

Case File Number: PLN18-088

January 22, 2020

<b>Location:</b>	2715 Adeline Street (See map on reverse)
<b>Assessors Parcel Number:</b>	005-0446-001-01; 005-0446-001-02; 005-0446-008-01
<b>Proposal:</b>	To demolish an existing industrial structure except for the old brick façade (formerly, the Coast Sausage Company), and construct a new 122,600 square-foot work-live and 20,000 square-foot commercial/light industrial building.
<b>Owner:</b>	Oakland Lofts, LLC.
<b>Applicant:</b>	Owow – Jeremy Harris (858)449-5270
<b>Planning Permits Required:</b>	Major Conditional Use Permit to create 91 Work-Live units and three light industrial spaces; Major Design Review for a development project involving more than 25,000 square feet of non-residential floor area
<b>General Plan:</b>	Business Mix
<b>Zoning:</b>	CIX-1A/1B/S-19
<b>Environmental Determination:</b>	A detailed CEQA Analysis prepared for this project concluded that the proposed project, separately and independently, satisfies each of the following CEQA provisions: 15183 – Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for in-fill projects; and/or 15162 & 15164 – Addendum to the City of Oakland General Plan Land Use and Transportation Element (LUTE) (1998) and West Oakland Specific Plan (2014) EIRs. The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 <sup>nd</sup> Floor, Oakland CA 94612
<b>Historic Status:</b>	Not a Potential Designated Historic Property (PDHP); Survey Rating: D3 & *d3
<b>City Council District:</b>	3
<b>Status:</b>	Pending
<b>Action to be Taken:</b>	Decision on application based on staff report
<b>Staff Recommendation:</b>	Approval subject to conditions
<b>Finality of Decision:</b>	Appealable to City Council
<b>For Further Information:</b>	Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at <a href="mailto:mbrenyah@oaklandnet.com">mbrenyah@oaklandnet.com</a>

## SUMMARY

Owow is requesting approval of a Major Conditional Use Permit and Design Review application for a new commercial/industrial development involving 91 work-live units (122,600 square feet) and three (3) commercial/light industrial (20,000 square feet) ground floor spaces in a commercial/light-industrial zone. The project is proposed to be constructed at a 1.26-acre (54,972 square feet) site bounded by Adeline Street, Magnolia Street, and 26<sup>th</sup> Street.



The subject site is located within the West Oakland Plan Area Commercial Industrial Mix CIX-1A (Business Enhancement), CIX-1B (Low Intensity Business) and S-19 Health and Safety Protection Combining Zones. Pursuant to Sections 17.73.015 and 17.36.040(D)(1), Major Conditional Use Permit for work-live and Major Design Review are required for projects involving more than 25,000 square feet of non-residential floor area. The subject site is located in the Business Mix land use classification of the Oakland General Plan which is intended to create, preserve and enhance areas of the City that are appropriate for a wide variety of businesses and related commercial and light/custom industrial establishments.

### **PROPERTY DESCRIPTION**

The subject 1.26-acre (54,961 square feet) site is bounded by Adeline Street to the east, Magnolia Street to the west, and 26<sup>th</sup> Street to the north. Prominent uses and developments in the vicinity include McClymonds High School, Vincent Academy, and Sweet Maria's Coffee Warehouse. There is a vacant red brick structure (formerly, the Coast Sausage Company) at the subject site that is intended to be demolished except for the front facade. The remainder of the site along Magnolia Street is vacant and fenced off with a chain-link fence.

### **PROJECT DESCRIPTION**

The proposed project involves the demolition of the existing former Coast Sausage Company structure (with the exception of the brick facade) in order to construct a new five-story, 91-unit work-live (122,600 square feet) and commercial/light industrial (20,000 square feet) commercial/light-industrial facility. The ground floor will have approximately 20,000 square feet of custom/light manufacturing and retail space. A mix of four space types ranging from 800, 1150, 1250, and 2100 square feet work-live spaces are proposed for the upper floors. The project proposes 136 off street parking spaces and approximately 13,836 square feet of useable open space in the form of courtyards and decks. The proposed landscaping includes trees, shrubs, ground cover, as well as hardscape such as decorative pavers, planters and other features that enhance the visual quality, functionality, and experience of the open areas.

### **ENVIRONMENTAL DETERMINATION**

A detailed CEQA Analysis prepared for this project concluded that the proposed project, separately and independently, satisfies each of the following CEQA provisions:

15183 – Projects consistent with a community plan, general plan, or zoning;

15183.3 – Streamlining for in-fill projects; and/or

15162 & 15164 – Addendum to the City of Oakland General Plan Land Use and Transportation Element (LUTE) (1998) and West Oakland Specific Plan (2014) EIRs.

The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2<sup>nd</sup> Floor, Oakland CA 94612. The site is also located within the West Oakland Specific Plan Area (WOSP) and also conforms and relies on the Environmental Impact Report (EIR) certified for the West Oakland Specific Plan on July 29, 2014.

## **GENERAL PLAN ANALYSIS**

The subject site is located in the Business Mix land use classification of the Oakland General Plan Land Use and Transportation Element (LUTE). According to the LUTE, "the intent of the Business Mix classification is intended to create, preserve and enhance areas of the City that are appropriate for a wide variety of businesses and related commercial and industrial establishments...". The desired character and uses include "a mix of businesses such as light industrial, manufacturing, food processing, commercial, bioscience and biotechnology, research and development, environmental technology, business and health services, air...warehouse and distribution facilities, office and other uses of similar business character". The commercial and light industrial uses anticipated for the project will be required to be consistent with those envisioned and intended by the Business Mix General Plan.

## **ZONING ANALYSIS**

The site is zoned CIX-1A, CIX-1B and S-19.

*CIX-1A West Oakland Plan Area Commercial Industrial Mix - 1A Zone (Business Enhancement)*-The CIX-1A Zone is intended to create, preserve, and enhance industrial areas in the West Oakland Specific Plan Area that are appropriate for incubator space for specific industry groups, adaptable space for artisans and craftspeople, and flexible small spaces for start-up businesses.

*CIX-1B West Oakland Plan Area Commercial Industrial Mix - 1B Zone (Low Intensity Business)*-The CIX-1B Zone is intended to support industrial areas in the West Oakland Specific Plan Area that are appropriate for a broad range of new custom and light manufacturing, light industrial, warehouse, research and development, and service commercial uses.

*S-19 Health and Safety Protection Combining*-The intent of the S-19 Health and Safety Protection Combining Zone is to promote the public health, safety and welfare by ensuring that activities which use hazardous material substances or store hazardous materials, hazardous waste, or explosives locate in appropriate locations and develop in such a manner as not to be a serious threat to the environment, or to public health, particularly to residents living adjacent to industrial areas where these materials are commonly used, produced or found.

Section 17.73.040 states that a "Work/Live unit" means a room or suite of rooms that are internally connected maintaining a common household that includes: (1) cooking space and sanitary facilities that satisfy the provisions of other applicable codes, and (2) adequate working space reserved for, and regularly used by, one or more persons residing therein. A Work/Live unit accommodates a primary Nonresidential Activity with an accessory residential component."

Pursuant to Section 17.73.015 Design Review is required for the construction of the new Work/Live facility. Per Section 17.36.040(D)(1) of OMC, Major Design Review is required for projects involving more than 25,000 square feet of non-residential floor area. Therefore, the Director of City

Planning shall refer the application to the City Planning Commission for an initial decision rather than acting on it himself or herself.

Pursuant to Sections 17.73.040 a Conditional Use Permit (CUP) is required for the establishment of Work/Live and per Section 17.134.050 of OMC, the CUP is major for a site of one acre or more.

## KEY ISSUES AND IMPACTS

The CIX-1A and CIX-1B zones envision among others, incubator spaces for specific industry groups, adaptable space for artisans and craftspeople, flexible small spaces for start-up businesses, a broad range of new custom and light manufacturing, light industrial, warehouse, research and development, and service commercial uses. The project entails a mix of Work/Live spaces ranging from small spaces for start-up business to medium to large size spaces suitable for the light manufacturing/industrial type of uses that require larger open floor spaces, wider doorways and hallways, etc. The key issues and impacts are discussed below:

### Site Plan, Building Design and Floor Plans

In accordance with the CIX regulations, which require that work-live units have wide working spaces, doorways, hallways, service elevators, stairs and other oversized amenities, staff has worked with the applicant to enhance the proposed floor plan to incorporate some of such features. The following are staff's assessment of how successful the project is in complying with the applicable standards and recommendations;

- That the layout of nonresidential floor areas within a unit provides a functional and bona fide open area for working activities; - **The applicant has rearranged the layout of the units to open up and/or relocate entryway corridors to minimize obstructions that limit functional and bona fide open area for working activities.**
- That the floor and site plan for the project include an adequate provision for the delivery of items required for a variety of businesses. This may include, but is not necessarily limited to, the following:
  - a. Service elevators designed to carry and move oversized items – **The project has been revised to include a service elevator;**
  - b. Stairwells wide and/or straight enough to deliver large items – **The stairways are wide and straight;**
  - c. Loading areas located near stairs and/or elevators; - **The project has been revised to have some loading areas near stairs and elevators.**
  - d. Wide corridors for the movement of oversized items – **The project has been revised to have wide corridors; and**
- That the floor and site plan for the project provide units that are easily identified as businesses and conveniently accessible by clients, employees and other business visitors – **While some units meet this criterion, other units could be further improved. Staff recommends that the floor plans be further revised to better comply with this criterion.**

The proposed floor plan has a 20,000 square-foot ground floor divided into three commercial spaces (approx. 14% of total floor area). The four upper floors have a range of smaller spaces as follows: 800 square-foot spaces (4% of total floor area); 1,150 square-foot spaces (20% of total floor area); 1,250 square-foot spaces (38% of total floor area), and 2,115 square-foot spaces (24% of total floor area).

The exterior materials include a combination of the existing brick facade, board-formed concrete, cement plaster, flat and corrugated "corten" metal, a combination of aluminum and colored vinyl windows, and similar durable materials. The design incorporates industrial style windows to permit more natural light into interior spaces.

#### **Automobile Parking and loading berths**

The project provides 136 off-street parking spaces which includes three ADA spaces. Off-street parking is provided at the site in a parking garage as well as surface parking area accessed on Magnolia Street. Street trees in addition to soft and hardscape are used to enhance the visual quality, functionality, and experience of the building and its open areas. Two loading berths are required for the project. The project provides five (5) loading berths.

#### **Traffic Analysis**

Based on a transportation analysis prepared by Fehr and Peers, the project would generate about 93 new AM peak hour automobile trips and 96 new PM peak hour automobile trips on a typical weekday, with daily trip generation for the projected estimated at 980 vehicle trips. Since the project would generate more than 50 vehicle trips during a single peak hour, a Transportation Demand Management (TDM) Plan is required pursuant to standard condition of approval SCA-Trans -1: Transportation and Parking Demand Management.

The Transportation Analysis concludes that the project would have adequate automobile, bicycle, pedestrian, and transit access and circulation with the inclusion of recommendations, most of which have been made conditions of approval for the project.

#### **Health and Safety Protection**

The Alameda County Department of Environmental Health has reviewed and approved a site remediation plan for the project. The plan requires certain cleanup measures to be taken prior and during construction. A summary of these measure are attached to this report as Attachment C. Future activities involving hazardous material substances and/or storage of hazardous materials, hazardous waste, or explosives are prohibited by the CIX-1A and -1B Zones.

#### **Heavy Trucks**

Truck-related uses, as defined in Section 17.10.585 of O.M.C are prohibited in the CIX-1A and -1B Zones. Trucking and Truck-Related Industrial Activities include the provision of freight handling and shipping services by trucks as well as parking, maintenance, and services for trucks and other heavy vehicles and equipment. Each classification involves the use of trucks and other heavy vehicles that have a gross vehicle weight rating greater than or equal to fourteen thousand (14,000) pounds.

**Landscaping**

The project incorporates various landscaping elements such as trees, shrubs, and other plantings to soften and achieve an attractive street ambience. The proposed landscaping includes trees, shrubs, ground cover, as well as hardscape such as decorative pavers, planters and other features that enhance the visual quality, functionality, and experience of the open areas.

**Historic Resource Evaluation**

The subject site has an existing brick building (formerly, the Coast Sausage Company) that has a low historic rating of D3. A "D" rating signifies either Minor Importance or Representative example. The district status number of "3" implies the site is not in a historic district. In short, a rating of D3 means the structure could be either of Minor Importance or Representative example in a non-historic district. The existing fat orange bricks and the pilasters and caps have some design interest and they might be worth reusing or incorporating into a new project.

The building does not meet the City thresholds as an historic resource under CEQA because it is not a designated Landmark, Heritage Property, or Study List property, and it is not located within a Preservation Districts, or an S-7 or S-20 Preservation Combining Zone. It does not have an existing OCHS rating of "A" or "B," and is not located within an Area of Primary Importance (API). Design Review is required to demolish structures located in CIX-1A pursuant to Section 17.136.075C.

**CEQA Analysis**

The project qualifies for CEQA Streamlining and/or tiering provisions under Section 15183 for projects consistent with a community plan, general plan or zoning and Section 15183.3 and relies on previous EIRs prepared for the West Oakland Specific Plan (WOSP) and the Oakland General Plan Land Use and Transportation Element (LUTE) collectively referred to as "Program EIRs" that analyzed environmental impacts associated with adoption and implementation of the LUTE and the WOSP.

**CONCLUSION:**

The proposed new Work/Live development is consistent with the development standards of the CIX-1A/1B land use regulations of the Oakland Planning Code. The project would not result in new or more severe environmental impacts beyond those identified in the WOSP EIR and therefore no subsequent or supplemental environmental review is warranted. The site plan, building designs, layout, heights, materials, colors, open areas, and landscaping all combine as a cohesive whole that is appropriate for the subject site. Staff believes that this project will serve as a catalyst for further development within the project area and Oakland as a whole.

To address any remaining issues or concerns, the Planning Commission could also send the project to the Design Review Committee for further adjustments and/or enhancements. Alternatively, the commission could add additional requirements prior to approving the Conditional Use Permit and Design Review subject to the attached Findings and Conditions of Approval and the additional requirements.

**RECOMMENDATIONS:**

Based on the analysis contained in this report, the findings, and the conditions of approval attached to this report and elsewhere within the administrative record, staff believes that the proposed project, with some further adjustments/enhancements could be an appropriate development that will further the overall objectives of the WOSP and the Oakland General Plan, particularly related to new commercial/light industrial and business development. Thus, staff recommends that the Commission:

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

Alternatively, the Commission may choose to do either of the following to address any remaining issues or concerns:

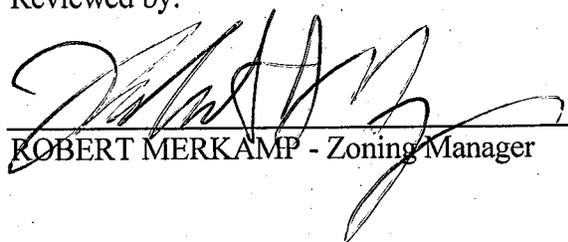
1. Send the project to the Design Review Committee for further adjustments/enhancements, or
2. Add additional requirements and approve the Conditional Use Permit and Design Review subject to the attached Findings and Conditions of Approval and the additional requirements.

Prepared by:



MAURICE BRENYAH-ADDOW - Planner IV

Reviewed by:



ROBERT MERKAMP - Zoning Manager

Approved for forwarding to the  
City Planning Commission:



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EDWARD MANASSE – Deputy Director  
Planning and Building Department

**ATTACHMENTS:**   A. SCAMMRP  
                          B. Project Plans  
                          C. ACDEH Work Plan

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**ATTACHMENT A: FINDINGS**

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This proposal meets the required findings and standards under Sections 17.73.040C, 17.134.050 *Conditional Use Permit*, Sections 17.73.040D, 17.136.050 *Regular Design Review*, and 17.136.075 *Regulations for demolition or removal of CIX-1A zoned properties* criteria of the Oakland Planning Code as set forth below. Required findings are shown in normal type; reasons your proposal satisfies them are shown in **bold type**.

**SECTION 17.134.050****CONDITIONAL USE PERMIT CRITERIA & 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 subject site is located in a light industrial area that is conducive to the proposed work-live use. The size, design, and operating characteristics of the work-live project will be compatible with the immediate non-residential uses of abutting properties as well as the residential uses in surrounding neighborhood. A CEQA Analysis prepared for the project concludes that the project is consistent with the West Oakland Specific Plan EIR and together with the applicable conditions of approval the project will not have any significant negative impacts on traffic or other environmental topics.**

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 work-live use is expected provide a convenient and functional working and living conditions and anticipated to minimize the need for commuting which will be good for the environment.**

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 work-live project will provide a variety of commercial and light industrial uses that are expected to provide synergistic services for one another at the same location.**

D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050

**CONDITIONS OF APPROVAL**

See findings below.

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

The subject site is located in the Business Mix land use classification of the Oakland General Plan Land Use and Transportation Element (LUTE). According to the LUTE, "the intent of the Business Mix classification is intended to create, preserve and enhance areas of the City that are appropriate for a wide variety of businesses and related commercial and industrial establishments...". The desired character and uses include "a mix of businesses such as light industrial, manufacturing, food processing, commercial, bioscience and biotechnology, research and development, environmental technology, business and health services, air...warehouse and distribution facilities, office and other uses of similar business character". The commercial and light industrial uses anticipated for the project will be required to be consistent with those envisioned and intended by the Business Mix General Plan.

**SECTION 17.136.050(b)**

**REGULAR DESIGN REVIEW CRITERIA & FINDINGS (For Nonresidential Facilities)**

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

The proposed design achieves a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity with a flexible floor plan that lends itself to a variety of potential uses such as one large establishment or various multi-tenant spaces. The design is contemporary and yet compatible with the traditional structures in the surroundings. The exterior materials include the existing brick façade, cement plaster, flat and corrugated "corten" metal siding, board formed concrete, industrial style windows, etc. The site plan incorporates off-street parking at the site in the form of a garage as well as surface parking area and accessed on Magnolia Street. The landscape plan includes Street Trees, shrubs and other plantings to enhance the visual quality, functionality, and experience of the building and its open areas. The project

**provides the required 137 off-street parking spaces which includes 5 ADA spaces. The project also provides 5 loading berths and several vehicular access points at key sections of the building.**

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

**The proposed new commercial/light industrial work-live facility is an urban infill light industrial type development that responds to the context of mixed custom/light industrial, commercial, industrial, civic, and residential uses in the vicinity**

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

**See CUP finding above.**

**SECTION 17.73.040**

**SPECIAL REGULATIONS FOR WORK-LIVE UNITS IN THE CIX ZONE**

A. Applicability. A Work/Live unit in the CIX, IG, and IO Industrial Zones must meet all applicable regulations contained in this Section. The CIX, IG, and IO Zones regulations contained in this Section supersede regulations contained in Section 17.102.190 relating to the conversion of buildings originally designed for Commercial or Industrial Activities into joint living and working quarters.

B. Definition. The following definition applies to this Chapter only: A "Work/Live unit" means a room or suite of rooms that are internally connected maintaining a common household that includes: (1) cooking space and sanitary facilities that satisfy the provisions of other applicable codes, and (2) adequate working space reserved for, and regularly used by, one or more persons residing therein. A Work/Live unit accommodates a primary Nonresidential Activity with an accessory residential component.

**C. Conditional use permit required.**

1. Establishment of a Work/Live unit is only permitted upon determination that the proposal conforms to the conditional use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to one or both of the following additional use permit criteria:

- a. The project is in the CIX Zones, and involves new construction or conversion of a building: (1) within three hundred (300) feet of a Residential Zone, or (2) on an irregular shaped parcel that is adjacent to Mandela Parkway and in existence prior to the effective date of this amended Code section. **The proposed project involves new construction and located in the CIX zone within 300 feet of a residential zone.**

b. The project is in the CIX, IG, or IO Zones, and involves conversion of an existing building originally designed for Commercial or Industrial Activities and there are existing artist and/or artisan residents who meet the requirements of Zoning Code Bulletin regarding "Live/Work" (issued August 29, 2001 and amended August 23, 2004). **N/A**

**D. Regular design review required.** Establishment of a Work/Live unit shall only be permitted upon determination that the proposal conforms to the Regular design review criteria set forth in the design review procedure in Chapter 17.136 and to all of the following additional criteria:

1. That the exterior of a new building containing primarily Work/Live units in the Industrial Zones has a commercial or industrial appearance. This includes, but is not necessarily limited to, the use of nonresidential building styles or other techniques; **The project has a commercial/Light industrial appearance.**
2. That units on the ground floor or level of a building have a business presence on the street. This includes, but is not necessarily limited to, providing roll up doors at the street or storefront style windows that allow interior space to be visible from the street, a business door that is oriented towards the street, a sign or other means that identifies the business on the door and elsewhere, a prominent ground floor height, or other techniques; **The ground floor spaces have commercial/light industrial presence.**
3. That the layout of nonresidential floor areas within a unit provides a functional and bona fide open area for working activities; **While some units comply with this criterion, other units fall short with features such as man-doors instead of double and tall doors, kitchens located right adjacent to entrances, and enclosures that obstruct direct movement of large items. Staff recommends that the floor plans be rearranged to provide more openness to better comply with this criterion.**
4. That the floor and site plan for the project include an adequate provision for the delivery of items required for a variety of businesses. This may include, but is not necessarily limited to, the following:
  - a. Service elevators designed to carry and move oversized items – **The project has been revised to include a service elevator;**
  - b. Stairwells wide and/or straight enough to deliver large items – **The stairways are wide and straight;**
  - c. Loading areas located near stairs and/or elevators; - **The project has been revised to have some loading areas near stairs and elevators.**
  - d. Wide corridors for the movement of oversized items – **The project has been revised to have wide corridors; and**

5. That the floor and site plan for the project provide units that are easily identified as businesses and conveniently accessible by clients, employees and other business visitors.

**While some units comply with this criterion, others fall short with features such as man-doors instead of wide and tall double doors, kitchens located right adjacent to entrances, and enclosures that obstruct openness and direct movement of large items.**

**SECTION 17.136.075(C)**

**REGULATIONS FOR DEMOLITION OF CIX-1A ZONED PROPERTIES**

C. Regular Design Review Approval for the demolition or removal of any structure in the CIX-1A Zone, or an S-7 or S-20 Zone, or an Area of Primary Importance (API) as determined by the Oakland Cultural Heritage Survey may be granted only if the proposal conforms to the general design review criteria, all other applicable design review criteria, and the following additional criteria:

For the demolition of structures in the CIX-1A Zone; or contributors to an S-7 Zone, S-20 Zone, or API:

- a. The applicant demonstrates that: i) the existing property has no reasonable use or cannot generate a reasonable economic return and that the development replacing it will provide such use or generates such return, or ii) the applicant demonstrates that the structure constitutes a hazard and is economically infeasible to rehabilitate on its present site. For this criterion, a hazard constitutes a threat to health and safety that is not immediate;

**The existing brick structure would be too costly to completely preserve and renovated appropriately to generate a reasonable economic return from the target uses. The proposed new structure would be a more flexible state-of-the-art light/custom industrial facility and more likely to generate a reasonable economic return. A condition of approval (#48) has been added to this approval to recommend salvaging, recycling and/or incorporating some of the bricks into the proposed project.**

- b. It is economically, functionally, architecturally, or structurally infeasible to incorporate the historic structure, or existing structure in the CIX-1A Zone, into the proposed development.

**See "a" above.**

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**ATTACHMENT B: CONDITIONS OF APPROVAL**

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

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**1. Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **staff report** and the approved plans **dated October \_\_, 2019 and received October --, 2019**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

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

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten (10) calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **Two Years** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period a complete building permit application has been filed with the Bureau of Building and diligently pursued towards completion, 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 Approval, 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 or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

**3. Compliance with Other Requirements**

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City’s Bureau of Building, Fire Marshal, Department of Transportation, and Public Works Department. 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 #4.

**4. Minor and Major Changes**

- a. Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning

- b. Major changes to the approved project, plans, Conditions, facilities, or use shall be reviewed by the Director of City Planning to determine whether such changes require submittal and approval of a revision to the Approval by the original approving body or a new independent permit/approval. Major revisions shall be reviewed in accordance with the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

**5. Compliance with Conditions of Approval**

- a. The project applicant and property owner, including successors, (collectively referred to hereafter as the "project applicant" or "applicant") shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.
- b. The City of Oakland reserves the right at any time during construction to require certification by a licensed professional at the project applicant's expense that the as-built project conforms to all applicable requirements, including but not limited to, approved maximum heights and minimum setbacks. Failure to construct the project in accordance with the Approval may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension, or other corrective action.
- c. Violation of any term, Condition, or project description relating to the Approval 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 Approval 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 Approval or Conditions.

**6. Signed Copy of the Approval/Conditions**

A copy of the Approval letter and Conditions shall be signed by the project applicant, attached to each set of permit plans submitted to the appropriate City agency for the project, and made available for review at the project job site at all times.

**7. Blight/Nuisances**

The project site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within sixty (60) days of approval, unless an earlier date is specified elsewhere.

**8. Indemnification**

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (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 this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project 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 project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

**9. Severability**

The Approval 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. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Monitoring**

The project applicant may be required to cover the full costs of independent third-party technical review and City monitoring and inspection, including without limitation, special inspector(s)/inspection(s) during times of extensive or specialized plan-check review or construction, and inspections of potential violations of the Conditions of Approval. The project applicant shall establish a deposit with Engineering Services and/or the Bureau of Building, if directed by the Director of Public Works, Building Official, Director of City Planning, Director of Transportation, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

**11. Public Improvements**

The project applicant shall obtain all necessary permits/approvals, such as encroachment permits, obstruction permits, curb/gutter/sidewalk permits, and public improvement ("p-

job”) permits from the City for work in the public right-of-way, including but not limited to, streets, curbs, gutters, sidewalks, utilities, and fire hydrants. Prior to any work in the public right-of-way, the applicant shall submit plans for review and approval by the Bureau of Planning, the Bureau of Building, Engineering Services, Department of Transportation, and other City departments as required. Public improvements shall be designed and installed to the satisfaction of the City.

**12. Compliance Matrix**

The project applicant shall submit a Compliance Matrix, in both written and electronic form, for review and approval by the Bureau of Planning and the Bureau of Building that lists each Condition of Approval (including each mitigation measure if applicable) in a sortable spreadsheet. The Compliance Matrix shall contain, at a minimum, each required Condition of Approval, when compliance with the Condition is required, and the status of compliance with each Condition. For multi-phased projects, the Compliance Matrix shall indicate which Condition applies to each phase. The project applicant shall submit the initial Compliance Matrix prior to the issuance of the first construction-related permit and shall submit an updated matrix upon request by the City.

**13. Construction Management Plan**

Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department, Department of Transportation, and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.

**14. Standard Conditions of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP)**

- a. All mitigation measures identified in the **2715 Adeline Street CEQA Analysis** are included in the Standard Condition of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP) which is included in these Conditions of Approval and are incorporated herein by reference, as Attachment “B”, as Conditions of Approval of the project. The Standard Conditions of Approval

identified in the **2715 Adeline Street CEQA Analysis** are also included in the SCAMMRP, and are, therefore, incorporated into these Conditions by reference but are not repeated in these Conditions. To the extent that there is any inconsistency between the SCAMMRP and these Conditions, the more restrictive Conditions shall govern. In the event a Standard Condition of Approval or mitigation measure recommended in the **2715 Adeline Street CEQA Analysis** has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the **2715 Adeline Street CEQA Analysis** into the SCAMMRP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable mitigation measures adopted, and with all Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or Condition of Approval, and subject to the review and approval by the City of Oakland. The SCAMMRP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval and mitigation measure. Unless otherwise specified, monitoring of compliance with the Standard Conditions of Approval and mitigation measures will be the responsibility of the Bureau of Planning, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.

- b. Prior to the issuance of the first construction-related permit, the project applicant shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

## 15. Landscape Plan

### a. Landscape Plan Required

- Requirement: The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code. Proposed plants shall be predominantly drought-tolerant. Specification of any street trees shall comply with the Master Street Tree List and Tree Planting Guidelines (which can be viewed at <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf> and <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf>, respectively), and with any applicable streetscape plan.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

**b. Landscape Installation**

Requirement: The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.

When Required: Prior to building permit final

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**c. Landscape Maintenance**

Requirement: 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. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## AIR QUALITY

### 16. Truck-Related Risk Reduction Measures (Toxic Air Contaminants)

**a. Truck Loading Docks**

Requirement: The project applicant shall locate proposed truck loading docks as far from nearby sensitive receptors as feasible.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**b. Truck Fleet Emission Standards**

Requirement: The project applicant shall comply with all applicable California Air Resources Board (CARB) requirements to control emissions from diesel engines and demonstrate compliance to the satisfaction of the City. Methods to comply include, but are not limited to, new clean diesel trucks, higher-tier diesel engine trucks with added Particulate Matter (PM) filters, hybrid trucks, alternative

energy trucks, or other methods that achieve the applicable CARB emission standard. Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines.

When Required: Prior to building permit final; ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

## BIOLOGICAL RESOURCES

### 17. Tree Permit

#### a. **Tree Permit Required**

Requirement: Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.

When Required: Prior to approval of construction-related permit

Initial Approval: Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building

Monitoring/Inspection: Bureau of Building

#### b. **Tree Protection During Construction**

Requirement: 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:

- i. 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 project's consulting arborist. 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.
- ii. 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, filling, 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 project's consulting arborist 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.

- iii. 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 project's consulting arborist 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 project's consulting arborist. 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.
- iv. 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.
- v. 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 Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. 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.
- vi. 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.

When Required: During construction

Initial Approval: Public Works Department, Tree Division

Monitoring/Inspection: Bureau of Building

**c. Tree Replacement Plantings**

Requirement: Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:

- i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of

- remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.
- ii. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye), Umbellularia californica (California Bay Laurel), or other tree species acceptable to the Tree Division.
  - iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.
  - iv. Minimum planting areas must be available on site as follows:
    - a. For Sequoia sempervirens, three hundred fifteen (315) square feet per tree;
    - b. For other species listed, seven hundred (700) square feet per tree.
  - v. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.
  - vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.

When Required: Prior to building permit final

Initial Approval: Public Works Department, Tree Division

Monitoring/Inspection: Bureau of Building

**18. Structures in a Flood Zone**

Requirement: The project shall be designed to ensure that new structures within a 100-year flood zone do not interfere with the flow of water or increase flooding. The project applicant shall submit plans and hydrological calculations for City review and approval with the construction-related drawings that show finished site grades and floor elevations elevated above the Base Flood Elevation (BFE).

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

## POPULATION AND HOUSING

### 19. Jobs/Housing Impact Fee

Requirement: The project applicant shall comply with the requirements of the City of Oakland Jobs/Housing Impact Fee Ordinance (chapter 15.68 of the Oakland Municipal Code).

When Required: Prior to issuance of building permit; subsequent milestones pursuant to ordinance

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

### 20. Affordable Housing Impact Fee

Requirement: The project applicant shall comply with the requirements of the City of Oakland Affordable Housing Impact Fee Ordinance (chapter 15.72 of the Oakland Municipal Code).

When Required: Prior to issuance of building permit; subsequent milestones pursuant to ordinance

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

### 21. Capital Improvements Impact Fee

Requirement: The project applicant shall comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).

When Required: Prior to issuance of building permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

## TRANSPORTATION/TRAFFIC

### 22. Transportation Improvements

Requirement: The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Review for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, transportation demand management measures, and transit, pedestrian, and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission

(for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:

- a. 2070L Type Controller with cabinet accessory
- b. GPS communication (clock)
- c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)
- d. Countdown pedestrian head module switch out
- e. City Standard ADA wheelchair ramps
- f. Video detection on existing (or new, if required)
- g. Mast arm poles, full activation (where applicable)
- h. Polara Push buttons (full activation)
- i. Bicycle detection (full activation)
- j. Pull boxes
- k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum
- l. Conduit replacement contingency
- m. Fiber switch
- n. PTZ camera (where applicable)
- o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor
- p. Signal timing plans for the signals in the coordination group
- q. Bi-directional curb ramps (where feasible, and if project is on a street corner)
- r. Upgrade ramps on receiving curb (where feasible, and if project is on a street corner)

When Required: Prior to building permit final or as otherwise specified

Initial Approval: Bureau of Building; Department of Transportation

Monitoring/Inspection: Bureau of Building

**23. Transportation Impact Fee**

Requirement: The project applicant shall comply with the requirements of the City of Oakland Transportation Impact Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).

When Required: Prior to issuance of building permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

## UTILITY AND SERVICE SYSTEMS

### 24. Water Efficient Landscape Ordinance (WELO)

**Requirement:** The project applicant shall comply with California's Water Efficient Landscape Ordinance (WELO) in order to reduce landscape water usage. For any landscape project with an aggregate (total noncontiguous) landscape area equal to 2,500 sq. ft. or less. The project applicant may implement either the Prescriptive Measures or the Performance Measures, of, and in accordance with the California's Model Water Efficient Landscape Ordinance. For any landscape project with an aggregate (total noncontiguous) landscape area over 2,500 sq. ft., the project applicant shall implement the Performance Measures in accordance with the WELO.

a. **Prescriptive Measures:** Prior to construction, the project applicant shall submit documentation showing compliance with Appendix D of California's Model Water Efficient Landscape Ordinance (see website below starting on page 23):

<http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf>

b. **Performance Measures:** Prior to construction, the project applicant shall prepare and submit a Landscape Documentation Package for review and approval, which includes the following

i. Project Information:

- Date,
- Applicant and property owner name,
- Project address,
- Total landscape area,
- Project type (new, rehabilitated, cemetery, or home owner installed),
- Water supply type and water purveyor,
- Checklist of documents in the package, and
- Applicant signature and date with the statement: "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package."

ii. Water Efficient Landscape Worksheet

- Hydrozone Information Table

- Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use
- iii. Soil Management Report
- iv. Landscape Design Plan.
- v. Irrigation Design Plan, and
- vi. Grading Plan

Upon installation of the landscaping and irrigation systems, the Project applicant shall submit a Certificate of Completion and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of Compliance shall also be submitted to the local water purveyor and property owner or his or her designee.

For the specific requirements within the Water Efficient Landscape Worksheet, Soil Management Report, Landscape Design Plan, Irrigation Design Plan and Grading Plan, see the link below:

<https://www.water.ca.gov/LegacyFiles/wateruseefficiency/landscapeordinance/docs/Title%202023%20extract%20-%20Official%20CCR%20pages.pdf>

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**25. Employee Rights**

Requirement: The project applicant and business owners in the project shall comply with all state and federal laws regarding employees' right to organize and bargain collectively with employers and shall comply with the City of Oakland Minimum Wage Ordinance (chapter 5.92 of the Oakland Municipal Code).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

**26. Neighborhood Retail Survey**

Requirement: The project applicant shall conduct a survey of community members located within one-half mile of the project site to identify neighborhood needs and preferences for the proposed commercial space. The City strongly encourages the project applicant to seek tenants for the proposed commercial space that meet the needs and preferences of local community members. Please refer to the City's Survey Guidelines for more information (contained in a separate document and available from the Oakland Planning Bureau).

When Required: Prior to commercial operations

Initial Approval: N/A

Monitoring/Inspection: N/A

**Project Specific Conditions**

**27. Floor Openness**

That the layout of nonresidential floor areas within a unit shall be rearranged to provide more openness to better provide a functional and bona fide open area for working activities with features such as double and tall doors, relocate kitchens away from entrances, remove enclosures that obstruct direct movement of large items.

When Required: Prior to application for Building Permits, Ongoing

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

**28. Reuse of exterior orange bricks**

The applicant is encouraged to explore the possibility of salvaging, recycling the existing fat orange bricks and reusing or incorporating some into the new project.

When Required: Ongoing

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

**29. Development Impact Fees**

The project shall be subject to, and the Applicant shall agree to pay, any applicable development impact fees adopted by the City Council.

**30. Future Business Signs**

Future business signs shall be subject to the Small Project Design Review criteria and procedures in the OMC.

When Required: Ongoing

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

**31. Curb, Gutter, Sidewalk**

The project applicant shall incorporate details of public improvements that include replacement of the curb, gutter and sidewalk adjacent to the subject site into the development plans.

When Required: Prior to application for a building permit

Initial Approval: Bureau of Planning; Bureau of Building; PWA

Monitoring/Inspection: Bureau of Building; PWA

**32. Driveway Separation**

Multiple Driveways at the property shall be separated by a minimum distance of 25 feet.

When Required: Prior to application for a building permit & Ongoing

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

**33. Public Art for Private Development Condition of Approval**

This project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). As a non-residential project, the public art contribution requirement is equivalent to one percent (1%) of building development costs for the project. The contribution requirement can be met through the commission or acquisition and installation of publicly accessible art on the development site, payment of an in-lieu contribution to the City's established public art fund, or satisfaction of alternative compliance methods described in the Ordinance. The applicant shall provide proof of full payment of the in lieu contribution, or provide proof of installation of artwork on the development site prior to the City's issuance of a final certificate of occupancy for each Phase unless a separate, legal binding instrument is executed ensuring compliance within a timely manner, subject to City approval. On-site art installation shall be designed by independent artists, or artists working in conjunction with arts or community organizations, that are verified by the City to either hold a valid Oakland business license and/or be an Oakland-based 501(c)(3) tax designated organization in good standing.

When Required: Prior to issuance of Final Certificate of Occupancy and Ongoing

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

**34. Final Exterior Material Samples & Colors**

The applicant shall submit a Final Materials and Color Board that include samples of exterior building materials and colors, and manufacturer's brochures as appropriate.

When Required: Prior to application for a building permit

Initial Approval: Bureau of Planning; Bureau of Building;

Monitoring/Inspection: Bureau of Planning; Bureau of Building,

**35. 21. Work-Live Commercial spaces**

Requirement: The owner of the property shall provide a Statement of Disclosure on the lease or title to all new tenants or owners of the WORK-LIVE spaces acknowledging the commercial character of the development and acceptance of the potential for uses that result in higher levels of noise, odors, nuisances, etc. than would be expected in a residential facility. The statement of disclosure shall also state that the tenants may only engage in the activities allowed by the relevant Zoning Designation. The statement described in this condition of approval shall also be provided to any new owners of the property when the property is sold. A sign shall be permanently displayed in a common area disclosing that the facility is a commercial facility as well as requiring that at least one occupant of each work-live unit shall maintain a City of Oakland Business Tax Certificate.

When Required: Prior to Issuance of Building Permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**36. 22. Notice of Limitation and Recordation**

***Concurrent with the recordation of the Final Parcel Map/Ongoing***

The attached Notice of Limitation shall be notarized and recorded with the Alameda County Recorder's office limiting the work-live spaces as commercial only.

When Required: Prior to application for building permits

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**37. 22. Transportation Measures**

The following measures shall be incorporated as part of the final design for the project:

**I**

a. Designate 10 feet of curb immediately north and south of the driveway on Magnolia Street as red no parking zones to ensure adequate sight distance between motorists and bicyclists traveling on the street and motorists exiting the driveway.

b. Designate 50 feet of curb on both sides of Adeline Street, north of 28th Street, as red no parking zones to ensure adequate sight distance between vehicles on the 28<sup>th</sup> Street approaches of the intersection and through vehicles on Adeline Street.

II Explore the feasibility of (and implement, if feasible) relocating all or some of the longterm bicycle parking to a more convenient location on the ground level of the project.

**III**

a. Explore the feasibility of (and implement, if determined feasible by City of Oakland staff) installing directional curb ramps with truncated domes on all corners of the Magnolia Street/28th Street.

b. Explore the feasibility of (and implement, if determined feasible by City of Oakland staff) installing directional curb ramps with truncated domes on all corners of the Adeline Street/28th Street intersections. Ensure that the improvements would not conflict with the recommended protected bike lanes on Adeline Street.

c. Explore the feasibility of (and implement, if determined feasible by City of Oakland staff) installing a marked yellow school crosswalk on the south approach of the Adeline Street/28th Street intersection with school crossing signage and advanced yield lines and signage on Adeline Street north and south of the intersection.

**IV**

Designate 30 feet of curb on southbound Adeline Street just south of the existing bus stop as yellow loading zones for deliveries and passenger pick-up/drop offs.

When Required: Prior to final inspections

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**38. 22. ACDEH approved Work Plan**

The project shall comply with the requirements of the ACDEH work plan approved for the site and enclosed as Attachment C.

When Required: Prior to application for building permits and Ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building & ACDEH

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**Applicant Statement**

I have read and accept responsibility for the Conditions of Approval. I agree to abide by and conform to the Conditions of Approval, as well as to all provisions of the Oakland Planning Code and Oakland Municipal Code pertaining to the project.

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Name of Project Applicant

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Signature of Project Applicant

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Date

Note that the SCAs included in this document are referred to using an abbreviation for the environmental topic area and are numbered sequentially for each topic area—e.g., SCA-AIR-1, SCA AIR-2. The SCA title and the SCA number that corresponds to the City's master SCA list are also provided in the Appendix listing—e.g., SCA-AIR-1: Dust Controls – Construction Related; #21).

Table A-1. City of Oakland Standard SCAs Required for the Project

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<i>General</i>			
<p><b>SCA-GEN-1: Regulatory Permits and Authorizations from Other Agencies. (#15)</b></p> <p>The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.</p>	<p>Prior to activity requiring permit / authorization from regulatory agency</p>	<p>Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning</p>	<p>Applicable regulatory agency with jurisdiction</p>
<i>Aesthetics: Shadow and Wind</i>			
<p><b>SCA-AES-1: Trash and Blight Removal (#16)</b></p> <p>The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.</p>	<p>Ongoing</p>	<p>N/A</p>	<p>Bureau of Building</p>
<p><b>SCA-AES-2: Graffiti Control (#17)</b></p> <p>a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:</p> <ol style="list-style-type: none"> <li>i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.</li> <li>ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.</li> <li>iii. Use of paint with anti-graffiti coating.</li> <li>iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).</li> <li>v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.</li> </ol>	<p>Ongoing</p>	<p>N/A</p>	<p>Bureau of Building</p>

<p>c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>e. All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.</p> <p>f. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <p>g. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p>			
<p><b>SCA-AIR-2: Criteria Air Pollutant Controls – Construction Related (#22)</b></p> <p>The project applicant shall implement all of the following applicable basic control measures for criteria air pollutants during construction of the project as applicable:</p> <p>a. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes (as required by the California Air Resources Board Off-Road Diesel Regulations). Clear signage to this effect shall be provided for construction workers at all access points.</p> <p>b. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”).</p> <p>c. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Equipment check documentation should be kept at the construction site and be available for review by the City and the Bay Area Air Quality District as needed.</p> <p>d. Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand.</p> <p>e. Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.</p> <p>f. All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) and upon request by the City and the Air District if specifically requested, the project applicant shall provide written documentation that fleet requirements have been met.</p>	During construction	N/A	Bureau of Building
<p><b>SCA-AIR-3: Diesel Particulate Matter Controls – Construction Related (#23)</b></p> <p>a. Diesel Particulate Matter Reduction Measures</p> <p>The project applicant shall implement appropriate measures during construction to reduce potential</p>	Prior to Issuance of Construction-Related Permit (i)	Bureau of Planning	Bureau of Building

Code sections 25915-25919.7 and Bay Area Air Quality Management District Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.

**SCA-AIR-5: Stationary Sources of Air Pollution (Toxic Air Contaminants) (#25)**

The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose 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 California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.

- or -

- b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:
  - i. Installation of non-diesel fueled generators, if feasible, or;
  - ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.

**SCA-AIR-6: Exposure to Air Pollution (Toxic Air Contaminants) (#29)**

**a. Health Risk Reduction Measures**

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

- i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and

	Prior to Approval of Construction-Related Permit	Bureau of Planning	Bureau of Building
<p>The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:</p> <ul style="list-style-type: none"> <li>i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and</li> </ul>	Prior to Approval of Construction-Related Permit	Bureau of Planning	Bureau of Building

<ul style="list-style-type: none"> <li>o Prohibiting trucks from idling for more than two minutes.</li> <li>o Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck-calming, parking, and delivery restrictions, shall be implemented.</li> </ul>			
<p><b>b. Maintenance of Health Risk Reduction Measures</b></p> <p>The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>	Ongoing	N/A	Bureau of Building
<b>Biological Resources</b>			
<p><b>SCA-BIO-1: Tree Removal During Bird Breeding Season (#30)</b></p> <p>To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p>	Prior to removal of trees	Bureau of Building	Bureau of Building
<b>Cultural Resources</b>			
<p><b>SCA-CUL-1: Archaeological and Paleontological Resources – Discovery During Construction (#33)</b></p> <p>Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If</p>	During construction	N/A	Bureau of Building



barriers to prohibit groundwater and vapor intrusion into the building			
<p><b>SCA-HAZ-3: Hazardous Materials Business Plan (#45)</b></p> <p>The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following:</p> <ol style="list-style-type: none"> <li>The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.</li> <li>The location of such hazardous materials.</li> <li>An emergency response plan including employee training information.</li> <li>A plan that describes the manner in which these materials are handled, transported, and disposed.</li> </ol>	Prior to building permit final	Oakland Fire Department	Oakland Fire Department
<b>Hydrology and Water Quality</b>			
<p><b>SCA-HYDRO-1: Erosion and Sedimentation Control Plan for Construction (#49)</b></p> <p><i>a. Erosion and Sedimentation Control Plan Required</i></p> <p>The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p> <p><i>b. Erosion and Sedimentation Control During Construction</i></p> <p>The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.</p>	Prior to approval of construction-related permit	Bureau of Building	N/A
During construction	N/A	Bureau of Building	Bureau of Building



and describe noise attenuation measures to be implemented.

<p><b>SCA-NOS-4: Construction Noise Complaints (#67)</b></p> <p>The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ol style="list-style-type: none"> <li>Designation of an on-site construction complaint and enforcement manager for the project</li> <li>A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit</li> <li>Protocols for receiving, responding to, and tracking received complaints; and</li> <li>Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.</li> </ol>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>SCA-NOS-5: Operational Noise (#69)</b></p> <p>Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 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 City.</p>	<p>Ongoing</p>	<p>N/A</p>	<p>Bureau of Building</p>
<p><b>SCA-NOS-6: Exposure to Community Noise (#67)</b></p> <p>The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:</p> <ol style="list-style-type: none"> <li>45 dBA: Residential activities, civic activities, hotels</li> <li>50 dBA: Administrative offices; group assembly activities</li> <li>55 dBA: Commercial activities</li> <li>65 dBA: Industrial activities</li> </ol>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>
<p><b>Public Services</b></p>			
<p><b>SCA-PS-1: Capital Improvements Impact Fee (#74)</b></p> <p>The project applicant shall comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).</p>	<p>Prior to issuance of building permit</p>	<p>Bureau of Building</p>	<p>N/A</p>

	bike lane curbs		
Bus shelter	<ul style="list-style-type: none"> <li>A stop with no shelter is located within the project frontage, or</li> <li>The project is located within 0.10 miles of a flag stop with 25 or more boardings per day</li> </ul>		
Concrete bus pad	<ul style="list-style-type: none"> <li>A bus stop is located along the project frontage and a concrete bus pad does not already exist</li> </ul>		
Curb extensions or bulb-outs	<ul style="list-style-type: none"> <li>Identified as an improvement within site analysis</li> </ul>		
Implementation of a corridor-level bikeway improvement	<ul style="list-style-type: none"> <li>A buffered Class II or Class IV bikeway facility is in a local or county adopted plan within 0.10 miles of the project location; and</li> <li>The project would generate 500 or more daily bicycle trips</li> </ul>		
Implementation of a corridor-level transit capital improvement	<ul style="list-style-type: none"> <li>A high-quality transit facility is in a local or county adopted plan within 0.25 miles of the project location; and</li> <li>The project would generate 400 or more peak period transit trips</li> </ul>		
Installation of amenities such as lighting; pedestrian-oriented green infrastructure, trees, or other greening landscape; and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.	<ul style="list-style-type: none"> <li>Always required</li> </ul>		
Installation of safety improvements identified in the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.)	<ul style="list-style-type: none"> <li>When improvements are identified in the Pedestrian Master Plan along project frontage or at an adjacent intersection</li> </ul>		
In-street bicycle corral	<ul style="list-style-type: none"> <li>A project includes more than 10,000 square feet of ground floor retail, is located along a Tier 1 bikeway, and on-street vehicle parking is provided along</li> </ul>		

Relocating bus stops to far side	<ul style="list-style-type: none"> <li>A project is located within 0.10 mile of any active bus stop that is currently near-side</li> </ul>			
Signal upgrades <sup>19</sup>	<ul style="list-style-type: none"> <li>Project size exceeds 100 residential units, 80,000 sf. of retail, or 100,000 sf. of commercial; and</li> <li>Project frontage abuts an intersection with signal infrastructure older than 15 years</li> </ul>			
Transit queue jumps	<ul style="list-style-type: none"> <li>Identified as a needed improvement within operations analysis of a project with frontage along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better</li> </ul>			
Trenching and placement of conduit for providing traffic signal interconnect	<ul style="list-style-type: none"> <li>Project size exceeds 100 units, 80,000 sf. of retail, or 100,000 sf. of commercial; and</li> <li>Project frontage block is identified for signal interconnect improvements as part of a planned ITS improvement; and</li> <li>A major transit improvement is identified within operations analysis requiring traffic signal interconnect</li> </ul>			
Unbundled parking	<ul style="list-style-type: none"> <li>If proposed parking ratio exceeds 1:1.25 (residential)</li> </ul>			
<p>v. Other TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement</li> <li>Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority</li> </ul>				

<sup>19</sup> Including typical traffic lights, pedestrian signals, bike actuated signals, transit-only signals

<p>requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).</p> <ul style="list-style-type: none"> <li>Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.</li> </ul> <p>The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.</p>			
<p><b>b. TDM Implementation — Physical Improvements</b></p> <p>For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p>	Prior to Building Permit Final	Bureau of Building	Bureau of Building
<p><b>c. TDM Implementation — Operational Strategies</b></p> <p>For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.</p>	Ongoing	Bureau of Planning	Bureau of Planning
<p><b>SCA-TRANS-2: Construction Activity in the Public Right-of-Way. (#76)</b></p> <p><b>a. Obstruction Permit Required</b></p> <p>The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.</p>	Prior to Approval of Construction Related Permit	Bureau of Building	Bureau of Building
<p><b>b. Traffic Control Plan Required</b></p> <p>In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of</p>	Prior to Approval of Construction Related Permit	Public Works Department, Transportation Services Division	Bureau of Building

<p>specify plans to construct all future accessible EV parking spaces with appropriate grade, vertical clearance, and accessible path of travel to allow installation of accessible EV charging station(s).</p>			
<p><b>Recommendation TRANS-1</b></p> <p>While not required to address a CEQA impact, the following should be considered as part of the final design for the project:</p> <ul style="list-style-type: none"> <li>Designate 20 feet of curb immediately north and south of the project driveway on Magnolia Street as red no parking zones to ensure adequate sight distance between motorists and bicyclists traveling on the street and motorists exiting the driveway</li> <li>Designate 50 feet of curb on both sides of Adeline Street, north of 28th Street, as red no parking zones to ensure adequate sight distance between vehicles on the 28th Street approaches of the intersection and through vehicles on Adeline Street.</li> </ul>	<p>Prior to Building Permit Final</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>Recommendation TRANS-2</b></p> <p>While not required to address a CEQA impact, the following should be considered as part of the final design for the project:</p> <ul style="list-style-type: none"> <li>Explore the feasibility of relocating all or some of the long-term bicycle parking to a more convenient location on the ground level of the project. This measure shall be implemented if determined feasible by City staff.</li> </ul>	<p>Prior to Building Permit Final</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>Recommendation TRANS-3</b></p> <p>While not required to address a CEQA impact, the following should be considered as part of the final design for the project:</p> <ul style="list-style-type: none"> <li>Explore the feasibility of installing directional curb ramps with truncated domes on all corners and high-visibility continental crosswalks across all four approaches of the Magnolia Street/28th Street intersection. This measure shall be implemented if determined feasible by City staff.</li> <li>Explore the feasibility of installing directional curb ramps with truncated domes on all corners of the Adeline Street/28th Street intersections. Ensure that the improvements would not conflict with the recommended protected bike lanes on Adeline Street. This measure shall be implemented if determined feasible by City staff.</li> <li>Explore the feasibility of installing a marked yellow school crosswalk on the south approach of the Adeline Street/28th Street intersection with school crossing signage and advanced yield lines and signage on Adeline Street north and south of the intersection. This measure shall be implemented if determined feasible by City staff.</li> </ul>	<p>Prior to Building Permit Final</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>Recommendation TRANS-4</b></p> <p>While not required to address a CEQA impact, the following should be considered as part of the final design for the project:</p> <ul style="list-style-type: none"> <li>Subject to review and approval by City of Oakland Department of Transportation and AC Transit</li> </ul>	<p>Prior to Building Permit Final</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>

<ul style="list-style-type: none"> <li>o Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.</li> <li>o 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.</li> <li>o 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.</li> <li>o Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</li> </ul> <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> <li>o CALGreen mandatory measures.</li> <li>o [INSERT: Green building point level/certification requirement: (See Green Building Summary Table: for New Construction of Residential or Non-residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 53 points for residential and LEED Gold for non-residential)] per the appropriate checklist approved during the Planning entitlement process.</li> <li>o 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 Bureau of Planning that shows the previously approved points that will be eliminated or substituted.</li> <li>o The required green building point minimums in the appropriate credit categories.</li> </ul>			Bureau of Building
<p>b. <i>Compliance with Green Building Requirements During Construction</i></p> <p>The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</li> </ul>	During construction	N/A	Bureau of Building
<p>c. <i>Compliance with Green Building Requirements After Construction</i></p> <p>Prior to the finaling the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.</p>	Prior to Final Approval	Bureau of Planning	Bureau of Building

<p>of Completion and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of Compliance shall also be submitted to the local water purveyor and property owner or his or her designee.</p> <p>For the specific requirements within the Water Efficient Landscape Worksheet, Soil Management Report, Landscape Design Plan, Irrigation Design Plan and Grading Plan, see the link below  <a href="http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf">http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf</a></p>			
<p><b>SCA-UTIL-5: Underground Utilities (#86)</b></p> <p>The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&amp;E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p>	During Construction	N/A	Bureau of Building
<p><b>SCA-UTIL-6: Construction and Demolition Waste Reduction and Recycling (#85)</b></p> <p>The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at <a href="http://www.greenhalosystems.com">www.greenhalosystems.com</a> or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>	Prior to Approval of Construction-Related Permit	Public Works Department, Environmental Services Division	Public Works Department, Environmental Services Division
<p><b>SCA-UTIL-7: Recycling Collection and Storage Space (#87)</b></p> <p>The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 sf of building floor area is required, with a minimum of ten cubic feet.</p>	Prior to Approval of Construction-Related Permit	Bureau of Planning	Bureau of Building

Late Letter	LATE_L
List of Landowners Forms	LNDOWNR_F
Land Use Covenant	LUC_L
Mailing List for Public Notice in Excel Format	MAIL_PP
Maps & Assessor's Parcel Information	MAPS_ASSESSOR (no date)
Meeting Agenda, Minutes, Sign in Sheet	MEETING
Miscellaneous Letter	MISC_L
New Landowner Letters	LNDOWNR_REQ_L
Notice of Responsibility	NOR_L
Notice of Violation	NOV_L
Phone Log	PHONE_LOG
Photos	PHOTO
Post Closure Monitoring	PCMP_L
QA/QC Checklist (confidential only)	QAC_report name_date
Responsible Parties Information	RPINFO_L DATE OF THE LETTERHEAD
Returned Mail	RTN_MAIL_date
Site Visit/Inspection Report	SITEVISIT_R
Transfer Letter	TRANS_L
UST Permit	UST_PRMT
Voluntary Remedial Action Notice to State Agencies	VRA_NOTICE
Voluntary Remedial Action Request Form from RP	VREQ_F

ALAMEDA COUNTY  
**HEALTH CARE SERVICES  
AGENCY**

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
FOR HAZARDOUS MATERIALS RELEASES  
1131 HARBOR BAY PARKWAY  
ALAMEDA, CA 94502  
(510) 567-6777  
FAX (510) 337-9135

June 14, 2019

Danny Haber (*Sent via E-mail to: [danny@owow.com](mailto:danny@owow.com)*)  
OWOW, LLC  
Pier 54, Suite 202  
San Francisco, CA 94158

Subject: Site Cleanup Program Case No. RO0003282 and GeoTracker Global ID T10000011160, OWOW Development located at 2715 Adeline Street, Oakland, CA 94607, Assessor's Parcel Numbers. 5-446-8-1, 5-446-1-1, and 5-446-1-2.

Dear Mr. Haber:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case file for the subject site (the Site) in conjunction with the following documents prepared by Roux Associates, Inc. on your behalf including:

- *Site Conceptual Model* (the SCM), dated February 15, 2019
- *Data Gaps Work Plan* (the Work Plan), dated February 15, 2019
- *Site Redevelopment Schedule* (the Schedule), electronically received by ACDEH on June 6, 2019

Based on our review, ACDEH approves the *Work Plan*, the *SCM*, and *Redevelopment Schedule* for implementation on the condition the *Technical Comments* provided in Section II are addressed. With the provision that the information provided to this agency is accurate and representative of currently known Site conditions, at this juncture, ACDEH has no objection to you proceeding with the proposed site investigation activities provided OWOW submits the requisite documents listed below and implements all ACDEH approved corrective actions. Additionally, ACDEH is of the opinion that implementation of the proposed corrective action and mitigation measures outlined in *Section III - Deliverables* will minimize risk to on- and off-site receptors from exposure to residual subsurface contamination. Installation of potential vapor mitigation engineering controls (VMECs) and a vapor mitigation system including trench plugs, etc will also mitigate risk to occupants of the proposed new redevelopment building from potential TPH and volatile organic compound (VOCs) impacted soil gas.

#### **SECTION I – SITE & REGULATORY STATUS**

ACDEH understands the Site is located in a mixed residential and commercial area of Oakland and consists of three parcels identified by Alameda County Assessor Parcel Number (APN) 5-446-8-1 located at 2700 Magnolia Street, APN 5-446-1-1 located at 1173 28<sup>th</sup> Street, and APN 5-446-1-2 located at 2715 Adeline Street.

- APN 5-446-1-2 is currently developed as a vacant 20,332-square foot (SF) single story warehouse. Previous operations on this parcel included a residential dwelling (approximately 500-SF) with an associated aboveground petroleum storage tank (quantity unknown) from approximately

Attachment C

ACDEH understands that OWOW purchased all three parcels and intends to redevelop the properties into a 14,312-SF mixed-use five story building that includes an automotive stacker (137 parking spaces) on the ground floor with 32 underground stacker pits at approximately 8 feet bgs each, and 106 work/live units on the 2<sup>nd</sup> through 5<sup>th</sup> floors. The building will also include 2 elevators with associated elevator pits at approximately 5 feet bgs. Proposed redevelopment plans have not been submitted to the City of Oakland Planning Department or City of Oakland Building Department, and ACDEH has requested to review the draft California Environmental Quality Act (CEQA) documents before submission to the Planning department. Based on previous conversations with OWOW, ACDEH understands that the City of Oakland Planning and Building departments have required the applicant to obtain environmental clearance from ACDEH for the proposed redevelopment.

A data gap analysis and *SCM* was conducted and summarized in the *Work Plan*. Results of the analysis indicated the following data gaps: (1) delineation of TPH impacts in soil and groundwater in the vicinity of the two former UST locations; (2) delineation of potential onsite source areas of TPH, chlorinated solvent, and metal contaminants on all three properties due to former operations including a service station, laundry facility, aluminum and brass foundry, sausage factory, and building fire; and (3) characterization of potential offsite sources of chlorinated solvents migrating towards the Site for evaluation of exposure including vapor intrusion under proposed residential use. As a result, Roux proposes to conduct additional on- and off-site investigations to address the data gaps mentioned above and further characterize soil, groundwater, and soil gas conditions at the Site. The scope of work presented in this *Work Plan* includes a total of 16 borings (RB-01 through RB-16) that will be advanced at the site during additional investigations including the advancement of 7 soil borings (RB-01, RB-05, RB-09, RB-10, and RB-13 through RB-15), six borings for grab groundwater locations (RB-04, RB-07, RB-08, and RB-13 through RB-15) and eight borings for temporary soil gas probes (RB-02, RB-03, RB-06, RB-09, RB-11 through RB-13, and RB-16).

## **SECTION II - TECHNICAL COMMENTS**

Please address the comments below and incorporate them during implementation of the scope of work presented in the *Work Plan* and *Redevelopment Schedule*.

### ***Work Plan***

- 1. Soil Vapor Sampling** – The *Work Plan* states that soil gas sampling will be performed in accordance with the *Advisory– Active Soil Gas Investigations* dated July 2015, prepared by the California Department of Toxic Substances Control (DTSC Advisory) and that a shroud with Helium tracer gas will be used to monitor for system leaks. The purpose of this leak check method is to provide a quantifiable means of evaluating the data quality effects of ambient air intrusion into the soil gas sample. In order to ensure that the quality of helium data is sufficient and adequate for this purpose, ACDEH requests that (1) the encapsulating shroud entirely encompass the sample apparatus and surface completion of the soil gas well or vapor pin; (2) an at least 20% helium atmosphere is maintained within the encapsulating shroud throughout the duration of purging and sampling; and (3) shroud helium concentrations be monitored, recorded, and reported in field logs. Helium monitoring may be conducted using a field meter as long as the detector is capable of reporting Helium detections between 100% and 0.1% with a precision of at least +10% at 0.1%.

Additionally, the *Work Plan* states that soil gas will be analyzed for VOCs using EPA Method TO-15 and by TPH-g and TPH-d by EPA Method TO-3 and TO-17, respectively. The *Work Plan* also states Helium will be analyzed using ASTM D1946. ACDEH request that additional fixed

- Proposed cleanup goals, basis for cleanup goals, and corrective action objectives for all media.
- Description of proposed remediation including confirmation sampling and monitoring during implementation. Potential remediation measures include but are not limited to: Excavation; Soil Vapor Extraction (SVE); Bioventing; Dual Phase Extraction (DPE); Air- or Bio- Sparging; Chemical Oxidation/Reduction; Bio-remediation; Monitored Natural Attenuation (MNA).
- Description of proposed engineering controls to mitigate potentially complete exposure pathways described in the CAP. Potential engineering controls may include but are not limited to: Permeable Reactive Barrier (PRB), Soil or Hardscape Cap, Vapor Intrusion Mitigation Systems (VIMS), Trench dams.
- Evaluation of a minimum of three active remedial alternatives including discussion of feasibility, cost effectiveness, estimated time to reach cleanup goals, and limitations for each remedial alternative.
- Post-remediation monitoring.
- Schedule for implementation of cleanup.

Please be aware that public participation is a requirement for the CAP process. Therefore, ACDEH will request that you submit a Draft CAP for ACDEH review. Upon ACDEH approval of a Draft CAP, ACDEH will notify potentially affected members of the public who live or own property in the surrounding area of the proposed remediation described in the Draft CAP. Public comments on the proposed remediation will be accepted for a 30-day period.

**CAP Compliance Date: Friday, July 5, 2019.**

File to be named: RO3282\_CAP-2019-07-05

2. **Entitlement and Planning Department Approvals** - A copy of the City of Oakland Planning entitlement approvals for the redevelopment project including any California Environmental Quality Act (CEQA) compliance documents, a letter from the environmental consultant documenting compliance with the conceptual plans presented in the CAP, and any proposed changes to the site redevelopment, subterranean automotive or elevator pits, and first floor building plans. Any substantial changes may invalidate the conclusions of the protectiveness of the proposed redevelopment of the site with respect to the residual contamination and the proposed corrective actions presented in the CAP.

**Planning Department Approval Compliance Date– Monday, July 29, 2019.**

File to be named: RO3282\_DEV\_PLANNING-2019-07-05

3. **Building Permit Plans** - A copy of the building permit plan construction sets documenting compliance with the plans presented in the ACDEH-approved corrective action documents (i.e. CAP, CAIP, VMEC Design documents). The plans must be submitted with a transmittal letter from your environmental consultant, stating they have read and acknowledged the content, recommendations and/or conclusions contained in the attached document or report submitted. ACDEH also requests a cover sheet identifying the specific sheets that were used in the design of the engineering controls (i.e. mechanical, electrical, plumbing plans at ground level, foundation plan, roofing plan, grading, etc.) ACDEH must be notified if the project proponent or the City

documents must include a basis of design (BOD) that identifies design objectives, assumptions, engineering calculations, and construction quality assurance and quality control measures (CQA/QC); construction plan set and specifications (Plans & Specs); and an Operations, Maintenance, and Monitoring (OM&M) Plan including post-construction/pre-occupancy VMEC system testing procedures, and long-term operation and maintenance. The BOD and Plans & Specs must be prepared with sufficient detail to evaluate the validity, constructability, and design performance of the engineering controls. The BOD, Plans & Specs, and OM&M Plan can be submitted as appendices to the CAIP or as stand-alone documents. The VMEC plans and specifications must be incorporated into the building and utility construction plan and specifications.

**VMECs Design Documents Compliance Date – Wednesday, November 20, 2019.**  
File to be named: RO3282\_VMEC-2019-11-20

Prior to backfilling remedial excavations and soil import activities the following documents must be submitted to ACDEH for review and approval:

8. **Remedial Soil Excavation Documentation** – Submittal of a soil excavation documentation for source excavation, confirmation sampling and analytical results, must be submitted prior to the start of construction of the final foundation system. The submittal must include but not be limited to scaled figures (plan views and cross-sections) showing sampling locations and extents of excavation, volume of soil excavated and final disposition, waste manifests if disposed of off-site, tabulated analytical results and environmental screening levels, and laboratory analytical reports. The data should be initially submitted to ACDEH via email correspondence to facilitate quick review and backfill approval. Subsequent to ACDEH approval to backfill the data must be incorporated into the Remedial Action Completion Report of Soil Excavation and Groundwater.

**Remedial Soil Excavation Documentation Compliance Date – Tuesday, April 14, 2020**  
File to be named: RO3282\_SOIL\_EXPORT-2020-04-14

9. **Soil Import Documentation (if required for backfill)** - Submittal of requisite documentation to ACDEH for review and approval prior to import of fill to confirm compliance with ACDEH's Fill Material Characterization Guidance (FMCG), dated August 1, 2018. Information must include but not be limited to proposed sources, sampling and profiling protocols, analytical laboratory reports, and tables with analytical results and applicable environmental screening levels. The data should be initially submitted to ACDEH via email correspondence to facilitate quick review and backfill approval. Subsequent to ACDEH approval to backfill the data must be incorporated into the Remedial Action Completion Report of Soil Excavation and Groundwater.

**Soil Import Documentation Compliance Date – Monday, March 30, 2020**  
File to be named: RO3282\_SOIL\_IMPORT-2020-03-30

Prior to building occupancy and issuance of a No Further Action Letter the following documents must be submitted to ACDEH prior to closure for review and approval:

10. **Remedial Action Completion Report (RACR)** - A comprehensive report documenting implementation of the CAIP and demonstrating that corrective action objectives have been met or identifying any corrective action objectives that have not yet been met. The report must include as-built drawings and photo documentation and must include a certification by the remediation design

coordinates, and photo documentation; responsible party information; and contacts and protocols in case that utility repair requires replacement of the dams or plugs.

**VMEC RRoC Compliance Date – Friday, July 30, 2021**

File to be named: RO3282\_RROC-2021-07-30

- 12. VMECS Post Construction Performance Monitoring Report** – A report documenting the results of the VMS performance monitoring (indoor air, sub-slab soil vapor, and vent riser sampling) and certification by the VMEC Design Engineer that the VMS is functioning as designed.

**VMEC Post Construction Performance Monitoring Report Compliance Date – Friday, July 30, 2021 (estimated)**

File to be named: RO3282\_VMS\_MON\_R-2021-07-30

- 13. Institutional Controls (ICs)** – Recordation of institutional controls including a Land Use Covenant and Disclosure Covenants, Conditions and Restrictions (CC&Rs) providing legal and administrative controls and methods for dissemination of information to site users and occupants, homeowners associations, property managers and property owners to minimize risk during property development, future below-ground construction and maintenance, and long-term site use. ACDEH will provide the LUC for your recordation under a separate correspondence.

**Institutional Controls Compliance Date – – Friday, July 30, 2021 (estimated)**

File to be named: RO3282\_IC-2021-07-30

**Land Use Covenant Compliance Date – – Friday, July 30, 2021 (estimated)**

File to be named: RO3282\_LUC-2021-07-30

- 14. Financial Assurance** – Documentation of an appropriate financial instrument to assure ACDEH of implementation and maintenance of the VMECs. The details of this financial assurance must be worked out by the project proponent and ACDEH as design, construction, and monitoring plans are finalized and approved. The financial assurance instrument must provide for sufficient funds to construct, monitor, and provide regulatory oversight costs for long-term operations and maintenance of the VMEC. Estimates of these costs must be based, in part, on the cost estimates for project implementation that are established in the CAIP. Additionally, an allowance for regulatory oversight must be included in the financial assurance mechanism.

**Financial Assurance Mechanism Compliance Date – – Friday, July 30, 2021 (estimated)**

File to be named: RO3282\_FAM-2021-07-30

- 15. Long Term Site Management Plan (SMP)** – A SMP for long-term site management plan written for the property owner to facilitate compliance with the requirements of the Land Use Covenant. The SMP must provide a description the VMEC, permitted activities, maintenance and reporting requirements and schedule, and notification and documentation procedures should the VMEC be damaged. The SMP must include the VMECs, O&M Plans, and SGMP as standalone appendices and must be maintained at the site address by the property manager or designated representative.

Mr. Haber  
RO0003282  
June 14, 2019, Page 11

Sincerely,



Drew  
York

Digitally signed  
by Drew York  
Date:  
2019.06.14  
15:39:39 -07'00'

Drew J. York  
Senior Hazardous Materials Specialist



Dilan Roe, PE, C73703  
Chief - Land Water Division

Encl.: Attachment 1 – Responsible Party (ies) Legal Requirement/Obligations Instructions  
Attachment 2 – Electronic File Naming Conventions

cc: Jeremy Harris, OWOW (Sent via E-mail to: [jeremy@owow.com](mailto:jeremy@owow.com))  
Angle Liang Cutting Harris, OWOW (Sent via E-mail to: [acutting@rouxinc.com](mailto:acutting@rouxinc.com))  
Dilan Roe, ACDEH, Chief Land and Water Division (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Paresh Khatri, ACDEH (Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Drew York, ACDEH (Sent via E-mail to: [andrew.york@acgov.org](mailto:andrew.york@acgov.org))  
Electronic File, GeoTracker

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 14, 2017
	<b>ISSUE DATE:</b> July 25, 2012
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations

**REPORT & DELIVERABLE REQUESTS**

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

**ELECTRONIC SUBMITTAL OF REPORTS**

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO\_MAP, GEO\_XY, GEO\_Z, GEO\_BORE, GEO\_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/))

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

**GEOTRACKER UPLOAD CERTIFICATION**

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values<sup>1</sup> as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

**GeoTracker Upload Table Example**

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>				
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

<sup>1</sup> GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

ATTACHMENT 2

Development Entitlement	DEV_ENTITLE
Development Plans (Includes Plan Set, Cross-sections, and Related Drawings)	DEV_PLAN
Development Schedule (Project Schedule, Gant Chart, etc.)	DEV_SCHD
DWR Confidential Well Logs (Report containing)	report name_R_CONFIDENTIAL_YYYY-MM-DD (Ex: SWI_R_CONFIDENTIAL_YYYY-MM-DD)
DWR Well Completion Report-Confidential (Loose well logs)	DWR_WELL_CONFIDENTIAL_YYYY-MM-DD (Date of Well Log)
ESI/DAR (Environmental Site Investigation, Data Assessment Report)	ESI_R
Excavation Report	EX_R
Extension Request Letter	EXT_RQ_L
Fact Sheet	FACT_SHT
Feasibility Study	FEASSTUD_R
Fill Material Characterization Report	FMCR_R
Groundwater Monitoring/Quarterly Summary Report	GWM_R
Financial Assurance/Letter of Credit	FNCL_ASSRNC_LOC
Interim Remedial Action Plan	IRAP_R
Interim Remediation Results (Includes Pilot Test Reports, Vapor Mitigation Reports, Soil Management Reports, Free Product Removal Reports, & Dual-Phase Extraction Reports)	IR_R
Lawsuit	LAWSUIT_R
Migration Control Report	MIG_R
Miscellaneous Report/Soil Sample	MISC_R
Miscellaneous Sample Report (analytical results)	MISC_SAMP_R
Notification Letter	NOT_L
NPDES Miscellaneous Reports	NPDES_R
Operations & Maintenance Plan	OM_P
Operations & Maintenance Report	OM_R
Pay for Performance	PFP_R

# 2715 ADELINE

Oakland, California

## PLANNING DEPARTMENT ENTITLEMENT SUBMITTAL 2019.05.29 REVISIONS

### PROJECT DIRECTORY

#### OWNER/DEVELOPER

OAKLAND LOFTS LLC  
411 2ND STREET  
OAKLAND, CA 94607  
TEL: 415.644.8970

#### ARCHITECT

YHLA ARCHITECTS  
1617 CLAY STREET  
OAKLAND, CA 94612  
TEL: 510.836.6688

#### LANDSCAPE

CREO LANDSCAPE ARCHITECTURE  
466 GEARY ST #300,  
SAN FRANCISCO, CA 94102  
TEL: 415.688.2506

#### CIVIL ENGINEER

CALICHI DESIGN GROUP  
3240 PERALTA STREET #3  
OAKLAND, CA 94608  
TEL: 510.257.6636

### SHEET INDEX

A0.0	PROJECT INFORMATION & INDEX	C0.1	CIVIL TITLE SHEET
P1.0	SITE CONTEXT PHOTOGRAPHS	C1.0	PRELIMINARY SITE, PAVING, AND LAYOUT PLAN
P2.0	SITE CONTEXT PHOTOGRAPHS	C2.0	PRELIMINARY GRADING AND DRAINAGE PLAN
P3.0	SITE CONTEXT PHOTOGRAPHS SURVEY	C3.0	PRELIMINARY STORM WATER CONTROL PLAN
		C4.0	PRELIMINARY UTILITY PLAN
A1.0	SITE/GROUND FLOOR PLAN	L1.0	LANDSCAPE PLAN
A1.5	MEZZANINE PLAN	L2.0	LANDSCAPE PLANTING PALETTE
A2.0	SECOND FLOOR PLAN		
A3.0	THIRD - FOURTH FLOOR PLAN		
A4.0	FIFTH FLOOR PLAN		
A5.0	ROOF PLAN		
A6.0	UNIT PLANS		
A7.0	ELEVATIONS		
A8.0	ELEVATIONS		
A9.0	COLOR REPRESENTATION AND MATERIALS		
A10.0	RENDERINGS		

### GENERAL VICINITY PLAN - not to scale



### PROJECT INFORMATION

#### BUILDING AND SITE

BUILDING - GROSS FLOOR AREA		112,154 SF	
BUILDING OUTLINE		29,072 SF	
NET SITE AREA:	BUILDING SITE - +/-1.26 ACRES (54,972 SF)		
FLOOR AREA RATIO:	GFA	112,154 SF	2.04
	NET SITE AREA	54,972 SF	
BUILDING COVERAGE:	BLDG. OUTLINE	29,072 SF	0.53
	NET SITE AREA	54,972 SF	
PROJECT HOUSING DENSITY:	NUMBER OF UNITS	<b>91</b>	84 DU/AC
	SITE AREA	1.26 ACRES	

#### BUILDING CODE

SEISMIC ZONE:	4
CONSTRUCTION TYPE:	III-A OVER TYPE I PODIUM
FIRE SPRINKLERS:	NFPA-13
OCCUPANCY GROUP:	R2/F1/F2
BUILDING HEIGHT / NUMBER OF STORES:	85'-0" TO ROOF/ 5 STORIES
USE:	COMMERCIALY ORIENTED JLWQ
ZONING DESIGNATION:	CIX-1B/CIX-1A/S-19
CODE EDITION:	2016 CALIFORNIA BUILDING STANDARDS CODE AND LOCAL AMENDMENTS

#### WORK LIVE AND INDUSTRIAL UNIT MIX

WORK/LIVE TOTAL	SF				SF				GROUND FLOOR	
LIGHT INDUSTRIAL	UNIT TYPE 1	UNIT TYPE 2	UNIT TYPE 3	UNIT TYPE 4	UNIT TYPE 1	UNIT TYPE 2	UNIT TYPE 3	UNIT TYPE 4		
91	800	1150	1250	2115	3	20000				
3										
UNIT TYPE MIX	UNIT TYPE 1	UNIT TYPE 2	UNIT TYPE 3	UNIT TYPE 4	GROUND FLOOR					
GROUND FLOOR	0	0	0	0	3	20000				
SECOND FLOOR	2	6	11	4	0					
THIRD FLOOR	2	6	11	4	0					
FOURTH FLOOR	2	6	11	4	0					
FIFTH FLOOR	2	6	11	3	0					
Total SF	6400	27600	55000	33840	Total SF	20000				
% of Gross SF	4.000%	20.000%	38.000%	24.000%						

#### FLOOR AREA & BUILDING AREA

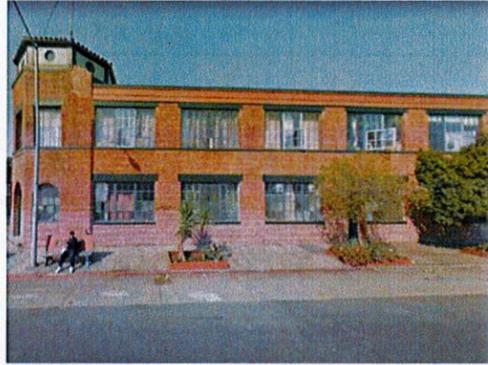
\*\*FLOOR AREA IS USED FOR CALCULATION OF F.A.R. (FLOOR-AREA-RATIO) AND EXCLUDES PARTS OF THE BUILDING SUCH AS OFF-STREET PARKING PARKING AND GROUND LEVEL ARCADES, PORTICOS, OR SIMILAR OPEN AREAS AS DEFINED IN THE ZONING CODE

	WORK/LIVE	WORK/LIVE AMENITIES	CUSTOM LIGHT MANUFACTURING/RETAIL	UTILITY	GROSS FLOOR AREA**	MISC. BUILDING AREA	GROSS BUILDING AREA
GROUND FLOOR	0	53 SF	15,000 SF	0	15,053 SF	13,661 SF	28,714 SF
MEZZANINE	0	910 SF	0	2,452 SF	3,362 SF	0	3,362 SF
SECOND FLOOR	23,441 SF	524 SF	0	0	23,965 SF	0	23,965 SF
THIRD FLOOR	23,441 SF	524 SF	0	0	23,965 SF	0	23,965 SF
FOURTH FLOOR	23,441 SF	524 SF	0	0	23,965 SF	0	23,965 SF
FIFTH FLOOR	21,844 SF	0	0	0	21,844 SF	0	21,844 SF
TOTAL	92,167 SF	2,604 SF	15,000 SF	2,452 SF	112,154 SF	13,661 SF	125,815 SF

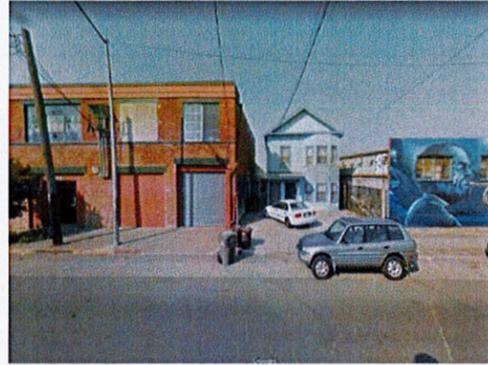
#### PARKING PROVIDED

	OFF-STREET PARKING SPACES	ACCESSIBLE PARKING SPACES	TOTAL	
PARKING SPACES PROVIDED	124 REQUIRED; 136 PROVIDED	5	136	
PARKING REQUIRED: WORK/LIVE: 1 SPACE PER UNIT (91) PLUS 1 PER 5 UNITS FOR VISITORS (19) = 110 spaces CUSTOM/LIGHT MANUFACTURING, GROUP ASSEMBLY: 0.66 per 1,000 SF (20,000 SF) = 14 spaces				
OPEN SPACE	GROUND FLOOR COURTYARD	PRIVATE DECKS	LOWER ROOF DECK	UPPER ROOF DECK
OPEN SPACE PROVIDED	11,792 SF	0 SF	2,044 SF	0 SF
OPEN SPACE REQUIRED: 75 SF PER WORK/LIVE UNIT = 6,825 SF				
			TOTAL: 13,836 SF	

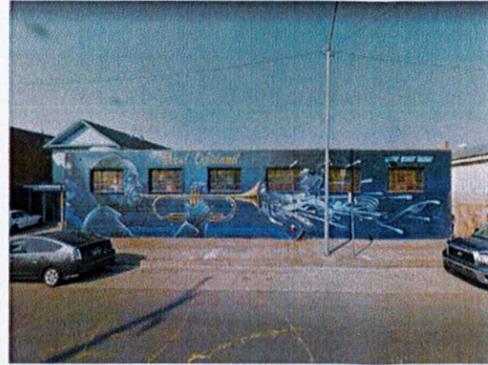
CONTEXT PHOTOGRAPHS - ADELINE STREET



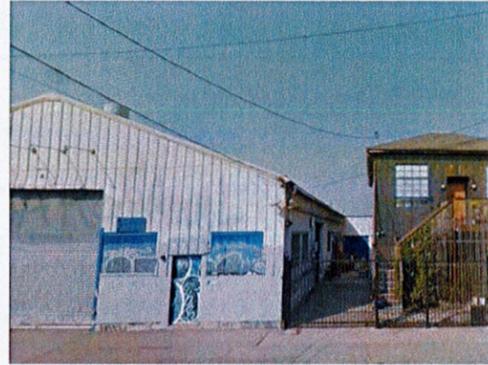
1. 2601 ADELINE



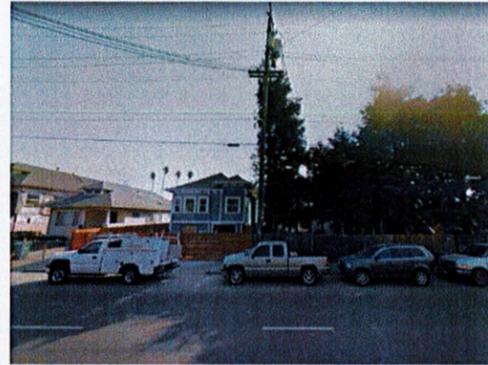
2. 2611 ADELINE



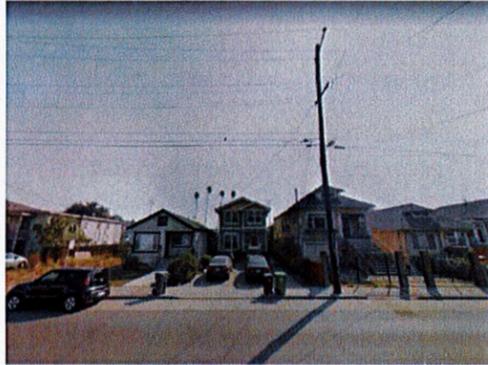
3. 2701 ADELINE



4. 2711 ADELINE



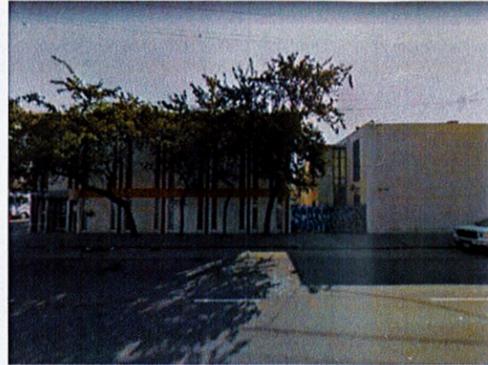
5. 2602 ADELINE



6. 2624 ADELINE



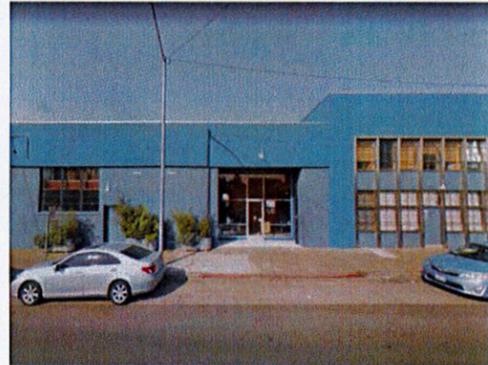
7. 2702 ADELINE



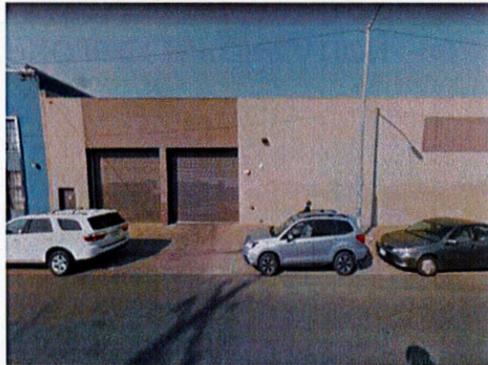
8. 2722 ADELINE



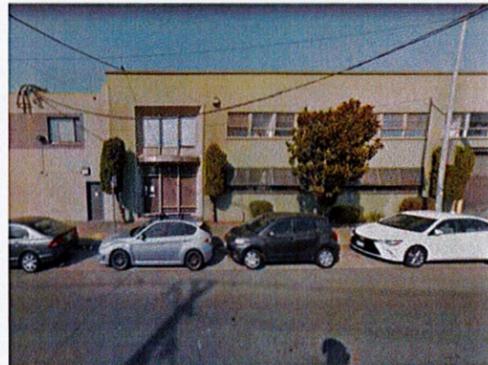
9. 2801 ADELINE



10. 2823 ADELINE



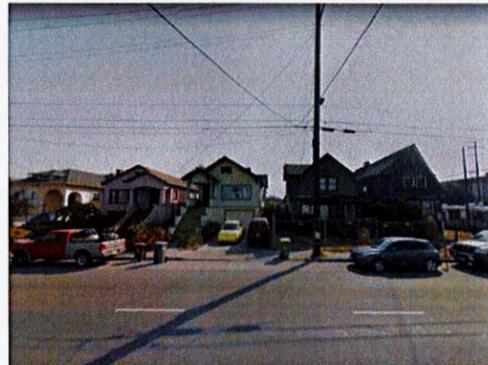
11. 2285 ADELINE



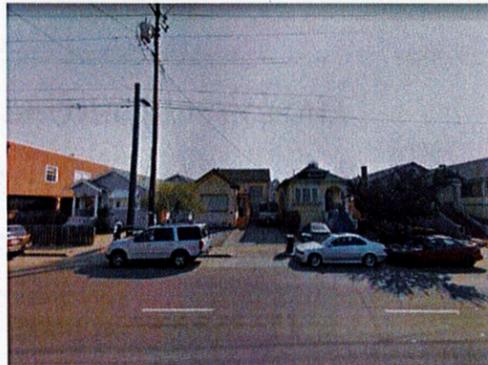
12. 2283 ADELINE



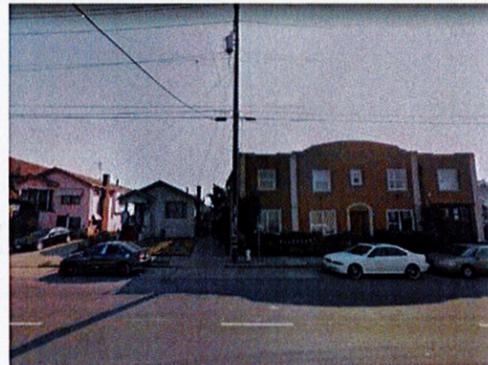
13. 2225 ADELINE



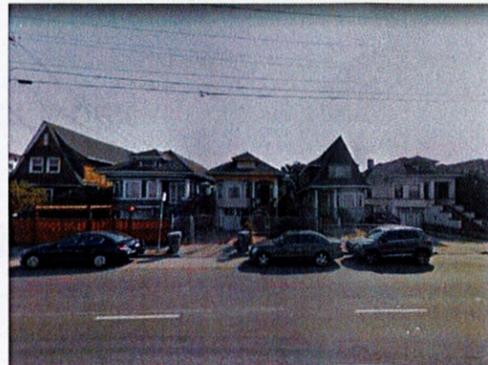
14. 2834 ADELINE



15. 2822 ADELINE



16. 2842 ADELINE



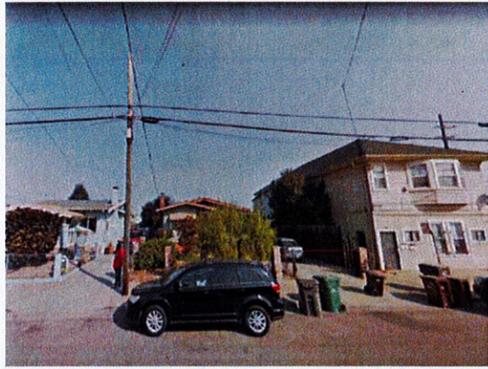
17. 2820 ADELINE



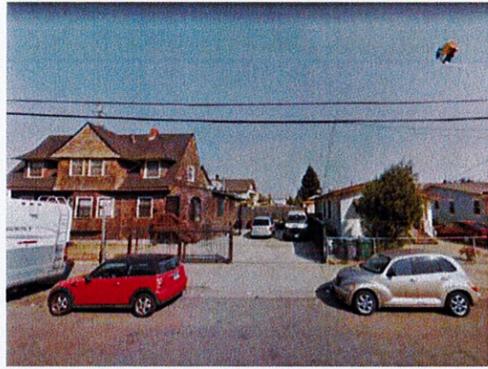
CONTEXT PLAN:  
NOT TO SCALE



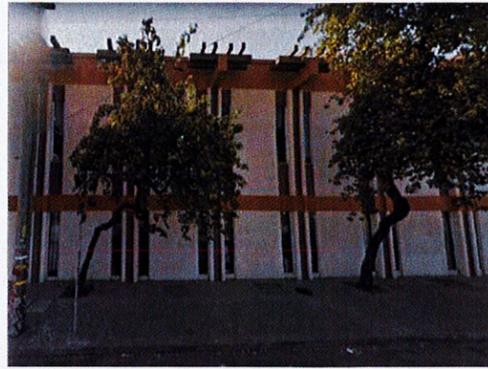
**CONTEXT PHOTOGRAPHS - 28TH STREET**



18. 1110 28TH STREET



19. 2122 28TH STREET



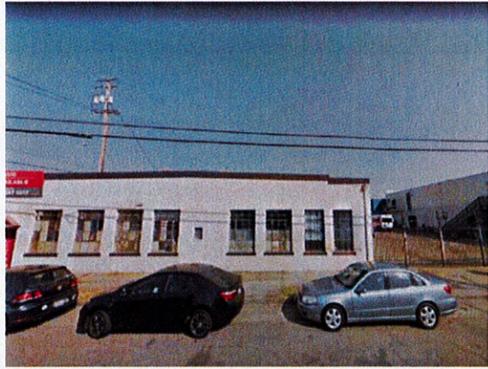
20. 1121 28TH STREET



21. 1160 28TH STREET



22. 1162 28TH STREET



24. 1164 28TH STREET



24. 1212 28TH STREET



25. 1226 28TH STREET

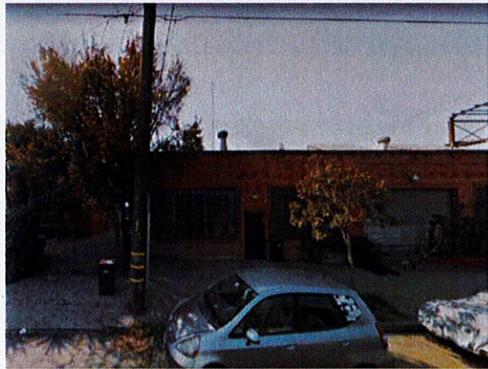


26. 1246 28TH STREET



27. 1213 28TH STREET

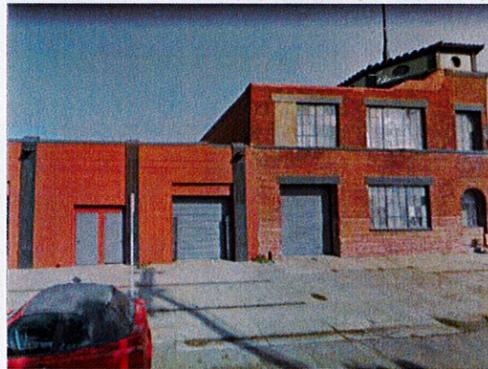
**CONTEXT PHOTOGRAPHS - 26TH STREET**



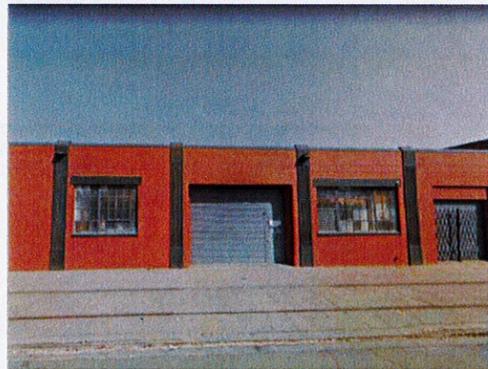
28. 1229 26TH STREET



29. 1231 26TH STREET



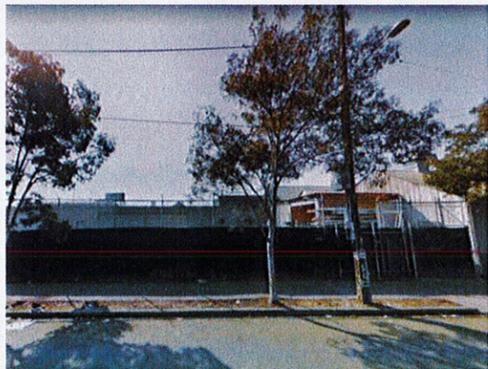
30. 1161 26TH STREET



31. 1165 26TH STREET



32. 1199 26TH STREET



33. 1199 26TH STREET



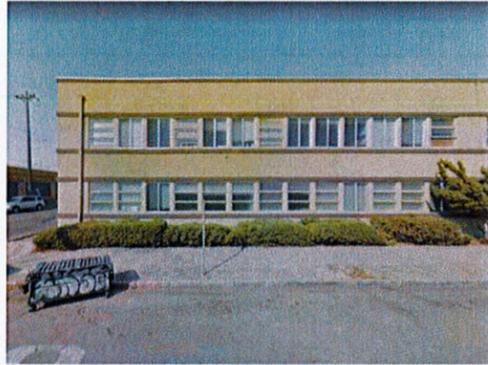
34. 1199 26TH STREET



CONTEXT PLAN:  
NOT TO SCALE



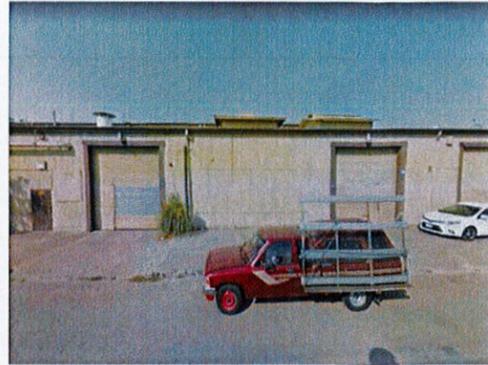
CONTEXT PHOTOGRAPHS - MAGNOLIA STREET



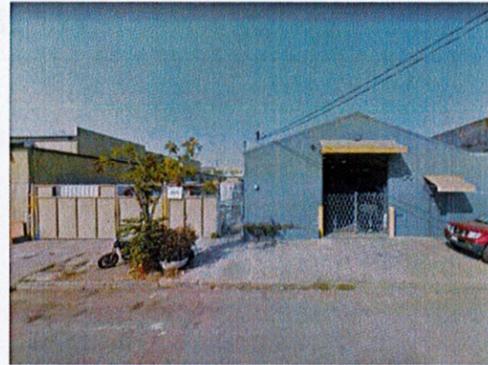
35. 2611 MAGNOLIA STREET



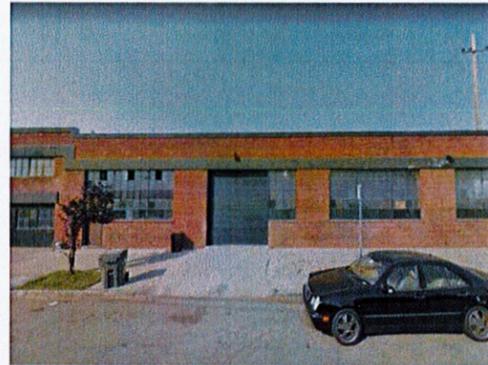
36. 2615 MAGNOLIA STREET



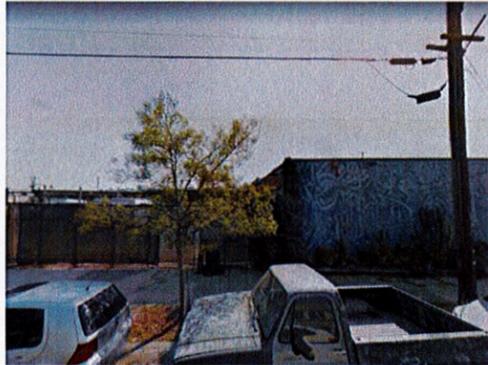
37. 2635 MAGNOLIA STREET



38. 2565 MAGNOLIA STREET



39. 27251 MAGNOLIA STREET



40. 2620 MAGNOLIA STREET



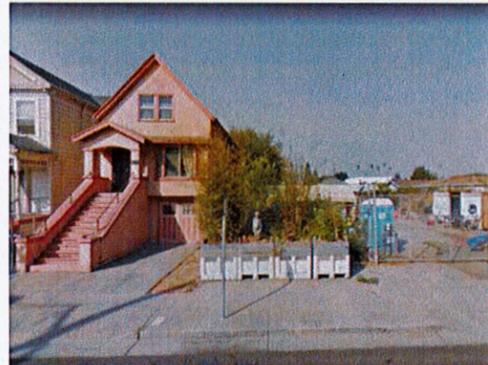
41. 2620 MAGNOLIA STREET



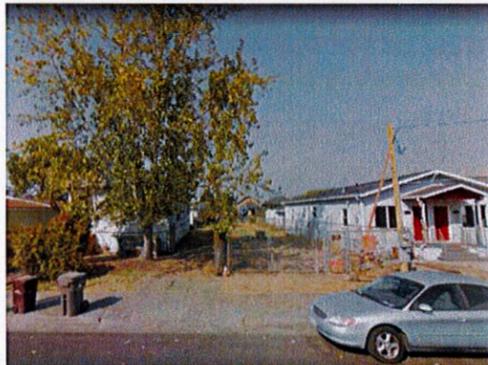
42. 2650 MAGNOLIA STREET



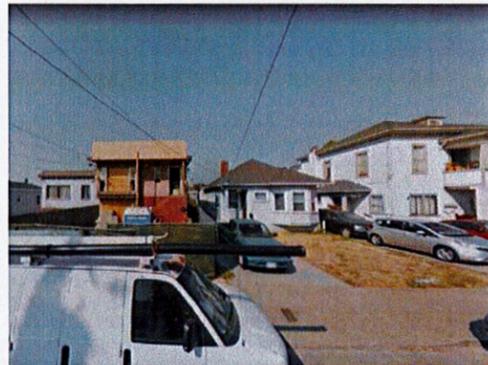
43. 2615 MAGNOLIA STREET



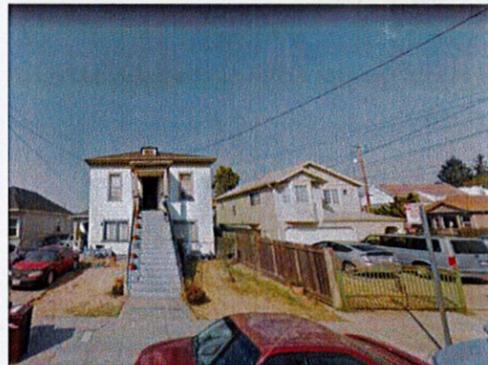
44. 2629 MAGNOLIA STREET



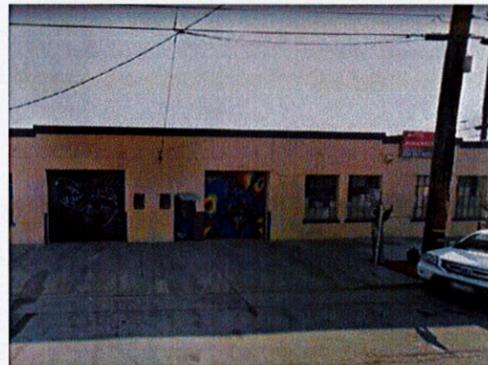
45. 2915 MAGNOLIA STREET



46. 2917 MAGNOLIA STREET



47. 2923 MAGNOLIA STREET



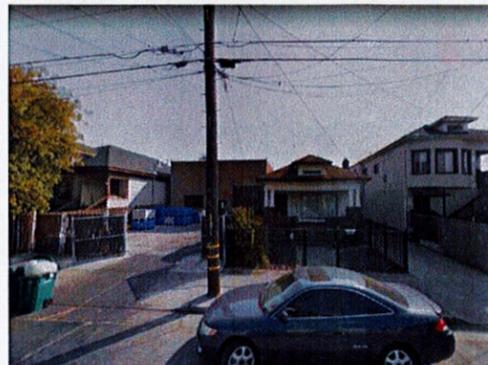
48. 2900 MAGNOLIA STREET



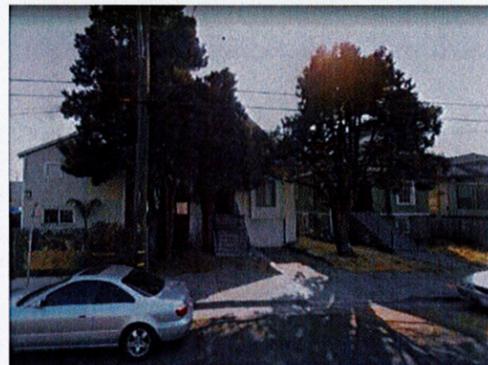
49. 2934 MAGNOLIA STREET



50. 2934 MAGNOLIA STREET



51. 2916 MAGNOLIA STREET

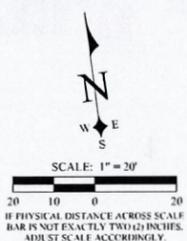


52. 2924 MAGNOLIA STREET



CONTEXT PLAN:  
NOT TO SCALE





**BASIS OF BEARINGS**  
The bearings shown on this survey are based on the monument line of 28th Street as shown on Parcel Map 9199 (300 P.M. 84). That Bearing taken as N28°30'29" E.

**DATUM**  
The elevations shown on this survey are based upon the City of Oakland Datum, City Benchmark No. 259. Being a brass pin set in the back of the concrete sidewalk at the northeast corner of the intersection of 32nd and Louise Streets. Elevation taken as 9.823'

**CONTOUR INTERVAL NOTE**  
Contours shown on this survey are based upon a ground survey and plotted at a 1 foot interval.

**LEGEND**

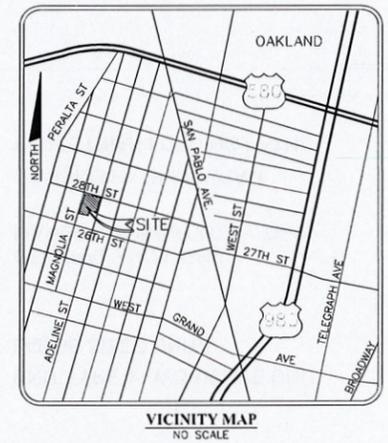
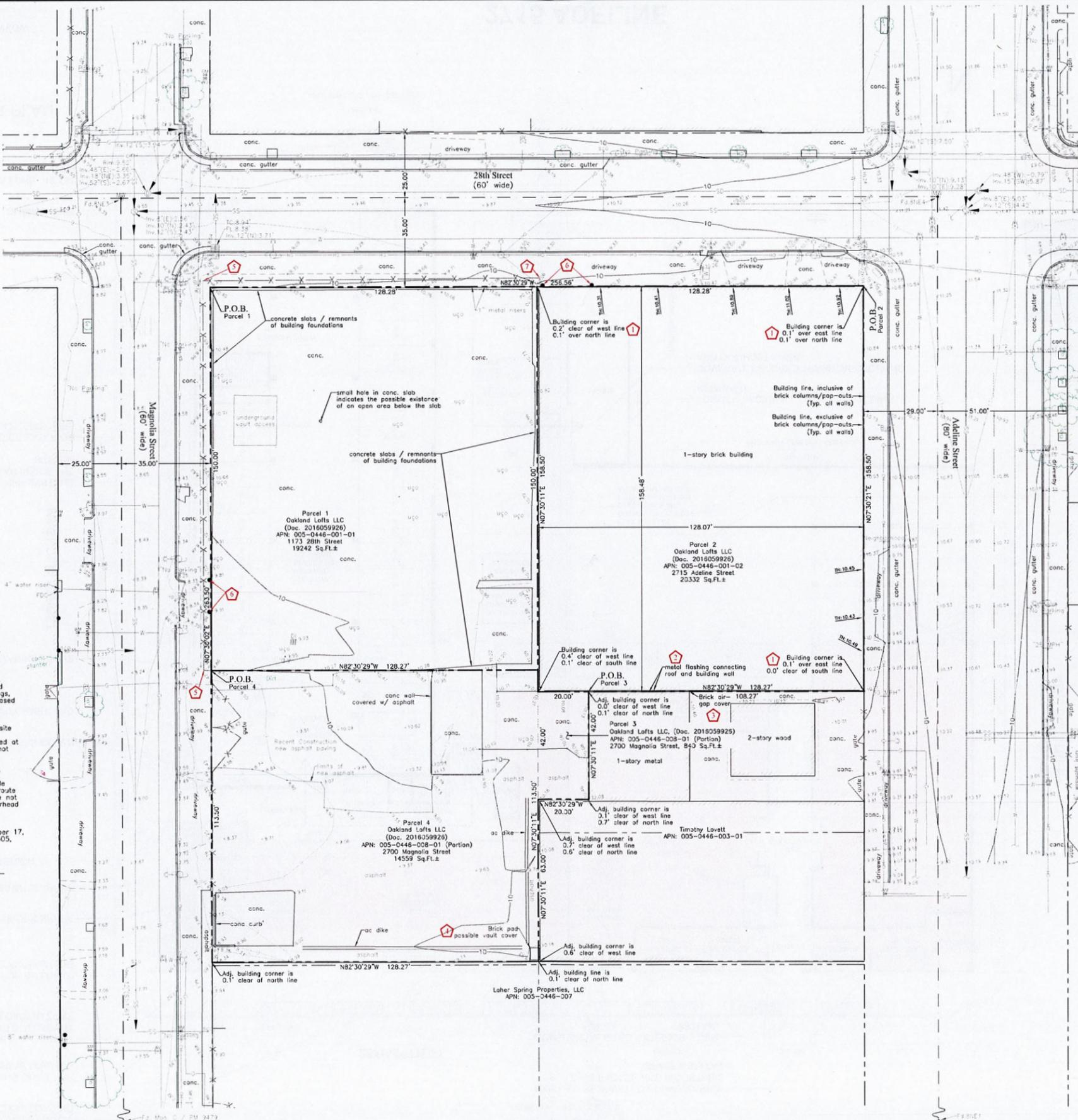
---	Existing property boundary
---	Existing parcel lines of adjacent properties
---	Existing street centerline
---	Existing building line
---	Existing fence line
X	Sanitary sewer clean out
⊗	Sanitary sewer manhole
⊕	Storm drainage manhole
⊙	Existing light
⊖	Existing overhead utility pole
AC	Existing Air Conditioner
•	Existing Bollard
•	Found survey monument
B	Bush
CI	Curb inlet w/ catch basin concrete
EV	Electrical Vault
⊕	Gas Valve
⊕	Fire hydrant
GB	Grade break
GM	Gas Meter
GNV	Ground Not Visible
LS	Landscaping
P	Planter box
PGE	PGE Box or Vault
PSE	Public Service Easement
Sign	Sign
TE	Trash Enclosure
T	Telephone Vault
W	Water meter
WV	Water valve

**PARKING SPACES**  
There are no striped parking spaces on the subject parcel.

**SURVEYOR NOTES**

- All statements within the certification, and other references located elsewhere hereon, related to: utilities, improvements, structures, buildings, party walls, parking, easements, servitudes, and encroachments; are based solely on above ground, visible evidence, unless another source of information is specifically referenced hereon.
- Utilities shown have been located from visible above-ground, on-site observation only. Therefore the surveyor assumes no liability for the location and/or existence of any utilities that may have been concealed at the time of this survey. The locations of underground utilities have not been located and are not included as a portion of this survey. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned.
- The location of overhead utility lines have been shown for the sole purpose of indicating the intersection of utility poles and general route of lines. The number and type of lines strung between the poles are not shown nor are the cross arm widths or individual line locations. Overhead service locations are not shown on this survey.
- The legal description and easement information for the property surveyed hereon is taken from the preliminary title report dated October 17, 2017, prepared by Chicago Title Company at 1 Kaiser Plaza, Suite 1305, Oakland, CA 94612, under title number 58209213-582-LE-DP.

- POSSIBLE ENCROACHMENTS**
- Building facade is located up to 0.1' outside of parcel line.
  - Roof flashing connects the adjacent building's roof to the subject building wall, 1'± outside and 0.4' inside of parcel line.
  - Brick cover over air-gap between buildings crosses parcel line, 0.2' outside and 0.4' inside of parcel line.
  - Brick cover over possible utility or access vault is 0.2'-3.1' inside of parcel line. Purpose and use is unknown.
  - Fence is 2.8' outside of parcel line.
  - Metal bollards are located 0.6' outside of parcel line.
  - Fence corner is 3.5' outside of parcel line.



**TITLE DESCRIPTION**  
The land referred to herein below is situated in the City of Oakland, County of Alameda, State of California, and is described as follows:  
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

- PARCEL ONE:  
PORTION OF BLOCK 650, BOARDMAN'S MAP OF THE CITY OF OAKLAND AND VICINITY, FILED APRIL 23, 1883, MAP BOOK 17, PAGE 14, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE EASTERN LINE OF MAGNOLIA STREET WITH THE SOUTHERN LINE OF 28TH STREET; RUNNING THENCE SOUTHERLY ALONG SAID LINE OF MAGNOLIA STREET, 150 FEET; THENCE EASTERLY PARALLEL WITH THE SAID LINE OF 28TH STREET, 128 FEET, 3 INCHES; THENCE NORTHERLY AND PARALLEL WITH THE SAID LINE OF MAGNOLIA STREET, 150 FEET TO THE SAID LINE OF 28TH STREET; THENCE WESTERLY ALONG SAID LINE OF 28TH STREET, 128 FEET, 3 INCHES TO THE POINT OF BEGINNING.  
APN: 005-0446-001-01
- PARCEL TWO:  
PORTION OF BLOCK 650, BOARDMAN'S MAP OF THE CITY OF OAKLAND AND VICINITY, FILED APRIL 23, 1883, MAP BOOK 17, PAGE 14, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTHERN LINE OF 28TH STREET WITH THE WESTERN LINE OF ADELIN STREET; RUNNING THENCE SOUTHERLY ALONG SAID LINE OF ADELIN STREET, 158.5 FEET; THENCE AT RIGHT ANGLES WESTERLY, 128.25 FEET; THENCE AT RIGHT ANGLES NORTHERLY 158.5 FEET TO SAID LINE OF 28TH STREET; THENCE EASTERLY ALONG SAID LAST NAMED LINE 128.25 FEET TO THE POINT OF BEGINNING.  
APN: 005-0446-001-02
- PARCEL THREE:  
PORTION OF BLOCK 650, BOARDMAN'S MAP OF THE CITY OF OAKLAND AND VICINITY, FILED APRIL 23, 1883, MAP BOOK 17, PAGE 14, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERN LINE OF ADELIN STREET, DISTANT THEREON 158.50 FEET SOUTHERLY FROM THE SOUTHERN LINE OF 28TH STREET; THENCE AT RIGHT ANGLES WESTERLY 108.25 FEET TO THE ACTUAL POINT OF COMMENCEMENT; THENCE AT RIGHT ANGLES SOUTHERLY 42.00 FEET; THENCE AT RIGHT ANGLES WESTERLY 20 FEET; THENCE AT RIGHT ANGLES NORTHERLY 42.00 FEET; THENCE AT RIGHT ANGLES EASTERLY 20 FEET TO THE ACTUAL POINT OF COMMENCEMENT.  
APN: 005-0446-008-01 (Portion)
- PARCEL FOUR:  
PORTION OF BLOCK 650, BOARDMAN'S MAP OF THE CITY OF OAKLAND AND VICINITY, FILED APRIL 23, 1883, MAP BOOK 17, PAGE 14, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERN LINE OF MAGNOLIA STREET, DISTANT THEREON SOUTHERLY 150 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHERN LINE OF 28TH STREET; RUNNING THENCE SOUTHERLY ALONG SAID LINE OF MAGNOLIA STREET, 113 FEET, 6 INCHES; THENCE EASTERLY PARALLEL WITH SAID LINE OF 28TH STREET, 128 FEET, 3 INCHES; THENCE NORTHERLY PARALLEL WITH SAID LINE OF 28TH STREET, 113 FEET, 6 INCHES; THENCE WESTERLY PARALLEL WITH SAID LINE OF 28TH STREET, 128 FEET, 3 INCHES TO THE POINT OF BEGINNING.  
APN: 005-0446-008-01 (Remainder)

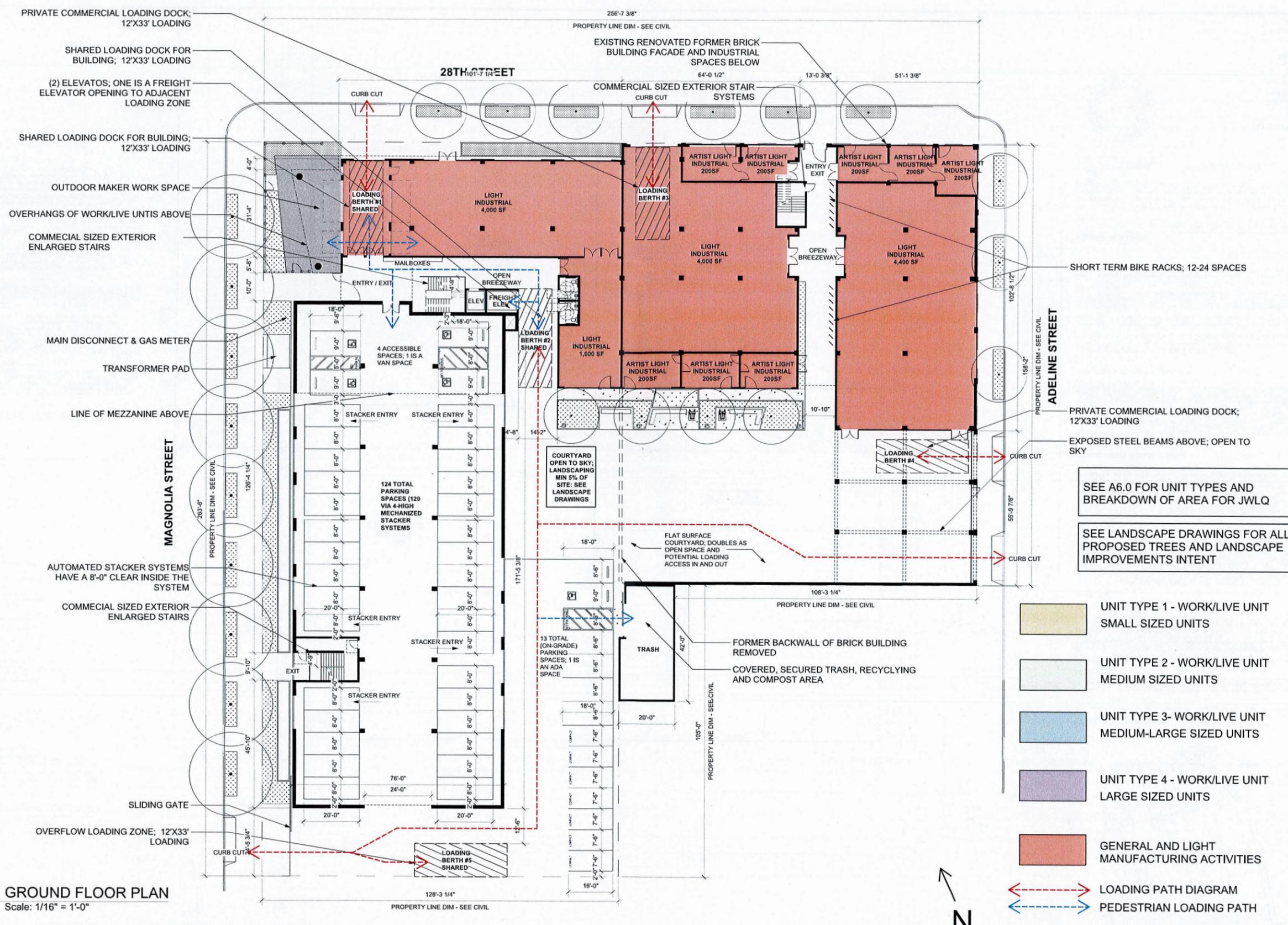
**TITLE EXCEPTIONS AND EXCLUSIONS**  
The exceptions and exclusions listed in said preliminary title report are as follows:  
Items 1-9: Property taxes, the lien of supplemental taxes, title company statements and deeds of trust, if any. Not addressed hereon, refer to the title report for particulars.  
Item 10: The land is within the limits of the West Oakland Redevelopment Project as recorded December 3, 2007 in Official Records under Recorder's Serial Number 2007-439572. This is blanket in nature and is not shown hereon, refer to the title report for particulars.  
Items 11-24: Priority liens and special assessments in favor of the City of Oakland and title company statements. Not addressed on this survey, refer to the title report for particulars.

**CERTIFICATION**  
I, 1919 Crew, LLC and Chicago Title Company and/or their respective successors and assigns:  
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes items: 2, 4, 5, 7(a), 8, 9, 13, 14, 16, 17, and 19 of Table A thereof. The field work was completed on November 30, 2017.  
By: *Brian L. Sousa* Date: December 1, 2017  
Brian L. Sousa, PLS#7917



**ALTA/NSPS Land Title Survey**  
1173 28th Street,  
2715 Adeline Street, &  
2700 Magnolia Street  
as described in Series No. 2016059926  
City of Oakland, California

**Sousa Land Surveys**  
tel 707.425.4300 fax 707.425.4300  
3809 Rollingswood Dr. Fairfield, CA 94534



**1 GROUND FLOOR PLAN**  
Scale: 1/16" = 1'-0"



28TH STREET

EXISTING RENOVATED FORMER BRICK BUILDING FACADE AND INDUSTRIAL SPACES BELOW  
COMMERCIAL SIZED EXTERIOR STAIR SYSTEMS

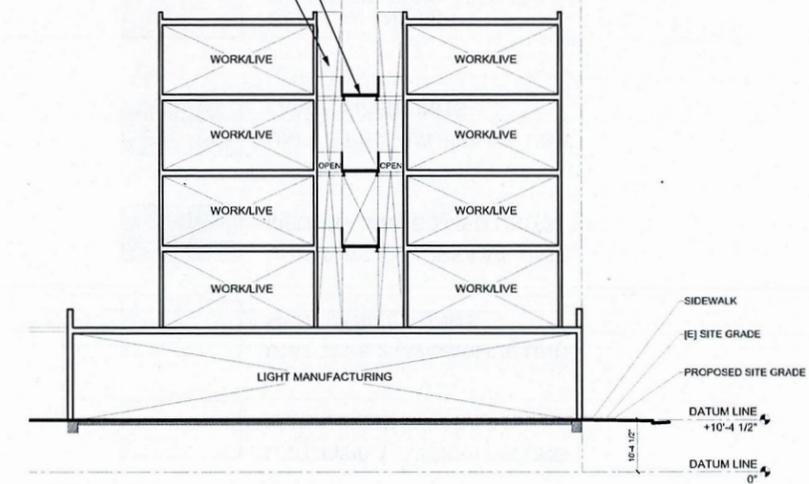
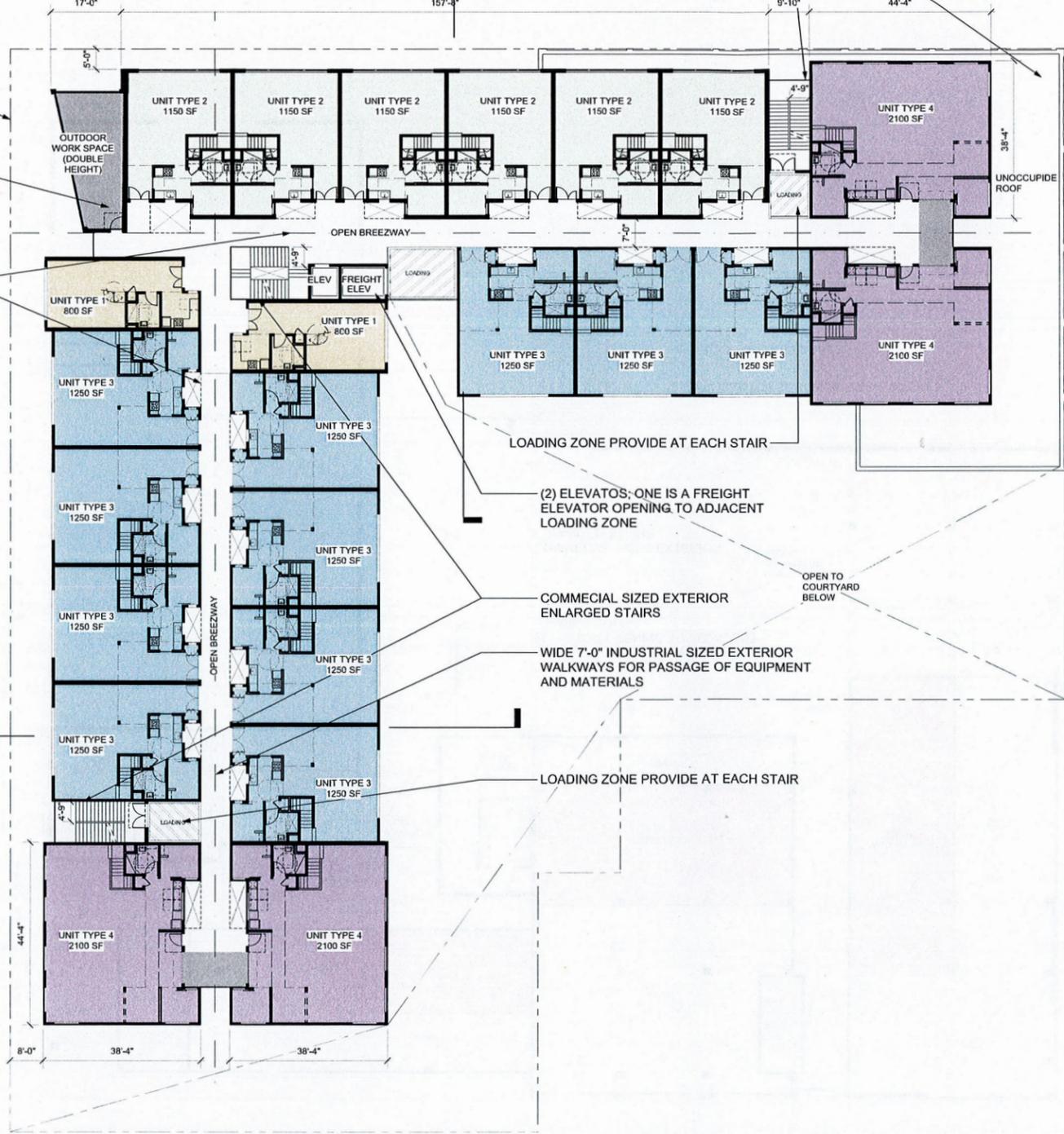
OPEN AIR METAL GRATING CATWALKS AT CIRCULATION SPINE; OPEN TO AIR WITH 42" METAL GAUDDRAILS;  
OPEN AIR LIGHTWELL ON EACH SIDE OF WALKWAY

PROPERTY LINER, TYPICAL  
OUTDOOR WORK SPACE (DOUBLE HEIGHT)  
OPEN SPACE FOR EXTERIOR MACHINERY AND WORK COLLABORATIVE ACTIVITIES

EXTERIOR OPEN PLAZA CIRCULATION SPINE. LIGHTWELLS AT EACH ENTRY OPEN TO SKY SHOWN AT ALL SPACE ENTRIES, PROVIDING LIGHT, AIR AND AN INDUSTRIAL FEEL.

MAGNOLIA STREET

ADELINE STREET



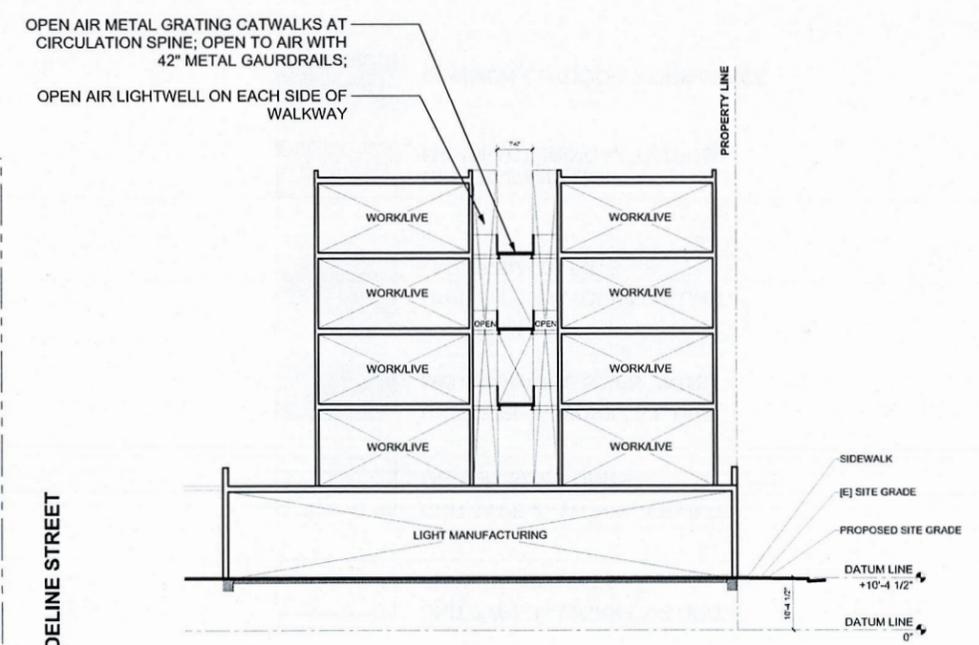
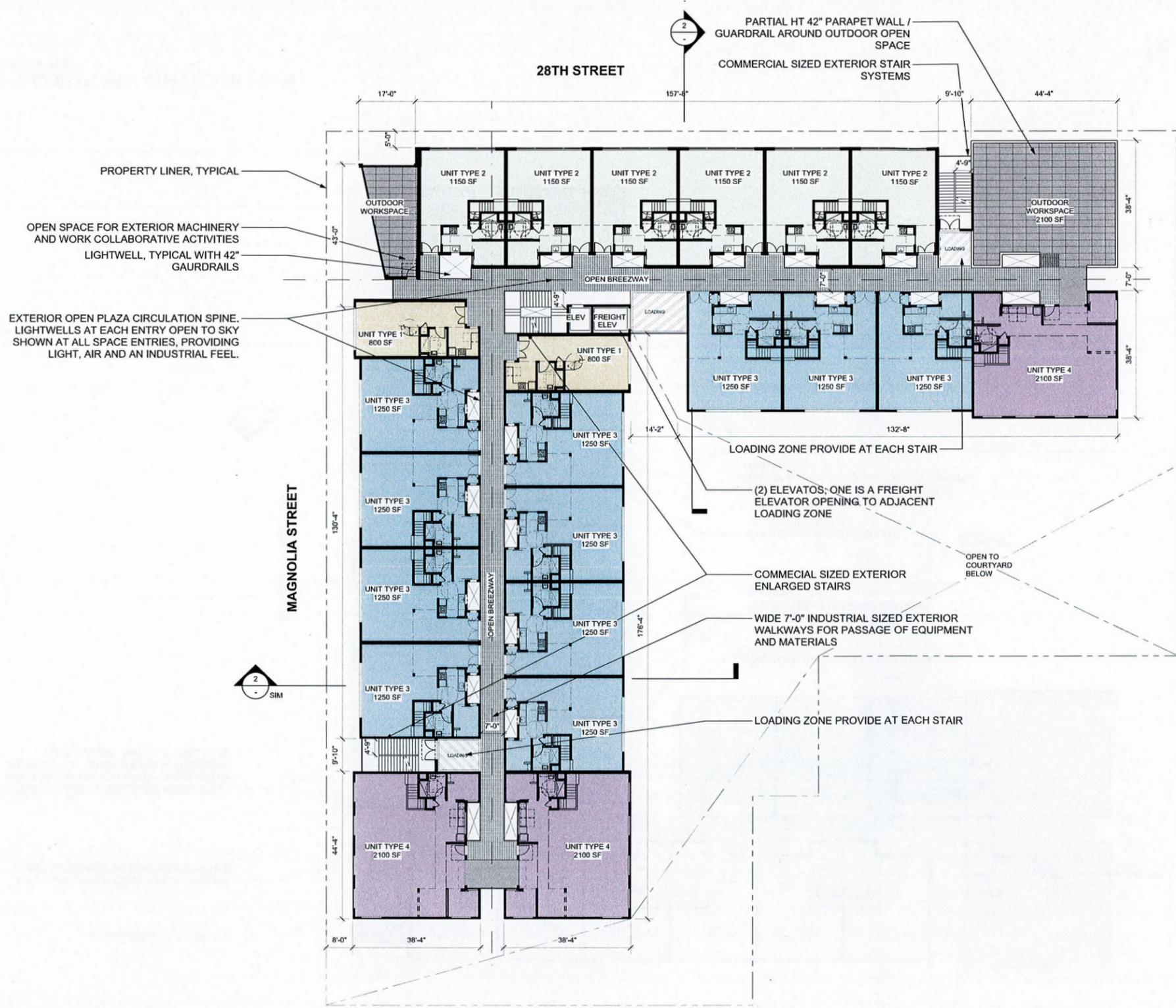
2 TYPICAL SECTION AT OPEN EXTERIOR WALKWAYS  
Scale: 1/16" = 1'-0"

SEE A6.0 FOR UNIT TYPES AND BREAKDOWN OF AREA FOR JW/LQ  
SEE LANDSCAPE DRAWINGS FOR ALL PROPOSED TREES AND LANDSCAPE IMPROVEMENTS INTENT

- UNIT TYPE 1 - WORK/LIVE UNIT  
SMALL SIZED UNITS
- UNIT TYPE 2 - WORK/LIVE UNIT  
MEDIUM SIZED UNITS
- UNIT TYPE 3 - WORK/LIVE UNIT  
MEDIUM-LARGE SIZED UNITS
- UNIT TYPE 4 - WORK/LIVE UNIT  
LARGE SIZED UNITS
- GENERAL AND LIGHT  
MANUFACTURING ACTIVITIES
- COMMON OUTDOOR WORK SPACE

01 2ND FLOOR PLAN  
Scale: 1/16" = 1'-0"





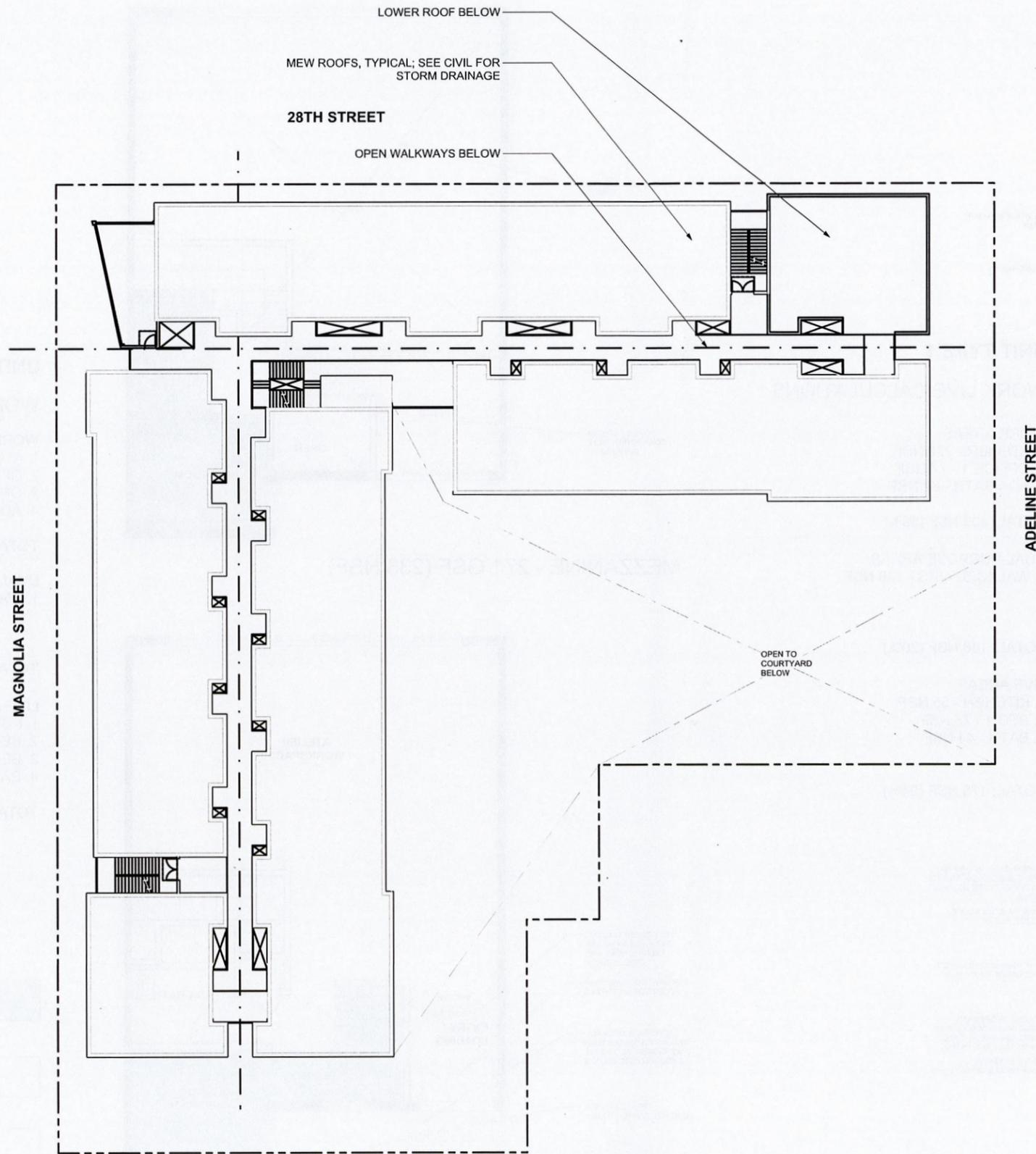
2 TYPICAL SECTION AT OPEN EXTERIOR WALKWAYS  
Scale: 1/16" = 1'-0"

SEE A6.0 FOR UNIT TYPES AND BREAKDOWN OF AREA FOR JW/LQ

SEE LANDSCAPE DRAWINGS FOR ALL PROPOSED TREES AND LANDSCAPE IMPROVEMENTS INTENT

- UNIT TYPE 1 - WORK/LIVE UNIT  
SMALL SIZED UNITS
- UNIT TYPE 2 - WORK/LIVE UNIT  
MEDIUM SIZED UNITS
- UNIT TYPE 3- WORK/LIVE UNIT  
MEDIUM-LARGE SIZED UNITS
- UNIT TYPE 4 - WORK/LIVE UNIT  
LARGE SIZED UNITS
- GENERAL AND LIGHT  
MANUFACTURING ACTIVITIES
- COMMON OUTDOOR WORK SPACE

1 5TH FLOOR PLAN  
Scale: 1/16" = 1'-0"



ADELINE STREET

MAGNOLIA STREET

28TH STREET

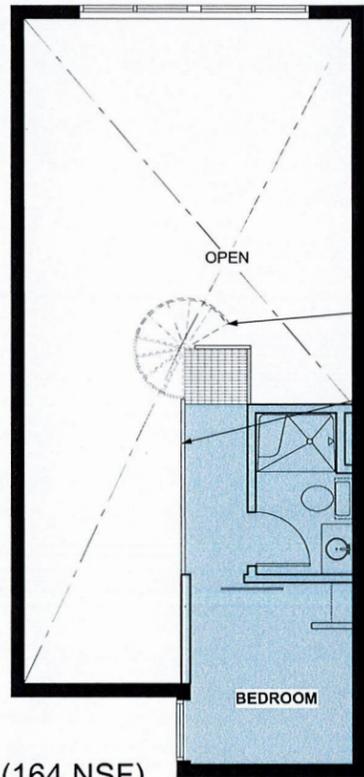
LOWER ROOF BELOW

MEW ROOFS, TYPICAL; SEE CIVIL FOR STORM DRAINAGE

OPEN WALKWAYS BELOW

OPEN TO COURTYARD BELOW





MEZZANINE - 182 GSF (164 NSF)

**UNIT TYPE 1**  
**WORK LIVE CALCULATIONS**

- WORK AREAS  
 1. ATELIER - 272 NSF  
 2. OFFICE 1 - 77 NSF  
 3. ADA BATH - 60 NSF

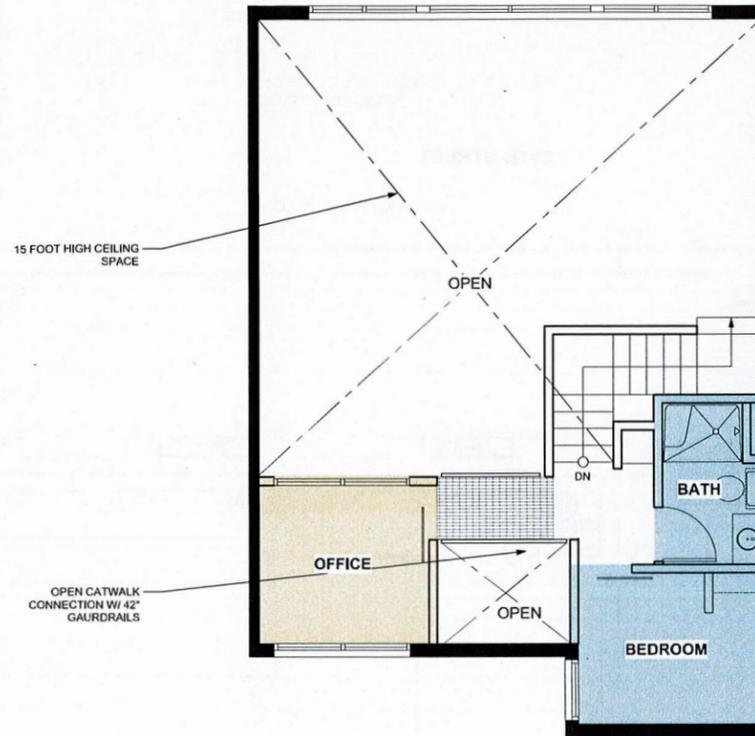
TOTAL: 409 NSF (56%)

- DUAL-PURPOSE AREAS  
 1. WALKS/STAIRS - 148 NSF

TOTAL: 148 NSF (20%)

- LIVE AREAS  
 1. KITCHEN - 55 NSF  
 2. BED 1 - 76 NSF  
 3. BATH - 44 NSF

TOTAL: 175 NSF (24%)



MEZZANINE - 271 GSF (238 NSF)

**UNIT TYPE 2**  
**WORK LIVE CALCULATIONS**

- WORK AREAS  
 1. ATELIER - 382 NSF  
 2. OFFICE 1 - 73 NSF  
 2. OFFICE 2 - 72 NSF  
 4. ADA BATH - 61 NSF

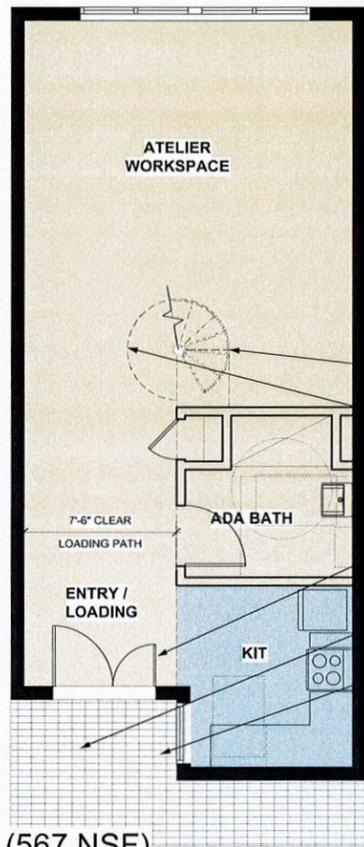
TOTAL: 588 NSF (56%)

- DUAL-PURPOSE AREAS  
 1. WALKS/STAIRS - 214 NSF

TOTAL: 214 NSF (20%)

- LIVE AREAS  
 1. KITCHEN - 64 NSF  
 2. BED 1 - 72 NSF  
 3. BED 2 - 73 NSF  
 4. BATH - 44 NSF

TOTAL: 253 NSF (24%)



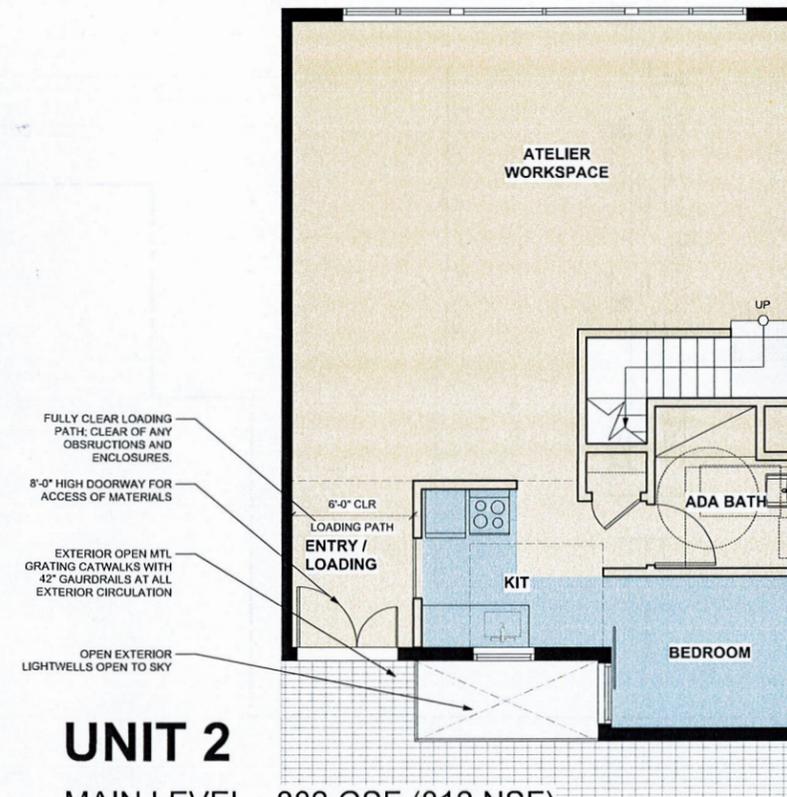
**UNIT 1**

MAIN LEVEL - 656 GSF (567 NSF)

- SPRIAL STAIR ADDED TO MAKE MORE ROOM AND TO MAINTAIN CLEAR LOADING AISLE  
 LINE OF STAIR ABOVE, CLEAR ABOVE

8'-0" HIGH DOORWAY FOR ACCESS OF MATERIALS

- EXTERIOR OPEN MTL GRATING CATWALKS WITH 42" GAURDRAILS AT ALL EXTERIOR CIRCULATION  
 OPEN EXTERIOR LIGHTWELLS OPEN TO SKY



**UNIT 2**

MAIN LEVEL - 882 GSF (812 NSF)

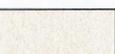
FULLY CLEAR LOADING PATH, CLEAR OF ANY OBSTRUCTIONS AND ENCLOSURES.

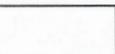
8'-0" HIGH DOORWAY FOR ACCESS OF MATERIALS

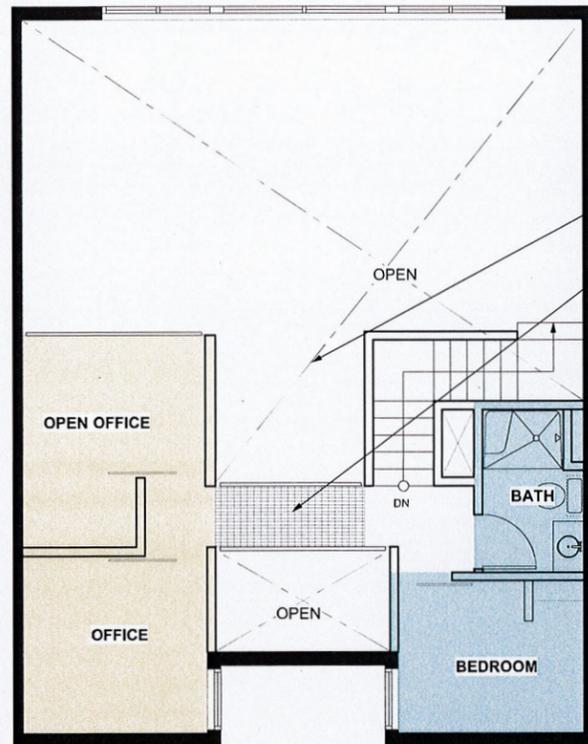
- EXTERIOR OPEN MTL GRATING CATWALKS WITH 42" GAURDRAILS AT ALL EXTERIOR CIRCULATION

OPEN EXTERIOR LIGHTWELLS OPEN TO SKY

 LIVE SPACE

 WORK SPACE

 DUAL PURPOSE



MEZZANINE - 330 GSF (310 NSF)

**UNIT TYPE 3**

**WORK LIVE CALCULATIONS**

- WORK AREAS  
 1. ATELIER - 567 NSF  
 2. OFFICE 1 - 75 NSF  
 3. OFFICE 2 - 86 NSF  
 4. OFFICE 3 - 70 NSF  
 3. ADA BATH - 62 NSF

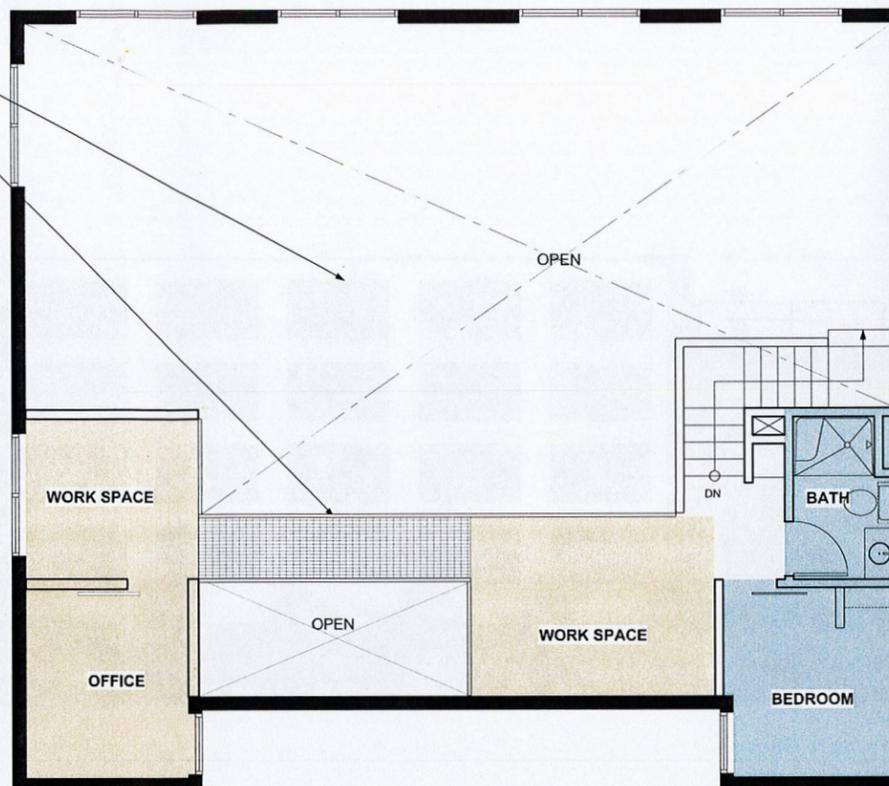
TOTAL: 860 NSF (69%)

- DUAL-PURPOSE AREAS  
 1. WALKS/STAIRS - 146 NSF

TOTAL: 146 NSF (12%)

- LIVE AREAS  
 1. KITCHEN - 49 NSF  
 2. BED 1 - 71 NSF  
 3. BED 2 - 71 NSF  
 4. BATH - 44 NSF

TOTAL: 235 NSF (19%)



MEZZANINE - 505 GSF (455 NSF)

**UNIT TYPE 4**

**WORK LIVE CALCULATIONS**

- WORK AREAS  
 1. ATELIER - 1050 NSF  
 2. OFFICE 1 - 75 NSF  
 3. OFFICE 2 - 79 NSF  
 4. OFFICE 3 - 72 NSF  
 5. ADA BATH - 64 NSF  
 6. WORK AREA - 68 NSF

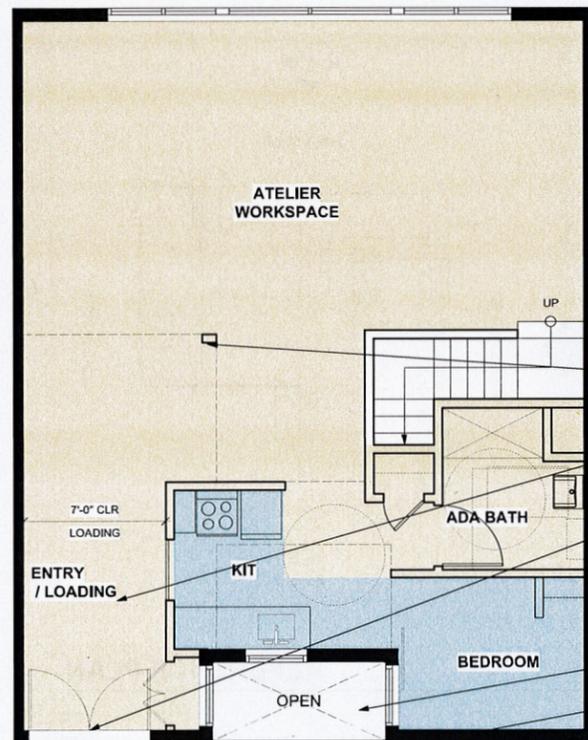
TOTAL: 1,408 NSF (73%)

- DUAL-PURPOSE AREAS  
 1. WALKS/STAIRS - 272 NSF

TOTAL: 272 NSF (14%)

- LIVE AREAS  
 1. KITCHEN - 52 NSF  
 2. BED 1 - 78 NSF  
 3. BED 2 - 78 NSF  
 4. BATH - 44 NSF

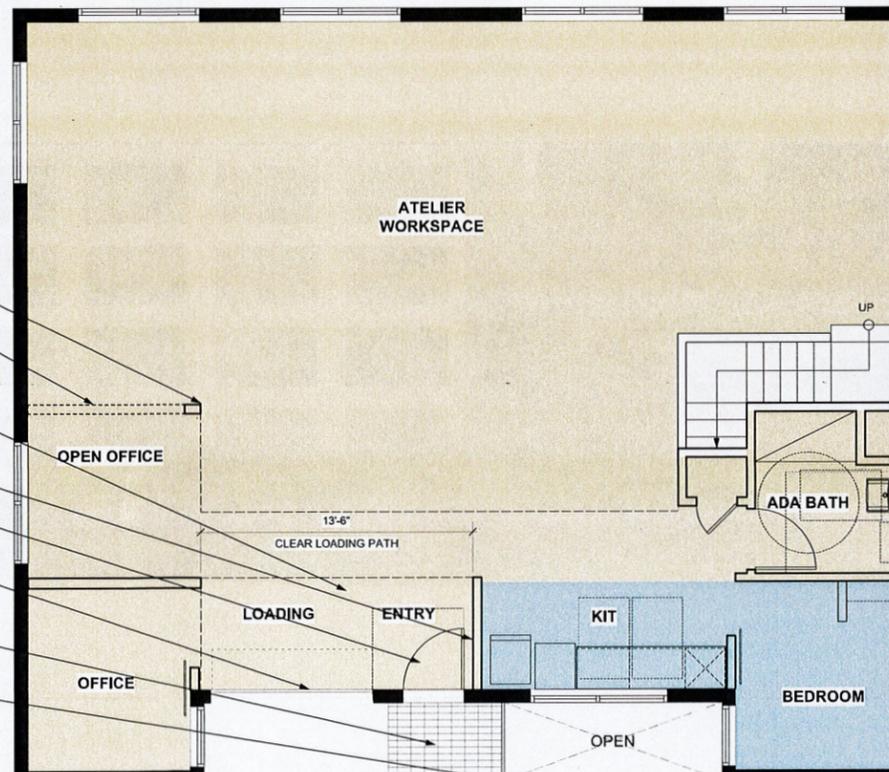
TOTAL: 252 NSF (13%)



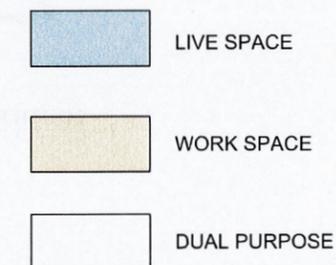
**UNIT 3**  
 MAIN LEVEL - 1009 GSF (931 NSF)

- COLUMN REQUIRED TO HOLD MEZZANINE ABOVE
- FULLY CLEAR LOADING PATH, CLEAR OF ANY OBSTRUCTIONS AND ENCLOSURES.
- 8'-0" HIGH DOORWAY FOR ACCESS OF MATERIALS
- OPEN EXTERIOR LIGHTWELLS OPEN TO SKY
- EXTERIOR OPEN MTL GRATING CATWALKS WITH 42" GAURDRAILS AT ALL EXTERIOR CIRCULATION

- COLUMN REQUIRED TO HOLD MEZZANINE ABOVE
- POTENTIAL WALL, DEPENDING ON NEED OF FUTURE TENANT AND STRUCTURAL SHEAR REQUIREMENTS DO TO THE LARGE SIZE OF THE UNIT.
- FULLY CLEAR LOADING PATH, CLEAR OF ANY OBSTRUCTIONS AND ENCLOSURES.
- ADDED WALL TO SEPARATE KITCHEN AND WORKSPACE
- 8'-0" HIGH DOORWAY FOR ACCESS OF MATERIALS
- GARAGE ROLL-UP DOOR FOR MATERIAL LOADING AND ACCESS
- EXTERIOR OPEN MTL GRATING CATWALKS WITH 42" GAURDRAILS AT ALL EXTERIOR CIRCULATION
- OPEN EXTERIOR LIGHTWELLS OPEN TO SKY



**UNIT 4**  
 MAIN LEVEL - 1597 GSF (1483 NSF)

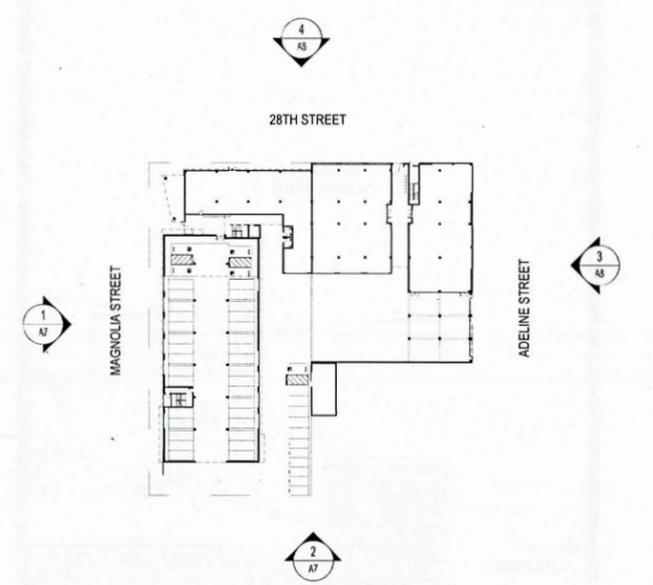




1 WEST ELEVATION  
SCALE: 1/16"=1'-0"



2 SOUTH ELEVATION  
SCALE: 1/16"=1'-0"



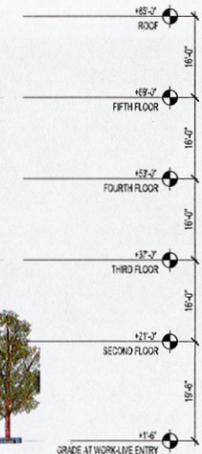
REFERENCE PLAN

SEE A9.0 FOR MATERIAL AND COLOR  
CALLOUT AND REPRESENTATION

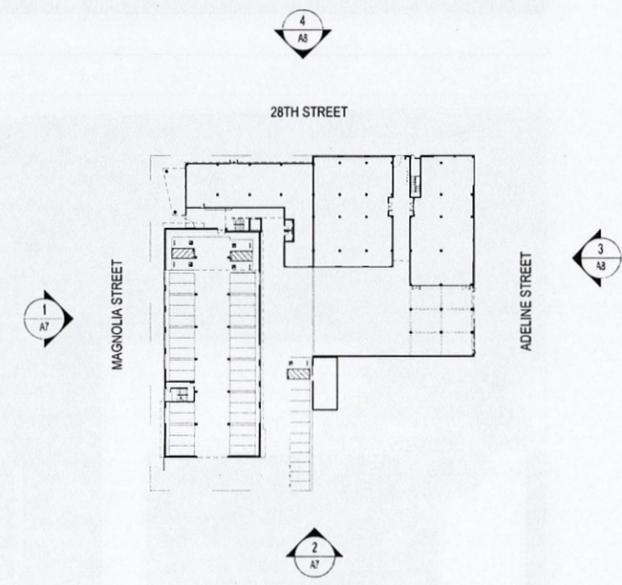
SEE LANDSCAPE FOR ALL PROPOSED  
TREES AND LANDSCAPE IMPROVEMENTS



3 EAST ELEVATION  
SCALE: 1/16"=1'-0"



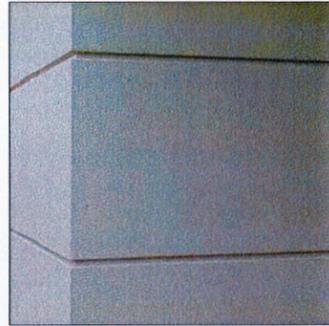
4 NORTH ELEVATION  
SCALE: 1/16"=1'-0"



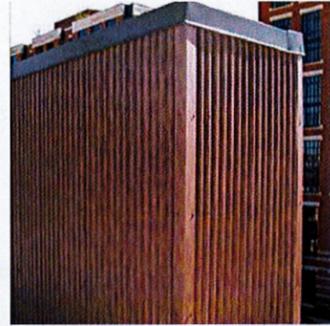
REFERENCE PLAN

SEE A9.0 FOR MATERIAL AND COLOR  
CALLOUT AND REPRESENTATION

SEE LANDSCAPE FOR ALL PROPOSED  
TREES AND LANDSCAPE IMPROVEMENTS



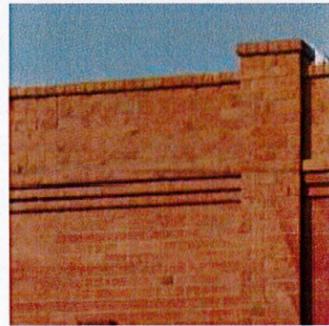
1 SAND FLOAT TEXTURE CEMENT PLASTER; CONTROL JOINT REVEALS SHERWIN WILLIAMS EIDER WHITE - SW 7014 OR SIMILAR



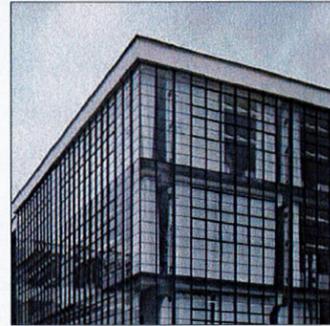
2 OXIDIZED CORRUGATED METAL SIDING



3 BOARD FORMED CONCRETE



4 PRESERVED AND RESTORED BRICK FACADE



5 ALUMINUM WINDOW-WALL SYSTEM



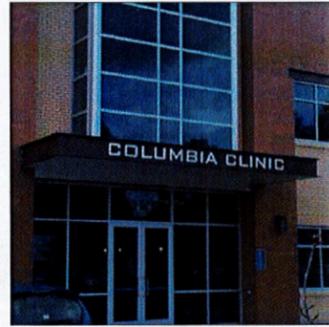
6 COILING DOORS INTO OPEN COURTYARD



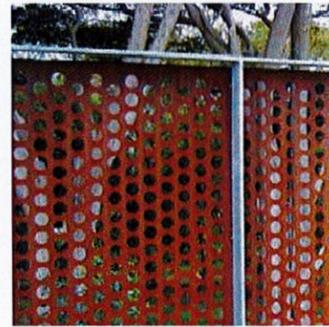
7 BRONZE VINYL WINDOWS



8 BRONZE STOREFRONT WINDOWS



9 METAL OVERHANG WITH SIGNAGE POTENTIAL



10 PERFORATED METAL PANELS FOR GATES AND RAILINGS



1 ENLARGED WEST ELEVATION  
N.T.S.



2 ENLARGED EAST ELEVATION  
N.T.S.



1 VIEW FROM ADELINE AND 28TH  
N.T.S.



2 VIEW FROM WITHIN THE COURTYARD  
N.T.S.



3 VIEW FROM MAGNOLIA AND 28TH  
N.T.S.



4 VIEW FROM ADELINE TOWARD 28TH  
N.T.S.

