	0		2				
No	c. Post-Construction Phase (Verify Compliance, Commissioning Report, Training and Warranty Review)	0	1	1				
Total Available Points in Design Considerations: 14		3.5						
D. FOUNDATION, STRUCTURAL FRAME & BUILDING ENVELOPE			Possible Points					



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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-704

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
TBD	1. Replace Portland Cement in Concrete with Recycled Fly Ash and/or Slag (Minimum 20%)	0				3		
TBD	2. Design, Build and Maintain Structural Pest and Rot Controls (for low-rise projects)	0			1	1		
3. Construction Material Efficiencies								
No	a. Wall and Floor Assemblies (excluding solid wall assemblies) are Delivered Panelized from Supplier (Minimum of 80% square feet)	0				1		
No	b. Modular Components are Delivered Assembled to the Project (Minimum 25%)	0				6		
c. Optimal Value Engineering								
No	i. Studs at 24 Inch on Center at Interior Non-Bearing Walls and Top Floor	0				1		
TBD	ii. Door & Window Headers Sized for Load	0				1		
TBD	iii. Use Only Cripple Studs Required for Load	0				1		
4. Use Engineered Lumber								
TBD	a. Engineered Beams and Headers	0				1		
No	b. Wood I-Joists or Web Trusses for Floors	0				1		
No	c. Engineered Lumber for Roof Rafters	0				1		
No	d. Engineered or Finger-Jointed Studs for Vertical Applications	0				1		
TBD	e. Oriented Strand Board for Subfloor	0				1		
TBD	f. Oriented Strand Board for Wall and Roof Sheathing	0				1		
No	5. Insulated Headers	0		1				
6. Use FSC-Certified Wood								
No	a. Dimensional Lumber, Studs and Timber (Minimum 40%)	0				4		
No	b. Panel Products (Minimum 40%)	0				2		
No	7. Energy Heels on Roof Trusses for Low-Rise Projects	0		1				
8. Use Solid Wall Systems (Includes SIPs, ICFs, & Any Non-Stick Frame Assembly)								
No	a. Floors	0				2		
No	b. Walls	0				2		
No	c. Roofs	0				1		
Total Available Points in Foundation, Structural Frame & Building Envelope:		34						
E. EXTERIOR			Possible Points					
1. Drainage Planes and Durable Siding								
No	a. Install a Rain Screen Wall System	0				2		
TBD	b. Use Durable and Non-Combustible Siding Materials	0				1		
2. Durable Roofing Options								
Yes	a. <i>Required:</i> All Roofing Has 3-Year Subcontractor Warranty and a 20-Year Manufacturer Warranty	Y				R		
TBD	b. Use Durable and Fire Resistant Roofing Materials or Assembly	0				1		
No	3. Vegetated Roof (2 points for 25%, 4 points for 50%)	0	4					
Total Available Points in Exterior:		5						
F. INSULATION			Possible Points					
1. Install Insulation with 75% Recycled Content								
TBD	a. Walls	0				1		
TBD	b. Roofs	0				1		

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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-705

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
TBD	c. Floors	0				1		
Total Available Points in Insulation: 3		0						
G. PLUMBING			Possible Points					
1. Water Efficient Fixtures								
a. Install High Efficiency Toilets (Dual Flush or 1.28 Gallons Per Flush (gpf))(CALGreen code if applicable)								
Yes	i. In All Residences	2						
Yes	ii. In All Non-Residential Areas	0				0		
b. High Efficiency Urinals or No-Water Urinals Are Specified:								
N/A	i. Average Flush Rate is ≤ 0.5 gpf (CALGreen code if applicable)	N/A				1		
No	ii. Average Flush Rate is ≤ 0.1 gpf	0				1		
Yes	c. High Efficiency Showerheads Use ≤ 2.0 Gallons Per Minute (gpm) at 80 psi (CALGreen code if applicable)	3				3		
d. Flow Limiters Or Flow Control Valves Are Installed on All Faucets								
Yes	i. Residences: Kitchen - ≤ 1.8 gpm (CALGreen code if applicable)	1						
Yes	ii. Non-Residential Areas: Kitchen - ≤ 1.8 gpm (CALGreen code applicable)	0				0		
Yes	iii. Residences: Bathroom Faucets - ≤ 1.5 gpm at 80psi	1				1		
Yes	iv. Non-Residential Areas: Bath Faucets - ≤ .5 gpm or .25 gal for meter faucets (CALGreen code if applicable)	Y				0		
2. Distribute Domestic Hot Water Efficiently (G2a is a Prerequisite for credit for G2 b-e. Maximum 5 Points)								
TBD	a. Insulate All Hot Water Pipes	0		1			1	
[*This credit is a requirement associated with PJ1: EPA IAP]								
No	b. Use Engineered Parallel Plumbing	0					1	
No	c. Use Engineered Parallel Plumbing with Demand Controlled Circulation Loop(s)	0					1	
No	d. Use Traditional Trunk, Branch and Twig Plumbing with Demand Controlled Circulation Loop(s)	0		1			2	
No	e. Use Central Core Plumbing	0		1		1	1	
No	3. Water Submetering: Bill Tenants for Actual Usage	0					4	
Total Available Points in Plumbing: 18		7						
H. HEATING VENTILATION AND AIR CONDITIONING			Possible Points					
TBD	1. Install High Performing Zoned Radiant Hydronic Heating	0			2			
No	2. Install High Efficiency Air Conditioning with Environmentally Preferable Refrigerants	0	1					
3. Advanced Ventilation Practices for Cooling								
No	a. Operable Windows or Skylights Are Placed To Induce Cross Ventilation In At Least One Room In 80% of Units	0		1	1			
b. Mechanical Ventilation System for Cooling:								
No	i. ENERGY STAR Ceiling Fans and Light Kits in Living Areas & All Bedrooms	0		1				
N/A	ii. Whole House Fan (CALGreen code if applicable)	N/A		1				
4. Advanced Mechanical Ventilation for IAQ								
Yes	a. Required: Compliance with ASHRAE 62.2 Mechanical Ventilation Standard (As Adopted in Title 24 Part 6). N/A for projects permitted under 2005 Title 24.	Y			R			

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09/23/11

A-706

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
No	b. Advanced Ventilation Practices (Continuous Operation, Sone Limit, Minimum Efficiency, Minimum Ventilation Rate, Homeowner Instructions)	0			1			
No	c. Outdoor Air Ducted to Bedroom and Living Areas of Home	0			2			
TBD	d. ENERGY STAR Bathroom Fans on Timer or Humidistat (CALGreen code if applicable)	0			1			
Yes	5. Garage Ventilation Fans Are Controlled by Carbon Monoxide Sensors (Passive Ventilation Not Eligible) [*This credit is a requirement associated with PJ1: EPA IAP]	1			1			
Yes	6. Install Carbon Monoxide Alarms (or No Combustion Appliances in Living Space and No Attached Garage) [*This credit is a requirement associated with PJ1: EPA IAP]	1			1			
Total Available Points in Heating Ventilation and Air Conditioning:		3	2					
I. RENEWABLE ENERGY			Possible Points					
TBD	1. Solar Hot Water System Preheats Domestic Hot Water	0		4				
	2. Offset a Percentage of the Project's Estimated Electricity Demand with Onsite Renewable Generation							
TBD	a. 60% of Common Area Load	0	2	2				
No	b. 90% of Common Area Load	0	2	2				
No	c. 10% or More of Residential Units Load	0	2	2				
Total Available Points in Renewable Energy:		0						
J. BUILDING PERFORMANCE			Possible Points					
1. Building Performance Exceeds Title 24								
2008	Is project permitted under 2005 Title 24 or 2008 Title 24?							
Enter the Percent Better Than Title 24 for Residential and Non-Residential Portions of the Project								
8%	a. Required: Residences: Minimum 15% Better Than Title 24. 2 Points for Every 1% Better Than Title 24	15		30+				
0%	b. Non-Residential Spaces: 1 Point for Every 1% Better Than Title 24, adjusted for square footage	0		1+				
2. Building Envelope Diagnostic Evaluations								
No	a. Duct Testing Results in Leakage < 6% [*This credit is a requirement associated with PJ1: EPA IAP]	0		1				
No	b. Blower Door Testing Results for Air Change per Hour is < 3.5 AC _h [*This credit is a requirement associated with PJ1: EPA IAP]	0		2				
No	c. Verify Quality of Insulation Installation & Thermal Bypass Checklist before Drywall [*This credit is a requirement associated with PJ1: EPA IAP]	0		1				
No	3. Design and Build Near Zero Energy Homes (Enter number of points, minimum of 2 and maximum of 6 points)	0		6				
Yes	4. Title 24 Prepared and Signed by a CABEC Certified Energy Plans Examiner (CEPE)	1		1				
5. Participation in Utility Program with Third Party Plan Review								
No	a. Energy Efficiency Program [*This credit is a requirement associated with PJ1: EPA IAP]	0		1				
No	b. Renewable Energy Program with Min. 30% Better Than Title 24 (High Performing Home)	0		1				

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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-707

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
Total Available Points in Building Performance: 43		16						
K. FINISHES			Possible Points					
1. Entryways								
No	a. Design Entryways to Reduce Tracked-In Contaminants for All Home Entrances	0			1			
TBD	b. Permanent Walk-Off Systems Are Provided at All Main Building Entrances & In Common Areas	0			1			
No	2. Use Recycled Content Paint	0				1		
3. LowNo-VOC Paints & Coatings [*This credit is a requirement associated with PJ1: EPA IAP]								
a. Low-VOC Interior Wall/Ceiling Paints (<50 grams per liter (gpl) VOCs regardless of sheen) (CALGreen code if applicable)								
TBD	i. In All Residences	0			1			
TBD	ii. In All Non-Residential Areas	0			0			
b. Zero-VOC: Interior Wall/Ceiling Paints (<5 gpl regardless of sheen)								
No	i. In All Residences	0			1			
No	ii. In All Non-Residential Areas	0			0			
c. Use Low-VOC Coatings That Meet SCAQMD Rule 1113 (CALGreen code if applicable)								
TBD	i. In All Residences	0			2			
TBD	ii. In All Non-Residential Areas	0			0			
TBD	4. Use Low VOC Caulks, Construction Adhesives and Sealants that Meet SCAQMD Rule 1168 (CALGreen code if applicable)	0			1			
5. Environmentally Preferable Materials for Interior Finish: A) FSC-Certified Wood, B) Reclaimed Lumber, C) Rapidly Renewable, D) Recycled-Content, E) Finger-Jointed, or F) Local								
a. Residences: At Least 50% of Each Material:								
TBD	i. Cabinets	0			4			
TBD	ii. Interior Trim	0			2			
TBD	iii. Shelving	0			2			
TBD	iv. Doors	0			2			
No	v. Countertops	0			2			
b. Non-Residential Areas: At Least 50% of Each Material:								
TBD	i. Cabinets	0			0			
TBD	ii. Interior Trim	0			0			
TBD	iii. Shelving	0			0			
TBD	iv. Doors	0			0			
No	v. Countertops	0			0			
Yes	6. Reduce Formaldehyde in Interior Finish - Meet Current CARB Airborne Toxic Control Measure (ATCM) for Composite Wood Formaldehyde Limits by Mandatory Compliance Dates (CALGreen code if applicable) [*This credit is a requirement associated with PJ1: EPA IAP]	Y			0			
7. Reduce Formaldehyde in Interior Finish - Exceed Current CARB ATCM for Composite Wood Formaldehyde Limits Prior to Mandatory Compliance Dates								

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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-708

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
a. Residences: At Least 90% of Each Material:								
Yes	i. Doors	1			1			
TBD	ii. Cabinets and Countertops	0			2			
TBD	iii. Interior Trim and Shelving	0			1			
b. Non-Residential Areas: At Least 90% of Each Material								
TBD	i. Doors	0			0			
TBD	ii. Cabinets and Countertops	0			0			
TBD	iii. Interior Trim and Shelving	0			0			
8. Durable Cabinets								
TBD	a. Residences	0			1			
TBD	b. Non-Residential Areas	0			0			
9. At Least 25% of All Newly Supplied Interior Furniture has Environmentally Preferable Attributes		0				1		
Total Available Points in Finishes: 26		1						
L. FLOORING			Possible Points					
1. Use Environmentally Preferable Flooring (Minimum 15% of Floor Area) A) FSC-Certified Wood, B) Reclaimed or Refinished, C) Rapidly Renewable, D) Recycled-Content, E) Exposed Concrete, or F) Local Flooring Adhesives Must Meet SCAQMD Rule 1168 for VOCs								
TBD	a. Residences	0			4			
TBD	b. Non-Residential Areas	0			0			
2. Low-Emitting Flooring [*This credit is a requirement associated with PJ1: EPA IAP]								
TBD	a. Residences: Low-Emitting Flooring (50% Minimum) (Section 01350, CRI Green Label Plus, Floorscore)	0			2			
TBD	b. Non-Residential Areas: Low-Emitting Flooring (50% Minimum) (Section 01350, CRI Green Label Plus, Floorscore)	0			0			
TBD	3. All carpet and 50% of Resilient Flooring is low emitting. (CAL Green code if applicable)	N			0			
Total Available Points in Flooring: 6								
M. APPLIANCES & LIGHTING			Possible Points					
1. ENERGY STAR Appliances								
TBD	a. Install ENERGY STAR Dishwasher (Must Meet Current Specifications)	0		1			1	
TBD	b. Install ENERGY STAR Clothes Washer							
TBD	i. Meets ENERGY STAR and CEE Tier 2 Requirements (Modified Energy Factor ≥ 2.0; Water Factor ≤ 6.0) (Total 3 Points)	0		1			2	
No	ii. Meets ENERGY STAR and CEE Tier 3 Requirements (Modified Energy Factor ≥ 2.2; Water Factor ≤ 4.5) (Total 5 Points)	0					2	
TBD	c. Install ENERGY STAR Refrigerators in All Locations							
TBD	i. ENERGY STAR-Qualified & < 25 Cubic Feet Capacity	0		1				
No	ii. ENERGY STAR-Qualified & < 20 Cubic Feet Capacity	0		1				
TBD	2. Common Laundry Facilities Are Provided for All Occupants	0				1		
TBD	3. Provide Built-In Recycling Center in Each Residential Unit	0				1		
4. Low-Mercury Lamps								

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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-709

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
TBD	a. Low-Mercury Products Are Installed Wherever Linear Fluorescent Lamps Are Used or Replaced	0				1		
TBD	b. Low-Mercury Products Are Installed Wherever Compact Fluorescent Lamps Are Used or Replaced	0				1		
5. Install High-Efficacy Lighting and Design Lighting System								
TBD	a. Install High-Efficacy Lighting	0		1				
TBD	b. Install a Lighting System to IESNA Footcandle Standards or Hire Lighting Consultant	0		1				
No	6. Gearless Elevators Are Installed	0		1				
Total Available Points in Appliances & Lighting: 13		0						
N. OTHER			Possible Points					
Yes	1. Required: Incorporate GreenPoint Rated Checklist in Blueprints [*This credit is a requirement associated with PJ1: EPA IAP]	Y	R					
Yes	2. Pre-Construction Kick-Off Meeting with Rater and Subs	1	1					
3. Operations & Maintenance Manuals and Training [*This credit is a requirement associated with PJ1: EPA IAP]								
TBD	a. Provide O&M Manual to Building Maintenance Staff (CALGreen code if applicable)	0		1				
TBD	b. Provide O&M Manual to Occupants and Orientation	0		1			1	
No	4. Residents Are Offered Free or Discounted Transit Passes	0	2					
TBD	5. Educational Signage of Project's Green Features	0	1					
No	6. Install Home/Building System Monitor(s)	0		1				
TBD	7. Use Vandalism Deterrence Practices and Develop Vandalism Management Plan	0	1					
Total Available Points in Other: 9		1						
O. (Not Used)								
P. INNOVATIONS			Possible Points					
A. Site								
1. Stormwater Control: Prescriptive Path (Maximum of 3 Points, Mutually Exclusive With PA2)								
No	a. Use Permeable Paving for 25% of Driveways, Patios and Walkways	0	1					
No	b. Install Bio-Retention and Filtration Features	0	2					
No	c. Route Downspout Through Permeable Landscape	0	1					
TBD	d. Use Non-Leaching Roofing Materials	0	1					
No	e. Include Smart Street/Driveway Design	0	1					
2. Stormwater Control: Performance Path (Mutually Exclusive With PA1): Perform a Soil Percolation Test and Capture and Treat 85% of Total Annual Runoff		0	3					
D. Foundation, Structural Frame and Building Envelope								
TBD	1. Use Radon Resistant Construction [*This credit is a requirement associated with PJ1: EPA IAP]	0			2			
No	2. Install a Foundation Drainage System [*This credit is a requirement associated with PJ1: EPA IAP]	0				2		
No	3. Moisture Controlled Crawlspace [*For projects with crawlspaces, this credit is a requirement associated with PJ1: EPA IAP]	0			2			
E. Exterior								

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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-710

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
TBD	1. Flashing Installation Techniques Specified and Third-Party Verified [*This credit is a requirement associated with PJ1: EPA IAP]	0				1		
H. Heating Ventilation and Air Conditioning								
TBD	1. Design and Install HVAC System to ACCA Manual J, D, and S Recommendations (CALGreen code if applicable) [*This credit is a requirement associated with PJ1: EPA IAP]	0		4				
No	2. Pressure Relieve the Ductwork System (Mutually exclusive with H1) [*For projects with ducted systems, this credit is a requirement associated with PJ1: EPA IAP]	0		1				
TBD	3. Install High Efficiency HVAC Filter (MERV 8+, Mutually exclusive with H1.) [*This credit is a requirement associated with PJ1: EPA IAP]	0		1				
J. Building Performance								
No	1. Obtain EPA Indoor airPlus Certification (Total 39 possible points, not including Title 24 performance; read comment)	0		2				
No	2. Third-Party Testing of Mechanical Ventilation Rates for IAQ (Meet ASHRAE 62.2) [*This credit is a requirement associated with PJ1: EPA IAP]	0			2			
No	3. ENERGY STAR New Homes: High-Rise Pilot Program	0		1				
K. Finishes								
Yes	1. Use Moisture Resistant Material in Wet Areas: Kitchens, Bathrooms, Utility Rooms and Basements [*This credit is a requirement associated with PJ1: EPA IAP]	2			1	1		
No	2. Materials Meet SMaRT Criteria (Select number of points, up to 5 points)	0				5		
N. Other								
1. Innovation: List innovative measures that meet green building objectives. Enter in the number of points in each category in the blue cells for a maximum of 4 points for the measure. The "points achieved" column will be automatically fill in based on the sum of the points in each category. Points and measures will be evaluated by Build It Green.								
TBD	Innovation: Enter up to 4 Points in blue cells at right. Enter description here	0						
TBD	Innovation: Enter up to 4 Points in blue cells at right. Enter description here	0						
TBD	Innovation: Enter up to 4 Points in blue cells at right. Enter description here	0						
TBD	Innovation: Enter up to 4 Points in blue cells at right. Enter description here	0						
TBD	Innovation: Enter up to 4 Points in blue cells at right. Enter description here	0						
Total Available Points in Innovation: 26		2						
Q. CALGreen CODE			Possible Points					
No	0. Home meets all applicable CALGreen measures listed in above Sections A - P of the GreenPoint Rated checklist.	N	R					
<p>The following measures are mandatory in the CALGreen code and do not earn points in the GreenPoint Rated Checklist but have been included in the Checklist for the convenience of jurisdictions.</p> <p>The GreenPoint Rater is not a code enforcement official. The measures in this section may be verified by the GreenPoint Rater at their own discretion and/or discretion of the building official.</p>								

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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

A-711

09/23/11

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
TBD	1. CALGreen 4.106.2 Storm water management during construction.	N						
TBD	2. CALGreen 4.106.3 Design for surface water drainage away from buildings.	N						
TBD	3. CALGreen 4.303.1 As an alternative to prescriptive compliance, a 20% reduction in baseline water use shall be demonstrated through calculation	N						
TBD	4. CALGreen 4.406.1 Joints and openings. Annular spaces around pipes, electric cables, conduits, or other openings in plates at exterior walls shall be protected	N						
TBD	5. CALGreen 4.503.1 Gas fireplace shall be a direct-vent sealed-combustion type. Woodstove or pellet stove shall comply with US EPA Phase II emission limits	N						
TBD	6. CALGreen 4.505.2 Vapor retarder and capillary break is installed at slab on grade foundations.	N						
TBD	7. CALGreen 4.505.3 19% moisture content of building framing materials	N						
TBD	8. CALGreen 702.1 HVAC system installers are trained and certified in the proper installation of HVAC systems.	N						
Total Available Points in CALGreen Code:		0						
Summary								
Total Available Points			62	86+	35	87	48	
Minimum Points Required			6	30	5	6	3	
Total Points Achieved		67	32	16	5	5	9	
<p>Project has not yet met the recommended minimum requirements</p> <ul style="list-style-type: none"> - Total Project Score of At Least 50 Points - Required measures: <ul style="list-style-type: none"> -A7a: 50% waste diversion by weight -E2a: All Shingle Roofing Has 3-Yr Subcontractor Warranty & 20-Yr Manufacturer Warranty -H1a: Compliance with ASHRAE 62.2 Mechanical Ventilation Standards (2008 Title 24 projects) -J1a: 15% above Title 24 -N1: Incorporate GreenPoint Rated Checklist in Blueprints - Minimum points in specific categories: <ul style="list-style-type: none"> -Community (6 points) -Energy (30 points) -IAQ/Health (5 points) -Resources (6 points) -Water (3 points) 								

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GREENPOINT RATED CHECKLIST
1701 MARTIN LUTHER KING JR WAY

09/23/11

A-712

ATTACHMENT B

1701 MARTIN LUTHER KING JR. WAY

Oakland, CA

26 September 2011

ATTACHMENT B

CONTEXT PHOTOGRAPHS



1700 Castro Street



672 17th Street



666 17th Street



1701 Martin Luther King Jr. Way (Existing Site)

17th Street - Looking North
(Between Castro Street and Martin Luther King Jr. Way)



620 17th Street



620 17th Street



620 17th Street



620 17th Street

17th Street - Looking North
(Between Martin Luther King Jr. Way and Jefferson Street)



1622 Castro Street



1622 Castro Street



1617 Martin Luther King Jr. Way



1617 Martin Luther King Jr. Way

17th Street - Looking South
(Between Castro Street and Martin Luther King Jr. Way)



1626 Martin Luther King Jr. Way



637 17th Street



612 - 625 17th Street



1605 Jefferson Street - 612 17th Street

17th Street - Looking South
(Between Martin Luther King Jr. Way and Jefferson Street)



1727 Martin Luther King Jr. Way



1727 Martin Luther King Jr. Way



1705 Martin Luther King Jr. Way



1701 Martin Luther King Jr. Way (Existing Site)

Martin Luther King Jr. Way - Looking West
(Between 17th and 18th Streets)



1617 Martin Luther King Jr. Way



1617 Martin Luther King Jr. Way



1617 Martin Luther King Jr. Way

Martin Luther King Jr. Way - Looking West
(Between 16th and 17th Streets)



Pyatok Architects Inc.
architecture planning research



1701 MARTIN LUTHER KING JR. WAY
Oakland, CA
26 September 2011



1734 Martin Luther King Jr. Way - 642 18th Street



1726 - 1734 Martin Luther King Jr. Way



1622 - 1626 Martin Luther King Jr. Way



620 17th Street

Martin Luther King Jr. Way - Looking East
(Between 17th and 18th Streets)



1618 - 1626 Martin Luther King Jr. Way



646 16th Street - 1618 Martin Luther King Jr. Way



646 16th Street

Martin Luther King Jr. Way - Looking East
(Between 16th and 17th Streets)



Northwest Corner (Existing Site)



Northeast Corner



Southwest Corner



Southeast Corner

Martin Luther King Jr. Way at 17th Street



Michael Bradley
Planning and Zoning
Community and Economic Development
City of Oakland
250 Frank H. Ogawa Plaza, 2nd Floor
Oakland, CA 94612

Re: 1701 Martin Luther King Jr. Way
Project Feasibility Statement

Dear Michael:

I am writing with regard to the above referenced project to address our proposal to provide five parking spaces onsite. While fewer spaces than mandated by the Planning Code, we request a density incentive for the following reasons:

1. Financial Feasibility – The development site is only .11 acres in size. After incorporating critical programmatic elements on the ground floor, including the manager's office, community room and laundry, we could not physically accommodate more than five parking spaces. While we evaluated the possibility of adding subterranean parking, the additional cost would have made the project financially infeasible.
2. Tenant Population and Unit Size – The proposed project will serve very low income individuals earning between 20% and 30% of Area Median Income. Our experience and research show that individuals at these income levels have car ownership/usage rates far below that of the population as a whole and are far more dependent upon public transportation. This fact, combined with the mix of studio and one-bedroom units, gives us absolute confidence that five parking spaces will be more than adequate to meet the needs of residents.
3. Public Transportation – The development site is located in close proximity to public transportation. Bus stops for the 18, 72, 72M, 802 and 26 AC transit lines are all located within ¼ mile of the site, and the 19th Street BART station is located less than ½ mile from the site.

For the above reasons, we believe five parking spaces is an adequate and appropriate number for the proposed project. If you have any questions regarding the parking or other issues related to the project, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Saliman', is written over a large, loopy circular mark.

Brian Saliman



1701 Martin Luther King Jr. Way – Services Plan Description

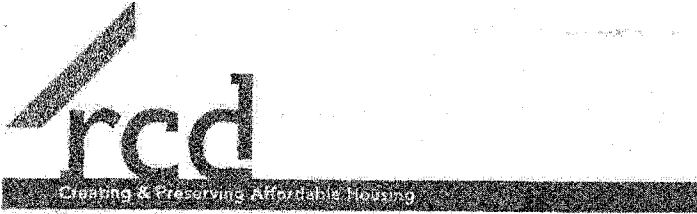
1701 MLK is a 26 unit affordable permanent housing development for individuals with disabilities. The Services Plan for 1701 MLK draws on the expertise of highly experienced and specialized service providers to offer residents the support necessary to retain housing, improve their health, and maximize their ability to live, and work in the community. The services plan adopts a consumer-driven team approach, and tenant participation in all services is voluntary. In order to provide the most responsive and appropriate services possible to the population at 1701 MLK, RCD has engaged the following service provider partners:

LifeLong Medical Care (LMC) - LMC is a Federally Qualified Health Center that operates six primary care sites (including a facility one block from the property), two adult day health centers and a dental clinic in Oakland and Berkeley. Residents will have access to both primary care and mental health services at the nearby LifeLong facility. A LifeLong services coordinator will also be available to provide case management services and to assist residents with issues related to housing retention and access to benefits.

Goodwill Industries – Goodwill Industries provides employment related services for formerly homeless people with disabilities. Goodwill runs a one-stop employment center only three blocks from the site and provides employment preparation, placement, transitional employment, training and retention services for Oakland residents.

Oakland PATH – Organized by the City of Oakland, PATH is a group of homeless services providers who place people into permanent housing and provide ongoing retention services to ensure tenant stability.

While a services office has been incorporated into the project design to provide a private space onsite for residents to meet (as needed) with a service coordinator or case manager, the development will not be a licensed service facility and most direct services will be provided by the above agencies at their separate facilities.



October 3, 2011

Michael Bradley
Planning and Zoning
Community and Economic Development
City of Oakland
250 Frank H. Ogawa Plaza, 2nd Floor
Oakland, CA 94612

Re: 1701 Martin Luther King Jr. Way
Community Meeting

Dear Michael:

I am writing to update you on the community meeting for the above referenced project that RCD held on September 27, 2011. To promote this meeting, we mailed out an announcement and project description to 89 neighboring properties a week prior to the event (see attached).

The meeting was structured as an "open house," and the following development team members were on hand to discuss the project and field questions:

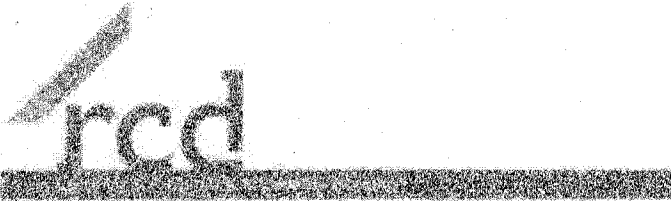
- Lisa Motoyama, Director of Housing Development (RCD)
- Eric Knecht, Director of Asset Management (RCD)
- Janice King, Director of Resident Services (RCD)
- Brian Saliman, Project Manager (RCD)
- Rachel Ortega, Assistant Project Manager (RCD)
- Curtis Caton, Pyatok Architects
- Mathew Bokar, Pyatok Architects

While the meeting was sparsely attended, those people who did stop by expressed a real interest in and enthusiasm for the project.

If you have any questions regarding the meeting or other issues related to the project, please don't hesitate to contact me.

Sincerely,

Brian Saliman



September 20, 2011

Dear Neighbor,

I am writing to invite you to our upcoming community meeting to discuss Resources for Community Development's proposal to build affordable apartments at 1701 Martin Luther King Jr. Way (MLK at 17th Street). Please find attached with this letter a brief summary of the development which we have prepared for your review.

If you have questions about the proposed development, or would like to get more information, please come join us at:

Fox Court Apartments, Community Room
555 19th Street
(between San Pablo Avenue and Telegraph Avenue)

Tuesday, September 27th, 2011
6:30 pm – 8:30 pm*

*This will be an "open house" style meeting, so please
come by any time between these hours

If you cannot make the meeting next Tuesday but would like more information, please feel free to contact me at 510-841-4410 ext. 329. We look forward to your comments and suggestions.

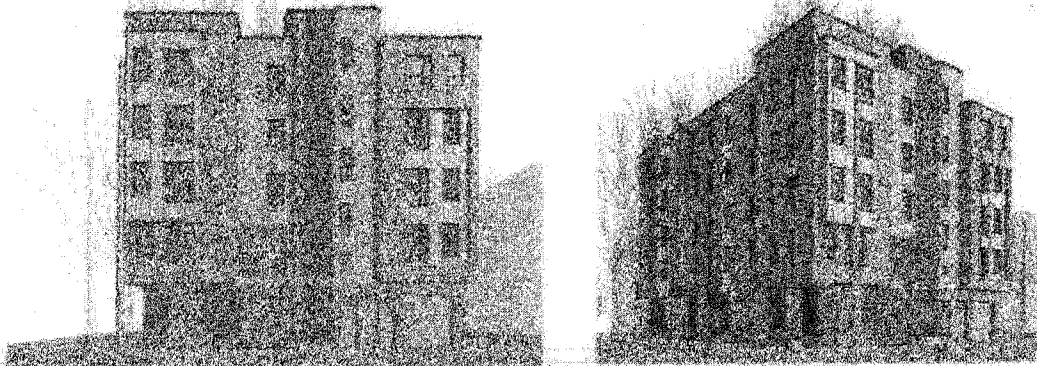
Sincerely,

Brian Saliman
Project Manager

Resources for Community Development
2220 Oxford Street
Berkeley, CA 94704

1701 MLK Apartments Oakland, CA

26 units of permanent housing for very low and low-income families and individuals
Studios and 1-Bedroom Units
New construction scheduled to begin in Spring 2013 with completion in Spring 2014



PROJECT DESCRIPTION

1701 Martin Luther King Jr. Way will provide 26 new apartments in the Central District Redevelopment Area of Downtown Oakland. The apartment building will contain 5 studios, 20 one-bedrooms and 1 two-bedroom unit. The development will provide much needed affordable homes for very low and low income individuals, including people living with disabilities. One unrestricted unit will be set aside for the resident manager.

Project financing will likely consist of low income housing tax credit equity, City of Oakland Redevelopment funds and HOME funds, Alameda County HOPWA funds and AHP funds.

DEVELOPMENT AND MANAGEMENT TEAMS

Resources for Community Development's (RCD) mission is creating and preserving affordable housing for people with the fewest options to build community and enrich lives. RCD has a long track record of developing quality affordable housing in Oakland and the broader East and North Bay. Founded by East Bay community members in 1984, RCD has built up a portfolio of over 1,700 completed affordable units and has more than 400 additional affordable units in construction or predevelopment currently. Our properties provide much needed housing and often serve as economic development catalysts that ultimately produce broader neighborhood improvements.

The development team includes Oakland-based Pyatok Architects as the project architect, Community Economics as the financial consultant and Gubb and Barshay as the real estate and syndication attorney. The development will be managed by the John Stewart Company (JSCo) and staffed with a full-time on-site manager. In addition, the development will partner with highly experienced and specialized local service providers, including LifeLong Medical Care, Goodwill Industries and Oakland PATH, to offer residents the support necessary to improve their health and maximize their ability to live, and work, in the community.

DESIGN OVERVIEW

The 4,920 SF site at the corner of 17th and MLK Jr. Way currently contains two warehouse structures built in the mid-1970s. The current owner of the site obtained entitlements in 2007 for a five-story building with 12 large, loft-style units with stacked parking. Working within the same building envelope as the previously approved project, RCD and Pyatok Architects have reimagined the development with 26 smaller residential units on the top four floors of the building. The ground floor will include a lobby, community room, manager's office, laundry and five parking spaces. In addition, there will be outdoor space on the roof of the building. The proposed redesign is more responsive to community need and current market forces.