

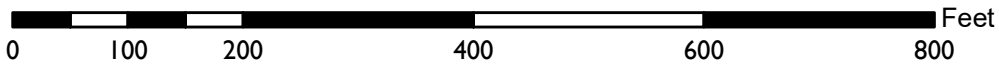
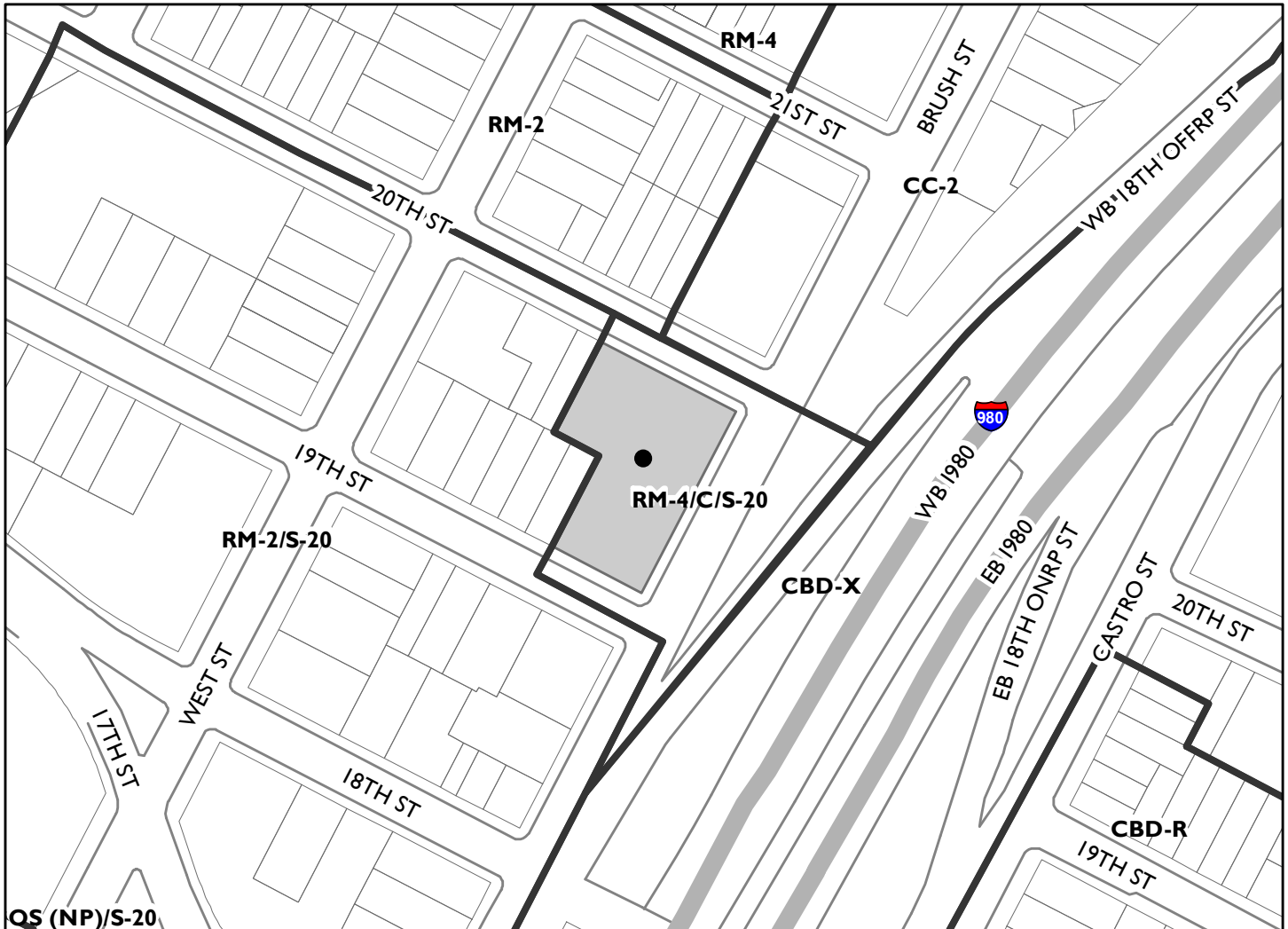
Location:	1925 BRUSH STREET (APN: 003 004700901). (See map on reverse)
Proposal:	Demolish an existing industrial building and construct three three-story buildings containing a total of 18 townhomes. The project includes nine parking spaces and a car share parking space, the merging of three lots into one, and the creation 18 condominiums.
Applicant:	Alex Walter, Riaz Development
Owner:	Snowdrop Patrick LLC
Planning Permits Required:	Major Conditional Use Permit for the construction of more than six dwelling units in the RM-4 Zone; Variance for providing usable open space further than 20 feet from the units served; Regular Design Review approval for new construction and creating new dwelling units; and Tentative Parcel Map for the creation of condominiums and the merging of parcels.
General Plan:	Mixed Housing Type Residential
Zoning:	Mixed Housing Type Residential (RM) – 4/C Residential Commercial Combining Zone/S-20 Historic Preservation District Combining Zone.
Environmental Determination:	Exempt per CEQA Guidelines Sections 15332-Infill Development; Section 15315-Minor Land Divisions and 15183-Projects Consistent with a Community Plan, General Plan, or Zoning
Historic Status:	Non-contributor to Local Register District; Office of Cultural Heritage Rating Ec3.
City Council District:	District 3 – Fife
Status:	Pending
Action to be Taken:	Decision based on staff report
Staff Recommendation:	Approve subject to Conditions of Approval
Finality of Decision:	Appealable to the City Council
For Further Information:	Please contact Neil Gray at (510)238-3878 or ngray@oaklandca.gov.

SUMMARY

Staff recommends approval of a proposal to construct 18 townhomes on a 25,247 square-foot, L-shaped lot fronting on Brush Street between 19th and 20th Streets. Staff believes that the façade and site plan designs would meet the Design Review findings required for approval. The building would successfully relate to the design contexts on Brush, 19th, and 20th Streets, open space is integrated as a crucial element of the site plan, and on-site parking is hidden behind the buildings. The development preserves on-street parking by only proposing one curb cut and driveway.

Neighbors have expressed concerns that providing the proposed nine spaces would exacerbate an on-street parking shortage in the neighborhood resulting from commuters walking from their cars to downtown employment.

CITY OF OAKLAND PLANNING COMMISSION



Case File:

Applicant: PLN20149

Address: Alex Walter, Riaz Development

Zone: 1925 Brush Street

Height Area: RM-4/C/S-20

BACKGROUND

The developer held a virtual community meeting regarding the project on February 4, 2021. The majority of the comments expressed concern that the project does not have sufficient parking spaces. According to the neighbors, a shortage of available spaces exists due to commuters who walk into downtown after parking their car in their neighborhood. The neighbors stated that on-street parking is particularly difficult on Thursdays and Fridays due to street sweeping and they are concerned that a 95-unit, 100 percent affordable housing development at 2116 Brush Street has been approved with 26 parking spaces. This issue is further discussed in the “Key Issues and Impacts” section of this report. One neighbor also stated that he preferred the car entrance to be from Brush Street instead of the proposed driveway on 20th Street.

The project was heard at the Design Review Committee (DRC) on April 28, 2021. The Committee was supportive of the project but suggested that a triangular area owned by Caltrans across the street from the proposal be considered for additional parking for the project. A condition of approval has been included requiring the developer to investigate the possibility of using this area for additional parking. Commissioner Manus suggested that the applicant research a project at 20th and Wood Streets to ascertain how they are using Caltrans property for parking. The DRC also suggested the neighborhood apply to the residential parking permit program to prevent commuters from parking in the area near the project. Finally, the DRC requested that materials be graphically displayed and more three-dimensional renderings be included in the plans. These renderings and material examples are included in Attachment A.

PROPERTY DESCRIPTION/NEIGHBORHOOD CONTEXT

The project is on a 25,247 square-foot, L-shaped site consisting of three lots fronting Brush Street between 19th and 20th Streets. The 20th Street side of the lot is 150 feet deep, and the 19th Street side of the lot is 100 feet deep. A relatively nondescript industrial building with a rating of “Ec” from the Office of Cultural Heritage Survey (OCHS) exists on the north side of the site and a parking lot is on the south side of the lot. Both of these facilities are proposed for demolition. An off-ramp from I-580 is across the street from the site.

There are distinct contexts in the surrounding neighborhood. North of the site, Brush Street is a mix of industrial buildings, outdoor storage, and a Victorian style home. South of the site, Brush Street contains two-story Victorian style homes that have been divided into multiple units and multi-family buildings constructed in the 1950’s and 1960’s.

The north side of 19th Street contains a row of six similar one- and two-story Queen Ann style homes built circa 1890. These homes have gable ends over one or two stories of bay windows on their right side and stairs that lead to a porch entrance on the left side. The four two-story homes are adjacent to the site. These contain a porch and a vertical bay feature fronting a box shaped structure with a hipped roof. These ornately decorated homes are significant contributors to the Curtis and Williams Tract Area of Secondary Importance (ASI) historic district.

The south side of 20th Street contains a less intact group of historic homes. The home adjacent to the site contains a Queen Ann Style home that has been significantly altered and an intact Queen Ann home is two lots from the site.

PROJECT DESCRIPTION

The following describes the proposed development. Architectural and landscaping plans and renderings are contained in Attachment A.

Site Plan

The project's 18 townhome units are contained in three separate buildings: Building A, which fronts onto Brush Street and Buildings B and C, which front onto 19th and 20th Streets, respectively. Building A is setback from five to eleven feet from the edge of the sidewalk to provide space for landscaping while relating to the limited setbacks on Brush Street. Buildings B and C are setback 15 feet from the edge of sidewalk to match the setbacks of the homes on 19th and 20th Streets.

Ground floor units have direct access to internal open space between the three buildings, which varies in width from 15 to 22 feet. This open space spans the width of the project behind Building A, providing a contextual break between the industrial style of Building A and the more traditional forms of Buildings B and C and the Queen Ann Cottages on 19th and 20th Streets.

15 of the 18 townhomes have an entrance with direct access from the street. The remaining three are accessed from the internal open space. Eight internal parking spaces are generally obscured from public view behind Buildings B and C and are accessed from a 15-foot-wide driveway adjacent to 20th Street. This is the only curb cut and driveway proposed to serve the project.

Building Design

The designs of the buildings reflect their adjacent neighborhood contexts. With a shed roof facing Brush Street, a sawtooth roof facing 19th and 20th Streets, and blocky volumes, Building A has an industrial style that relates to buildings on Brush Street north of the site. The exterior of the building is cement plaster of various colors and textures that define different planes and volumes of the building. Horizontal hardie board siding provides additional definition to volumes on the facade. Each townhouse facing the street has an at-grade entrance defined by a porch recessed into the bottom floor.

Buildings B and C both have a contemporary style with forms that also relate to the historic architectural contexts on 19th and 20th Streets. The 19th Street elevation of Building B has gable end roofs, bay window forms, a vertical orientation, prominent entrances, and a height that would relate to the Queen Ann style buildings on 19th Street. Building C also relates to the architectural features on 20th Street with gable end roofs, bay windows and a prominent entrance. Two of the four gable ends of this elevation are asymmetrical and the forms are stouter than those on 19th Street, which somewhat reference the industrial styles on Brush Street. Staff feels this is appropriate because the north side of Brush Street has a commercial and industrial context, the 15-foot-wide driveway serves as a visual break to the historic context on 20th Street, and 20th Street has a spottier historic context than 19th Street.

Floor Plans

Each unit is between 1,520 and 1,670 square feet and contains four bedrooms and five bathrooms, and each bedroom has its own bathroom and counter. The layout of the units is conducive to independent living in the bedrooms within a larger household.

Landscaping Plan and Street Improvements

The conceptual landscape plan includes seven additional street trees and significant planting in the front yards and group open space areas. The types of plantings have yet to be determined. The developer will also be required to replace the adjacent sidewalk, curb, and gutters.

Merger and Condominium Map

The project also includes the merging of the three lots on the site and the creation of condominiums.

ZONING ANALYSIS

The project is within the Mixed Housing Type Residential (RM) - 4 base zone, a C commercial combining zone, and the S-20 Historic Preservation District Combining Zone. The C commercial combining zone does not apply to the proposal because no commercial activities or facilities are proposed for the site. Therefore, this section discusses the requirements of the RM-4 Zone and the S-20 Combining Zone.

RM-4 Zone

Intent. According to Section 17.17.010(B)(4) of the Planning Code, the intent of the RM-4 Zone is to “create, maintain, and enhance residential areas typically located on or near the City’s major arterials and characterized by a mix of single-family homes, townhouses, small multi-unit buildings at somewhat higher densities than RM-3, and neighborhood businesses where appropriate.” The proposed small-scale townhome project is consistent with this intent.

Regulations. The following table summarizes the relevant RM-4 development regulations for the site.

Regulation	Requirement	Proposed	Compliance	Notes
Maximum density	22 units	18 units; CUP required	Complies	CUP required for more than 4 units in the RM-4 Zone. The CUP is major and requires a decision by the Planning Commission per Section 17.134.020 of the Planning Code.
Minimum usable open space	3,150 sf	3,500	Complies in amount but not location. See note.	The requirement is 175 sf per unit. Variance is required because some of the units are greater than 20 feet from the open space. Per 17.126.030(B), The open space must be within 20 feet of the living units served. This issue is addressed in the “Key Issues and Impacts” section, below.
Height limit	35 feet	35 feet	Complies	
Front yard setback (19 th Street)	15 feet	15 feet	Complies	
Rear yard setback (20 th Street)	15 feet	15 feet	Complies	

Regulation	Requirement	Proposed	Compliance	Notes
Interior side setback	4 feet	4 feet	Complies	
Street side setback	4 feet	5 feet	Complies	
Minimum number of auto parking spaces	9	9	Complies	The base requirement is one per unit. This is reduced to 0.7 per regular unit due to transit proximity and further reduced to .5 per unit with the provision of on-site car share parking spaces. See Section 17.116.110(C).
Minimum bike spaces	• 4 long term • 0 short term	• 5 long term • 1 short term	Complies	1 per 4 units required for long term and 1 per 20 units required for short term.
Minimum loading berths	0 berths	0 berths	Complies	1 loading berth is required if a development is over 50,000 sf of floor area. Total proposed floor area is 35,835 sf.

S-20 Historic Preservation District Combining Zone

According to Section 17.100B.010 of the Planning Code, the S-20 Zone “is intended to preserve and enhance the cultural, educational, aesthetic, environmental, and economic value of structures, other physical facilities, sites, and areas of special importance due to historical association, basic architectural merit, the embodiment of a style or special type of construction, or other special character, interest, or value, and is typically appropriate to selected older locations in the city. The S-20 Zone is similar to the S-7 Preservation Combining Zone, but is designed for larger areas, often with a large number of residential properties that may not be individually eligible for landmark designation but which as a whole constitute a historic district. The S-20 Zone provides generally more expeditious review procedures than those provided in the S-7 Zone.”

The S-20 Combining Zone implements this intent by being mapped in all areas of West Oakland that are within an historic residential district and requiring the following Design Review Criteria for new construction:

1. That the proposal will not substantially impair the visual, architectural, or historic value of the affected site or facility. Consideration shall be given to design, form, scale, color, materials, texture, lighting, detailing and ornamentation, landscaping, signs, and any other relevant design element or effect, and, where applicable, the relation of the above to the original design of the affected facility.
2. That the proposed development will not substantially impair the visual, architectural, or historic value of the total setting or character of the S-20 Historic Preservation Zone or of neighboring facilities. Consideration shall be given to the desired overall character of any such area or grouping of facilities, including all design elements or effects specified in Subsection (A) above; and
3. That the proposal conforms with the Design Guidelines for Landmarks and Preservation Districts as adopted by the City Planning Commission and, as applicable for certain federally-related projects, with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Compliance with these findings is discussed in the “Key Issues and Impacts” Section of this report.

Required Findings

Each of the findings required for approval of the project are listed in Attachment B of this report.

GENERAL PLAN ANALYSIS

The property is in the Mixed Housing Type Residential designation of the Land Use and Transportation Element of the General Plan (LUTE). The intent of the Mixed Housing Type land use classification is: “to create, maintain, and enhance residential areas typically located near the City’s major arterials and characterized by a mix of single-family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate.” Desired Character and Uses is: “Future development within this classification should be primarily residential in character.” The proposed design for a small, multi-family facility and is, therefore, consistent with the intent and desired character and uses of the General Plan as well as the following policies:

Policy N3.2 Encouraging Infill Development.

In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland.

Policy N3.8 Required High-Quality Design.

High-quality design standards should be required of all new residential construction. Design requirements and permitting procedures should be developed and implemented in a manner that is sensitive to the added costs of those requirements and procedures.

Policy N6.1 Mixing Housing Types.

The City will generally be supportive of a mix of projects that provide a variety of housing types, unit sizes, and lot sizes which are available to households with a range of incomes.

Policy N7.1 Ensuring Compatible Development.

New residential development in Mixed Housing Type areas should be compatible with the density, scale, design, and existing or desired character of surrounding development.

The proposal is a residential infill development project that enhances the mix of housing types in a residential area.

In addition, this project is located within opportunity area 4A in the West Oakland Specific Plan area. The Plan designates this area as requiring a rezoning from Community Commercial – 2 to RM – 4 with a commercial overlay. This rezoning was completed during the West Oakland rezoning process.

ENVIRONMENTAL DETERMINATION

The project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Sections 15332 – Infill Development. The findings required to qualify for the 15332 exemption are contained in Attachment B. The tentative parcel map is exempt per CEQA Guidelines Section 15315 – Minor Land Divisions.

The project also qualifies for streamlining per Section 15183 of the CEQA Guidelines (Projects Consistent with a Community Plan, General Plan, or Zoning). This section mandates that projects consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. The project density is within that established by the existing zoning, and LUTE.

KEY ISSUES AND IMPACTS

Parking

As mentioned in the background section of the report, residents of the surrounding neighborhood are very concerned about the proposal only providing nine parking spaces for the 18 units. As described in the Zoning Analysis Section of this report, this reduction from one parking space per unit is permitted per 17.116.110(C) of the Planning Code, which states that parking is reduced to 0.7 per unit if a project is within one-half a mile from a major transit stop (the project is approximately 0.4 miles from the 19th Street BART Station) and parking can be further reduced to 0.5 parking spaces per unit if a project provides an on-site car share space.

The neighbors have stated that there is a parking shortage in the neighborhood, particularly on the two street sweeping days per week, due to commuters parking in their neighborhood and walking to Downtown offices. According to the participants, this issue was of particular concern before COVID-19 restrictions changed the commuting patterns of Downtown workers. The community also expressed concerns that the problem will be exacerbated due to a recently approved 100 percent affordable housing project at 2116 Brush Street, which will have 105 units and 22 parking spaces, and because each unit has four bedrooms and is designed for roommates who live independently.

The neighbors have expressed concern that the project cannot meet findings relating to a project's impact on the surrounding neighborhood due to this reduction from one parking space per unit (see Attachment B for a list of the required findings). However, staff supports the amount of parking provided in the development. The parking meets the City's parking requirements and increasing the number of parking spaces would require removing dwelling units and/or reducing the amount of open space to less than required. More parking may actually reduce on-street parking by requiring an additional curb cut. The required car share service at the site and the site's proximity to transit will reduce the necessity of residents to own a car.

Further, a reduction in parking is consistent with the City's Equitable Climate Action Plan, adopted July of 2020. That document states that decreasing parking related to a development is an important part of reducing car trips and, thus, vehicle emissions. Two policies in this document are particularly germane to parking requirements in new developments:

1. *TLU-1 Align All Planning Policies & Regulations with ECAP Goals and Priorities* states: In the course of scheduled revisions, amend or update the General Plan, Specific Plans, Zoning Ordinance, Subdivision Regulations, Parks Master Plan, and appropriate planning policies or regulations to be consistent with the GHG reduction, adaptation, resilience, and equity goals in this ECAP. Specifically, appropriate planning policies should study the following strategies and should incorporate such policies that are found not to have adverse environmental or equity impacts:

- Remove parking minimums and establish parking maximums where feasible, ensuring public safety and accessibility.
- Remove barriers to and incentivize development of affordable housing near transit.
- Provide density bonuses and other incentives for developments near transit that provide less than half of the maximum allowable parking.

Note that these are three relevant items in a larger list of actions.

2. *TLU-10 Expand the Neighborhood Car Sharing Program* states: Expand the Neighborhood Car Sharing program, ensuring that all shared vehicles are electric vehicles by 2030 and that shared vehicle services address the needs of families, people with disabilities, and frontline communities. Coordinate program expansion with New Mobility programs, EV infrastructure planning, and with revised parking policies. Where feasible, work with partners including developers and property managers to provide dedicated EV car sharing services in multifamily affordable housing buildings to increase access and reduce the car cost burden to lower-income families.

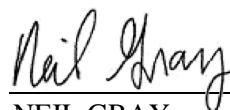
CONCLUSION

Staff recommends approval of the project subject to the attached conditions of approval. As discussed in Attachment B, the project meets all required findings for approval and CEQA exemption. In particular, the site plan, building style and overall design is sensitive to the historic and industrial contexts of the neighborhood. The site plan preserves off-site parking by containing only one curb cut, and no curb cuts on Brush Street, which is the most visible façade, and the open space is successfully integrated into the site plan.

RECOMMENDATIONS:

1. Affirm staff’s environmental determination.
2. Approve the Conditional Use Permit, Regular Design Review Permit, and subdivision map subject to the attached findings and conditions.

Prepared by:



NEIL GRAY
Planner IV

Reviewed by:



ROBERT MERKAMP
Zoning Manager

Approved for forwarding to the
City Planning Commission:



ED MANASSE, Deputy Director
Planning and Building Department

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

ATTACHMENTS:

- A. Project Plans, including renderings and materials.
- B. Findings
- C. Conditions of Approval

ATTACHMENT B: FINDINGS

This proposal meets all the required findings under the City of Oakland Planning, Subdivision Code, and CEQA as set forth below and which are required to approve your application. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type.

Section 17.136.050.A – Regular Design Review Criteria:

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

The project meets this finding. The Brush Street façade has an industrial style that relates to the industrial context north of the site and has a pleasing composition through the placement of windows, bay projections, and material changes. The 19th and 20th Street facades have prominent entrances, a height, rhythm, horizontal wood appearing siding, vertical forms, and roof shapes that relate and provide a successful transition to the traditional residential contexts on those streets. The separation of buildings also provides a break between the industrial context on Brush Street and the traditional contexts on 19th and 20th Streets.

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

The project will provide housing in a residential zone and site improvements and landscaping, including street trees, that will contribute to the neighborhood. As described in Finding 1, the project transitions to the historic residential patterns on 19th and 20th Streets and the industrial style found north of the site on Brush Street.

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

The site does not currently have significant topography or landscaping.

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

The project is not situated on a hill.

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 General Plan Analysis, above.

17.100B.050 – Regular Design Review Criteria in the S-20 Zone:

1. **That the proposal will not substantially impair the visual, architectural, or historic value of the affected site or facility. Consideration shall be given to design, form, scale, color, materials, texture, lighting, detailing and ornamentation, landscaping, signs, and any other relevant design element or effect, and, where applicable, the relation of the above to the original design of the affected facility.**

The current site contains an undistinguished industrial building and a parking area. As described in the “Project Description” section of this report and the Regular Design Review Findings, above, the height, design, scale, and materials of the project relates to the context of the neighborhood.

2. **That the proposed development will not substantially impair the visual, architectural, or historic value of the total setting or character of the S-20 Historic Preservation Zone or of neighboring facilities. Consideration shall be given to the desired overall character of any such area or grouping of facilities, including all design elements or effects specified in Subsection (A) above; and**

The Historic Preservation District Combining (S-20) Zone is intended to preserve and enhance the cultural, educational, aesthetic, environmental, and economic value of structures, other physical facilities, sites, and areas of special importance due to historical association, basic architectural merit, the embodiment of a style or special type of construction, or other special character, interest, or value, and is typically appropriate to selected older locations in the city.

According to the office of the OCHS, the existing property does not contribute to the historic status of the S-20 Zone. The current site contains an undistinguished industrial building and a parking area and is not in a historic district. As described in the "Project Description" section of this report and the Regular Design Review Findings, above, the height, design, scale, massing, and materials of the project relates to the context of the neighborhood.

3. **That the proposal conforms with the Design Guidelines for Landmarks and Preservation Districts as adopted by the City Planning Commission and, as applicable for certain federally-related projects, with the Secretary of the Interior's Standards for the Treatment of Historic Properties.**

The proposal is not federally related, and Design Guidelines for Landmarks and Preservation Districts has not been adopted by the Planning Commission or City Council.

17.136.075(C) – Design Review Findings for the Demolition of a Noncontributing Structure in the S-20 Zone

1. **For the demolition of noncontributors to an S-7 Zone, S-20 Zone, or API: The existing structure is either: i) seriously deteriorated or a hazard; or ii) the existing design is undistinguished and does not warrant retention. For this finding, a hazard constitutes a threat to health and safety that is not immediate;**

According to the OCHS, the existing industrial building is undistinguished and does not contribute the S-20 zone or a historic district. The building has no distinguishing detailing or forms that warrant its retention, and it is not an example of a significant architectural period or movement.

2. **The design quality of the replacement structure is equal/superior to that of the existing structure; and**

The design quality of the existing building is undistinguished and does not contribute to the S-20 Zone or a historic district. As described in the Regular Design Review Criteria, above, the proposal is well related to the neighborhood in terms of materials, composition and forms and will provide a suitable transition to the historically rated buildings on 19th and 20th Streets. The driveway is on 20th Street, which allows for a continuous frontage on Brush Street, the most visible street on the site.

3. The design of the replacement project is compatible with the character of the district, and there is no erosion of design quality at the replacement project site and in the surrounding area. This includes, but is not necessarily limited to, the following additional findings:
 - a. The replacement project is compatible with the district in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing; The Brush Street façade has an industrial style that relates to the industrial context north of the site and has a pleasing composition through the placement of windows, bay projections, and material changes. The 19th and 20th Street facades have prominent entrances, a height, rhythm, horizontal wood appearing siding, and roof shapes that relate and provide a successful transition to the traditional residential contexts on those streets. These facades also have vertical forms and recesses that establish volumes that reflect the rhythm of the historic residential streets. The separation of buildings also provides a break between the industrial context on Brush Street and the traditional contexts on 19th and 20th Streets. The buildings facing 19th and 20th Street are sited to match the front setbacks of the buildings on 19th and 20th Streets.
 - b. New street frontage includes forms that reflect the widths and rhythm of the facades on the street and entrances that reflect the patterns on the street;
 - c. The replacement project provides high visual interest that either reflects the level and quality of visual interest of the district contributors or otherwise enhances the visual interest of the district;
 - d. If the design contrasts the new to the historic character, the replacement project enriches the historic character of the district;
 - e. The replacement project is consistent with the visual cohesiveness of the district. For the purpose of this item, visual cohesiveness is the architectural character, the sum of all visual aspects, features, and materials that defines the district. A new structure contributes to the visual cohesiveness of a district if it relates to the design characteristics of a historic district. New construction may do so by drawing upon some basic building features, such as the way in which a building is located on its site, the manner in which it relates to the street, its basic mass, form, direction or orientation (horizontal vs. vertical), recesses and projections, quality of materials, patterns of openings and level of detailing. When a combination of some of these design variables are arranged in a new building to relate to those seen traditionally in the area, but integral to the design and character of the proposed new construction, visual cohesiveness results; and
 - f. The replacement project will not cause the district to lose its current historic status.

The Brush Street façade has an industrial style that relates to the industrial context north of the site and has a pleasing composition through the placement of windows, bay projections, and material changes. The 19th and 20th Street facades have prominent entrances, a height, horizontal siding, and roof shapes that relate and provide a successful transition to the traditional residential contexts on those streets. These facades also have vertical forms and recesses that establish volumes that reflect the rhythm of the historic residential streets. The separation of buildings also provides a break between the industrial context on Brush Street and the traditional contexts on 19th and 20th Streets. The buildings facing 19th and 20th Streets are sited to match the front setbacks of the buildings on 19th and 20th Streets. The site is not within a historic district.

Section 17.134.050 – General Use Permit Criteria:

1. That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon

desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.

The proposal will not adversely impact the neighborhood in terms of scale, bulk, coverage or density. As described in the Design Review Findings, above, construction fronting 19th and 20th Streets has a bulk, scale and rhythm similar to the adjacent home. A significant amount of group open space is proposed in the middle of the three buildings and the front yard depth of the construction on 19th and 20th Streets matches that of adjacent homes. The proposed 18 units will have limited impact on the capacity of streets. The proposed eight parking spaces will be enough to accommodate future residents due to the proximity of BART and AC Transit and, as conditioned, on site car share.

- 2. 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 project has a convenient and functional site plan that contributes to the overall visual quality of the project. Most of the units have direct access to the group open space, which has been integrated between buildings as an integral element of the plan. The remaining units can easily access the space through internal pathways. Parking will be conveniently located behind the buildings and the project will provide housing units close to mass transit. Finally, the floor plans contain a bathroom for each bedroom to accommodate independent living within a communal unit.

- 3. 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 project will provide housing units in a neighborhood that is residentially zoned and predominantly residential in character, particularly on 19th and 20th Streets and Brush Street south of the site.

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

Design Review Findings, above.

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

See “General Plan Analysis”, above.

Section 17.17.050(A), Table 17.17.03, Note 3 – Conditional Use Permit Findings for Density in the RM Zones.

- 1. That the proposed development will not adversely affect adjoining property, nor the surrounding neighborhood, with consideration to be given to density; to the availability of neighborhood facilities and play space to the generation of traffic and the capacity of surrounding streets; and to all other similar, relevant factors;**

The proposal will not adversely impact the neighborhood in terms of density. 18 units will have minimal impact on street capacity and parking, especially since the project is near BART and AC Transit and a car

share service will be provided on site. There is play space at Marston Campbell Park, which is three blocks from the site.

- 2. That the site design and landscaping and the scale, height, length and width, bulk, coverage, and exterior treatment of structures are in harmony with neighborhood character and with facilities on nearby lots;**

As shown in the landscape plans in Attachment A, the proposal contains seven new street trees and several new trees in the front yards and interior open space. Ornamental grass, shrubs, and perennials are proposed to be planted throughout the site and permeable pavers will be used to define walking paths and parking spaces.

See the Project Description section of this report and the Regular Design Review Criteria, above, for a description of how the project's height, volumes, bulk, scale, and exterior treatments are in harmony with the neighborhood. The internal open space and front yards that match the depth of the neighboring residential properties provide a lot coverage that is similar to the neighborhood.

- 3. That the shape and siting of the facilities are such as to minimize blocking of views and direct sunlight from nearby lots and from other Residential Facilities in the surrounding neighborhood;**

Impacts on direct sunlight will also be limited because the adjacent homes are west of the site, a driveway separates adjacent homes from the building fronting 20th Street, and the height of the proposed buildings on 19th and 20th Streets are similar to that of adjacent homes.

- 4. That the design and site planning of the buildings, open areas, parking and service areas, and other facilities provide a convenient, attractive, and functional living environment; and that paths, stairways, accessways, and corridors are designed to minimize privacy impacts;**

The project has a convenient and functional site plan that contributes to the overall visual quality of the project. Most of the units have direct access to the group open space, which has been placed between buildings as an integral element of the site plan. The remaining units can easily access the space through internal pathways. Parking will be conveniently accessed and hidden behind the buildings and the trash enclosure will also be behind the buildings and hidden from view from the street.

- 5. That lot shape, size, and dimensions allow a development which will provide satisfactory internal living conditions without adversely affecting the privacy, safety, or residential amenity of adjacent residences.**

The lot shape, size and dimension allow for convenient access to parking and open space, and privacy impacts will be limited because the northern elevations of the adjacent homes on 19th and 20th Streets have a limited number of windows and they do not line up with windows in the proposed development.

17.148.050 – Variance Findings

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

The Variance is required because the two units at the northwest corner of the site will be more than 20 feet from the usable group usable open space, and Section 17.126.030 of the Planning Code requires the space be no further than 20 feet from the units being served. Strict compliance to this regulation would preclude an effective design solution improving livability of the site and operational efficiency of the group usable open space. As proposed, the space is integrated between the buildings, which allows for convenient access and a continuous open space corridor spanning the width of the site. The two units more than 20 feet from the site can easily access the open space through internal pathways, the parking lot, and from the 20th Street sidewalk. Requiring the open space to be closer to the units would displace the enclosed garbage area; this would detract from the site plan by making the enclosure more visible to the public and inaccessible to garbage trucks.

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

Variances have been granted under similar circumstances. Further, the intent of the regulation is to allow accessibility to group usable open space, but the two units more than 20 feet from the space have their own front yard and can easily access the group usable open space.

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

The distance residents are required to walk to access internal open space will not have any impact on abutting properties or public welfare. No adopted plan or development policy would be affected by the granting of a Variance.

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

See Finding 2.

5. That the elements of the proposal requiring the variance (e.g., elements such as buildings, walls, fences, driveways, garages and carports, etc.) conform with the regular design review criteria set forth in the design review procedure at [Section 17.136.050](#).

See Regular Design Review Criteria, above.

- 6. 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 have been adopted by the Planning Commission or City Council.**

See “General Plan Analysis” section, above.

SECTION 16.08.030 – TENTATIVE MAP FINDINGS

Pursuant to California Government Code Section 66474, Chapter 4 of the Subdivision Map Act,

FINDINGS

The Advisory Agency shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- A. That the proposed map is not consistent with the applicable general and specific plans as specified in the State Government Code Section 65451.**

The proposed three parcel lot merger and 18-unit condominium map is consistent with the General Plan and the West Oakland Specific Plan.

- B. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**

See General Plan Analysis section, above.

- C. That the site is not physically suitable for the type of development.**

See General Design Review and Conditional Use Permit Findings, above.

- D. That the site is not physically suitable for the proposed density of development.**

See General Design Review and Conditional Use Permit Findings, above.

- E. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The site is within an urbanized area where it will not cause substantial environmental damage to any wildlife or their habitat.

- F. That the design of the subdivision or type of improvements is likely to cause serious public health problems.**

This residential project will not cause serious public health problems. Conditions of Approval have been included to address factors such as soil contamination, noise, air quality, and water quality.

- G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. (This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision).**

There are no public easements on the site.

H. That the design of the subdivision does not provide to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

The proposed air-space subdivision will not impact future passive or natural heating or cooling opportunities in the subdivision as no changes are being proposed to nearby commercial buildings.

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

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

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

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

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

See “General Plan Analysis” and “Zoning Analysis” sections above. The project does require a variance for proximity of units to group usable open space but meets the findings for approval (see above).

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

The proposed development occurs within City limits on a project site of 25,247 square-feet.

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

The project site is an urban infill parcel that has no value as habitat for any endangered, rare or threatened species.

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

The project is not anticipated to result in any significant effects relating to traffic, noise, air quality, or water quality for the following reasons:

FINDINGS

The project will involve both construction noise and post-construction noise consistent with the typical noise associated with developments of this type in an urban location. Standard Conditions of Approval and Uniformly Applied Development Standards associated with construction noise and the City's Noise Ordinance will reduce noise impacts to less than significant levels.

The limited number of proposed units, the site's proximity to multiple transit lines, including BART, and standard Conditions of Approval for bicycle parking, electric vehicle charging and care share indicates the project will not have a significant impact on traffic. Implementation of Standard Conditions of Approval involving dust control and construction emissions will reduce air quality impacts to less than significant levels. Implementation of the City's Standard Conditions of Approval, which includes, but is not limited to, specific site design measures for post-construction storm water pollution management, will reduce impacts to water quality to less than significant levels.

ATTACHMENT C: CONDITIONS OF APPROVAL**Part 1: Standard Conditions of Approval – General Administrative Conditions**

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 12/18/21 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 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

CONDITIONS OF APPROVAL

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.

Part 2: Standard Conditions of Approval – Environmental Protection Measures

12. Trash and Blight Removal

Requirement: 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.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

13. Graffiti Control

Requirement:

- 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:
 - i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
 - ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
 - iii. Use of paint with anti-graffiti coating.

- 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).
- v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
- b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:
 - i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.
 - ii. Covering with new paint to match the color of the surrounding surface.
 - iii. Replacing with new surfacing (with City permits if required).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

14. 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

15. Lighting

Requirement: Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

1. Dust Controls – Construction Related

Requirement: The project applicant shall implement all of the following applicable dust control measures during construction of the project:

- a) Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
- b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d) Limit vehicle speeds on unpaved roads to 15 miles per hour.
- e) All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.
- f) All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

2. Criteria Air Pollutant Controls - Construction Related

Requirement: The project applicant shall implement all of the following applicable basic control measures for criteria air pollutants during construction of the project as applicable:

- 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 airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.
- 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”).

- 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.
- 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.
- e) Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.
- 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

3. Exposure to Air Pollution (Toxic Air Contaminants)

a. ***Health Risk Reduction Measures***

Requirement: 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 approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. The approved risk reduction measures shall be implemented during construction and/or operations as applicable.

- or -

- ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:
 - Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity

CONDITIONS OF APPROVAL

to sources of air pollution. Air filter devices shall be rated MERV-16 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.

- Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).
- Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
- The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.
- Sensitive receptors shall be located on the upper floors of buildings, if feasible.
- Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (*Pinus nigra* var. *maritima*), Cypress (*X Cupressocyparis leylandii*), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwood (*Sequoia sempervirens*).
- Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.
- Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.
- Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:
 - Installing electrical hook-ups for diesel trucks at loading docks.
 - Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.
 - Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.
 - Prohibiting trucks from idling for more than two minutes.
 - Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

b. ***Maintenance of Health Risk Reduction Measures***

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

4. **Asbestos in Structures**

CONDITIONS OF APPROVAL

Requirement: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

5. Archaeological and Paleontological Resources – Discovery During Construction

Requirement: 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 avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.

In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.

In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

6. Human Remains – Discovery During Construction

Requirement: Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

7. Construction-Related Permit(s)

Requirement: The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

8. Soils Report

Requirement: The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

9. Hazardous Materials Related to Construction

Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:

- a. Follow manufacture’s recommendations for use, storage, and disposal of chemical products used in construction;
- b. Avoid overtopping construction equipment fuel gas tanks;
- c. During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d. Properly dispose of discarded containers of fuels and other chemicals;

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- e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and
- f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

10. Hazardous Building Materials and Site Contamination

a. *Hazardous Building Materials Assessment*

Requirement: The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.

When Required: Prior to approval of demolition, grading, or building permits

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

b. *Environmental Site Assessment Required*

Requirement: The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.

When Required: Prior to approval of construction-related permit.

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

c. *Health and Safety Plan Required*

Requirement: The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

d. ***Best Management Practices (BMPs) Required for Contaminated Sites***

Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:

- i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements.
- ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

11. Erosion and Sedimentation Control Measures for Construction

Requirement: The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City’s storm drain system and creeks.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

12. Erosion and Sedimentation Control Plan for Construction

a. ***Erosion and Sedimentation Control Plan Required***

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

b. ***Erosion and Sedimentation Control During Construction***

Requirement: 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

13. NPDES C.3 Stormwater Requirements for Regulated Projects

a. ***Post-Construction Stormwater Management Plan Required***

Requirement: The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:

- i. Location and size of new and replaced impervious surface;
- ii. Directional surface flow of stormwater runoff;
- iii. Location of proposed on-site storm drain lines;
- iv. Site design measures to reduce the amount of impervious surface area;
- v. Source control measures to limit stormwater pollution;
- vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and
- vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

b. ***Maintenance Agreement Required***

Requirement: The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:

- i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and

- ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary.

The maintenance agreement shall be recorded at the County Recorder’s Office at the applicant’s expense.

When Required: Prior to building permit final

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

14. Construction Days/Hours

Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours:

- a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.
- b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.
- c. No construction is allowed on Sunday or federal holidays.

Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.

Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents’/occupants’ preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

15. Construction Noise

Requirement: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

16. Extreme Construction Noise

a. Construction Noise Management Plan Required

Requirement: Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

b. Public Notification Required

Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise

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generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.

When Required: During construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

17. Operational Noise

Requirement: 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.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

18. 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

19. 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

20. Construction Activity in the Public Right-of-Way

a. ***Obstruction Permit Required***

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

b. ***Traffic Control Plan Required***

Requirement: 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 comprehensive traffic control measures for auto, transit, bicycle, and pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction.

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

c. ***Repair of City Streets***

Requirement: The project applicant shall repair any damage to the public right-of way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Department of Transportation

21. Bicycle Parking

Requirement: The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

22. 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

23. Plug-In Electric Vehicle (PEV) Charging Infrastructure

a. ***PEV-Ready Parking Spaces***

Requirement: The applicant shall submit, for review and approval of the Building Official and the Zoning Manager, plans that show the location of parking spaces equipped with full electrical circuits designated for future PEV charging (i.e. "PEV-Ready") per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-Ready parking spaces.

When Required: Prior to Issuance of Building Permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

b. *PEV-Capable Parking Spaces*

Requirement: The applicant shall submit, for review and approval of the Building Official, plans that show the location of inaccessible conduit to supply PEV-capable parking spaces per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-capable parking spaces.

When Required: Prior to Issuance of Building Permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

24. Construction and Demolition Waste Reduction and Recycling

Requirement: 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 www.greenhalosystems.com 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Environmental Services Division

Monitoring/Inspection: Public Works Department, Environmental Services Division

25. Underground Utilities

Requirement: 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&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

26. Recycling Collection and Storage Space

Requirement: 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 (2) cubic feet of storage and collection space per residential unit is required, with a minimum of ten (10) cubic feet. For

nonresidential projects, at least two (2) cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten (10) cubic feet.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

27. Green Building Requirements

a. ***Compliance with Green Building Requirements During Plan-Check***

Requirement: The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).

- i. The following information shall be submitted to the City for review and approval with the application for a building permit:
 - Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.
 - Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
 - Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
 - Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.
 - 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.
 - 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.
 - Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.
- ii. The set of plans in subsection (i) shall demonstrate compliance with the following:
 - CALGreen mandatory measures.
 - 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.
 - The required green building point minimums in the appropriate credit categories.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

b. ***Compliance with Green Building Requirements During Construction***

Requirement: The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.

The following information shall be submitted to the City for review and approval:

- i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

c. ***Compliance with Green Building Requirements After Construction***

Requirement: 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.

When Required: Prior to Final Approval

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

28. Recycled Water

Requirement: Pursuant to section 16.08.030 of the Oakland Municipal Code, the project applicant shall provide for the use of recycled water in the project for feasible recycled water uses unless the City determines that there is a higher and better use for the recycled water, the use of recycled water is not economically justified for the project, or the use of recycled water is not financially or technically feasible for the project. Feasible recycled water uses may include, but are not limited to, landscape irrigation, commercial and industrial process use, and toilet and urinal flushing in non-residential buildings. The project applicant shall contact the New Business Office of the East Bay Municipal Utility District (EBMUD) for a recycled water feasibility assessment by the Office of Water Recycling. If recycled water is to be provided in the project, the project drawings submitted for construction-related permits shall include the proposed recycled water system and the project applicant shall install the recycled water system during construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

29. 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 the specific ordinance requirements, see the link below:

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

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.

Prescriptive Measures: Prior to construction, the project applicant shall submit the Project Information (detailed below) and documentation showing compliance with Appendix D of California’s Model Water Efficient Landscape Ordinance (see page 38.14(g) in the link above).

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

a. Project Information:

- i. Date,
- ii. Applicant and property owner name,
- iii. Project address,
- iv. Total landscape area,
- v. Project type (new, rehabilitated, cemetery, or home owner installed),
- vi. Water supply type and water purveyor,
- vii. Checklist of documents in the package, and
- viii. Project contacts
- ix. 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."

b. Water Efficient Landscape Worksheet

- i. Hydrozone Information Table
- ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use

c. Soil Management Report

d. Landscape Design Plan

e. Irrigation Design Plan, and

f. Grading Plan

Upon installation of the landscaping and irrigation systems, and prior to the final of a construction-related permit, the Project applicant shall submit a Certificate of Completion (see page 38.6 in the link above) and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of Completion shall also be submitted to the local water purveyor and property owner or his or her designee.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

Part 3: Standard Conditions of Approval – Other Standard Conditions

30. Residential Tenants

Requirement: The property owner shall comply with all applicable laws and requirements concerning residential tenants, including but not limited to, the City’s Rent Adjustment Ordinance (OMC chap. 8.22, Article I), Just Cause Eviction Ordinance (OMC chap. 8.22, Articles II & III), Tenant Protection Ordinance (OMC chap. 8.22, Article V) and Code Compliance Relocation Ordinance (OMC chap. 15.60). Existing and former tenants temporarily or permanently evicted, displaced or relocated due to the project or City action related to the project may be entitled to protections and benefits, including, but not limited to, relocation payments and the right to return to previous units. The property owner may be required to

submit evidence of compliance with applicable tenant protection laws upon request of the City. For more information, please contact the Oakland Housing Assistance Center: 250 Frank H. Ogawa Plaza, 6th Floor, Oakland, California, 94612; (510) 238-6182.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

Part 4: Project Specific Conditions of Approval

31. Unbundled Parking

Requirements:

1. Per Section 17.116.310 of the Planning Code, off-street parking spaces shall be rented or sold separately from the rental or purchase of dwelling units for the life of the dwelling units, such that potential renters or buyers shall have the option of renting or buying a dwelling unit at a price lower than would be the case if there were a single price for both the dwelling unit and the parking space(s).
2. Off-street parking spaces shall only be offered to residents of the dwelling units served by the off-street parking.
3. A notice describing the unbundling requirement shall be permanently posted in a common area of the building such as a lobby or mailroom that is clearly visible to residents.

When Required: Prior to Issuance of Building Permit (the required sign shall be contained on the Building Permit plan); Unbundled parking requirement is ongoing.

Initial Approval: N/A

Monitoring/Inspection: N/A

32. Off-Site Parking

Requirement: The applicant shall explore the feasibility of developing the triangular-shaped, Caltrans-owned land across Brush Street from the site for off-site parking for the project. This land is between the end of the I-980 off-ramp and Brush Street.

When Required: Prior to Issuance of Certificate of Occupancy

Initial Approval: Planning

Monitoring/Inspection: N/A

33. Car Share Service

Requirement:

1. A car share space shall be provided on site. The required car-share space shall be made available through one of the following two means:
 - a. A private car-share, operated by the property owner or homeowner’s association, provided within the development. In this case, each private car-share space shall be assigned to a vehicle owned and maintained by the property owner or homeowner’s association for the use of residents within the development; or
 - b. At no cost, providing one on-site parking space to a car share organization for purposes of providing car-share services for its car-share service subscribers. In this case, all car-share vehicles shall be accessible to both non-resident and resident subscribers.
2. A private car share (option 1(a), above) shall be provided if a public car share operator cannot make use of a public car share space.

- 3. A notice describing the requirement for car share spaces shall be permanently posted in a common area of the building such as a lobby or mailroom that is clearly visible to residents.

When Required: Prior to Issuance of Building Permit (the car share space and required sign shall be contained on the Building Permit plan); Car share services shall be provided ongoing.

Initial Approval: Planning

Monitoring/Inspection: Bureau of Building

34. Fencing

Requirement: The applicant shall submit plans for review and approval of the Bureau of Planning that show no fencing at the perimeter of the site that is: 1) higher than six feet; and 2) less than 60 percent transparent above 48 inches.

When Required: Prior to Issuance of Building Permit.

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

35. Windows

Requirement: The applicant shall submit plans for review and approval of the Bureau of Planning that show all windows within a cement plaster or stucco exterior recessed at least two inches from the façade.

When Required: Prior to Issuance of Building Permit.

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

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.

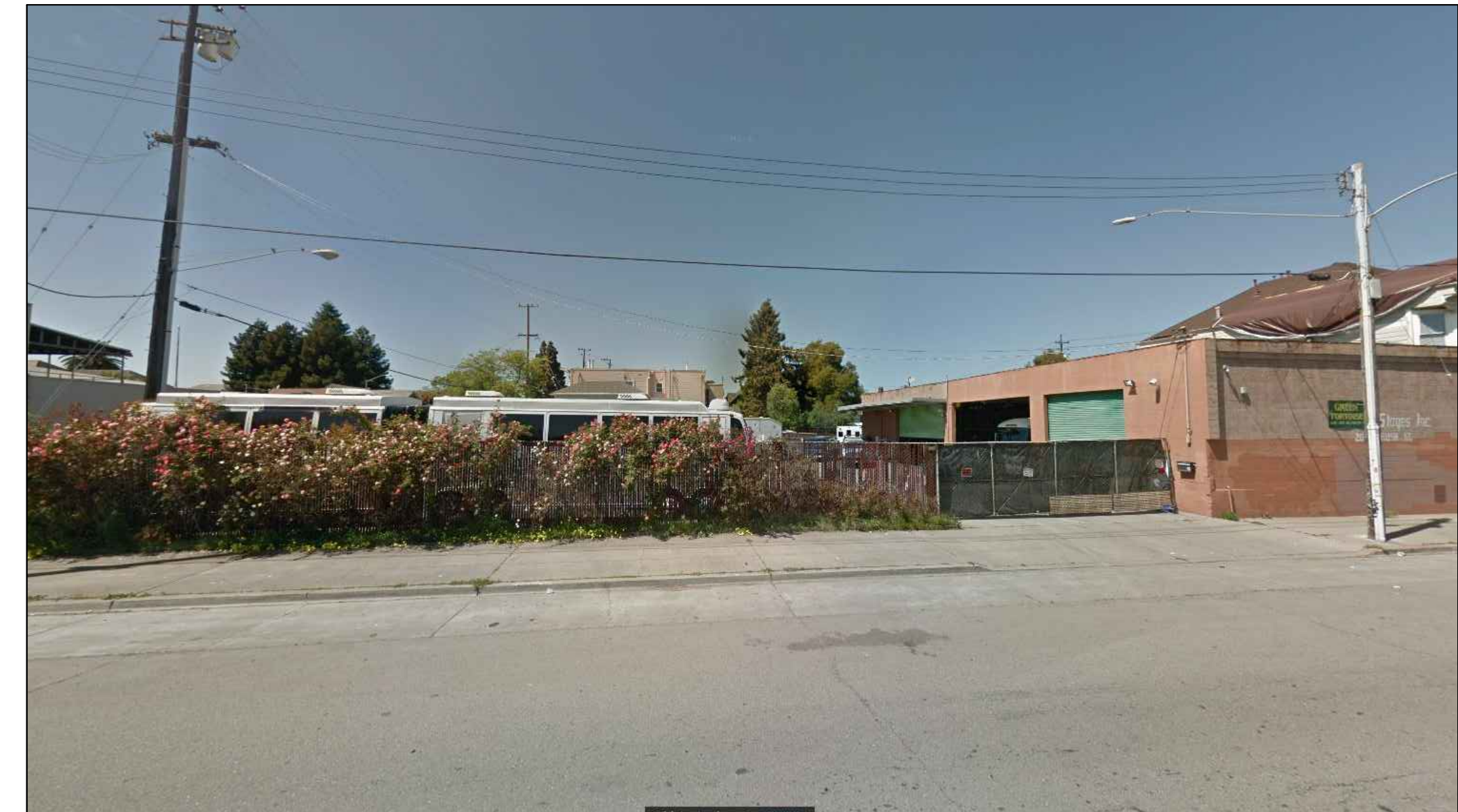
Name of Project Applicant

Signature of Project Applicant

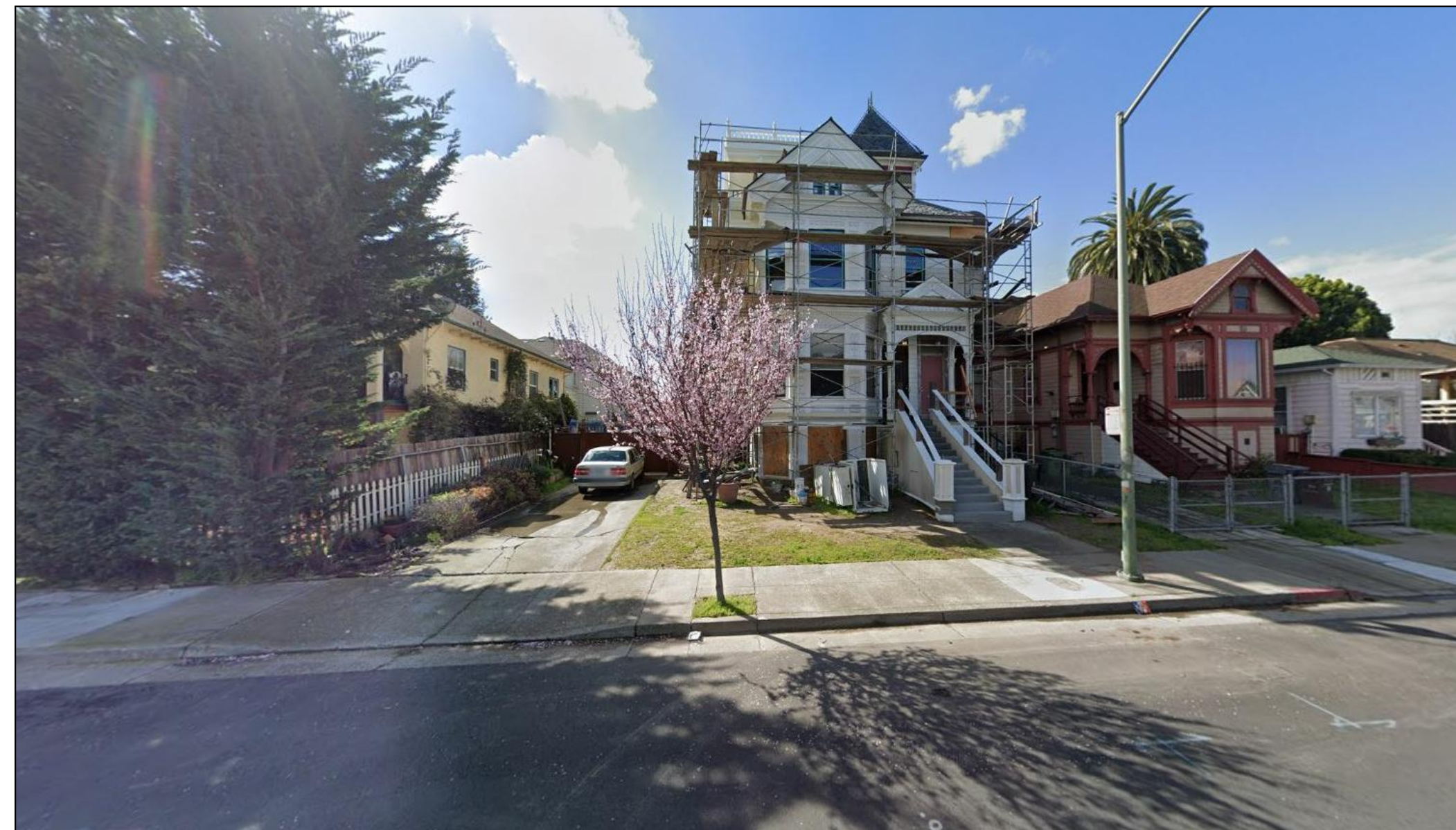
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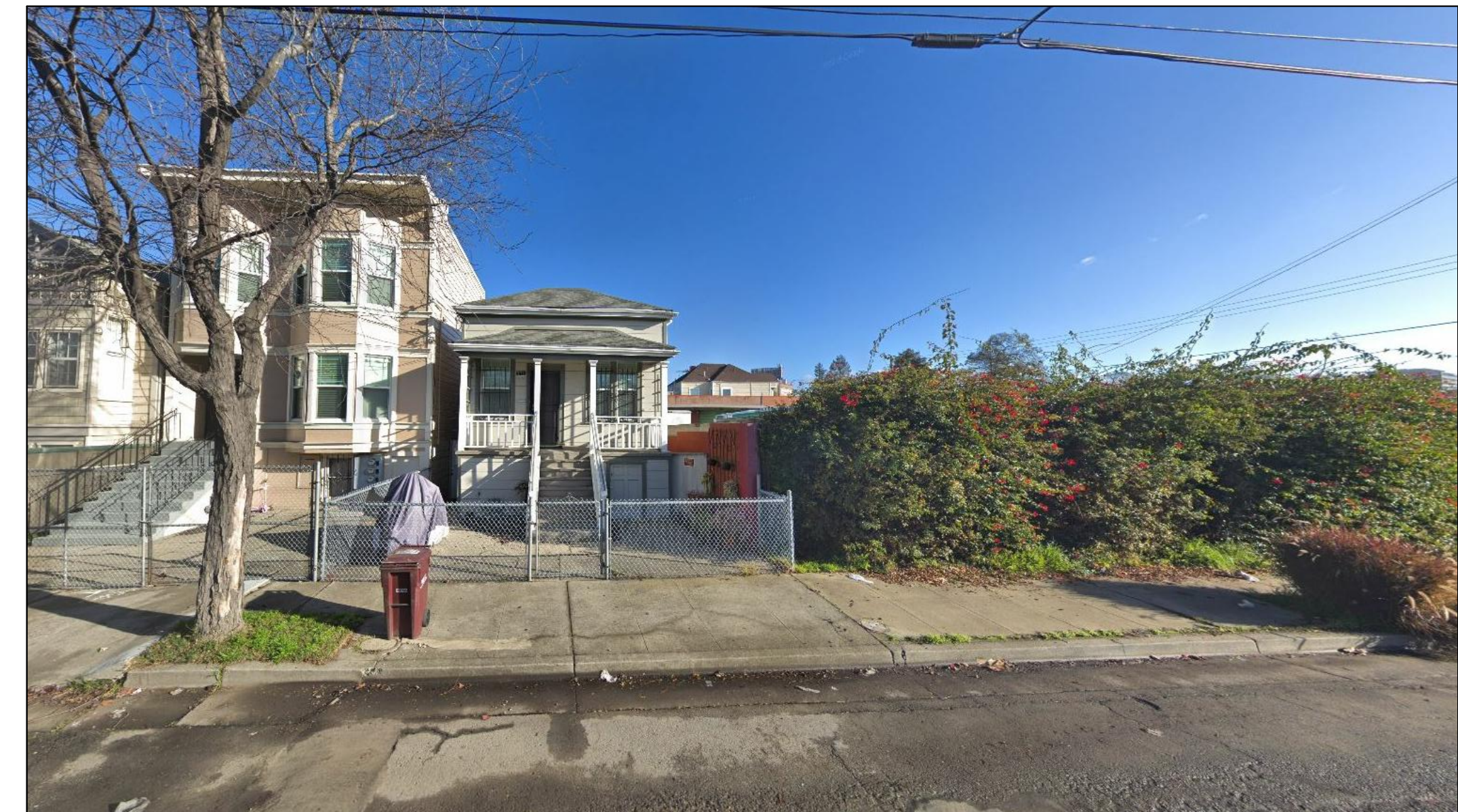
1 1813 BRUSH ST



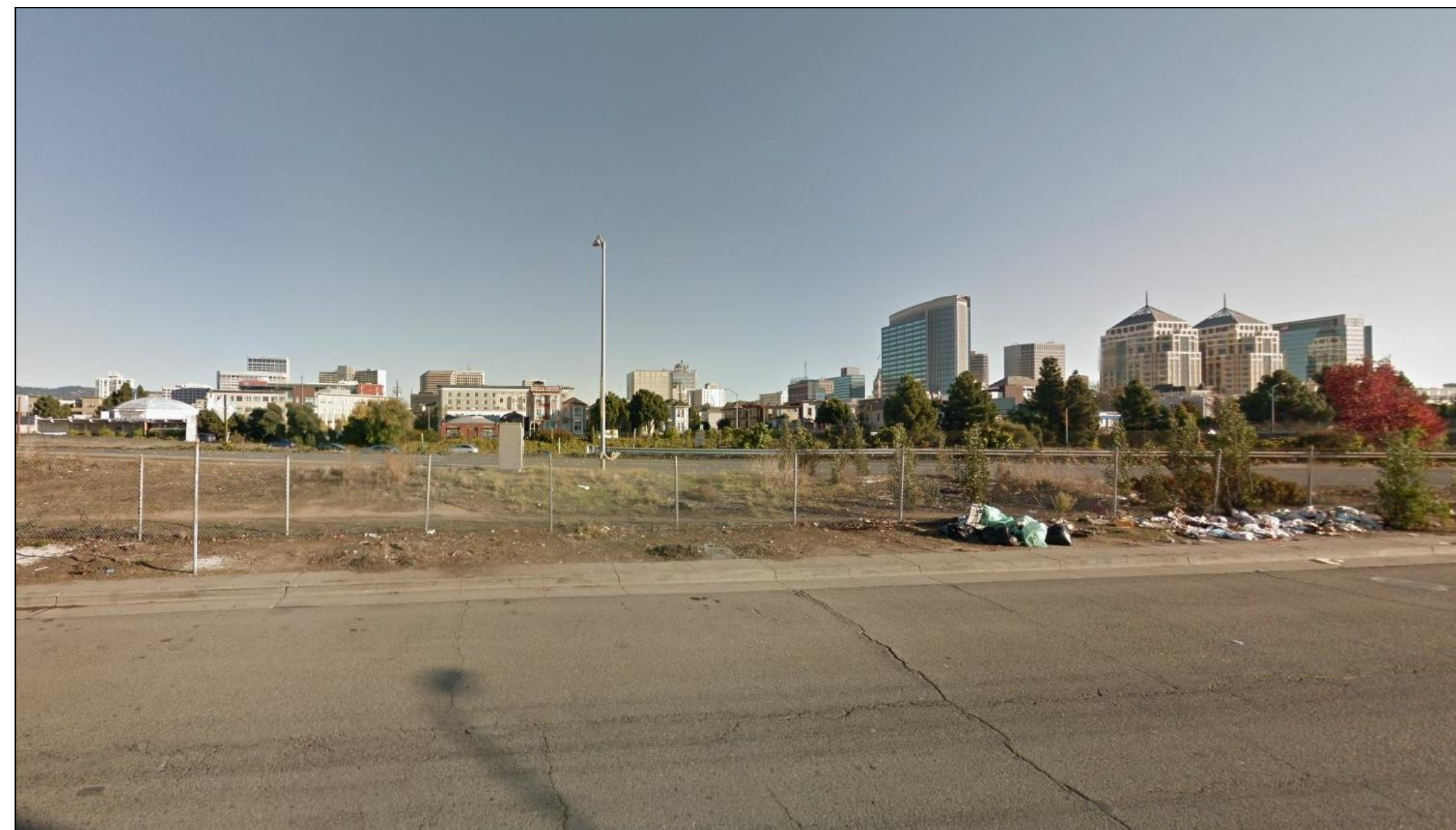
2 2011 BRUSH ST



3 769 19TH ST



4 770 20TH ST



5 BRUSH ST



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1925 BRUSH STREET
OAKLAND, CA



1925 BRUSH STREET
OAKLAND, CA

PROJECT NO.

REV	DATE	DESCRIPTION
1	07-31-2020	PLANNING SUBMISSION
2	12-18-2020	PLANNING RE-SUBMISSION

CONTACT: TOBY LEVY

(415) 777-0561 P
(415) 777-5117 F

SCALE: AS NOTED

SITE
CONTEXT

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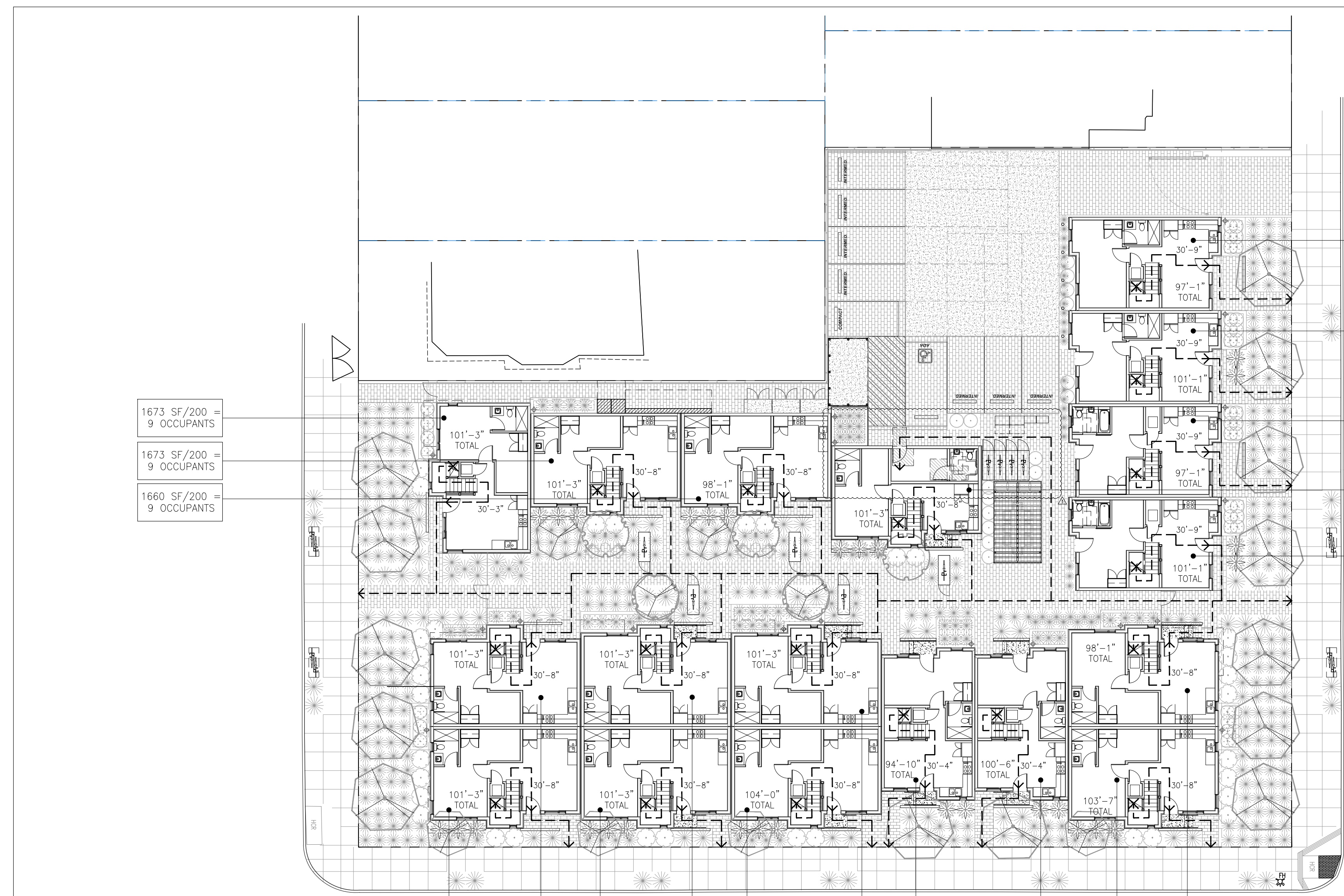
CONTACT: TOBY LEVY

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(415) 777-5117 F

SCALE: AS NOTED

EGRESS & ACCESS PLANS

A0.2A



1673 SF/200 = 9 OCCUPANTS
1673 SF/200 = 9 OCCUPANTS
1660 SF/200 = 9 OCCUPANTS

1566 SF/200 = 8 OCCUPANTS
1630 SF/200 = 9 OCCUPANTS
1566 SF/200 = 8 OCCUPANTS
1673 SF/200 = 9 OCCUPANTS
1630 SF/200 = 9 OCCUPANTS

1673 SF/200 = 9 OCCUPANTS | 1658 SF/200 = 9 OCCUPANTS | 1673 SF/200 = 9 OCCUPANTS | 1673 SF/200 = 9 OCCUPANTS | 1690 SF/200 = 9 OCCUPANTS | 1673 SF/200 = 9 OCCUPANTS | 1566 SF/200 = 8 OCCUPANTS | 1630 SF/200 = 9 OCCUPANTS | 1694 SF/200 = 9 OCCUPANTS | 1656 SF/200 = 9 OCCUPANTS

A GROUND FLOOR

1 EGRESS & ACCESSIBILITY PLANS
1/16"=1'-0"

RESIDENTIAL		
OCCUPANCY TYPE/USE	RESIDENTIAL	
OCCUPANT LOAD FACTOR	200	
UNIT #	AREA	OCCUPANT LOAD*
1	1566 SF	8
2	1630 SF	9
3	1566 SF	8
4	1630 SF	9
5	1656 SF	9
6	1694 SF	9
7	1630 SF	9
8	1566 SF	9
9	1690 SF	9
10	1673 SF	9
11	1673 SF	9
12	1673 SF	9
13	1673 SF	9
14	1658 SF	9
15	1673 SF	9
16	1673 SF	9
17	1660 SF	9
18	1673 SF	9
TOTAL		98
EXITS REQUIRED***	2	
EXITS PROVIDED	2	
MIN. EGRESS WIDTH**	19.4"	
MIN. STAIR WIDTH**	29.1"	
EGRESS WIDTH PROVIDED	36"	
STAIR WIDTH PROVIDED	36"	
TRAVEL DISTANCE		
MAX. ALLOWED DISTANCE**	125'	
TRAVEL DISTANCE	SEE PLAN	
*PER CBC TABLE 1004.1.2		
**PER CBC 1005.3		
***PER CBC TABLE 1006.3.1		
- 36" STAIRWAY PER 1009.4		
PROJECT NORTH	TRUE NORTH	

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SCALE: AS NOTED

EGRESS &
ACCESS PLANS

A0.2B



1 EGRESS PLANS: 2ND FLOOR
1/16"=1'-0"



2 EGRESS PLANS: 3RD FLOOR
1/16"=1'-0"

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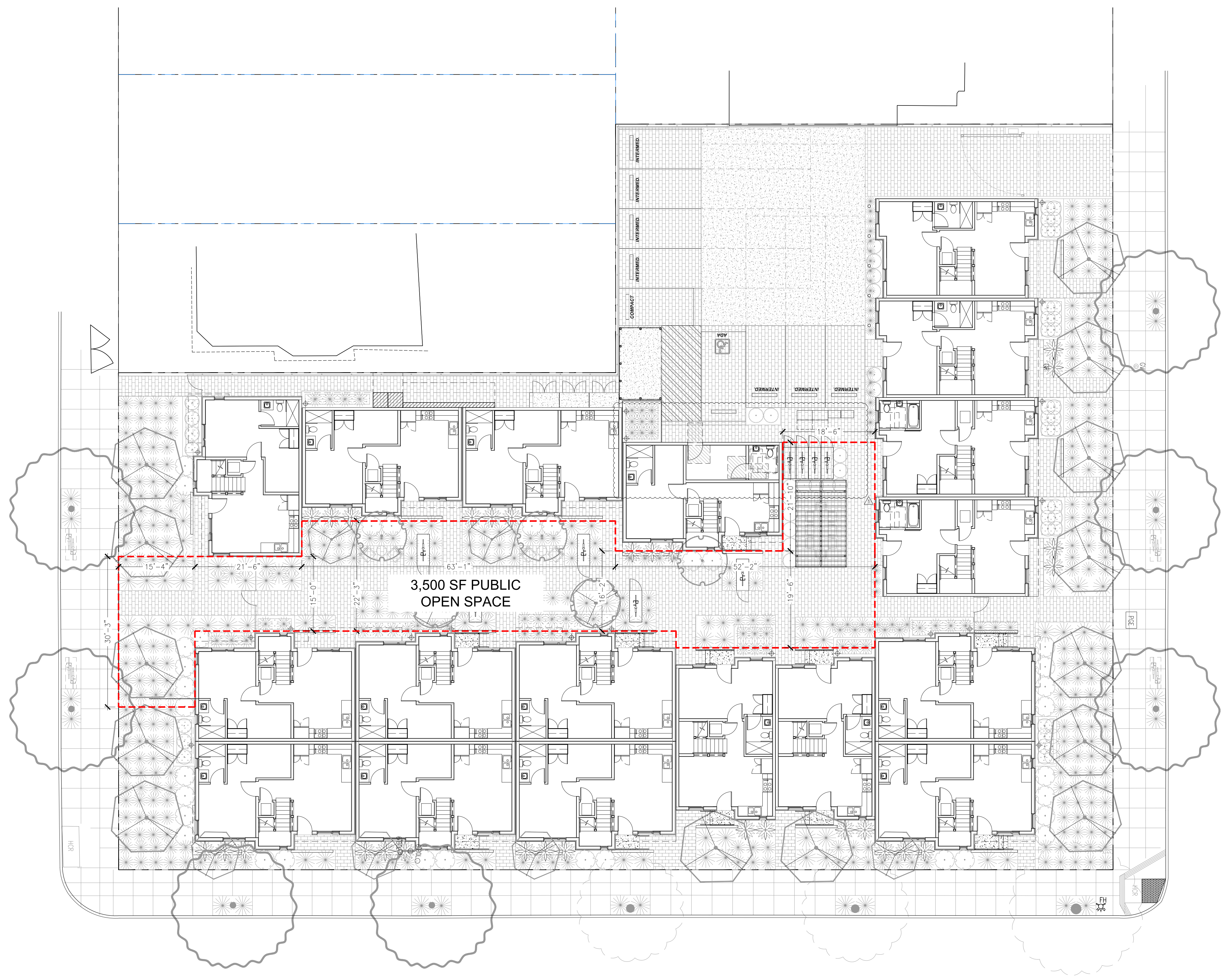
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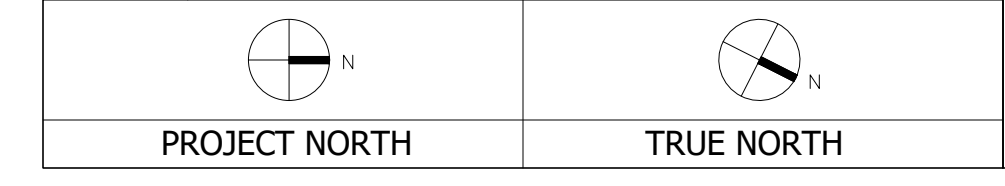
SCALE: AS NOTED

OPEN SPACE CALCULATIONS

A0.3



OPEN SPACE REQUIREMENTS	
175 SF/UNIT IF PUBLIC OPEN SPACE	EACH PUBLIC OPEN SPACE SHALL HAVE NO DIMENSION LESS THAN 15 FEET
OR	
100 SF/UNIT IF PRIVATE OPEN SPACE + 75 SF/UNIT PUBLIC OPEN SPACE	EACH PRIVATE OPEN SPACE SHALL HAVE NO DIMENSION LESS THAN 10 FEET
OPEN SPACE CALCULATIONS	
UNIT #	OPEN SPACE SQ. FT.
1-18	PUBLIC OPEN SPACE 175 SF PER UNIT 175 SF x 18 UNITS = 3,150 SF REQUIRED OPEN SPACE



1 PLAN: GROUND FLOOR
3/32"=1'-0"

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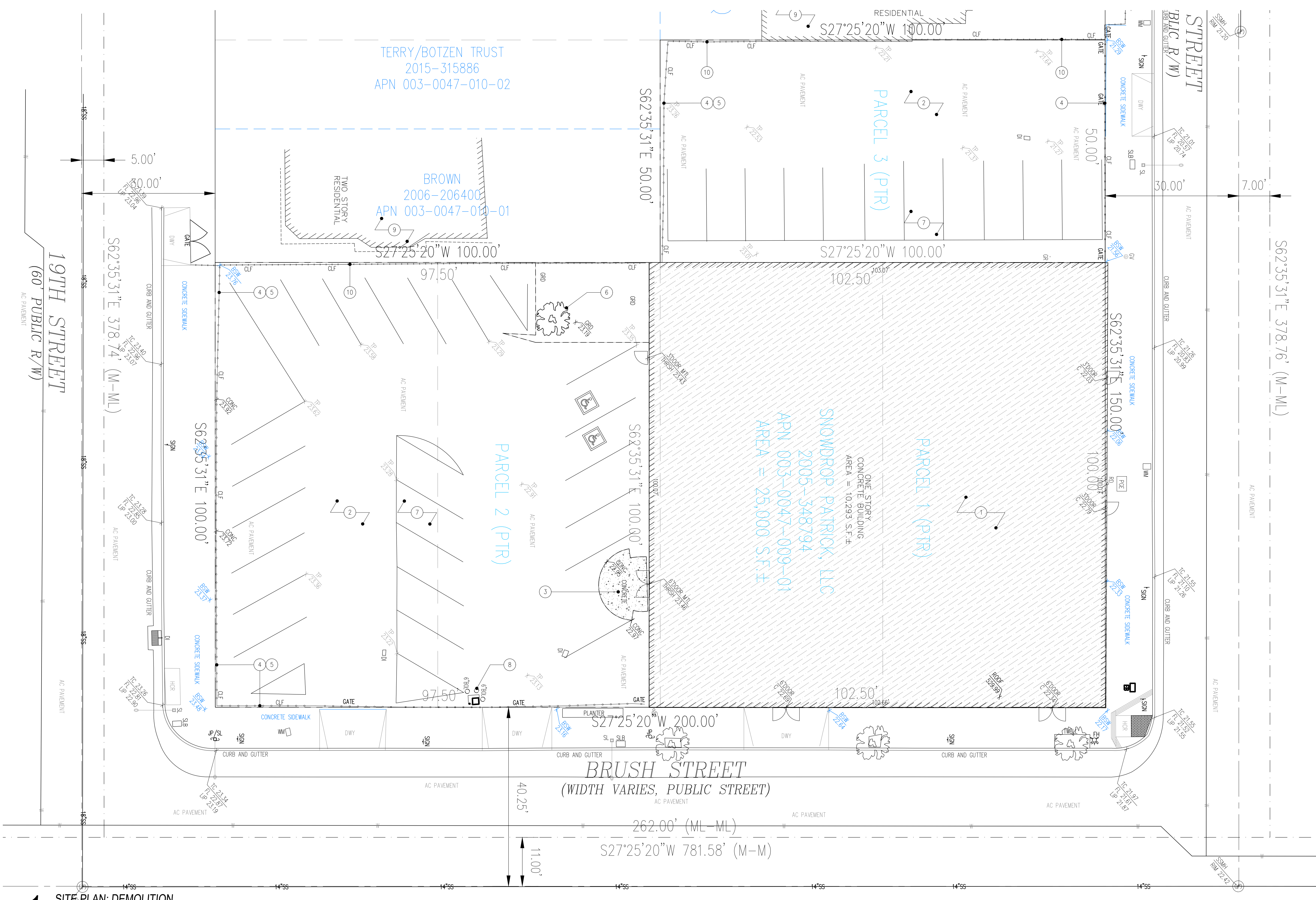
CONTACT: TOBY LEVY

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SCALE: AS NOTED

**SITE PLAN:
DEMOLITION**

A1.0



1 SITE PLAN: DEMOLITION
1"=20'-0"

- GENERAL NOTES**
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL AND/OR PROTECTION OF THE EXISTING ITEMS AS NOTED IN THIS PLAN.
 - THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR ANY AND ALL DAMAGES.
 - CONTRACTOR IS TO DISPOSE OF ALL MATERIAL RESULTING FROM PREVIOUS AND CURRENT DEMOLITION IN ACCORDANCE WITH ALL LOCAL, STATE, AND/OR FEDERAL LAWS.
 - THE CONTRACTOR IS CAUTIONED TO LOCATE ALL EXISTING UTILITIES AND CONFLICTS. CONTRACTOR SHALL CONTACT THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY CONSTRUCTION ACTIVITY IN ORDER TO FIELD VERIFY EXISTING UTILITY INFORMATION.
 - LOCATION OF EXISTING ON-SITE UNDERGROUND UTILITIES HAVE NOT BEEN SURVEYED. EXACT LOCATIONS OF ALL UTILITIES MUST BE LOCATED IN THE FIELD BY THE CONTRACTOR. PROTECT ALL EXISTING UTILITIES IN PLACE.
 - CONTRACTOR TO CAP EXISTING WATER LINES AT THE PROPERTY LINE FOR FUTURE USE. CONTRACTOR TO VERIFY LOCATION, SIZE AND DEPTH AND PROVIDE TO ENGINEER.
 - CONTRACTOR TO PROTECT EXISTING STREET LIGHTS & POSTS, TRAFFIC SIGNALS & POSTS, TRAFFIC CONTROL DEVICES, SIGNS AND UTILITY BOXES IN THE SIDEWALK; UNLESS OTHERWISE NOTED.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING DEMOLITION PERMITS AS REQUIRED FROM THE CITY OF OAKLAND, OR ANY OTHER AGENCY HAVING JURISDICTION.
 - CONTRACTOR SHALL FOLLOW ALL JURISDICTIONAL AIR QUALITY AND WASTE/RECYCLING REQUIREMENTS.

- SHEET NOTES**
- DEMO AND REMOVE EXISTING BUILDING AND FOUNDATION, INCLUDING ALL UNDERGROUND UTILITIES WITHIN THE BUILDING LIMITS
 - DEMO AND REMOVE EXISTING ON-SITE ASPHALT PAVEMENT, INCLUDING BASE MATERIAL
 - DEMO AND REMOVE EXISTING ON-SITE CONCRETE, INCLUDING BASE MATERIAL
 - DEMO AND REMOVE EXISTING FENCING, PEDESTRIAN GATES, VEHICULAR GATES, AND ASSOCIATED FOOTINGS. CONTRACTOR TO INSTALL NEW TEMP. FENCE ALONG PROPERTY LINE
 - DEMO AND REMOVE EXISTING VEGETATION ON FENCE TO BE REMOVED
 - DEMO AND REMOVE EXISTING TREES AND VEGETATION
 - DEMO AND REMOVE EXISTING VEHICULAR WHEEL STOPS
 - DEMO AND REMOVE EXISTING BOLLARDS AND EQUIPMENT
 - PROTECT NEIGHBORING BUILDING, LANDSCAPE, AND IRRIGATION; TYPICAL THROUGHOUT
 - PROTECT EXISTING FENCING

LEGEND

- - - - -	FENCE
— — — — —	PROPERTY LINE
	PROJECT NORTH
	TRUE NORTH

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12-18-2020		PLANNING RE-SUBMISSION

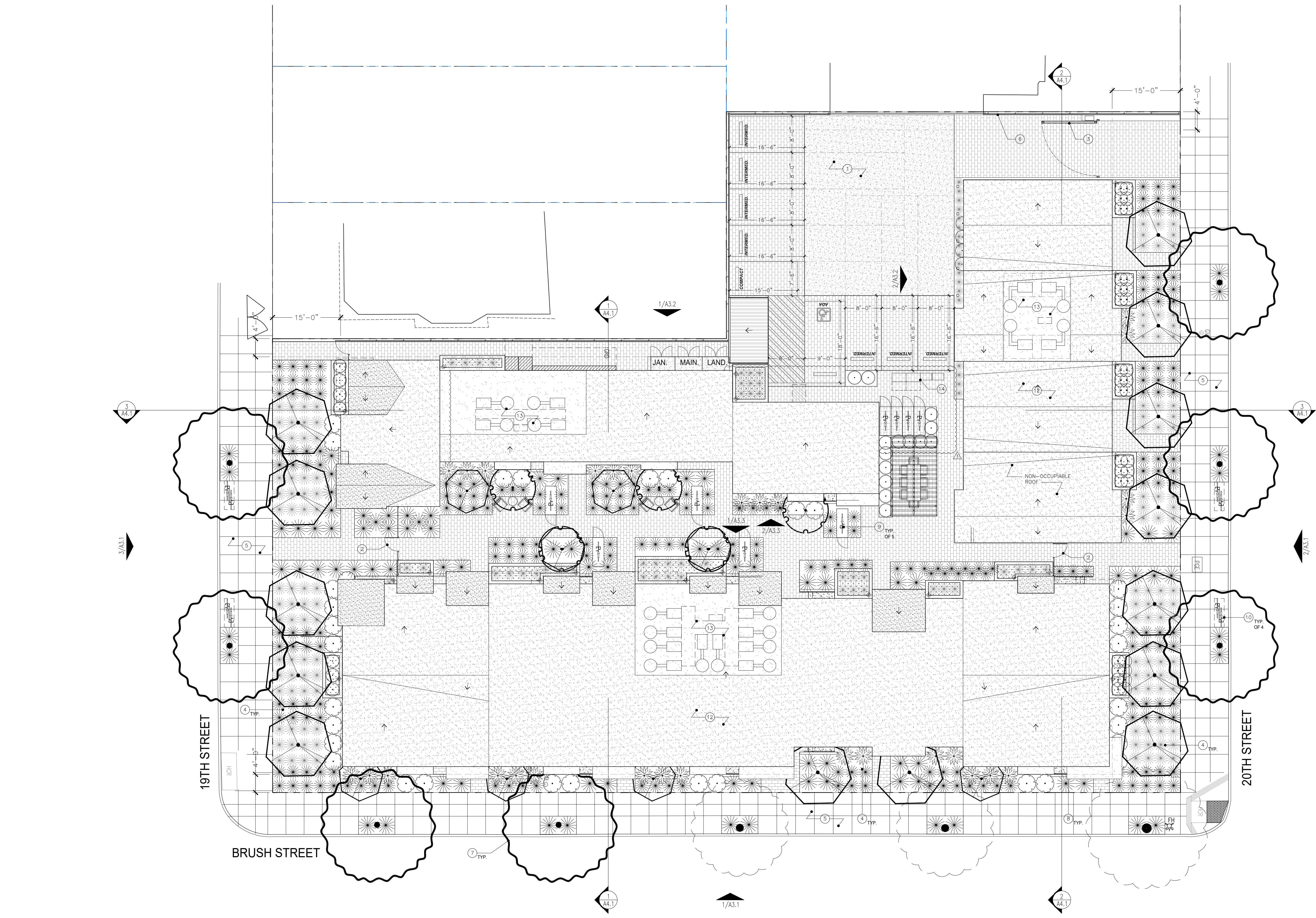
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SCALE: AS NOTED

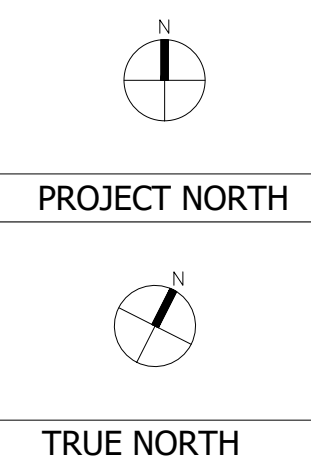
**SITE PLAN:
NEW**

A1.1



1 SITE PLAN: NEW
3/32"=1'-0"

GENERAL NOTES		SHEET NOTES		UNIT BREAK DOWN								
1. UNITS #3 & 4 ARE ACCESSIBLE UNITS. 1.1. GROUND FLOOR KITCHEN TO COMPLY WITH 2019 CBC 1133A 1.2. GROUND FLOOR BATHROOM TO COMPLY WITH 2019 CBC 1134A 1.2.1. MIN. 30"x48" CLR. SPACE IN FRONT OF SINK 1.2.2. MIN. 30"x48" CLR. SPACE AT SIDE OF TUB 1.2.3. MIN. 36"x48" CLR. SPACE IN FRONT OF TOILET	2. GROUND FLOOR DOORS IN ACCESSIBLE UNITS TO COMPLY WITH THE FOLLOWING: INTERIOR UNIT DOORS: 42" PUBLIC DOORS: 60" INTERIOR UNIT DOORS: 18" EXTERIOR PUBLIC DOORS: 24"	1 (N) UNCOVERED SURFACE PARKING 2 (N) PEDESTRIAN GATE 3 (N) VEHICULAR GATE 4 (N) LANDSCAPING, S.L.D. 5 REPLACE (E) SIDEWALK, CURBS & GUTTER 6 (N) PERIMETER FENCING 7 STREET TREE; S.L.D. 8 (N) STOOPS	9 (N) LONG-TERM BIKE PARKING 10 (N) SHORT-TERM BIKE PARKING 11 TRASH ENCLOSURE AREA, AT LEAST TWO (2) CUBIC FEET OF STORAGE AND COLLECTION SPACE PER RESIDENTIAL UNIT, WITH A MINIMUM OF TEN (10) CUBIC FEET 12 NON-OCCUPIABLE ROOF 13 (N) MECHANICAL UNITS 14 (N) MAILBOXES	UNIT #	TYPE	SQ. FT.	UNIT #	TYPE	SQ. FT.	UNIT #	TYPE	SQ. FT.
1	4BD/5BA	1560	7	4BD/5BA	1625	13	4BD/5BA	1670				
2	4BD/5BA	1625	8	4BD/5BA	1660	14	4BD/5BA	1670				
3	4BD/5BA	1560	9	4BD/5BA	1685	15	4BD/5BA	1670				
4	4BD/5BA	1625	10	4BD/5BA	1670	16	4BD/5BA	1670				
5	4BD/5BA	1665	11	4BD/5BA	1670	17	4BD/5BA	1655				
6	4BD/5BA	1670	12	4BD/5BA	1670	18	4BD/5BA	1520				



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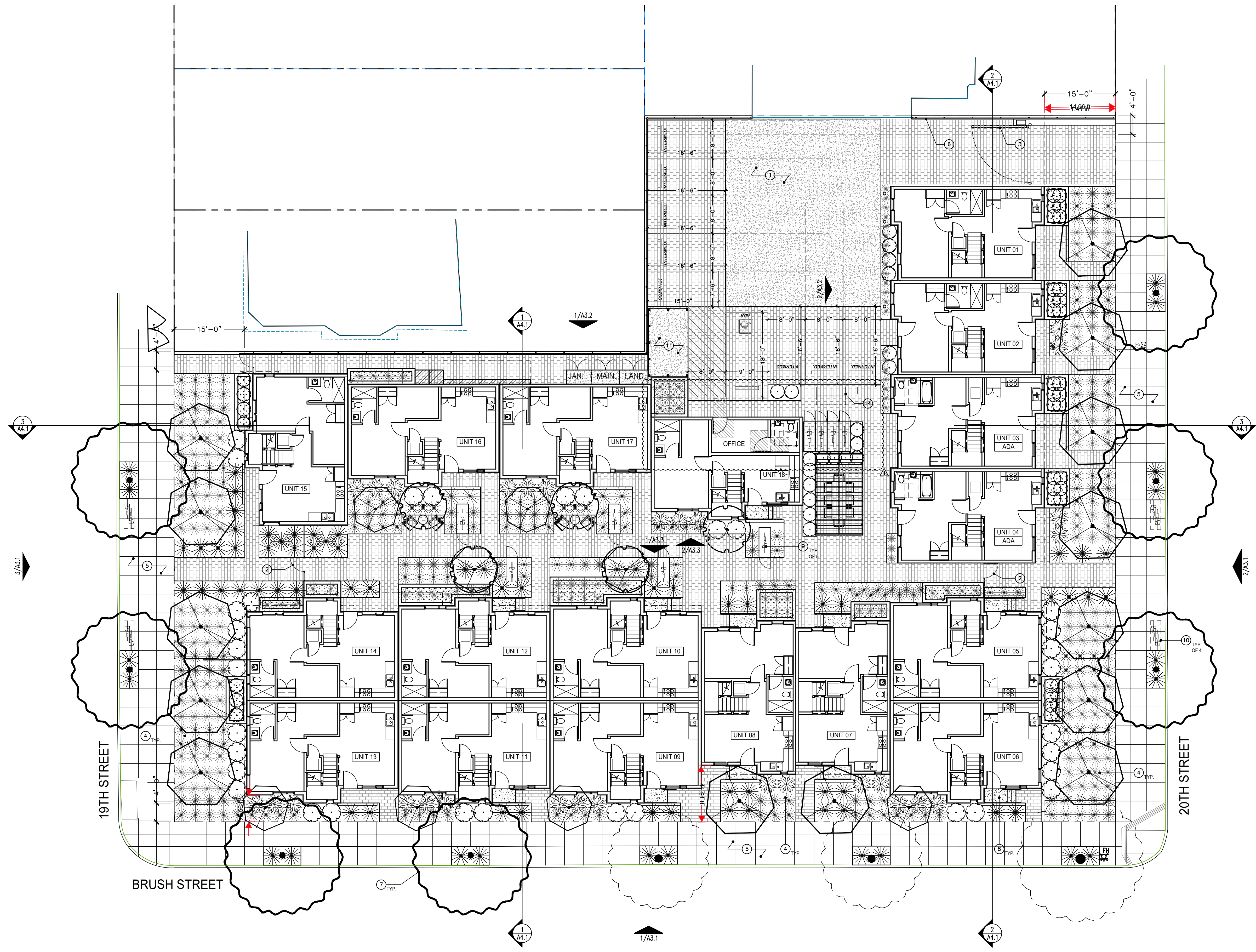
CONTACT: TOBY LEVY

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SCALE: AS NOTED

FLOOR PLAN:
GROUND FLOOR

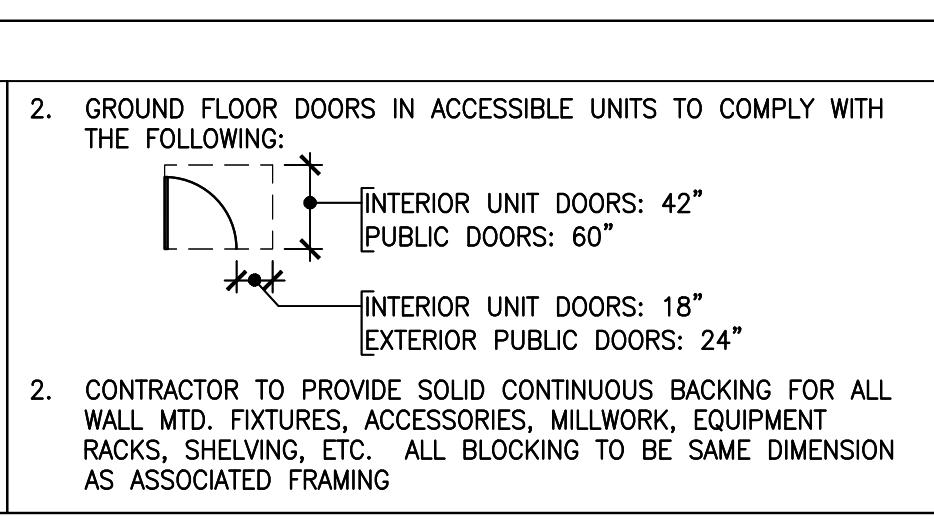
A2.1



1 PLAN: GROUND FLOOR
3/32"=1'-0"

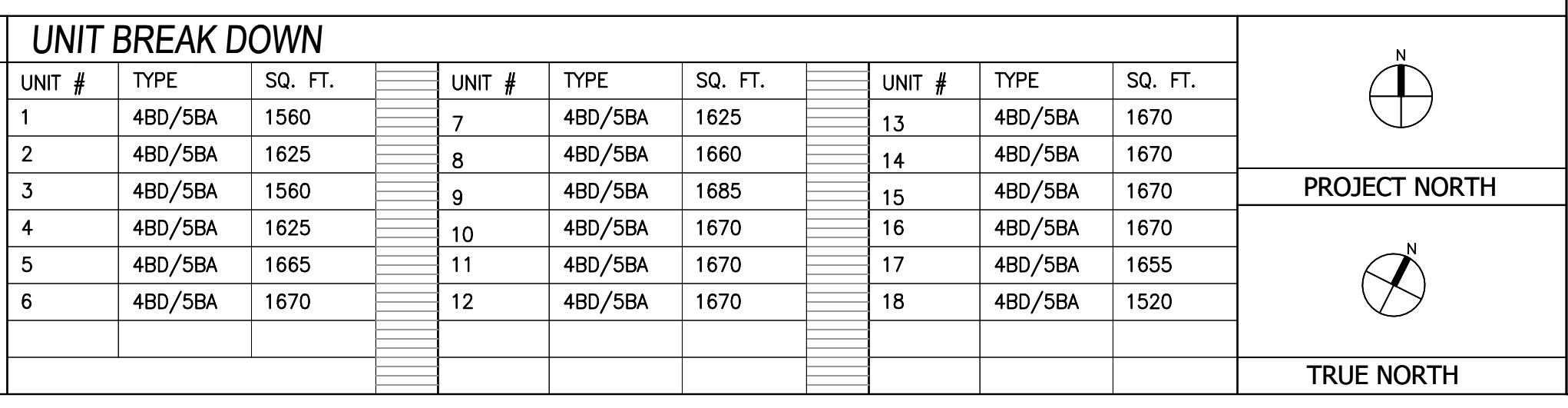
GENERAL NOTES

- UNITS #3 & 4 ARE ACCESSIBLE UNITS.
 - GROUND FLOOR KITCHEN TO COMPLY WITH 2019 CBC 1133A
 - GROUND FLOOR BATHROOM TO COMPLY WITH 2019 CBC 1134A
 - MIN. 30"x48" CLR. SPACE IN FRONT OF SINK
 - MIN. 30"x48" CLR. SPACE AT SIDE OF TUB
 - MIN. 36"x48" CLR. SPACE IN FRONT OF TOILET
- GROUND FLOOR DOORS IN ACCESSIBLE UNITS TO COMPLY WITH THE FOLLOWING:
 - INTERIOR UNIT DOORS: 42"
 - PUBLIC DOORS: 60"
 - INTERIOR UNIT DOORS: 18"
 - EXTERIOR PUBLIC DOORS: 24"
- CONTRACTOR TO PROVIDE SOLID CONTINUOUS BACKING FOR ALL WALL MTD. FIXTURES, ACCESSORIES, MILLWORK, EQUIPMENT RACKS, SHELVING, ETC. ALL BLOCKING TO BE SAME DIMENSION AS ASSOCIATED FRAMING



UNIT BREAK DOWN

UNIT #	TYPE	SQ. FT.	UNIT #	TYPE	SQ. FT.	UNIT #	TYPE	SQ. FT.
1	4BD/5BA	1560	7	4BD/5BA	1625	13	4BD/5BA	1670
2	4BD/5BA	1625	8	4BD/5BA	1660	14	4BD/5BA	1670
3	4BD/5BA	1560	9	4BD/5BA	1685	15	4BD/5BA	1670
4	4BD/5BA	1625	10	4BD/5BA	1670	16	4BD/5BA	1670
5	4BD/5BA	1665	11	4BD/5BA	1670	17	4BD/5BA	1655
6	4BD/5BA	1670	12	4BD/5BA	1670	18	4BD/5BA	1520



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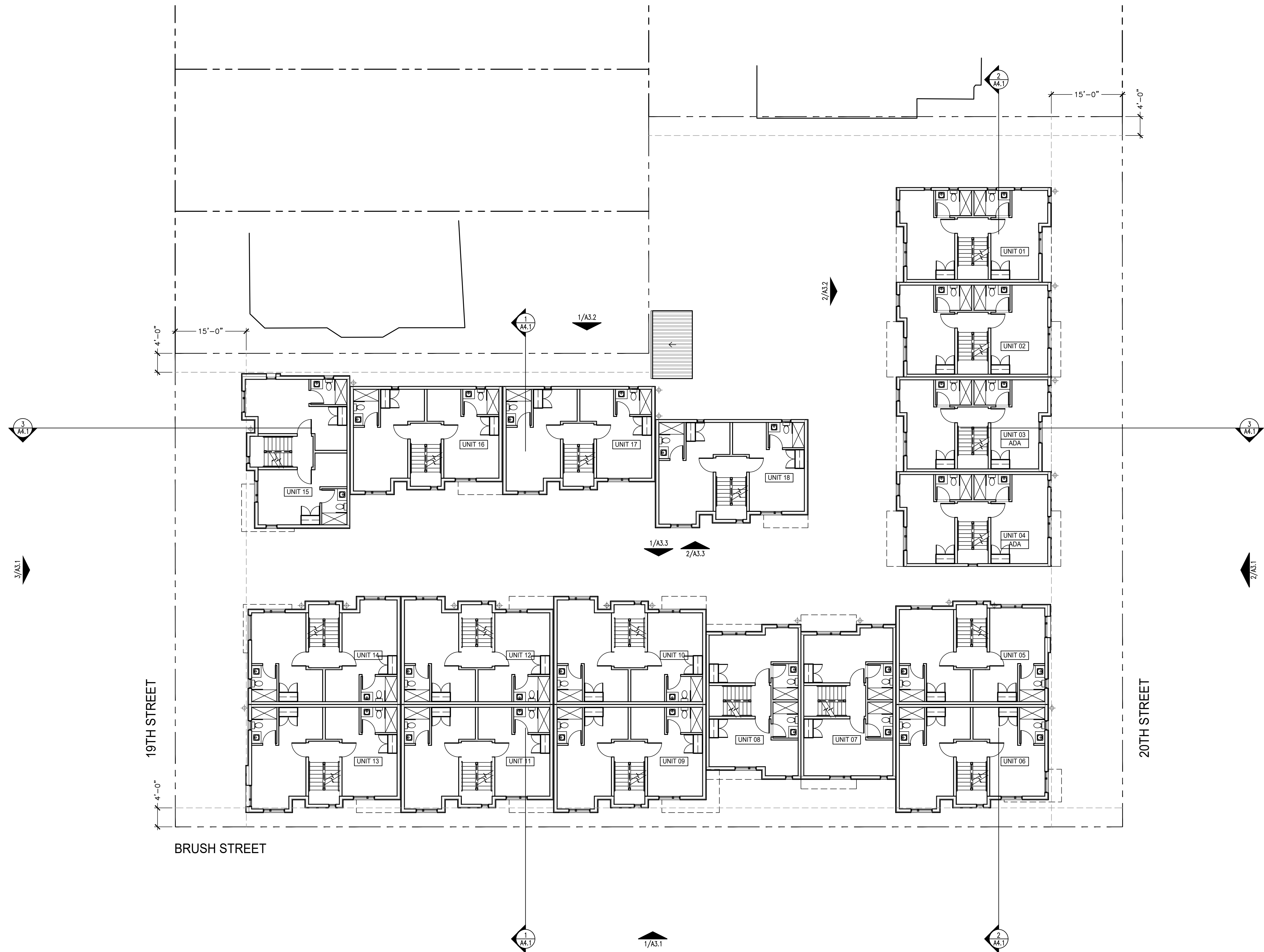
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SCALE: AS NOTED

FLOOR PLAN:
SECOND FLOOR

A2.2



1 PLAN: SECOND FLOOR
3/32"=1'-0"

GENERAL NOTES

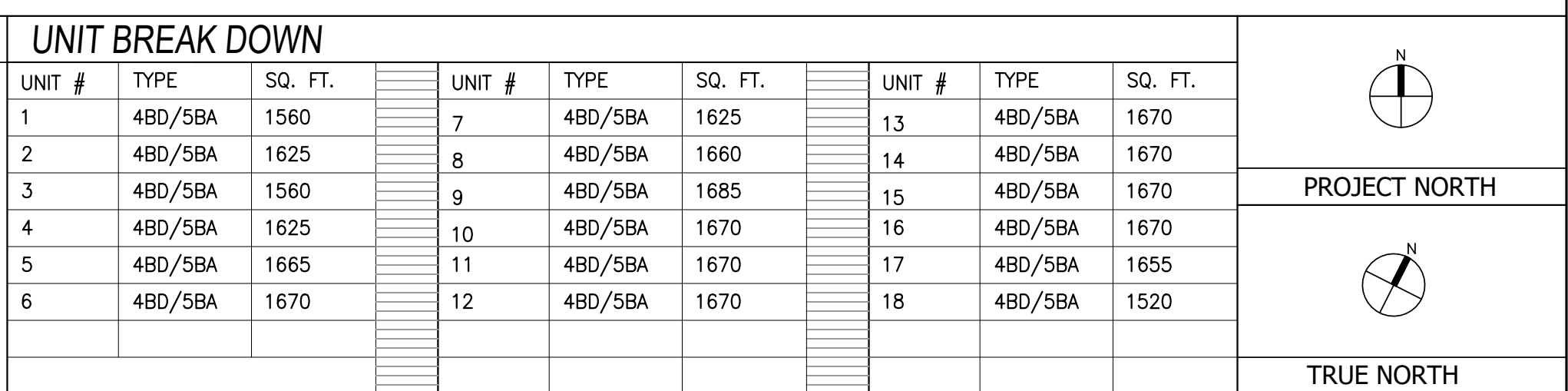
- UNITS #3 & 4 ARE ACCESSIBLE UNITS.
 - GROUND FLOOR KITCHEN TO COMPLY WITH 2019 CBC 1133A
- GROUND FLOOR BATHROOM TO COMPLY WITH 2019 CBC 1134A
 - MIN. 30"x48" CLR. SPACE IN FRONT OF SINK
 - MIN. 30"x48" CLR. SPACE AT SIDE OF TUB
 - MIN. 36"x48" CLR. SPACE IN FRONT OF TOILET

SHEET NOTES

- (N) UNCOVERED SURFACE PARKING
- (N) PEDESTRIAN GATE
- (N) VEHICULAR GATE
- (N) LANDSCAPING, S.L.D.
- REPLACE (E) SIDEWALK, CURBS & GUTTER
- (N) PERIMETER FENCING
- STREET TREE; S.L.D.
- (N) STOOPS
- (N) LONG-TERM BIKE PARKING
- (N) SHORT-TERM BIKE PARKING
- TRASH ENCLOSURE AREA, AT LEAST TWO (2) CUBIC FEET OF STORAGE AND COLLECTION SPACE PER RESIDENTIAL UNIT, WITH A MINIMUM OF TEN (10) CUBIC FEET
- NON-OCCUPIABLE ROOF
- (N) MECHANICAL UNITS
- (N) MAILBOXES

UNIT BREAK DOWN

UNIT #	TYPE	SQ. FT.	UNIT #	TYPE	SQ. FT.	UNIT #	TYPE	SQ. FT.
1	4BD/5BA	1560	7	4BD/5BA	1625	13	4BD/5BA	1670
2	4BD/5BA	1625	8	4BD/5BA	1660	14	4BD/5BA	1670
3	4BD/5BA	1560	9	4BD/5BA	1685	15	4BD/5BA	1670
4	4BD/5BA	1625	10	4BD/5BA	1670	16	4BD/5BA	1670
5	4BD/5BA	1665	11	4BD/5BA	1670	17	4BD/5BA	1655
6	4BD/5BA	1670	12	4BD/5BA	1670	18	4BD/5BA	1520



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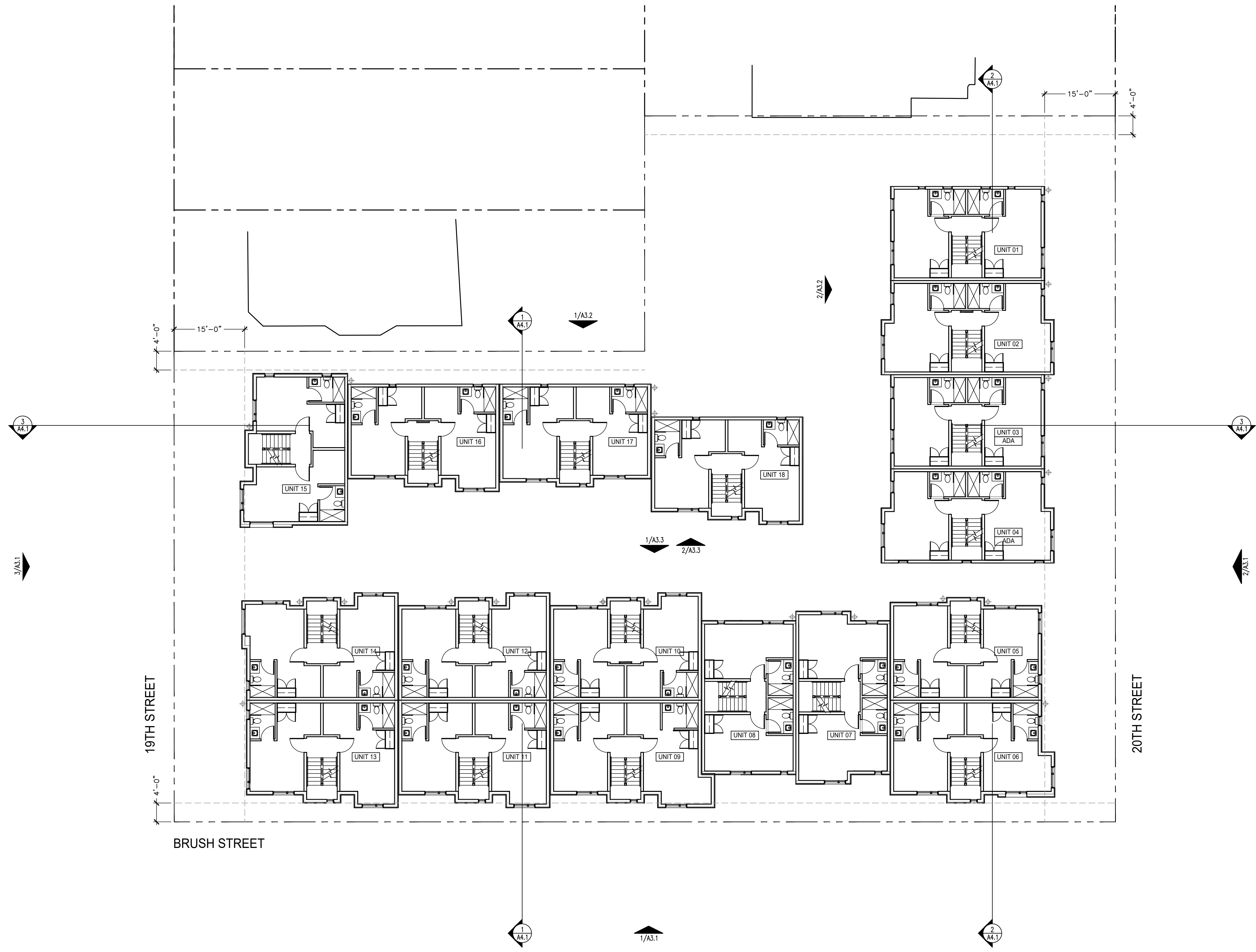
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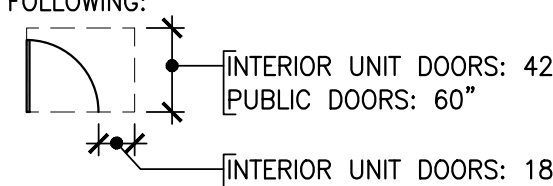
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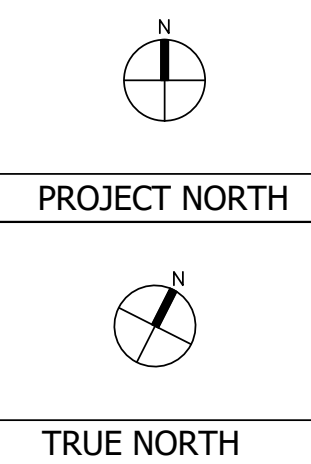
FLOOR PLAN:
THIRD FLOOR

A2.3



1 PLAN: THIRD FLOOR
3/32"=1'-0"

GENERAL NOTES		SHEET NOTES		UNIT BREAK DOWN																																																																		
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1925 BRUSH STREET
OAKLAND, CA



1925 BRUSH STREET
OAKLAND, CA
PROJECT NO.

REV	DATE	DESCRIPTION
07-31-2020		PLANNING SUBMISSION
12-18-2020		PLANNING RE-SUBMISSION

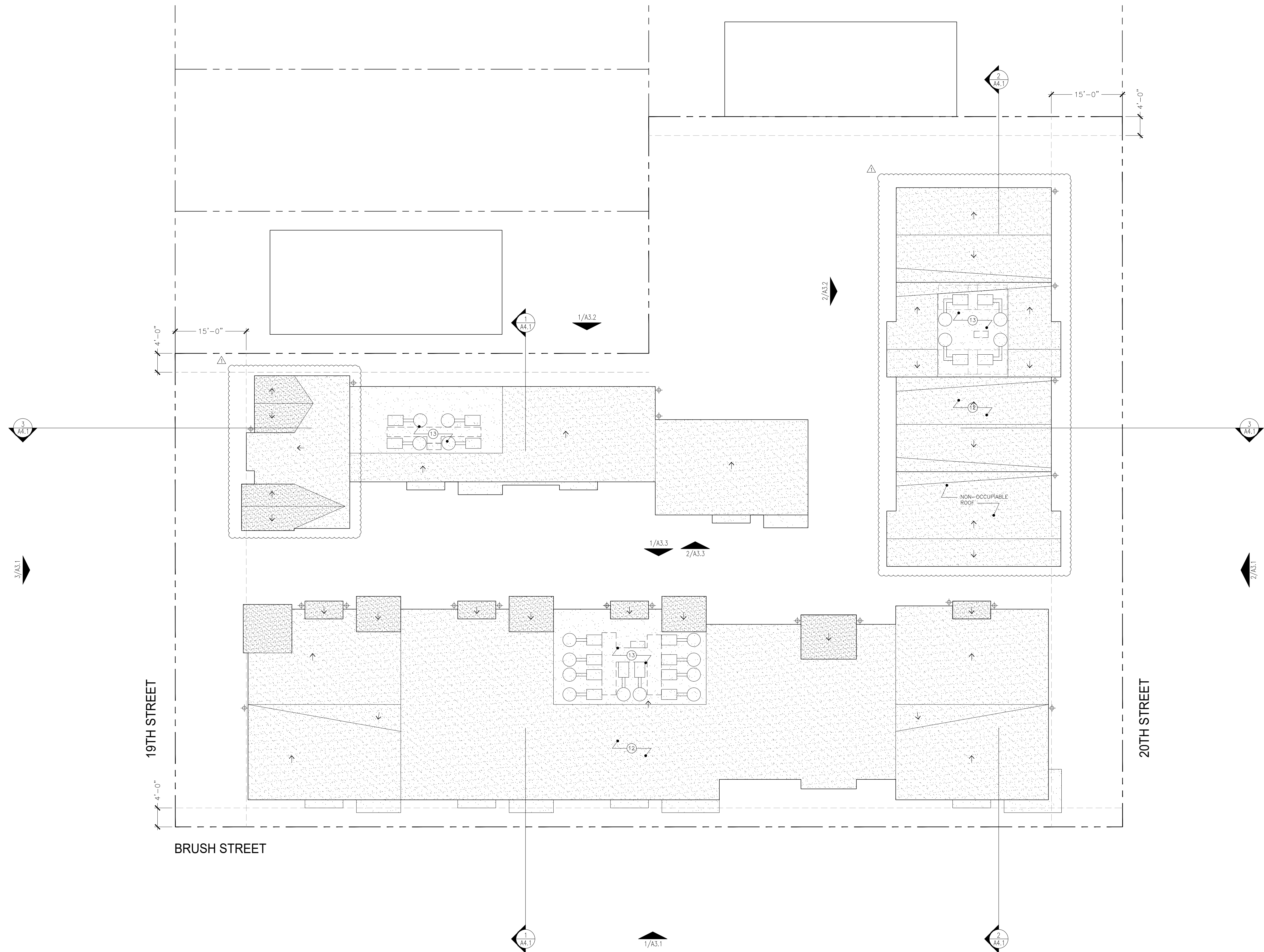
CONTACT: TOBY LEVY

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(415) 777-5117 F

SCALE: AS NOTED

ROOF PLAN

A2.4



1 PLAN: ROOF PLAN
3/32"=1'-0"

GENERAL NOTES		SHEET NOTES		UNIT BREAK DOWN																																																																						
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1925 BRUSH STREET
OAKLAND, CA



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OAKLAND, CA
PROJECT NO.

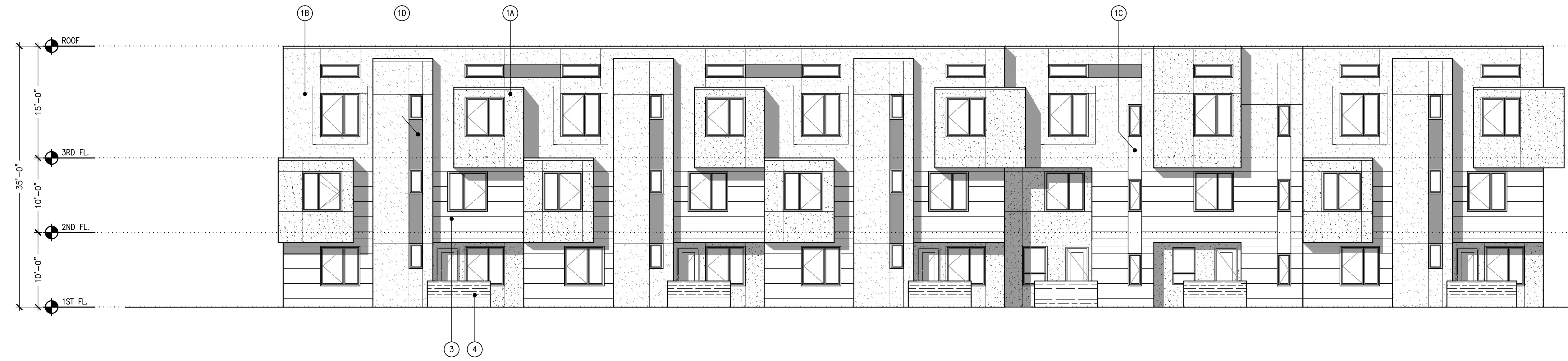
REV	DATE	DESCRIPTION
07-31-2020		PLANNING SUBMISSION
12-18-2020		PLANNING RE-SUBMISSION

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SCALE: AS NOTED

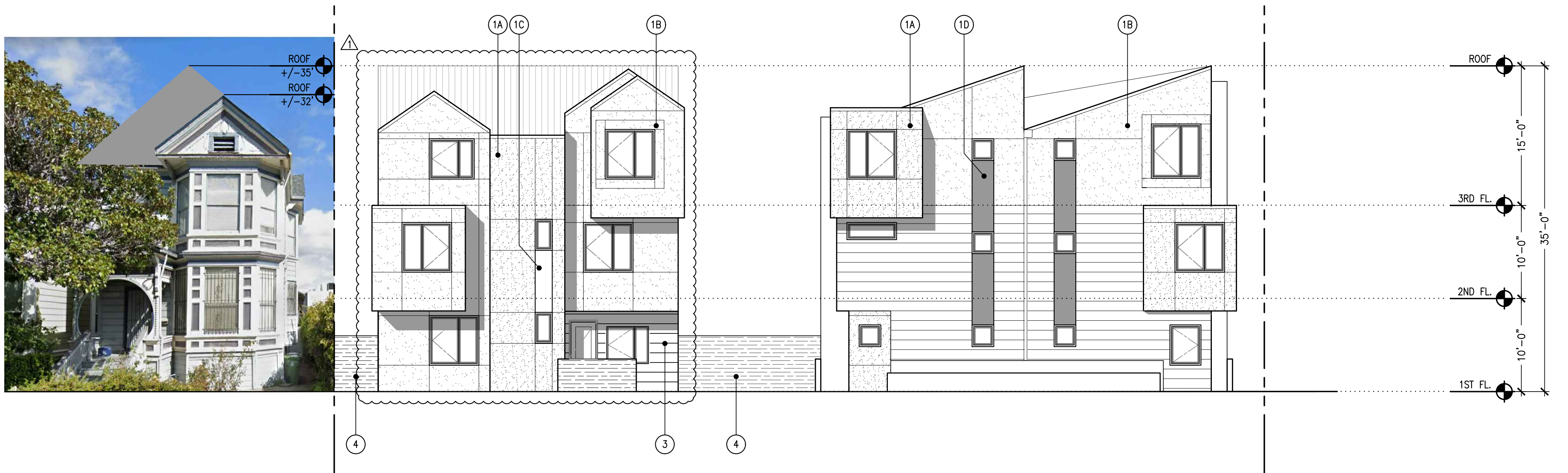
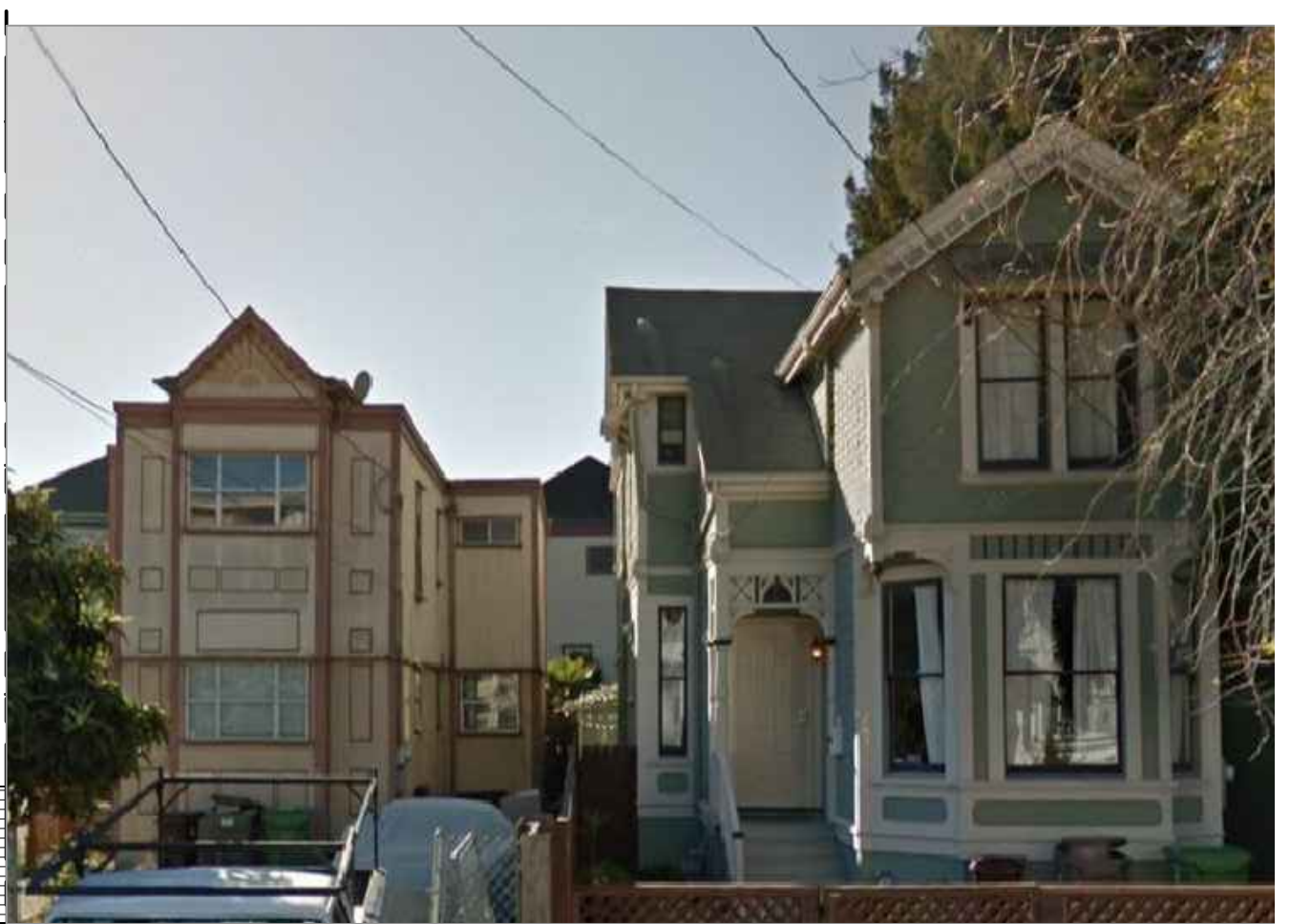
ELEVATIONS



1 BRUSH STREET ELEVATION (SOUTH ELEVATION)
1/8"=1'-0"



2 20TH ST ELEVATION (EAST ELEVATION)
1/8"=1'-0"



3 19TH ST ELEVATION (WEST ELEVATION)
1/8"=1'-0"

LEGEND

- ①A CEMENT PLASTER, COLOR #1
- ①B CEMENT PLASTER, COLOR #2
- ①C CEMENT PLASTER, COLOR #3
- ①D CEMENT PLASTER, COLOR #4
- ② NOT USED
- ③ CEMENT PLASTER
- ④ FENCING; S.L.D.
- ⑤ LANDSCAPING; S.L.D.
- ⑥ WOOD SHED
- ⑦ COMPOSITE WOOD SLAT TRASH ENCLOSURE

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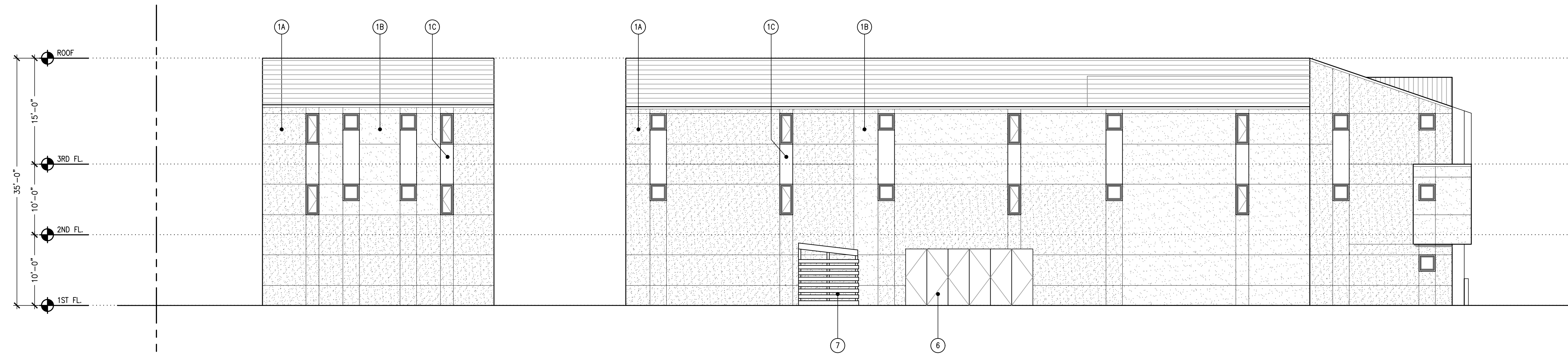
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SCALE: AS NOTED

ELEVATIONS

A3.2



1 NORTH ELEVATION
1/8"=1'-0"



2 COURTYARD ELEVATION
1/8"=1'-0"

LEGEND

- ①A CEMENT PLASTER, COLOR #1
- ①B CEMENT PLASTER, COLOR #2
- ①C CEMENT PLASTER, COLOR #3
- ①D CEMENT PLASTER, COLOR #4
- ② NOT USED
- ③ CEMENT PLASTER
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- ⑤ LANDSCAPING; S.L.D.
- ⑥ WOOD SHED
- ⑦ COMPOSITE WOOD SLAT TRASH ENCLOSURE

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(415) 777-5117 F

SCALE:
AS NOTED

ELEVATIONS

A3.3



1 COURTYARD ELEVATION
1/8"=1'-0"



2 COURTYARD ELEVATION
1/8"=1'-0"

LEGEND

- ①A CEMENT PLASTER, COLOR #1
- ①B CEMENT PLASTER, COLOR #2
- ①C CEMENT PLASTER, COLOR #3
- ①D CEMENT PLASTER, COLOR #4
- ② NOT USED
- ③ CEMENT PLASTER
- ④ FENCING; S.L.D.
- ⑤ LANDSCAPING; S.L.D.
- ⑥ WOOD SHED
- ⑦ COMPOSITE WOOD SLAT TRASH ENCLOSURE



1 BRUSH STREET ELEVATION (SOUTH ELEVATION)
1/8"=1'-0"


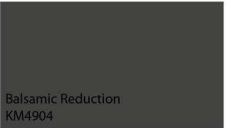
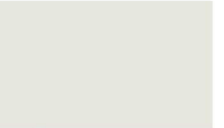

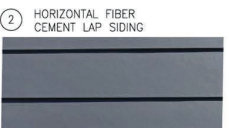

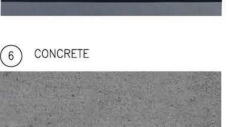



2 20TH ST ELEVATION (EAST ELEVATION)
1/8"=1'-0"



3 19TH ST ELEVATION (WEST ELEVATION)
1/8"=1'-0"

LEGEND

<p>1A CEMENT PLASTER – COLOR #1</p>  <p>Swan Dive KM4891</p>	<p>1B CEMENT PLASTER – COLOR #2</p>  <p>Balsamic Reduction KM4904</p>	<p>1C CEMENT PLASTER – MURAL</p> 
<p>1D CEMENT PLASTER – COLOR #3</p>  <p>Mt. Rushmore KM4902</p>	<p>2 HORIZONTAL FIBER CEMENT LAP SIDING</p> 	<p>3 WOOD FENCE</p> 
<p>4 ARCHITECTURAL PROJECTION</p>	<p>6 CONCRETE</p> 	<p>7 ASPHALT SHINGLE</p> 

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OAKLAND, CA



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3	01-15-2021	PLANNING RE-SUBMISSION

CONTACT: TOBY LEVY

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(415) 777-5117 F

SCALE:
AS NOTED

ELEVATIONS

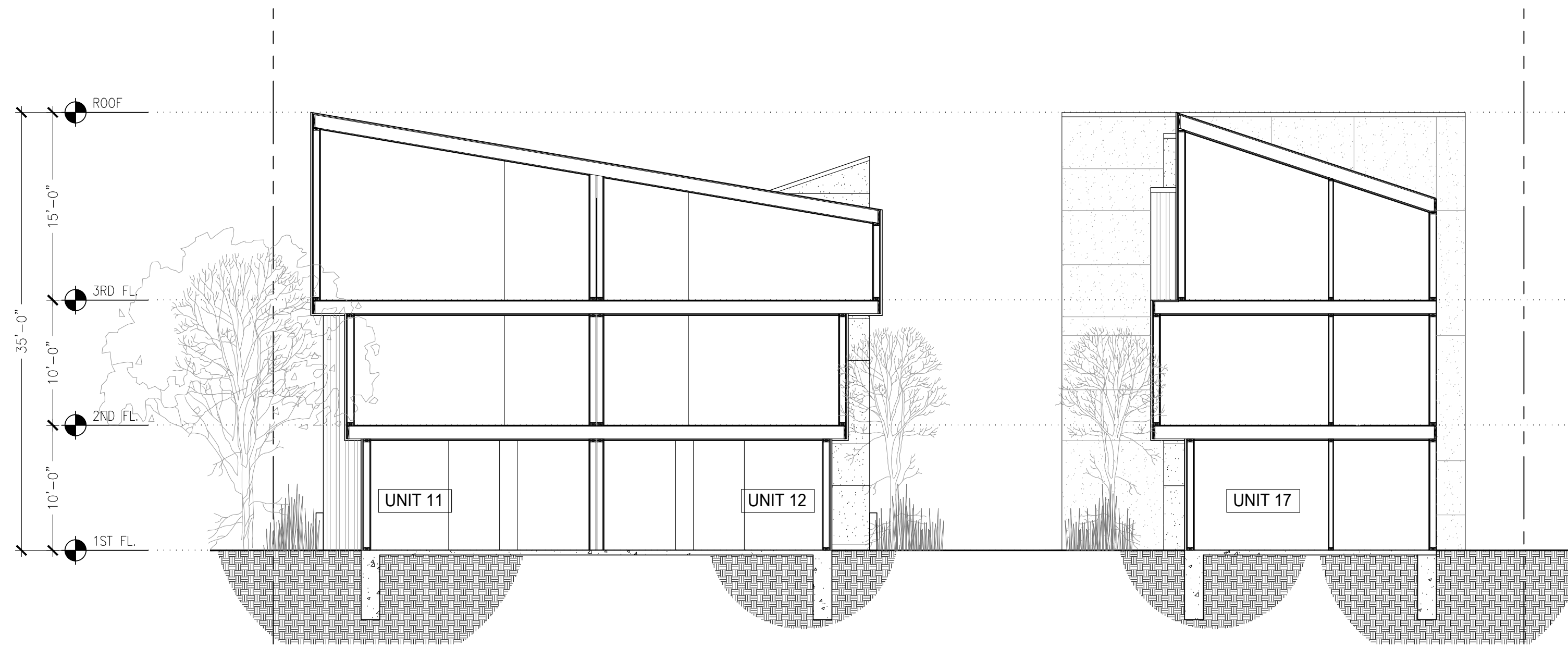


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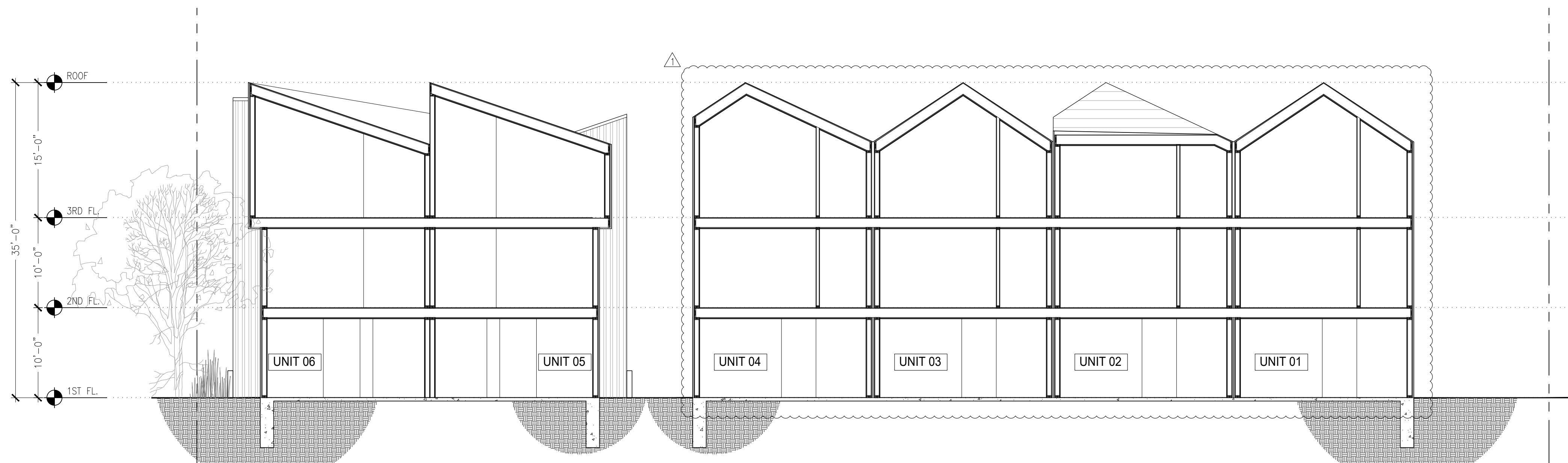
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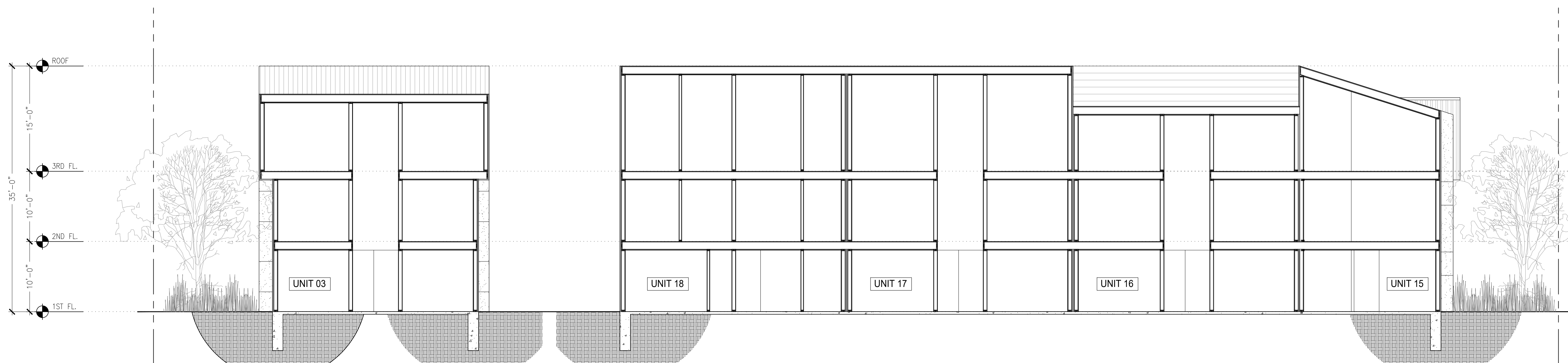




1 BUILDING SECTION 01
1/8"=1'-0"



2 BUILDING SECTION 02
1/8"=1'-0"



3 BUILDING SECTION 03
1/8"=1'-0"

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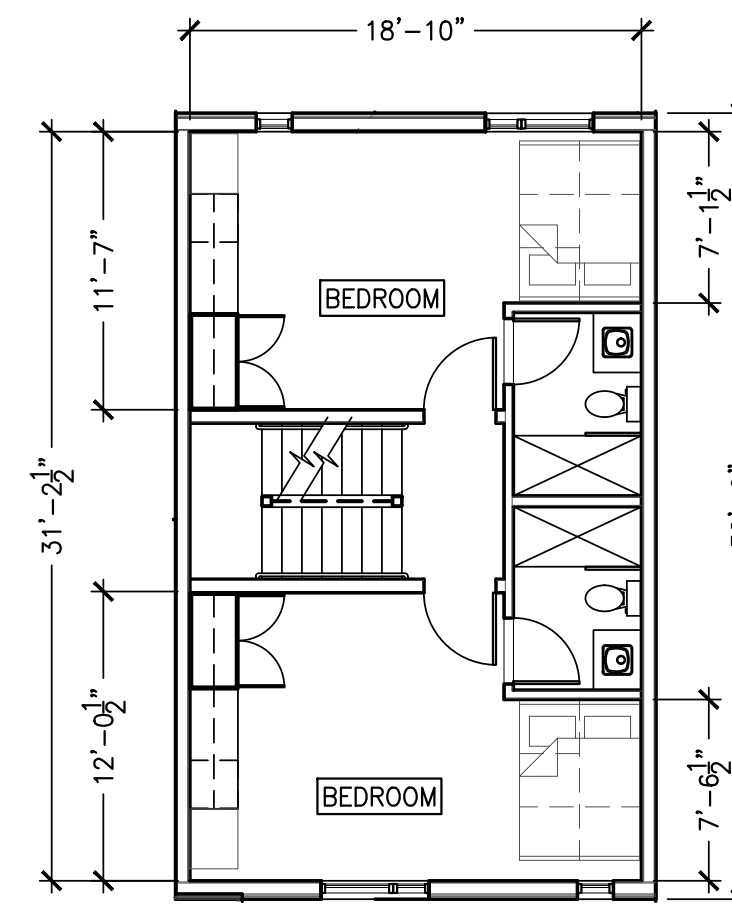
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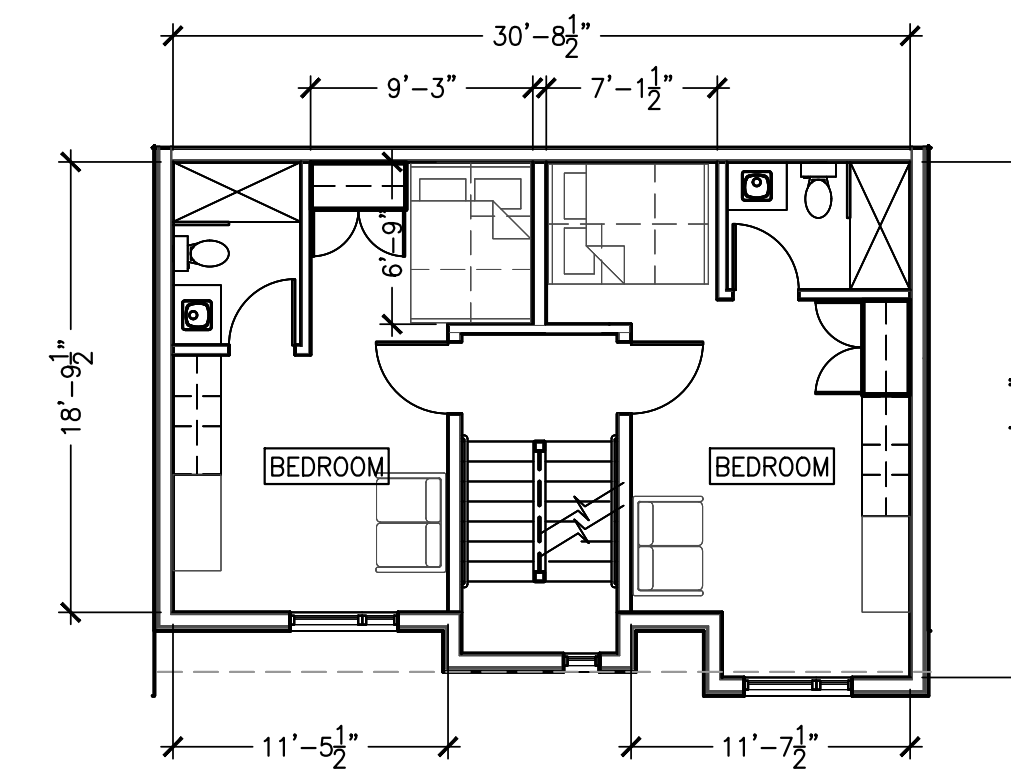
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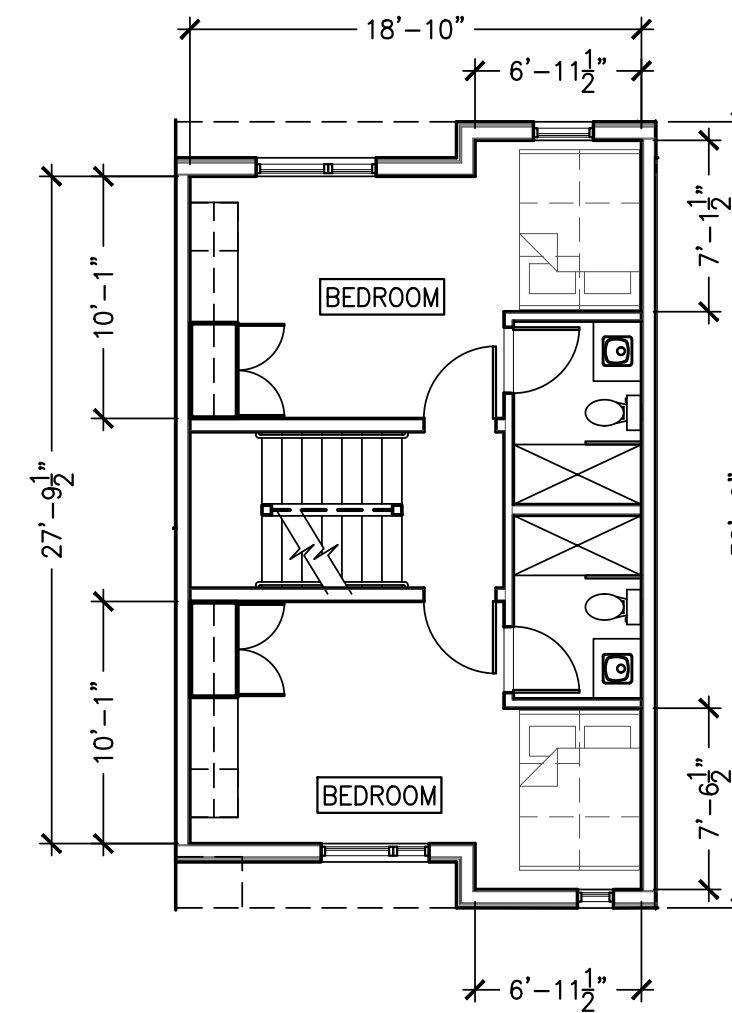
SECTIONS



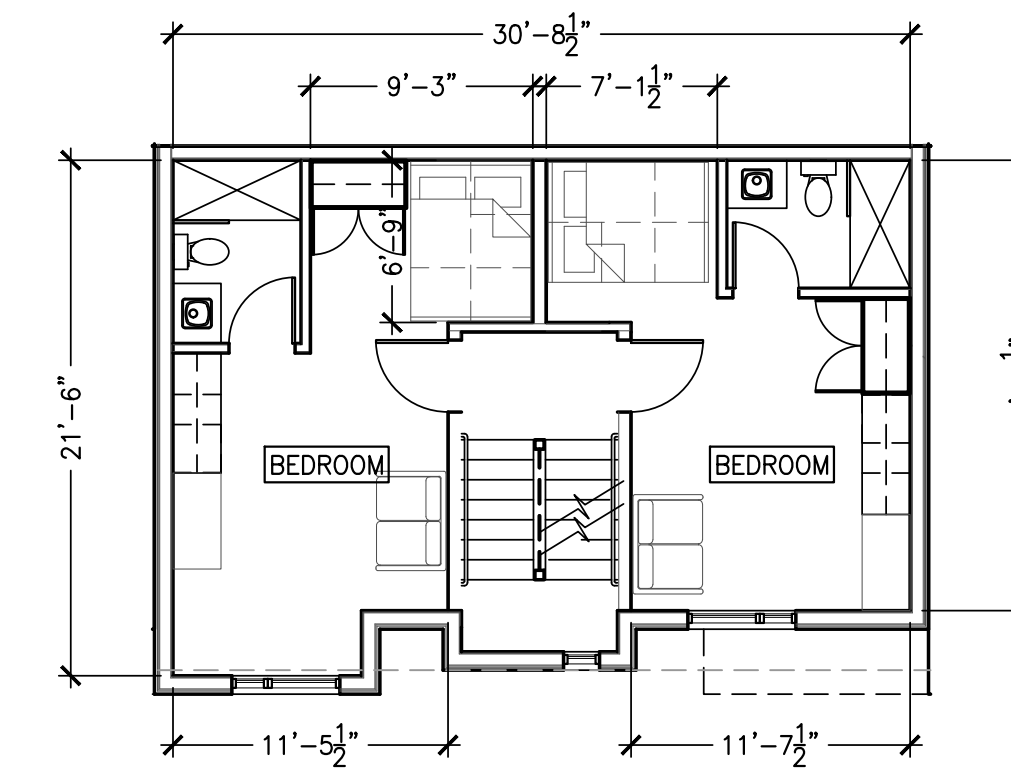
③ 3RD FLOOR



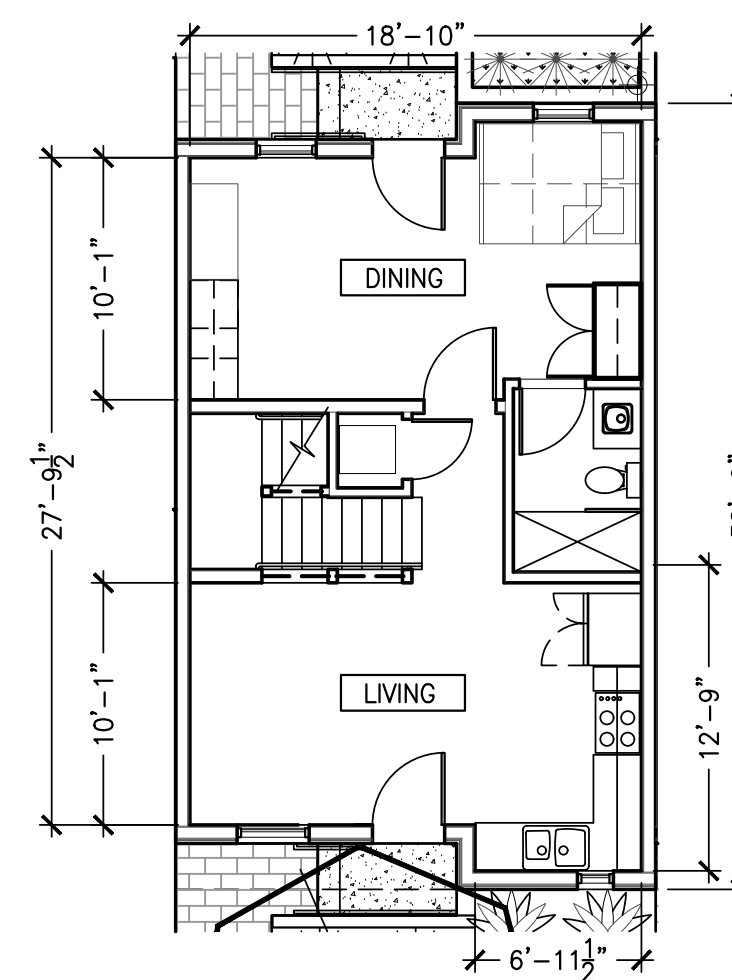
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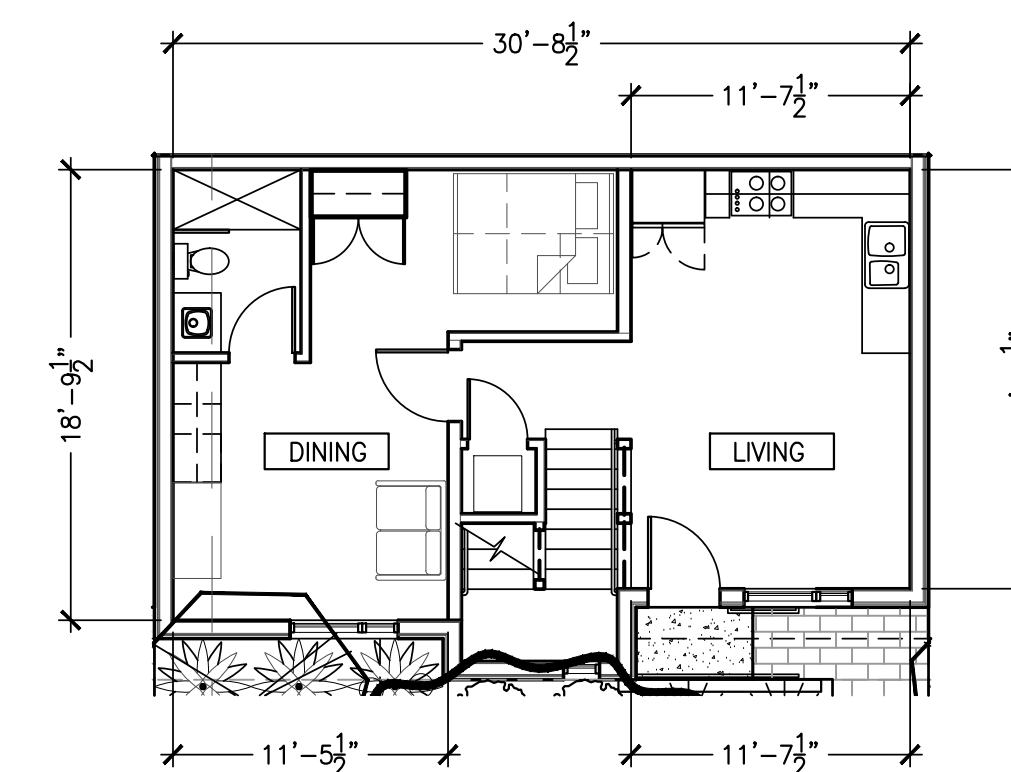
② 2ND FLOOR



② 2ND FLOOR



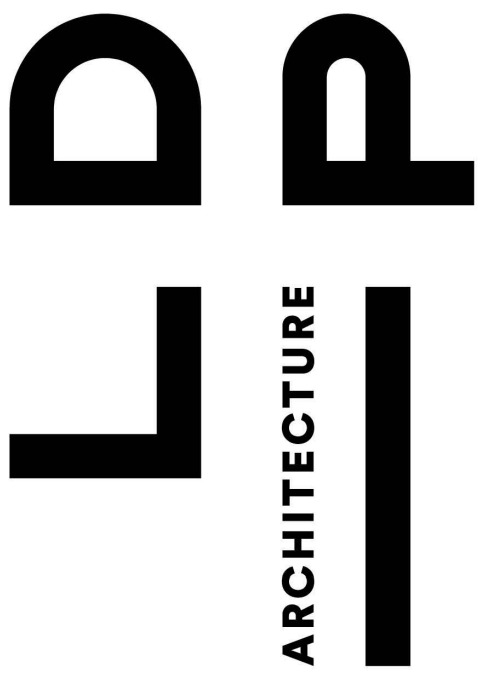
① 1ST FLOOR



① 1ST FLOOR

1 PLAN: UNIT A
1/8"=1'-0"

2 PLAN: UNIT B
1/8"=1'-0"



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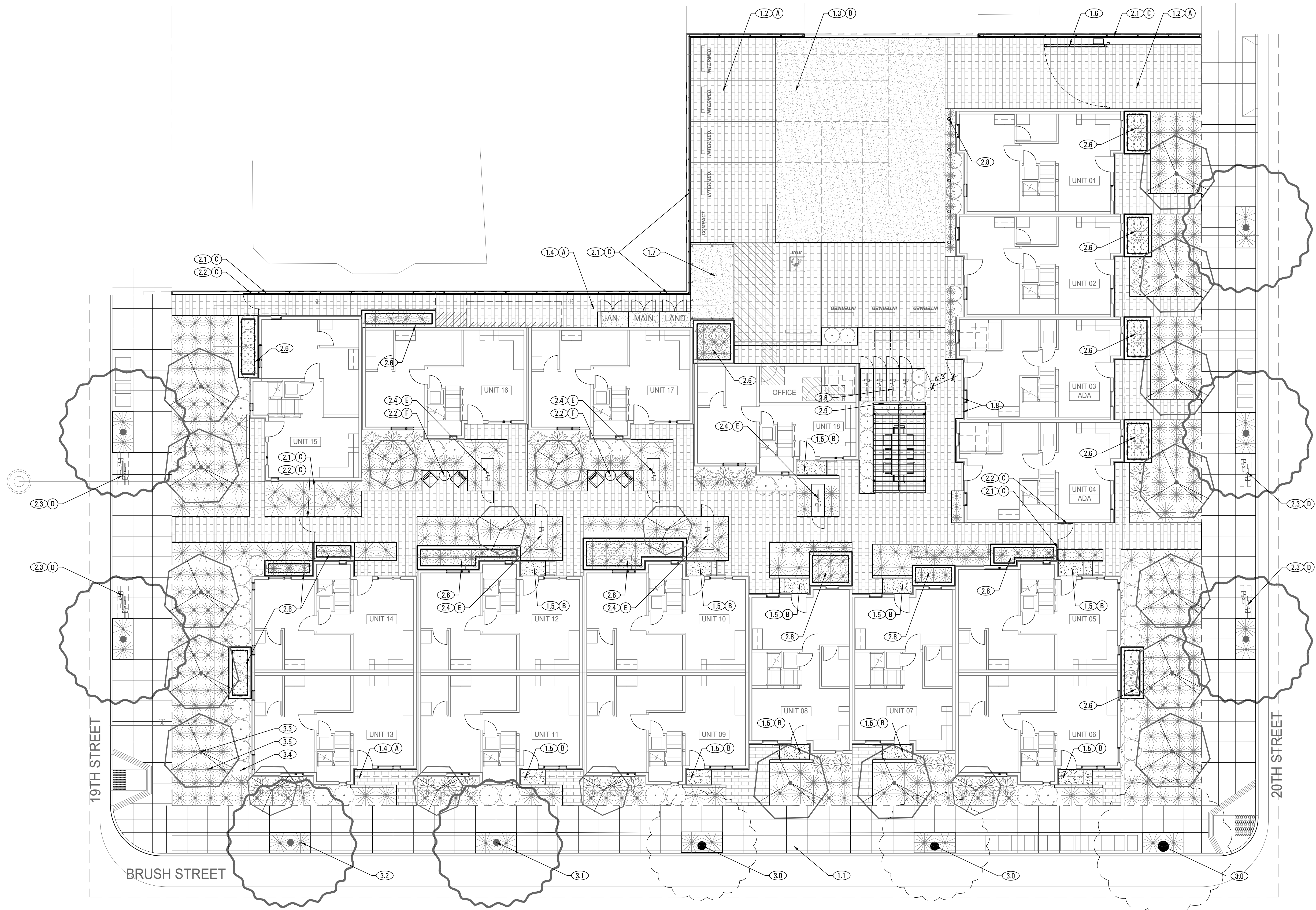
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SCALE:
AS NOTED

UNIT PLANS

A5.1

1925 BRUSH STREET
 OAKLAND, CA



LAYOUT LEGEND

- 1.1 CONCRETE PAVING IN RIGHT-OF-WAY. SEE CIVIL ENGINEER'S DRAWINGS.
- 1.2 PERMEABLE PAVERS IN PARKING SPACES. SEE CIVIL ENGINEER'S DRAWINGS.
- 1.3 CONCRETE PAVING IN DRIVE AISLE. SEE CIVIL ENGINEER'S DRAWINGS.
- 1.4 PERMEABLE PAVERS IN WALKWAYS & FRONT DOOR LANDINGS. SEE CIVIL ENGINEER'S DRAWINGS.
- 1.5 CONCRETE PAVING AT FRONT DOOR LANDINGS. SEE CIVIL ENGINEER'S DRAWINGS.
- 1.6 DRIVEWAY GATES. SEE ARCHITECT'S DRAWINGS.
- 1.7 TRASH ENCLOSURE. SEE ARCHITECT'S DRAWINGS.
- 1.8 MAILBOXES. SEE ARCHITECT'S DRAWINGS.

LAYOUT LEGEND

- 2.1 6' HIGH WOOD FENCE.
- 2.2 6' HIGH WOOD GATE.
- 2.3 SHORT-TERM BICYCLE PARKING BIKE RACK.
- 2.4 LONG-TERM BICYCLE PARKING BIKE LOCKER (PLACE ON CONCRETE PAD).
- 2.5 SITE FURNITURE IN GROUP OPEN SPACE.
- 2.6 C.3 STORMWATER TREATMENT PLANTER.
- 2.7 4' HIGH WOOD TRASH SCREEN, SIMILAR TO WOOD FENCE.
- 2.8 BOLLARD LIGHT TYPICAL.

PLANTING LEGEND

- 3.0 EXISTING STREET TREE (JACARANDA SP.) TO BE SAVED & PROTECTED FROM DAMAGE.
- 3.1 STREET TREE TYPICAL IN CITY OF OAKLAND RIGHT-OF-WAY. SEE PLANTING PLAN, SHEET L2.1.
- 3.2 GRASS OR PERENNIAL TYPICAL IN CITY OF OAKLAND RIGHT-OF-WAY. SEE PLANTING PLAN, SHEET L2.1.
- 3.3 SMALL SCALE DECIDUOUS TREE TYPICAL. SEE PLANTING PLAN, SHEET L2.1.
- 3.4 EVERGREEN SHRUB TYPICAL. SEE PLANTING PLAN, SHEET L2.1.
- 3.5 EVERGREEN ORNAMENTAL GRASS OR PERENNIAL TYPICAL. SEE PLANTING PLAN, SHEET L2.1.

MATERIALS LEGEND

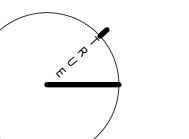
- A PERMEABLE PAVERS IN PARKING SPACES & WALKWAYS, AS MFRD BY ACKERSTONE (www.ackerstone.com)
 MODEL: AQUA-VIA1. NOMINAL SIZE: 8cm x 4-3/8 x 8-3/4. COLOR: ANTIQUE PEWTER. FINISH: F.M. PATTERN: RUNNING BOND.
- B INTEGRAL CONCRETE COLOR FOR CONCRETE DRIVE AISLES & FRONT DOOR LANDINGS, AS MFRD BY DAVIS COLORS (800-356-4848). COLOR: PEWTER #860. FINISH: MEDIUM BROOM.
- C 6' HIGH FENCE & GATE
 - FENCE POSTS: 4x4 PTDF, STAIN BLACK
 - FENCE SLATS: 1x6 COMPOSITE, STAIN WITH MESSMERS UV PLUS CLEAR STAIN
 - GATE SLAT: 1x6 COMPOSITE, STAIN WITH MESSMERS UV PLUS CLEAR STAIN
 - GATE HINGES: HEAVY DUTY, BLACK COLOR.
 - GATE HARDWARE, AS SPECIFIED BY ARCHITECT
- D SHORT-TERM BICYCLE PARKING BIKE RACK (2 REQUIRED, 4 OFF-SITE PROVIDED)
 - AS MANUFACTURED BY THE PALMER GROUP, MOD NO WCRO21G P, BLACK.
- E LONG-TERM BICYCLE PARKING BIKE LOCKER (5 REQUIRED, 15 PROVIDED)
 - AS AVAILABLE AT THE PALMER GROUP, MOD NO BTWLO10M, BLACK, (76"W x 30"L x 47"H)
- F SITE FURNITURE (TO BE DETERMINED).
- G BOLLARD LIGHTS (TO BE DETERMINED).



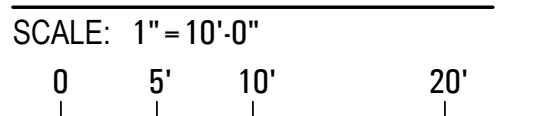
1925 BRUSH STREET
 OAKLAND, CA

DATE	SET ISSUE
07-31-2020	PLANNING SUBMISSION
12-18-2020	PLANNING RE-SUBMISSION

CONTACT: CHRIS FORD



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 Scale accordingly.



SCHEMATIC
 LANDSCAPE PLAN
 GROUND FLOOR



JACARANDA MIMOSIOLIA
JACARANDA



LAGERSTROEMIA INDICA 'ARAPAHO'
ARAPAHO CRAPE MYRTLE



MAGNOLIA GRANDIFLORA 'SAINT MARY'
SAINT MARY SOUTHERN MAGNOLIA



RHAPHIOLEPIS 'MAJESTIC BEAUTY'
MAJESTIC BEAUTY INDIAN HAWTHORN



CARPENTERIA CALIFORNICA 'ELIZABETH'
ELIZABETH BUSH ANEMONE



CAREX TESTACEA
ORANGE SEDGE



CAREX TUMILICOLA
BERKELEY SEDGE



LOMONDRA LONGIFOLIA 'BREEZE'
DWARF MAT RUSH



LOMONDRA LONGIFOLIA 'PLATINUM BEAUTY'
VARIEGATED MAT RUSH



MAHONIA PINNATA
CALIFORNIA BARBERRY



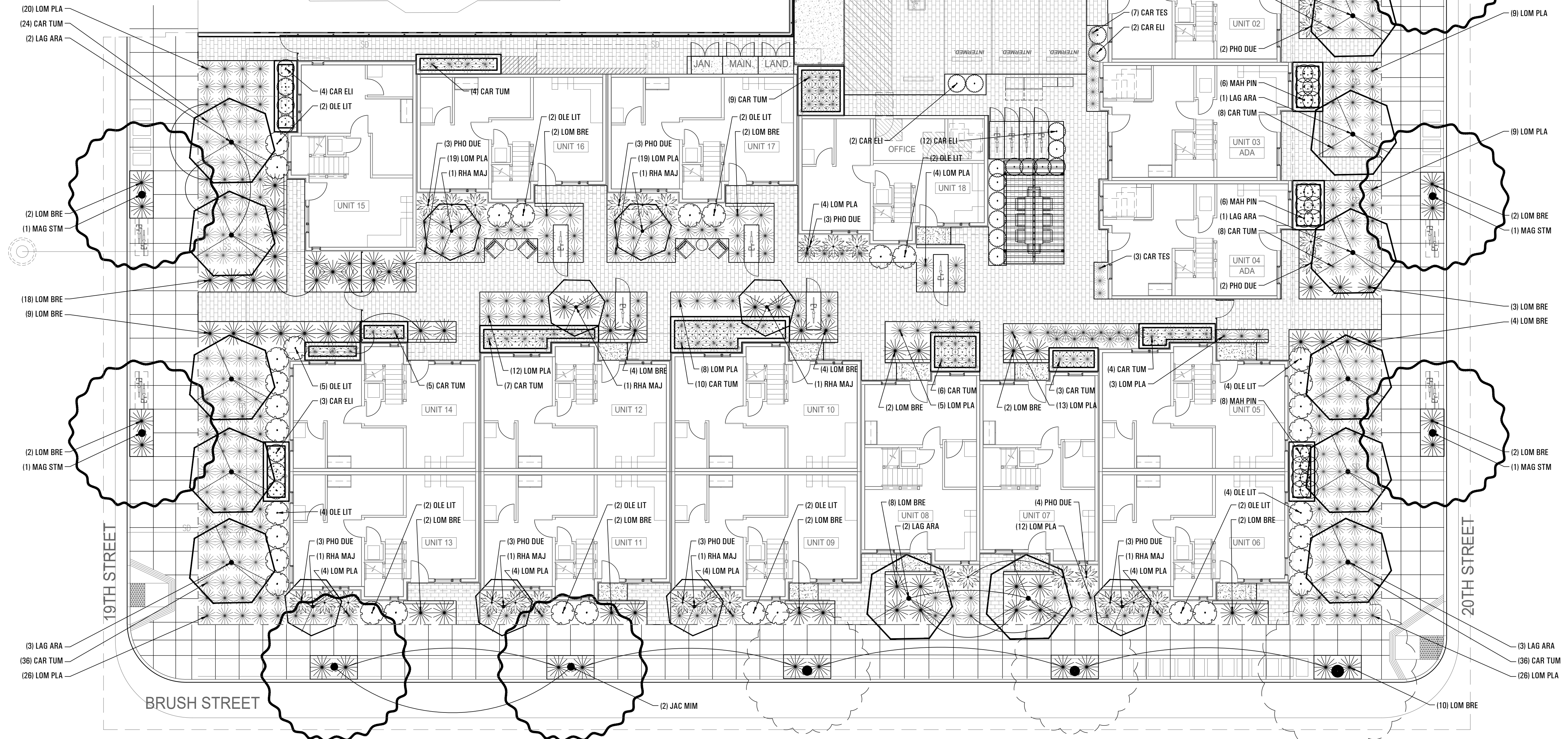
OLEA EUROPEA 'LITTLE OLLIE'
DWARF OLIVE



PHORMIUM TENAX 'DUET'
VARIEGATED FLAX

PLANT NOTES

- 1 AMEND SOIL WITH WITH AT LEAST 4 CUBIC YARDS PER 1,000 SQUARE FEET OF PLANTING AREAS TO A DEPTH OF 6 INCHES. SOIL AMENDMENT SHALL BE "WONDER GROW COMPOST", AS AVAILABLE AT AMERICAN SOIL & STONE, RICHMOND, CA (510.292.3000).
- 2 CONTACT LAND ARCH IN ADVANCE OF PLANTING OPERATIONS TO SCHEDULE A PRE-PLANTING LAYOUT REVIEW MEETING. LAYOUT ALL PLANTS AS PER PLAN FOR LA APPROVAL PRIOR TO PLANTING.
- 3 INSTALL 3" DEEP LAYER OF MULCH IN PLANTING AREAS. MULCH SHALL BE "FOREST FLOOR", AS AVAILABLE AT AMERICAN SOIL & STONE, RICHMOND, CA (510.292.3000).
- 4 PROVIDE A 90-DAY MAINTENANCE PERIOD.
- 5 PROVIDE A ONE-YEAR PLANT GUARANTEE PERIOD.
- 6 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 LANDSCAPE REQUIREMENTS.



IRRIGATION NOTES

- 1 IRRIGATION SYSTEM SHALL CONFORM TO REQUIREMENTS OF MODEL WATER EFFICIENT LANDSCAPE ORDINANCE & WATER USE CLASSIFICATION OF LANDSCAPE SPECIES.
- 2 IRRIGATION SYSTEM SHALL BE CONTROLLED BY AUTOMATIC CONTROLLER WITH RAIN SENSOR TO OVERRIDE SYSTEM WHEN WATERING IS NOT NECESSARY.
- 3 IRRIGATION SYSTEM SHALL PROVIDE ADEQUATE WATER TO PROMOTE HEALTHY GROWTH AND MAINTENANCE OF PLANTS.
- 4 TREES SHALL BE IRRIGATED WITH BUBBLERS ON A SEPARATE VALVE.
- 5 SHRUBS SHALL BE IRRIGATED WITH DRIP IRRIGATION.

PLANT LIST

TREES		COMMON		SIZE	QUANTITY	WUCOLS
JAC MIM	JACARANDA MIMOSIOLIA	JACARANDA	JACARANDA	24" BOX	2	M
LAG ARA	LAGERSTROEMIA INDICA 'ARAPAHO'	ARAPAHO CRAPE MYRTLE	ARAPAHO CRAPE MYRTLE	24" BOX	14	L
MAG STM	MAGNOLIA GRANDIFLORA 'SAINT MARY'	SAINT MARY SOUTHERN MAGNOLIA	SAINT MARY SOUTHERN MAGNOLIA	24" BOX	5	M
RHA MAJ	RHAPHIOLEPIS 'MAJESTIC BEAUTY'	MAJESTIC BEAUTY INDIAN HAWTHORN	MAJESTIC BEAUTY INDIAN HAWTHORN	15 GAL	8	L
SHRUBS / PERENNIALS / GRASSES		COMMON		SIZE	QUANTITY	WUCOLS
CAR ELI	CARPENTERIA CALIFORNICA 'ELIZABETH'	ELIZABETH BUSH ANEMONE	ELIZABETH BUSH ANEMONE	5 GAL	30	L
CAR TES	CAREX TESTACEA	ORANGE SEDGE	ORANGE SEDGE	1 GAL	21	M
CAR TUM	CAREX TUMILICOLA	BERKELEY SEDGE	BERKELEY SEDGE	1 GAL	176	L
LOM BRE	LOMONDRA LONGIFOLIA 'BREEZE'	DWARF MAT RUSH	DWARF MAT RUSH	1 GAL	83	L
LOM PLA	LOMONDRA LONGIFOLIA 'PLATINUM BEAUTY'	VARIEGATED MAT RUSH	VARIEGATED MAT RUSH	1 GAL	223	L
MAH PIN	MAHONIA PINNATA	CALIFORNIA BARBERRY	CALIFORNIA BARBERRY	1 GAL	32	M
OLE LIT	OLEA EUROPEA 'LITTLE OLLIE'	DWARF OLIVE	DWARF OLIVE	5 GAL	33	VL
PHO DUE	PHORMIUM TENAX 'DUET'	VARIEGATED FLAX	VARIEGATED FLAX	5 GAL	33	L

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SCALE: 1" = 10'-0"



PLANTING PLAN

L2.1