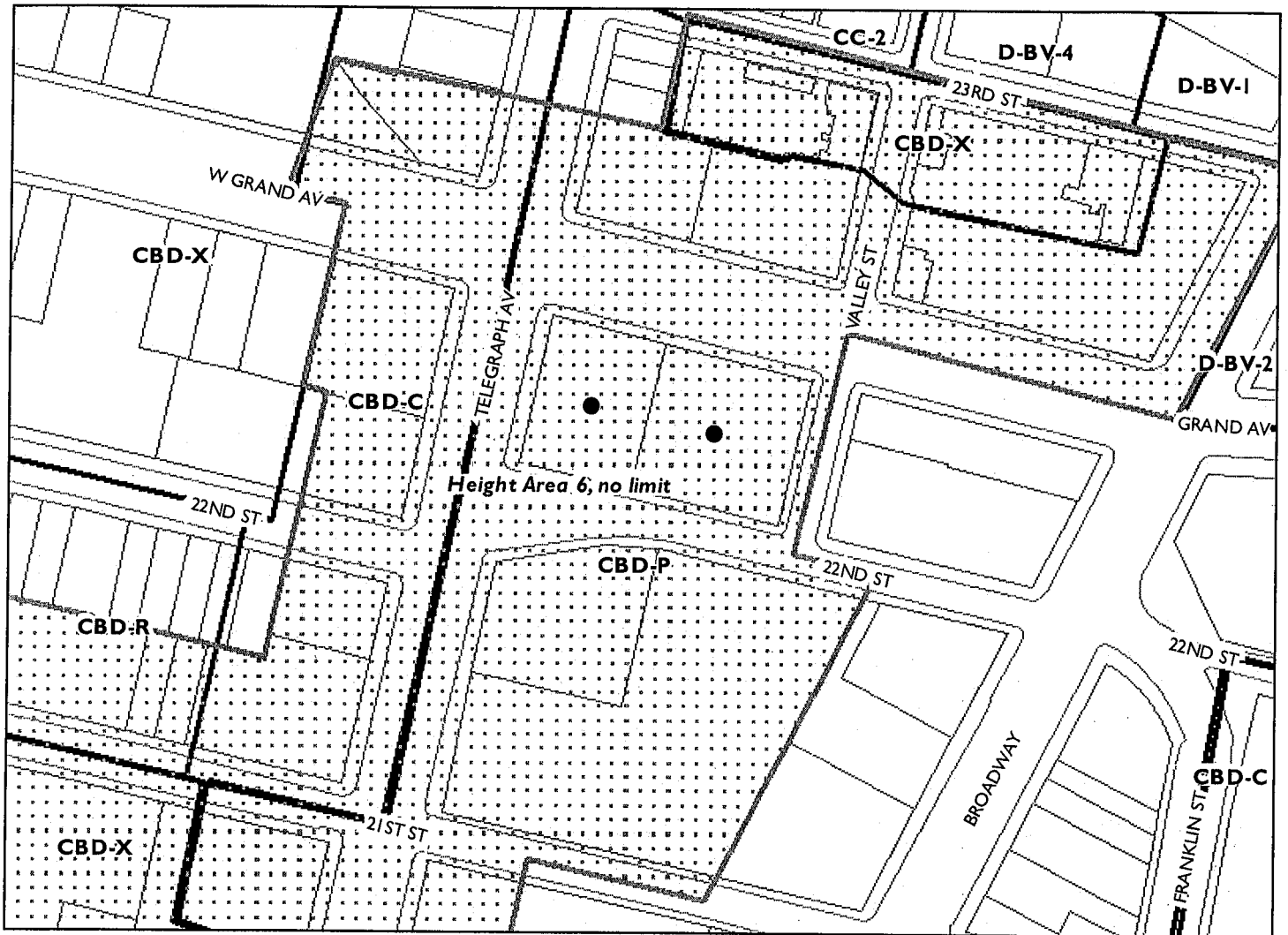


Location:	2201 Valley Street (See map on reverse)
Assessors Parcel Number:	008-0658-009-01 & -010-00
Proposal:	Demolish the existing auto service station and surface parking lot to construct a new office building of approximately 450 feet in height containing approximately 740,000 square feet of office. The ground floor would consist of a mix of pedestrian oriented retail/restaurant space as well as a 1,600-square foot commercial space on West Grand Avenue designated as arts/maker space and a 2,800-square foot commercial space at the corner of Telegraph Avenue and 22 nd Street designated as arts/maker/performance arts space.
Applicant:	TMG Partners / Denise Pinkston – (415) 772-5900
Owner:	BA1 2201 Valley LLC & Mash Petroleum
Planning Permits Required:	Regular Design Review for new construction; Major Conditional Use Permit for a development in excess of 200,000 square feet and greater than 250 feet in height and a Personal Instruction and Improvement Service (performance venue); and Minor Variances for loading berths (6 required; 3 proposed) and CBD height zone tower dimensional regulations covering maximum average floorplate (25,000 max; 33,540 proposed), maximum diagonal (235 max; up to 299 proposed), and maximum lot coverage (75% maximum; up to 85% proposed).
General Plan:	Central Business District
Zoning:	CBD-P / Height Area 6
Environmental Determination:	A CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA Guideline provisions: Section 15183 - Projects consistent with a community plan, general plan, or zoning; Section 15183.3 – Streamlining for Qualified infill projects; and/or Sections 15168 & 15180 – Projects consistent with a Redevelopment program EIR; Each of which provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 nd Floor or on-line at http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157
Historic Status:	Not a potentially designated historic property
City Council District:	3
Action to be Taken:	Decision on Application
Staff Recommendation:	Approve with the attached conditions.
Finality of Decision:	Appealable to City Council within 10 days
For Further Information:	Contact case planner Peterson Z. Vollmann at 510-238-6167 or by e-mail at pvollmann@oaklandca.gov

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN18115
Applicant: TMG Partners
Address: 2201 Valley Street
Zone: CBD-P
Height Area: 6, no limit

SUMMARY

Denise Pinkston on behalf of TMG Partners has filed an application with the Bureau of Planning to develop a new downtown high-rise of up to 465 feet in height that would include approximately 740,000 square feet of office space above ground level commercial/retail.

The proposed project had appeared before the Design Review Committee in March and August of 2018 for design feedback. The applicant has incorporated comments from the Design Review Committee meetings and the item was recommended to proceed to the full Planning Commission. The item was originally requested to return to the Design Review Committee for additional review of proposed artwork installation on the ventilation grates surrounding the parking garage. However, the applicant has since revised the design to install glazing around the parking garage as initially recommended so the return to the Design Review Committee was no longer necessary.

PROPERTY DESCRIPTION

The project site consists of the entirety of a small City block of approximately 38,600 square feet located at the southeast corner of Telegraph and West Grand Avenues bounded by 22nd Street to the south and Valley Street to the east. The site presently consists of a surface parking lot and a gas station. The BART subway tunnels run beneath the project site, which creates structural constraints on the site due to the limitations on locations where support systems may penetrate the ground. The site is surrounded by a mix of commercial, residential and civic uses and is directly north of the Eastline project Planned Unit Development at 2100 Telegraph Avenue that was recently approved by the Planning Commission in 2018.

PROJECT DESCRIPTION

The proposed project would remove the existing surface parking lot and gas station in order to construct a new office building of up to 465 feet in height including approximately 740,000 square feet of office floor area with ground floor retail activities and lobby space. The ground floor would also contain a 1,600-square foot commercial space on West Grand Avenue designated as arts/maker space and a 2,800-square foot commercial space at the corner of Telegraph Avenue and 22nd Street designated as arts/maker/performance arts space. The lobby entrance would be focused at the corner of West Grand Avenue and Valley Street and wrap around the remaining street level frontages. The loading berths would be located on 22nd Street adjacent to the auto access entry/exit for the garage. An alternative exit-only garage could potentially be established on West Grand Avenue in the event that the carrying capacity of 22nd Street is insufficient to handle traffic from the subject property and the Eastline project across the street at 2100 Telegraph Avenue. The remaining portion of the base above the ground level up to the 75-foot point would contain three levels of parking containing 350 parking stalls, which will be screened from the exterior view. The tower element of the building would include a number of setbacks and recesses to articulate the massing of the tower in order to break down the visual bulk with major step backs first occurring at the 75-foot base level with additional setbacks at 255 feet and then at 420 feet for the mechanical penthouse feature, which would extend up to 465 feet in height. The tower would be clad in a mix of curtain wall glazing systems with an exterior cladding that resembles an oxidized metal forming a skeletal frame of the building. This oxidized metal framing would be integrated with an early concept public art element at the ground level lobby entrance.

GENERAL PLAN ANALYSIS

The General Plan's Land Use and Transportation Element (LUTE) classifies the project site as being located in the Central Business District (CBD) General Plan area. This land use classification is intended to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, community facilities, and visitor uses. The CBD classification includes a mix of large-scale offices, commercial, urban high-rise residential, institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses.

Among the General Plan Land Use and Transportation policies and objectives applicable to the proposed Project are the following:

Objective D3: Create a pedestrian friendly downtown.

Objective D4: Increase the economic vitality of downtown.

Policy D4.3: Attracting Employment to the Downtown

Objective D7: Facilitate and promote downtown Oakland's position as the primary office center for the region.

Objective D8: Build near current office nodes near the 12th and 19th Street BART stations to establish these locations as the principal centers for office development in the city.

Policy D8.1: Locating Office Development

Policy D8.4: Developing the Broadway Spine

Objective D13: Create and coordinate a well-balanced regional and local transportation system to serve downtown.

The proposal is consistent with the LUTE by establishing a large-scale development project that would contain high intensity office in direct proximity to the 19th Street BART station. With a surrounding streetscape that will be focused on pedestrian-friendly commercial activities and amenities while providing access to multiple travel options including ample parking for vehicles and bicycles.

ZONING ANALYSIS

The subject property is located within the CBD-P, Central Business District General Commercial Zone. The site is also located within the CBD Height Area 6, which does not set a maximum height limit. The CBD-P Zone is intended to create, maintain, and enhance areas of the Central Business District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities. The proposed project is generally consistent with the intent of the zoning regulations.

Conditional Use Permits

Section 17.58.030 of the Oakland Planning Code requires that any large-scale development in excess of 200,000 square feet or 250 feet in height requires a Conditional Use Permit, which pursuant to Section 17.134.020 of the Planning Code is required to proceed to the Planning Commission as a Major Conditional Use Permit for decision on the application.

The proposal also includes a request for a Conditional Use Permit for a performance venue (Personal Instruction and Improvement Commercial), which would be located at the ground floor at the corner of Telegraph Avenue and 22nd Street.

Staff feels that the granting of the Major Conditional Use Permit for a building in excess of 200,000 square feet and 250 feet in height is appropriate at this centrally located site within the downtown core as there is ample public transit infrastructure with BART and AC Transit lines accessible nearby and the building fits within the context of other existing and proposed high-rise structures within the immediate vicinity.

The granting of the Conditional Use Permit for the "Personal Instruction and Improvement Activity" is appropriate given that the space would be limited to arts/maker spaces and/or performing arts venues. This is appropriate given the close proximity of the site to the nearby arts district (Art Murmur/First Friday events).

Minor Variances

The applicant has requested Minor Variances to two Planning Code requirements as part of the development application. The first variance request is to reduce the off-street loading berths from the required six to three. The second variance request is for a waiver from some of the tower bulk regulations.

The loading berths would be located on 22nd Street and if the entire six loading berths were provided, the ground floor of the 22nd Street elevation would almost be entirely dedicated to vehicular uses with the auto entry, garbage truck access and loading berths. The three loading berths would still provide the necessary off-street loading for operational needs for the building while providing a more attractive streetscape.

The second variance request is to the CBD Height Area 6 tower bulk regulations. The applicant requests to waive the diagonal maximum of 235 feet to allow for the proposed design, which would include a diagonal of approximately 299 feet at the lower portion of the tower at levels 5-16 and a diagonal of up to 271 feet at the upper level of the tower at floors 17-27. The other part of the tower bulk requirements being requested to be waived is the maximum average floor plate maximum of 25,000 square feet with a proposed maximum of approximately 33,600 square feet. The applicant's justification for the requested waiver of the tower bulk requirements is that in order to achieve the floor area allowed on site they would need to construct a separate tower in the building, which would require a second building core. A second tower and building core on the property would be prohibitive due to the BART tunnels running beneath the project site that include a surrounding zone of influence that limits the location of any structural supports for the building and would not allow for any required basement equipment rooms for the required core.

Parking

The proposed project is located within the CBD-P Zone, which does not require new automobile parking for commercial uses. The proposal would include a multi-level structured garage that would include off-street parking for approximately 350 vehicles, which is well below the maximum allowed for the project of 1,547 auto parking stalls.

Pursuant to Section 17.117 of the Planning Code bicycle parking is required and proposed as set forth in the following tables:

Bike Parking Long Term			
Use	Amount	Required Bike Parking	Provided
Retail	17,930 sq.ft.	1:12,000 sq.ft. = 2 minimum	8
Office	739,600 sq.ft.	1:10,000 sq.ft. = 74	152
TOTAL		76	160

Bike Parking Short Term			
Use	Amount	Required Bike Parking	Provided
Retail	17,930 sq.ft.	1:5,000 sq.ft. = 4	TBD
Office	739,600 sq.ft.	1:20,000 sq.ft. = 37	TBD
TOTAL		41	41 minimum*

* Short Term Parking is provided in the public right of way, which can be accommodated by bike racks around the property frontage.

Design Review

The proposed office tower includes an interesting design concept that uses oxidized metal trim, similar to corten steel, that will frame the shape and massing blocks of the building, which will then be strongly contrasted by glass curtain walls. The oxidized metal concept would also tie in with the initial public art concept at the lobby entrance. The proposed massing of the tower, while larger than allowed by the Planning Code, is nicely broken down into smaller elements and steps back at varying points away from the Telegraph Avenue frontage which give the building a less visually massive feeling for its size. In addition, the large sections of glazing also include a number of recessed glazing panels that include solar shade inserts that provide more visual interest to the façade of the tower.

Design Review Committee

As previously mentioned, this item appeared before the Design Review Committee (DRC) in March and August of 2018. In general, the proposed design was well received by staff and the Committee members without much comment from the public regarding overall design. Most of the discussion was centered on the building terminus and the skyline and surrounding neighborhood context, as well as the parking garage screening and the proposed public art that was going to be incorporated into it. As previously mentioned in the report, the initial feedback to the applicant was to use a glazing similar to that of the building façade to conceal the interior of the parking garage or to further elaborate on the public art concept at the garage levels. The applicant has decided to remove the public art as a screening concept since it is uncertain that it would be a successful design approach (especially as seen in the evening hours) and instead the applicant has chosen to incorporate the exterior glazing to match the entirety of the

tower. At the follow up DRC meeting in August the applicant provided more information on the terminus of the tower and how the materials would differentiate but relate to the tower design as well as providing renderings from a distance to show the building in the skyline context. The applicant also provided illustrative details of the ground floor commercial program and how it would fit into the area.

KEY ISSUES

Construction over BART

The issue has been raised about the constraints of constructing a building over the BART transit system tunnels that run beneath the project site, and concerns of impacts from the building's construction and impacts on the transit system. The site is privately owned property and as such the owners have a right to improve their property. Any structure built on the site is required to meet Building Code requirements, as well as additional restrictions on construction within proximity to the BART tunnels. BART has developed guidelines for construction near their subway structures. These guidelines indicate that structures over or adjacent to BART's subway structures must be designed and constructed to not impose any temporary or permanent adverse effects on the subway structures. Additionally, the applicant is working with the City of Oakland Bureau of Building and BART Engineering to establish a Structural Design Review Team (SDRT) to conduct a third-party review of structural and geotechnical design of the project on behalf of the City and BART.

BART has also established a zone of influence, which is effectively a "no-build" area around the BART subway system. The project will not intrude upon the zone of influence. BART is also aware of the project and has submitted a letter in support of the proposal.

Ground Floor Activities

Staff has received letters from nearby community groups with a focus on enhancing the arts in Oakland, with concerns of this project given the proximity of this site to the nearby arts district in the area to the north between Telegraph and Broadway. Both letters are in support of the proposed uses given that the applicant has agreed to incorporate arts uses into the ground floor. As noted earlier in the staff report, the applicant is proposing a 1,600 square foot arts/maker space in a ground floor tenant space facing West Grand as well as an additional 2,800 square foot arts/maker/performing arts space at the corner of Telegraph and 22nd Street.

ENVIRONMENTAL DETERMINATION

For purposes of environmental review under the California Environmental Quality Act (CEQA), the project meets the Applicable CEQA streamlining and/or tiering code sections as described below, each of which, separately and independently, provide a basis for CEQA compliance.

- 1. Community Plan Exemption.** Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allow streamlined environmental review for projects that are "consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." Section 15183(c) specifies that "if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly

applied development policies or standards..., then an EIR need not be prepared for the project solely on the basis of that impact.”

2. Qualified Infill Exemption. Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 allow streamlining for certain qualified infill projects by limiting the topics subject to review at the project level, if the effects of infill development have been addressed in a planning level decision, or by uniformly applying development policies or standards. Infill projects are eligible if they are located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site’s perimeter; satisfy the performance standards provided in CEQA Guidelines Appendix M; and are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.

3. Projects Consistent with a Redevelopment Program EIR. Public Resources Code Section 21090 and CEQA Guidelines Section 15180 allow for subsequent activities within a Redevelopment Program EIR to be reviewed pursuant to CEQA Guidelines Section 15168, which states that an agency can approve an activity as being within the scope of the project covered by the Program EIR if no new effects could occur or no new mitigation measures would be required.

Note:

A detailed CEQA Analysis was prepared for the project and was provided under separate cover for review and consideration by the Planning Commission, and is available to the public at the Planning Department office at 250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612 and on the City’s website at: <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>

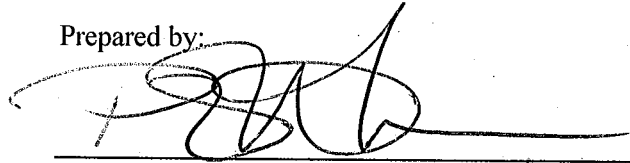
CONCLUSION

Staff believes that the proposed project is a well-designed office tower that will enhance the City’s skyline and is appropriate for the area, located within very close walking distance of the 19th Street BART Station and is nearby numerous AC Transit lines. Dense development around the City’s valuable BART Stations is critical to maximize the benefits of this regional transportation system. The design of the proposed project is also consistent with the required Conditional Use Permit (CUP) criteria, Minor Variance findings and Design Review criteria.

RECOMMENDATIONS:

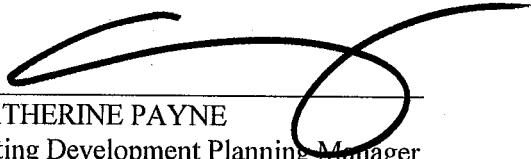
1. Affirm staff's environmental determination and adopt the attached CEQA Findings.
2. Approve the Conditional Use Permits, Minor Variances, and Design Review subject to the attached findings and conditions.

Prepared by:



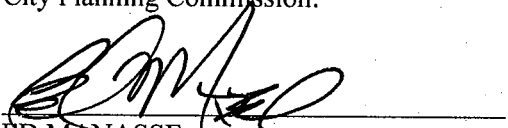
PETERSON Z. VOLLMANN
Planner IV

Reviewed by:



CATHERINE PAYNE
Acting Development Planning Manager
Bureau of Planning

Approved for Forwarding to the
City Planning Commission:



ED MANASSE
Interim Deputy Director
Department of Planning and Building

ATTACHMENTS:

- A. Findings for Approval
- B. Conditions of Approval
- C. SCAMMRP from the 2201 Valley Street CEQA Analysis Checklist
- D. Project Plans

ATTACHMENT A

FINDINGS FOR APPROVAL

This proposal meets all the required Conditional Use Permit Criteria (Section 17.134.050), Minor Variance Findings (Section 17.148.050) and Design Review Criteria (Section 17.136.050) as set forth below and which are required to approve the application. Required findings are shown in **bold type**; reasons the proposal satisfies them are shown in normal type. (Note: The Project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record).

SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

- 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 proposed high-rise office building is appropriate for the site location. The proposed project will provide for a high-density development within the downtown core that is accessible to numerous local and regional mass transit options. The height of the tower will be consistent with other existing and proposed tall buildings in the immediate vicinity within a few blocks of the site. The development will be consistent with the intensity envisioned in the Central Business District and help to create a 24-hour neighborhood within the downtown area with an employment center in the office floors above the ground floor that will help activate the area during the day. The well-designed ground floor will contain tenant spaces that will service the daytime population as well as the numerous existing and future residents in the area during the evening and weekend hours. The proposed project will be required to pay Traffic Impact Fees to address any cumulative traffic concerns in the area, and will be required to incorporate a number of off-site improvements as conditions of approval for immediate benefit to the project and surrounding area.

- 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 proposal will provide a functional working and shopping environment with well-designed pedestrian-oriented ground floor commercial spaces that will activate the streetscape and an employment center that is located in direct proximity to numerous local and regional transit options. The proposed tower meets the required design review criteria and will be an attractive addition to the City's skyline.

- 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 development will help to enhance the area as a high intensity commercial center as it is located within the Central Business District and reintroduce active ground floor commercial activities along key commercial and pedestrian corridors by replacing the existing surface parking lot and gas station with new active pedestrian-oriented ground floor commercial space.

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

See Design Review findings below.

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

As detailed earlier in the report, and hereby incorporated by reference, the General Plan's Land Use and Transportation Element (LUTE) classifies the project site as being located in the Central Business District (CBD) General Plan area. This land use classification is intended encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, community facilities, and visitor uses. The CBD classification includes a mix of large-scale offices, commercial, urban high-rise residential, institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses.

The proposed project meets the referenced policies and objectives and the general intent of the Central Business District (CBD) land use designation by constructing a new high intensity commercial building with active ground floor space on two major commercial streets within the downtown core and within direct proximity to numerous local and regional mass transportation options.

SECTION 17.148.050 – MINOR 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 proposed project requires a total of six off-street loading berths, but the applicant is requesting a reduction to three berths. Strict compliance with the requirement to provide all six

loading berths would result in the entirety of 22nd Street being dedicated to loading dock and auto related doors. Reducing the loading berths to three allows for an effective design solution that improves the appearance of the building by allowing the commercial activities to wrap onto 22nd Street while still providing an adequate loading facility for the office building and ground floor activities.

The Planning Code includes dimensional and size limitations on towers in order to reduce visual bulk and mass. The applicant is requesting a variance to these standards to waive the minimum tower diagonal and maximum floorplate average and coverage. The basis of this request is that in order to meet the standards on the subject site while achieving the intensity required to develop the project, multiple towers would be required. However, compliance with these regulations would result in a practical difficulty in that the BART tunnels run beneath the project site, which creates a limitation on where any potential building cores can be located. Given the location of the BART tunnels it is only possible for the site to achieve one building core, and thus multiple towers would not be possible. The purpose of the bulk regulations is to reduce the visual mass and bulk of towers. The proposed project incorporates a number of setbacks and vertical visual breaks in order to reduce the visual mass and bulk as intended by the regulations, while still allowing the intensity desired of the project site by working within the limitations caused by the BART tunnels running below.

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.**

The basic intent of the off-street loading berth requirements is to allow an off-street location that can provide for loading and unloading that will not conflict with on-street pedestrian, bike and auto circulation. Strict compliance with the required six loading berths would preclude an effective design solution that improves the pedestrian environment and visual character of the building (achieved by wrapping the ground floor commercial activities onto 22nd Street), while still providing three off-street loading berths that would be able to effectively serve the building. Office buildings of a similar size as the proposal building could typically use 3 or fewer loading berths (ex: Kaiser Center Office Tower, Franklin Plaza, Ask Building, Ordway Building).

The basic intent of the tower bulk limitations (maximum diagonal, maximum average floorplate, maximum lot coverage) is to provide a means of reducing the visual mass and bulk of towers as seen in the skyline. As noted in finding 1 above, the site sits above the BART tunnels which limits the location of where building cores on the site can be located. Thus, the unique site conditions in conjunction with the code standards would prohibit the ability for multiple towers on the project site and the desired commercial intensity for a high-rise office building. Strict compliance would preclude an effective design solution that allows the office tower to be developed, while still providing visual mass and bulk reductions through design measures that were incorporated by including setbacks and vertical visual breaks in the building. These breaks are developed by using the "corten steel" framing elements with the curtain wall glazing filling the other portions of the building. This design feature along with the

building setbacks allows for a more visually broken-down building that reduces the visual mass and bulk as intended by the zoning regulations.

- 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 granting of the variance to reduce the loading berths to three will not adversely affect the character, livability, or appropriate development of the surrounding area as it will improve the overall street setting by reducing the amount of auto-oriented, non-active space that would be required along 22nd Street.

The granting of the variance for the tower bulk regulations, as stated above and in the staff report, will not adversely affect the character, livability or appropriate development of the area as the project design will incorporate elements that reduce the visual mass and bulk while still achieving the desired intensity at the site to allow for the high-rise office building that will bring jobs and active, pedestrian-oriented uses to the downtown core. The character of the tower would also be fairly consistent to the bulk of other towers in the City with similar diagonal dimensions such as the State Building on Clay Street, the Center 21 tower on Webster Street, and would be much less than the Kaiser Center Office tower on Lakeside Drive.

- 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.**

The granting of the loading berth and tower dimension/size limitations would not be a grant of special privilege with limitations imposed on similarly zoned properties since a number of other high-rise office towers in the immediate vicinity contain the same or less amount of loading berths and similar size and dimensions as noted in findings 2 and 3 above.

- 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 Design Review Findings below, hereby incorporated by reference.

- 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.**

The Project is consistent with the goals and policies of the LUTE as indicated in Findings in Section 17.136.050 above, hereby incorporated by reference.

17.136.050(B) - NON-RESIDENTIAL DESIGN REVIEW CRITERIA:

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

The proposed project will achieve a group of commercial facilities within the new high-rise that will be well-related within the design of the tower as it relates to the location of those commercial facilities. For example, of the lobby entrance will complement the office uses located on Valley Street. The active ground floor retail and arts uses along West Grand and Telegraph Avenues will be appropriate because these streets are the more active pedestrian streets. The location of the parking and loading locations along 22nd Street is appropriate because 22nd Street is the least important pedestrian street on the block, and would also align with the same facilities of the proposed Eastline project across the street. The proposal will include new streetscape enhancements that will include street trees, improvements to pavement and lighting and will contain active ground floor commercial activities that will replace the existing surface parking lot and gas station to better relate to the existing desirable neighborhood character. The project is located in an area with no height limitations, but at 465 feet, it will be within the range of other existing and proposed office and residential towers in the surrounding area within a few blocks.

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

The proposed design will be that of a well-designed office tower that uses high quality exterior materials in a manner that creates visual interest in the skyline, as well as establishing an active ground floor setting to be more compatible with the surrounding area while replacing the incompatible surface parking lot and gas station.

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

The project site is consistent with the goals and policies of the LUTE as indicated in Findings in Sections 17.134.050 above and the City Planning Commission Report, hereby incorporated by reference.

CEQA COMPLIANCE FINDINGS

I. Introduction: These findings are made pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et seq.; "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.; "CEQA Guidelines") by the Planning Commission in connection with the environmental analysis of the effects of implementation of the 2201 Valley Street project, as more fully described elsewhere in this Staff Report and in the City of Oakland ("City") CEQA Analysis document entitled "2201 Valley Street Project CEQA Analysis" dated December 2018 ("CEQA Analysis") (the "Project"). The City is the lead agency for purposes of compliance with the requirements of CEQA. These CEQA findings are attached and incorporated by reference into each and every decision associated with approval of the Project and are based on substantial evidence in the entire administrative record.

II. Applicability/Adoption of Previous CEQA Documents

- A. Adoption of General Plan Land Use and Transportation Element (LUTE) and Certification of 1998 LUTE EIR: The City finds and determines that (a) the Oakland City Council on March 24, 1998 adopted Resolution No. 74129 C.M.S. which adopted the General Plan LUTE, made appropriate CEQA findings, including certification of the 1998 LUTE Environmental Impact Report ("EIR"); and (b) the LUTE satisfies the description of "Community Plan" set out in Public Resources Code section 21083.3(e) and in CEQA Guidelines section 15183, as well the description of "Planning Level Document" set out in Public Resources Code section 21094.5 and in CEQA Guidelines section 15183.3. The City Council, in adopting the LUTE following a public hearing, approved applicable mitigation measures which are largely the same as those identified in the other Program EIRs prepared after the 1998 LUTE EIR, either as mitigation measures or as a part of newer Standard Conditions of Approval ("SCAs") which constitute uniformly applied development policies or standards (together with other City development regulations) and determined that the mitigation measures set out in the 1998 LUTE EIR, would substantially mitigate the impacts of the LUTE and future projects thereunder. While approved after certification of the 1998 LUTE EIR, growth and potential effects of the development of the Project would have been considered in the cumulative growth projections factored into the LUTE EIR analysis.
- B. Adoption of the Central District Urban Renewal Plan and Amendments thereto and Certification of the Central District Urban Renewal Plan Amendments EIR (or "Redevelopment Plan Amendments EIR"): The City finds and determines that (a) the Oakland City Council on June 12, 1969 adopted Resolution No. 7987 C.M.S. which adopted the Central District Urban Renewal Plan for the Project Area; and (b) the Oakland City Council on March 20, 2012, adopted Resolution No. 83767 C.M.S. which adopted amendments to the Urban Renewal Plan and made appropriate CEQA findings including certification of the Central District Urban Renewal Plan Amendments EIR; and (c) the Redevelopment Plan Amendments EIR satisfies the designation of a "Program EIR" under CEQA guidelines Section 15180, as such subsequent activities are subject to

requirements under CEQA Section 15168. The City Council, in adopting the Central District Urban Renewal Plan Amendments following a public hearing, approved applicable mitigation measures and standard conditions of approval and determined that the uniformly applicable development policies or standards, together with the mitigation measures set out in the Redevelopment Plan Amendments EIR would substantially mitigate the impacts of the Central District Urban Renewal Plan Amendments and future projects thereunder.

III. CEQA Analysis Document: The CEQA Analysis and all of its findings, determinations and information is hereby incorporated by reference as if fully set forth herein. The CEQA Analysis concluded that the Project satisfies each of the following CEQA provisions, qualifying the Project for three separate CEQA statutory exemptions as summarized below and provides substantial evidence to support the following findings.

The City hereby finds that, as set forth below and in the checklist attached as part of the CEQA Analysis, the Project is exempt from any additional CEQA Analysis under the “Community Plan Exemption” of Public Resources Code section 21083.3 (CEQA Guidelines §15183) and/or the “Qualified Infill Exemption” under Public Resources section 21094.5 (CEQA Guidelines §15183.3) and/or the “Redevelopment Projects” under Public Resources Code section 21090 (CEQA Guidelines §15180), thus no additional environmental analysis beyond the CEQA Analysis is necessary. The specific statutory exemptions are discussed below in more detail.

A. Community Plan Exemption; Public Resources Code Section 21083.3 (CEQA Guidelines §15183): The City finds and determines that, for the reasons set out below and in the CEQA Analysis, the Community Plan Exemption applies to the Project. Therefore, no further environmental analysis is required because all of the Project’s effects on the environment were adequately analyzed and mitigation measures provided in the 1998 LUTE EIR for the overall project (collectively called “Program EIR’s”); there are no significant effects on the environment which are peculiar to the Project or to the parcel upon which it is located not addressed and mitigated in the Program EIR’s; and there is no new information showing that any of the effects shall be more significant than described in the Program EIR’s.

As set out in detail in Attachment B to the CEQA Analysis, the City finds that, pursuant to CEQA Guidelines section 15183 and Public Resources Code section 21083.3, the Project is consistent with the development density analyzed in the Program EIR’s and that there are no environmental effects of the Project peculiar to the Project or the Project Site which were not analyzed as significant effects in the Program EIR’s, nor are there potentially significant off-site impacts and cumulative impacts not discussed in the Program EIR’s; nor are any of the previously identified significant effects which, as a result of substantial information not known at the time of certification of the Program EIR’s, are now determined to present a more severe adverse impact than discussed in the Program EIR’s. As such, no further analysis of the environmental effects of the Project is required.

B. Qualified Infill Exemption; Public Resources Code Section 21094.5 (CEQA Guidelines §15183.3): The City finds and determines that, for the reasons set forth below and in the CEQA Analysis, a Qualified Infill Exemption applies to the Project and no further environmental

analysis is required since all the Project's effects on the environment were adequately analyzed and mitigation measures provided in the Program EIRs; the Project will cause no new specific effects not addressed in the Program EIRs that are specific to the Project or the Project Site; and there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the Program EIRs.

The City finds that, pursuant to CEQA Guidelines section 15183.3, the CEQA Analysis contains in Attachment C a written analysis consistent with Appendix M to the CEQA Guidelines examining whether the Project will cause any effects that require additional review under CEQA. The contents of Attachment C documents that the Project is located in an urban area satisfying the requirements of CEQA Guidelines section 15183.3 and satisfies the applicable performance standards set forth in Appendix M to the CEQA Guidelines. It also explains how the effects of the Project were analyzed in the Program EIRs; and indicates that the Project incorporates all applicable mitigation measures and SCAs from the Program EIRs. Attachment C also determines that the Project will cause no new specific effects not analyzed in the Program EIRs; determines that there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the Program EIRs, determines that the Project will not cause new specific effects or more significant effects, and documents how uniformly applicable development policies or standards (including, without limitation, the SCAs) will mitigate environmental effects of the Project. Based upon the CEQA Analysis and other substantial evidence in the record, the City finds and determines that no further environmental analysis of the effects of the Project is required.

C. Program EIRs and Redevelopment Projects (CEQA Guidelines §15168 and § 15180): The City finds and determines that for the reasons set forth below and in the CEQA Analysis, that the 2011 Redevelopment Plan Amendments EIR applies to the Project and no further environmental analysis is required since all the Project's effects on the environment were adequately analyzed and mitigation measures provided in the 2011 Redevelopment Plan Amendments EIR; the Project will cause no new specific effects not addressed in the 2011 Redevelopment Plan Amendments EIR that are specific to the Project or the Project Site; and there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the 2011 Redevelopment Plan Amendments EIR .

IV. Severability: The City finds that all three CEQA provisions discussed and determined to be applicable in Section III above are separately and independently applicable to the consideration of the Project and should any of the three be determined not to be so applicable, such determinations shall have no effect on the validity of these findings and the approval of the Project on any of the other grounds.

V. Incorporation by Reference of Statement of Overriding Considerations: Each of the Previous CEQA Documents identified significant and unavoidable impacts.¹ The 1998 LUTE EIR identified six areas of environmental effects of the LUTE that presented significant and

¹ If these or any other findings inaccurately identify or fail to list a significant and unavoidable impact identified in the analysis, findings and conclusions of the 1988 LUTE EIR, the 2010 Housing Element and 2014 Addendum EIR, the Redevelopment Plan Amendments EIR or their administrative records as a whole, the identification of that impact and any mitigation measure or SCA required to be implemented as part of the Project is not affected.

unavoidable impacts; and the Redevelopment Plan Amendments EIR identified three areas of environmental effects of the Redevelopment Plan Amendments that presented significant and unavoidable impacts. Because the Project may contribute to some significant and unavoidable impacts identified in the Program EIR's identified above, but a Subsequent and/or Supplemental EIR is not required in accordance with CEQA Guidelines sections 15162, 15163, 15164, 15168, 15180, 15183 and 15183.3, a Statement of Overriding Considerations is not legally required. Nevertheless, in the interest of being conservative, the Statements of Overriding Consideration for the 1998 LUTE EIR, adopted by the City Council on March 24, 1998, via Resolution No. 74129 C.M.S.; and for the Redevelopment Plan Amendments EIR, adopted by the City Council on March 20, 2012, via Resolution No. 83767 C.M.S, are all hereby incorporated by reference as if fully set forth herein.

ATTACHMENT B

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 October 18, 2018**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

2. Effective Date, Expiration, Extensions and Extinguishment

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten (10) calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **two years** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period a complete building permit application has been filed with the Bureau of Building and diligently pursued towards completion, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. Compliance with Other Requirements

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City’s Bureau of Building, Fire Marshal, Department of Transportation, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

4. Minor and Major Changes

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

5. Compliance with Conditions of Approval

- a. The project applicant and property owner, including successors, (collectively referred to hereafter as the "project applicant" or "applicant") shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.
- b. The City of Oakland reserves the right at any time during construction to require certification by a licensed professional at the project applicant's expense that the as-built project conforms to all applicable requirements, including but not limited to, approved maximum heights and minimum setbacks. Failure to construct the project in accordance with the Approval may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension, or other corrective action.
- c. Violation of any term, Condition, or project description relating to the Approval is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approval or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Approval or Conditions.

6. Signed Copy of the Approval/Conditions

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

7. Blight/Nuisances

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

8. Indemnification

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

any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. **Severability**

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

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

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

11. **Public Improvements**

The project applicant shall obtain all necessary permits/approvals, such as encroachment permits, obstruction permits, curb/gutter/sidewalk permits, and public improvement ("p-job") permits from the City for work in the public right-of-way, including but not limited to, streets, curbs, gutters, sidewalks, utilities, and fire hydrants. Prior to any work in the public right-of-way, the applicant shall submit plans for review and approval by the Bureau of Planning, the Bureau of Building, Engineering Services, Department of Transportation, and other City departments as required. Public improvements shall be designed and installed to the satisfaction of the City.

12. **Compliance Matrix**

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

13. **Construction Management Plan**

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

plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.

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

- a. All mitigation measures identified in the **2201 Valley Street Project CEQA Analysis** are included in the Standard Condition of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP) which is included in these Conditions of Approval and are incorporated herein by reference, as **Attachment C**, as Conditions of Approval of the project. The Standard Conditions of Approval identified in the **2201 Valley Street Project CEQA Analysis** are also included in the SCAMMRP, and are, therefore, incorporated into these Conditions by reference but are not repeated in these Conditions. To the extent that there is any inconsistency between the SCAMMRP and these Conditions, the more restrictive Conditions shall govern. In the event a Standard Condition of Approval or mitigation measure recommended in the **2201 Valley Street Project CEQA Analysis** has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the **2201 Valley Street Project CEQA Analysis** into the SCAMMRP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable mitigation measures adopted, and with all Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or Condition of Approval, and subject to the review and approval by the City of Oakland. The SCAMMRP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval and mitigation measure. Unless otherwise specified, monitoring of compliance with the Standard Conditions of Approval and mitigation measures will be the responsibility of the Bureau of Planning, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.
- b. Prior to the issuance of the first construction-related permit, the project applicant shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

Other Standard Conditions

15. Employee Rights

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

16. Neighborhood Retail Survey

Requirement: The project applicant shall conduct a survey of community members located within one-half mile of the project site to identify neighborhood needs and preferences for the proposed commercial space.

The City strongly encourages the project applicant to seek tenants for the proposed commercial space that meet the needs and preferences of local community members. Please refer to the City's Survey Guidelines for more information (contained in a separate document and available from the Oakland Planning Bureau).

When Required: Prior to commercial operations

Initial Approval: N/A

Monitoring/Inspection: N/A

17. Public Art for Private Development

Requirement: The project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). The public art contribution requirements are equivalent to one-half percent (0.5%) for the "residential" building development costs, and one percent (1.0%) for the "non-residential" building development costs.

The contribution requirement can be met through: 1) the installation of freely accessible art at the site; 2) the installation of freely accessible art within one-quarter mile of the site; or 3) satisfaction of alternative compliance methods described in the Ordinance, including, but not limited to, payment of an in-lieu fee contribution. The applicant shall provide proof of full payment of the in-lieu contribution and/or provide plans, for review and approval by the Planning Director, showing the installation or improvements required by the Ordinance prior to issuance of a building permit.

Proof of installation of artwork, or other alternative requirement, is required prior to the City's issuance of a final certificate of occupancy for each phase of a project unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval.

When Required: Payment of in-lieu fees and/or plans showing fulfillment of public art requirement – Prior to Issuance of Building permit

Installation of art/cultural space – Prior to Issuance of a Certificate of Occupancy.

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

Project-Specific Conditions

18. Exterior Finishes/ Final Design Details

Requirement: The final building permit plan set shall contain detailed information on all proposed exterior finishes and elevations for approval by the Director of Planning. If requested, sample materials shall be provided and/or materials mock-ups constructed on-site.

When Required: Prior to issuance of a Building Permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

19. Lot Merger Required

Requirement: The project applicant shall merge the project site lots to accommodate the proposed development.

When Required: Prior to issuance of a building permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

20. Ground Floor Activities

Requirement: The ground floor commercial spaces shall be developed per the approved plans. Furthermore, the commercial space designated as arts/maker space/ performing arts space shall be limited to those arts related activities only under the Conditional Use Permit for "Personal Instruction and Improvement", and no other activities under this classification shall be permitted by the granting of this Conditional Use Permit (including but not limited to yoga studios, fitness clubs, or any other non-art related instructional services).

When Required: Ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

21. Driveway Access on W. Grand Avenue

Requirement: The applicant shall not install the optional driveway on West Grand Avenue unless a study has been prepared and reviewed by the Bureau of Planning and Department of Transportation (DOT) that clearly demonstrates that the carrying capacity of 22nd Street would be exceeded due to any driveway for a garage exit on the Eastline project (at 2100 Telegraph – approved under PLN16-440) being located to the west of Valley Street. This study shall be prepared by a traffic consultant approved by the City and shall clearly demonstrate that the limitation on 22nd Street from the two project driveways would cause severe queuing backups into the project parking garages necessitating the additional driveway. If permitted to proceed, additional improvements may be required to offset any negative impacts, including but not limited to, design features of the curb cuts/driveway as it relates to the proposed bike lanes on West Grand Avenue.

When Required: Prior to issuance of a permit for a curb cut or driveway on West Grand

Initial Approval: Bureau of Planning / DOT Engineering Services

Monitoring/Inspection: Bureau of Planning

22. Transportation Improvement Measures

The following improvements shall be submitted as part of a p-job permit application for review and approval by the Department of Transportation (DOT). If approved, they shall be implemented.

Requirement #1: Provide adequate sight distance at the driveways. If adequate sight distance cannot be achieved, provide audio/visual warning devices at the driveway.

Requirement #2: Provide ADA-compliant directional curb ramps at the intersections adjacent to the project site where the project is reconstructing sidewalks, and provide red curb for 20 feet on either side of each crosswalk.

Requirement #3: A traffic signal at the West Grand Avenue/Valley Street intersection. Prior to designing the traffic signal conduct an engineering study that includes the full set of warrants for signalization, and

use this engineering study as the basis for designing the traffic signal. Incorporate the traffic signal into the existing intersection, provide ADA accessible directional ramps (if feasible), and include two stage left-turn bike boxes for bicyclists turning onto Valley Street if bike lanes are installed on West Grand Avenue. Provide red curb for 20 feet on either side of each crosswalk.

Requirement #4: Prohibit on-street parking on both sides of 22nd Street between Valley Street and Telegraph Avenue and provide a 40-foot loading zone on the north side of 22nd Street between Valley Street and the site's commercial loading docks. Provide loading dock access so docks are accessible even if adjacent docks are occupied.

When Required: Prior to issuance of a building permit

Initial Approval: Bureau of Planning / DOT

Monitoring/Inspection: N/A

Attachment C

~~Attachment C~~ Mitigation Measures and Standard Conditions of Approval and Reporting Program

A. Applicable Mitigation Measures

The following applicable mitigation measures from the 1998 LUTE EIR would be required of the project to ensure that any impacts to the environment are reduced to the maximum extent feasible. All other mitigations which are functionally equivalent to the City of Oakland's Standard Conditions of Approval are discussed and addressed below in the Standard Conditions of Approval table.

Mitigation Measure N.1: The City shall require the project sponsors to incorporate specific design elements in the final siting and designs for the high rises that could reduce ground-level winds within the Downtown Showcase District.

B. Standard Conditions of Approval

The City of Oakland's Uniformly Applied Development Standards adopted as Standard Conditions of Approval (Standard Conditions of Approval, or SCAs) were originally adopted by the City in 2008 (Ordinance No. 12899 C.M.S.) pursuant to Public Resources Code section 21083.3) and have been incrementally updated over time. The SCAs incorporate development policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection, Stormwater Water Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) permit requirements, Housing Element-related mitigation measures, Green Building Ordinance, historic/Landmark status, California Building Code, and Uniform Fire Code, among others), which have been found to substantially mitigate environmental effects.

These SCAs are incorporated into projects as conditions of approval, regardless of the determination of a project's environmental impacts. As applicable, the SCAs are adopted as requirements of an individual project when it is approved by the City, and are designed to, and will, avoid or substantially reduce a project's environmental effects.

In reviewing project applications, the City of Oakland determines which SCAs apply based upon the zoning district, community plan, and the type of permits/approvals required for the project. The City of Oakland also will determine which SCAs apply to a specific project based on the specific project type and/or project site characteristics. Because these SCAs are mandatory City requirements imposed on a city-wide basis, environmental analyses assume these SCAs will be implemented by the project, and these SCAs are not imposed as mitigation measures under CEQA.

All SCAs identified in the CEQA document—which is consistent with the measures and conditions presented in the City of Oakland General Plan, Land Use and Transportation EIR (LUTE EIR, 1998) and the 2011 Central District Urban Renewal Plan Amendments EIR (2011 Renewal Plan EIR)—are included herein. To the extent that any SCA identified in the CEQA document was inadvertently omitted, it is automatically incorporated herein by reference.

- The first column identifies the SCA applicable to that topic in the CEQA document.
- The second column identifies the monitoring schedule or timing applicable to the project.
- The third column names the party responsible for monitoring the required action for the project.

In addition to the SCAs identified and discussed in the CEQA document, other SCAs that are applicable to the project are included herein.

The project sponsor is responsible for compliance with any recommendations in approved technical reports and with all SCAs set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific SCA, and subject to the review and approval of the City of Oakland. Overall monitoring and compliance with the SCAs will be the responsibility of the Planning and Zoning Division. Prior to the issuance of a demolition, grading, and/or construction permit, the project sponsor shall pay the applicable mitigation and monitoring fee to the City in accordance with the City’s Master Fee Schedule.

Note that the SCAs included in this document are referred to using an abbreviation for the environmental topic area and are numbered sequentially for each topic area—i.e., SCA-AIR-1, SCA-AIR-2, etc. The SCA titles are also provided—i.e., SCA-AIR-1: Dust Controls - Construction Related (#21).

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
Aesthetics, Shadow and Wind			
SCA-AES-1: <i>Lighting</i> (#19). 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.	Prior to building permit final	N/A	Bureau of Building
SCA-AES-2: <i>Trash and Blight Removal</i> (#16). 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.	Ongoing	N/A	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>SCA-AES-3: Graffiti Control (#17).</p> <p>a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:</p> <ol style="list-style-type: none"> 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. <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:</p> <ol style="list-style-type: none"> 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). 	Ongoing	N/A	Bureau of Buildings
<p>SCA-AES-4: Landscape Plan (#18).</p> <p>a. Landscape Plan Required</p> <ul style="list-style-type: none"> • 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. 	Prior to approval of construction-related permit	Bureau of Planning	N/A

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>b. Landscape Installation</p> <ul style="list-style-type: none"> 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. 	Prior to building permit final	Bureau of Planning	Bureau of Building
<p>c. Landscape Maintenance</p> <ul style="list-style-type: none"> 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. 	Ongoing	N/A	Bureau of Buildings
<p>SCA-AES-5: Public Art for Private Development (#20). The project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). The public art contribution requirements are equivalent to one-half percent (0.5%) for the "residential" building development costs, and one percent (1.0%) for the "non-residential" building development costs.</p> <p>The contribution requirement can be met through: 1) the installation of freely accessible art at the site; 2) the installation of freely accessible art within one-quarter mile of the site; or 3) satisfaction of alternative compliance methods described in the Ordinance, including, but not limited to, payment of an in-lieu fee contribution. The applicant shall provide proof of full payment of the in-lieu contribution and/or provide plans, for review and approval by the Planning Director, showing the installation or improvements required by the Ordinance prior to issuance of a building permit.</p> <p>Proof of installation of artwork, or other alternative requirement, is required prior to the City's issuance of a final certificate of occupancy for each phase of a project unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval.</p>	Payment of in-lieu fees and/or plans showing fulfillment of public art requirement – Prior to Issuance of Building permit	Bureau of Planning	Bureau of Planning
Air Quality			
<p>SCA-AIR-1: Dust Controls – Construction Related (#21). The project applicant shall implement all of the following applicable dust control measures during construction of the project:</p>	During construction	N/A	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>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.</p> <p>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).</p> <p>c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>d. Limit vehicle speeds on unpaved roads to 15 miles per hour.</p> <p>e. All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.</p> <p>f. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <p>g. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>h. Apply and maintain vegetative ground cover (e.g., hydroseed) or non-toxic soil stabilizers to disturbed areas of soil that will be inactive for more than one month. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</p> <p>i. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</p> <p>j. When working at a site, install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of the site, to minimize wind-blown dust. Windbreaks must have a maximum 50 percent air porosity.</p> <p>k. Post a publicly visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.</p> <p>l. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p>			

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	When Required	Initial Approval	Monitoring/ Inspection
<p>SCA-AIR-2: Diesel Particulate Matter Controls – Construction Related (#23).</p> <p>a. Diesel Particulate Matter Reduction Measures</p> <p>The project applicant shall implement appropriate measures during construction to reduce potential health risks to sensitive receptors due to exposure to diesel particulate matter (DPM) from construction emissions. The project applicant shall choose one of the following methods:</p> <p>i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with current guidance from the California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment to determine the health risk to sensitive receptors exposed to DPM from project construction emissions. The HRA shall be submitted to the City (and the Air District if specifically requested) for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then DPM reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, DPM reduction measures shall be identified to reduce the health risk to acceptable levels as set forth under subsection b below. Identified DPM reduction measures shall be submitted to the City for review and approval prior to the issuance of building permits and the approved DPM reduction measures shall be implemented during construction.</p> <p>-or-</p> <p>ii. All off-road diesel equipment shall be equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This shall be verified through an equipment inventory submittal and Certification Statement that the Contractor agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of contract.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
<p>b. Construction Emissions Minimization Plan (if required by a above)</p> <p>The project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified DPM reduction measures (if any). The Emissions Plan shall be submitted to the City (and the Bay Area Air Quality District if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following:</p> <p>i. An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number,</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.</p> <p>ii. A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract.</p>			
<p>SCA-AIR-3: Stationary Sources of Air Pollution (Toxic Air Contaminants) (#25). The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose one of the following methods:</p> <p>a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to 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.</p> <p>- or -</p> <p>b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <p>i. Installation of non-diesel fueled generators, if feasible, or;</p> <p>ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
<p>SCA-AIR-4: Asbestos in Structures (#27). 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</p>	Prior to approval of construction-related permit	Applicable regulatory agency with jurisdiction	Applicable regulatory agency with jurisdiction

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
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.			
<p>SCA-AIR-5: Criteria Air Pollutants - Construction Related (#22)</p> <p>The project applicant shall implement all of the following applicable basic control measure for criteria pollutants during construction of the project as applicable:</p> <ul style="list-style-type: none"> 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 of two minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clean 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. 	During construction	N/A	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
Biological Resources			
<p>SCA-BIO-1: Tree Removal during Bird Breeding Season (#30). To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p>	Prior to removal of trees	Bureau of Planning	Bureau of Building
<p>SCA-BIO-2: Tree Permit (#31). a. Tree Permit Required Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.</p>	Prior to approval of construction-related permit	Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building	Bureau of Building
<p>b. Tree Protection During Construction Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <ul style="list-style-type: none"> i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree. ii. Where proposed development or other site work is to 	During construction	Public Works Department, Tree Division	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filling, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p> <p>vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p>			
<p>c. Tree Replacement Plantings Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:</p>	Prior to building permit final	Public Works Department, Tree Division	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.</p> <p>ii. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye), Umbellularia californica (California Bay Laurel), or other tree species acceptable to the Tree Division.</p> <p>iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.</p> <p>iv. Minimum planting areas must be available on site as follows:</p> <ul style="list-style-type: none"> • For Sequoia sempervirens, three hundred fifteen (315) square feet per tree; • For other species listed, seven hundred (700) square feet per tree. <p>v. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.</p> <p>vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.</p>			
Cultural Resources			
<p>SCA-CUL-1: Archaeological and Paleontological Resources – Discovery During Construction (#33). 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</p>	<p>During construction</p>	<p>N/A</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>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.</p> <p>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.</p> <p>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.</p>			
<p>SCA-CUL-2: Human Remains – Discovery During Construction (#35). 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</p>	During construction	N/A	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
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.			
Geology, Soils and Geohazards			
SCA-GEO-1: Construction-Related Permit(s) (#37). 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.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
SCA-GEO-2: Seismic Hazards Zone (Landslide/Liquefaction) (#40). : The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant shall implement the recommendations contained in the approved report during project design and construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
Greenhouse Gas and Climate Change			
SCA-GHG-1: GHG Reduction Plan (#42). a. Greenhouse Gas (GHG) Reduction Plan Required The project applicant shall retain a qualified air quality consultant to develop a Greenhouse Gas (GHG) Reduction Plan for City review and approval and shall implement the approved GHG Reduction Plan. The goal of the GHG Reduction Plan shall be to increase energy efficiency and reduce GHG emissions to below at least one of the Bay Area Quality Management District's (BAAQMD's) CEQA Thresholds of Significance (1,100 metric tons of CO ₂ e per year or 4.6 metric tons of CO ₂ e per year per service population) The GHG Reduction Plan shall include, at a minimum, (a) a detailed GHG emissions inventory for the project under a "business-as-usual" scenario with no consideration of project design features, or other energy efficiencies, (b) an "adjusted" baseline GHG emissions inventory for the project, taking into consideration energy efficiencies included as part of the project (including the City's Standard Conditions of Approval, proposed mitigation measures, project design features, and other City requirements), and additional GHG reduction measures available to further reduce GHG emissions, and (c) requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. If the project is	Prior to approval of construction-related permit	Bureau of Planning	N/A

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	When Required	Initial Approval	Monitoring/Inspection
<p>to be constructed in phases, the GHG Reduction Plan shall provide GHG emission scenarios by phase.</p> <p>Potential GHG reduction measures to be considered include, but are not be limited to, measures recommended in BAAQMD's latest CEQA Air Quality Guidelines, the California Air Resources Board Scoping Plan (December 2008, as may be revised), the California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures (August 2010, as may be revised), the California Attorney General's website, and Reference Guides on Leadership in Energy and Environmental Design (LEED) published by the U.S. Green Building Council.</p> <p>The types of allowable GHG reduction measures include the following (listed in order of City preference): (1) physical design features; (2) operational features; and (3) the payment of fees to fund GHG-reducing programs (i.e., the purchase of "carbon credits") as explained below.</p> <p>The allowable locations of the GHG reduction measures include the following (listed in order of City preference): (1) the project site; (2) off-site within the City of Oakland; (3) off-site within the San Francisco Bay Area Air Basin; (4) off-site within the State of California; then (5) elsewhere in the United States.</p> <p>As with preferred locations for the implementation of all GHG reductions measures, the preference for carbon credit purchases include those that can be achieved as follows (listed in order of City preference): (1) within the City of Oakland; (2) within the San Francisco Bay Area Air Basin; (3) within the State of California; then (4) elsewhere in the United States. The cost of carbon credit purchases shall be based on current market value at the time purchased and shall be based on the project's operational emissions estimated in the GHG Reduction Plan or subsequent approved emissions inventory, which may result in emissions that are higher or lower than those estimated in the GHG Reduction Plan.</p> <p>For physical GHG reduction measures to be incorporated into the design of the project, the measures shall be included on the drawings submitted for construction-related permits.</p>			
<p><i>b. GHG Reduction Plan Implementation During Construction</i></p> <p>The project applicant shall implement the GHG Reduction Plan during construction of the project. For physical GHG reduction measures to be incorporated into the design of the project, the measures shall be implemented during construction. For physical GHG reduction measures to be incorporated into off-site projects, the project applicant shall obtain all necessary permits/approvals and the measures shall be included on drawings and submitted to the City Planning Director or his/her designee for review and approval. These off-site improvements shall be installed prior to completion of the subject project (or prior to completion of the project phase for phased projects). For</p>	During Construction	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
GHG reduction measures involving the purchase of carbon credits, evidence of the payment/purchase shall be submitted to the City for review and approval prior to completion of the project (or prior to completion of the project phase, for phased projects).			
<p>c. GHG Reduction Plan Implementation After Construction</p> <p>The project applicant shall implement the GHG Reduction Plan after construction of the project (or at the completion of the project phase for phased projects). For operational GHG reduction measures to be incorporated into the project or off-site projects, the measures shall be implemented on an indefinite and ongoing basis.</p> <p>The project applicant shall satisfy the following requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. The GHG Reduction Plan requires regular periodic evaluation over the life of the project (generally estimated to be at least 40 years) to determine how the Plan is achieving required GHG emissions reductions over time, as well as the efficacy of the specific additional GHG reduction measures identified in the Plan.</p> <p>Annual Report. Implementation of the GHG reduction measures and related requirements shall be ensured through compliance with Conditions of Approval adopted for the project. Generally, starting two years after the City issues the first Certificate of Occupancy for the project, the project applicant shall prepare each year of the useful life of the project an Annual GHG Emissions Reduction Report ("Annual Report"), for review and approval by the City Planning Director or his/her designee. The Annual Report shall be submitted to an independent reviewer of the City's choosing, to be paid for by the project applicant.</p> <p>The Annual Report shall summarize the project's implementation of GHG reduction measures over the preceding year, intended upcoming changes, compliance with the conditions of the Plan, and include a brief summary of the previous year's Annual Report results (starting the second year). The Annual Report shall include a comparison of annual project emissions to the baseline emissions reported in the GHG Plan.</p> <p>The GHG Reduction Plan shall be considered fully attained when project emissions are less than either applicable numeric BAAQMD CEQA Thresholds <u>AND</u> GHG emissions are 36 percent below the project's 2005 "business-as-usual" baseline GHG emissions, as confirmed by the City through an established monitoring program. Monitoring and reporting activities will continue at the City's discretion, as discussed below.</p> <p>Corrective Procedure. If the third Annual Report, or any report thereafter, indicates that, in spite of the implementation of the GHG Reduction Plan, the project is not achieving the GHG reduction goal, the project applicant shall prepare a report for City review and approval, which</p>	Ongoing	Bureau of Planning	Bureau of Planning

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	When Required	Initial Approval	Monitoring/ Inspection
<p>proposes additional or revised GHG measures to better achieve the GHG emissions reduction goals, including without limitation, a discussion on the feasibility and effectiveness of the menu of other additional measures ("Corrective GHG Action Plan"). The project applicant shall then implement the approved Corrective GHG Action Plan.</p> <p>If, one year after the Corrective GHG Action Plan is implemented, the required GHG emissions reduction target is still not being achieved, or if the project applicant fails to submit a report at the times described above, or if the reports do not meet City requirements outlined above, the City may, in addition to its other remedies, (a) assess the project applicant a financial penalty based upon actual percentage reduction in GHG emissions as compared to the percent reduction in GHG emissions established in the GHG Reduction Plan; or (b) refer the matter to the City Planning Commission for scheduling of a compliance hearing to determine whether the project's approvals should be revoked, altered or additional conditions of approval imposed.</p> <p>The penalty as described in (a) above shall be determined by the City Planning Director or his/her designee and be commensurate with the percentage GHG emissions reduction not achieved (compared to the applicable numeric significance thresholds) or required percentage reduction from the "adjusted" baseline.</p> <p>In determining whether a financial penalty or other remedy is appropriate, the City shall not impose a penalty if the project applicant has made a good faith effort to comply with the GHG Reduction Plan.</p> <p>The City would only have the ability to impose a monetary penalty after a reasonable cure period and in accordance with the enforcement process outlined in Planning Code Chapter 17.152. If a financial penalty is imposed, such penalty sums shall be used by the City solely toward the implementation of the GHG Reduction Plan.</p> <p>Timeline Discretion and Summary. The City shall have the discretion to reasonably modify the timing of reporting, with reasonable notice and opportunity to comment by the applicant, to coincide with other related monitoring and reporting required for the project.</p>			
Hazards and Hazardous Materials			
<p>SCA-HAZ-1: Hazardous Building Materials and Site Contamination (#44).</p> <p>a. Hazardous Building Materials Assessment</p> <p>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</p>	<p>Prior to approval of demolition, grading, or building permits</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
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.			
b. Environmental Site Assessment Required 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.	Prior to approval of construction-related permit.	Applicable regulatory agency with jurisdiction	Applicable regulatory agency with jurisdiction
c. Health and Safety Plan Required 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.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
d. Best Management Practices (BMPs) Required for Contaminated Sites 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.	During construction	N/A	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>SCA-HAZ-2: Hazardous Materials Related to Construction (#43). 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:</p> <ul style="list-style-type: none"> 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; 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. 	During construction	N/A	Bureau of Building
Hydrology and Water Quality			
<p>SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#48). 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.</p>	During construction-	N/A	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>SCA-HYD-2: NPDES C.3 Stormwater Requirements for Regulated Projects (#54).</p> <p>a. Post-Construction Stormwater Management Plan Required</p> <p>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:</p> <ul style="list-style-type: none"> 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. 	Prior to approval of construction-related permit	Bureau of Planning; Bureau of Building	Bureau of Building
<p>a. Maintenance Agreement Required</p> <p>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:</p> <ul style="list-style-type: none"> 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. <p>The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p>	Prior to building permit final	Bureau of Building	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
Noise			
<p>SCA-NOI-1: Construction Days/Hours (#62). The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>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.</p>	During construction	N/A	Bureau of Building
<p>SCA-NOI-2: Construction Noise (#63). 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:</p> <ul style="list-style-type: none"> 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 	During construction	N/A	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>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.</p> <p>c. Applicant shall use temporary power poles instead of generators where feasible.</p> <p>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.</p> <p>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.</p>			
<p>SCA-NOI-3: Extreme Construction Noise (#64).</p> <p>a. Construction Noise Management Plan Required</p> <p>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:</p> <p>a. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</p> <p>b. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</p> <p>c. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</p> <p>d. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
noise impacts; and e. Monitor the effectiveness of noise attenuation measures by taking noise measurements.			
b. Public Notification Required 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 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.	During construction	Bureau of Building	Bureau of Building
SCA-NOI-4: Construction Noise Complaints (#66). The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include: a. Designation of an on-site construction complaint and enforcement manager for the project; b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit; c. Protocols for receiving, responding to, and tracking received complaints; and d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
SCA-NOI-5: Operational Noise (#68). 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.	Ongoing	N/A	Bureau of Building
SCA-NOI-6: Exposure to Community Noise (#67). The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
following: a. 45 dBA: Residential activities, civic activities, hotels b. 50 dBA: Administrative offices; group assembly activities c. 55 dBA: Commercial activities d. 65 dBA: Industrial activities			
SCA-NOI-7: Exposure to Vibration (#69). The project applicant shall submit a Vibration Reduction Plan prepared by a qualified acoustical consultant for City review and approval that contains vibration reduction measures to reduce groundborne vibration to acceptable levels per Federal Transit Administration (FTA) standards. The applicant shall implement the approved Plan during construction. Potential vibration reduction measures include, but are not limited to, the following: a. Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a “spring isolation” system that consists of resilient spring supports that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of groundborne vibration to the residences above. b. Trenching, which involves excavating soil between the railway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project’s structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets [i.e., Styrofoam] or low-density polyethylene).	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
Population and Housing			
SCA-PH-1: Jobs/Housing Impact Fee (#71). The project applicant shall comply with the requirements of the City of Oakland Jobs/Housing Impact Fee Ordinance (chapter 15.68 of the Oakland Municipal Code).	Prior to issuance of building permit; subsequent milestones pursuant to ordinance	Bureau of Building	N/A
Public Services, Parks, and Recreation Facilities			
SCA-PS-1: Capital Improvements Impact Fee (#74). 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).	Prior to issuance of building permit	Bureau of Building	N/A

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
Transportation and Circulation			
<p>SCA-TRANS-1: Transportation and Parking Demand Management (#79).</p> <p>a. Transportation and Parking Demand Management (TDM) Plan Required</p> <p>The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p> <p>i. The goals of the TDM Plan shall be the following:</p> <ul style="list-style-type: none"> • Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable. • Achieve the following project vehicle trip reductions (VTR): <ul style="list-style-type: none"> ○ Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR ○ Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR • Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. • Enhance the City's transportation system, consistent with City policies and programs. <p>ii. The TDM Plan should include the following:</p> <ul style="list-style-type: none"> • Baseline existing conditions of parking and curbside regulations within the surrounding neighborhood that could affect the effectiveness of TDM strategies, including inventory of parking spaces and occupancy if applicable. • Proposed TDM strategies to achieve VTR goals (see below). <p>iii. For employers with 100 or more employees at the subject site, the TDM Plan shall also comply with the requirements of Oakland Municipal Code Chapter 10.68 Employer-Based Trip Reduction Program.</p> <p>iv. The following TDM strategies must be incorporated into a TDM Plan based on a project location or other characteristics. When required, these mandatory strategies should be identified as a credit toward a project's VTR.</p> <p><i>[See additional table below]</i></p> <p>v. Other TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. • Construction of and/or access to bikeways per the 	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning</p>	<p>N/A</p>

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.</p> <ul style="list-style-type: none"> • Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project. • Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan, 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 any applicable streetscape plan. • Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. • Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency). • Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes. • Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3). • Guaranteed ride home program for employees, either through 511.org or through separate program. • Pre-tax commuter benefits (commuter checks) for employees. • Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants. • On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools. • Distribution of information concerning alternative transportation options. • Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free 			

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>parking space in commercial properties.</p> <ul style="list-style-type: none"> • Parking management strategies including attendant/valet parking and shared parking spaces. • Requiring tenants to provide opportunities and the ability to work off-site. • Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week). • Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours. <p>The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.</p>			
<p>b. TDM Implementation – Physical Improvements For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p>	Prior to building permit final	Bureau of Building	Bureau of Building
<p>c. TDM Implementation – Operational Strategies For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.</p>	Ongoing	Department of Transportation	Department of Transportation

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>SCA-TRANS-2: Construction Activity in the Public Right-of-Way (#76).</p> <p>a. Obstruction Permit Required</p> <p>The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.</p>	Prior to Approval of Construction Related Permit	Department of Transportation	Department of Transportation
<p>b. Traffic Control Plan Required</p> <p>In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of 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.</p>	The project applicant shall implement the approved Plan during construction.	Department of Transportation	Department of Transportation
<p>c. Repair of City Streets</p> <p>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.</p>	Prior to building permit final	N/A	Department of Transportation
<p>SCA-TRANS-3: Bicycle Parking (#77). 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.</p>	Prior to Approval of Construction Related Permit	Bureau of Planning	Bureau of Building
<p>SCA-TRANS-4: Transportation Improvements (#78). The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Review for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, transportation demand management measures, and transit, pedestrian, and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities</p>	Prior to building permit final or as otherwise specified	Bureau of Building; Department of Transportation	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</p> <ul style="list-style-type: none"> a. 2070L Type Controller with cabinet accessory b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) d. Countdown pedestrian head module switch out e. City Standard ADA wheelchair ramps f. Video detection on existing (or new, if required) g. Mast arm poles, full activation (where applicable) h. Polara Push buttons (full activation) i. Bicycle detection (full activation) j. Pull boxes k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum l. Conduit replacement contingency m. Fiber switch n. PTZ camera (where applicable) o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor p. Signal timing plans for the signals in the coordination group q. Bi-directional curb ramps (where feasible, and if project is on a street corner) r. Upgrade ramps on receiving curb (where feasible, and if project is on a street corner) 			
<p>SCA-TRANS-5: Transportation Impact Fee (#80). 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).</p>	Prior to issuance of building permit	Bureau of Building	N/A
<p>SCA-TRANS-6: Plug-In Electric Vehicle (PEV) Charging Infrastructure (#83). a. PEV-Ready Parking Spaces The applicant shall submit, for review and approval of the Building Official and Zoning Manager, plans that show the</p>	Prior to Issuance of a Building Permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
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.			
b. PEV-Capable Parking Spaces 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.	Prior to Issuance of a Building Permit	Bureau of Building	Bureau of Building
c. ADA-Accessible Spaces The applicant shall submit, for review and approval of the Building Official, plans that show the location of future accessible EV parking spaces as required under Title 24 Chapter 11B Table 11B-228.3.2.1, and specify plans to construct all future accessible EV parking spaces with appropriate grade, vertical clearance, and accessible path of travel to allow installation of accessible EV charging station(s).	Prior to Issuance of a Building Permit	Bureau of Building	Bureau of Building
Utilities and Service Systems			
SCA-UTIL-1: Sanitary Sewer System (#89). The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.	Prior to approval of construction-related permit	Public Works Department, Department of Engineering and Construction	N/A
SCA-UTIL-2: Storm Drain System (#90). The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
SCA-UTIL-3: Recycling Collection and Storage Space (#86). 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	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
and collection space per 1,000 square feet of building floor area is required, with a minimum of ten (10) cubic feet.			
SCA-UTIL-4: Construction and Demolition Waste Reduction and Recycling (#84). 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.	Prior to approval of construction-related permit	Public Works Department, Environmental Services Division	Public Works Department, Environmental Services Division
SCA-UTIL-5: Underground Utilities (#85). 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.	During construction	N/A	Bureau of Building
SCA-UTIL-6: Green Building Requirements (#87). a. Compliance with Green Building Requirements During Plan-Check 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: <ul style="list-style-type: none"> • 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 	Prior to approval of construction-related permit	Bureau of Building	N/A

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>Zoning permit.</p> <ul style="list-style-type: none"> • 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. <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> • CALGreen mandatory measures. • LEED Silver per the appropriate checklist approved during the Planning entitlement process. • 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. 			
<p>b. Compliance with Green Building Requirements During Construction</p> <p>The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ul style="list-style-type: none"> 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. 	During construction	N/A	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>c. Compliance with Green Building Requirements After Construction</p> <p>Prior to the finalizing the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.</p>	Prior to Final Approval	Bureau of Planning	Bureau of Building
<p>SCA-UTIL-7: Water Efficient Landscape Ordinance (WELO) (#92).</p> <p>The project applicant shall comply with California's Water Efficient Landscape Ordinance (WELO) in order to reduce landscape water usage. For any landscape project with an aggregate (total noncontiguous) landscape area equal to 2,500 sq. ft. or less. The project applicant may implement either the Prescriptive Measures or the Performance Measures, of, and in accordance with the California's Model Water Efficient Landscape Ordinance. For any landscape project with an aggregate (total noncontiguous) landscape area over 2,500 sq. ft., the project applicant shall implement the Performance Measures in accordance with the WELO.</p> <p>Prescriptive Measures: Prior to construction, the project applicant shall submit documentation showing compliance with Appendix D of California's Model Water Efficient Landscape Ordinance (see website below starting on page 23):</p> <p>http://www.water.ca.gov/wateruseefficiency/landscapeordnance/docs/Title%203%20extract%20-%20Official%20CCR%20pages.pdf</p> <p>Performance Measures: Prior to construction, the project applicant shall prepare and submit a Landscape Documentation Package for review and approval, which includes the following:</p> <p>a. Project</p> <ol style="list-style-type: none"> 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. 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." <p>b. Water Efficient Landscape Worksheet</p> <ol style="list-style-type: none"> i. Hydrozone Information Table ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use <p>c. Soil Management Report</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>d. Landscape Design Plan e. Irrigation Design Plan, and f. Grading Plan</p> <p>Upon installation of the landscaping and irrigation systems, the Project applicant shall submit a Certificate of Completion and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of Compliance shall also be submitted to the local water purveyor and property owner or his or her designee.</p> <p>For the specific requirements within the Water Efficient Landscape Worksheet, Soil Management Report, Landscape Design Plan, Irrigation Design Plan and Grading Plan, see the link below.</p> <p>http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf</p>			

Provided below is the table for SCA-TRANS-1: Transportation and Parking Demand Management (#79), section a. Transportation and Parking Demand Management (TDM) Plan Required, subsection iv.

Improvement	Required by code or when...
Bus boarding bulbs or islands	<ul style="list-style-type: none"> • A bus boarding bulb or island does not already exist and a bus stop is located along the project frontage; and/or • A bus stop along the project frontage serves a route with 15 minutes or better peak hour service and has a shared bus-bike lane curb
Bus shelter	<ul style="list-style-type: none"> • A stop with no shelter is located within the project frontage, or • The project is located within 0.10 miles of a flag stop with 25 or more boardings per day
Concrete bus pad	<ul style="list-style-type: none"> • A bus stop is located along the project frontage and a concrete bus pad does not already exist
Curb extensions or bulb-outs	<ul style="list-style-type: none"> • Identified as an improvement within site analysis
Implementation of a corridor-level bikeway improvement	<ul style="list-style-type: none"> • A buffered Class II or Class IV bikeway facility is in a local or county adopted plan within 0.10 miles of the project location; and • The project would generate 500 or more daily bicycle trips
Implementation of a corridor-level transit capital improvement	<ul style="list-style-type: none"> • A high-quality transit facility is in a local or county adopted plan within 0.25 miles of the project location; and • The project would generate 400 or more peak period transit trips
Installation of amenities such as lighting; pedestrian-oriented green infrastructure, trees, or other greening landscape; and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.	<ul style="list-style-type: none"> • Always required
Installation of safety improvements identified in the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.)	<ul style="list-style-type: none"> • When improvements are identified in the Pedestrian Master Plan along project frontage or at an adjacent intersection
In-street bicycle corral	<ul style="list-style-type: none"> • A project includes more than 10,000 square feet of ground floor retail, is located along a Tier 1 bikeway, and on-street vehicle parking is provided along the project frontages.
Intersection improvements ¹¹⁵	<ul style="list-style-type: none"> • Identified as an improvement within site analysis
New sidewalk, curb ramps, curb and gutter meeting current City and ADA standards	<ul style="list-style-type: none"> • Always required
No monthly permits and establish	<ul style="list-style-type: none"> • If proposed parking ratio exceeds 1:1000 sf.

¹¹⁵ Including but not limited to visibility improvements, shortening corner radii, pedestrian safety islands, accounting for pedestrian desire lines.

Improvement	Required by code or when...
minimum price floor for public parking ¹¹⁶	(commercial)
Parking garage is designed with retrofit capability	<ul style="list-style-type: none"> Optional if proposed parking ratio exceeds 1:1.25 (residential) or 1:1000 sf. (commercial)
Parking space reserved for car share	<ul style="list-style-type: none"> If a project is providing parking and a project is located within downtown. One car share space reserved for buildings between 50 - 200 units, then one car share space per 200 units.
Paving, lane striping or restriping (vehicle and bicycle), and signs to midpoint of street section	<ul style="list-style-type: none"> Typically required
Pedestrian crossing improvements	<ul style="list-style-type: none"> Identified as an improvement within site analysis
Pedestrian-supportive signal changes ¹¹⁷	<ul style="list-style-type: none"> Identified as an improvement within operations analysis
Real-time transit information system	<ul style="list-style-type: none"> A project frontage block includes a bus stop or BART station and is along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better
Relocating bus stops to far side	<ul style="list-style-type: none"> A project is located within 0.10 mile of any active bus stop that is currently near-side
Signal upgrades ¹¹⁸	<ul style="list-style-type: none"> Project size exceeds 100 residential units, 80,000 sf. of retail, or 100,000 sf. of commercial; and Project frontage abuts an intersection with signal infrastructure older than 15 years
Transit queue jumps	<ul style="list-style-type: none"> Identified as a needed improvement within operations analysis of a project with frontage along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better
Trenching and placement of conduit for providing traffic signal interconnect	<ul style="list-style-type: none"> Project size exceeds 100 units, 80,000 sf. of retail, or 100,000 sf. of commercial; and Project frontage block is identified for signal interconnect improvements as part of a planned ITS improvement; and A major transit improvement is identified within operations analysis requiring traffic signal interconnect
Unbundled parking	<ul style="list-style-type: none"> If proposed parking ratio exceeds 1:1.25 (residential)

¹¹⁶ May also provide a cash incentive or transit pass alternative to a free parking space in commercial properties.

¹¹⁷ Including but not limited to reducing signal cycle lengths to less than 90 seconds to avoid pedestrian crossings against the signal, providing a leading pedestrian interval, provide a "scramble" signal phase where appropriate.

¹¹⁸ Including typical traffic lights, pedestrian signals, bike actuated signals, transit-only signals.



2201 VALLEY

OAKLAND, CALIFORNIA

DEVELOPMENT PERMIT APPLICATION

10 - 18 - 2018

DEVELOPER



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San Francisco, CA 94104
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ARCHITECT



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San Francisco, CA 94111
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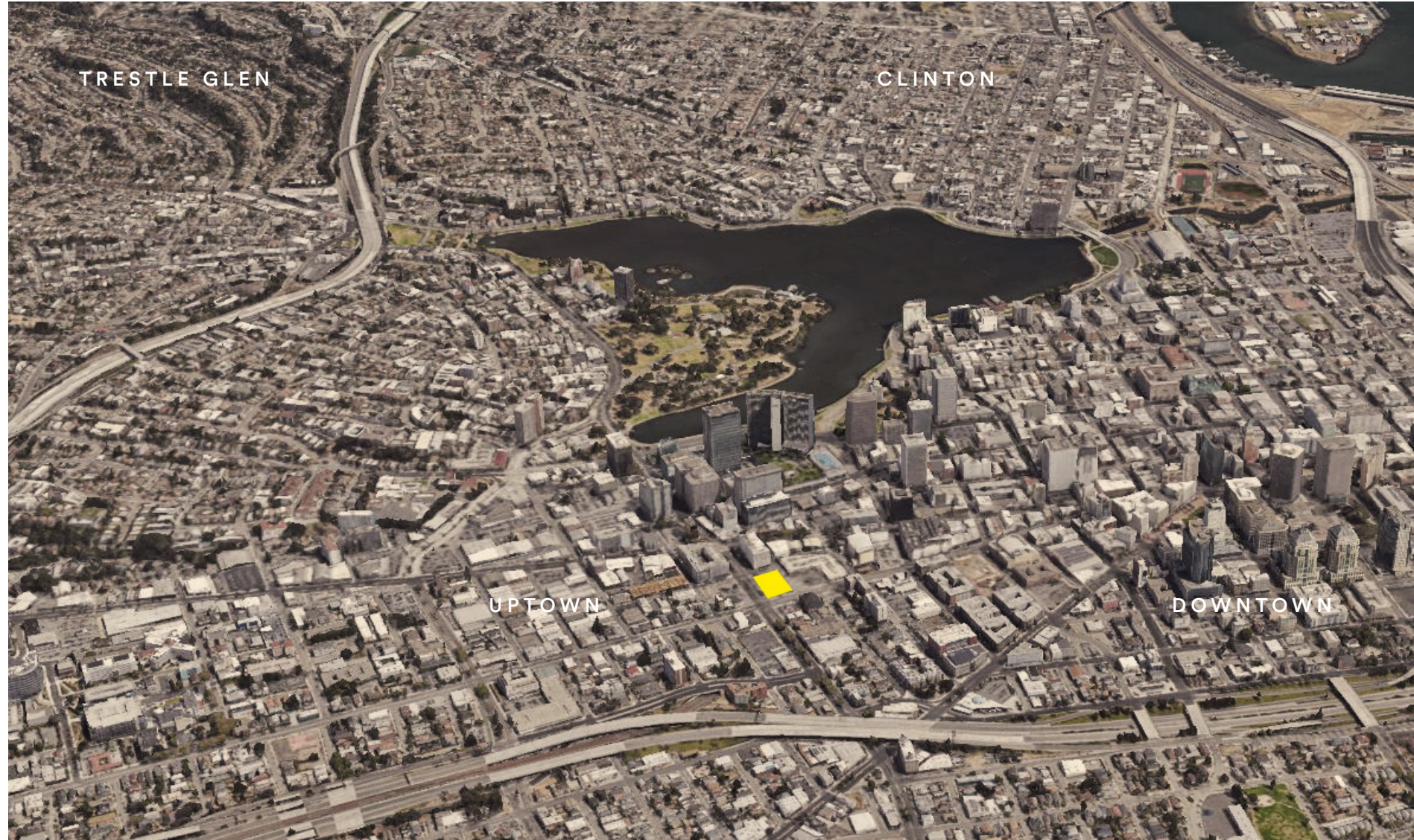
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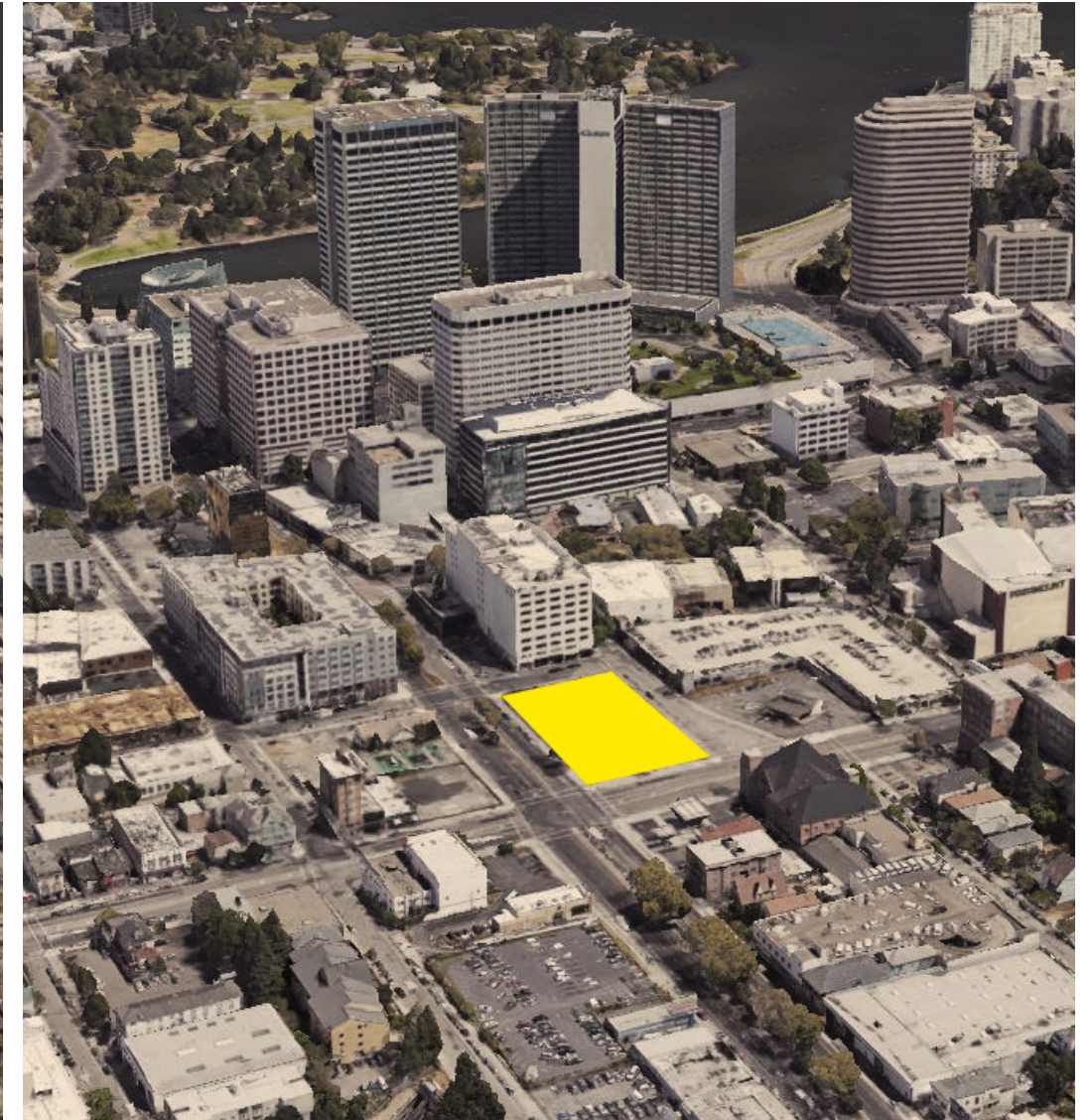
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OAKLAND



UPTOWN OAKLAND

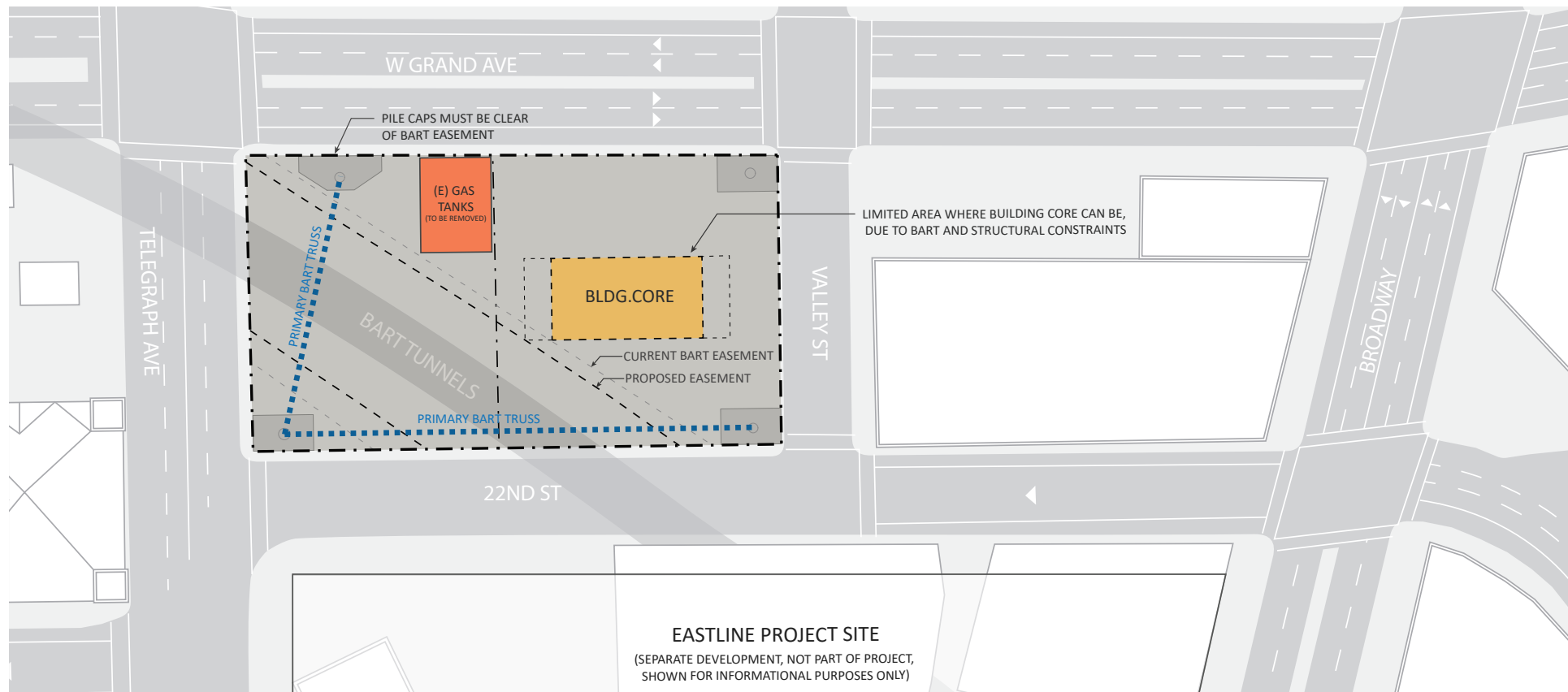
AERIAL VIEWS

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NEIGHBORING PROPERTY VIEWS

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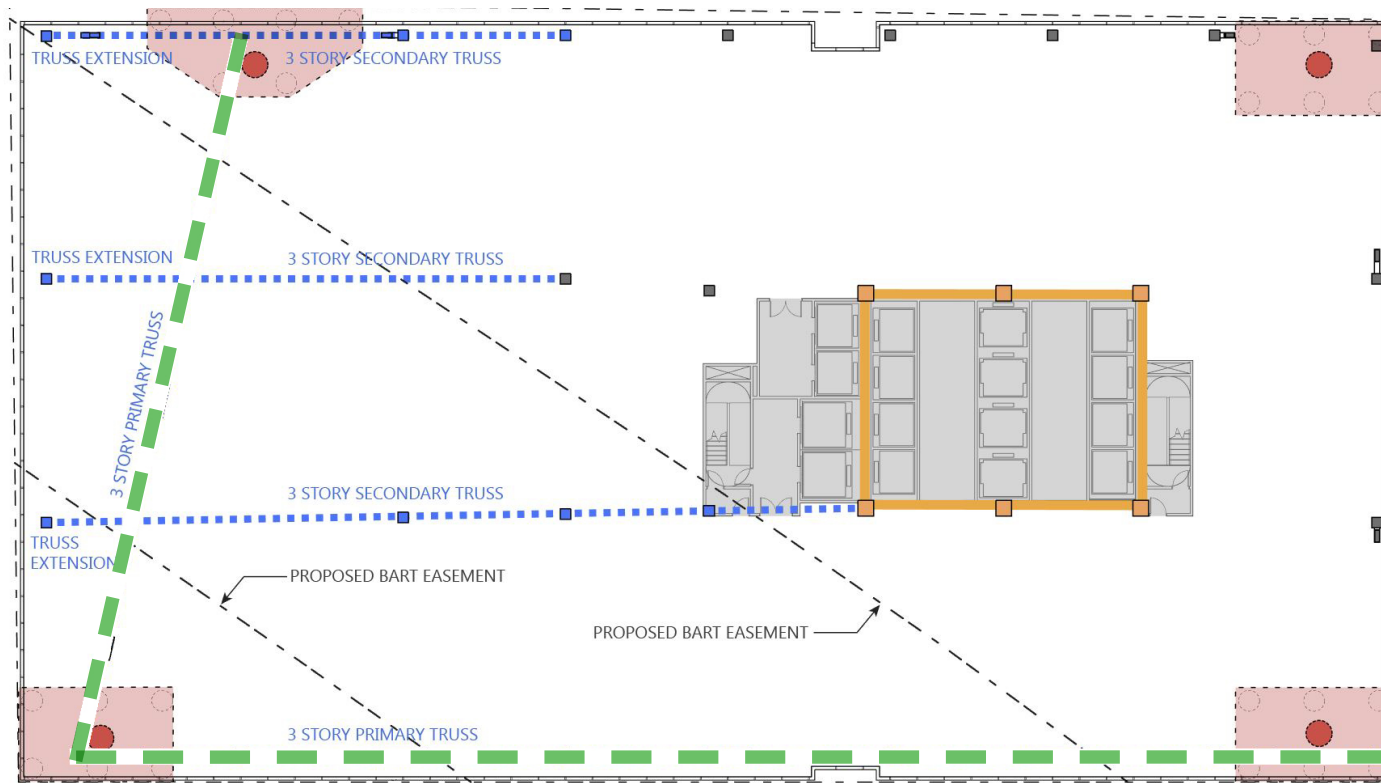
SITE CONSTRAINTS

- BART Tunnels traverse the site from the NW to the SE portion of the site. This creates a condition under the current easement where columns cannot be placed for a major portion of the site area.
- Building core must also be outside of the easement, this creates eccentric seismic loading on the building and a need for a stiffer than typical core.
- Removal and remediation of the existing gas tanks is costly, but beneficial to BART and the city.



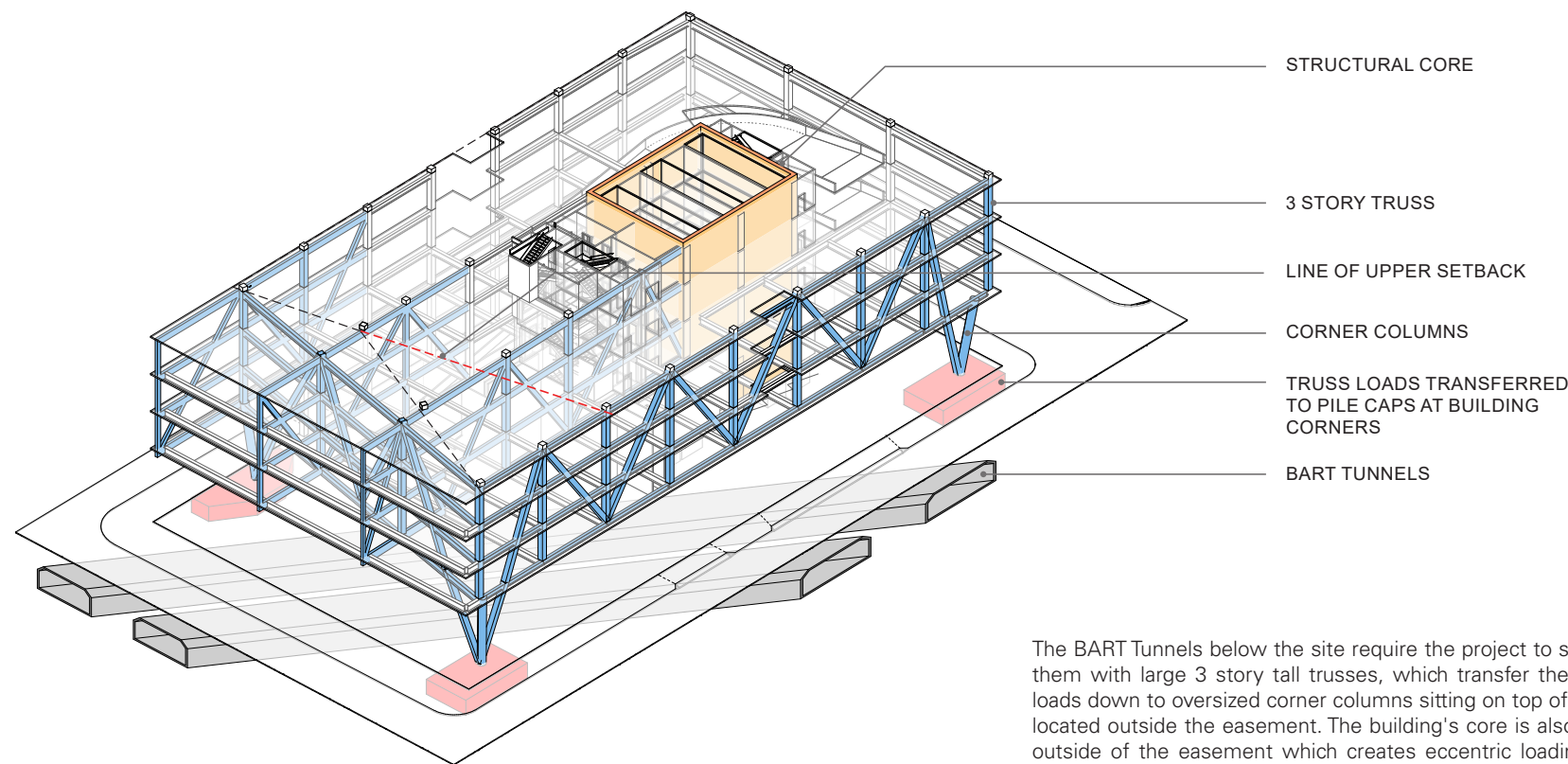
SITE CONSTRAINTS

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ADDITIONAL STRUCTURE REQUIRED TO SPAN BART TUNNELS

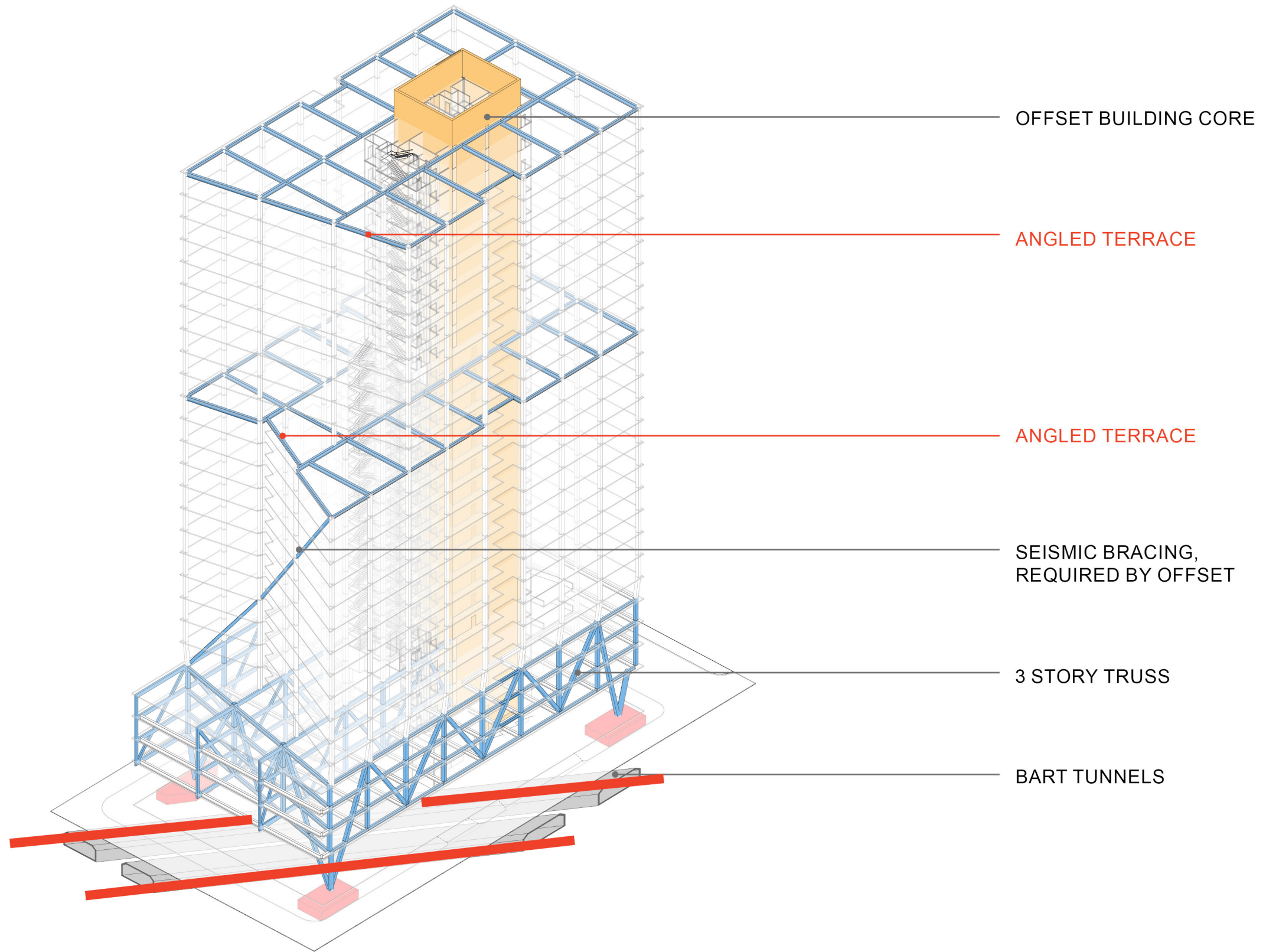
- Four oversized leaning columns with very large pile caps occupy the corners of the building and carry the loads imposed by trusses spanning BART.
- ■ ■ Two 3 story (45') tall primary trusses span from large structural columns in the NW, SW & SE corners of the site. These trusses transfer all loads for the perimeter columns that would otherwise land in the BART easement.
- Three 3 story tall secondary trusses span from the building core to the western truss and transfer all columns landing inside the BART easement.
- Building core has to be located very eccentrically to the building floorplate to avoid bart, requiring additional diagonal bracing on the western facade.



The BART Tunnels below the site require the project to span over them with large 3 story tall trusses, which transfer the building loads down to oversized corner columns sitting on top of pilecaps located outside the easement. The building's core is also located outside of the easement which creates eccentric loading and a need for additional bracing on the western facade.

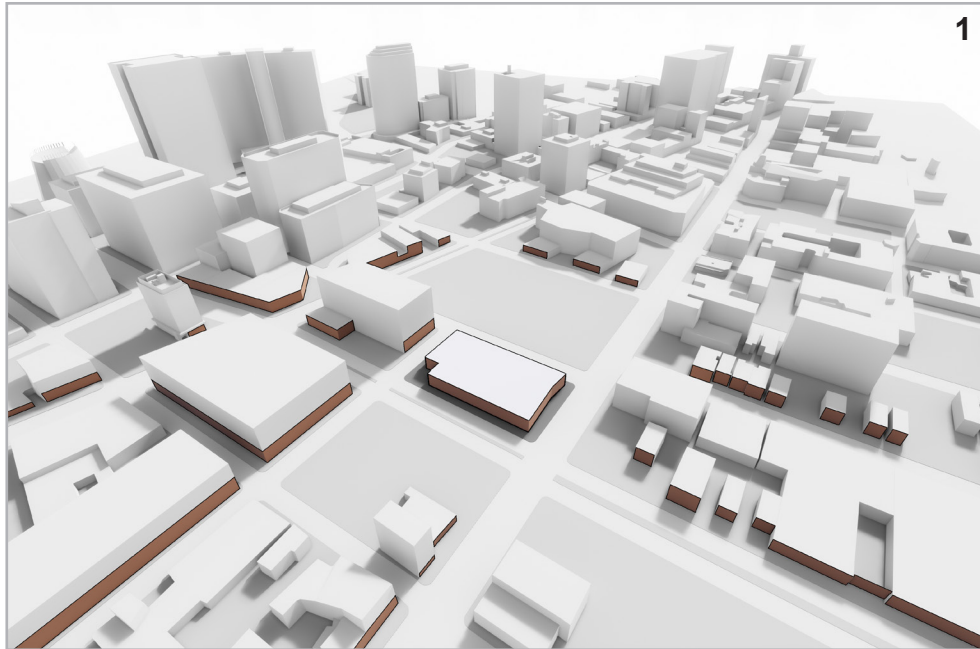
STRUCTURAL BASE DIAGRAM

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OVERALL STRUCTURAL DIAGRAM

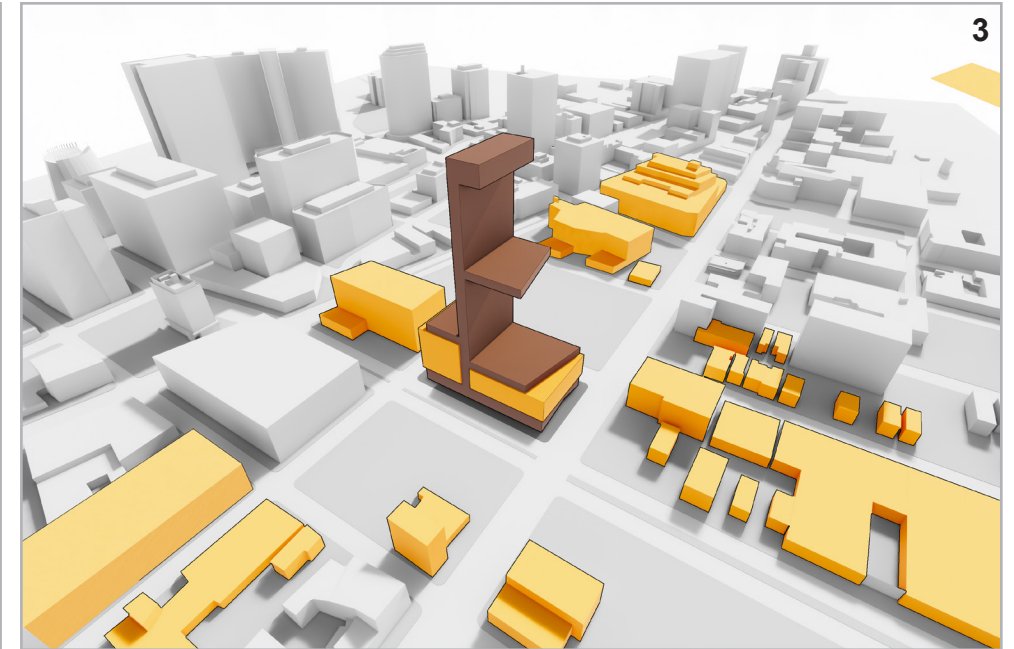
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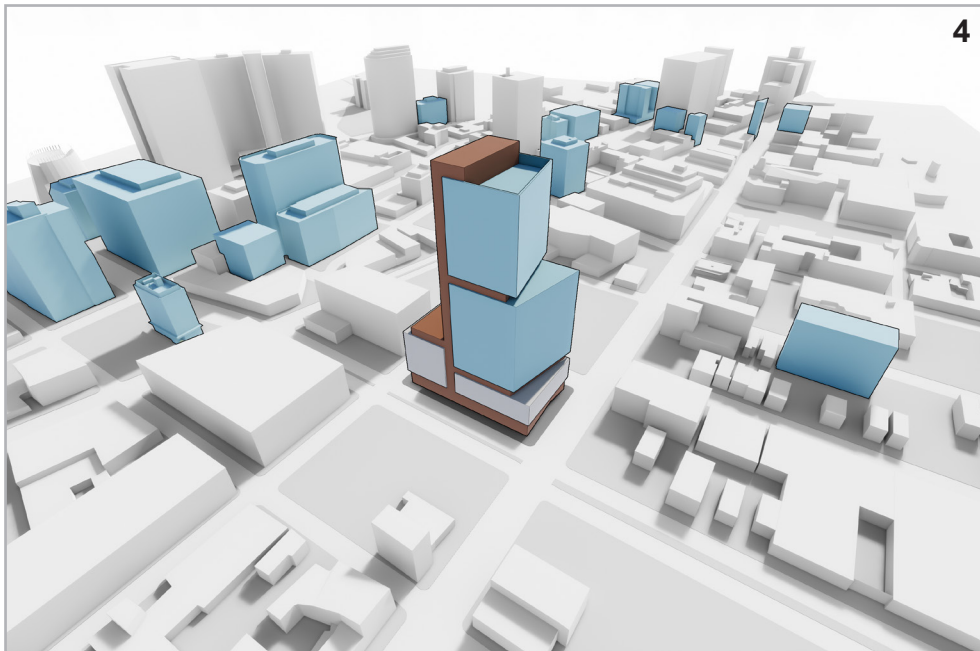
Pedestrian Realm



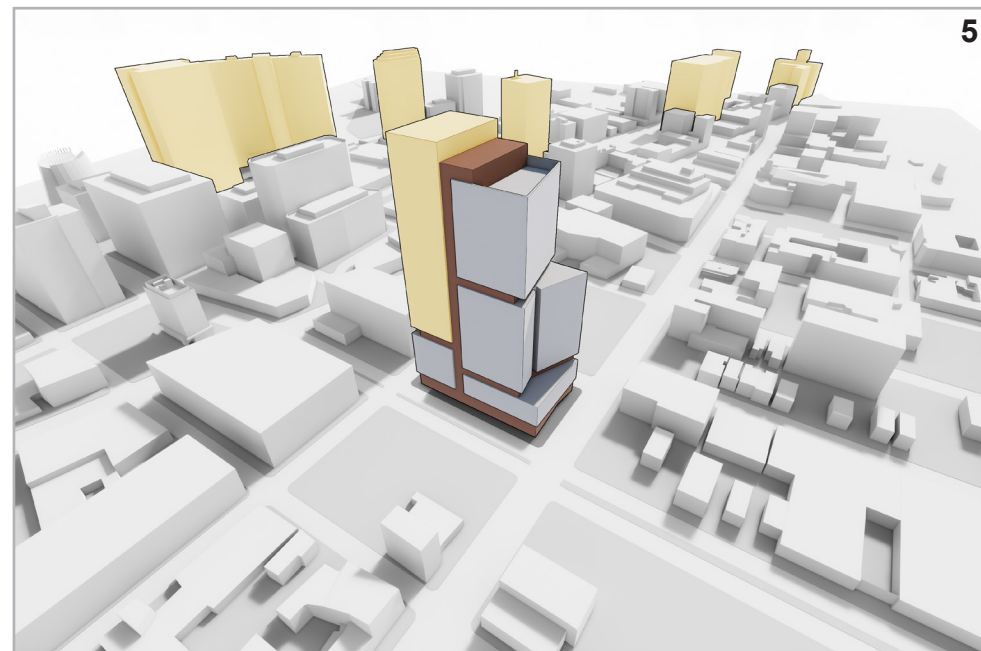
Vertical Spine
Connect to Community



Smaller Building Blocks



Mid-Size Building Blocks



Tower Element Blocks

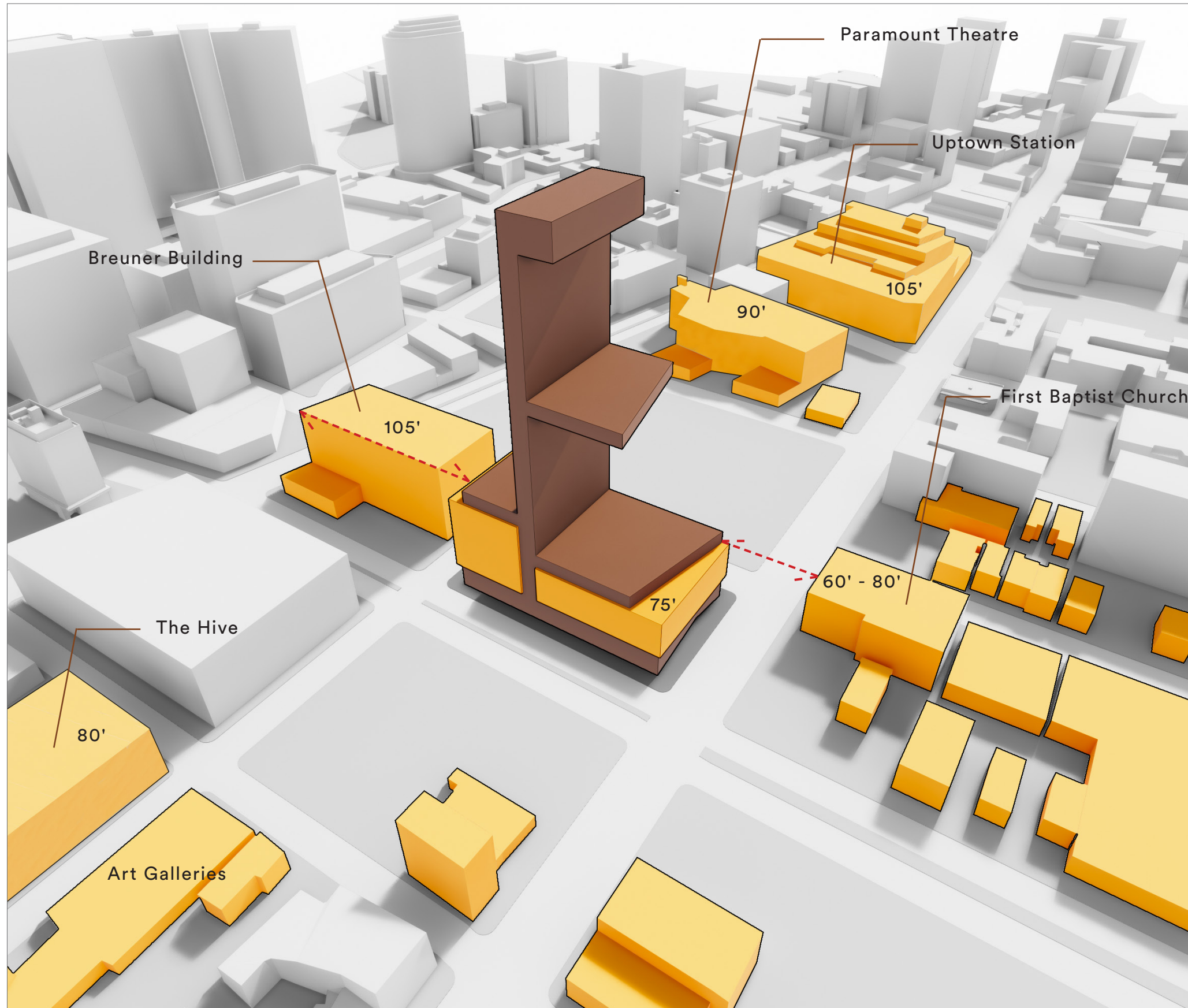


Connected Massing

MASSING ASSEMBLED FROM SURROUNDING BUILDING ELEMENTS

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LOWER MASSING BREAK

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VERTICAL COMMUNITY OVER BART

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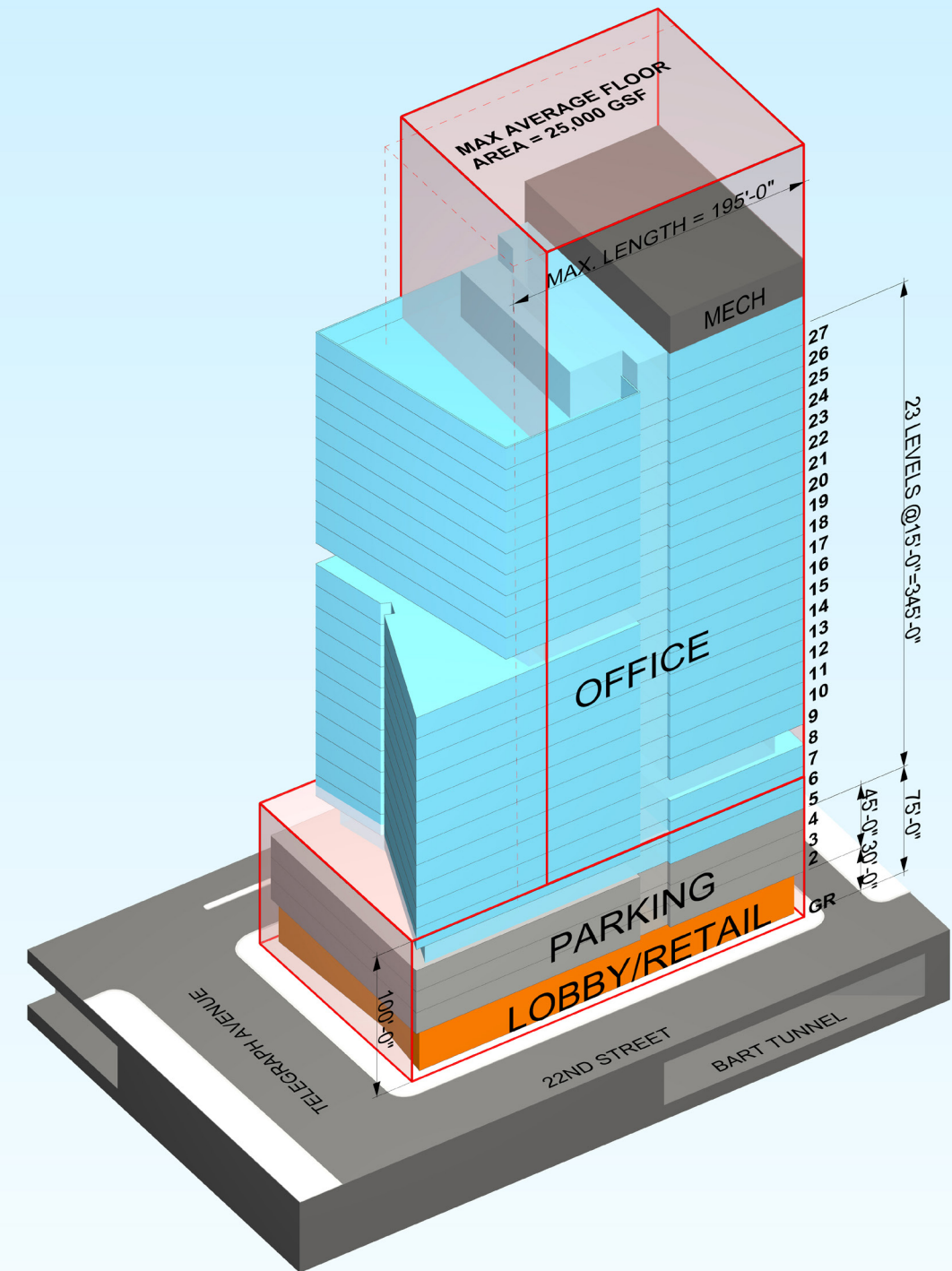
DEVELOPMENT PERMIT APPLICATION



PLANNING CODE SUMMARY

Zoning Use District CBD - P
 Permitted Uses Office, Residential, Retail, Parking
 Height & Bulk District Height Area 6
 Site Area 38,605 SF

Planning Code Section	Planning Code Issue	Allowable / Required	Proposed	Comments
Table 17.58.04	Height Limit	No Limit	420 ft / mech penthouse to 450 ft	
Table 17.58.04	Max FAR	20 : 1	19.8:1	
17.58.104	Max Commercial Floor Area	772,100		
	Office		733,420	Measured per 17.09 Definitions - Floor Area
	Lobby		6,180	
	Retail		17,930	
	Total		764,880	
17.58.070	Open Space	None Required	2,580	Setbacks at perimeter storefront
Table 17.58.04	Max Lot Coverage	100%	100%	
17.58.04 / Note #3	Base Height	100 ft	75 ft	
Table 17.58.04	Setbacks	0 - 5 ft	0 - 5 ft	
Table 17.58.03	Min Ground Floor Height	15	30	
	Ground Floor Min Transparency	65%	75% min	
Table 17.58.04	Tower Bulk Regulations			
	Max Average Floorplate	25,000 SF	33,540	Variance proposed
	Max Floorplate Length	195 ft	261 ft @ Floors 5-16 229 ft @ Floors 17-27	Variance proposed
	Max Floorplate Diagonal	235 ft	299 ft @ Floors 5-16 271 ft @ Floor 17-27	Variance proposed
	Max Lot Coverage	75% (28,953 sf)	85% @ Floors 5-16 76% @ Floors 17-27	Variance proposed
17.116.080	Off Street Parking - Office	None Required	350	.46 space / 1,000 sf Office
	Off Street Parking - Retail	None Required	0	
17.116.140	Off Street Loading - Office	6	2	Variance proposed
17.116.150	Off Street Loading - Retail	1	1	
17.116.220	Loading Berth Dimensions	12 x 33 / 14 ft ht	12 x 33 / 14 ft ht	
17.117.110	Off Street Bike Parking - Office	LT: 74 / ST: 37	LT : 152 / ST : 35	
	Off Street Bike Parking - Retail	LT: 1 / ST: 1	LT : 8 / ST : 2	
17.117.130	Bike Showers & Lockers - Commercial	6 showers / gender 24 lockers / gender	6 showers / gender 24 lockers / gender	
17.118.030	Recycling Space Allocation	1530 cu ft storage	1530 cu ft storage	



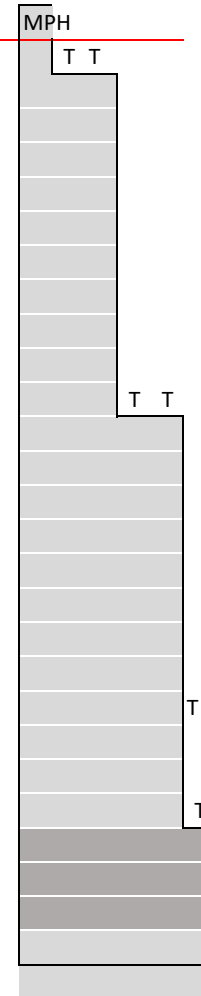
Proposed building massing breaks down the overall mass into scaled elements per the intent of the planning code creating a building that does not read as a singular block on the city skyline

ZONING ANALYSIS

2201 Valley
 10 - 18 - 2018

2201 Valley_CEQA FLOOR AREA SUMMARY_2018_0924

OFFICE FLRS.		23	TERRACES				
ELEV.	F TO F	FLR. #	FLOOR TYPE	FAR	EXCL-FAR	GSF	ROOF
			ROOF				
420.00	15.00	PH	PENTHOUSE/MECH	0	10,000	10,000	MPH
405.00	15.00	27	OFFICE/AMENITY	20,260		20,260	T T
390.00	15.00	26	OFFICE	30,460		30,460	
375.00	15.00	25	OFFICE	30,460		30,460	
360.00	15.00	24	OFFICE	30,460		30,460	
345.00	15.00	23	OFFICE	30,460		30,460	
330.00	15.00	22	OFFICE	30,460		30,460	
315.00	15.00	21	OFFICE	30,460		30,460	
300.00	15.00	20	OFFICE	30,460		30,460	
285.00	15.00	19	OFFICE	30,460		30,460	
270.00	15.00	18	OFFICE	30,460		30,460	
255.00	15.00	17	OFFICE	27,860		27,860	4,420
240.00	15.00	16	OFFICE	33,540		33,540	
225.00	15.00	15	OFFICE	33,540		33,540	
210.00	15.00	14	OFFICE	33,540		33,540	
195.00	15.00	13	OFFICE	33,540		33,540	
180.00	15.00	12	OFFICE	33,540		33,540	
165.00	15.00	11	OFFICE	33,540		33,540	
150.00	15.00	10	OFFICE	33,540		33,540	
135.00	15.00	9	OFFICE	33,540		33,540	
120.00	15.00	8	OFFICE	30,260		30,260	3,280
105.00	15.00	7	OFFICE	33,540		33,540	
90.00	15.00	6	OFFICE	33,540		33,540	
75.00	15.00	5	OFFICE	30,150		30,150	7,480
60.00	15.00	4	PARKING	4,380	33,290	37,670	
45.00	15.00	3	PARKING	4,380	33,290	37,670	
30.00	15.00	2	PARKING	4,380	33,290	37,670	
0.00	30.00	1	PARKING	0	8,995	8,995	
		1M	OFFICE MEZZ	2,210		2,210	
		1	OFFICE LOBBY	6,180		6,180	
		1M	RETAIL	5,830		5,830	
		1	RETAIL	7,420		7,420	
		1	INTERIM ARTS USES/FUTURE POSSIBLE DRIVEWAY	280		280	
		1	ARTS/MAKER SPACE	4,400		4,400	
		1M	BUILDING SUPPORT	1,310		1,310	
		1	BUILDING SUPPORT	6,040		6,040	
		1	LOADING		2,960	2,960	
		1	BICYCLE PARKING		2,330	2,330	
-15.00	15.00	B1	BUILDING SUPPORT		7,000	7,000	
			FLOOR TYPE	FAR	EXCL-FAR	GSF	



OFFICE FLOOR AREA	733,420	
OFFICE LOBBY AREA	6,180	
PARKING FLOOR AREA		108,865
RETAIL FLOOR AREA	17,930	
BUILDING SUPPORT AREA*	7,350	22,290
TOTAL FLOOR AREA	764,880	131,155
MAX ALLOWABLE FLOOR AREA	772,100	
ALLOWABLE FLOOR AREA REMAINING	7,220	
TOTAL GROSS SQUARE FOOTAGE (GSF)		896,035
ROOF DECKS		25,380

* INCLUDES SUPPORT AREA AT GRADE / EXCLUDES SUPPORT AREA IN MECHANICAL PENTHOUSE + BASEMENT

FLOOR AREA SUMMARY

2201 Valley
10 - 18 - 2018



NORTH ELEVATION
FROM GRAND AVENUE AND TELEGRAPH AVENUE



EAST ELEVATION
FROM GRAND AVENUE AND BROADWAY



SOUTH ELEVATION
FROM TELEGRAPH AVENUE AND 22ND ST

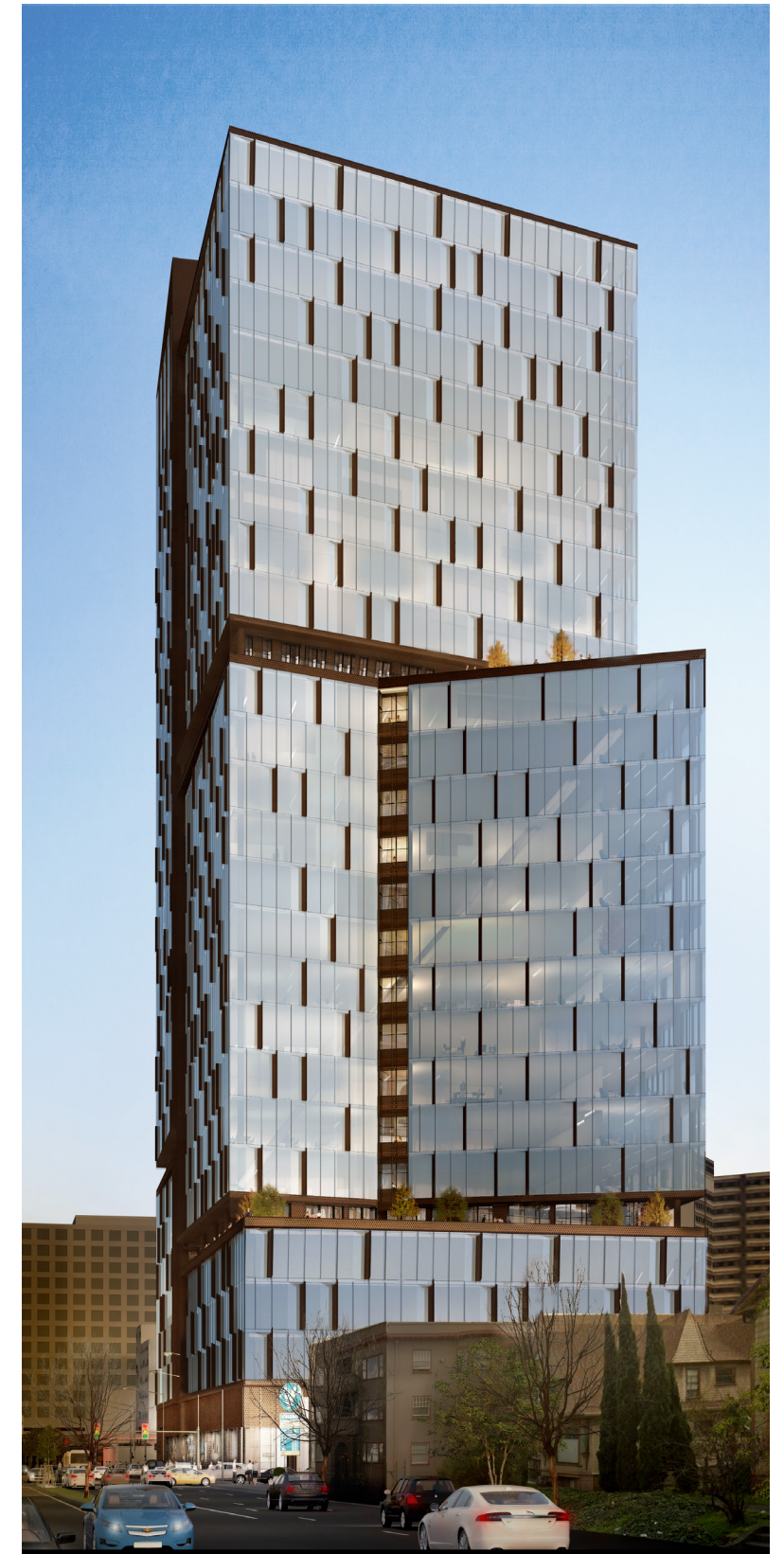
GENERAL RENDERS 1

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION



EAST ELEVATION
FROM GRAND AVENUE AND BAY PLACE



WEST ELEVATION
FROM GRAND AVENUE AND TELEGRAPH AVENUE

GENERAL RENDERS 2

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION





ANGLED PANELS + TEXTURE CROWN



ANGLED GLASS + TEXTURE SKIN



ANGLED GLASS + TEXTURE GROUND FLOOR

HOLISTIC DESIGN APPROACH

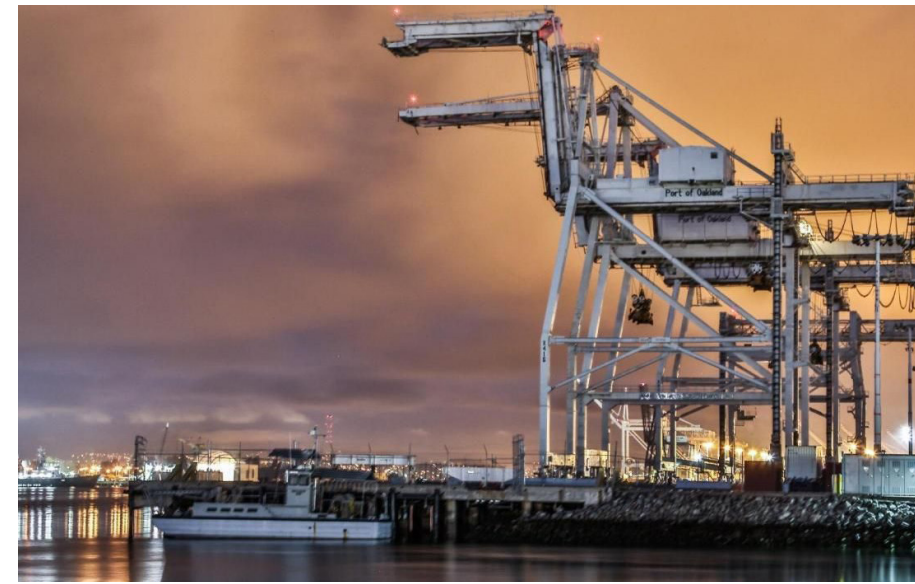
2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION





2201 Valley _ Fabricated Metal



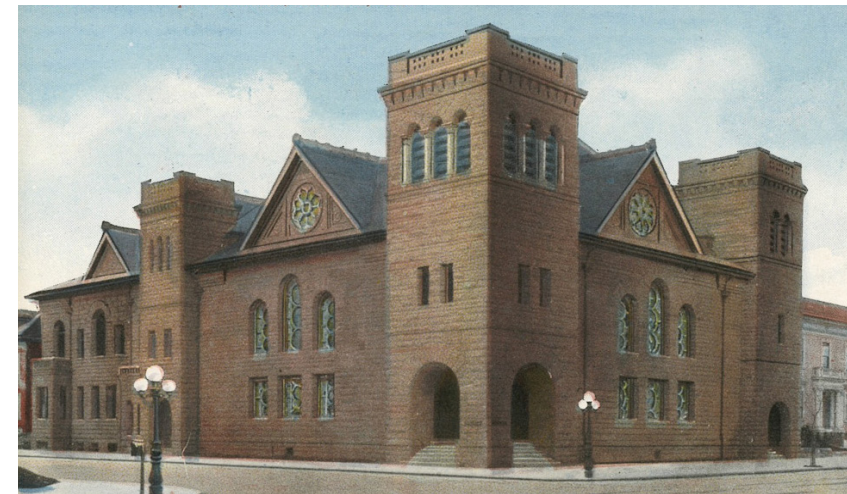
Oakland metal influences _ American Steel, Cranes Oakland Port, Metal art

INDUSTRIAL INFLUENCES: FABRICATED METAL

2201 Valley
10 - 18 - 2018



2201 Valley _ Corten color



Oakland color influences _ Paramount Theatre, Tribune Tower, First Baptist Church

HISTORIC INFLUENCES: COLOR PALETTE

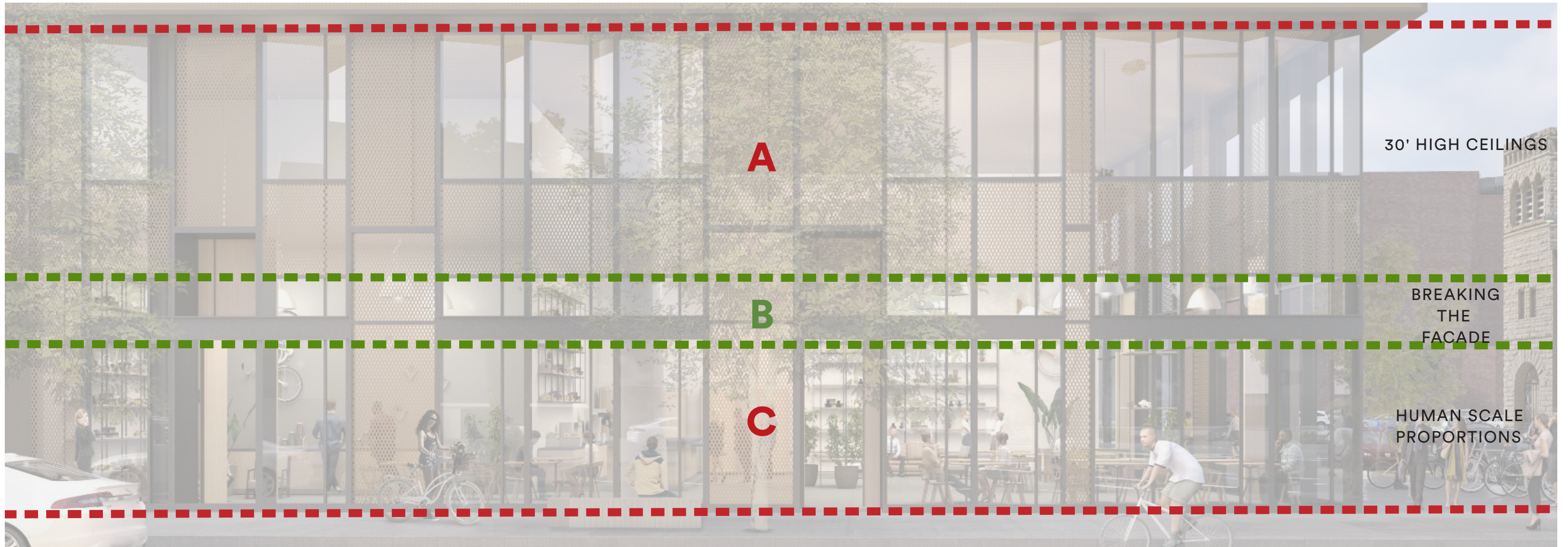
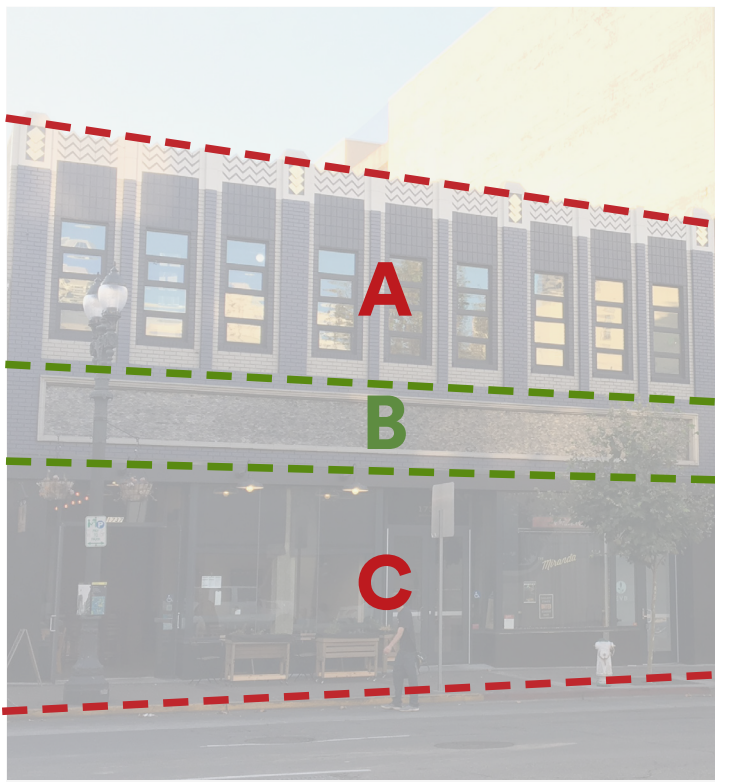
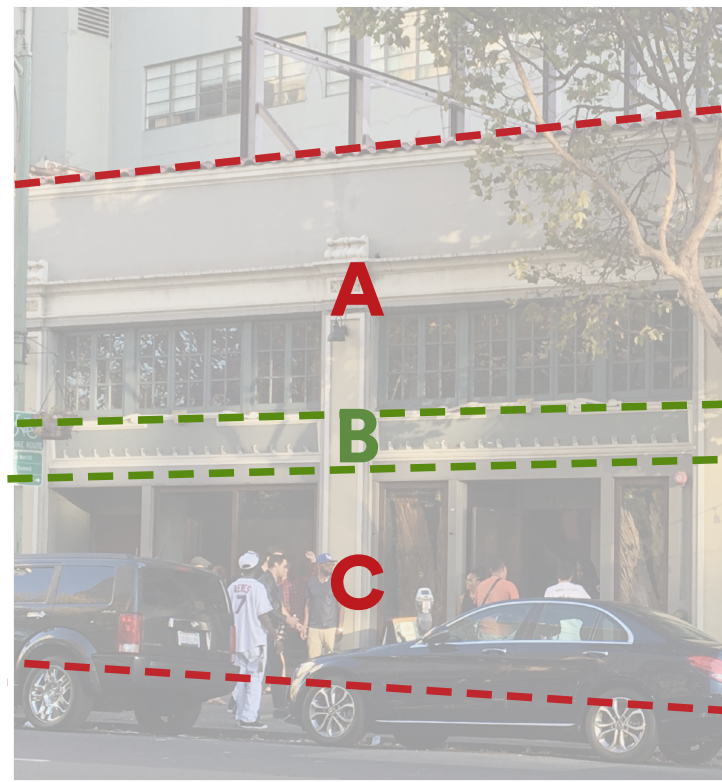
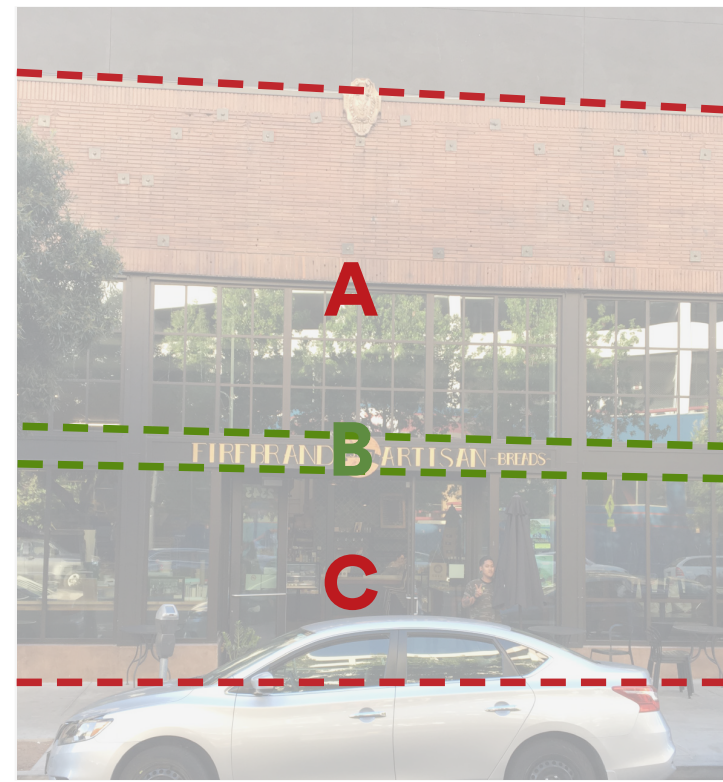
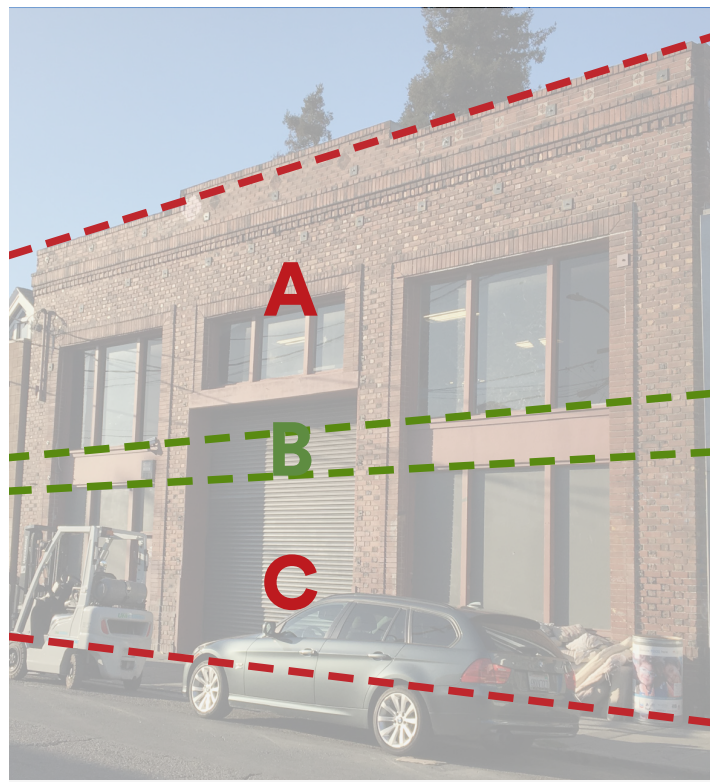
2201 Valley
10 - 18 - 2018



HISTORIC GROUND FLOOR PROPORTIONS

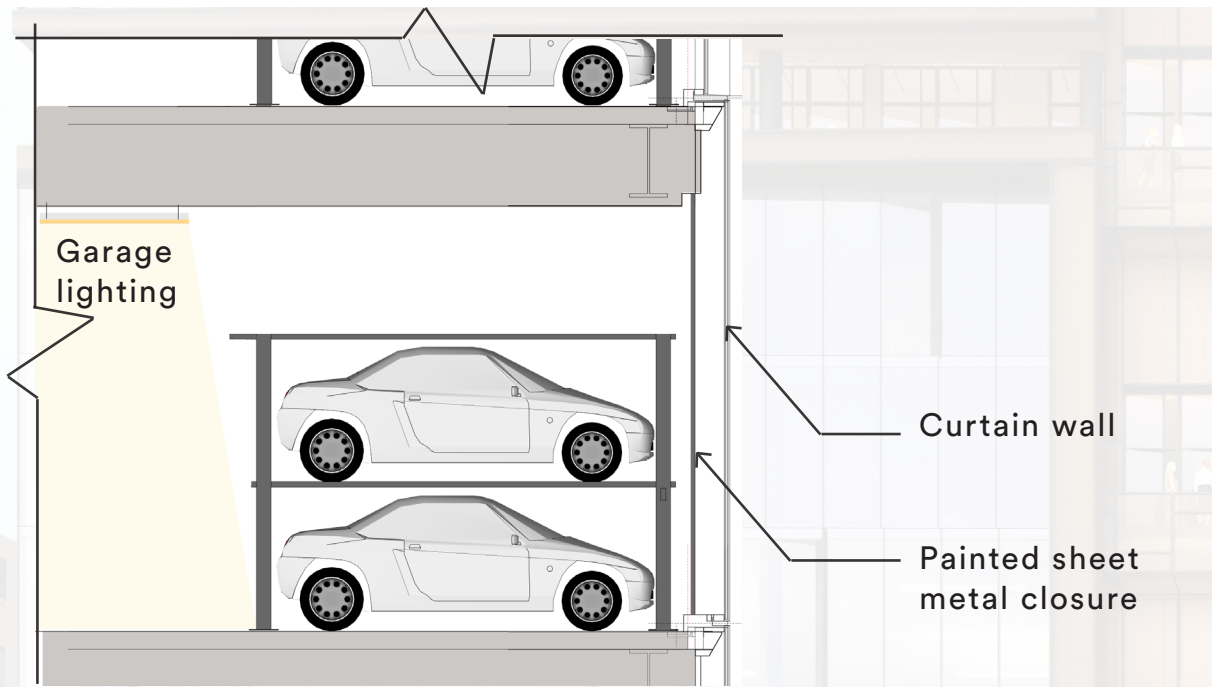
2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION

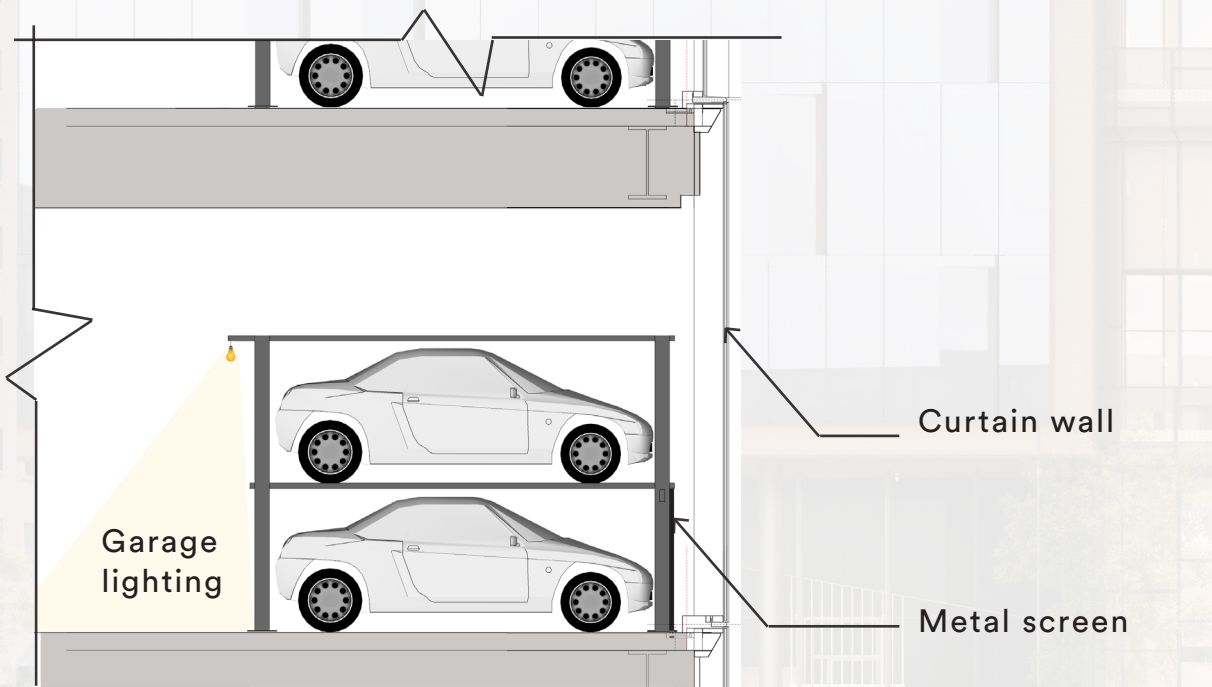


HISTORIC GROUND FLOOR PROPORTIONS

2201 Valley
10 - 18 - 2018



VISUAL BARRIER OPTION 1 _ Section



VISUAL BARRIER OPTION 2 _ Section

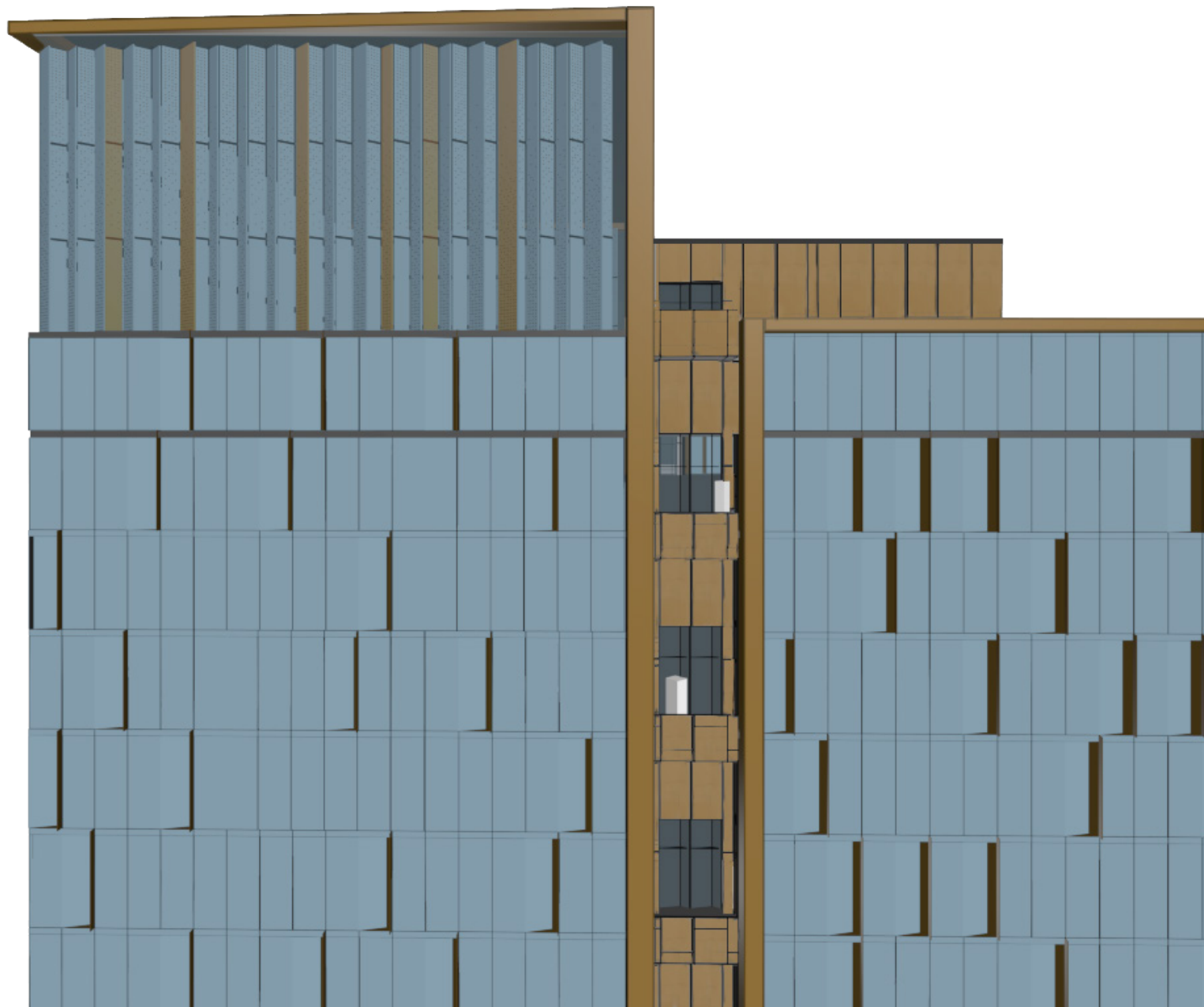


GARAGE VISUAL BARRIER SYSTEMS

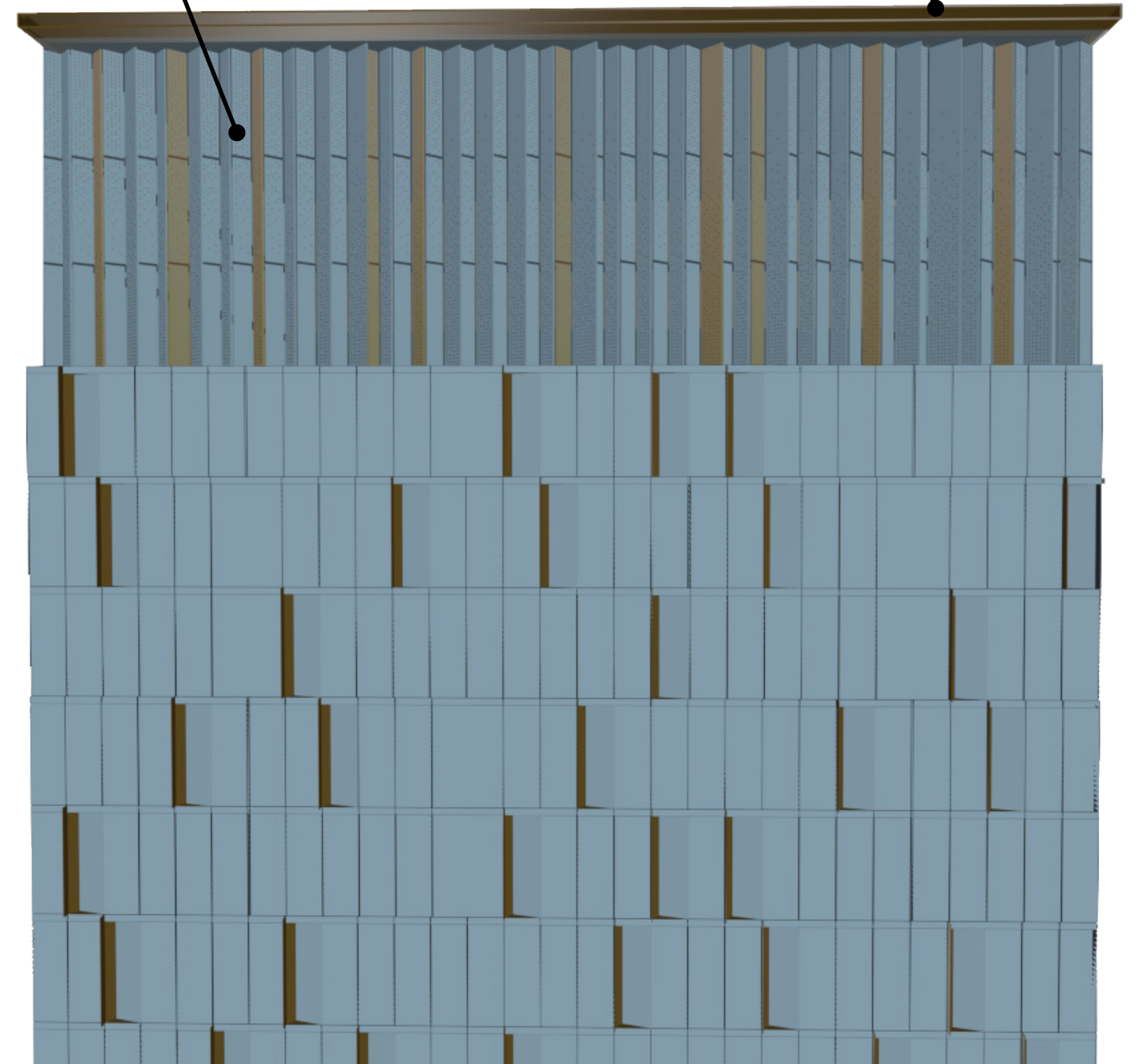
2201 Valley
10 - 18 - 2018

PERFORATED METAL ALUMINUM
SCREEN IN ANGLED PANELS WITH
INTEGRATED CORTEN PANELS

METAL CORTEN TRIM
FRAMING TOP AND SIDES
OF THE CROWN



NORTH



EAST

CROWN ELEVATION: NORTH AND EAST

2201 Valley
10 - 18 - 2018



GROUND FLOOR CONCEPT ART INSTALLATION: SPECIAL PAVEMENT

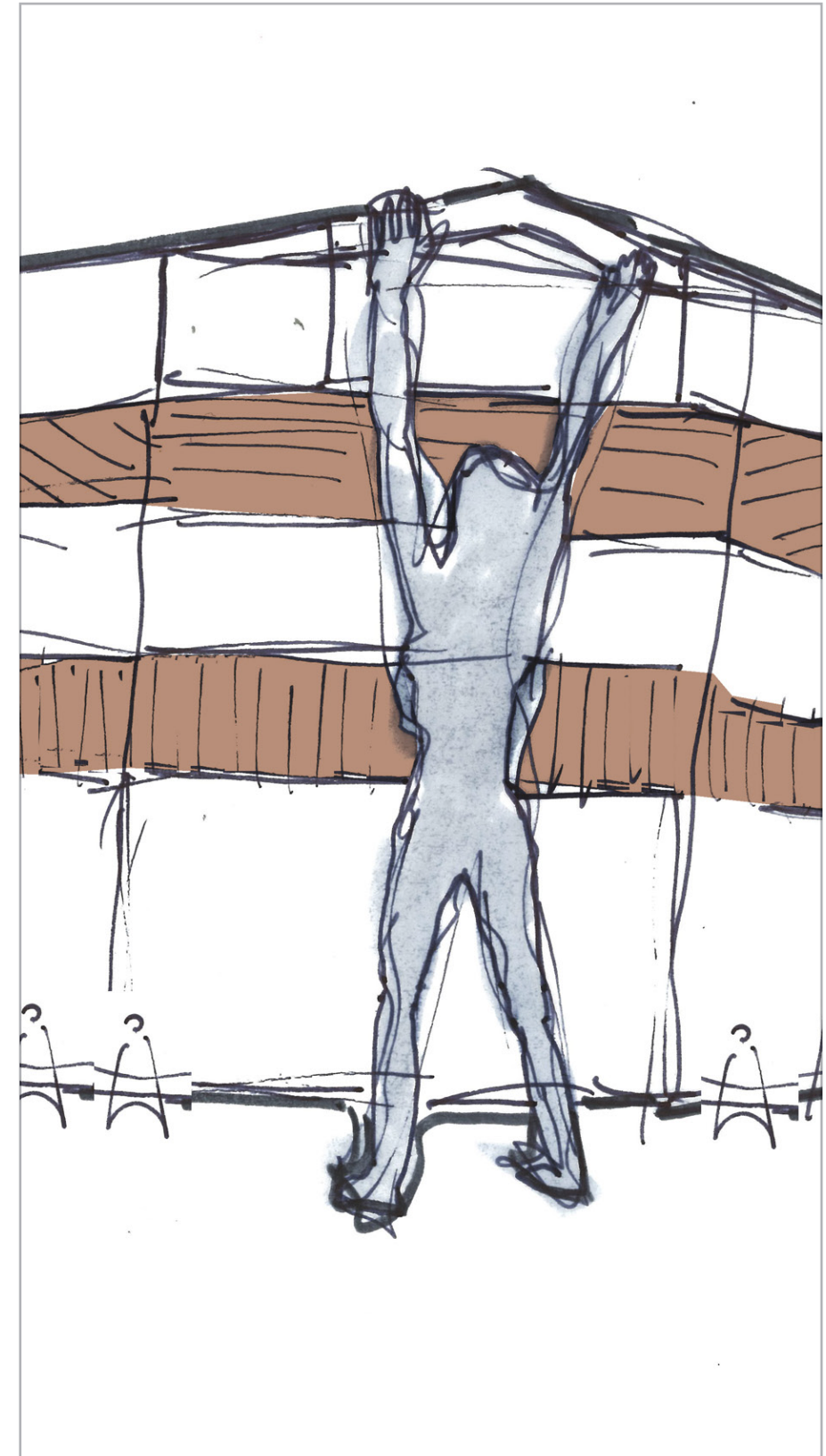
2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION



GROUND FLOOR CONCEPT ART INSTALLATION

2201 Valley
10 - 18 - 2018



GROUND FLOOR LOBBY SCULPTURE

2201 Valley
10 - 18 - 2018



GROUND FLOOR ELEVATION GRAND AVE

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION





GROUND FLOOR GRAND AVE & TELEGRAPH AVE

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION





GROUND FLOOR GRAND AVE & VALLEY ST

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION





GROUND FLOOR VALLEY ST

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION





GROUND FLOOR PLAN

2201 Valley
10 - 18 - 2018

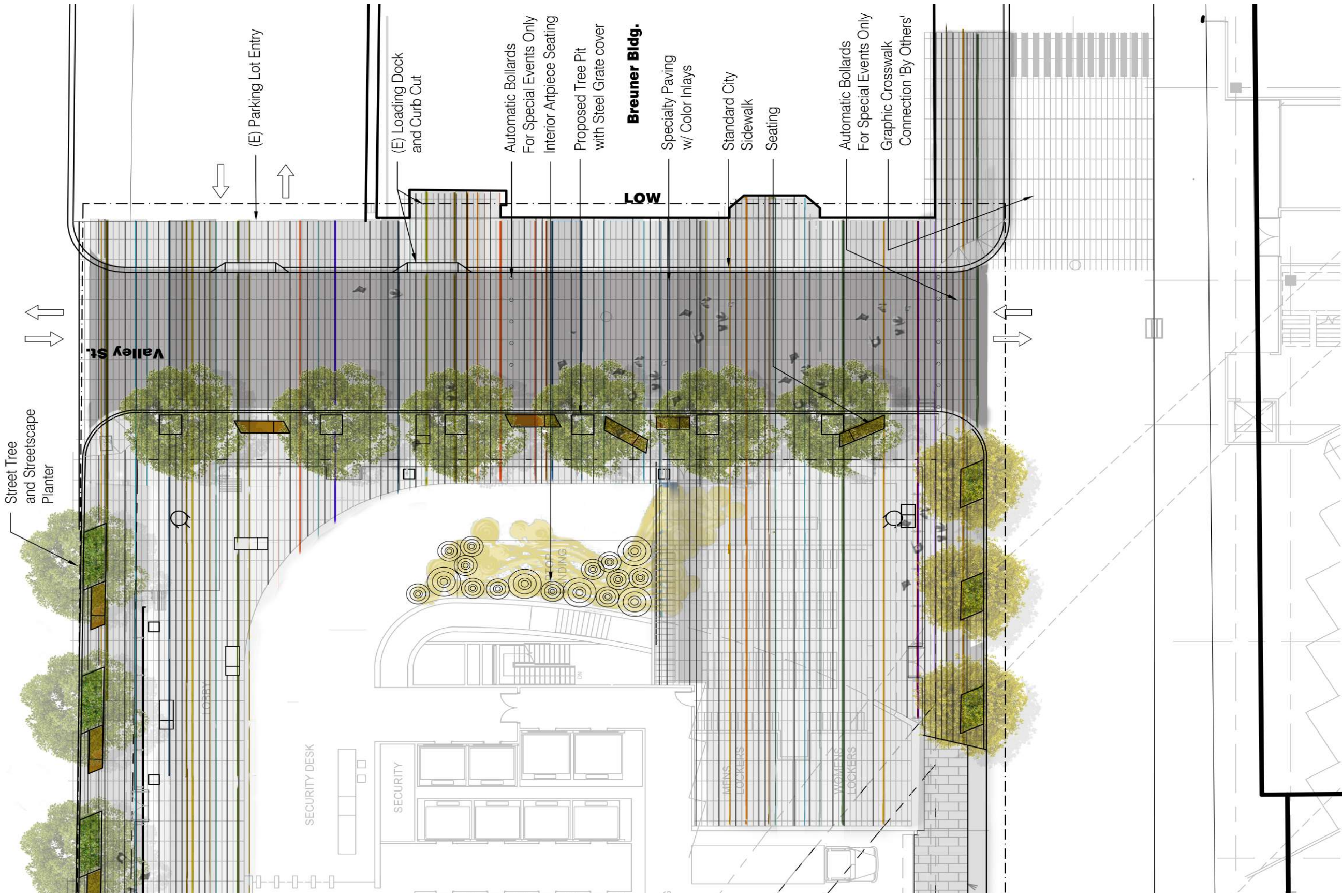
DEVELOPMENT PERMIT APPLICATION

TMG PARTNERS



A2.1

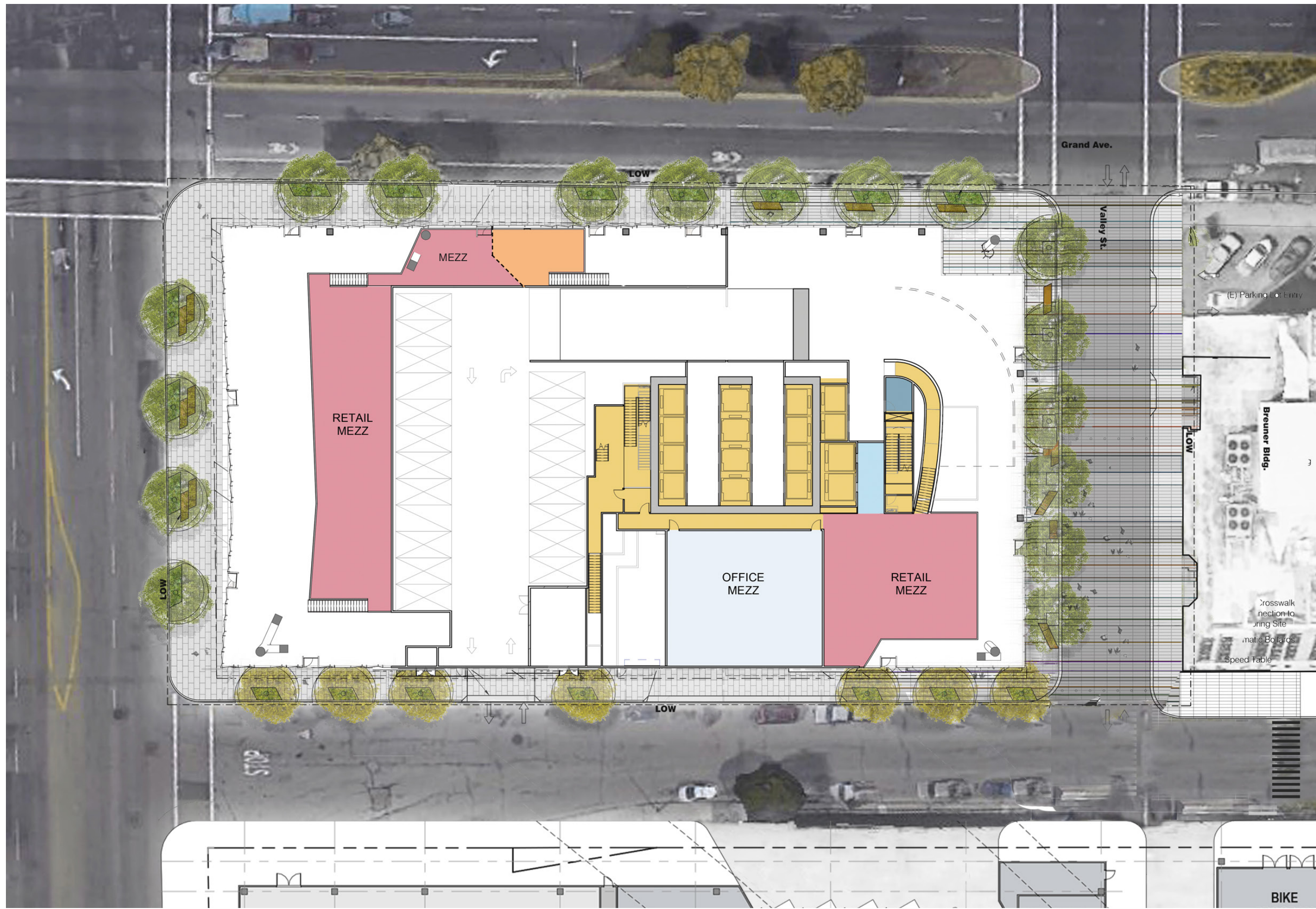
ve.



VALLEY ST AND EASTLINE CONNECTION

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION



GROUND FLOOR MEZZANINE PLAN

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION

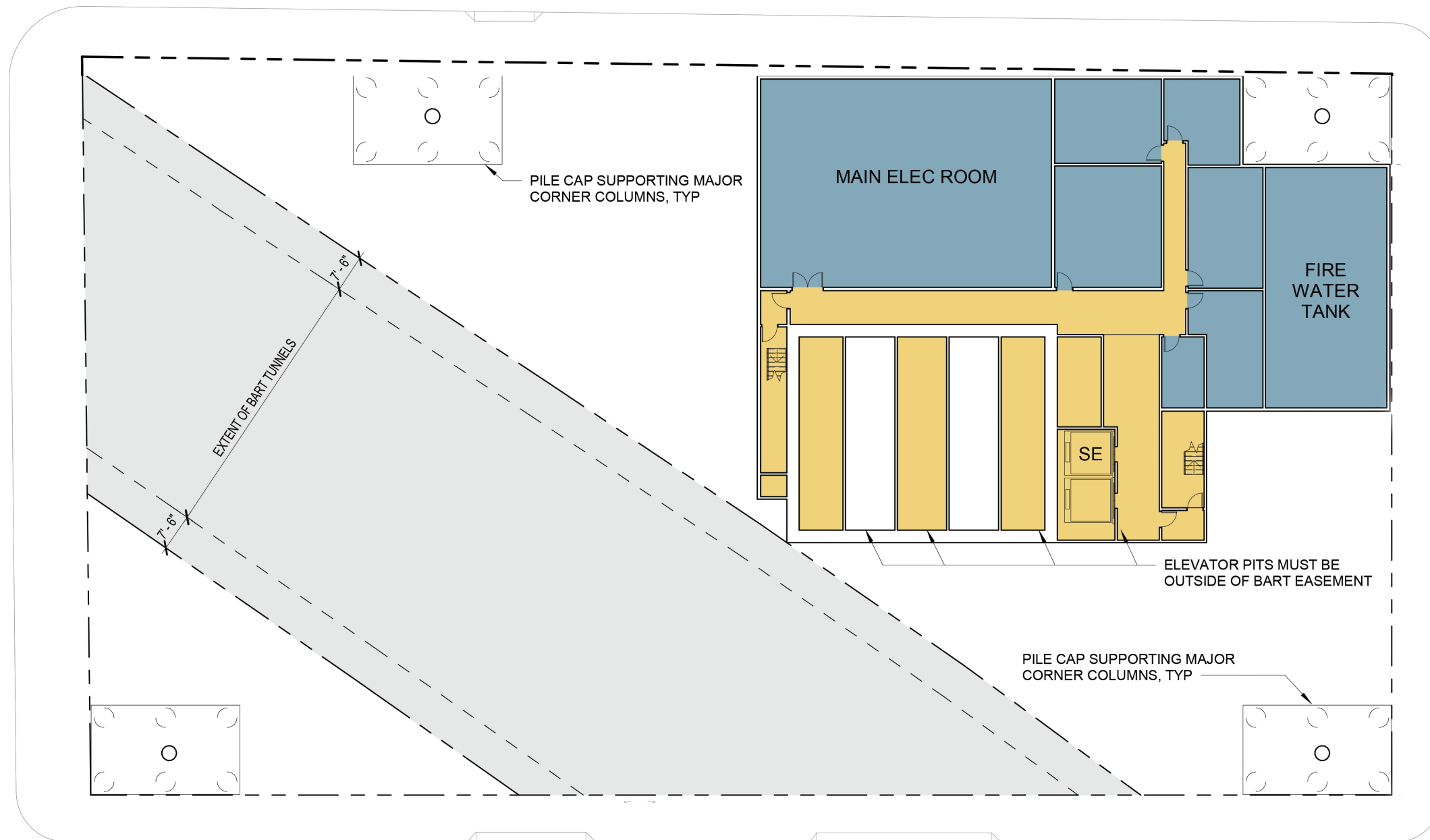
TMG PARTNERS



0 10' 20'



A2.3



CIRCULATION
MECH

BASEMENT PLAN

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION

TMG PARTNERS SCB

0 10' 20'



A2.4



TYPICAL PARKING PLAN LEVELS 2 - 4

2201 Valley
10 - 18 - 2018

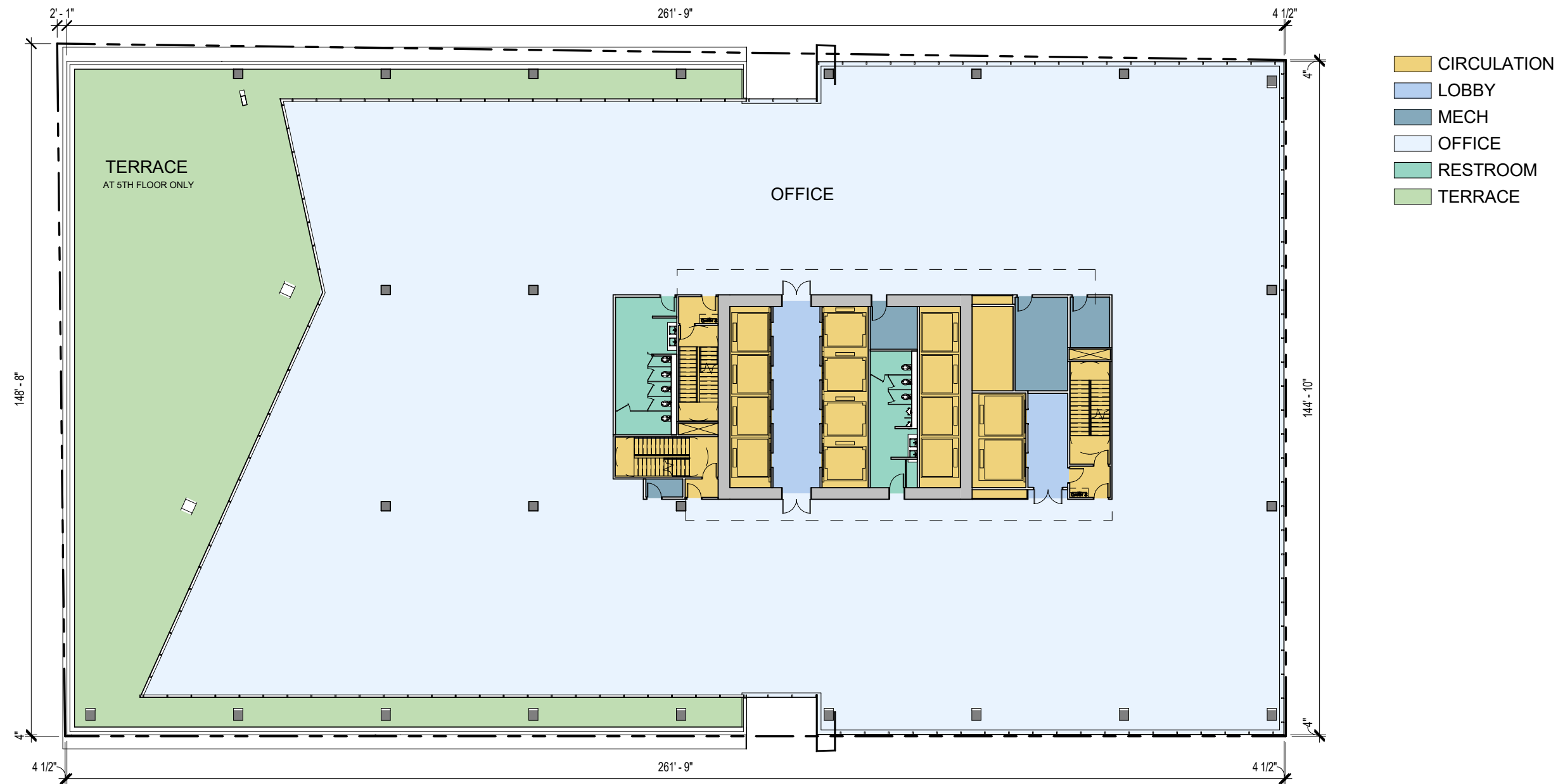
DEVELOPMENT PERMIT APPLICATION

0 10' 20'

TMG PARTNERS



A2.5



OFFICE PLAN LEVEL 5

2201 Valley
10 - 18 - 2018

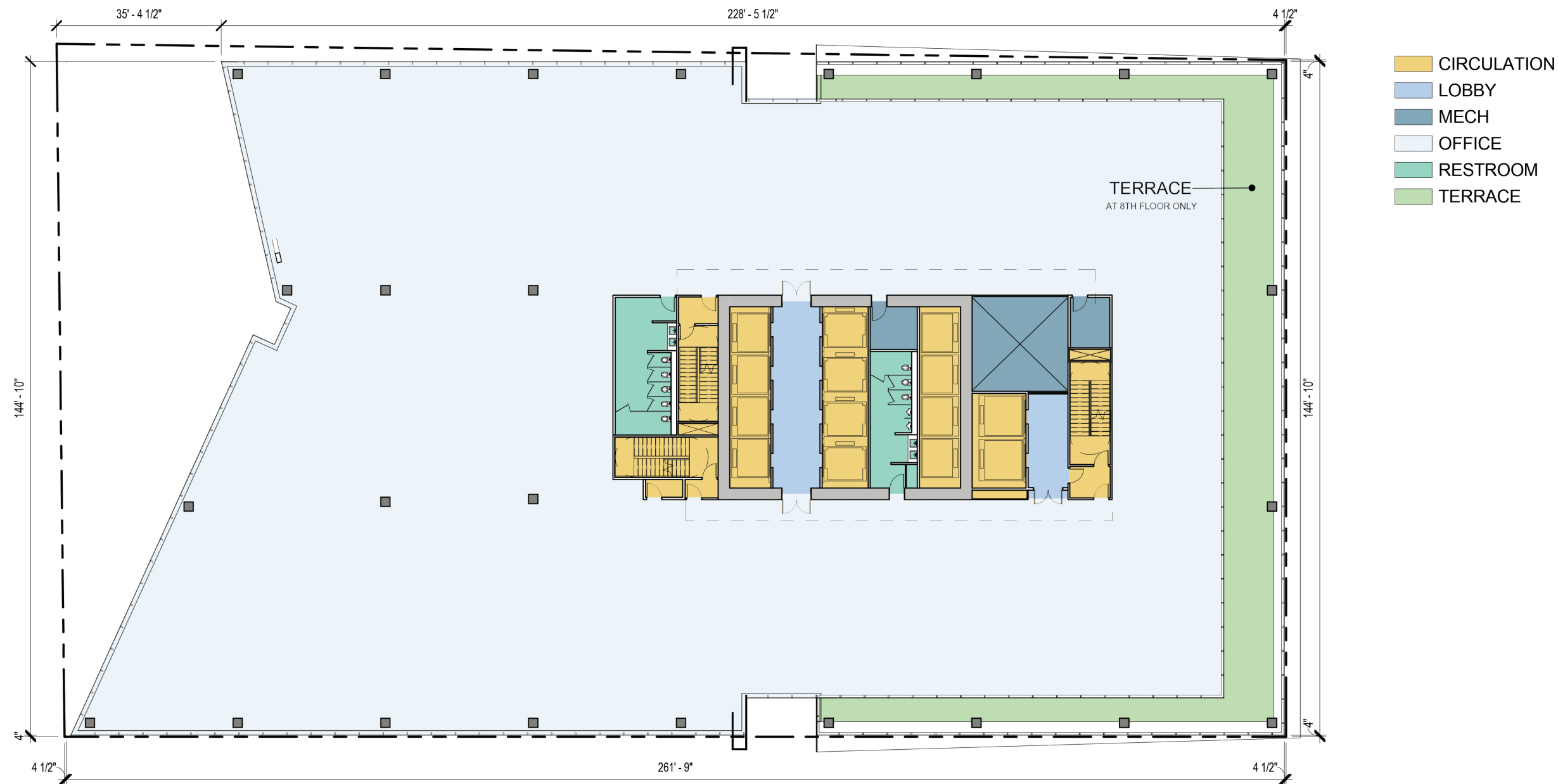
DEVELOPMENT PERMIT APPLICATION



0 10' 20'



A2.6



OFFICE PLAN LEVEL 8

2201 Valley
10 - 18 - 2018

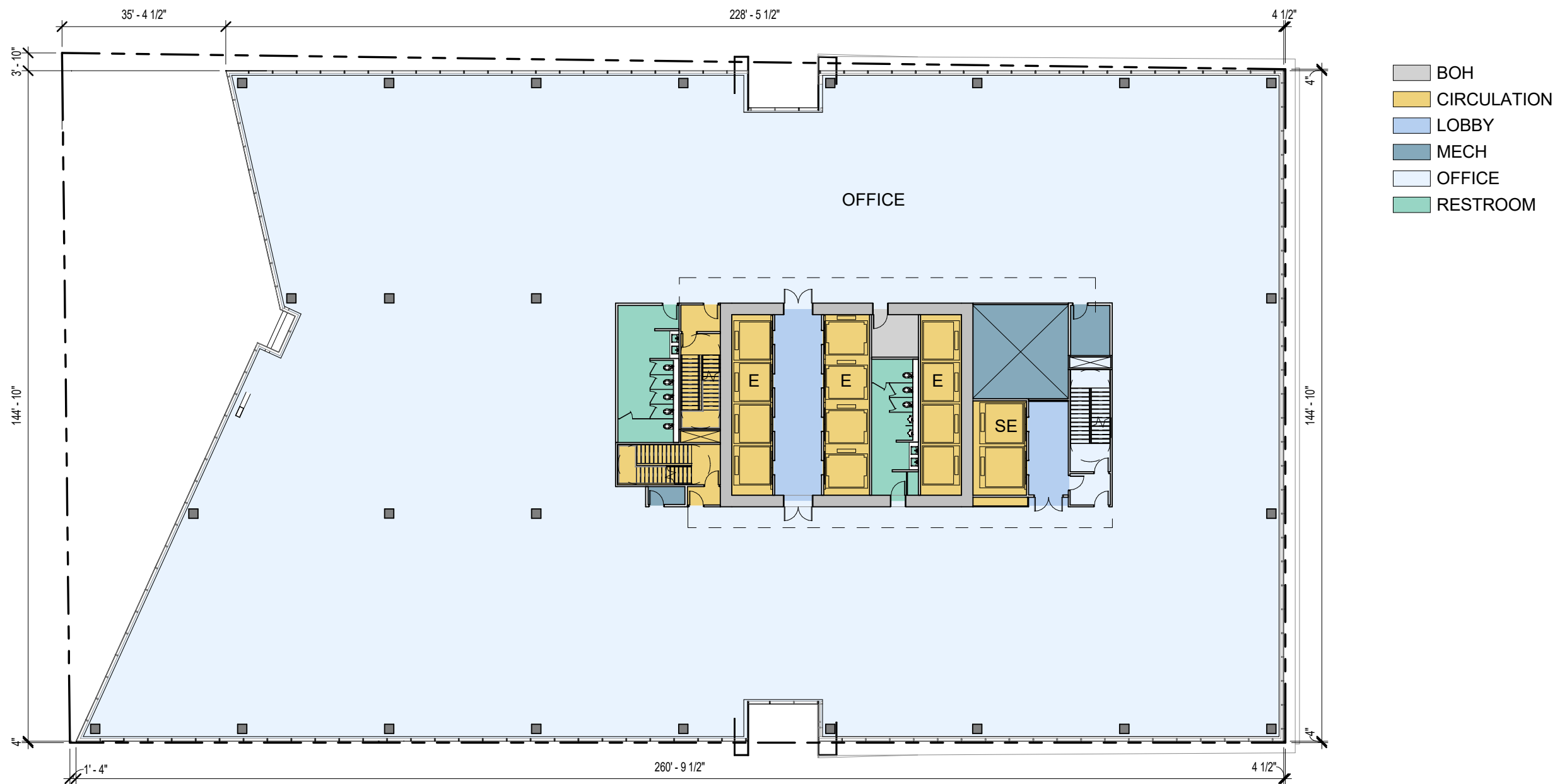
DEVELOPMENT PERMIT APPLICATION

0 10' 20'

TMG
PARTNERS



A2.7



TYPICAL OFFICE PLAN LEVELS 6 - 16

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION

0 10' 20'

TMG PARTNERS



A2.8

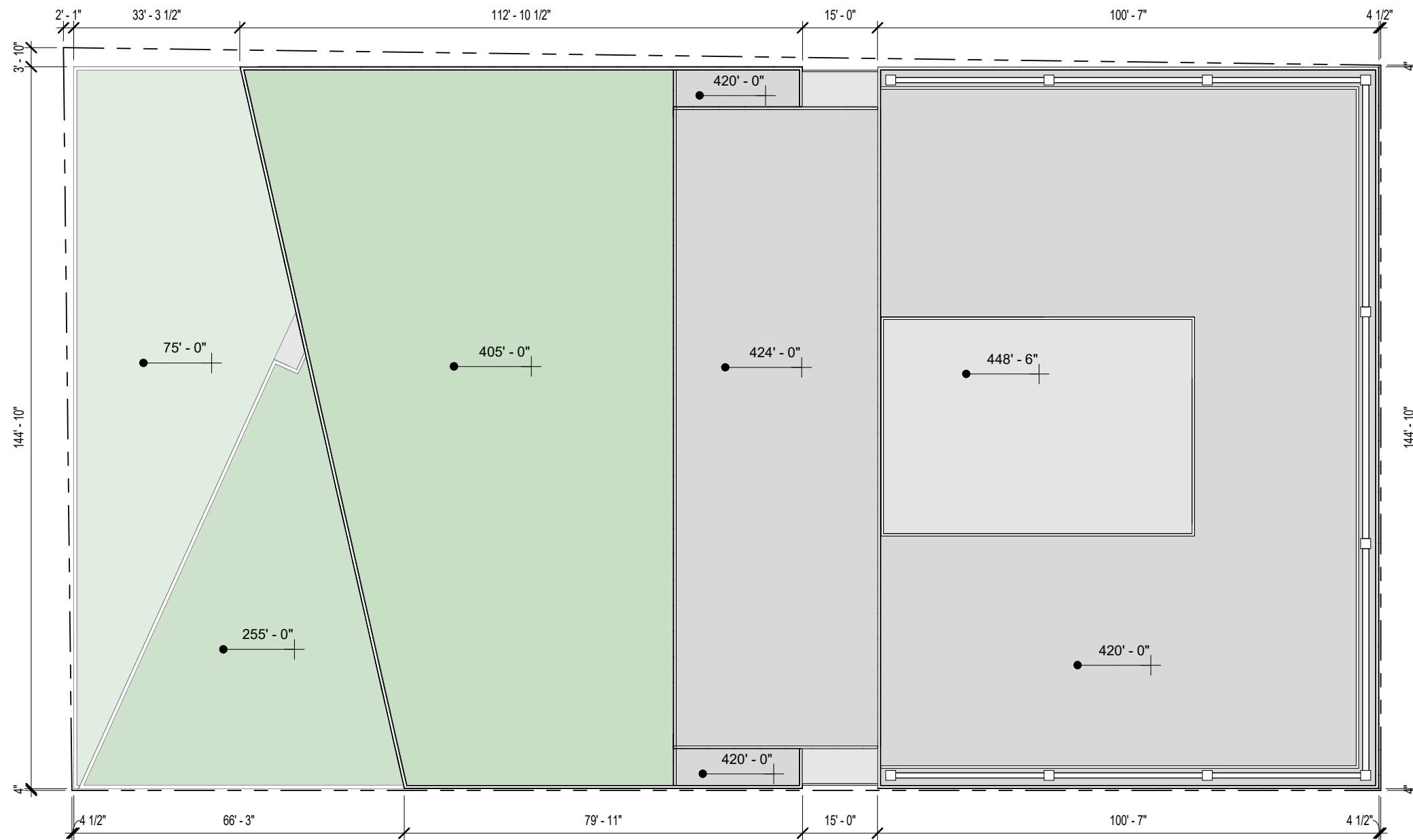


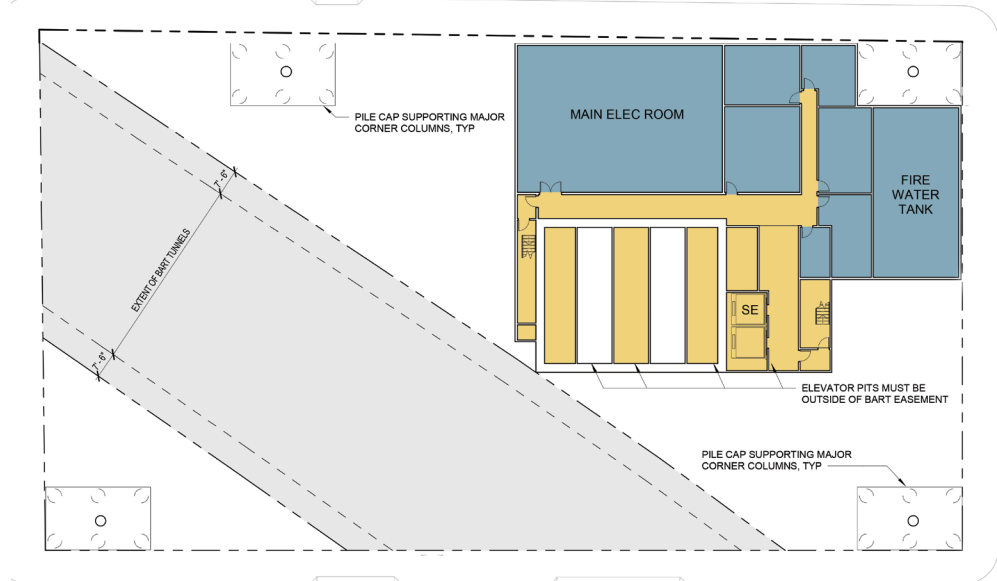
OFFICE PLAN LEVEL 27

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION







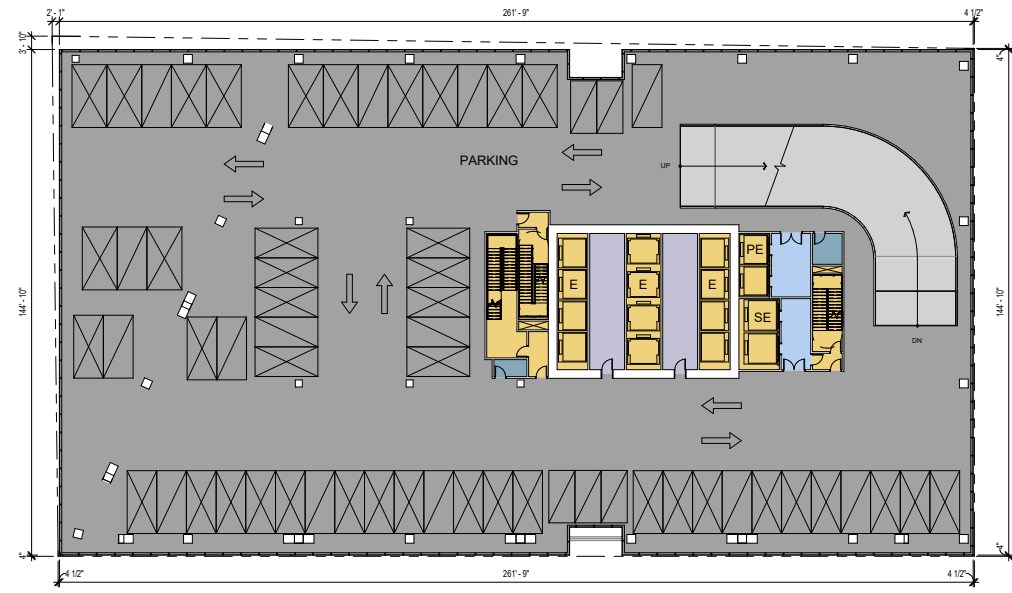
- CIRCULATION
- MECH

BASEMENT PLAN



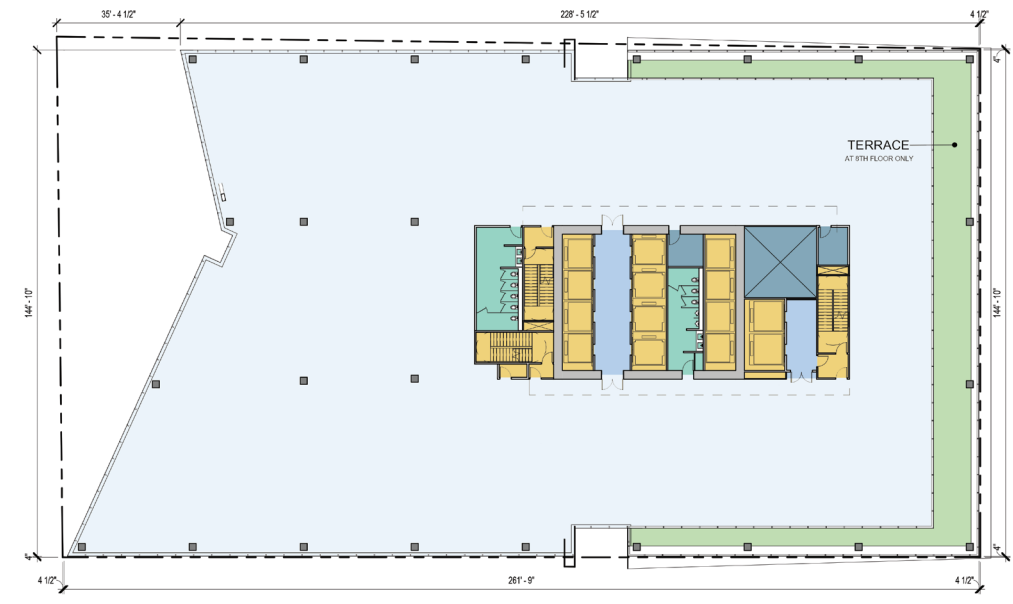
- CIRCULATION
- LOBBY
- MECH
- OFFICE
- RESTROOM
- TERRACE

OFFICE PLAN LEVEL 5



- CIRCULATION
- LOBBY
- MECH
- PARKING
- RAMP
- STORAGE

TYPICAL PARKING LEVELS 2 - 4



- CIRCULATION
- LOBBY
- MECH
- OFFICE
- RESTROOM
- TERRACE

OFFICE PLAN LEVEL 8



- BOH
- CIRCULATION
- LOBBY
- MECH
- OFFICE
- RESTROOM

TYPICAL OFFICE LEVELS 6 - 16



- CIRCULATION
- LOBBY
- MECH
- OFFICE
- RESTROOM
- STORAGE
- TERRACE

OFFICE PLAN LEVEL 17

0 40' 80'

FLOOR PLANS SUMMARY 1

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION

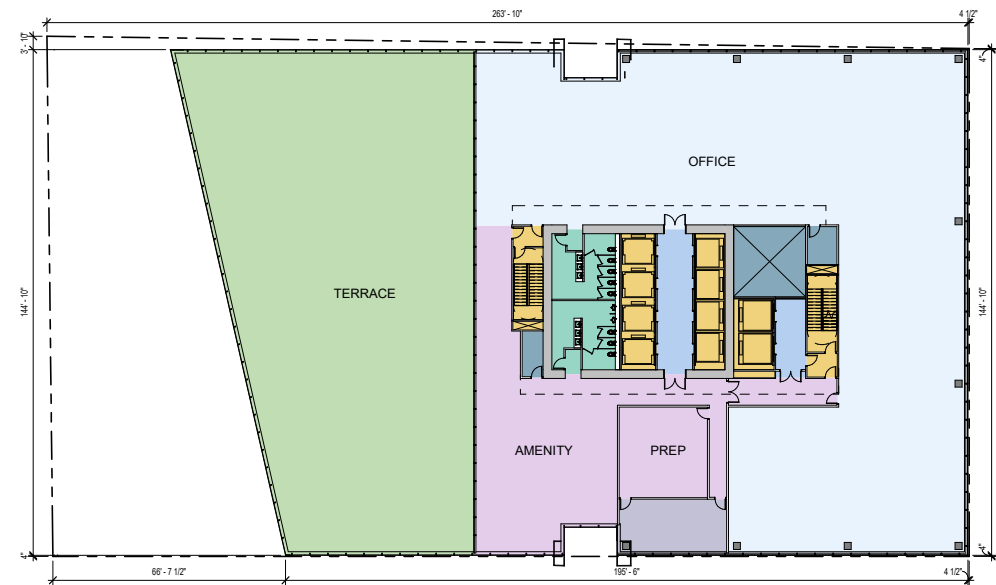


A2.13



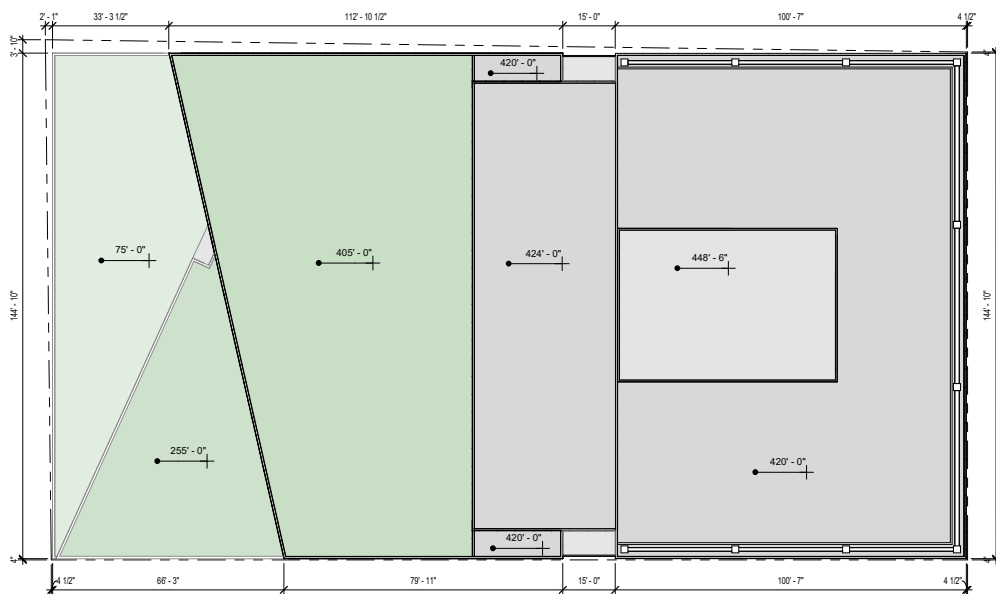
- CIRCULATION
- LOBBY
- MECH
- OFFICE
- RESTROOM

TYPICAL OFFICE
LEVELS 18 - 26



- AMENITY
- CIRCULATION
- LOBBY
- MECH
- OFFICE
- RESTROOM
- STORAGE
- TERRACE

OFFICE PLAN
LEVEL 27



ROOF PLAN

0 40' 80'

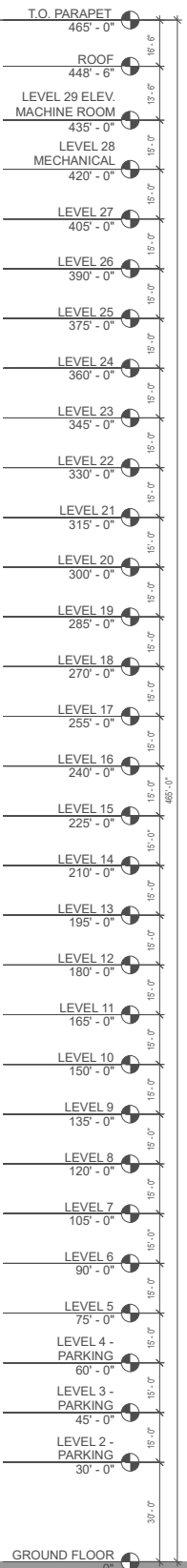
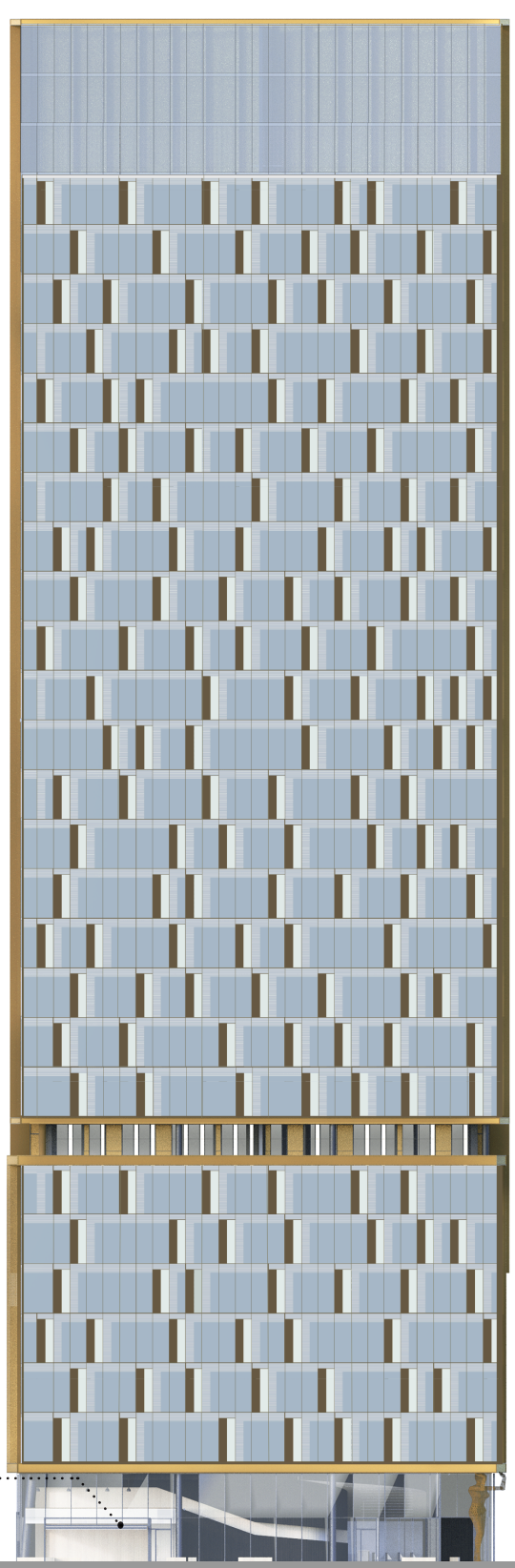
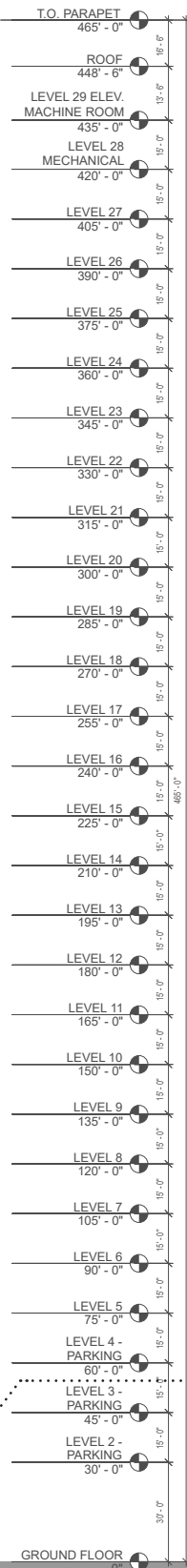
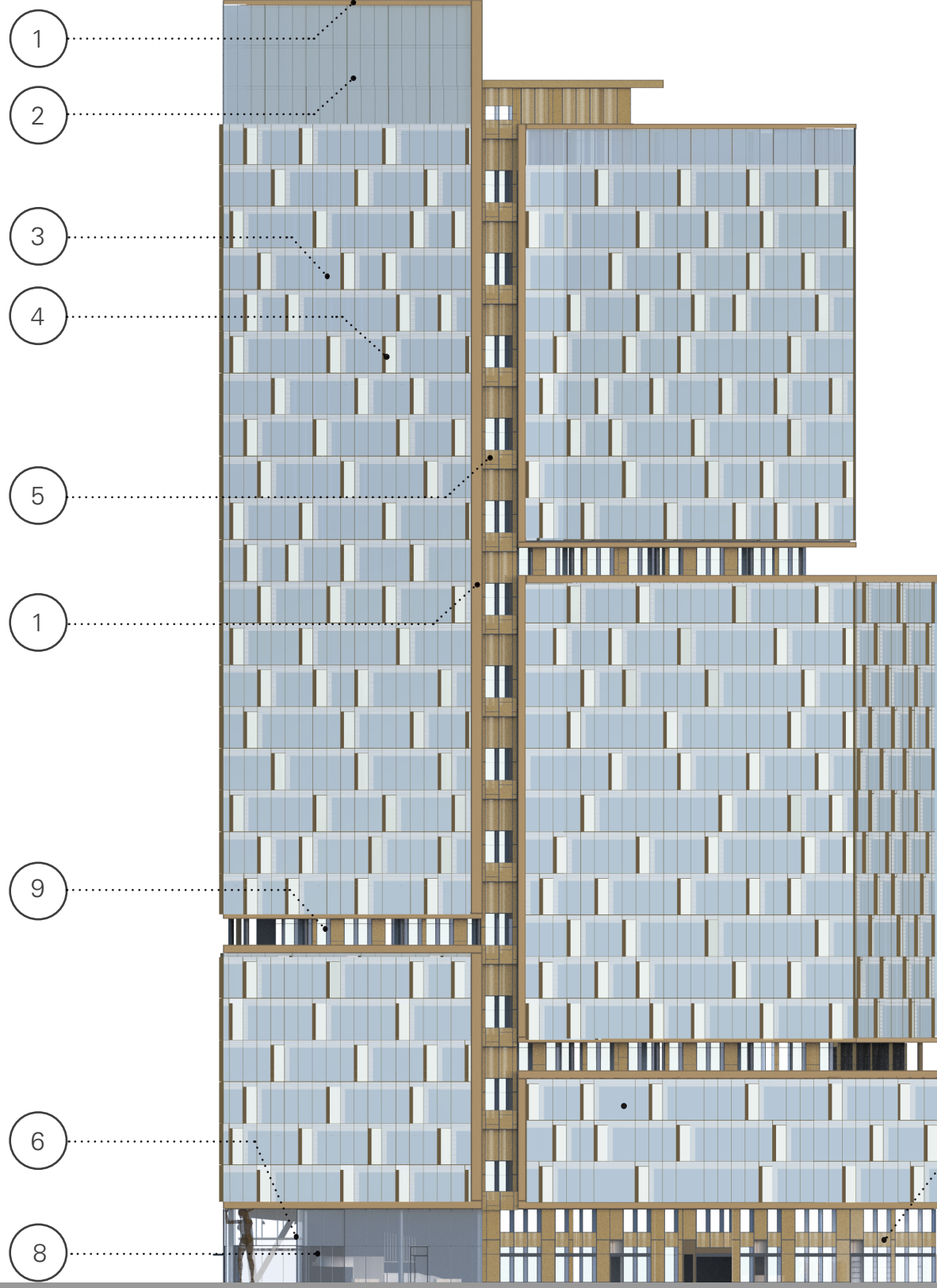
FLOOR PLANS SUMMARY 2

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION



REFER TO A2.17 PAGE
FOR MATERIAL
RELATION NUMBER



NORTH

EAST

0 30' 60'

NORTH & EAST ELEVATIONS

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION



REFER TO A2.17 PAGE
FOR MATERIAL
RELATION NUMBER

1

2

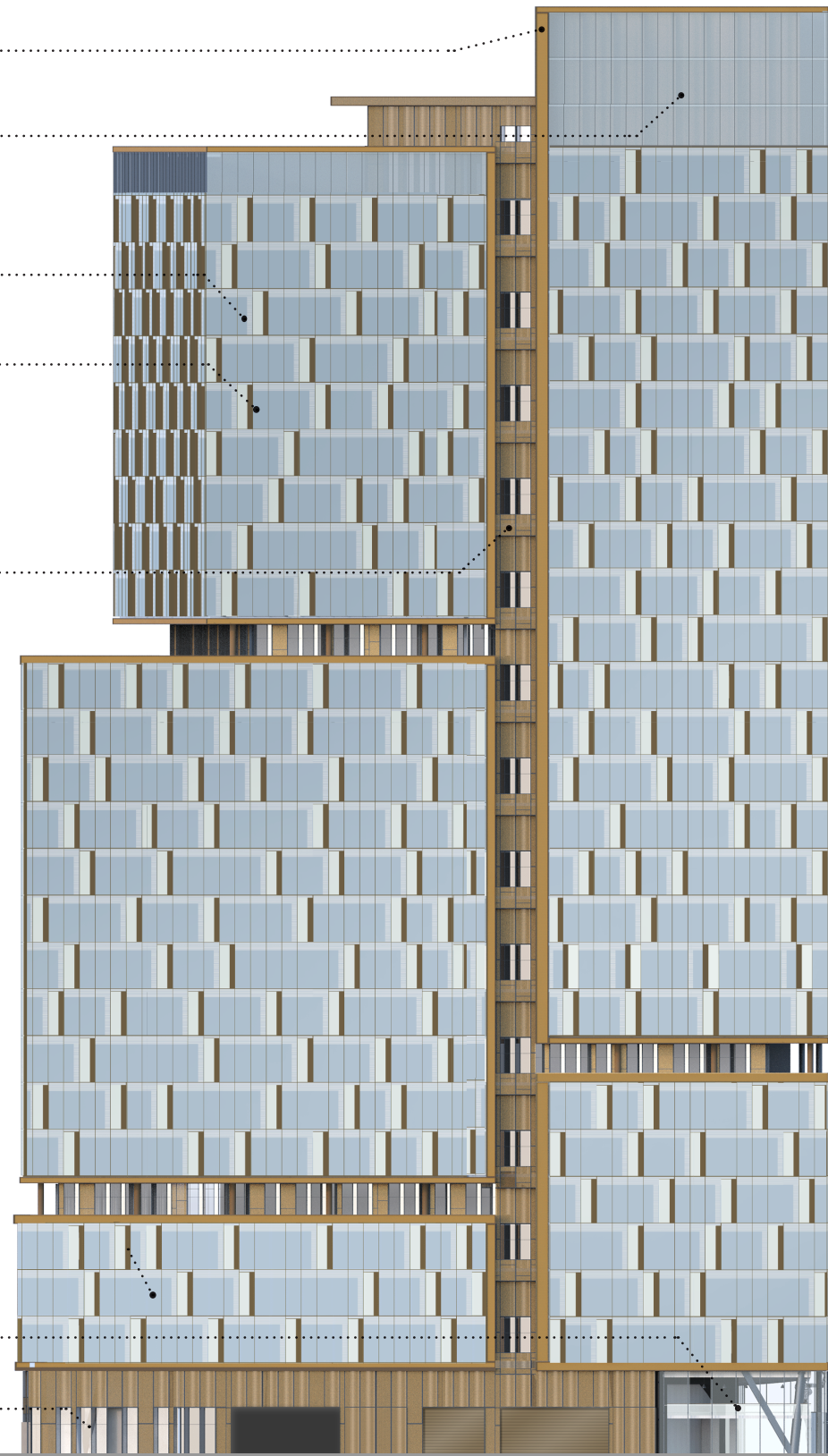
3

4

5

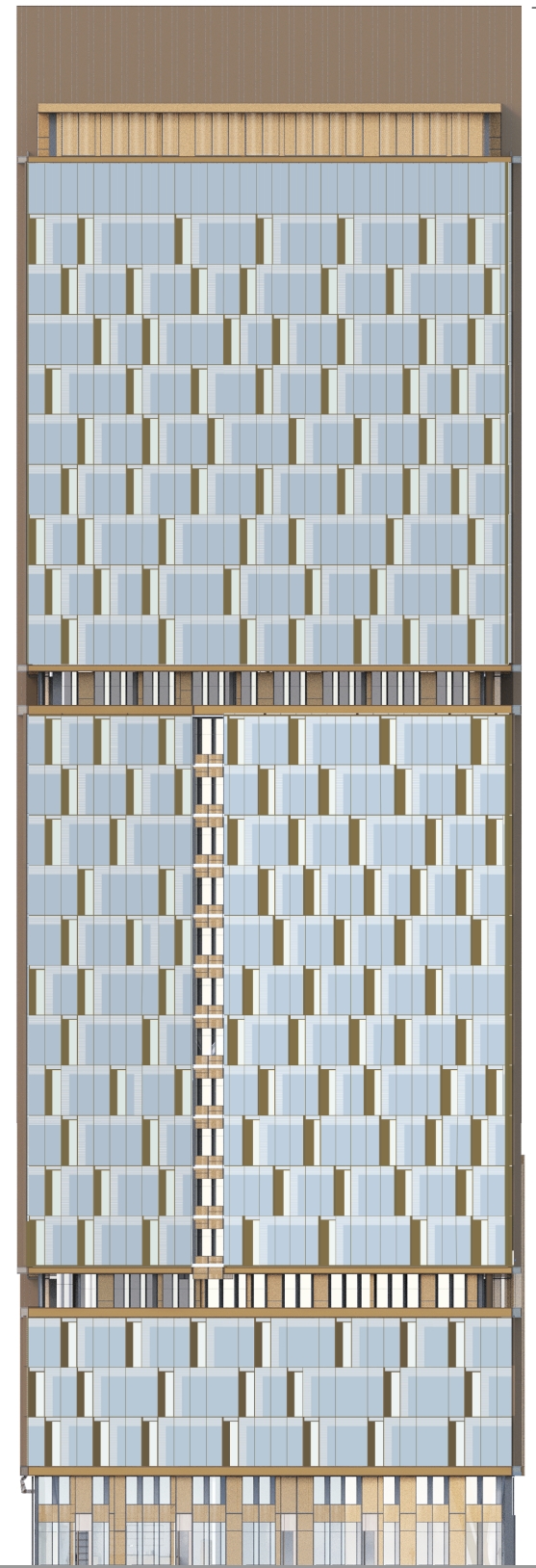
6

9



T.O. PARAPET	465' - 0"
ROOF	448' - 6"
LEVEL 29 ELEV. MACHINE ROOM	435' - 0"
LEVEL 28 MECHANICAL	420' - 0"
LEVEL 27	405' - 0"
LEVEL 26	390' - 0"
LEVEL 25	375' - 0"
LEVEL 24	360' - 0"
LEVEL 23	345' - 0"
LEVEL 22	330' - 0"
LEVEL 21	315' - 0"
LEVEL 20	300' - 0"
LEVEL 19	285' - 0"
LEVEL 18	270' - 0"
LEVEL 17	255' - 0"
LEVEL 16	240' - 0"
LEVEL 15	225' - 0"
LEVEL 14	210' - 0"
LEVEL 13	195' - 0"
LEVEL 12	180' - 0"
LEVEL 11	165' - 0"
LEVEL 10	150' - 0"
LEVEL 9	135' - 0"
LEVEL 8	120' - 0"
LEVEL 7	105' - 0"
LEVEL 6	90' - 0"
LEVEL 5	75' - 0"
LEVEL 4 - PARKING	60' - 0"
LEVEL 3 - PARKING	45' - 0"
LEVEL 2 - PARKING	30' - 0"
GROUND FLOOR	0'

SOUTH



T.O. PARAPET	465' - 0"
ROOF	448' - 6"
LEVEL 29 ELEV. MACHINE ROOM	435' - 0"
LEVEL 28 MECHANICAL	420' - 0"
LEVEL 27	405' - 0"
LEVEL 26	390' - 0"
LEVEL 25	375' - 0"
LEVEL 24	360' - 0"
LEVEL 23	345' - 0"
LEVEL 22	330' - 0"
LEVEL 21	315' - 0"
LEVEL 20	300' - 0"
LEVEL 19	285' - 0"
LEVEL 18	270' - 0"
LEVEL 17	255' - 0"
LEVEL 16	240' - 0"
LEVEL 15	225' - 0"
LEVEL 14	210' - 0"
LEVEL 13	195' - 0"
LEVEL 12	180' - 0"
LEVEL 11	165' - 0"
LEVEL 10	150' - 0"
LEVEL 9	135' - 0"
LEVEL 8	120' - 0"
LEVEL 7	105' - 0"
LEVEL 6	90' - 0"
LEVEL 5	75' - 0"
LEVEL 4 - PARKING	60' - 0"
LEVEL 3 - PARKING	45' - 0"
LEVEL 2 - PARKING	30' - 0"
GROUND FLOOR	0'

WEST

0 30' 60'

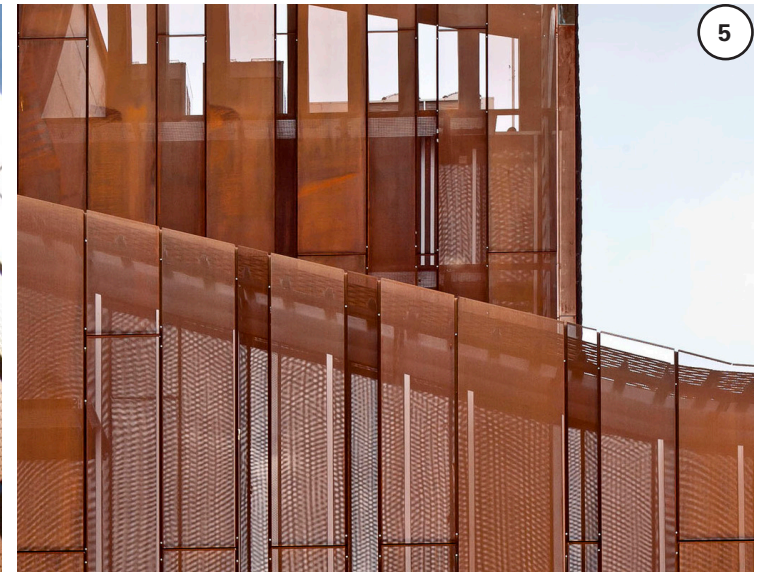
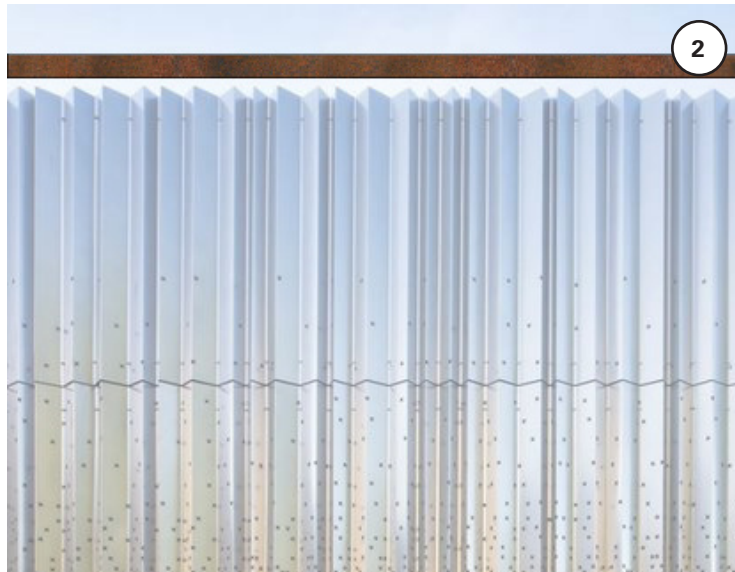
SOUTH & WEST ELEVATIONS

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION

TMG PARTNERS



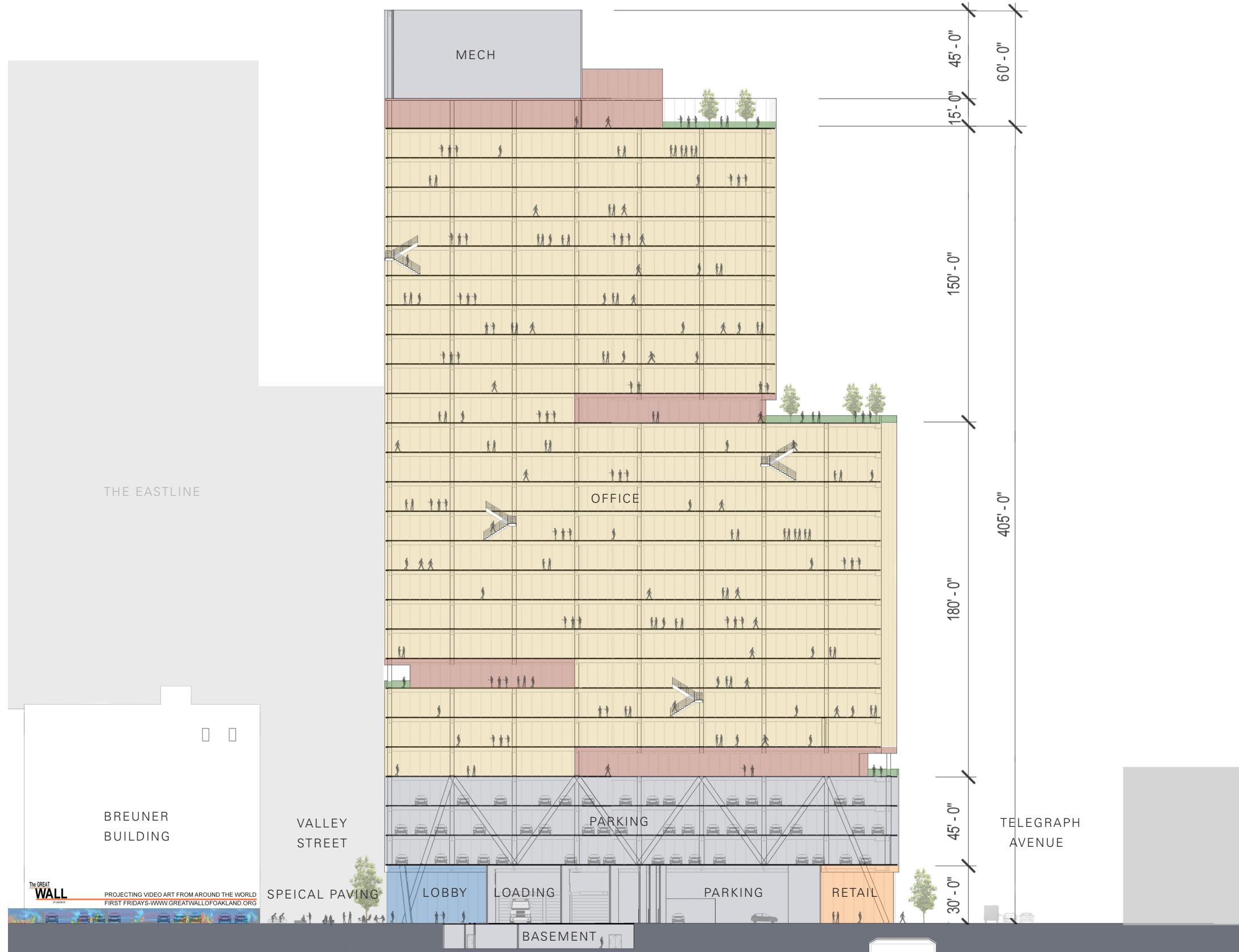


- ① METAL TRIM
- ② CLEAR GLASS WALL WITH PERFORATED METAL SCREEN BEYOND AT MECHANICAL PENTHOUSE
- ③ ALUMINUM CURTAIN WALL WITH HIGH PERFORMANCE LOW-E GLAZING
- ④ ALUMINUM SOLAR SHADES
- ⑤ PERFORATED METAL GUARDRAILS

- ⑥ STEEL AND ALUMINUM STRUCTURAL GLAZING SYSTEM WITH CLEAR GLASS
- ⑦ ALUMINUM AND GLASS BI-FOLDING VERTICAL DOORS
- ⑧ ALUMINUM 'HANGAR' STYLE DOORS WITH CUSTOM INFILLED SECURITY MESH (not shown)
- ⑨ ALUMINUM STORE FRONT SYSTEM WITH CUSTOM ALUMINUM AND CLEAR GLASS (not shown)

MATERIAL SELECTION

2201 Valley
10 - 18 - 2018



SECTION
2201 Valley
10 - 18 - 2018

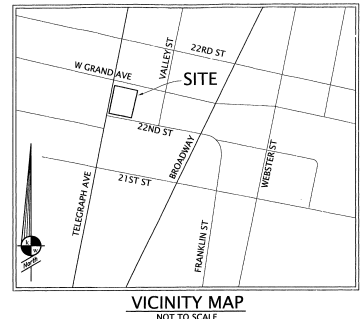
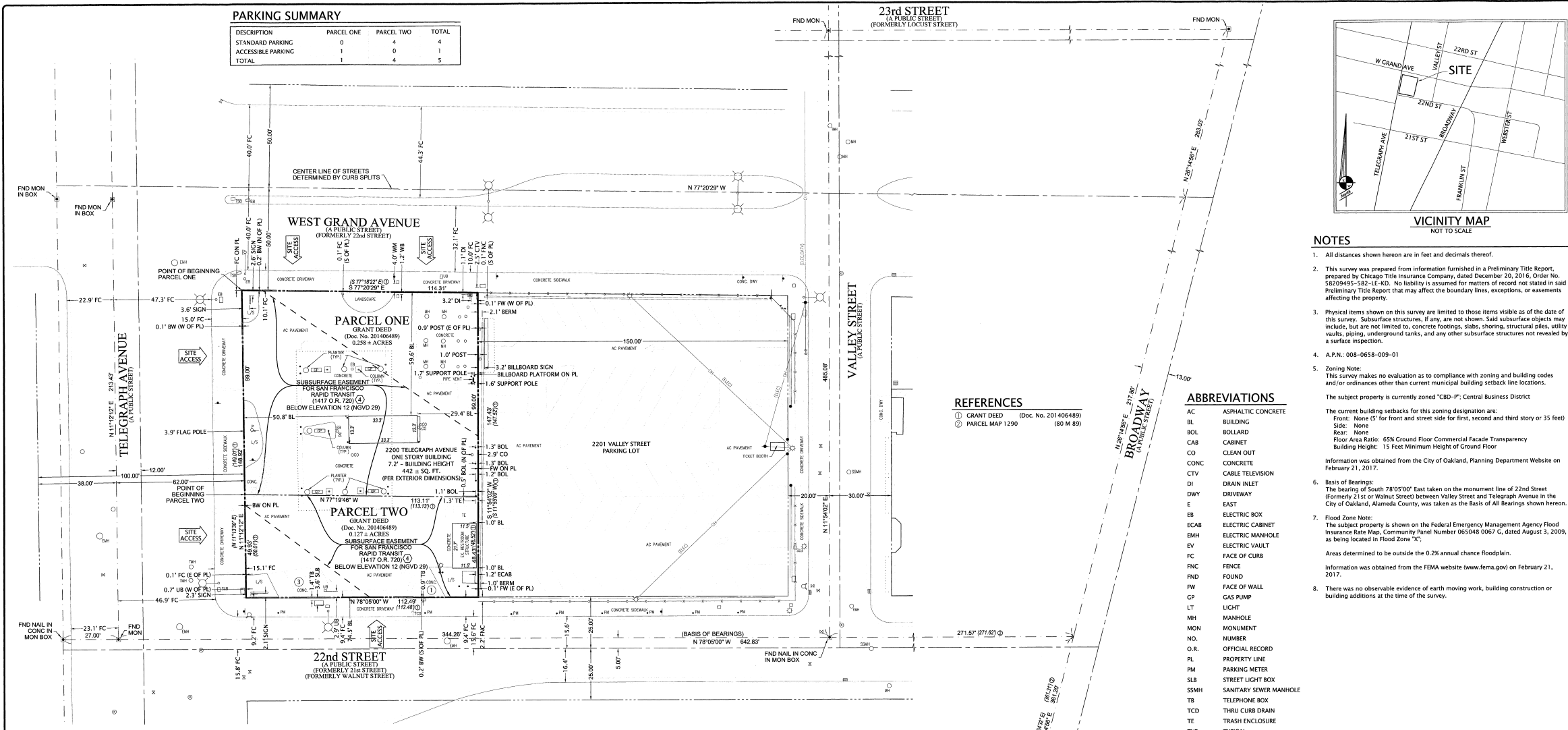
DEVELOPMENT PERMIT APPLICATION

TMG PARTNERS SCB

0 30' 60'

A2.18

PARKING SUMMARY			
DESCRIPTION	PARCEL ONE	PARCEL TWO	TOTAL
STANDARD PARKING	0	4	4
ACCESSIBLE PARKING	1	0	1
TOTAL	1	4	5



- NOTES**
- All distances shown hereon are in feet and decimals thereof.
 - This survey was prepared from information furnished in a Preliminary Title Report, prepared by Chicago Title Insurance Company, dated December 20, 2016, Order No. 58209495-582-LE-KD. No liability is assumed for matters of record not stated in said Preliminary Title Report that may affect the boundary lines, exceptions, or easements affecting the property.
 - Physical items shown on this survey are limited to those items visible as of the date of this survey. Subsurface structures, if any, are not shown. Said subsurface objects may include, but are not limited to, concrete footings, slabs, shoring, structural piles, utility vaults, piping, underground tanks, and any other subsurface structures not revealed by a surface inspection.
 - A.P.N.: 008-0658-009-01
 - Zoning Note: This survey makes no evaluation as to compliance with zoning and building codes and/or ordinances other than current municipal building setback line locations. The subject property is currently zoned "CBD-P", Central Business District. The current building setbacks for this zoning designation are: Front: None (5' for front and street side for first, second and third story or 35 feet); Side: None; Rear: None; Floor Area Ratio: 65% Ground Floor Commercial Facade Transparency; Building Height: 15 Feet Minimum Height of Ground Floor. Information was obtained from the City of Oakland, Planning Department Website on February 21, 2017.
 - Flood Zone Note: The bearing of South 78°05'00" East taken on the monument line of 22nd Street (Formerly 21st or Walnut Street) between Valley Street and Telegraph Avenue in the City of Oakland, Alameda County, was taken as the Basis of All Bearings shown hereon. The subject property is shown on the Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel Number 065048 0067 G, dated August 3, 2009, as being located in Flood Zone "X". Areas determined to be outside the 0.2% annual chance floodplain. Information was obtained from the FEMA website (www.fema.gov) on February 21, 2017.
 - There was no observable evidence of earth moving work, building construction or building additions at the time of the survey.

- REFERENCES**
- GRANT DEED (Doc. No. 201406489)
 - PARCEL MAP 1200 (80 M 89)

- ABBREVIATIONS**
- AC ASPHALTIC CONCRETE
 - BL BUILDING
 - BOL BOLLARD
 - CAB CABINET
 - CO CLEAN OUT
 - CONC CONCRETE
 - CTV CABLE TELEVISION
 - DI DRAIN INLET
 - DWY DRIVEWAY
 - E EAST
 - EB ELECTRIC BOX
 - ECAB ELECTRIC CABINET
 - EMH ELECTRIC MANHOLE
 - EV ELECTRIC VAULT
 - FC FACE OF CURB
 - FNC FENCE
 - FND FOUND
 - FW FACE OF WALL
 - GP GAS PUMP
 - LT LIGHT
 - MH MANHOLE
 - MON MONUMENT
 - NO. NUMBER
 - O.R. OFFICIAL RECORD
 - PL PROPERTY LINE
 - PM PARKING METER
 - SLB STREET LIGHT BOX
 - SSMH SANITARY SEWER MANHOLE
 - TB TELEPHONE BOX
 - TCD THRU CURB DRAIN
 - TE TRASH ENCLOSURE
 - TYP. TYPICAL
 - UB UTILITY BOX
 - WB WATER BOX
 - WM WATER METER

- LEGEND**
- PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - FORMER PROPERTY LINE
 - MONUMENT LINE
 - CENTERLINE
 - EASEMENT
 - BUILDING LINE
 - BUILDING OVERHANG
 - FOUND MONUMENT AS NOTED
 - LIGHT
 - STREET LIGHT
 - FIRE HYDRANT
 - CLEAN OUT
 - UTILITY POLE W/ GUY WIRE
 - VALVE
 - CATCH BASIN / DROP INLET
 - WATER METER
 - FIRE DEPARTMENT CONNECTION
 - BACK FLOW PREVENTER
 - UTILITY BOX (SIZE VARIES)
 - SIGN
 - BOLLARD
 - FLAG POLE
 - TITLE REPORT EXCEPTION NUMBER
 - RECORD INFORMATION W/ REFERENCE (100-09X)
 - CURB
 - CURB & GUTTER
 - CONCRETE
 - FENCE
 - RETAINING WALL
 - EDGE OF PAVEMENT
 - OVERHEAD

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:
PORTION OF LOTS 6 AND 7 IN BLOCK 10, AS SAID LOTS AND BLOCK ARE SHOWN ON THE MAP OF THE PACIFIC HOMESTEAD, SITUATED IN OAKLAND, ALAMEDA CO., SURVEYED BY W. F. BOARDMAN, ESQ., RECORDED JULY 23, 1866, IN BOOK "W" OF DEEDS, AT PAGE 2, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE SOUTHERN LINE OF WEST GRAND AVENUE, FORMERLY 22ND STREET, WITH THE EASTERN LINE OF TELEGRAPH AVENUE, AS SAID STREET AND AVENUE NOW EXIST; RUNNING THENCE ALONG SAID LINE OF WEST GRAND AVENUE, FORMERLY 22ND STREET, SOUTH 77° 18' 22" EAST, 114.31 FEET TO A LINE DRAWN PARALLEL WITH THE WESTERN LINE OF VALLEY STREET AS SAID VALLEY STREET IS SHOWN ON SAID MAP, AND DISTANT AT RIGHT ANGLES 150 FEET WESTERLY THEREFROM; THENCE ALONG THE LAST NAMED LINE, SOUTH 11° 55' WEST, 99 FEET; THENCE WESTERLY, IN A DIRECT LINE, 113.13 FEET, MORE OR LESS, TO A POINT ON SAID EASTERN LINE OF TELEGRAPH AVENUE, DISTANT THEREON SOUTH 11° 13' 30" WEST, 99 FEET FROM THE POINT OF BEGINNING; THENCE ALONG SAID LINE OF TELEGRAPH AVENUE, NORTH 11° 13' 30" EAST, 99 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:
PORTION OF LOT 7 IN BLOCK 10, AS SAID LOT AND BLOCK ARE SHOWN ON THE MAP OF THE PACIFIC HOMESTEAD SITUATE IN OAKLAND, ALAMEDA CO., SURVEYED BY W.F. BOARDMAN, ESQ., RECORDED JULY 23, 1866, IN BOOK "W" OF DEEDS, PAGE 2, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE EASTERN LINE OF TELEGRAPH AVENUE, DISTANT THEREON SOUTH 11° 13' 30" WEST, 99 FEET FROM THE SOUTHERN LINE OF WEST GRAND AVENUE, FORMERLY 22ND STREET, AS SAID AVENUE AND STREET NOW EXIST; RUNNING THENCE EASTERLY, IN A DIRECT LINE, 113.13 FEET, MORE OR LESS, TO A POINT DISTANT SOUTH 11° 55' WEST, 99 FEET FROM THE SOUTHERN LINE OF WEST GRAND AVENUE, FORMERLY 22ND STREET, MEASURED ALONG A LINE DRAWN PARALLEL WITH AND DISTANT AT RIGHT ANGLES 150 FEET WESTERLY FROM THE WESTERN LINE OF VALLEY STREET, AS SAID STREET IS SHOWN ON SAID MAP; THENCE ALONG THE LINE SO DRAWN, SOUTH 11° 55' WEST, 48.52 FEET, MORE OR LESS, TO THE NORTHERN LINE OF 22ND STREET, FORMERLY 21ST STREET, FORMERLY WALNUT STREET, AS SAID STREET NOW EXISTS; THENCE ALONG THE LAST NAMED LINE, NORTH 78° 05' WEST, 112.48 FEET TO SAID LINE OF TELEGRAPH AVENUE, THENCE ALONG THE LAST NAMED LINE, NORTH 11° 13' 30" EAST, 50.01 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTION TABLE

- Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018 (NOT A SURVEY MATTER)
- Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies. (NOT A SURVEY MATTER)
- The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vendee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy. (NOT A SURVEY MATTER)
- Easements (if the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: San Francisco Bay Area Rapid Transit District
Purpose: A perpetual subsurface easement and right of way for public transportation
Recording Date: January 20, 1965
Record: AK-818, Book 1417, Page 720, of Official Records
A portion of said land (EASEMENTS PLOTTED HEREON) (NOT A SURVEY MATTER)
- Terms, Conditions and Provisions as contained in Right of First Refusal dated September 13, 2004, executed by Chong & Myung, Inc., and Chong Hak Kim and Chevron U.S.A. Inc., a Pennsylvania corporation, recorded November 5, 2004, Series No. 2004-497596, Official Records. (NOT A SURVEY MATTER)
- A notice that said land is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the redevelopment plan) as disclosed by a document
Recording Date: December 3, 2007
Recording No: 2007-409569, of Official Records
Redevelopment Agency: Central District Redevelopment Project (BLANKET IN NATURE) (NOT A SURVEY MATTER)
- A deed of trust to secure an indebtedness in the amount shown below,
Amount: \$871,000.00
Date: March 12, 2014
Trustee: Mash Petroleum, Inc., a California Corporation
Beneficiary: Old Republic Title Company
Loan No.: 345000
Recording Date: June 3, 2014
Recording No: 2014133075, of Official Records (NOT A SURVEY MATTER)
- Matters contained in that certain document
Entitled: Hazardous Substances Certificate and Indemnity Agreement
Date: March 12, 2014
- Executed by: Mash Petroleum, Inc.
Recording Date: June 3, 2014
Recording No: 2014133076, of Official Records
Reference is hereby made to said document for full particulars. (NOT A SURVEY MATTER)
- An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document
Entitled: Notice to Creditors of Bulk Sale
Lessor: Mash Petroleum, Inc.
Lessee: A & A Gas, Inc.
Recording Date: August 1, 2014
Recording No: 201419493, of Official Records
The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.
An agreement recorded March 25, 2016 at Instrument No. 2016071734, of Official Records which states that said lease has been made subordinate to the document
Entitled: Deed of Trust
Recording Date: March 25, 2016
Recording No: 2016071731, of Official Records (NOT A SURVEY MATTER)
- A deed of trust to secure an indebtedness in the amount shown below,
Amount: \$600,000.00
Date: March 16, 2016
Trustor/Grantor: Mash Petroleum Inc., a California Corporation
Trustee: First USB Corporation
Beneficiary: United Business Bank, F.S.B.
Loan No.: 162015100
Recording Date: March 25, 2016
Recording No: 2016071731, of Official Records
The Deed of Trust set forth above is purported to be a "Credit Line" Deed of Trust. Under California Code Section 3342.1, it is a requirement that the Trustor/Grantor of said Deed of Trust either immediately provide the beneficiary with the "Borrower's instruction to Suspend and Close Equity Line of Credit" or provide a satisfactory subordination of this Deed of Trust to the proposed Deed of Trust to be recorded at closing. (NOT A SURVEY MATTER)
- An assignment of all of the moneys due, or to become due as rental, as additional security for the obligations secured by deed of trust shown as item no. 10
Assigned to: United Business Bank, F.S.B.
Recording Date: March 25, 2016
Recording No: 2016071732, of Official Records (NOT A SURVEY MATTER)
- Matters contained in that certain document
Entitled: Hazardous Substances Certificate and Indemnity Agreement
Date: March 16, 2016
Trustor/Grantor: Mash Petroleum, Inc. and United Business Bank, F.S.B.
Recording Date: March 25, 2016
Recording No: 2016071733, of Official Records
Reference is hereby made to said document for full particulars. (NOT A SURVEY MATTER)
- The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance by the corporation named below:
Name of Corporation: Mash Petroleum, Inc., a California Corporation
a) A copy of the corporation By-laws and Articles of Incorporation
b) An original or certified copy of a resolution authorizing the transaction contemplated herein
c) If the Articles and/or By-laws require approval by a parent organization, a copy of the Articles and By-laws of the parent
The Company reserves the right to add additional items or make further requirements after review of the requested documentation. (NOT A SURVEY MATTER)
- Any rights of the parties in possession of a portion of, or of, all of, said Land, which rights are not disclosed by the public records.
The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.
The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents. (NOT A SURVEY MATTER)
- If extended coverage title insurance will be requested, or if this report has been issued to facilitate a request for extended coverage title insurance, then the following would also be exceptions to coverage.
Any facts, rights, interests or claims which are not disclosed by the public records but which could be ascertained by making inquiry of the parties or persons in possession of the herein described land.
Any assessments, liens (including but not limited to any Statutory Liens for labor or materials arising from any on-going or recently completed works of improvement), encumbrances, facts, rights, interest or claims which are not shown by the public records but which could be ascertained by an inspection of the herein described land.
Discrepancies, conflicts in boundary lines, shortages in area, encroachments or any other facts which a correct survey of the herein described land would disclose which are not shown by the public records and the requirement that said survey meets with the minimum standards for ALTA/NPS land title surveys (NOT A SURVEY MATTER)
- The transaction contemplated in connection with this Report is subject to the review and approval of the Company's Corporate Underwriting Department. The Company reserves the right to add additional items or make further requirements after such review.
- The Company will require that an Owner's Affidavit be completed by the party(ies) named below before the issuance of any policy of title insurance.
Party(s): Mash Petroleum, Inc., a California Corporation
The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit.

SURVEYOR'S CERTIFICATE

TO: TMG Partners
AND: Chicago Title Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NPS Land Title Surveys, jointly established and adopted by ALTA and NPS, and includes items 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 13, 14 and 16 of Table A thereof. The field work was completed on February 22, 2017.

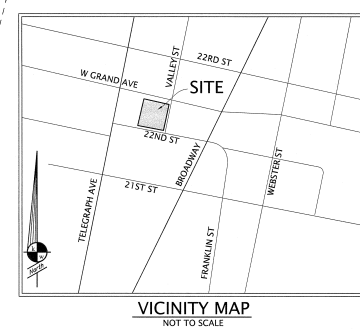
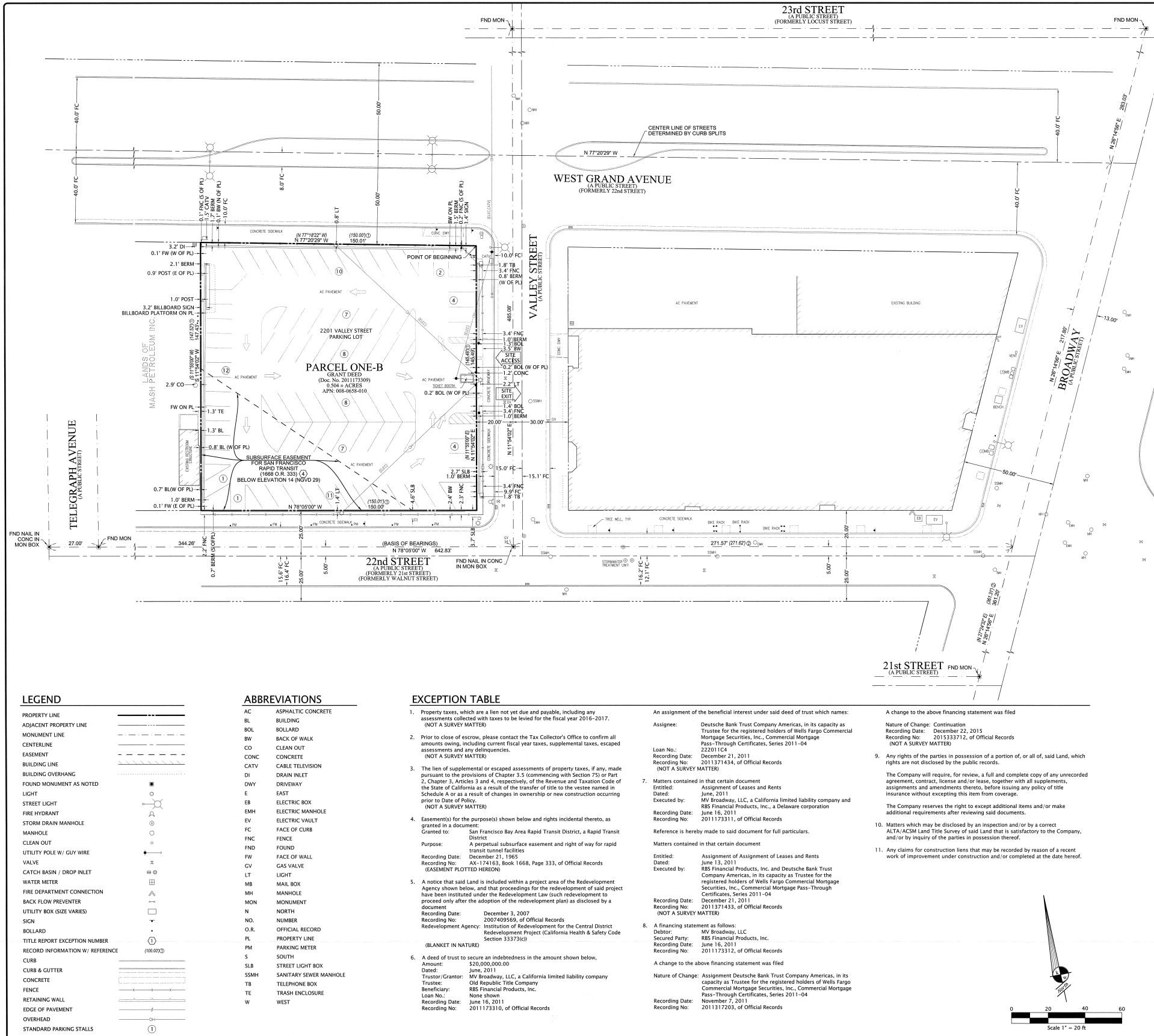
5-30-17
DATE

RYAN M. AMAYA L.S. 8134
rmya@kierwright.com

KIER & WRIGHT
LAND SURVEYORS INC.
1330 Scott Boulevard, Suite 200
Oakland, CA 94612
(408) 727-6865
(408) 727-6841

ALTA / NPS / LAND TITLE SURVEY FOR: TMG PARTNERS 2200 TELEGRAPH AVENUE OAKLAND

DATE	FEB. 2017
SCALE	1" = 20'
DESIGNER	JM
DRAWER	RF
SHEET	A16094-2
JOB	1
OF 1 SHEETS	



NOTES

- All distances shown hereon are in feet and decimals thereof.
- This survey was prepared from information furnished in a Preliminary Title Report, prepared by Chicago Title Insurance Company, dated April 14, 2016, Order No. 58209030-582-LE-KD. No liability is assumed for matters of record not stated in said Preliminary Title Report that may affect the boundary lines, exceptions, or easements affecting the property.
- Physical items shown on this survey are limited to those items visible as of the date of this survey. Subsurface structures, if any, are not shown. Said subsurface objects may include, but are not limited to, concrete footings, slabs, shoring, structural piles, utility vaults, piping, underground tanks, and any other subsurface structures not revealed by a surface inspection.
- A.P.N.: 008-0658-010
- Zoning Note: This survey makes no evaluation as to compliance with zoning and building codes and/or ordinances other than current municipal building setback line locations. The subject property is currently zoned "CBD-P", Central Business District. The current building setbacks for this zoning designation are: Front: None (5' for front and street side for first, second and third story or 35 feet) Side: None Rear: None Floor Area Ratio: 65% Ground Floor Commercial Facade Transparency Building Height: 15 Feet Minimum Height of Ground Floor. Information was obtained from the City of Oakland, Planning Department Website on June 3, 2016.
- Basis of Bearings: The bearing of South 78°05'00" East taken on the centerline of 22nd Street (formerly 21st or Walnut Street) as shown on that certain Parcel Map filed for record on May 23, 1873 in Book 3 of Maps at Page 30, Alameda County Records was taken as the Basis of all Bearings shown hereon.
- Flood Zone Note: The subject property is shown on the Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel Number 065048 0067 G, dated August 3, 2009, as being located in Flood Zone "X". Areas determined to be outside the 0.2% annual chance floodplain. Information was obtained from the FEMA website (www.fema.gov) on June 3, 2016.
- There was no observable evidence of earth moving work, building construction or building additions at the time of the survey.

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Portion of Lots 8 and 9, Block 10, of the Pacific Homestead, recorded July 23, 1863, in Book "W" of Deeds, at Page 2, in the office of the County Recorder of Alameda County, described as follows:

Beginning at the intersection of the western line of Valley Street, as shown on said map, with the southern line of 22nd Street, as said last named line is defined in the Final Decree of Condemnation in action entitled, "City of Oakland vs. Albert E. Kern, et al, dated March 28, 1932, a certified copy of which was recorded March 28, 1932, in Book 2793 of Official Records of Alameda County, at Page 175; running thence along said line of 22nd Street, north 77°18'22" west, 150.01 feet to a line drawn parallel with said line of Valley Street, and distant at right angles 150 feet westerly therefrom; thence along said parallel line, south 11°55' west, 147.52 feet to the northern line of 21st, formerly 22nd, or Walnut Street, as shown on said map; thence along the last named line, south 78°05' east, 150 feet to said line of Valley Street; thence along the last named line, north 11°55' east, 145.48 feet to the point of beginning.

PARKING SUMMARY

DESCRIPTION	STALLS
STANDARD PARKING	75

REFERENCES

- ① GRANT DEED (Doc. No. 2011173309)
- ② PARCEL MAP 1290 (80 M 89)

SURVEYOR'S CERTIFICATE

TO: TMG Partners
 TO: TMG Bay Area Investments I, LLC
 TO: BA 2201 Broadway LLC
 AND: Chicago Title Company

This is to certify that this map or plan and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 13, 14 and 16 of Table A thereof. The field work was completed on May 27, 2016.

6-21-16
 DATE
 RYAN M. AMAYA, L.S. 8134
 rmay@kierwright.com

LEGEND

PROPERTY LINE	---
ADJACENT PROPERTY LINE	---
MONUMENT LINE	---
CENTERLINE	---
EASEMENT	---
BUILDING LINE	---
BUILDING OVERHANG	---
FOUND MONUMENT AS NOTED	●
LIGHT	○
STREET LIGHT	○
FIRE HYDRANT	○
STORM DRAIN MANHOLE	○
MANHOLE	○
CLEAN OUT	○
FND	○
UTILITY POLE W/ GUY WIRE	○
VALVE	○
CATCH BASIN / DROP INLET	○
WATER METER	○
FIRE DEPARTMENT CONNECTION	○
BACK FLOW PREVENTER	○
UTILITY BOX (SIZE VARIES)	○
SIGN	○
BOLLARD	○
TITLE REPORT EXCEPTION NUMBER	①
RECORD INFORMATION W/ REFERENCE	(100.00')D
CURB	---
CURB & GUTTER	---
CONCRETE	---
FENCE	---
RETAINING WALL	---
EDGE OF PAVEMENT	---
OVERHEAD	---
STANDARD PARKING STALLS	①

ABBREVIATIONS

AC	ASPHALTIC CONCRETE
BL	BUILDING
BOL	BOLLARD
BW	BACK OF WALK
CO	CLEAN OUT
CONC	CONCRETE
CATV	CABLE TELEVISION
DI	DRAIN INLET
DWY	DRIVEWAY
E	EAST
EB	ELECTRIC BOX
EMH	ELECTRIC MANHOLE
EV	ELECTRIC VAULT
FC	FACE OF CURB
FNC	FENCE
FND	FOUND
FW	FACE OF WALL
CV	GAS VALVE
LT	LIGHT
MB	MAIL BOX
MH	MANHOLE
MON	MONUMENT
N	NORTH
NO.	NUMBER
O.R.	OFFICIAL RECORD
PL	PROPERTY LINE
PM	PARKING METER
S	SOUTH
SLB	STREET LIGHT BOX
SSMH	SANITARY SEWER MANHOLE
TB	TELEPHONE BOX
TE	TRASH ENCLOSURE
W	WEST

EXCEPTION TABLE

- Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2016-2017. (NOT A SURVEY MATTER)
- Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies. (NOT A SURVEY MATTER)
- The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy. (NOT A SURVEY MATTER)
- Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
 Granted to: San Francisco Bay Area Rapid Transit District, a Rapid Transit District
 Purpose: A perpetual subsurface easement and right of way for rapid transit tunnel facilities
 Recording Date: December 21, 1965
 Recording No: AK-174163, Book 1668, Page 333, of Official Records (EASEMENT PLOTTED HEREON)
- A notice that said Land is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the redevelopment plan) as disclosed by a document:
 Recording Date: December 3, 2007
 Recording No: 2007409569, of Official Records
 Institution of Redevelopment for the Central District Redevelopment Agency (California Health & Safety Code Section 33373(c)) (BLANKET IN NATURE)
- A deed of trust to secure an indebtedness in the amount shown below, Amount: \$20,000,000.00
 Dated: June, 2011
 Trustor/Grantor: MV Broadway, LLC, a California limited liability company
 Trustee: Old Republic Title Company
 Beneficiary: RBS Financial Products, Inc.
 Loan No.: None shown
 Recording Date: June 16, 2011
 Recording No: 2011173310, of Official Records

An assignment of the beneficial interest under said deed of trust which names:
 Assignee: Deutsche Bank Trust Company Americas, in its capacity as Trustee for the registered holders of Wells Fargo Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2011-04 222011C4
 Loan No.: 2011371434, of Official Records
 Recording Date: December 21, 2011
 Recording No: 2011371434, of Official Records (NOT A SURVEY MATTER)

7. Matters contained in that certain document
 Entitled: Assignment of Leases and Rents
 Dated: June, 2011
 Executed by: MV Broadway, LLC, a California limited liability company and RBS Financial Products, Inc., a Delaware corporation
 Recording Date: June 16, 2011
 Recording No: 201173311, of Official Records
 Reference is hereby made to said document for full particulars.
 Matters contained in that certain document
 Entitled: Assignment of Assignment of Leases and Rents
 Dated: June 13, 2011
 Executed by: RBS Financial Products, Inc. and Deutsche Bank Trust Company Americas, in its capacity as Trustee for the registered holders of Wells Fargo Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2011-04
 Recording Date: December 21, 2011
 Recording No: 2011371433, of Official Records (NOT A SURVEY MATTER)

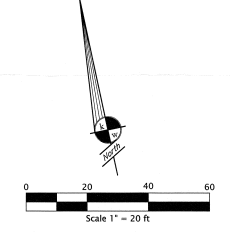
8. A financing statement as follows:
 Debtor: MV Broadway, LLC
 Secured Party: RBS Financial Products, Inc.
 Recording Date: June 16, 2011
 Recording No: 2011173312, of Official Records
 A change to the above financing statement was filed
 Nature of Change: Assignment of Deutsche Bank Trust Company Americas, in its capacity as Trustee for the registered holders of Wells Fargo Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2011-04
 Loan No.: None shown
 Recording Date: November 7, 2011
 Recording No: 2011317203, of Official Records

A change to the above financing statement was filed
 Nature of Change: Continuation
 Recording Date: December 22, 2015
 Recording No: 2015333712, of Official Records (NOT A SURVEY MATTER)

9. Any rights of the parties in possession of a portion of, or all of, said land, which rights are not disclosed by the public records.
 The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

10. Matters which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.

11. Any claims for construction liens that may be recorded by reason of a recent work of improvement under construction and/or completed at the date hereof.



DATE: JUNE, 2016
 SCALE: 1" = 20'
 DESIGNER: RMA
 DRAFTER: JF
 JOB: A16094
 SHEET: 1
 OF 1 SHEETS

ALTA / NSPS LAND TITLE SURVEY
 FOR: TMG PARTNERS
 2201 VALLEY STREET
 OAKLAND

KIER & WRIGHT
 CIVIL ENGINEERS & SURVEYORS, INC.
 3350 Scott Boulevard, Building 22
 Santa Clara, California 95054
 (408) 727-6665
 (408) 727-5641

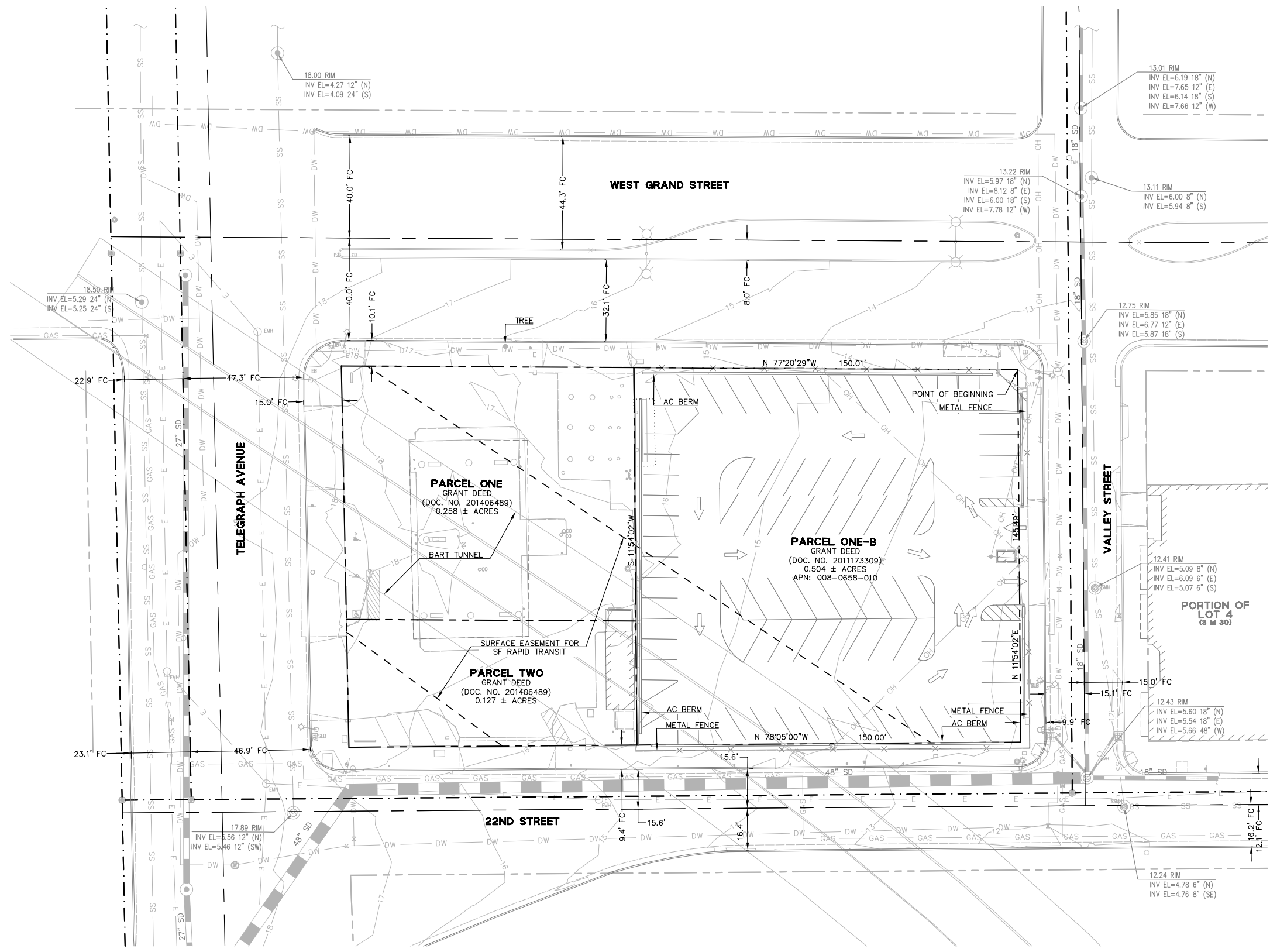
255 SHORELINE DR., STE. 200
REDWOOD CITY, CA 94065
650/482-6300
650/482-6399 (FAX)



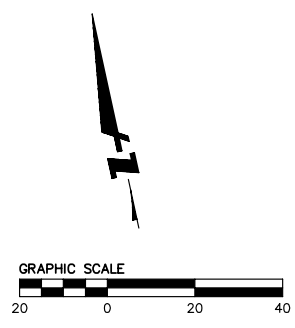
2201 VALLEY STREET
DEVELOPMENT REVIEW SUBMITTAL
EXISTING CONDITIONS PLAN

ALAMEDA COUNTY
OAKLAND
CALIFORNIA

Date	Scale	Design	Drawn	Approved	Job No.
09/26/2018					20170195
Revisions					
Sheet Number:					



- LEGEND**
- E — E — EX ELECTRICAL LINE
 - OH — OH — EX OVERHEAD LINE
 - GAS — GAS — EX GAS LINE
 - DW — DW — EX DOMESTIC WATER LINE
 - SS — SS — EXISTING SANITARY SEWER LINE
 - SD — SD — EXISTING STORM DRAIN LINE
 - — — — — BOUNDARY LINE OF PARCEL SURVEYED
 - — — — — BOUNDARY LINE OF ADJOINING/ADJACENT PARCELS
 - — — — — MONUMENT LINE
 - — — — — ROAD CENTERLINE
 - — — — — EASEMENT
 - — ■ — EXISTING MONUMENT



I:\ING NAME: K:\2017\170195_22nd_Oak\and\ENG\FDP\DPVAEXCOND.dwg
 DATE: 09-26-18 PLOTTED BY: sode

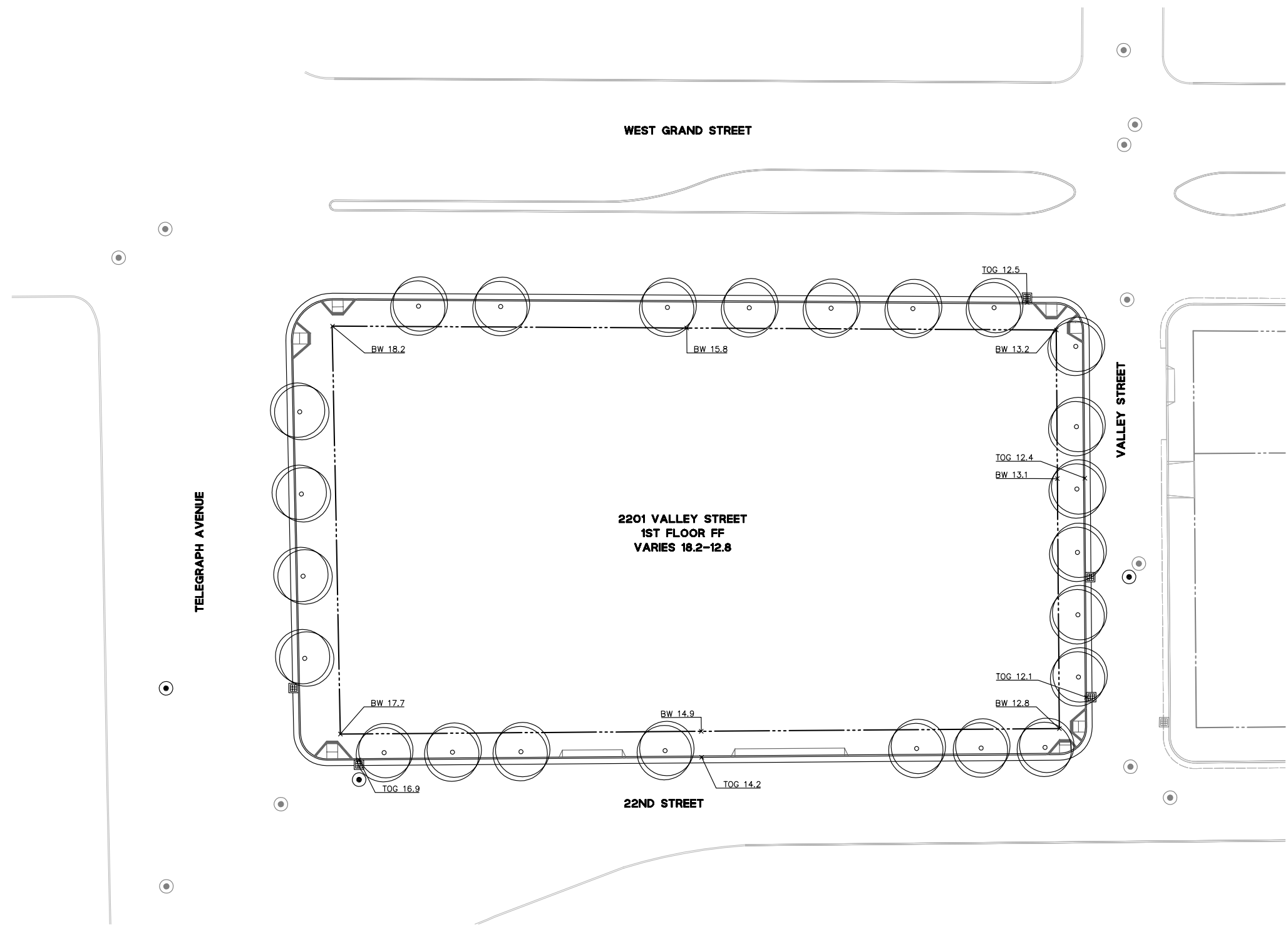
BOUNDARY AND TOPOGRAPHIC SURVEY

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION



I:\ING NAME: K:\2017\170195_22nd_Oakland\ENG\FDP\FDPVGRAD.dwg
 DATE: 09-27-18 PLOTTED BY: sode



255 SHORELINE DR., STE. 200
 REDWOOD CITY, CA 94065
 650/482-6300
 650/482-6399 (FAX)



2201 VALLEY STREET
DEVELOPMENT REVIEW SUBMITTAL
PROPOSED GRADING PLAN
 OAKLAND ALAMEDA COUNTY CALIFORNIA

Date	09/26/2018	No.	Revisions
Scale			
Design			
Drawn			
Approved			
Job No.	20170195		

Sheet Number:

PROPOSED GRADING PLAN

2201 Valley
10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION

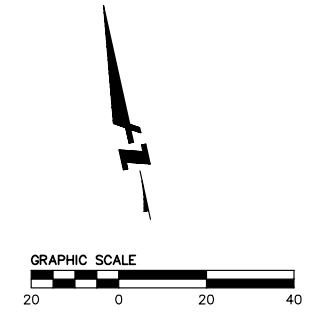
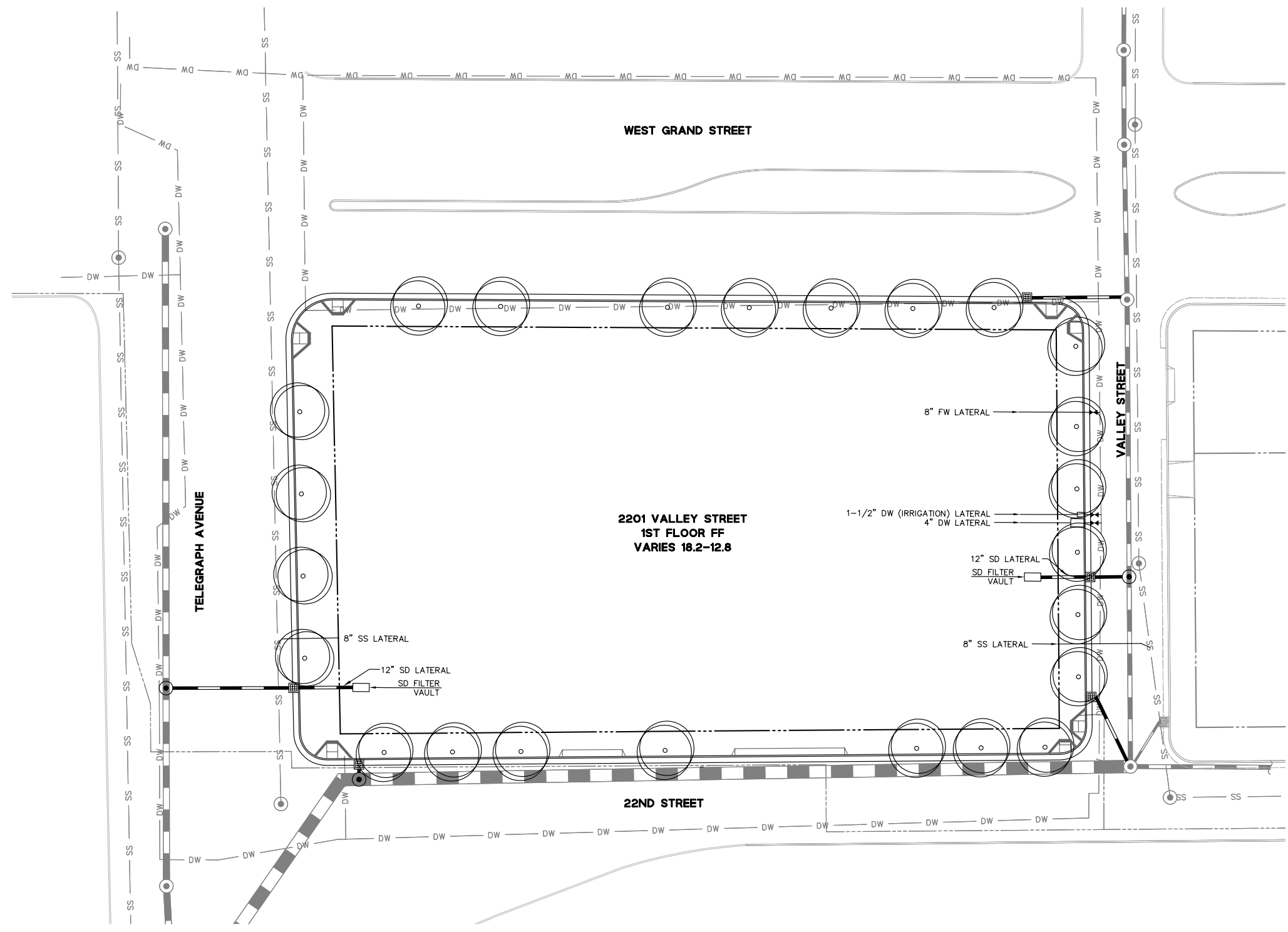




255 SHORELINE DR., STE. 200
 REDWOOD CITY, CA 94065
 650/482-6300
 650/482-6399 (FAX)

2201 VALLEY STREET
DEVELOPMENT REVIEW SUBMITTAL
PROPOSED UTILITY PLAN
 ALAMEDA COUNTY
 OAKLAND CALIFORNIA

\\ING NAME: K:\2017\170195_22nd_Oakland\ENG\FDP\FDPVAUTIL.dwg
 DATE: 09-27-18 PLOTTED BY: sode



Revisions	
Date	No.
Scale	
Design	
Drawn	
Approved	
Job No.	20170195

Sheet Number:

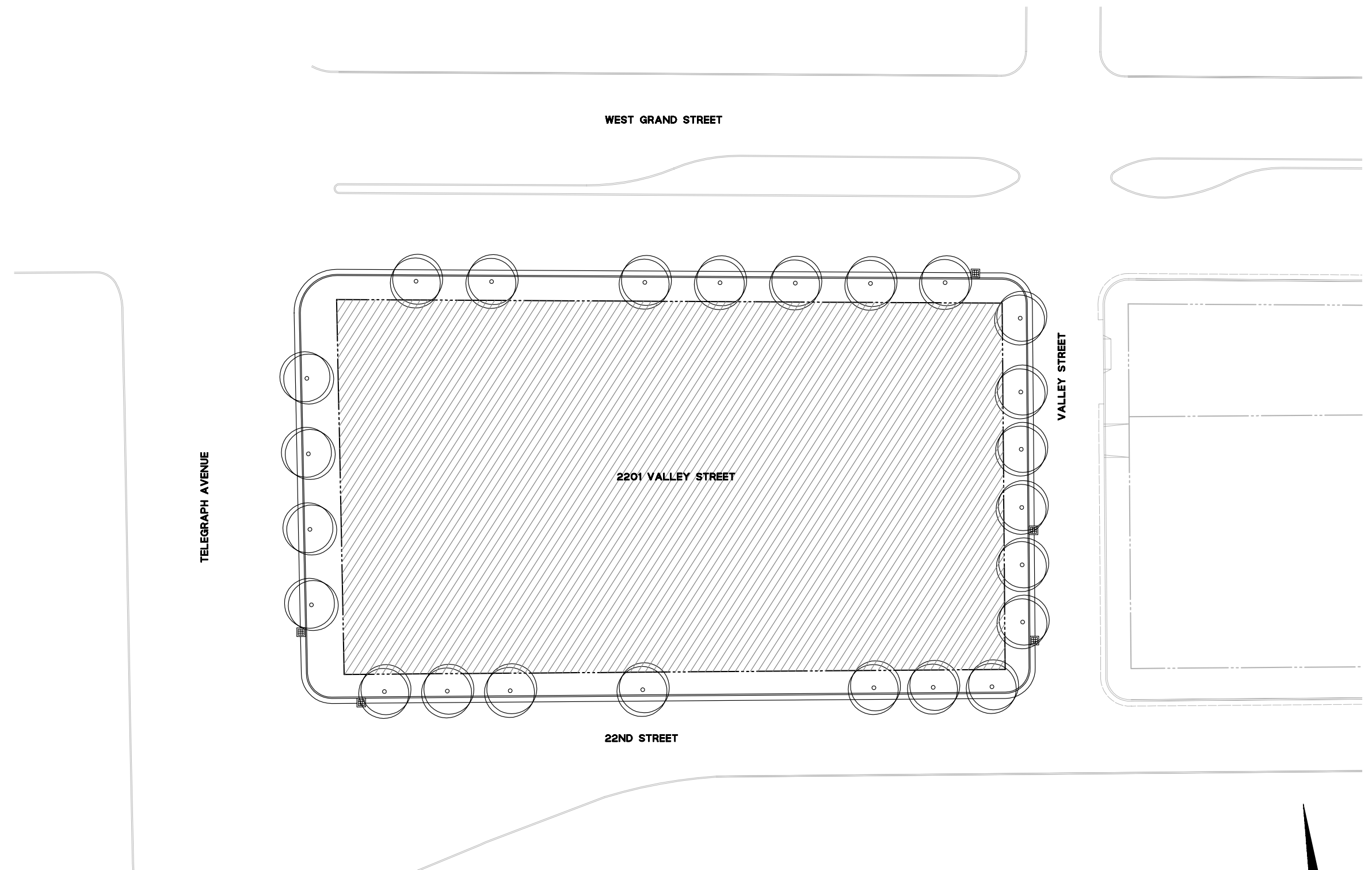
PROPOSED UTILITY PLAN

2201 Valley
 10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION



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 DATE: 09-27-18 PLOTTED BY: sode



CATEGORY B (LARGER INFILL) SPECIAL PROJECTS:

SITE QUALIFIES AS SPECIAL PROJECT CATEGORY B: LARGER INFILL PROJECT PER APPENDIX J, SECTION J-3 OF THE ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM HANDBOOK DATED OCTOBER 31, 2017.

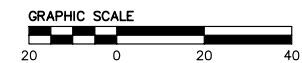
- 100% DENSITY CREDIT – REQUIRED DENSITY TO OBTAIN THE LID TREATMENT REDUCTION CREDIT BASED ON TABLE J-1 IS: FLOOR AREA RATIO OF 4:1 FOR COMMERCIAL LAND USE. PROJECT FLOOR AREA RATIO IS 18:1.

FULL SITE (100%) TO BE TREATED WITH APPROVED NON-LID TREATMENT MEASURES.

HYDROLOGY/HYDROMODIFICATION NOTE:
 PROJECT WILL MATCH EXISTING RUNOFF RATE FROM THE SITE.

LEGEND

IMPERVIOUS BUILDING AREA TO BE TREATED BY NON-LID TREATMENT MEASURES

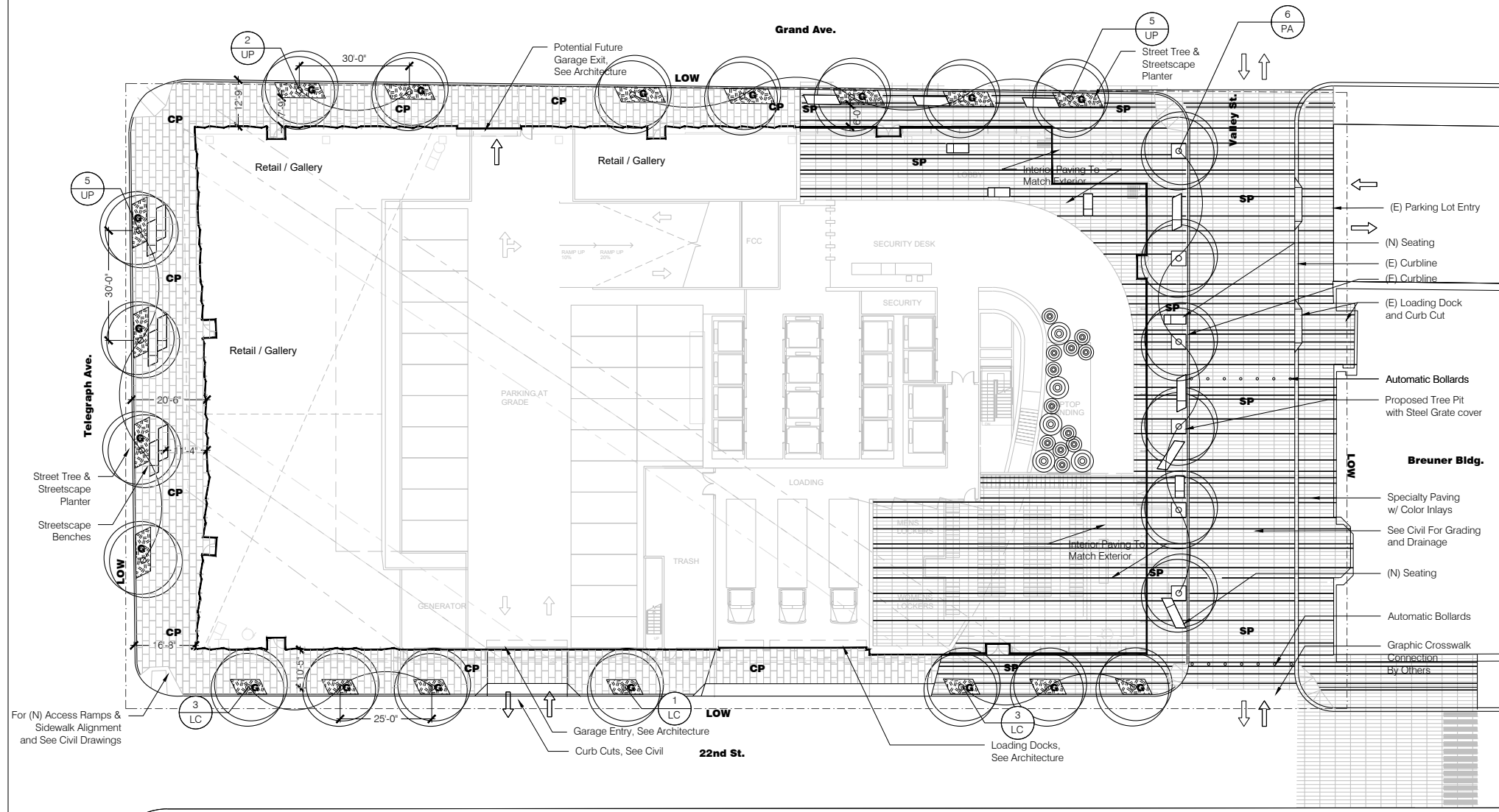


255 SHORELINE DR., STE. 200
 REDWOOD CITY, CA 94065
 650/482-6300
 650/482-6399 (FAX)



2201 VALLEY STREET
 DEVELOPMENT REVIEW SUBMITTAL
 STORMWATER MANAGEMENT PLAN
 OAKLAND ALAMEDA COUNTY CALIFORNIA

Date	09/26/2018	No.	Revisions
Scale			
Design			
Drawn			
Approved			
Job No	20170195		
Sheet Number:			



LEGEND

---	Limit of Work
---	Structure Above
---	Property Line
▼	Egress
SP	Specialty Paving -Precast Concrete Pavers with Steel Inlays
CP	Concrete Paving per City Standards
▭	Custom Wood Benches
■	Planting Groundcover
●	Existing Trees
○	Proposed Tree

REV	DATE	ISSUE	BY
1	09.28.2018	Final Development Permit (FDP)	SDI



DESIGNER: **SURFACE DESIGN INC.**
 Pier 33 North, Suite 200
 San Francisco, CA 94111
 415.621.5522 P

PROJECT:
**2201 Valley St.
 Oakland, CA**

PHASE:
FDP

SHEET TITLE:
**Landscape
 Site Plan**

SCB NUMBER: SCB1702 SCALE: 1/16"=1'-0" SHEET NUMBER: **L2.01**

- Landscape Architectural Layout Notes**
- Use dimensional information given. Do not scale drawings. Direct questions about dimensions to the Landscape Architect in writing.
 - All dimensions are parallel or perpendicular to the lines from which they are measured unless noted otherwise.
 - All dimensions shown are taken to the face or centerline of elements unless otherwise noted.
- Landscape Architectural Materials Notes**
- The Contractor shall refer any questions on materials, finishes, labor and/or products not specified herein to the Landscape Architect, prior to ordering materials or starting work.
 - All lines and dimensions are parallel or perpendicular to the lines from which they are measured unless otherwise shown.
 - Field Measurements: Take accurate field measurements before preparation of Shop Drawings and/or fabrication. Do not delay job progress.

- Landscape Architectural Planting Notes**
- The Contractor shall locate and verify all existing and new utility line locations prior to planting, and shall report any utility conflicts to the Construction Manager.
 - Contractor shall receive approval from Landscape Architect of plant layout prior to installation.
 - The trunk flare (at the base of the tree) shall be properly exposed for all plantings.
 - Keep root balls intact prior to and during planting operations. Plants with broken or damaged root balls shall be rejected and immediately removed from the site. Keep root balls damp and protected from damage due to sun and wind. Do not shave root balls.
 - Temporary irrigation shall be provided for plant establishment and maintenance period.
 - 1 year landscape maintenance and warranty period.
- Landscape Architectural Irrigation Notes**
- The irrigation system will be designed to distribute a minimum amount of water in order to promote active and healthy growth of all proposed plantings
 - The irrigation system shall be designed and installed in conformance with all applicable state and local codes and ordinances, by licensed contractors and experienced workmen.
 - The irrigation controller shall have an automatic timer with battery backup and rain shutoff
 - All valves shall have separate pressure regulators filters and shut off as necessary.
 - The system shall have a shut-off and reduced pressure backflow assembly.
 - The irrigation system shall be comprised of all drip or bubblers

Planting Schedule

Key	Qty	Scientific Name	Common Name	Size	Rootball	Root	Notes:
Trees							
UP	11	<i>Ulmus parvifolia</i>	Chinese elm	3.5" Cal.	48"	Box	--
LC	7	<i>Lophostemon confertus</i>	Brisbane box	3.5" Cal.	48"	Box	--
PA	6	<i>Platanus x acerifolia 'Columbia'</i>	London Plane	3.5" Cal.	48"	Box	--
Groundcover Planting - 650 sq. ft. Total							
AA	33%	<i>Agave attenuata</i>	Foxtail Agave	1 Gal.	--	Cont.	18" O.C.
MD	33%	<i>Muhlenbergia dubia</i>	Pine muhly	1 Gal.	--	Cont.	18" O.C.
BC	33%	<i>Bouteloua gracilis 'blonde ambition'</i>	Blue grama grass	1 Gal.	--	Cont.	18" O.C.

File Name: P:\2201 VALLEY ST\000_CONCEPT\GRAPHICS\CAD\SHEET\L1.01 FDP PLANS.DWG

Plot Date: 09-28-18 02:21 PM

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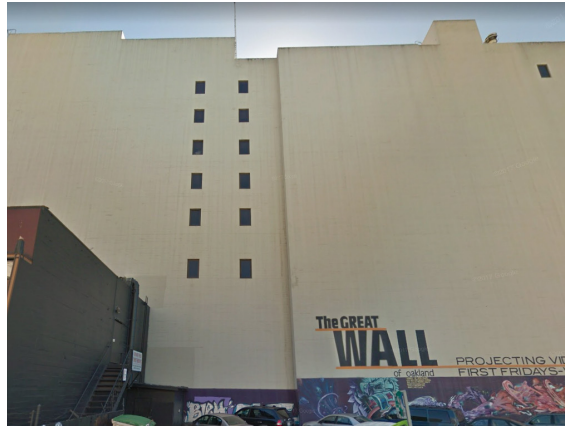
LANDSCAPE PLAN - GROUND LEVEL

2201 Valley
 10 - 18 - 2018

DEVELOPMENT PERMIT APPLICATION



L1.1



1 2201 BROADWAY



OUR LOT 2201 VALLEY



2 2225 TELEGRAPH AVE



3 521 W GRAND AVE



4 525 W GRAND AVE

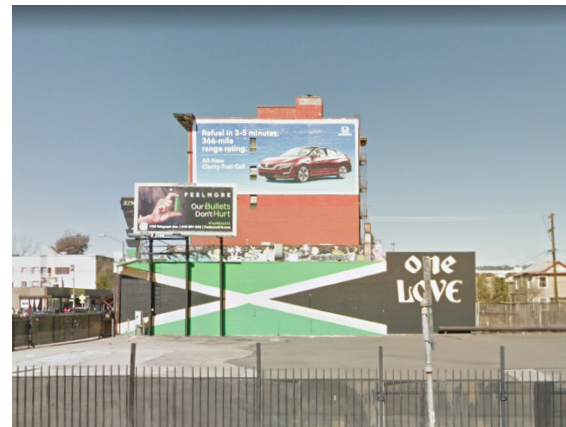
1 W GRAND AVE - SOUTH FACING



5 517 23RD ST



6 2269 TELEGRAPH AVE



7 2250 TELEGRAPH AVE



8 460 W GRAND AVE

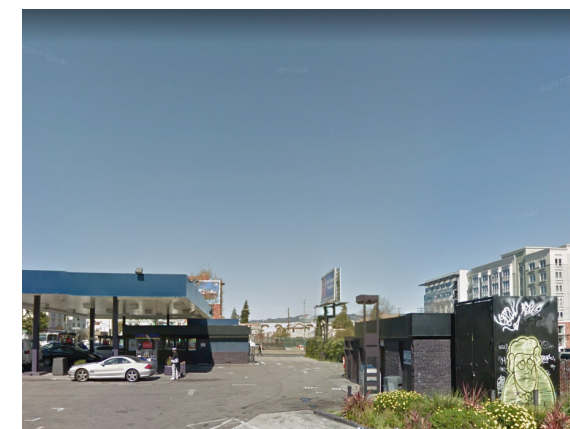


9 449 23RD ST

2 W GRAND AVE - NORTH FACING



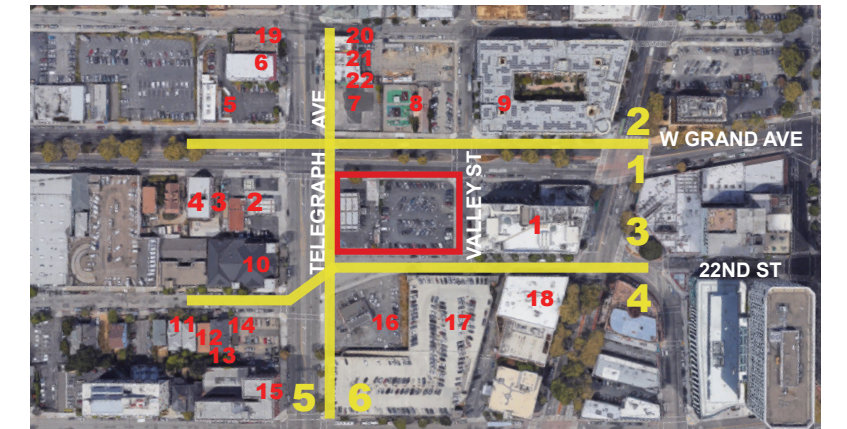
10 2201 TELEGRAPH AVE



OUR LOT 2201 VALLEY



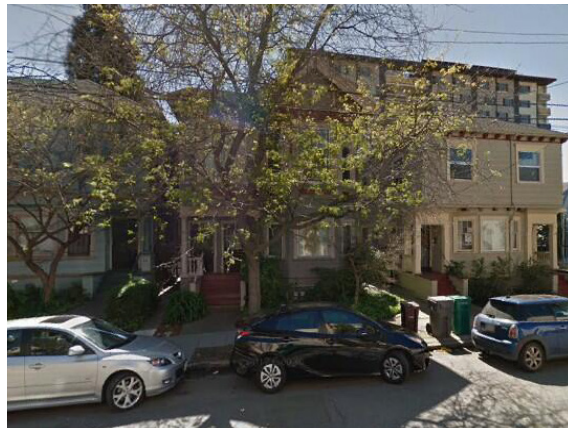
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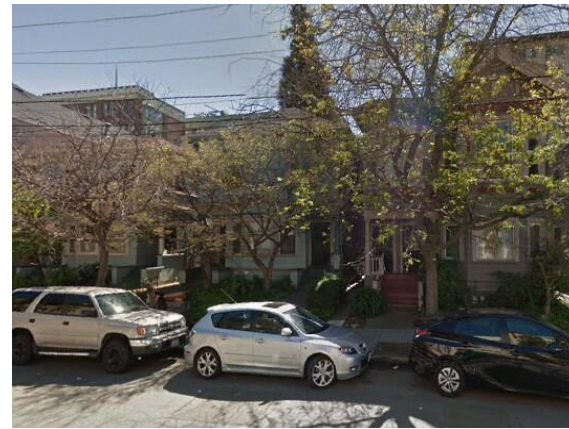
3 22ND ST - NORTH FACING

VIEWS GRAND AVE & 22ND ST

2201 Valley
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11 533 22ND ST



12 529 22ND ST



13 525 22ND ST



14 517 22ND ST



15 2125 TELEGRAPH AVE

4 22ND ST - SOUTH FACING



16 495 22ND ST



17 2100 TELEGRAPH AVE



18 2147 BROADWAY



15 2125 TELEGRAPH AVE



10 2201 TELEGRAPH AVE

4 22ND ST - SOUTH FACING

5 TELEGRAPH AVE - WEST FACING



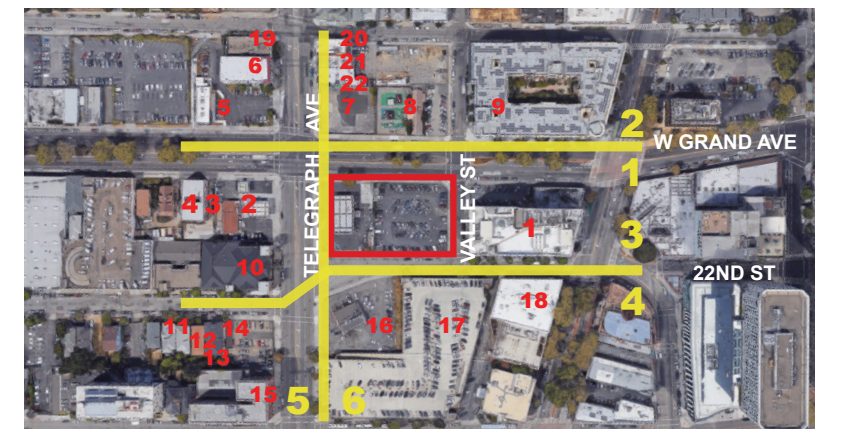
2 2225 TELEGRAPH AVE



6 2269 TELEGRAPH AVE



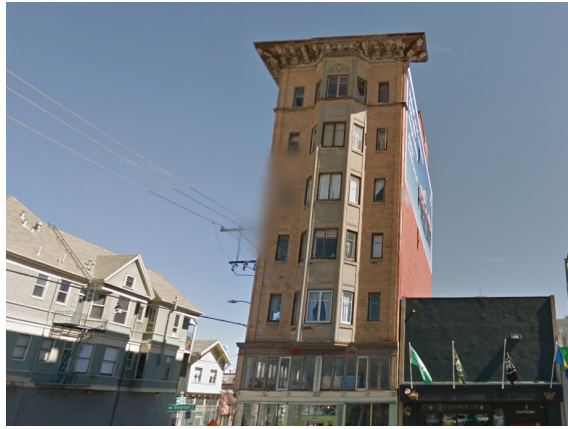
19 2273 TELEGRAPH AVE



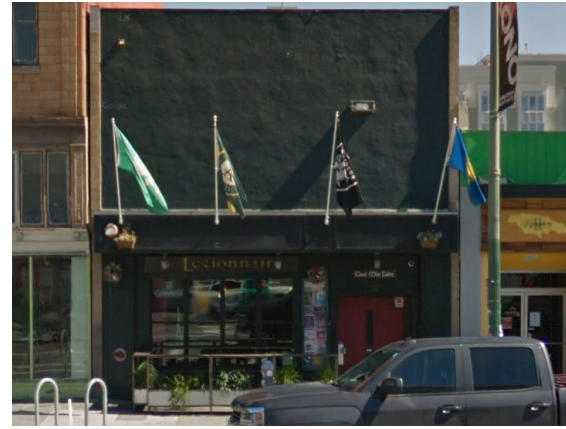
5 TELEGRAPH AVE - WEST FACING

VIEWS 22ND ST & TELEGRAPH AVE

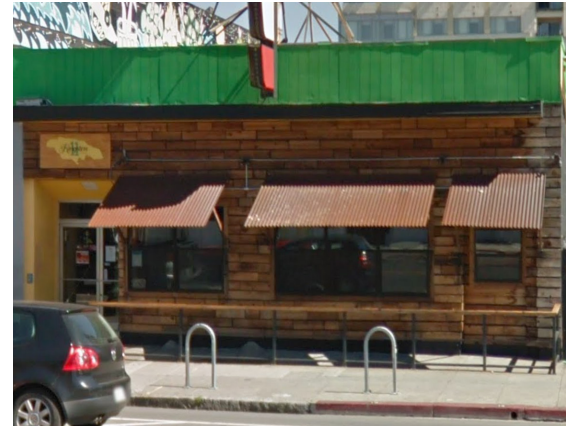
2201 Valley
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20 491 23RD ST



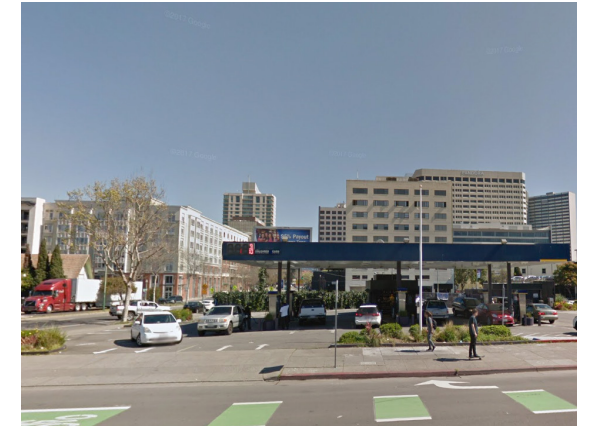
21 2272 TELEGRAPH AVE



22 2270 TELEGRAPH AVE

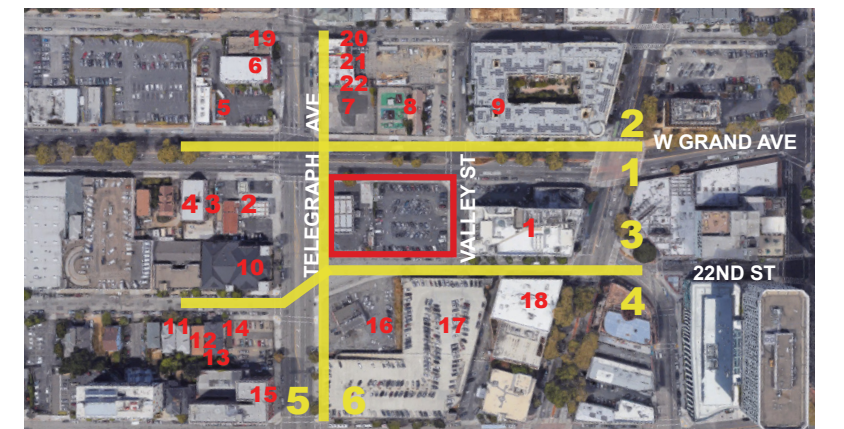


7 2250 TELEGRAPH AVE



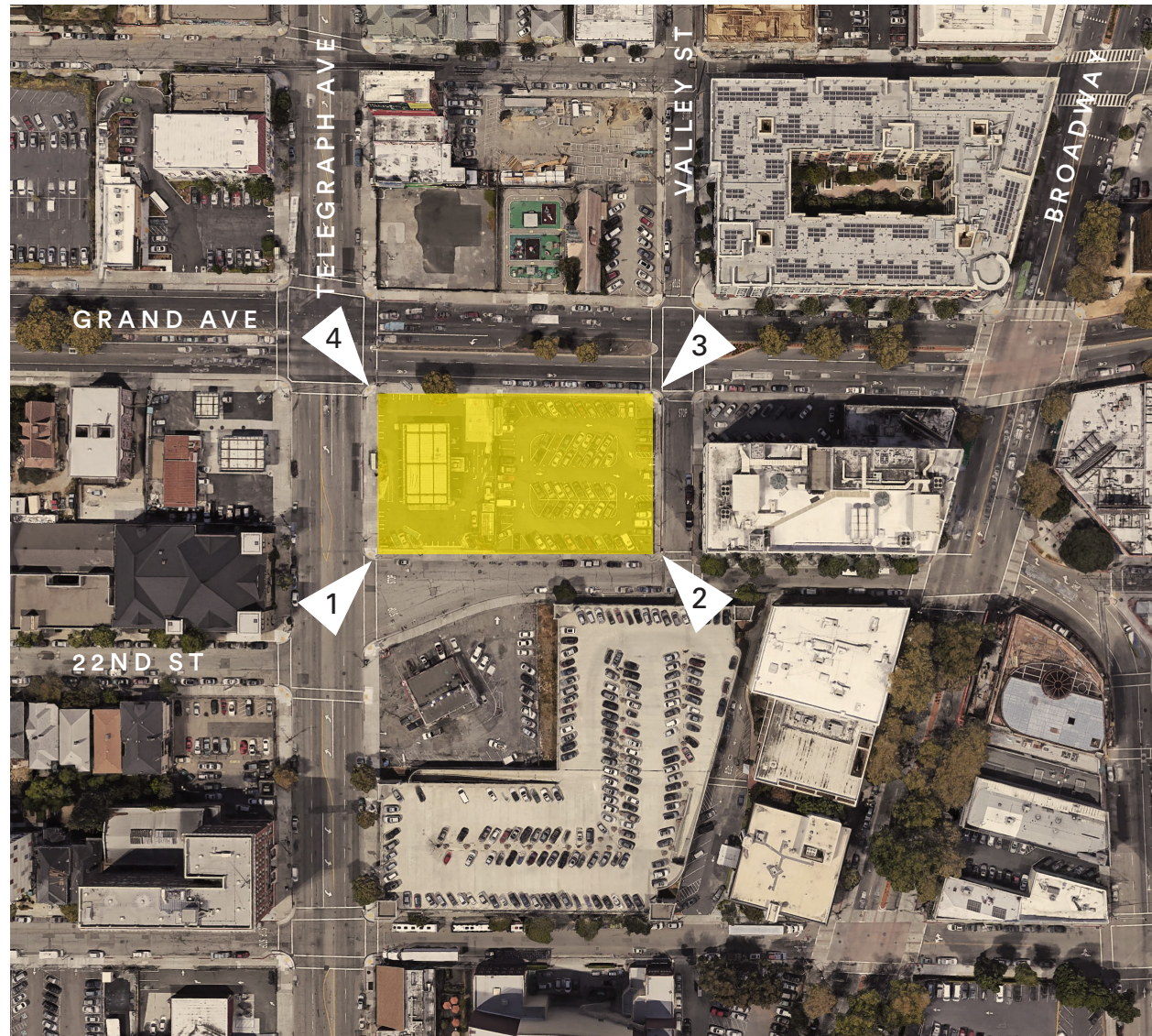
OUR LOT 2201 VALLEY ST

6 TELEGRAPH AVE - EAST FACING



VIEWS TELEGRAPH AVE

2201 Valley
10 - 18 - 2018



1 VIEW OF PARCEL FROM TELEGRAPH AVE



2 VIEW OF PARCEL FROM 22ND ST



3 VIEW OF PARCEL FROM VALLEY ST



4 VIEW OF PARCEL FROM GRAND AVE

SITE PHOTOS

2201 Valley
10 - 18 - 2018



LEED v4 for BD+C: Core and Shell
Project Checklist

Project Name: 2201 Valley
Date: 2/28/2018

Y ? N
1

16	3	1	Location and Transportation	20
			Credit LEED for Neighborhood Development Location	20
2			Credit Sensitive Land Protection	2
	2	1	Credit High Priority Site	3
6			Credit Surrounding Density and Diverse Uses	6
6			Credit Access to Quality Transit	6
1			Credit Bicycle Facilities	1
	1		Credit Reduced Parking Footprint	1
1			Credit Green Vehicles	1

3	8	0	Sustainable Sites	11
Y			Prereq Construction Activity Pollution Prevention	Required
1			Credit Site Assessment	1
	2		Credit Site Development - Protect or Restore Habitat	2
	1		Credit Open Space	1
	3		Credit Rainwater Management	3
	2		Credit Heat Island Reduction	2
1			Credit Light Pollution Reduction	1
1			Credit Tenant Design and Construction Guidelines	1

6	5	0	Water Efficiency	11
Y			Prereq Outdoor Water Use Reduction	Required
Y			Prereq Indoor Water Use Reduction	Required
Y			Prereq Building-Level Water Metering	Required
2			Credit Outdoor Water Use Reduction	2
3	3		Credit Indoor Water Use Reduction	6
	2		Credit Cooling Tower Water Use	2
1			Credit Water Metering	1

16	17	0	Energy and Atmosphere	33
Y			Prereq Fundamental Commissioning and Verification	Required
Y			Prereq Minimum Energy Performance	Required
Y			Prereq Building-Level Energy Metering	Required
Y			Prereq Fundamental Refrigerant Management	Required
6			Credit Enhanced Commissioning	6
4	14		Credit Optimize Energy Performance	18
	1		Credit Advanced Energy Metering	1
2			Credit Demand Response	2
1	2		Credit Renewable Energy Production	3
1			Credit Enhanced Refrigerant Management	1
2			Credit Green Power and Carbon Offsets	2

8	3	3	Materials and Resources	14
Y			Prereq Storage and Collection of Recyclables	Required
Y			Prereq Construction and Demolition Waste Management Planning	Required
3	3		Credit Building Life-Cycle Impact Reduction	6
1		1	Credit Building Product Disclosure and Optimization - Environmental Product Declarations	2
1		1	Credit Building Product Disclosure and Optimization - Sourcing of Raw Materials	2
1		1	Credit Building Product Disclosure and Optimization - Material Ingredients	2
2			Credit Construction and Demolition Waste Management	2

4	6	0	Indoor Environmental Quality	10
Y			Prereq Minimum Indoor Air Quality Performance	Required
Y			Prereq Environmental Tobacco Smoke Control	Required
	2		Credit Enhanced Indoor Air Quality Strategies	2
3			Credit Low-Emitting Materials	3
	1		Credit Construction Indoor Air Quality Management Plan	1
	3		Credit Daylight	3
1			Credit Quality Views	1

6	0	0	Innovation	6
5			Credit Innovation	5
1			Credit LEED Accredited Professional	1

2	0	2	Regional Priority	4
1			Credit Regional Priority: Building Life-cycle impact reduction (3 pts)	1
1			Credit Regional Priority: Access to Quality Transit	1
		1	Credit Regional Priority: Specific Credit	1
		1	Credit Regional Priority: Specific Credit	1

62 42 6 TOTALS Possible Points: **110**
 Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80 to 110

LEED SCORE CARD

2201 Valley
10 - 18 - 2018

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