

Oakland City Planning Commission

Case File Number CDV06-573/ER07-002

April 3, 2019

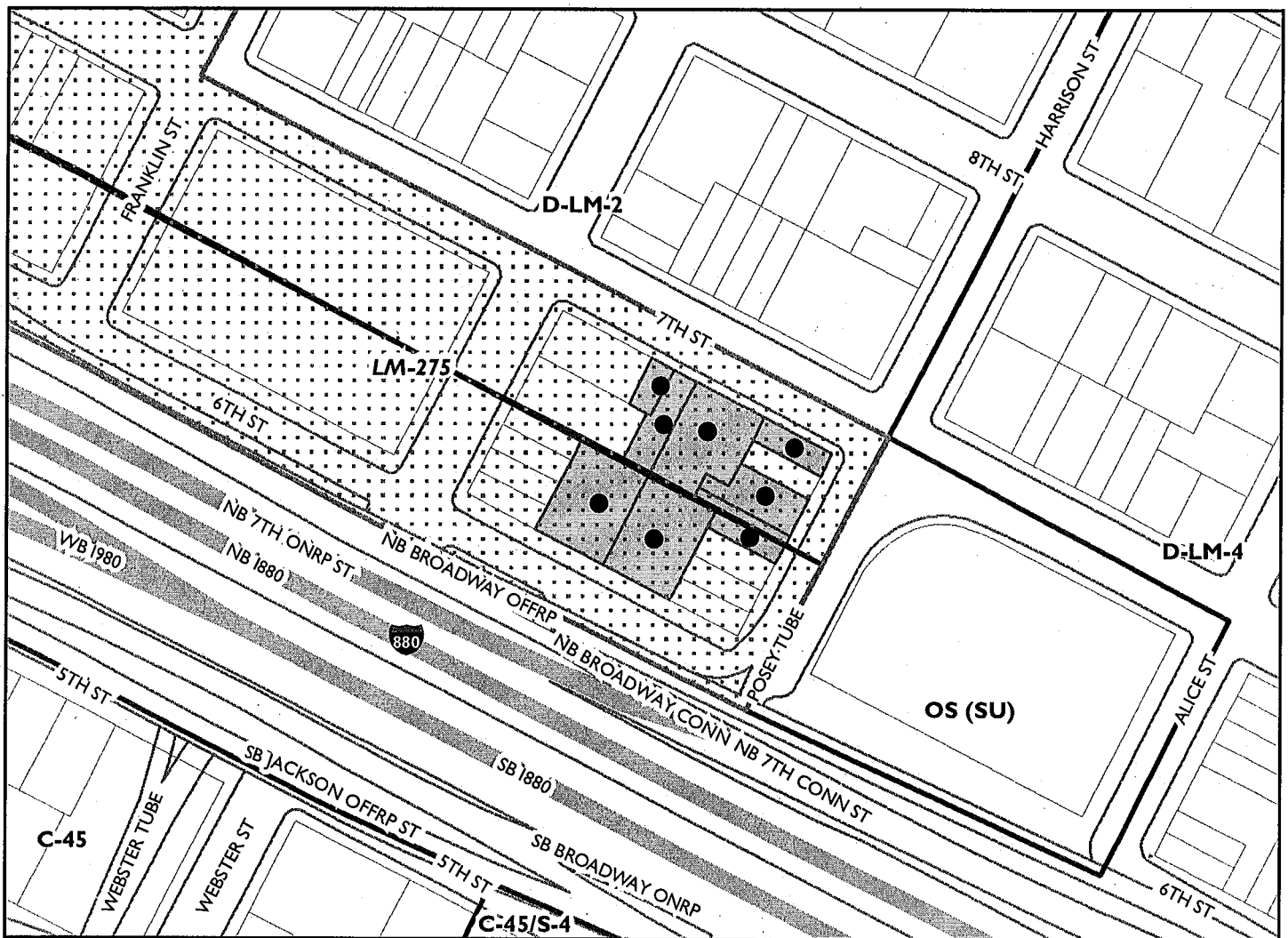
Location:	325 7 th Street
Assessor's Parcel Number:	001-0189-003-00; 001-0189-004-00; 001-0189-005-00; 001-0189-006-00; 001-0189-007-00; 001-0189-008-00; 001-0189-009-00; 001-0189-013-00; 001-0189-014-01
Proposal:	One Year Time Extension of the planning entitlements for a previously-approved mixed-use 380-unit residential and 9,110 square feet of commercial space project.
Owner:	325 7 th Street, LLC
Applicant:	325 7 th Street, LLC. (510)763-2911
Case Number:	CMDV06-573
Planning Permits Required:	Time Extension of the Major Conditional Use Permit for a large-scale development over 100,000 square feet of new floor area and one hundred twenty (120) feet in height; Interim Major Conditional Use Permit for a Floor Area Ratio (FAR) that exceeds zoning but consistent with the General Plan; Minor Variances for dimensions of parking spaces, dimensions of parking spaces against a column or other obstruction, tandem parking spaces and rear yard setback; and Major Design Review Central Business District
General Plan:	Central Business District
Zoning:	D-LM 2 & D-LM 4 Lake Merritt Station Area District
Environmental Determination:	EIR (ER07-002) prepared for project; and Section 15183 of the CEQA Guidelines (projects consistent with a community plan, general plan, or zoning).
Historic Status:	Area of Primary Importance (API)
City Council District:	2
Status:	Planning Commission approval on July 20, 2011. Entitlements extended through October 24, 2019.
Staff Recommendation:	Decision based on staff report
Finality of Decision:	Appealable to City Council within 10 days
For Further Information:	Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandnet.com

SUMMARY

The applicant for the 380-unit residential and 9,110 square-foot commercial mixed-use project at 325 7th Street is requesting an additional one year time extension of the entitlements originally approved by the Planning Commission on July 20, 2011 and currently extended through October 24, 2019 (*Attachment B*). This additional time extension is to enable the applicant to finalize design enhancements, incorporate the Design Review Committee's feedback, prepare construction drawings, and apply for building permits.

The applicant has taken advantage of the City Council and administrative extensions since the initial expiration date of July 20, 2013, and has filed for and been granted two additional one year time extensions pursuant to the project's Conditions of Approval #2 that allows for the Project

CITY OF OAKLAND PLANNING COMMISSION



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Case File: CMDV06573
Applicant: 325 7th Street, LLC
Address: 325 7th Street
Zone: D-LM 2 & D-LM 4
Height Area: LM-275

applicant to request for further extensions of the entitlements from the Planning Commission, if requested prior to the expiration date.

Staff is supportive of the time extension because development of the underutilized project site will provide needed residential units and retail space close to public transit in the downtown area of Oakland in conformance with the City's zoning and General Plan goals and policies. With the latest deadline of October 24, 2019 fast approaching, the applicant is asking for additional time to incorporate the Design Review Committee's feedback, finalize design enhancements, and prepare necessary construction drawings to apply for building permits.

BACKGROUND

On July 20, 2011, the Oakland Planning Commission approved a Major Conditional Use Permit for a Large-Scale Development (over 100,000 square feet of new floor area, or a new building more than 120 feet in height); Interim Major Conditional Use Permit for a floor area ratio that exceeds zoning but is consistent with the General Plan; Minor Variances for the dimensions of parking spaces, tandem spaces, and rear yard setbacks; and Major Design Review for the construction of a 20- to 27-story mixed use building located at the border of the 7th Street/ Harrison Square Residential District, a historic Area of Primary Importance in Oakland.

On May 31, 2016, the applicant applied for a Vesting Tentative Map (TPM10544) and the City approved the map on July 6, 2016, which is prior to the adoption date of the impact fees by the Oakland City Council. Extended projects with vested rights are not subject to applicable development impact fees adopted by the City Council so long as the project are diligently pursued toward completion, as reasonably determined by the Planning Director or Designee.

From 2009 through 2015, the Oakland City Council passed Resolutions (81723, 83424, 83989, 84746 and 85305 C.M.S.) to allow automatic extensions of active land use entitlements due to the economic recession at that time. The applicant took advantage of the following Resolutions to extend their planning entitlements with details as follows:

- Permit granted on July 20, 2011 for two years;
- City Council Resolution 83989 extension 2013;
- City Council Resolution 84746 extension 2014; and
- City Council Resolution 85305 extension 2015.

After exhausting the Council Resolution extensions in 2015, the applicant requested an administrative extension pursuant to project Condition of Approval #2, and the City granted it to extend the Project entitlements until December 31, 2016. On December 5, 2016, the applicant submitted a request to extend the project entitlement for one additional year to December 31, 2017. However, that request did not appear before the Planning Commission until September 6th, 2017. The Planning Commission granted a one year extension from the September 6, 2017 public hearing date to September 6, 2018. On February 21, 2018, the applicant requested another time extension and the Commission granted another one year time extension which will now expire on October 24, 2019.

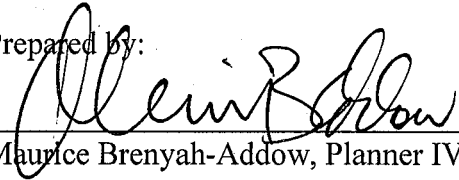
CONCLUSION AND RECOMMENDATIONS

The Project is still in conformance with the General Plan's goals and policies and Planning Code. Staff believes that an additional one-year extension would allow the applicant to incorporate all the design enhancements and successfully secure all necessary requirements to file for building permits for the approved project. At the same time, an additional year would ensure that the site does not remain underutilized for an excessive amount of time. Condition of Approval #2 permits the applicant to request additional extensions from the Planning Commission if needed to complete the Project.


Therefore, staff recommends that the Planning Commission:

1. Grant a one-year extension of the current project approvals until October 24, 2020, subject to the previously approved Findings and Conditions of Approval, and the attached additional Condition of Approval regarding the imposition of impact fees.

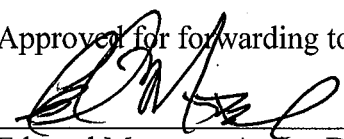
Prepared by:


Maurice Brenyah-Addow, Planner IV

Reviewed by:


Robert D. Merkamp, Zoning Manager
Bureau of Planning

Approved for forwarding to the Planning Commission:


Edward Manasse, Acting Deputy Director
Bureau of Planning

ATTACHMENTS:

- A. Applicant's Extension Request
- B. July 21, 2011 Approval Letter with December 5, 2018 Time Extension Approval with Updated Findings, and Proposed April 3, 2019 Updates to Conditions of Approval, and SCAMMRP
- C. Approved Revised Plans



BALCO
PROPERTIES

January 15, 2019

Maurice Brenyah-Addow
Planner IV
Bureau of Planning
City of Oakland
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612

Re: Case File CMDV06573; 325 7th Street – Extension of Entitlements

Dear Maurice:

On September 6, 2017, the Planning Commission approved an extension of the Conditional Use Permit and related entitlements granted by the City of Oakland pursuant to Case File CMDV05118 for the proposed development at 325 7th Street (Project) subject to further design refinements. Following two hearings before the Design Review Committee (DRC), a revised Project design was finally approved by the DRC on October 24, 2018. As noted in the approval letter dated December 5, 2018, the Project entitlements are now final and are scheduled to expire on October 24, 2019. For all the reasons outlined below, I am writing to request an extension of those entitlements for two additional years, or until October 24, 2021.

The Project is the construction of 380 units in two residential towers (one 275 feet and one 207 feet). Since approval of the final design by DRC in October 2018, we have been diligently working on the construction drawings. As you can imagine, for a project of this size and complexity, the time to prepare those documents is extensive. Under the Conditions of Approval (COA) for the Project all necessary permits for construction must be issued before October 24, 2019 or else the underlying entitlements will expire. In talking with our architects and designers, given the scale of the Project, we have been told that it is not feasible to prepare the necessary plans and obtain City approval for them by that date.

For this reason, we would like to request a two (2) year extension of the entitlements to October 23, 2021. This extension will provide us with enough time to aggressively move forward with preparing the construction level drawings and navigating the City building permit process. The extension requested is consistent with the time typically granted to development projects to obtain the required permits for construction and will provide us with the certainty needed to ensure that we are not at risk of having the underlying entitlements expire before building permits are issued.

Enclosed please find a check in the amount of \$1,678.31. I understand that this extension request will be subject to review and consideration by the Planning Commission under Condition of Approval 2. If there is any other information that you need to process this request, please let me know.

Sincerely,



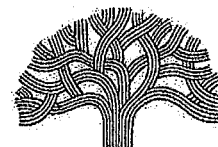
Mollie Westphal

cc: Alexis M. Pelosi

Enclosure

Attachment A

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 2114 • OAKLAND, CALIFORNIA 94612-2031

Community and Economic Development Agency
Planning & Zoning Services Division

(510) 238-3911
FAX (510) 238-4730
TDD (510) 238-3254

Sent via U.S. Mail and Electronic Mail

July 21, 2011

Mark McClure
CALIFORNIA CAPITAL & INVESTMENT GROUP
The Rotunda Building
300 Frank Ogawa Plaza, Suite 340 | Oakland, CA 94612

RE: Case File No. ER07-0002; CMDV06-573; 325-335 7th Street; 320-330 6th Street; 621-635 Harrison Street, (APN: 001-0189-005-00 through 001-0189-009-00; 001-0189-013-00 and 001-0189-014-01)

Dear Mr. McClure:

The above application was **APPROVED** at the City Planning Commission meeting (by a 5-0 vote) on **July 21, 2011**. The Commission's action is indicated below. This action becomes final ten (10) days after the date of the announcement of the decision unless an appeal to the City Council is filed by **4:00 pm on August 1, 2011**.

1. Adoption/approval of the CEQA Findings.
2. Approval of the Major Conditional Use Permit; Interim Major Conditional Use; Minor Variances; and Major Design Review for the Project subject to the attached findings, conditions of approval, and mitigation measures, including the Standard Conditions of Approval/Mitigation Monitoring and Reporting Program.

If you, or any interested party, seeks to challenge this decision, an appeal **must** be filed by no later than ten calendar (10) days from the announcement of the decision by **4:00 pm on August 1, 2011**. An appeal shall be on a form provided by the Planning and Zoning Division of the Community and Economic Development Agency, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of **Heather Klein, Planner III**. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Planning Commission or wherein their decision is not supported by substantial evidence and must include payment of **\$1,352.91** in accordance with the City of Oakland Master Fee Schedule. Failure to timely appeal will preclude you, or any interested party, from challenging the City's decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so may preclude you, or any interested party, from raising such issues during the appeal and/or in court. However, the appeal will be limited to issues and/or evidence presented to the City Planning Commission prior to the close of the City Planning Commission's public hearing on the matter.

If an Environmental Impact Report was prepared for the project, within five working days of the date of the announcement of the decision, you **must** record a Notice of Determination (NOD) and the Environmental Declaration with the Alameda County Clerk's office at 1106 Madison Street, Oakland, CA 94612, at a total cost of \$2,889.25 made payable to the Alameda County Clerk. To record these documents, please take the original NOD related documents and four copies to the Alameda County Clerk, and return one date stamped copy to the Zoning Division, to the attention of **Heather Klein, Planner III**. Pursuant to Section 15075(e) of CEQA Guidelines, recordation of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA.

Case File No. ER07-0002; CMDV06-573
Approval Date: July 20, 2011

Insert Page No. 2

If you have any questions, please contact the case planner, **Heather Klein** at (510) 238-3659 or hklein@oaklandnet.com, however, this does not substitute for filing of an appeal as described above.

Very Truly Yours,

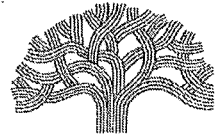


ERIC ANGSTADT
Director of Planning and Zoning

cc: Interested Parties E-mail and Mailing List
Ray Derania, Building Services Division
Bill Quesada, Inspection Services
Audree Jones-Taylor, Parks and Recreation
Gay Luster, Public Works /Tree Section

Attachment: Conditions of Approval/ Mitigation Monitoring and Reporting Program (SCAMMPR)

CITY OF OAKLAND



DAIZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 3315 • OAKLAND, CALIFORNIA 94612

Planning and Building Department
Bureau of Planning

(510) 238-3941
FAX (510) 238-6538
TDD (510) 238-3254

325 7th Street, LLC
1624 Franklin Street, Suite 1115
Oakland, CA 94612

December 5, 2018

RE: Case File Nos.: CMDV06-573-R01 & ER07-0002; Address: 325 7th Street (APNs: 001-0189-003-00; 001-0189-009-00; 001-0189-013-00; 001-0189-014-01)

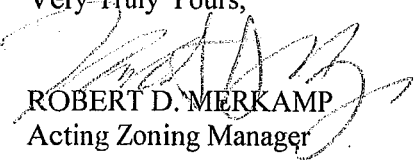
Dear Mr. Porter:

Your application for a one year time extension of the entitlements as noted above was **APPROVED** at the City Planning Commission meeting of **September 6, 2017**. This action became final ten (10) days after the date of the Planning Commission meeting since no appeal to the City Council was filed by **September 19, 2017**. The Commission's action is indicated below. As a Condition of Approval of your time extension request, the Commission referred the project to the Design Review Committee (DRC) for further design refinements. After several revisions and two appearances before the DRC, the revised design was finally approved by the DRC at the **October 24, 2018** meeting. The new expiration date for these entitlements (adjusted based on the latest DRC's hearing date) is **October 24, 2019**.

(X) Granted with revisions to conditions of approval. (Vote: 5 Ayes, 1 Nays)

If you have any questions, please contact the case planner, **Maurice Brenyah-Addow** at (510) **238-6342** or **mbrenyah@oaklandnet.com**.

Very Truly Yours,


ROBERT D. MERKAMP
Acting Zoning Manager

cc: Bill Quesada, Inspection Services
Philip Basada, Fire Prevention Bureau
Ed Manasse, Bureau of Planning

David Harlan, Building Services Division
Kevin Kashi, PWA
Ray Herbert, Acting City Surveyor

Alexis Pelosi, Pelosi Law Group, 560 Mission Street, Suite 2800, San Francisco, CA, 94105
Mark McClure, CCIG, 300 Frank Ogawa Plaza, Suite 340, Oakland, CA 94612

Attachments: A Updated Findings
B Updated (July 21, 2011) Conditions of Approval
C Updated SCAMMRP

ATTACHMENT A: UPDATED FINDINGS

This proposal meets all the required findings under the Regular Design Review criteria found in Section 17.136.050A Regular Design Review and 17.136.055 Special regulations for Historic Properties in the Central Business Zone of the Oakland Planning Code (OMC Title 17) as set forth below and which are required to approve your application. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type.

SECTION 17.136.050(A)

REGULAR DESIGN REVIEW FINDINGS:

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

On June 20, 2011, the Planning Commission approved the original project, which involved the demolition of existing structures and construction of a mixed-use project involving 380 residential condominium units, 9,110 square feet of commercial space, and 399 off-street parking spaces. The design entailed two tall towers situated on a four-story podium (One tower was 275 feet tall and contained 27 stories; the other tower was 207 feet tall and contained 20 stories).

The revised project significantly scales back one of the two towers and reduces its height from 207 feet down to 125 feet. The number of residential units remains the same at 380 units. Access to the parking garage remains via a two-way entrance/exit located on 6th street and a one-way exit on 7th Street. No vehicle access is proposed on Harrison Street. The revisions to the previously-approved project include the following changes:

- Reduces the height of one of two towers from 207 feet to 125 feet
- Reduces off-street parking from 399 to 227
- Reduces commercial floor area from 9,110 to 8,195 square feet
- Increases useable open space from 28,305 to 31,180 square feet.

The original project proposed glass fiber reinforced concrete (GFRC) panels as exterior materials. The revised project proposes a combination of board-formed concrete, fiber concrete boards, aluminum panel siding, copper anodized aluminum panel, perforated metal screens, glass, and other materials. The design incorporates various elements and detailing such as projecting and recessed planes, grouped fenestrations, rhythms of shapes and forms, varied rooflines, and material changes to achieve a visually attractive development that both reads as a unified whole and features distinctive elements

Staff has worked with the architect to enhance the street-fronting elevations to achieve a building composition that provides visual interest to better relate to the surrounding area in their setting, scale, bulk, height, materials and textures. The proposed project is designed to harmonize with the adjacent properties and surroundings in its downtown setting. The scale, bulk, height, exterior materials and treatments are similar to many of the new mixed-use structure going up in the Oakland Downtown area. The resulting design is consistent with other developments of comparable size in the Oakland Downtown area.

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

The proposed new mixed use building will replace an underutilized site. Upon completion, the project will provide additional housing units close to public transit, that is expected to bring more residents to the Oakland Downtown area. The increase in housing supply (all things being equal) can help alleviate the rising cost of housing in Oakland. The ground floor commercial spaces can provide convenient spaces for uses such as cafés, retail shops, consumer services, etc. to serve the immediate community. The attached standard conditions of approval are to ensure that all potential negative impacts have been reduced to less than significant.

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

The proposed development is expected to involve minimal earthwork for foundations and other site improvements.

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

5. **That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable district plan or development control map which has been adopted by the City council.** The proposed project will be a new investment in the community, and is expected to increase the housing stock and attract building improvements in the area. It conforms in all respects to the Central Business District General Plan classification and the following LUTE objectives and policies:

- *Objective N3: Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future housing needs of the Oakland community.* The project will provide the Oakland community with 380 new dwelling units
- *Policy N3.1, Facilitating Housing Construction: Facilitating the construction of housing units should be considered a high priority for the City of Oakland.* The City of Oakland's Bureau of Planning has streamlined its systems in order to facilitate the construction of new homes by assisting developers to navigate the permitting process smoothly and in a timely manner.
- *Policy N3.2, Encouraging Infill Development: In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland.* The project is proposed for a site located in an urban area of Oakland. The new development will be an infill development that is consistent with the General Plan on a currently underutilized site.
- *Policy N6.2, Increased Home Ownership: Housing developments that increase home ownership opportunities for households of all incomes are desirable.* The project will provide property ownership opportunities for 380 combined new households and business owners. The developer intends to build these units as condominiums which will create multiple homeownership opportunities and make the units more affordable for purchasing as opposed to a 380-unit apartment complex with only one possible ownership entity.
- *Policy T2.2 Guiding Transit-Oriented Development: Transit Oriented developments should be pedestrian oriented, encourage night and day time use, provide the neighborhood with needed goods and services, contain a mix of land uses and be designed to be compatible with the character of surrounding neighborhoods.* The subject mixed-use project is transit-oriented due to its proximity to the Lake Merritt

Bart Station and other key transit corridors in the Oakland Downtown area. The site is also located within walking distance to and from both the 12th Street City Center and 19th Street BART Stations.

17.136.055 Special regulations for Historic Properties in the Central Business Zone.

B.2. Findings.

- a) **Any proposed new construction is compatible with the existing API in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing;**

Based on the Oakland Historic Resource Inventory, the 7th Street/Harrison Square Residential District consists of the properties along five blocks of 7th Street, including the cross streets, from Harrison to Fallon, extending in some places to 8th Street and 6th Street. It is almost entirely housing except for one City park. Individual block-fronts are varied, though matching pairs and triplets occur. The district is a surviving remnant of a much larger neighborhood that was developed in the decades just before and after 1900. It is bounded on the west and northwest by the Chinatown Commercial District and on the other three sides by relatively newer construction such as the BART and the Joseph P. Bort MetroCenter buildings to the north, Laney College buildings and parking lot to the east, and the I-880 Freeway to the south. Some other uses include a gas station, small parking lots, small industrial buildings, and a motel. Overall, the revised site plan and tower re-designs for the project are successful and consistent with the goal of creating an active, pedestrian-oriented retail development in Downtown Oakland. The LMSAP Design Guidelines state that "The architectural details of new buildings within or adjacent to the 7th Street/Harrison Square Residential Historic District API should relate to existing distinguishing features of the district. Most of the buildings in the 7th Street /Harrison Square Residential District are detached one- or two-story wood frame structures set back from the sidewalk line, including many Victorian and Colonial Revival cottages and houses. The district began as a residential area and continues largely so to this day. Except for the intrusions of some industrial buildings and apartment buildings, the district is unified in scale, apparent density, use, and relationship of buildings to lots." As mentioned, the previously-approved project involved the removal/relocation of a residential structure that was a contributor to the 7th Street/Harrison Square Residential Historic District. This structure has since burned down and no longer exists at the subject site.

- b) **New street frontage has forms that reflect the widths and rhythm of the facades on the street and entrances that reflect the patterns on the street;**

The design incorporates elements such as balconies, window patterns, high quality and durable materials, and articulations (recesses and projections) that are similar to other structures within both the Central Business District and API.

- c) **The proposal provides high visual interest that either reflects the level and quality of visual interest of the API contributors or otherwise enhances the visual interest of the API.**

The site location at the periphery of the API serves as a high visual marker of the API boarder, that signals as a transition point from the API to the higher intensity developments in the Central Business District and vice versa. The stylized "ying-yang" top of tower design has been refined to achieve successful terminus that also provides a rooftop outdoor space for the building.

- d) **The proposal is consistent with the visual cohesiveness of the API. For the purpose of this finding, visual cohesiveness is the architectural character, the sum of all visual aspects, features, and materials that defines the API. A new structure contributes to the visual cohesiveness of a district if it relates to the design characteristics of a historic district while also conveying its own time. New construction may do so by drawing upon some basic building features, such as the way in which a building is located on its site, the manner in which it relates to the street, its basic mass, form, direction or orientation (horizontal vs. vertical), recesses and projections, quality of materials, patterns of openings and level of detailing. When some combination of these design variables are arranged in a new building to relate to those seen traditionally in the area, but integral to the design and character of the proposed new construction, visual cohesiveness results;**

The new building's exterior visual quality and detailing will be at least equal to that of the surroundings. The new structure contributes to the visual cohesiveness of the API by creating a height contrast that is clearly distinct from the smaller buildings within the API.

- e) **Where height is a character-defining element of the API there are height transitions to any neighboring contributing historic buildings. "Character-defining elements" are those features of design, materials, workmanship, setting, location, and association that identify a property as representative of its period and contribute to its visual distinction or historical significance. APIs with a character-defining height and their character-defining height level are designated on the zoning maps; and**

The proposed revision to the previously approved-project provides a building scale that serves as an appropriate transition from the neighboring medium density structures in the API to the higher intensity mixed-use and commercial structures in the Downtown District. The proposed lower tower at the corner of 7th and Harrison Streets, is an appropriate transition up to the taller tower next to the I-880 freeway and away from the API.

- f) **For additions, the proposal meets either: 1) Secretary of Interior's standards for the treatment of historic resources; 2) the proposal will not adversely affect the character of the property or API; or, 3) upon the granting of a conditional use permit, (see Chapter 17.134 for the CUP procedure) and a hearing in front of the Landmarks Preservation Advisory Board for its recommendations, a project meets the additional findings in Subsection g., below.**

N/A

- g) **For construction of new principal buildings:**

- I. **The project will not cause the API to lose its status as an API;**
- II. **The proposal will result in a building or addition with exterior visual quality, craftsmanship, detailing, and high quality and durable materials that is at least equal to that of the API contributors; and**
- III. **The proposal contains elements that relate to the character-defining height of the API, if any, through the use of a combination of upper story setbacks, window patterns, change of**

materials, prominent cornice lines, or other techniques. APIs with a character-defining height and their character-defining height level are designated on the zoning maps.

The proposed revision to the previously approved-project provides a building scale that serves as an appropriate transition from the neighboring API of medium density structures to the higher intensity mixed-use and commercial structures in the Downtown District. The proposed lower tower at the corner of 7th and Harrison Streets, is an appropriate transition up to the taller tower next to the I-880 freeway and away from the API. The site location at the periphery of the API serves as a high visual marker of the API boarder, that signals as a transition point from the API to the higher intensity developments in the Central Business District and vice versa. The new structure contributes to the visual cohesiveness of the API by creating a height contrast that is clearly distinct from the smaller buildings within the API.

The design incorporates elements such as balconies, window patterns, high quality and durable materials, and articulations (recesses and projections) that are similar to other structures within both the Central Business District and API. The new building's exterior visual quality and detailing will be at least equal to that of the surroundings. The stylized "ying-yang" top of tower design has been refined to achieve successful terminus that also provides a rooftop outdoor space for the building. Overall, the revised site plan and tower re-designs for the project are successful and consistent with the goal of creating an active, pedestrian-oriented retail development in Downtown Oakland.

Modifications to the conditions of approval as directed by the City Planning Commission at the ~~July 21, 2011~~ , ~~September 6, 2017~~ April 3, 2019 meeting are indicated in underlined type for additions and ~~cross out type~~ for deletions.

1. Approved Use

Ongoing

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, **staff report**, and the plans dated July 20, 2011 and submitted on March 10, 2009, as revised at the October 24, 2018 Design Review Committee meeting, and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall required prior written approval from the Director of City Planning or designee.
- b) This action by the **City Planning Commission** ("this Approval") includes the approvals set forth below. This Approval includes:
 - I.Approval of a Major Conditional Use Permit for a large-scale development over 100,000 square feet of new floor area or more than one hundred twenty (120) feet in height, under Oakland Municipal Code Section 17.134.50.
 - II.Approval of an Interim Major Conditional Use Permit for FAR that exceeds zoning but consistent with the General Plan, under Oakland Municipal Code Section 17.134.50.
 - III.Approval of Minor Variances for the dimensions of parking spaces, dimensions of parking spaces against a column or other obstruction, tandem parking spaces, and rear yard setbacks, under Oakland Municipal Code Section 17.148.050
 - IV.Approval of Major Design Review, under Oakland Municipal Code Section 17.136.050.

2. Effective Date, Expiration, Extensions and Extinguishment

Ongoing

Unless a different termination date is prescribed, this Approval shall expire **two years** from the approval date, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit for this project may invalidate this Approval if the said extension period has also expired.

3. Scope of This Approval; Major and Minor Changes

Ongoing

The project is approved pursuant to the **Planning Code** only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

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

Ongoing

- a) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.
- b) The City of Oakland reserves the right at any time during construction to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved

plans may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension or other corrective action.

- c) Violation of any term, **Conditions/ Mitigation Measures** or project description relating to the Approvals is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these **Conditions/ Mitigation Measures** if it is found that there is violation of any of the **Conditions/ Mitigation Measures** or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Conditions of Approval.

5. Signed Copy of the Conditions/ Mitigation Measures

With submittal of a demolition, grading, and building permit

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

6. Indemnification

Ongoing

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

7. Compliance with Conditions of Approval

Ongoing

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

8. Severability

Ongoing

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

9. Job Site Plans

Ongoing throughout demolition, grading, and/or construction

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

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

Prior to issuance of a demolition, grading, and/or construction permit

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

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

Prior to issuance of a building permit

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

- a) Landscape plan shall include a detailed planting schedule showing the proposed location, sizes, quantities, and specific common botanical names of plant species.
- b) Landscape plans for projects involving grading, rear walls on downslope lots requiring conformity with the screening requirements in Section 17.124.040, shall show proposed landscape treatments for all graded areas, rear wall treatments, and vegetation management prescriptions.
- c) Landscape plan shall incorporate pest-resistant and drought-tolerant landscaping practices. The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire-resistant, and drought-tolerant.
- d) All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season.

12. Landscape Requirements for Street Frontages.

Prior to issuance of a final inspection of the building permit

- a) All areas between a primary Residential Facility and abutting street lines shall be fully landscaped, plus any unpaved areas of abutting rights-of-way of improved streets or alleys, provided, however, on streets without sidewalks, an unplanted strip of land five (5) feet in width shall be provided within the right-of-way along the edge of the pavement or face of curb, whichever is applicable. Existing plant materials may be incorporated into the proposed landscaping if approved by the Director of City Planning.
- b) In addition to the general landscaping requirements set forth in Chapter 17.124, a minimum of one (1) fifteen-gallon tree, or substantially equivalent landscaping consistent with city policy and as approved by the Director of City Planning, shall be provided for every twenty-five (25) feet of street frontage. On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet, the trees to be provided shall include street trees to the satisfaction of the Director of Parks and Recreation.

13. Assurance of Landscaping Completion.

Prior to issuance of a final inspection of the building permit

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

14. Landscape Maintenance.***Ongoing***

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

15. Underground Utilities***Prior to issuance of a building permit***

The project applicant shall submit plans for review and approval by the Building Services Division and the Public Works Agency, and other relevant agencies as appropriate, that show all new electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities placed underground. The new facilities shall be placed underground along the project applicant's street frontage and from the project applicant's structures to the point of service. The plans shall show all electric, telephone, water service, fire water service, cable, and fire alarm facilities installed in accordance with standard specifications of the serving utilities.

16. Payment for Public Improvements***Prior to issuance of a final inspection of the building permit.***

The project applicant shall pay for and install public improvements made necessary by the project including damage caused by construction activity.

17. Compliance Matrix***Prior to issuance of a demolition, grading, or building permit***

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division a **Conditions/ Mitigation Measures** compliance matrix that lists each condition of approval **and/or mitigation measure**, the City agency or division responsible for review, and how/when the project applicant has met or intends to meet the conditions **and/or mitigations**. The applicant will sign the Conditions of Approval attached to the approval letter and submit that with the compliance matrix for review and approval. The compliance matrix shall be organized per step in the plancheck/construction process unless another format is acceptable to the Planning and Zoning Division and the Building Services Division. The project applicant shall update the compliance matrix and provide it with each item submittal.

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

All mitigation measures identified in the **325 7th Street EIR** are included in the Standard Condition of Approval and Mitigation Monitoring Program (SCAMMRP) which is included in these conditions of approval and are incorporated herein by reference, as Attachment D as conditions of approval of the project. The Standard Conditions of Approval identified in the **325 7th Street EIR** are also included in the SCAMMRP, and are therefore, not repeated in these conditions of approval. To the extent that there is any inconsistency between the SCAMMRP and these conditions, the more restrictive conditions shall govern; to the extent any mitigation measures and/or Standard Conditions of Approval identified in the EIR were inadvertently omitted, they are automatically incorporated herein by reference. The project sponsor (also referred to as the Developer or Applicant) shall be responsible for compliance with the recommendation in any submitted and approved technical reports, all applicable mitigation measures adopted and with all conditions of approval set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or condition of approval, and subject to the review and approval of the City of Oakland. The SCAMMRP identifies the time frame and responsible party for implementation and monitoring for each mitigation measure. Overall monitoring and compliance with the mitigation measures will be the responsibility of the Planning and Zoning Division. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in Section 21081.6 of CEQA. 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.

19. Tree Removal Permit

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

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

PROJECT SPECIFIC CONDITIONS

20. Indoor Air Quality

Prior to issuance of a building permit and ongoing.

- a) The project applicant shall implement all of the following features that have been found to reduce the air quality risk to sensitive receptors and shall be included in the project construction plans. These features shall be submitted to the Planning and Zoning Division and the Building Services Division for review and approval prior to the issuance of a demolition, grading, or building permit and shall be maintained on an ongoing basis during operation of the Project. Install, operate and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets the efficiency standard of the MERV 13. The HV system shall include the following features: installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters shall be used.
 - b) Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the pollutant sources.
 - c) Install indoor air quality monitoring units in buildings.
21. The Project applicant, owner, or Home Owner's Association shall maintain, repair and/or replace HV system on an ongoing and as needed basis or shall prepare an operation and maintenance manual for the HV system and the filter. The manual shall include the operating instructions and maintenance and replacement schedule. This manual shall be included in the CC&R's for residential projects and distributed to the building maintenance staff. In addition, the applicant shall prepare a separate Homeowners Manual. The manual shall contain the operating instructions and maintenance and replacement schedule for the HV system and the filters. **Wind Reduction Plan**

Prior to issuance of a building permit

The Project applicant shall develop a wind reduction plan to be included as part of the landscape plan, for further wind control on the 4, 18th, and 22nd courtyard spaces. This plan shall be submitted to the Planning and Zoning Division for review and approval. The Project applicant shall implement the approved plan which shall include features such as tree plantings, arbors, canopies, and lattice fencing. In addition, a full height wind screen (from the floor level to the underside of the canopy is also recommended along the western edge of the pedestrian walkway between the two buildings. The vertical wind control measures considered shall face perpendicular to local wind flow for the dominant west winds to be most effective.

22. Pedestrian Enhancements

Prior to issuance of a building or a p-job permit

The Project applicant shall submit a plan, specifications, and estimates (PS&E) to upgrade the following intersections to include the following:

- a) Audible signals shall be installed at the intersection of 7th and Broadway, both westbound and eastbound.
- b) Pedestrian countdown signals should installed at the intersection of 7th and Harrison Streets.
- c) Enhancement of pedestrian crosswalks and installation of ADA compliant ramps with domes shall be installed at the intersections of 7th and Webster Streets; 7th and Harrison Streets; and 8th and Harrison Streets.

The plan shall be submitted to the Transportation Services Division and Planning and Zoning Division for review and approval and the Project applicant shall implement the approved plan prior to issuance of a certificate of occupancy

23. Driveway Sight Distance

Prior to issuance of a building or a p-job permit

The Project applicant shall submit a plan, specifications, and estimates (PS&E) to include the following:

- a) 7th Street Driveway: In order to provide adequate sight distance at the 7th Street driveway, driveway tipping of approximately 54.8 feet would be required on the west side of the driveway.
- b) 6th Street Driveway: In order to provide adequate sight distance at the 6th Street driveway, driveway tipping of approximately 32.0 feet would be required on the west side of the driveway and 17.1 feet on the east side of the driveway.
- c) 6th Street Loading Dock Driveway: In order to provide adequate sight distance at the 6th Street Loading Dock driveway, driveway tipping of approximately 19.7 feet would be required on the west side of the driveway and 68.6- feet on the east side of the driveway.

The plan shall be submitted to the Transportation Services Division and Planning and Zoning Division for review and approval and the Project applicant shall implement the approved plan prior to issuance of a certificate of occupancy

24. Historic Maintenance.

a. 30 days after Project Approval

Applicant shall submit a repair and maintenance plan for the Historic Resource located at 617-621 Harrison Street to the City Planning Director for review and approval. The applicant shall implement the approved plan. The goal of the plan is to ensure the exterior portions are kept in good repair so as to prevent deterioration and decay of any exterior portion and all interior portions thereof the maintenance of which is necessary to prevent deterioration and decay of any exterior portion, and prevent blight and an attractive nuisance.

b. Ongoing

The owner, property manager, future tenants, or other person in actual charge of the designated historic resource shall, in accordance with the approved plan in "a" above, keep in good repair all of the exterior portions thereof, and all interior portions thereof the maintenance of which is necessary to prevent deterioration and decay of any exterior portion, and prevent blight. Furthermore, the owner, property manager, future tenants, or other person in actual charge of the designated historic resource shall ensure that until a demolition permit is issued in accordance with the SCAMMRP related conditions/mitigation measures and the Demolition Permit for Demolition of Historic Resources Concurrent with Building Permit Issuance Condition, the building is adequately secured, including all points of entry.

25. Demolition Permit for Demolition of Historic Resources Concurrent with Building Permit Issuance

A demolition permit to demolish the historic resource (617-621 Harrison Street, or as described in the record), shall not be issued prior to payment and issuance of the building permit application and demonstrated compliance with applicable SCAMMRP related conditions/mitigation measures.

26. Final Design Review.

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

~~As the design development of the building proceeds, the design elements listed below shall be revised and shall be submitted for review and approval by the Planning Director prior to issuance of the building permit. Only high quality materials will be approved.~~

- ~~a) The applicant will submit final plans and materials for the entire building design and the architectural features on top of the building. These features and the entire building design shall be reviewed and approved by the~~

~~Design Review Committee. The features shall relate to both buildings' design and the other tower's terminus. The applicant shall also redesign the blank walls where the exit stairs and zero lot line walls are located by internalizing the long side of the stairs and increasing the transparency to 65%. These redesigned facades shall harmonize with the rest of the building's architecture. Furthermore, the project applicant shall submit detailed courtyard landscape and streetscape plans. The redesigned facades, the courtyard and streetscape plans shall be reviewed and approved by the Design Review Committee. At the Design Review Committee hearing, the project applicant shall also provide a progress report on the relocation efforts of the historic resource at 617-621 Harrison Street.~~

- ~~b) The applicant shall submit final plans of the 7th Street façade that shows varying window proportions and window styles in order to reduce the perceived bulk of the building.~~
- ~~e) The applicant shall submit the final materials and colors for staff's review, including the GFRC panels, metal shading devices, balcony materials, awnings, translucent infill panels, etc.~~
- ~~d) Staff shall review a full scale on-site mock up of the panels and the depth of the reveals and construction joints, and window construction.~~
- ~~e) Provide details or "cut sheet" of the garage and service doors for staff review. Roll up chain doors will not be acceptable.~~
- ~~f) The applicant will submit information that affirms that any metal treatment used on the building will be coated or sealed to prevent rusting.~~
- ~~g) The applicant will submit the samples of the decorative concrete tile pavers proposed for the street frontages for review and approval.~~
- ~~h) The applicant will install planters with landscaping within the building recessed areas to improve the pedestrian experience.~~
- ~~i) The applicant must provide staff with cut sheets for the all windows and details showing the window profiles. The applicant shall provide a minimum 2" window recess from the exterior façade and the frame will be of high quality.~~
- ~~j) The above ground parking garage floors shall be enclosed and screened with translucent infill panels. These panels shall continue along the façade that is visible from Harrison Street behind the historic buildings and at the corner of 7th and Harrison Street to create a more prominent corner element.~~
- ~~k) The GFRC band between the residential units and the above ground garage levels shall be increased to at least 2' in order to emphasize this division in uses.~~
- ~~l) The applicant will provide details of the balconies and/or shading device connections, to ensure that these features are well integrated into the overall building and project design. The balconies shall be transparent glass.~~
- ~~m) Enclose all rooftop mechanical equipment. Design the enclosure and select its color to be integral with the overall architectural design.~~

27. Design Review of Uncompleted Project

Ongoing prior to the final inspection of the building permit for the Project

If the Project applicant does not complete the second tower within the timeframes described in Condition 2 and the building permit expires, the Project applicant shall return to the Design Review Committee within 60 days of the permit's expiration for review of the unfinished project and to approve the design state that the building is left in. The Design Review Committee shall ensure that a reasonable design review standard is upheld for the unfinished Project and that this state will be more stringent than the typical standards for blight/nuisance.

28. Community Policing Through Environmental Design

Prior to issuance of building permit

- a) The applicant shall provide lighting under the soffit of all recessed building entrance, planting areas and vehicle entrances. Such illumination shall remain on as appropriate during all hours of darkness, but shall be shielded to a point below the light bulb and reflector and not cast unnecessary glare onto adjacent properties.
- b) The property manager shall maintain good sight lines in and out of the residential lobbies, community room, and offices to allow management staff to monitor and discourage inappropriate activity in front of the building.

- c) If loitering occurs at the ground floor along 6th Street, measures will be taken to discourage this activity including:
- I. The applicant shall post "No Loitering" signs on the building façade and other visible locations around the site. Signs shall be of a permanent nature and have letters a minimum of 2 inches in height.
 - II. The owner, manager, and employees of this establishment shall make appropriate efforts to discourage loitering from the premises including calling the police to ask that they remove loiters who refuse to leave. Persons loitering in the vicinity of the exterior of the establishment with no apparent business for more than ten minutes shall be asked to leave. Techniques discussed in the manual entitled "Loitering: Business and Community Based Solutions" may be used and are recommended if applicable.
- d) Graffiti shall be removed within 72 hours of application. Removal can involve resurfacing of a material and/or color that matches the remaining surface.

29. Master Signage Program.

Prior to sign permit

The Project applicant shall submit a master signage plan for review for any commercial and residential signage per the Planning and Zoning regulations, including but not limited to location, dimensions, materials and colors.

30. Pre-construction Meeting with the City

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

A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site Project manager with the City's project building coordinator to confirm that conditions of approval that must be completed prior to issuance of a grading, demolition, or building permit have been completed (including pre-construction meeting with neighborhood, construction hours, neighborhood notification, posted signs, etc.). The applicant shall coordinate and schedule this meeting with City staff.

31. Covenants, Conditions, and Restrictions & Homeowner's Association

Prior to certificate of occupancy

The Covenants, Conditions and Restrictions (CC&Rs) for the units shall be submitted to the Planning and Zoning Division for review. The CC&Rs shall provide for the establishment of a non-profit homeowners association for the maintenance and operation of all on-site sidewalks, pathways, common open space and all common landscaping, driveways, and other facilities, in accordance with approved plans. Membership in the association shall be made a condition of ownership. The developer shall be a member of such association until all units are sold. In addition to the parking management requirements, the CC&R's shall also include an acknowledgement that the units on the rear of the building facing Webster Street are located within the rear yard setback.

32. Parking Management Plan

Prior to Certificate of Occupancy and On-going.

The applicant shall establish an on-site parking management plan. The parking management plan shall include but not be limited to the following components and requirements:

- a) The Covenants, Conditions and Restrictions (CC&Rs) for the units shall be submitted to the Planning and Zoning Division for review to affirm that they include the provisions listed here.
- b) Acknowledgement that many and specific parking spaces are deficient in additional width and length. (Due to column or wall locations and the parking lifts.)
- c) Require purchasers to acknowledge that maneuverability of several of the parking spaces within the garage may be affected by the location of columns or walls and that due care and caution should be used.
- d) The management plan shall also stipulate that each unit shall be assigned a minimum of one off street parking space and that such space is included within the lease or ownership rights of the unit.

- e) The plan shall also include a brochure or instructions on how to use the mechanical, multi-parking lift system.
- f) The lift system must include a viable method to retrieve vehicles in case of a power failure.

33. Parking Garage entrance/Exits and Loading Docks***Prior to issuance of a building permit***

The project applicant shall submit for review and approval a plan for the parking lot entrance/exits and loading docks that includes audible and visible warnings devices such as bells and lights to alert pedestrians, and a speed hump to force drivers exiting the garage to slow down and be more alert.

AMENDMENTS TO CONDITION OF APPROVAL**34. One Year Time extension granted from date of hearing, September 6, 2017-April 3, 2019*****Prior to application for building permits***

The time extension is granted for one year (12 months), effective from the ~~September 6, 2017~~ October 24, 2018 October 24, 2019 and shall expire on ~~September 6, 2018~~ October 24, 2019 October 24, 2020.

35. Public Art for Private Development Condition of Approval

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 the commission or acquisition and installation of publicly accessible art fund, or satisfaction of alternative compliance methods described in the Ordinance. The applicant shall provide proof of full payment of the in-lieu contribution, or provide proof of installation of artwork on the development site prior to the City's issuance of a final certificate of occupancy for each phase unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval. On-site art installation shall be designed by independent artists, or artists working in conjunction with arts or community organizations that are verified by the City to either hold a valid Oakland business license and/or be an Oakland-based 501(c) (3) tax designated organization in good standing.

The project sponsor shall allocate the public art funds to hire Oakland-based artists to provide public art on or near the site if an in-lieu contribution is not selected. The method of calculating public art fees for mixed use developments (as explained below) shall apply:

For projects containing a mix of residential and nonresidential uses, the proportion of the building development cost assessed for the residential or commercial contribution is equal to the proportion of the floor area devoted to such activities. For example, if 80 percent of the floor area of a proposed new building is residential, then 80 percent of the development costs would be used to determine the residential share of the contribution. The remaining 20 percent of development cost would be used to determine the nonresidential share of the contribution fee.

When Required: Prior to issuance of Final Certificate of Occupancy for the first unit and Ongoing

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

36. Development Impact Fees***Prior to issuance of a building permit***

The following condition of approval shall be added to the adopted conditions of approval for case file CMDV06-573 upon extension of applicable entitlements beyond December 31, 2016:

The Project approved under Case File CMDV06-573 is subject to, and Applicant shall agree to pay, the development impact fees that were adopted by the City Council per Ordinances 13365 and 13366.

37. Encroachment Permits

Prior to issuance of a building permit to construct/Ongoing

The project applicant shall obtain a discretionary, revocable Major Encroachment Permit from the Oakland City Council for any building projections into the public right-of-way and shall enter into an Indenture Agreement to the satisfaction of the City. If the City Council rejects such Major Encroachment Permit or in the future revokes such encroachment, applicant shall submit new plans to the Planning Bureau removing such rejected or revoked projections, including any habitable space, from the public right-of-way. If necessary, such amendment shall be considered a major amendment and will be subject to Design Review by the Oakland Planning Commission Design Review Committee.

38. Compliance with Other Requirements

Requirement: 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, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans.

When Required: Prior to approval of construction-related permits

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

APPROVED BY:

City Planning Commission: April 3, 2019 (date) _____ (vote)

Applicant and/or Contractor Statement

I have read and accept responsibility for the revised Conditions of Approval, as approved by Planning Commission action on ~~September 6, 2017~~ April 3, 2019. I agree to abide by and conform to these conditions, as well as to all provisions of the Oakland Zoning Code and Municipal Code pertaining to the project.

Signature of Owner/Applicant: _____ (date)

Signature of Contractor _____ (date)

REVISED 325 7TH STREET PROJECT

MITIGATION MONITORING AND REPORTING PROGRAM

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) is based on the 2011 Final Environmental Impact Report (EIR) prepared for the 325 7th Street Project in the City of Oakland and updated to reflect the 2018 Revised Project. The September 25, 2018, Technical Memorandum for the 325 7th Street Project describes and assesses the changes to the Original Project under the Revised Project.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The SCAMMRP lists mitigation measures recommended in the 2011 EIR, updates the measures for the Revised Project based on the 2018 Technical Memorandum, and identifies mitigation monitoring requirements. The City’s Standard Conditions of Approval (SCAs) identified in the 2011 EIR as measures that would minimize potential adverse effects that could result from implementation of the Original Project are also included in this SCAMMRP to ensure the conditions are implemented and monitored. These SCAs have been updated for the Revised Project and reflect the May 1, 2018, SCAs as revised by the City of Oakland.

The following table presents the mitigation measures identified in the 2011 EIR necessary to mitigate potentially significant impacts. Each mitigation measure is numbered according to the section of the EIR from which it is derived. For example, Mitigation Measure Traf-1 is the first mitigation measure identified in the Traffic and Circulation chapter of the 2011 EIR. The Standard Conditions are identified with the prefix SCA and numbered as they appear in the City’s May 2018 SCAs list (e.g., SCA #18: Landscape Plan).

- The first column identifies the applicable mitigation measures and SCAs.
- The second column identifies the monitoring schedule or timing.
- The third column identified the party responsible for monitoring the required action.
- The fourth column outlines the steps for monitoring the action identified in the mitigation measure or condition of approval.

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
AESTHETICS			
<p>SCA #16: Trash and Blight Removal</p> <p>The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.</p>	Ongoing	N/A	Bureau of Building
<p>SCA #17: Graffiti Control</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> <ul 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:</p> <ul 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 Building
<p>SCA #18: Landscape Plan</p> <p>a. <i>Landscape Plan Required</i></p> <p>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</p>	Prior to approval of construction-related permit	Bureau of Planning	N/A

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>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.</p>			
<p><i>b. Landscape Installation</i></p>			
<p>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.</p>	Prior to building permit final	Bureau of Planning	Bureau of Building
<p><i>c. Landscape Maintenance</i></p>			
<p>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.</p>	Ongoing	N/A	Bureau of Building
<p>SCA #19: Lighting</p>			
<p>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.</p>	Prior to building permit final	N/A	Bureau of Building
<p>SCA #20: Public Art for Private Development</p>			
<p>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</p>	<p><i>Payment of in-lieu fees and/or plans showing fulfillment of public art requirement:</i> Prior to Issuance of Building permit. <i>Installation of</i></p>	Bureau of Planning	Bureau of Building

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<p>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>	<i>art/cultural space</i> : Prior to Issuance of a Certificate of Occupancy		
AIR QUALITY			
<p>SCA #21: Dust Controls – Construction Related</p> <p>The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <ul style="list-style-type: none"> a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible. b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. e. All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph. f. All trucks and equipment, including tires, shall be washed off prior to leaving the site. g. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel. 	During construction	N/A	Bureau of Building
<p>SCA #22: Criteria Air Pollutant Controls – Construction Related</p> <p>The project applicant shall implement all of the following applicable basic control measures for criteria air pollutants during construction of the project as applicable:</p> <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 to two minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided 	During construction	N/A	Bureau of Building

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for construction workers at all access points.			
<ul style="list-style-type: none"> 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. 			
SCA #23: Diesel Particulate Matter Controls – Construction Related			
<ul style="list-style-type: none"> a. <i>Diesel Particulate Matter Reduction Measures</i> 	Prior to issuance of a construction related permit (i), during construction (ii)	Bureau of Planning	Bureau of Building
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:			
<ul style="list-style-type: none"> 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 			

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<p>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>			
<p><i>b. Construction Emissions Minimization Plan (if required by a above)</i></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>Prior to issuance of a construction related permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</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, 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 #24: Exposure to Air Pollution (Toxic Air Contaminants).</p>			
<p><i>a. Health Risk Reduction Measures</i></p>			
<p>The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:</p>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>

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- i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.
- or –
- ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:
- Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.
 - Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).
 - Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
 - The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.
 - Sensitive receptors shall be located on the upper floors of buildings, if feasible.
 - Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or

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<p>more of the following: Pine (<i>Pinus nigra</i> var. <i>maritima</i>), Cypress (x <i>Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids</i> x <i>trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>).</p> <ul style="list-style-type: none"> • Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. • Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible. • Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: <ul style="list-style-type: none"> • Installing electrical hook-ups for diesel trucks at loading docks. • Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards. • Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels. • Prohibiting trucks from idling for more than two minutes. • Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented. 	Ongoing	N/A	Bureau of Building
<p><i>b. Maintenance of Health Risk Reduction Measures</i></p> <p>The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>	Prior to Approval of Construction- Related Permit	Bureau of Planning	Bureau of Building
<p>SCA #25: Stationary Sources of Air Pollution (Toxic Air Contaminants)</p> <p>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</p>	Prior to Approval of Construction- Related Permit	Bureau of Planning	Bureau of Building

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<p>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> <ul style="list-style-type: none"> i. Installation of non-diesel fueled generators, if feasible, or; ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible. 			
<p>SCA #27: Asbestos in Structures</p>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Applicable regulatory agency with jurisdiction</p>	<p>Applicable regulatory agency with jurisdiction</p>
<p>The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.</p>			
<p>BIOLOGICAL RESOURCES</p>			
<p>SCA #25: Bird Collision Reduction Measures.</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>
<p>The project applicant shall submit a Bird Collision Reduction Plan for City review and approval to reduce potential bird collisions to the maximum feasible extent. The Plan shall include all of the following mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent. The project applicant shall implement the approved Plan. Mandatory measures include all of the following:</p> <ul style="list-style-type: none"> i. For large buildings subject to federal aviation safety regulations, install minimum intensity 			

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- white strobe lighting with three second flash instead of solid red or rotating lights.
- ii. Minimize the number of and co-locate rooftop-antennas and other rooftop structures.
 - iii. Monopole structures or antennas shall not include guy wires.
 - iv. Avoid the use of mirrors in landscape design.
 - v. Avoid placement of bird-friendly attractants (i.e., landscaped areas, vegetated roofs, water features) near glass unless shielded by architectural features taller than the attractant that incorporate bird friendly treatments no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule), as explained below.
 - vi. Apply bird-friendly glazing treatments to no less than 90 percent of all windows and glass between the ground and 60 feet above ground or to the height of existing adjacent landscape or the height of the proposed landscape. Examples of bird-friendly glazing treatments include the following:
 - Use opaque glass in window panes instead of reflective glass.
 - Uniformly cover the interior or exterior of clear glass surface with patterns (e.g., dots, stripes, decals, images, abstract patterns). Patterns can be etched, fritted, or on films and shall have a density of no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule).
 - Install paned glass with fenestration patterns with vertical and horizontal mullions no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule).
 - Install external screens over non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects.
 - Install UV-pattern reflective glass, laminated glass with a patterned UV-reflective coating, or UV-absorbing and UV-reflecting film on the glass since most birds can see ultraviolet light, which is invisible to humans.
 - Install decorative grilles, screens, netting, or louvers, with openings no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule).
 - Install awnings, overhangs, sunshades, or light shelves directly adjacent to clear glass which is recessed on all sides.
 - Install opaque window film or window film with a pattern/design which also adheres to the "two-by-four" rule for coverage.
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- vi. Reduce light pollution. Examples include the following:
 - Extinguish night-time architectural illumination treatments during bird migration season (February 15 to May 15 and August 15 to November 30).
 - Install time switch control devices or occupancy sensors on non-emergency interior lights that can be programmed to turn off during non-work hours and between 11:00 p.m. and sunrise.
 - Reduce perimeter lighting whenever possible.
 - Install full cut-off, shielded, or directional lighting to minimize light spillage, glare, or light trespass.
 - Do not use beams of lights during the spring (February 15 to May 15) or fall (August 15 to November 30) migration.
- vii. Develop and implement a building operation and management manual that promotes bird safety. Example measures in the manual include the following:
 - Donation of discovered dead bird specimens to an authorized bird conservation organization or museums (e.g., UC Berkeley Museum of Vertebrate Zoology) to aid in species identification and to benefit scientific study, as per all federal, state and local laws.
 - Distribution of educational materials on bird-safe practices for the building occupants. Contact Golden Gate Audubon Society or American Bird Conservancy for materials.
 - Asking employees to turn off task lighting at their work stations and draw office blinds, shades, curtains, or other window coverings at end of work day.
 - Install interior blinds, shades, or other window coverings in windows above the ground floor visible from the exterior as part of the construction contract, lease agreement, or CC&Rs.
 - Schedule nightly maintenance during the day or to conclude before 11 p.m., if possible.

SCA #26: Tree Removal During Bird Breeding Season.

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

Prior to removal
of trees

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<p>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>			
<p>SCA #27: Tree Permit.</p>			
<p><i>a. Tree Permit Required</i></p>			
<p>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>	<p>Prior to approval of construction-related permit</p>	<p>Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building</p>	<p>Bureau of Building</p>
<p><i>b. Tree Protection During Construction</i></p>			
<p>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>	<p>During construction</p>	<p>Public Works Department, Tree Division</p>	<p>Bureau of Building</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 encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of 			

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equipment with an open flame shall occur near or within the protected perimeter of any protected tree.

- iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.
- iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.
- v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.
- vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.

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:

- i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.
- ii. Replacement tree species shall consist of *Sequoia sempervirens* (Coast Redwood), *Quercus*

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agrifolia (Coast Live Oak), *Arbutus menziesii* (Madrone), *Aesculus californica* (California Buckeye), *Umbellularia californica* (California Bay Laurel), or other tree species acceptable to the Tree Division.

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

CULTURAL RESOURCES

SCA #33: Archaeological and Paleontological Resources – Discovery During Construction

During construction

N/A

Bureau of Building

Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are

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implemented.

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

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

SCA #34: Archaeologically Sensitive Areas – Pre-Construction Measures

The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources.

Provision A: Intensive Pre-Construction Study.

The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. At a minimum, the study shall include:

- a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources.

Prior to approval of construction-related permit; during construction

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- b. A report disseminating the results of this research.
- c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources.

If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction.

Provision B: Construction ALERT Sheet.

The project applicant shall prepare a construction "ALERT" sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil-disturbing activities within the project site.

The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in a visible location at the project site.			
SCA #35: Human Remains – Discovery during Construction			
Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.	During Construction	N/A	Bureau of Building
GEOLOGY AND SOILS			
SCA #37: Construction-Related Permit(s)			
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 #40: Seismic Hazards Zone (Landslide/Liquefaction)			
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

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
HAZARDOUS MATERIALS			
<p>SCA #15: Regulatory Permits and Authorizations from Other Agencies.</p> <p>The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.</p>	<p>Prior to activity requiring permit / authorization from regulatory agency</p>	<p>Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning</p>	<p>Applicable regulatory agency with jurisdiction</p>
<p>SCA #43: Hazardous Materials Related to Construction</p> <p>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> <ol 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 	<p>During construction</p>	<p>N/A</p>	<p>Bureau of Building</p>

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
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.			
SCA #44: Hazardous Building Materials and Site Contamination			
<i>a. Erosion and Sedimentation Control Plan Required</i>	Prior to approval of demolition, grading, or building permits	Bureau of Building	Bureau of Building
The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.			
<i>b. Environmental Site Assessment Required</i>	Prior to approval of construction-related permit	Applicable regulatory agency with jurisdiction	Applicable regulatory agency with jurisdiction
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.			
<i>c. Health and Safety Plan Required</i>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
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.			
<i>d. Best Management Practices (BMPs) Required for Contaminated Sites</i>	During construction	N/A	Bureau of Building
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:			

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> 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. 			
<p>SCA #45: Hazardous Materials Business Plan</p> <p>The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following:</p> <ul style="list-style-type: none"> a. The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids. b. The location of such hazardous materials. c. An emergency response plan including employee training information. d. A plan that describes the manner in which these materials are handled, transported, and disposed. 	Prior to building permit final	Oakland Fire Department	Oakland Fire Department
HYDROLOGY			
<p>SCA #48: Erosion and Sedimentation Control Measures for Construction</p> <p>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

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
SCA #50: NPDES C.3 Stormwater Requirements for Regulated Projects.	Prior to approval of construction-related permit	Bureau of Planning; Bureau of Building	Bureau of Building
<i>a. Post-Construction Stormwater Management Plan Required</i>			
<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>	Prior to building permit final	Bureau of Building	Bureau of Building
<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. 			
<i>b. Maintenance Agreement Required</i>	Prior to building permit final	Bureau of Building	Bureau of Building
<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. 			

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.			
NOISE			
SCA #63: Construction Days/Hours	During Construction	N/A	Bureau of Building
The project applicant shall comply with the following restrictions concerning construction days and hours:			
a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.			
b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.			
c. No construction is allowed on Sunday or federal holidays.			
Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.			
Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.			
SCA #64: Construction Noise	During Construction	N/A	Bureau of Building
The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:			
a. Equipment and trucks used for project construction shall utilize the best available noise			

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.</p> <p>b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.</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>			
SCA #65: Extreme Construction Noise			
a. <i>Construction Noise Management Plan Required</i>	Prior to Approval	Bureau of Building	Bureau of Building
<p>Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90 dBA), 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>i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</p> <p>ii. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</p>			

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and v. Monitor the effectiveness of noise attenuation measures by taking noise measurements. 			
<p><i>b. Public Notification Required</i></p> <p>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.</p>			
<p>SCA #67: Construction Noise Complaints</p> <p>The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ul style="list-style-type: none"> 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. 	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p>SCA #69: Operational Noise</p> <p>Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>	<p>Ongoing</p>	<p>N/A</p>	<p>Bureau of Building</p>

Mitigation Measures/ Standard Conditions of Approval

When Required

Initial Approval

Monitoring/
Inspection

RECREATION

SCA #76: Access to Parks and Open Space

The project applicant shall submit a plan for City review and approval to enhance bicycle and pedestrian access from the project site and adjacent areas to CHINESE GARDEN PARK. Examples of enhancements may include, but are not limited to, new or improved bikeways, bike parking, traffic control devices, sidewalks, pathways, bulb-outs, and signage. The project sponsor shall install the approved enhancements during construction and prior to completion of the project.

Prior to approval of construction-related permit

Bureau of Planning, Department of Transportation.

Department of Transportation

TRANSPORTATION – MITIGATION MEASURES

Mitigation Measure Traf-7: Optimize the traffic signal timing at the intersection of 5th Street/Oak Street. Optimization of traffic signal timing shall include adjusting the signal cycle length from 45 seconds to 60 seconds, and determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches. Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the Project sponsor shall submit the following to City of Oakland's Transportation Service Division and Caltrans for review and approval:

- a. Plans, Specifications, and Estimates (PS&E) to modify the intersection. All elements shall be designed to City standards in effect at the time of construction and all new and upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and ADA standards (according to Federal and State Access Board guideline) at the time of construction. Current City Standards call for among other items the elements listed below:
 - i. 2070L Type Controller
 - ii. Full signal actuation (includes video detection, bicycle detection, pedestrian push buttons)
 - iii. Fiber signal interconnect for corridors identified in the City's ITS Master Plan for a maximum of 600 feet
 - iv. GPS communication clock
 - v. Accessible pedestrian crosswalks according to Federal and State Access Board Guidelines

Monitoring Schedule

Submittal prior to issuance of a building permit
Implement TSD-approved improvements prior to final inspection of the building permit

Monitoring Responsibility

City of Oakland, CEEDA- Dept. of Engineering & Construction, Transportation Services Division;
City of Oakland CEEDA- Building Services Division, Zoning Inspection;
City of Oakland CEEDA-Planning & Zoning,
Caltrans

Monitoring/ Inspection

Review and approve PS&E.
Confirm that improvements are designed and implemented pursuant to approved PS&E.

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> vi. Accessible pedestrian signals audible and tactile according to Federal Access Board guidelines vii. Countdown Pedestrian Signals <p>b. Signal timing plans for the signals in the coordination group.</p> <p>The Project sponsor shall fund, prepare and install the approved plans and improvements.</p>			
<p>Mitigation Measure Traf-8: Optimize the traffic signal timing at the intersection of 6th Street/Jackson Street. Optimization of traffic signal timing would include adjusting cycle length from 60 seconds to 75 seconds, and determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches. Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the Project sponsor shall submit the following to City of Oakland's Transportation Service Division and Caltrans for review and approval:</p> <ul style="list-style-type: none"> a. Plans, Specifications, and Estimates (PS&E) to modify the intersection. All elements shall be designed to City standards in effect at the time of construction and all new and upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and ADA standards (according to Federal and State Access Board guideline) at the time of construction. Current City Standards call for among other items the elements listed below: <ul style="list-style-type: none"> i. 2070L Type Controller ii. Full signal actuation (includes video detection, bicycle detection, pedestrian push buttons) iii. Fiber signal interconnect for corridors identified in the City's ITS Master Plan for a maximum of 600 feet iv. GPS communication clock v. Accessible pedestrian crosswalks according to Federal and State Access Board Guidelines vi. Accessible pedestrian signals audible and tactile according to Federal Access Board guidelines vii. Countdown Pedestrian Signals b. Signal timing plans for the signals in the coordination group. <p>The Project sponsor shall fund, prepare and install the approved plans and improvements.</p>	<p>Submittal prior to issuance of a building permit</p> <p>Implement TSD-approved improvements identified in the PS&E prior to final inspection of the building permit</p>	<p>Project Sponsor; City of Oakland, CEDA- Dept. of Engineering & Construction, Transportation Services Division; City of Oakland CEDA- Building Services Division, Zoning Inspection; City of Oakland CEDA-Planning & Zoning Caltrans.</p>	<p>Review and approve PS&E.</p> <p>Confirm that improvements are designed and implemented pursuant to approved PS&E.</p>

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
Mitigation Measure Traf-10: Implement Mitigation Measure Traf-7.	See Mitigation Measure Traf-7, above		
Mitigation Measure Traf-11: Implement Mitigation Measure Traf-8	See Mitigation Measure Traf-8 above		
Mitigation Measure Traf-13: Implement Mitigation Measure Traf-7.	See Mitigation Measure Traf-7 above		
Mitigation Measure Traf-14: Implement Mitigation Measure Traf-8	See Mitigation Measure Traf-8 above		
TRANSPORTATION – STANDARD CONDITIONS OF APPROVAL			
SCA #77: Construction Activity in the Public Right-of-Way			
<i>a. Obstruction Permit Required</i> 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.	Prior to approval of construction-related permit	Department of Transportation	Department of Transportation
<i>b. Traffic Control Plan Required</i> In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction.		Department of Transportation	Department of Transportation
<i>c. Repair of City Streets</i> 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	Prior to building permit final	N/A	Department of Transportation

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
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>SCA #78: Bicycle Parking</p> <p>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 #79: Transportation Improvements</p> <p>The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Review for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, transportation demand management measures, and transit, pedestrian, and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</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) 	Prior to building permit final or as otherwise specified	Bureau of Building; Department of Transportation	Bureau of Building

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> 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) 			
SCA #80: Transportation and Parking Demand Management	Prior to approval of planning application	Bureau of Planning	N/A
<p>a. <i>Transportation and Parking Demand Management (TDM) Plan Required</i></p> <p>The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p>			
<ul style="list-style-type: none"> i. The goals of the TDM Plan shall be the following: <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"> o Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR o 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. ii. The TDM Plan should include the following: <ul style="list-style-type: none"> • Baseline existing conditions of parking and curbside regulations within the surrounding 			

Mitigation Measures/ Standard Conditions of Approval

When Required

Initial Approval

**Monitoring/
Inspection**

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).
- 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.
- 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.

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

Mitigation Measures/ Standard Conditions of Approval

When Required

Initial Approval

Monitoring/
Inspection

	<ul style="list-style-type: none"> 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 ¹	<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 minimum price floor for public parking ²	<ul style="list-style-type: none"> If proposed parking ratio exceeds 		

¹ Including but not limited to visibility improvements, shortening corner radii, pedestrian safety islands, accounting for pedestrian desire lines.

Mitigation Measures/ Standard Conditions of Approval

When Required

Initial Approval

Monitoring/
Inspection

	1:1000 sf. (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 changes³	<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 upgrades⁴	<ul style="list-style-type: none"> Project size exceeds 100 residential 		

² May also provide a cash incentive or transit pass alternative to a free parking space in commercial properties.

³ 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.

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
	<ul style="list-style-type: none"> 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) 		

- v. Other TDM strategies to consider include, but are not limited to, the following:
- 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 Bicycle Master Plan; construction of

⁴ Including typical traffic lights, pedestrian signals, bike actuated signals, transit-only signals

Mitigation Measures/ Standard Conditions of Approval

When Required

Initial Approval

Monitoring/
Inspection

priority bikeways, on-site signage and bike lane striping.

- 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)

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>parking for carpools and vanpools.</p> <ul style="list-style-type: none"> • 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 parking space in commercial properties. • 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><i>b. TDM Implementation – Physical Improvements</i></p>	<p>Prior to building permit final</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p>For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p>			
<p><i>c. TDM Implementation – Operational Strategies</i></p>	<p>Ongoing</p>	<p>Department of Transportation</p>	<p>Department of Transportation</p>
<p>For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the</p>			

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>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>			
SCA #84: Plug-In Electric Vehicle (PEV) Charging Infrastructure			
<i>a. PEV-Ready Parking Spaces</i>	Prior to Issuance of Building Permit	Bureau of Building	Bureau of Building
<p>The applicant shall submit, for review and approval of the Building Official and the Zoning Manager, plans that show the location of parking spaces equipped with full electrical circuits designated for future PEV charging (i.e. "PEV-Ready") per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-Ready parking spaces.</p>			
<i>b. PEV-Capable Parking Spaces</i>	Prior to Issuance of Building Permit	Bureau of Building	Bureau of Building
<p>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.</p>			
<i>c. ADA-Accessible Spaces</i>	Prior to Issuance of Building Permit	Bureau of Building	Bureau of Building
<p>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).</p>			
UTILITIES AND SERVICE SYSTEMS			
SCA #85: Construction and Demolition Waste Reduction and Recycling			
<p>The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify</p>	Prior to Approval of Construction-Related Permit	Public Works Department, Environmental Services Division	Public Works Department, Environmental Services Division

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>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.</p>			
<p>SCA #86: Underground Utilities</p> <p>The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p>	During Construction	N/A	Bureau of Building
<p>SCA #87: Recycling Collection and Storage Space</p> <p>The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 sf of building floor area is required, with a minimum of ten cubic feet.</p>	Prior to Approval of Construction- Related Permit	Bureau of Planning	Bureau of Building
<p>SCA #88: Green Building Requirements</p> <p><i>a. Compliance with Green Building Requirements During Plan-Check</i></p> <p>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).</p> <p>i. The following information shall be submitted to the City for review and approval with the application for a building permit:</p> <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. 	Prior to approval of construction- related permit	Bureau of Building	N/A

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. • Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <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. • [INSERT: Green building point level/certification requirement: (See Green Building Summary Table; for New Construction of Residential or Non-residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 53 points for residential and LEED Gold for non-residential)] per the appropriate checklist approved during the Planning entitlement process. • 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><i>b. Compliance with Green Building Requirements During Construction</i></p> <p>The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ul style="list-style-type: none"> 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 	During construction	N/A	Bureau of Building

Mitigation Measures/ Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>that the project complies with the requirements of the Green Building Ordinance.</p> <p>iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</p>			
<p><i>C. Compliance with Green Building Requirements After Construction</i></p> <p>Prior to the finaling the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.</p>	Prior to Final Approval	Bureau of Planning	Bureau of Building
<p>SCA #90: Sanitary Sewer System</p> <p>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.</p>	Prior to Approval of Construction-Related Permit	Public Works Department, Department of Engineering and Construction	N/A
<p>SCA#91: Storm Drain System</p> <p>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.</p>	Prior to Approval of Construction-Related Permit	Bureau of Building	Bureau of Building

325 SEVENTH STREET

DEVELOPMENT SUBMITTAL FOR DRC HEARING

325 Seventh Street
Oakland, California
September 24, 2018



PROJECT DESCRIPTION

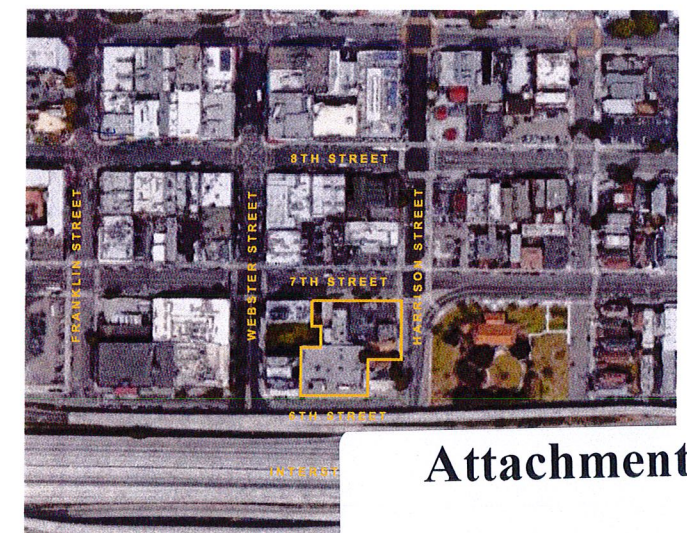
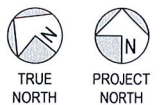
Situated on a site that measures 35,500 SF, and extending from the corner of 7th and Harrison to 6th Street, the project is proposed to be rental apartments with ground level retail.

The housing component provides a total of 380 units. Due to the unique shape of the site, the units will be divided into 2 towers. The North Tower will be 12 stories high and the South Tower will be 26 stories high. The towers will be connected by common facilities located on podium level. The units will range from studios up to 3 bedroom types.

The housing will be supported by 60-70% parking in a one-story underground and ground level parking garage. The majority of the spaces will be mechanically organized and operated.

The commercial area on the street level will range from 6,777 SF to 8,195 SF, and will be concentrated at the corner of 7th and Harrison with a smaller tenant space along 7th Street.

VICINITY MAP - not to scale



Attachment C

PROJECT DIRECTORY

OWNER/DEVELOPER	GENERAL CONTRACTOR	ARCHITECT
BALCO PROPERTIES LTD. LLC 1624 FRANKLIN STREET OAKLAND, CA 94612 TEL : 510.763.2911	SWENSON BUILDERS 777 NORTH 1ST STREET, 5TH FLOOR SAN JOSE, CA 95112 TEL : 408.287.0246	YHLA ARCHITECTS 1617 CLAY STREET OAKLAND, CA 94612 TEL : 510.836.6688

LANDSCAPE CONSULTANT	LIGHTING DESIGNER
JETT LANDSCAPE ARCHITECTURE + DESIGN 2 ORINDA THEATRE SQUARE #218, ORINDA, CA 94563 TEL : 925.254.5422	LIGHTING DESIGN ALLIANCE 2830 TEMPLE AVENUE LONG BEACH, CA 90806 TEL : 562.989.3843

SHEET INDEX

A-0	COVER SHEET	LANDSCAPE
A-1	DEVELOPMENT SUMMARY	L-1 STREET LEVEL LANDSCAPE CONCEPT
A-2	SITE LOCATION PLAN / CONTEXT	L-2 PODIUM COURTYARD LANDSCAPE CONCEPT
A-3a	NEIGHBORHOOD CONTEXT PHOTOS	L-3 SKY DECKS LANDSCAPE CONCEPT
A-3b	NEIGHBORHOOD CONTEXT PHOTOS	
A-4	SITE LOCATION PLAN	APPENDIX
A-5	CODE COMPLIANCE SITE PLAN	CMP-0 COMPARISON SUMMARY
A-6	SITE PLAN	CMP-1 PROGRAM AND TYPICAL FLOOR PLAN COMPARISON
A-7	BASEMENT FLOOR PLAN	CMP-2 SECTION COMPARISON
A-8	GROUND FLOOR PLAN	CMP-3 PEDESTRIAN/VEHICULAR CIRCULATION COMPARISON
A-9	2ND FLOOR PLAN	CMP-4 SHADOW STUDY
A-10	3RD FLOOR PLAN	CMP-5 SHADOW STUDY
A-11	4TH -10TH FLR PLAN	CMP-6 SHADOW STUDY
A-12	11TH -12TH FLR PLAN	CMP-7 SHADOW STUDY
A-13	13TH-26TH FLR PLAN	CMP-8 SHADOW STUDY
A-14	ROOF PLAN AT SKY TERRACES	CMP-9 SHADOW STUDY
A-15	ROOF PLAN	CMP-10 3D MODEL COMPARISON
A-16	BUILDING ELEVATION	CMP-11 3D MODEL COMPARISON
A-17	BUILDING ELEVATION	CMP-12 3D MODEL COMPARISON
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A-19	BUILDING ELEVATION	
A-20	BUILDING SECTION	
A-21	COLOR AND MATERIAL CONCEPT	
A-22	3D RENDERING - OVERALL VIEW FROM SOUTH	
A-23	3D RENDERING - OVERALL VIEW FROM EAST	
A-24	3D RENDERING - STREET LEVEL WITH PHOTO CONTEXT	
A-25	3D RENDERING - ENTRY AT 7TH AND HARRISON	
A-26	3D RENDERING - HARRISON STREET FACADE	

PROJECT INFORMATION

BUILDING CODE

SEISMIC ZONE :	4
CONSTRUCTION TYPE :	TYPE 1 TOWER AND TYPE 3A OVER TYPE 1 PODIUM
FIRE SPRINKLERS :	NFPA-13
OCCUPANCY GROUP :	R-2/M
BUILDING HEIGHT / NUMBER OF STORES :	275'-0"
USE :	MULTI-FAMILY RESIDENTIAL / COMMERCIAL
ZONING DESIGNATION :	-
CODE EDITION :	2016 CALIFORNIA BUILDING STANDARDS CODE

PROJECT INFORMATION

BUILDING AND SITE

BUILDING - GROSS FLOOR AREA	478,992 SF
BUILDING OUTLINE	35,500 SF
NET SITE AREA :	BUILDING SITE - +/-0.81 ACRES (35,500 SF)
FLOOR AREA RATIO :	GFA = 478,992 SF = 13.49
	NET SITE AREA = 35,500 SF
BUILDING COVERAGE :	BLDG. OUTLINE = 35,500 SF = 1
	NET SITE AREA = 35,500 SF
PROJECT HOUSING DENSITY :	NUMBER OF UNITS = 380 = 469 DU/AC
	SITE AREA = 0.81 ACRES

BUILDING DEVELOPMENT CHART

	GROSS SF	PARKING/ AISLE/ DRIVEWAY	COMMERCIAL SF	RESIDENTIAL SF	GROUP OS SF	PRIVATE OS SF
BASEMENT	27,000	20,034	-	-	-	-
GROUND FLR.	35,063	15,954	6,777	-	-	-
2ND FLOOR	20,187	-	2,938	4,581	-	433
3RD FLOOR	26,476	-	-	14,984	9,310	699
4TH FLOOR	25,460	-	-	20,495	-	415
5TH FLOOR	25,460	-	-	20,495	-	657
6TH FLOOR	25,460	-	-	20,495	-	779
7TH FLOOR	25,460	-	-	20,495	-	170
8TH FLOOR	25,460	-	-	20,495	-	779
9TH FLOOR	25,460	-	-	20,495	-	170
10TH FLOOR	25,460	-	-	20,495	-	779
11TH FLOOR	25,567	-	-	20,555	-	319
12TH FLOOR	25,567	-	-	20,555	-	77
13TH FLOOR	12,636	-	-	10,306	-	510
14TH FLOOR	12,636	-	-	10,306	-	268
15TH FLOOR	12,636	-	-	10,306	-	510
16TH FLOOR	12,636	-	-	10,306	-	268
17TH FLOOR	12,636	-	-	10,306	-	510
18TH FLOOR	12,636	-	-	10,306	-	268
19TH FLOOR	12,636	-	-	10,306	-	510
20TH FLOOR	12,636	-	-	10,306	-	268
21ST FLOOR	12,636	-	-	10,306	-	510
22ND FLOOR	12,636	-	-	10,306	-	268
23RD FLOOR	12,636	-	-	10,306	-	510
24TH FLOOR	12,636	-	-	10,306	-	268
25TH FLOOR	12,636	-	-	10,306	-	510
26TH FLOOR	12,636	-	-	10,306	-	268
ROOF FLOOR	-	-	-	-	5,140	-
TOTAL	478,992	35,988	6,777-9,715	348,419	14,450	10,935

PROJECT INFORMATION

PARKING

	MECHANICAL PARKING SPACES	STANDARD PARKING SPACES	COMPACT PARKING SPACES	ACCESSIBLE PARKING SPACES	TOTAL
BASEMENT FLOOR	164	-	-	2	166
GROUND FLOOR	55	4	-	6	65
TOTAL PARKING SPACES	219	4	-	8	231
PARKING RATIO:	NUMBER OF PARKING =		231	= 0.61 SPACE/UNIT	
	NUMBER OF UNIT		380		

17 SPACES REMAIN FOR COMMERCIAL USE: PER 17.116.080, C-40 ZONE:
6,454 SF GENERAL RETAIL = 1 SPACE/ 400 SF = 17 SPACES REQUIRED
2,128 SF OFFICE USE = NO SPACES REQUIRED UNDER 3,000 SF

OPEN SPACE

PER OMC 17.99.050 - 75 SF / UNIT AND 50 SF/ EFFICIENCY UNIT:
[50 x 50SF] + [330 X 75SF] = **27,250 SF TOTAL REQUIRED**

*MAY SUBSTITUTE 1 SF OF PRIVATE OPEN SPACE AS 2 SF OF GROUP OPEN SPACES PER 17.126.020

	GROUP OPEN SPACE	PRIVATE OPEN SPACE
	PROVIDED	PROVIDED
SHARED COURTYARDS	9,310	COURTYARD/BALCONIES 10,935 SF
		GROUP OS EQUIVALENT*
		21,870 SF
TOTAL PROVIDED	9,310 SF + 21,870 SF = 31,180 SF > 27,250 SF REQUIRED	

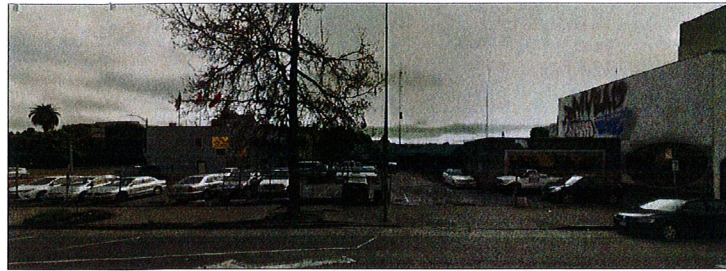
RESIDENTIAL UNIT MIX

	EF STUDIO	STUDIO	JR 1 - BR	1 - BR	1+ - BR	2 - BR	2+ - BR	3 - BR
2ND FLOOR	-	-	1	1	1	1	-	1
3RD FLOOR	5	2	1	6	1	2	-	2
4TH -10TH FLRS(PER FLR/SUBTOTAL)	5 / 35	2 / 14	2 / 14	6 / 42	2 / 14	4 / 28	1 / 7	2 / 14
11TH-12TH FLRS (PER FLR/SUBTOTAL)	5 / 10	2 / 4	2 / 4	6 / 12	2 / 4	4 / 8	1 / 2	2 / 4
13TH - 26TH FLRS. (PER FLR/SUBTOTAL)	-	-	2 / 28	1 / 14	2 / 28	3 / 42	1 / 14	1 / 14
TOTAL	50	20	48	75	48	81	23	35

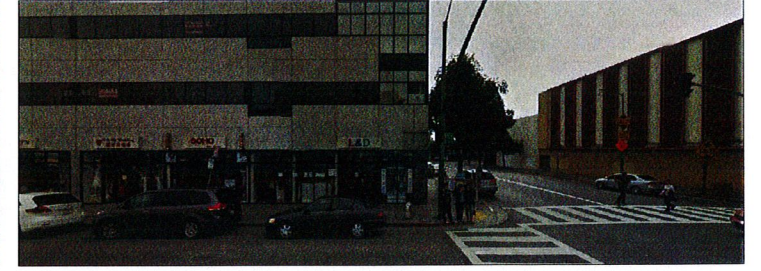
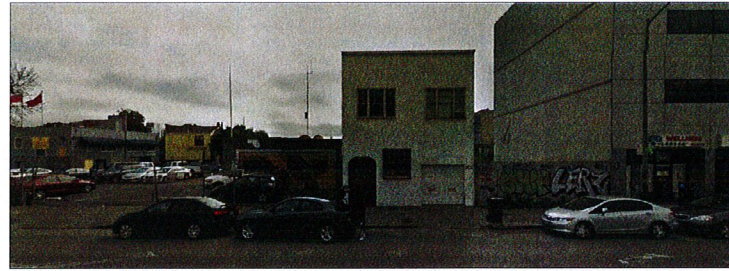
TOTAL NUMBER OF RESIDENTIAL UNITS = 380

AVG. UNIT SIZE = 917 SF

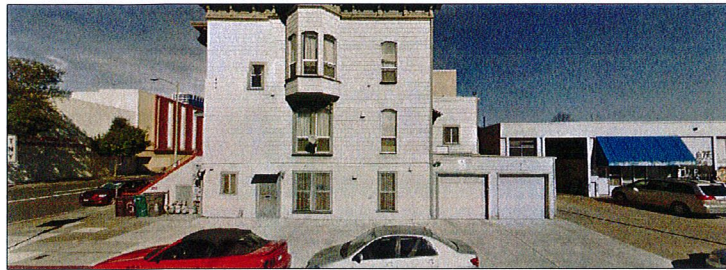
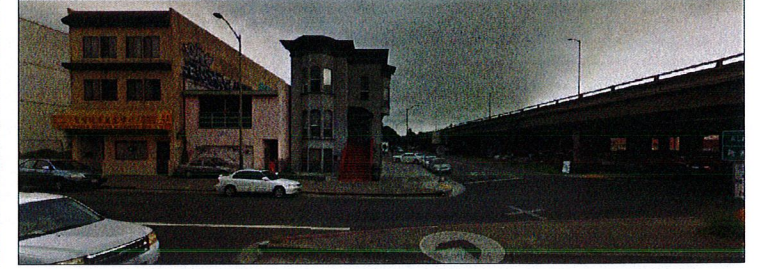
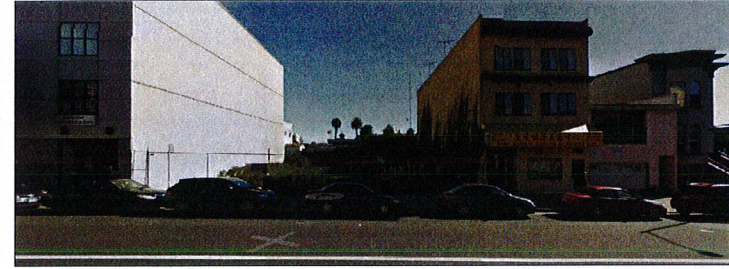
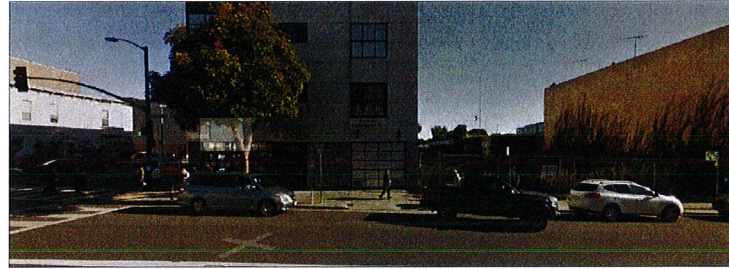




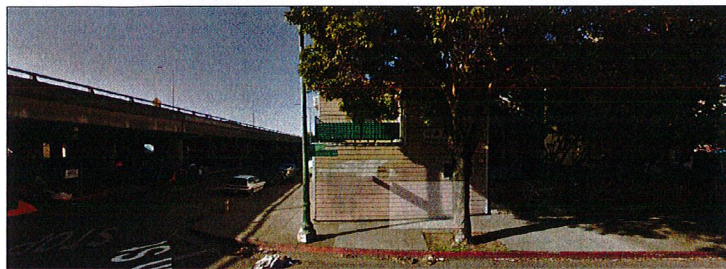
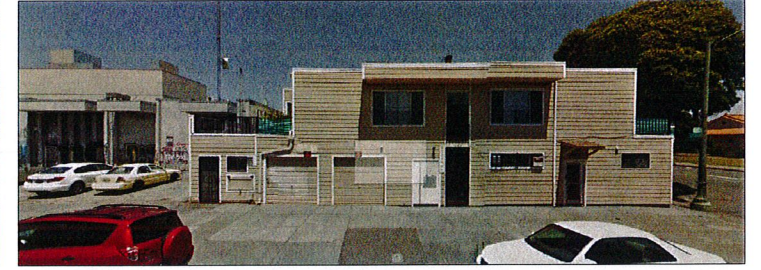
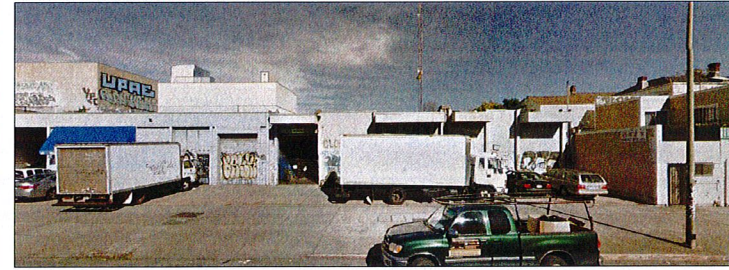
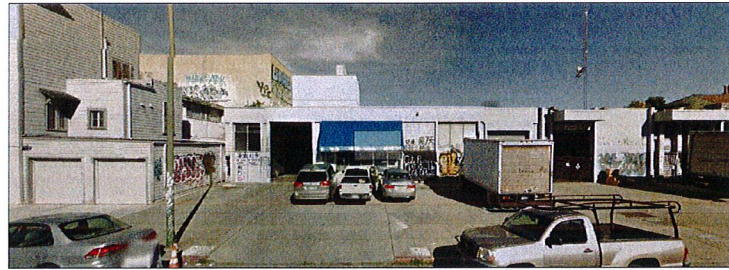
7TH STREET ELEVATIONS



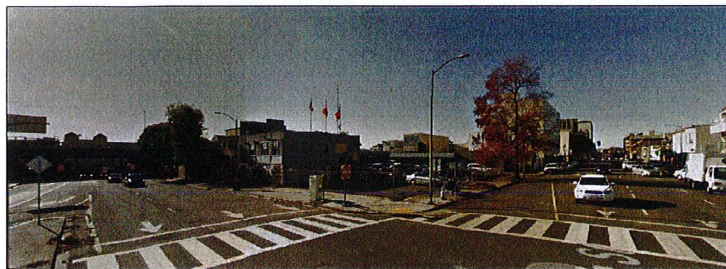
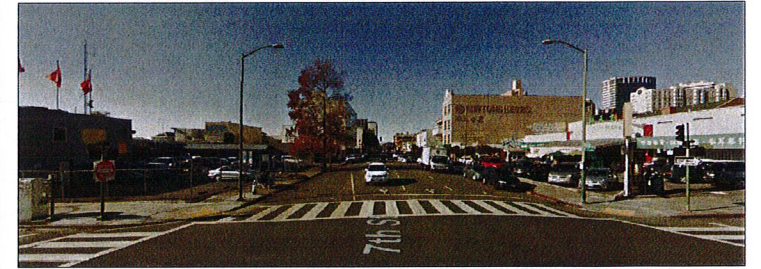
WEBSTER STREET ELEVATIONS



6TH STREET ELEVATIONS



HARRISON STREET ELEVATIONS



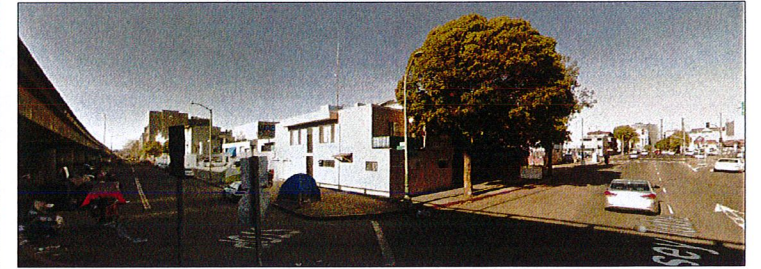
7TH AND HARRISON



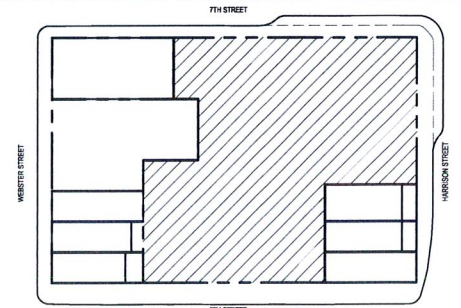
7TH AND WEBSTER



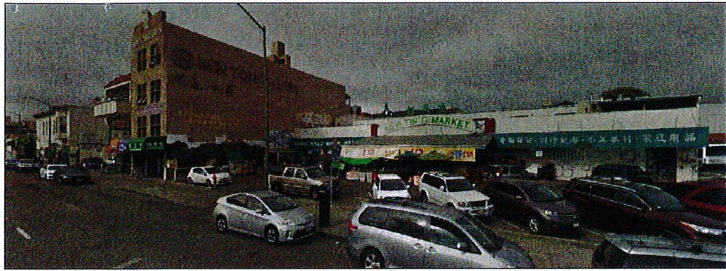
6TH AND WEBSTER



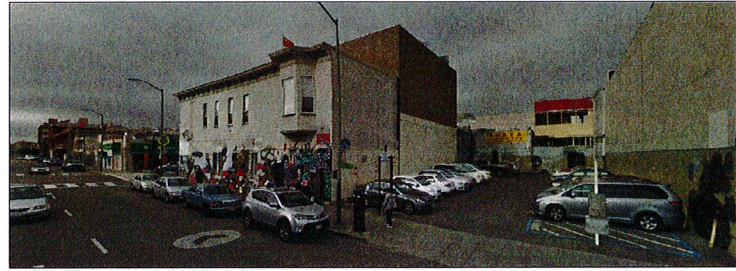
6TH AND HARRISON



SITE MAP



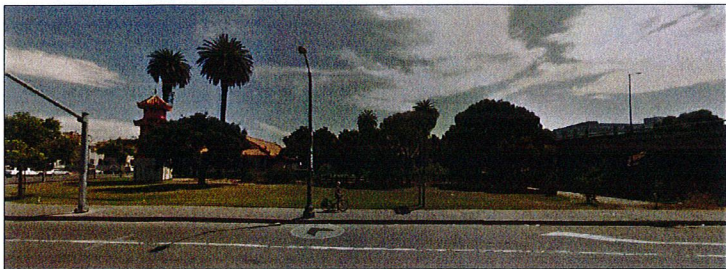
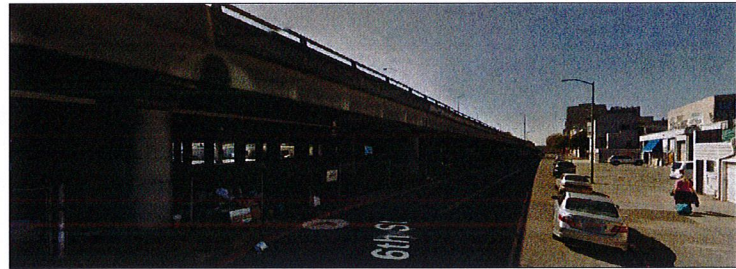
7TH STREET - ACROSS FROM SITE



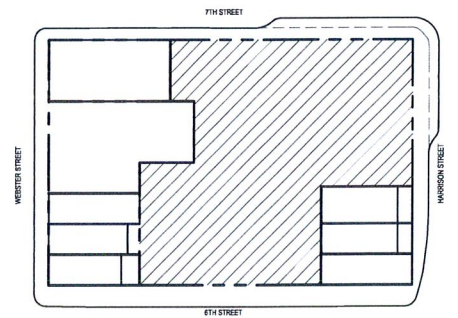
WEBSTER STREET - ACROSS FROM SITE



6TH STREET - ACROSS FROM SITE



HARRISON STREET - ACROSS FROM SITE



SITE MAP



8TH STREET

7TH STREET

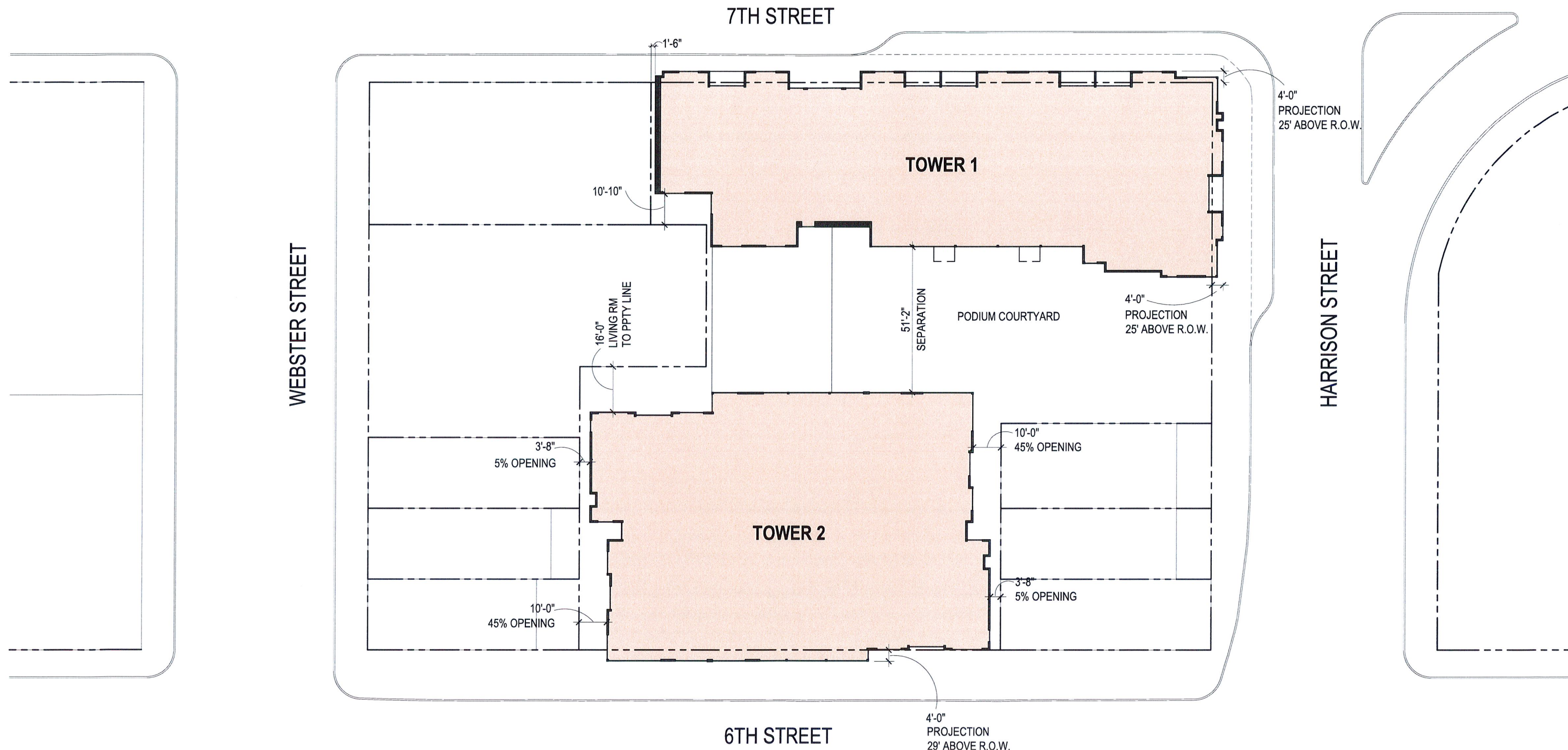
6TH STREET

INTERSTATE 880

FRANKLIN STREET

WEBSTER STREET

HARRISON STREET



WEBSTER STREET

7TH STREET

HARRISON STREET

6TH STREET

TOWER 1

TOWER 2

PODIUM COURTYARD

SEPARATION

10'-10"

16'-0"
LIVING RM
TO PPTY LINE

51'-2"

4'-0"
PROJECTION
25' ABOVE R.O.W.

4'-0"
PROJECTION
25' ABOVE R.O.W.

3'-8"
5% OPENING

10'-0"
45% OPENING

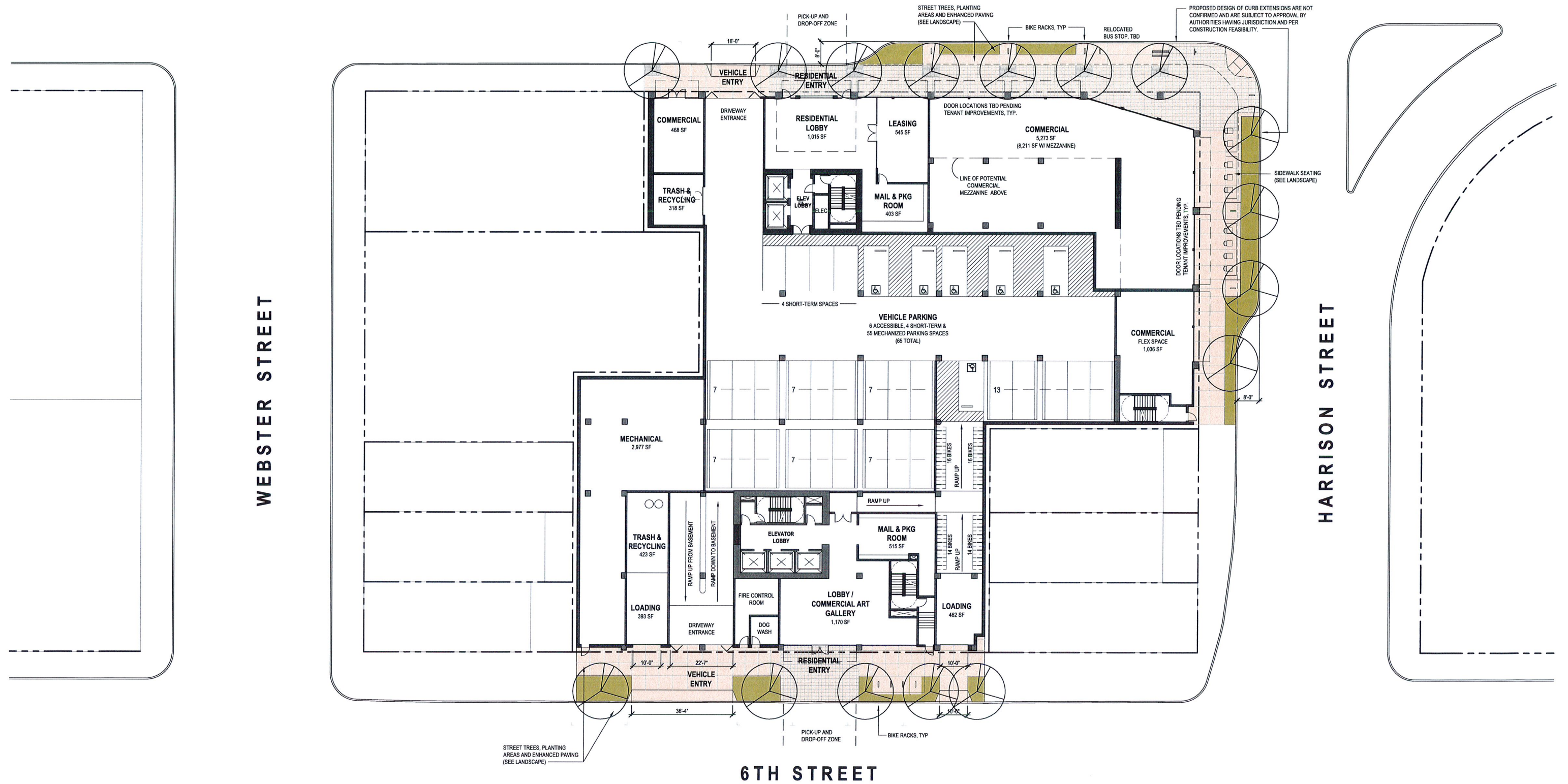
10'-0"
45% OPENING

3'-8"
5% OPENING

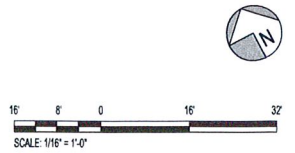
4'-0"
PROJECTION
29' ABOVE R.O.W.

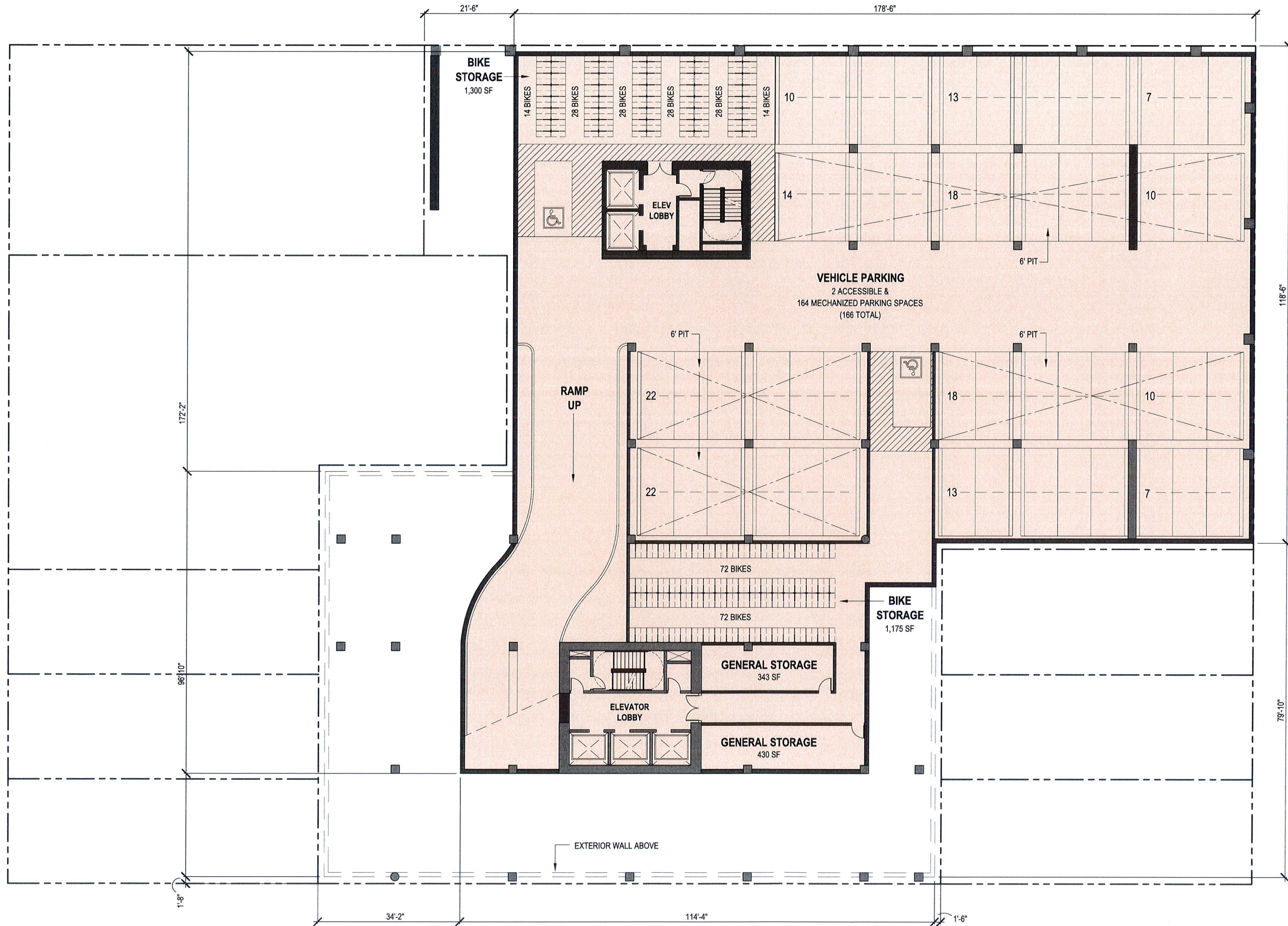


7TH STREET



6TH STREET

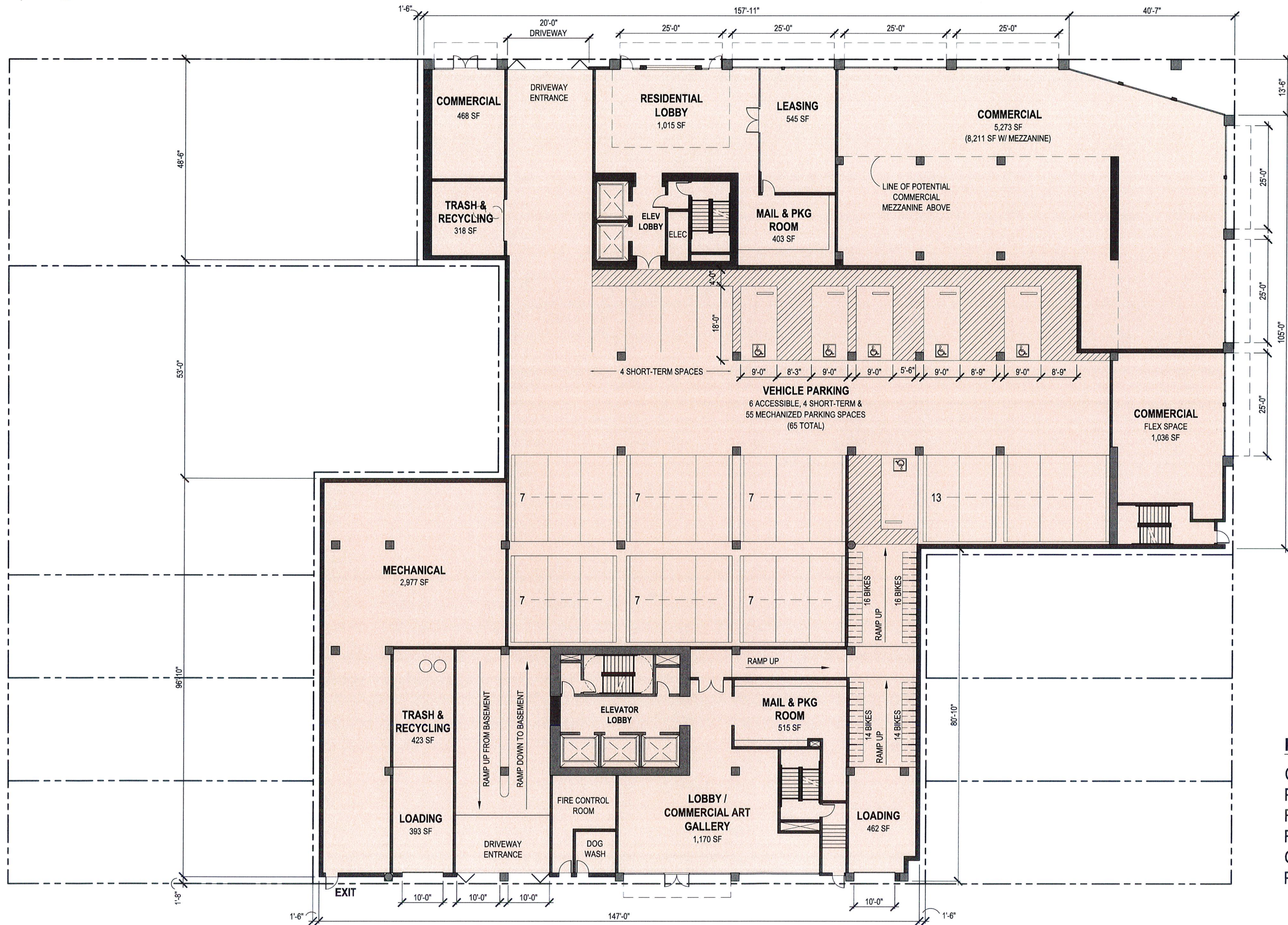




FLOOR PROGRAM SUMMARY

COMMERCIAL SF:	0
PARKING SPACES:	166
RESIDENTIAL UNITS:	0
RESIDENTIAL AREA:	0
GROUP OPEN SPACE:	0
PRIVATE OPEN SPACE:	0

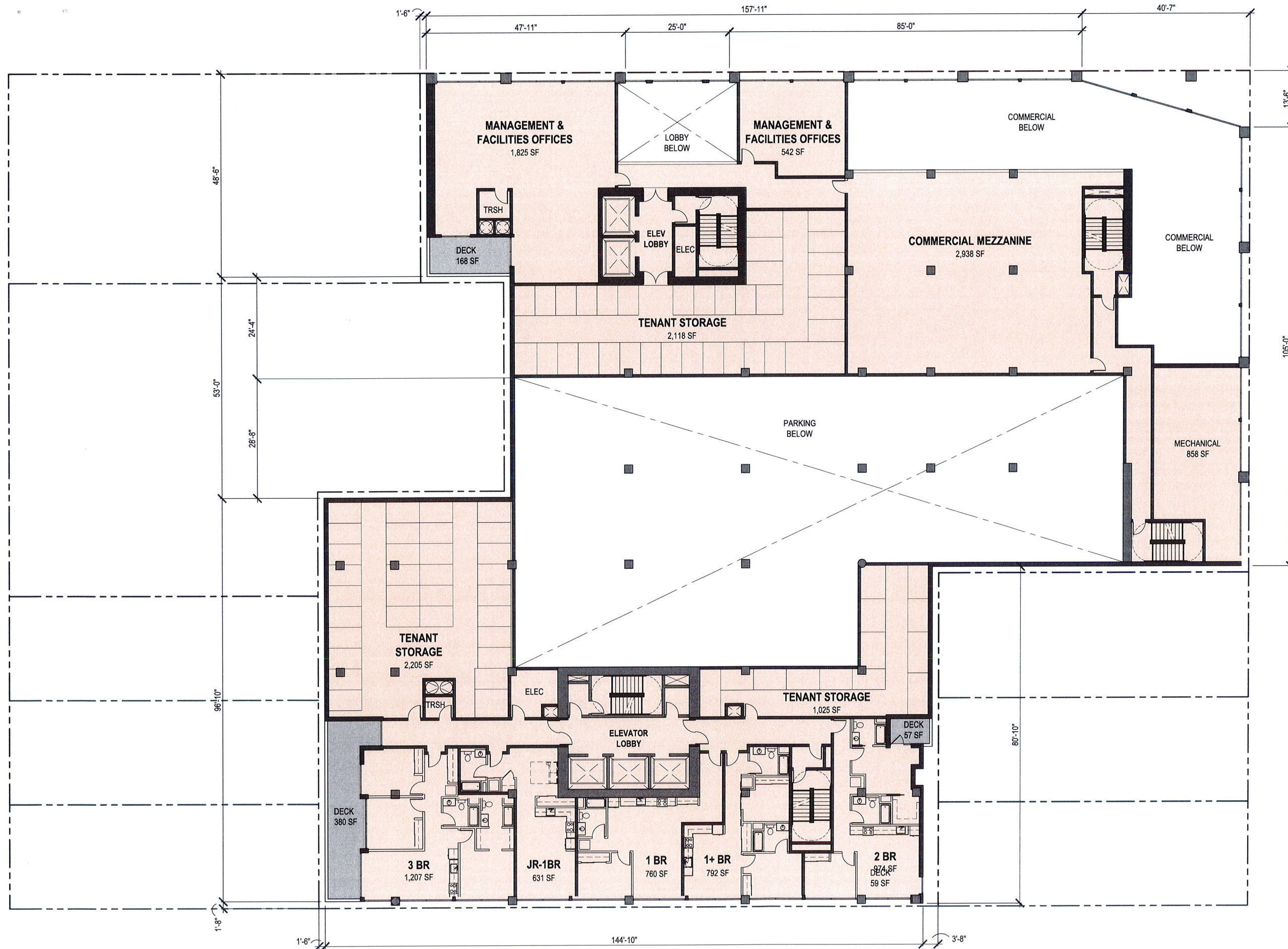




FLOOR PROGRAM SUMMARY

COMMERCIAL SF:	6,777 SF
PARKING SPACES:	65
RESIDENTIAL UNITS:	0
RESIDENTIAL AREA:	0
GROUP OPEN SPACE:	0
PRIVATE OPEN SPACE:	0

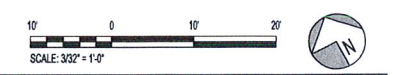


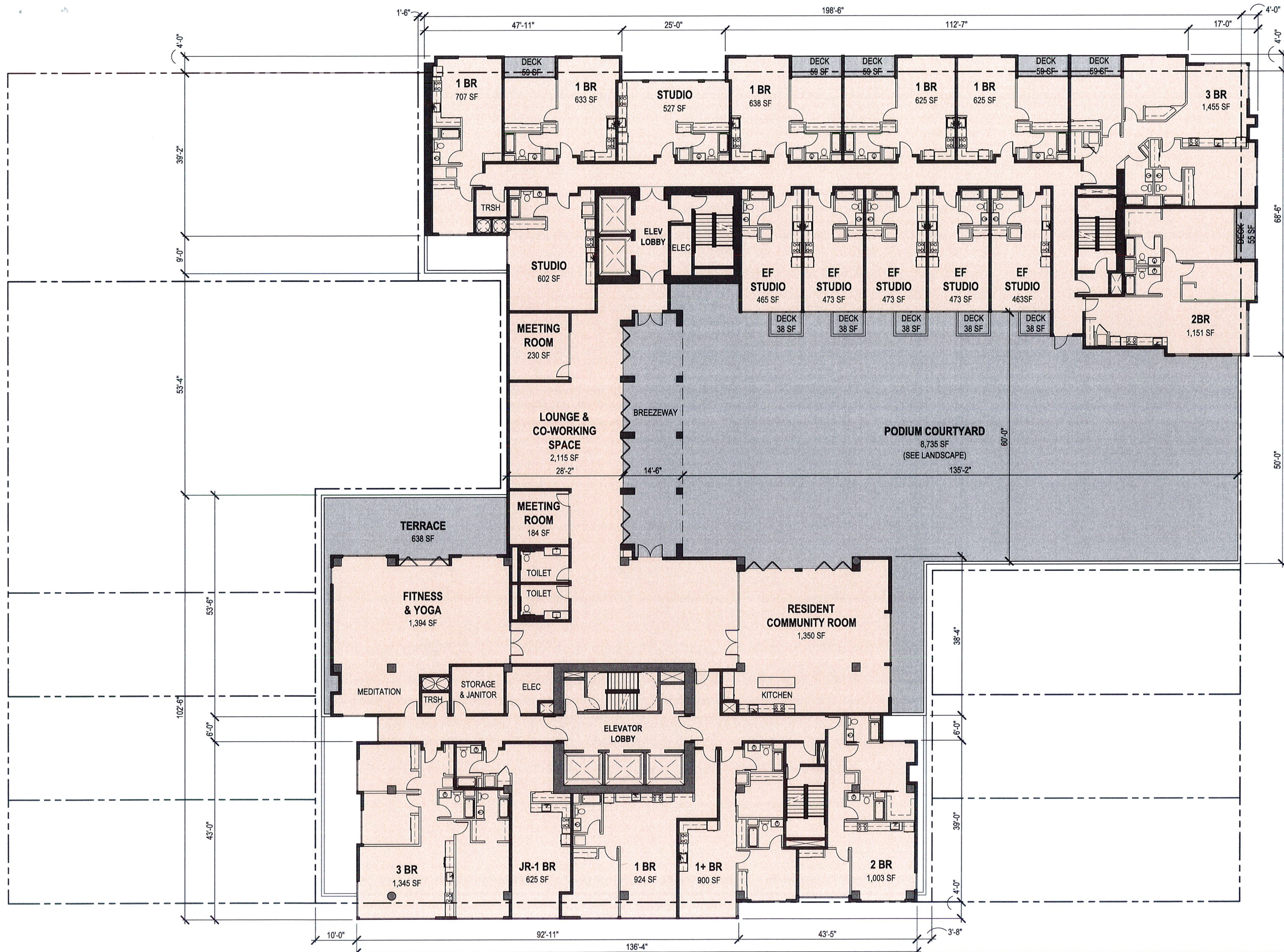


← TOWER 2
5 UNITS

FLOOR PROGRAM SUMMARY

COMMERCIAL SF:	2,938 SF
PARKING SPACES:	0
RESIDENTIAL UNITS:	5
RESIDENTIAL AREA:	4,364 SF
GROUP OPEN SPACE:	0
PRIVATE OPEN SPACE:	437 SF





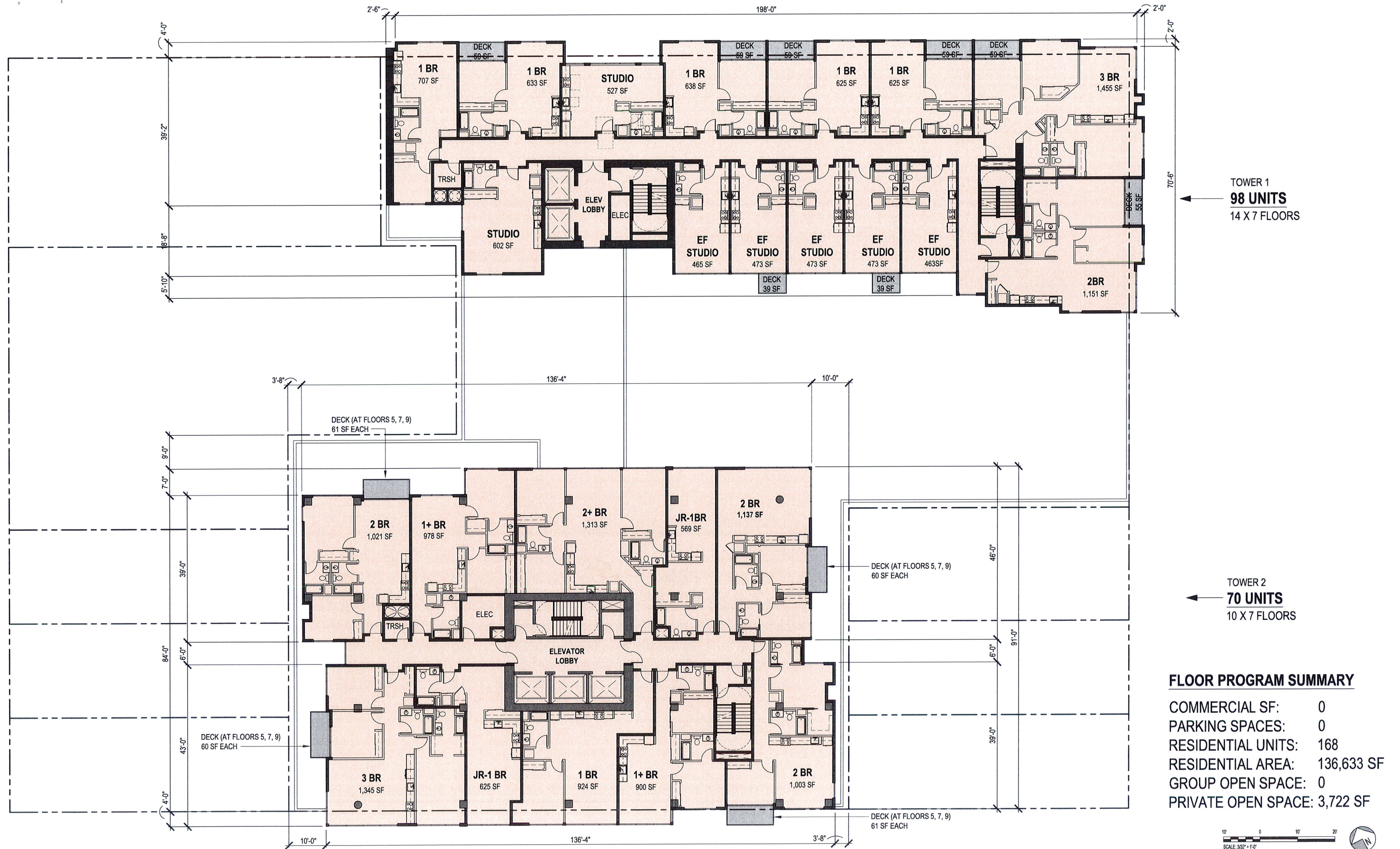
TOWER 1
14 UNITS

TOWER 2
5 UNITS

FLOOR PROGRAM SUMMARY

COMMERCIAL SF:	0
PARKING SPACES:	0
RESIDENTIAL UNITS:	18
RESIDENTIAL AREA:	14,270 SF
GROUP OPEN SPACE:	9,373 SF
PRIVATE OPEN SPACE:	540 SF



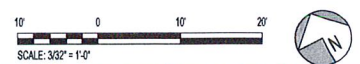


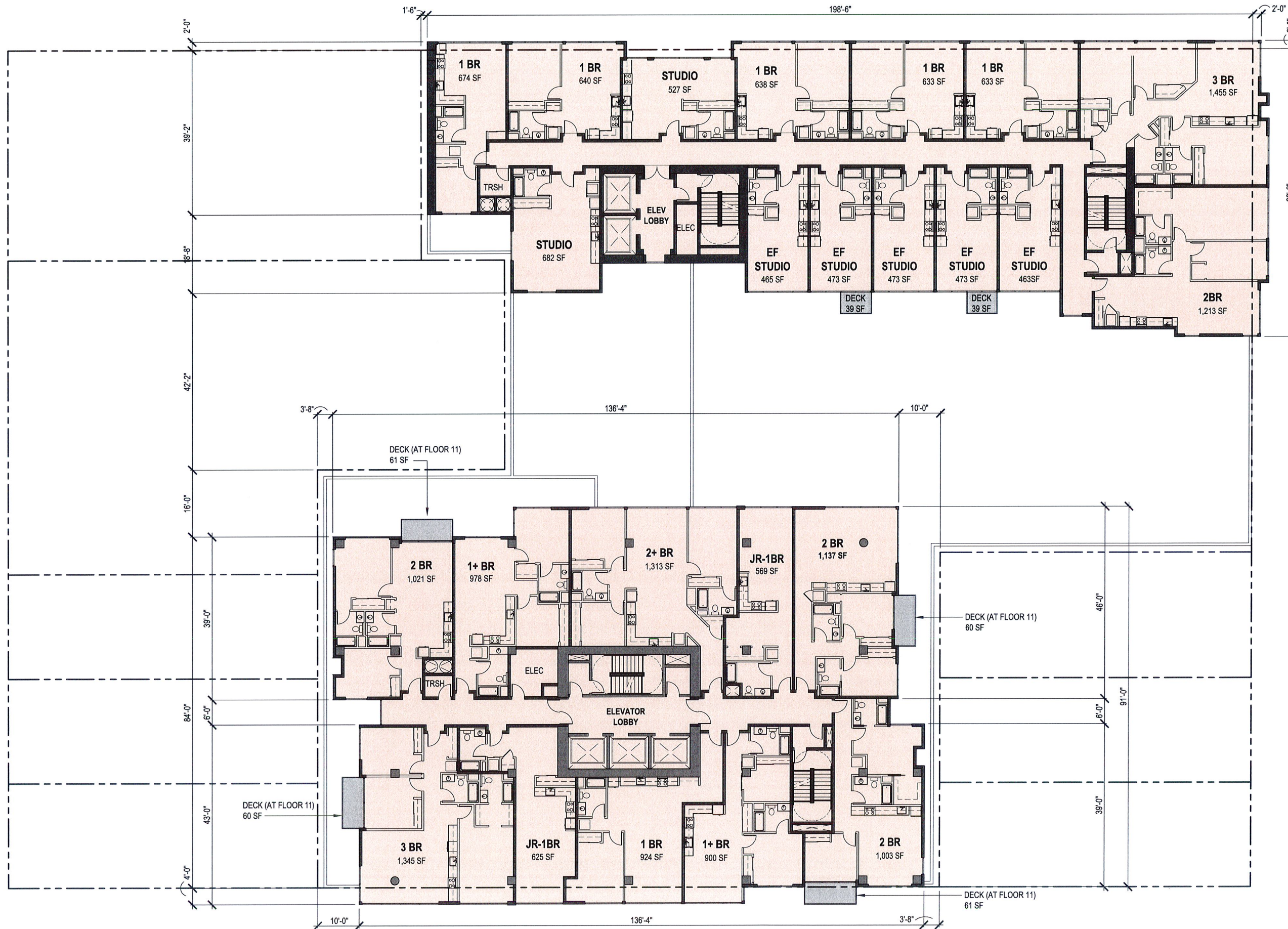
TOWER 1
98 UNITS
 14 X 7 FLOORS

TOWER 2
70 UNITS
 10 X 7 FLOORS

FLOOR PROGRAM SUMMARY

COMMERCIAL SF:	0
PARKING SPACES:	0
RESIDENTIAL UNITS:	168
RESIDENTIAL AREA:	136,633 SF
GROUP OPEN SPACE:	0
PRIVATE OPEN SPACE:	3,722 SF





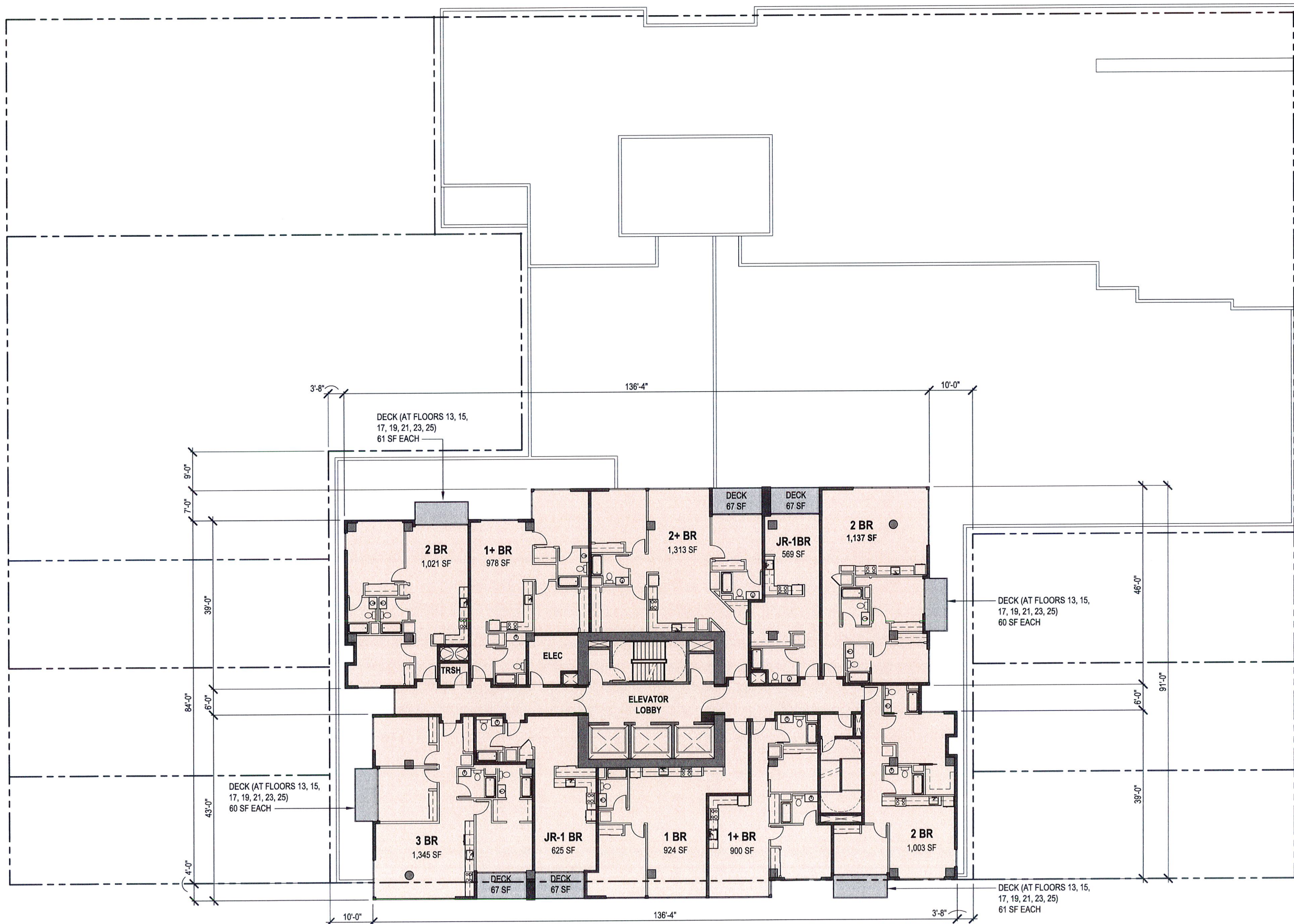
TOWER 1
28 UNITS
 14 X 2 FLOORS

TOWER 2
20 UNITS
 10 X 2 FLOORS

FLOOR PROGRAM SUMMARY

COMMERCIAL SF:	0
PARKING SPACES:	0
RESIDENTIAL UNITS:	48
RESIDENTIAL AREA:	39,152 SF
GROUP OPEN SPACE:	0
PRIVATE OPEN SPACE:	398 SF

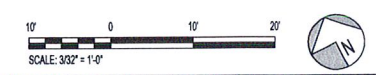


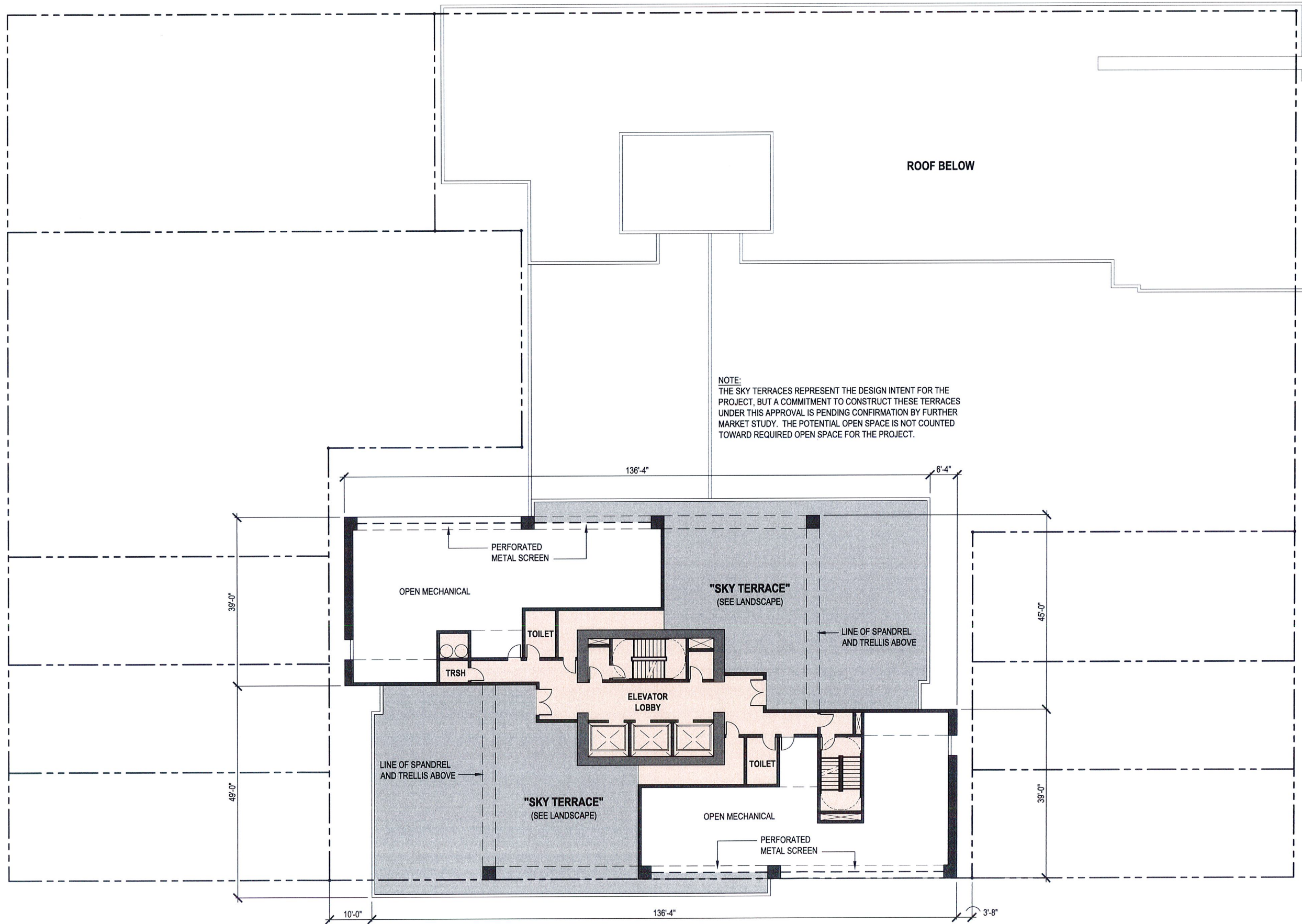


TOWER 2
140 UNITS
 10 X 14 FLOORS

FLOOR PROGRAM SUMMARY

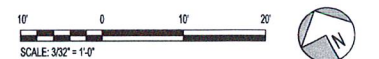
COMMERCIAL SF:	0
PARKING SPACES:	0
RESIDENTIAL UNITS:	140
RESIDENTIAL AREA:	137,410 SF
GROUP OPEN SPACE:	0
PRIVATE OPEN SPACE:	5,446 SF

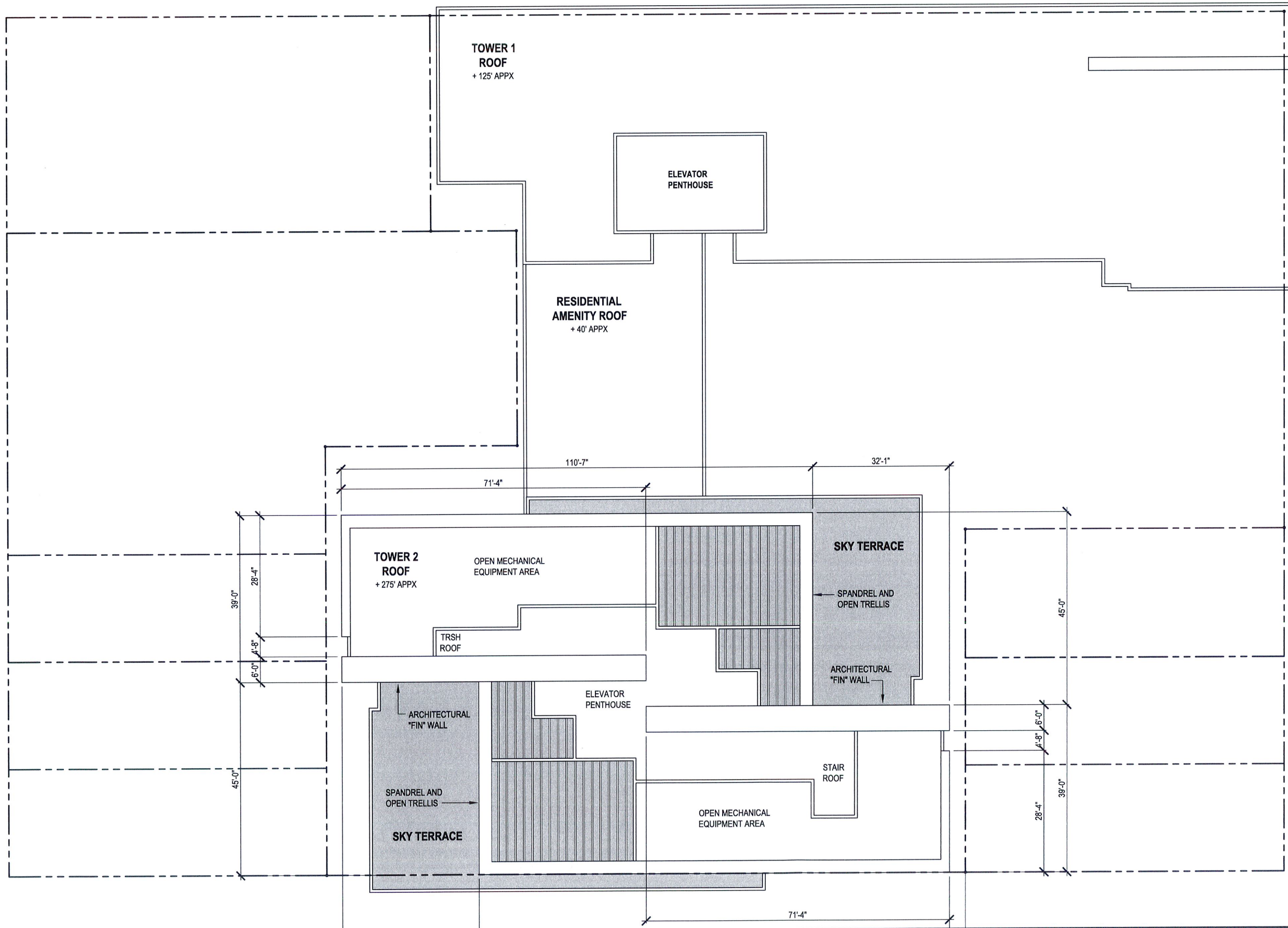




FLOOR PROGRAM SUMMARY

COMMERCIAL SF:	0
PARKING SPACES:	0
RESIDENTIAL UNITS:	0
RESIDENTIAL AREA:	0
GROUP OPEN SPACE:	5,206 SF
PRIVATE OPEN SPACE:	0

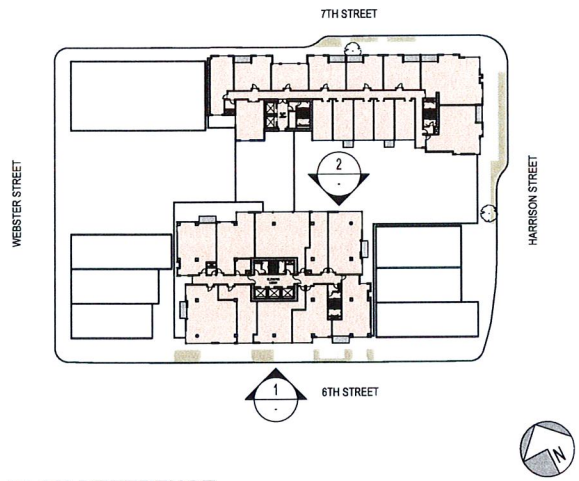




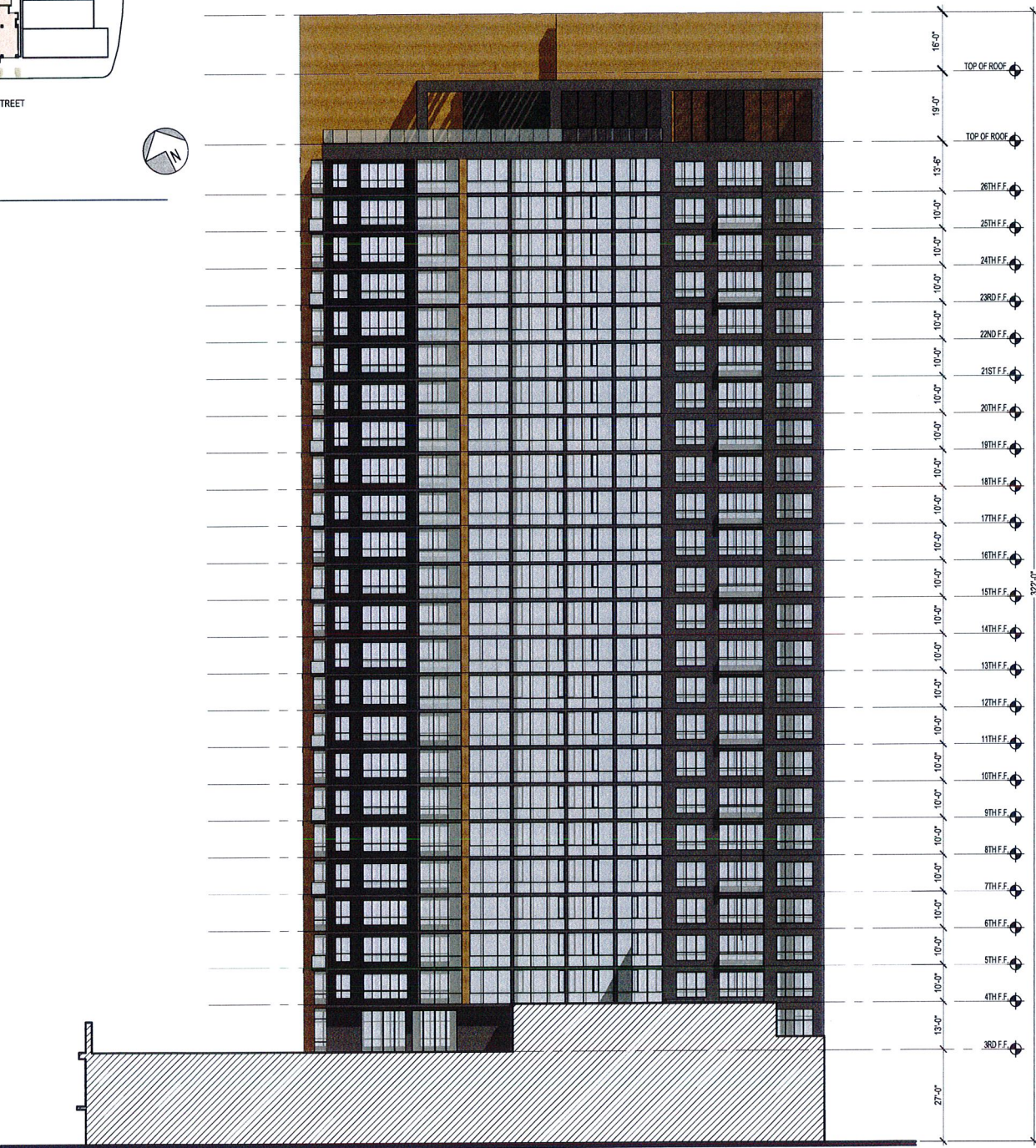
FLOOR PROGRAM SUMMARY

COMMERCIAL SF:	0
PARKING SPACES:	0
RESIDENTIAL UNITS:	0
RESIDENTIAL AREA:	0
GROUP OPEN SPACE:	0
PRIVATE OPEN SPACE:	0





PLAN REFERENCE

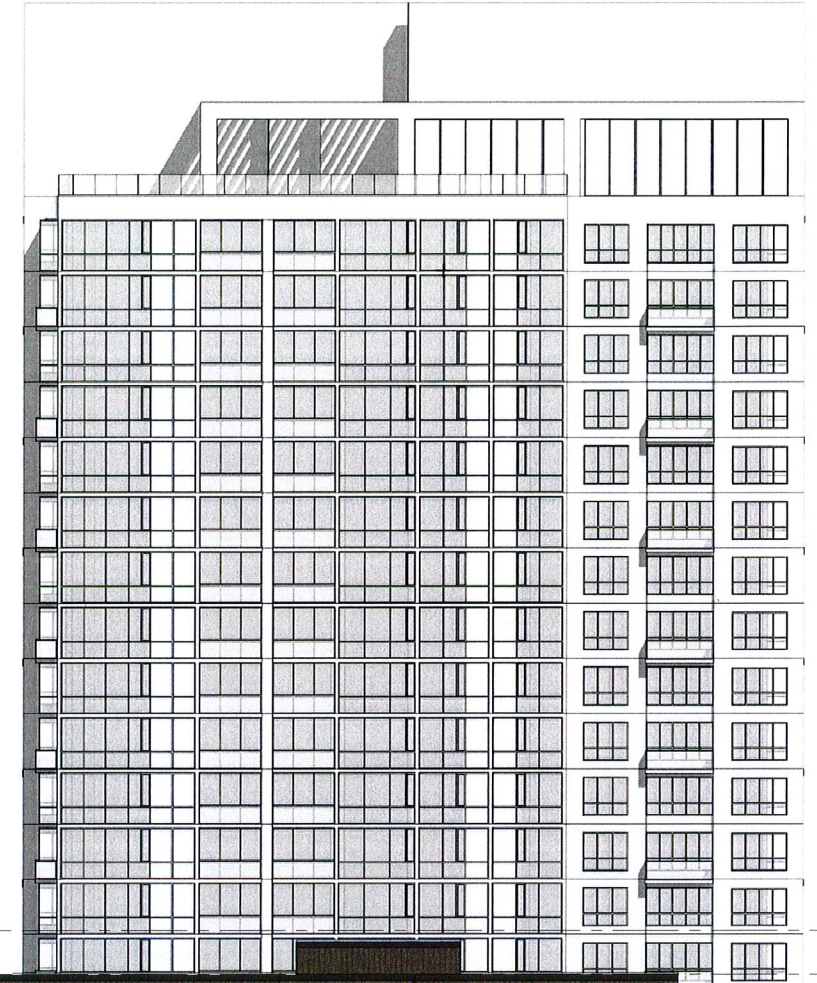
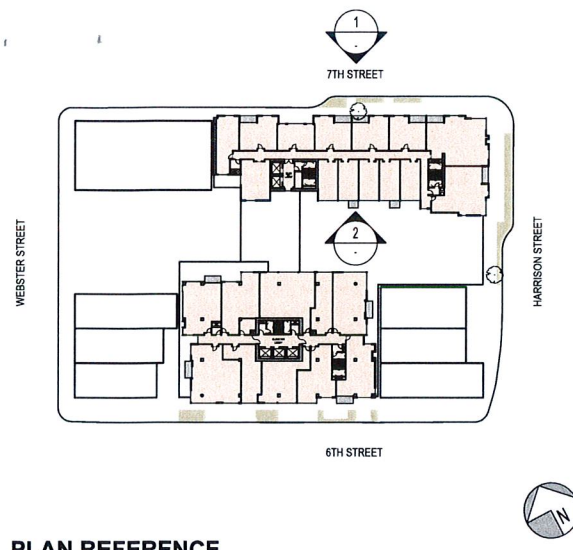


2 NORTH ELEVATION
SCALE: 1/16"=1'-0"



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



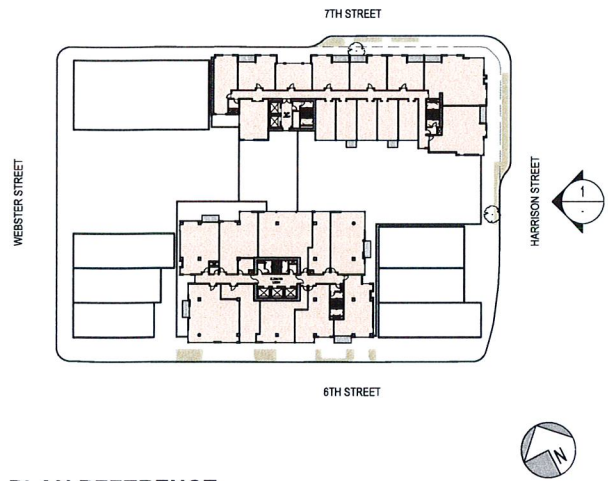


1 NORTH ELEVATION
SCALE: 1/16" = 1'-0"



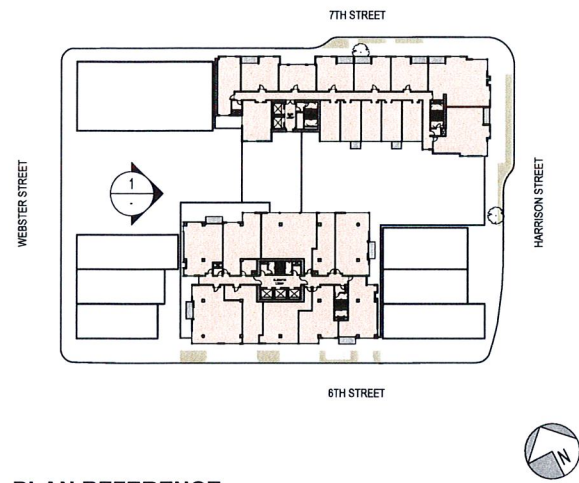
2 SOUTH ELEVATION FROM TERRACE
SCALE: 1/16" = 1'-0"



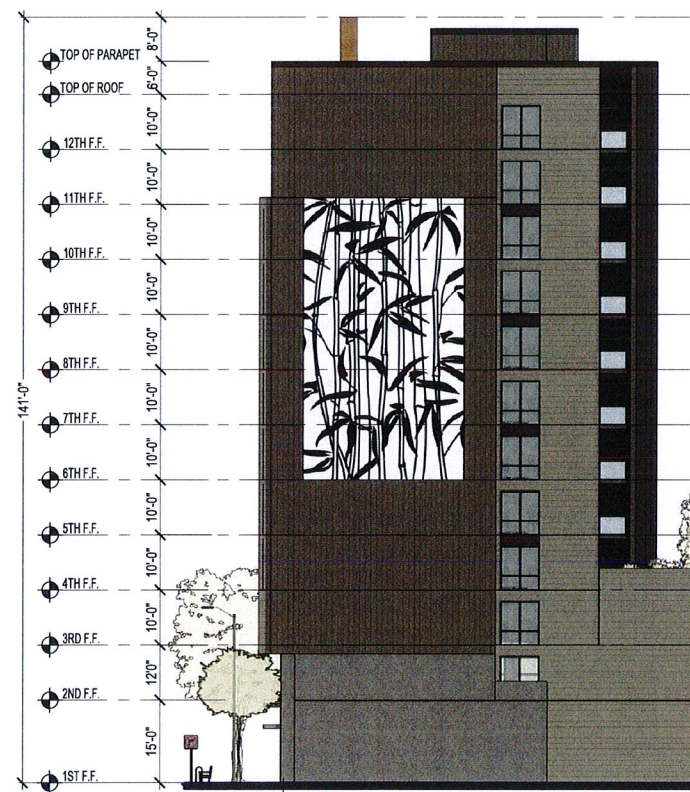


PLAN REFERENCE

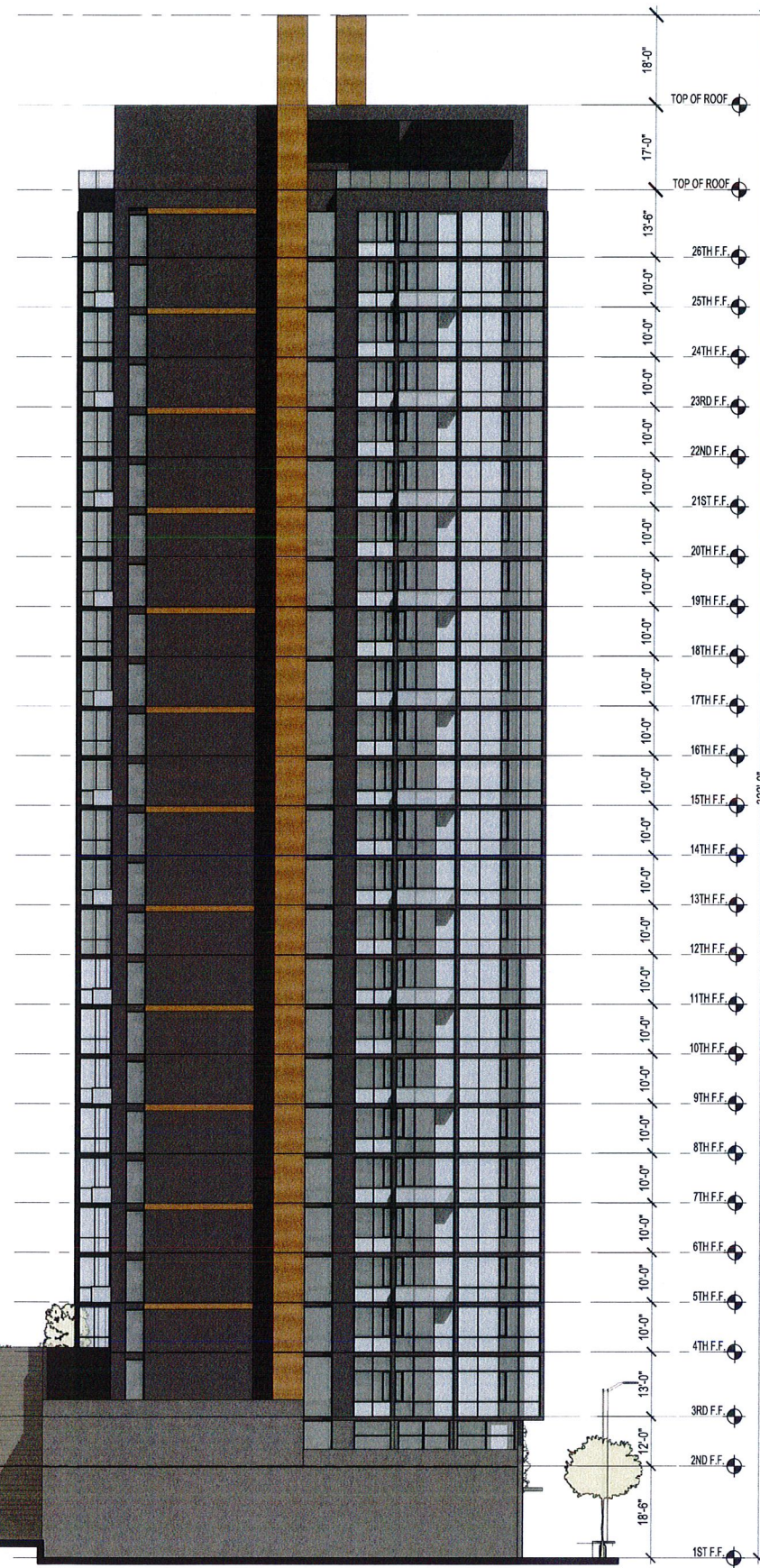


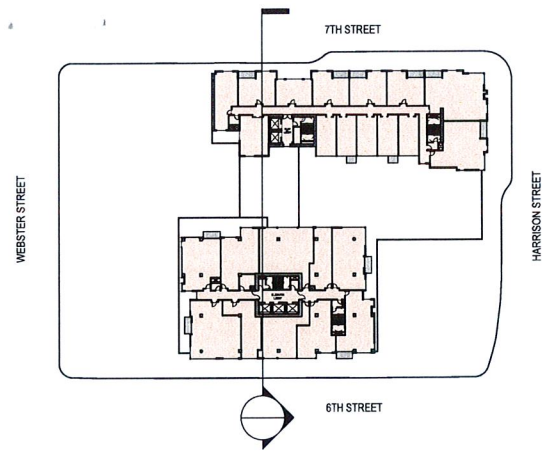


PLAN REFERENCE

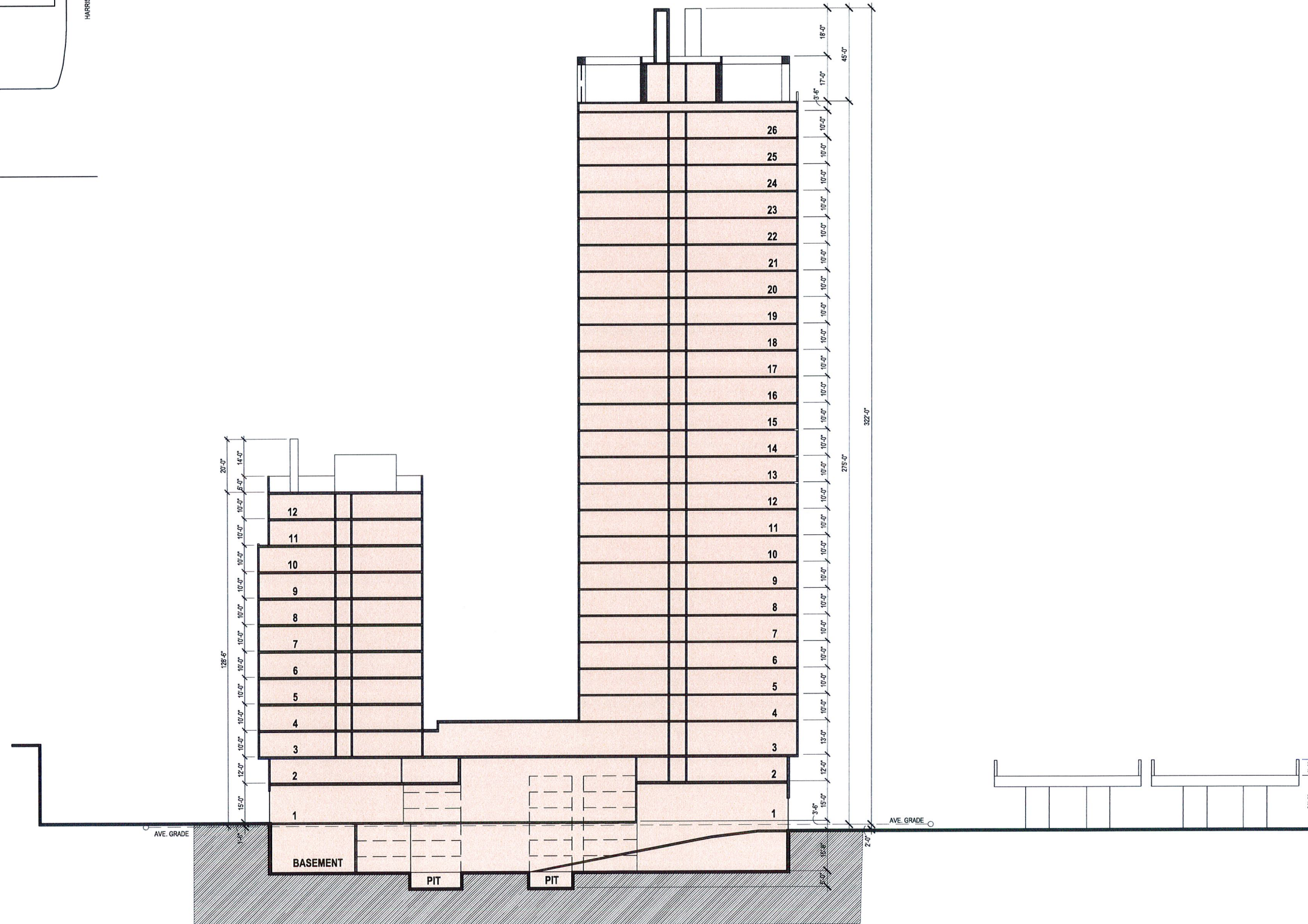


1 WEST ELEVATION
SCALE: 1/8"=1'-0"





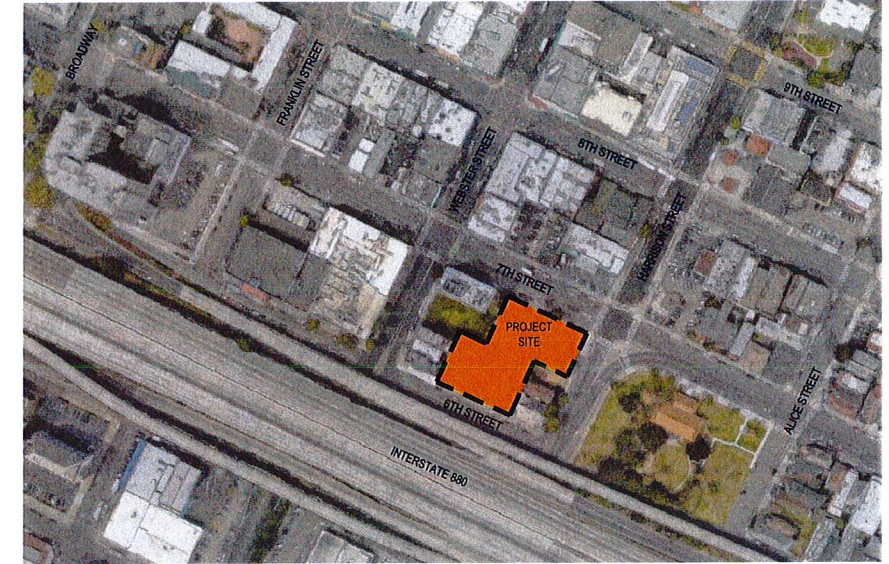
PLAN REFERENCE



APPENDIX

GENERAL VICINITY PLAN - not to scale

DESIGN COMPARISON SUMMARY



PROJECT INFORMATION

PROGRAM COMPARISON

	ENTITLED DESIGN	REFINED DESIGN
DESIGN APPROACH	CONDO DEVELOPMENT WITH A PHASED CONSTRUCTION OF 2 TOWERS	RENTAL DEVELOPMENT WITH A SHORTER TOWER FACING 7TH STREET TO BE MORE COMPARABLE WITH THE SCALE OF THE EXISTING BUILDING IN CHINA TOWN AND A 275' TOWER FACING THE HIGHWAY TO TAKE MAXIMUM ADVANTAGE OF THE VIEWS
HEIGHT/MASSING	TOWER 1 @ 207' TOWER 2 @ 275' W/ ROOFTOP ELEMENTS	TOWER 1 @ 125' TOWER 2 @ 275' W/ ROOFTOP ELEMENT
UNIT MIX	STUDIO - 40 1 BR - 192 2 BR - 131 2 BR+ - 17	STUDIO - 70 1 BR - 171 2 BR - 104 3 BR - 35
EXTERIOR MATERIALS	GFRC / WINDOW WALLS	METAL PANELS / WINDOW WALLS

	ENTITLED DESIGN	REFINED DESIGN
GROSS BUILDING AREA	574,452 SF	514,980 SF
GROSS FLOOR AREA	481,695 SF	478,992 SF
FAR	16.2**	13.49
NUMBER OF UNITS	380 (40 EFFICIENCY UNITS)	380 (40 EFFICIENCY UNITS MIN.)
RESIDENTIAL SF	360,261 SF	348,419 SF
COMMERCIAL SF	9,110 SF	6,777-9,715 SF
PARKING	399 SPACES	231 SPACES
BIKE PARKING	-	190 SPACES (0.5 PER UNIT)
LOADING BERTH	2	2

PARKING REQUIRED:
RESIDENTIAL: NONE REQUIRED
COMMERCIAL: NONE REQUIRED

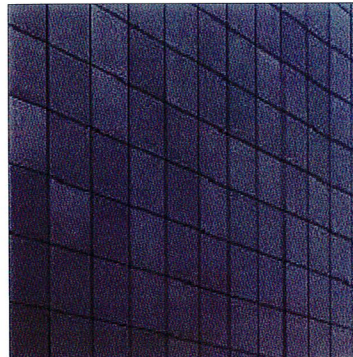
OPEN SPACE

	ENTITLED DESIGN	REFINED DESIGN
GROUP OPEN SPACE (ROOF DECKS & PLAZA)	10,221 SF	9,310
PRIVATE OPEN SPACE (BALCONIES/PATIOS)	9,042 SF X 2 = 18,084*	10,935 SF X 2 = 21,870 SF*
TOTAL PROVIDED	28,305 SF	31,180 SF

PER OMC 17.99.050 - 75 SF / UNIT AND 50 SF/ EFFICIENCY UNIT:
[40 x 50SF] + [340 X 75SF] = **27,250 SF TOTAL REQUIRED**

FOOTNOTES:

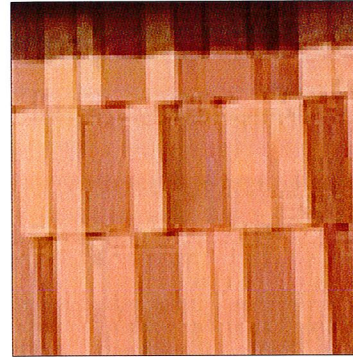
*MAY SUBSTITUTE 1 SF OF PRIVATE OPEN SPACE AS 2 SF OF GROUP OPEN SPACES PER 17.126.020
**INCLUSIVE OF PARKING AREA. WHEN EXCLUDING PARKING AREA, FAR IS 13.6



1 METAL PANEL SIDING AT LOW RISE AND HIGH RISE: DRI-DESIGN



1A MAIN BODY COLOR: PRISMATIC GREY OR SIMILAR



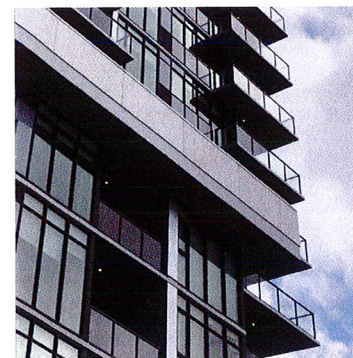
2 METAL PANEL ACCENT SIDING AT LOW RISE AND HIGH RISE: DRI-DESIGN



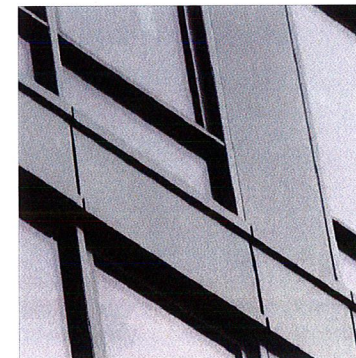
2A ACCENT COLOR OPTION A: COPPER ANODIZED



2B ACCENT COLOR OPTION B: MEDIUM BRONZE



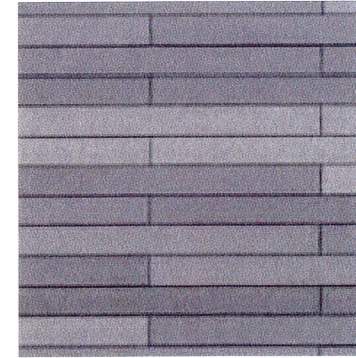
3 WINDOW WALL SYSTEM: "QUEST" ANODIZED ALUMINUM WINDOW WALL CLEAR GLAZING SYSTEM



4 WINDOW WALL EXTRUSIONS AND BREAKS: DURANAR "GRAPHITE GRAY"



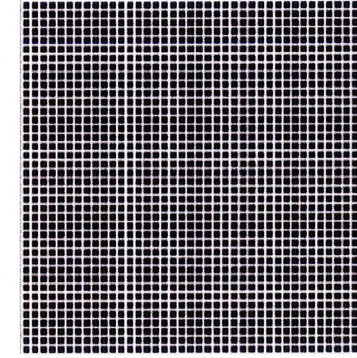
5 TILE SIDING AT GROUND LEVEL: NEOLITH - BETON SILK



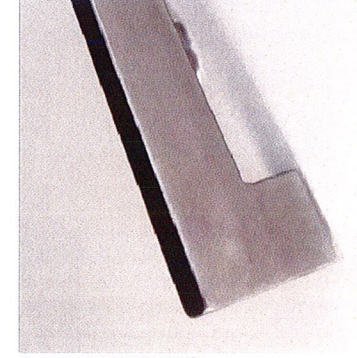
6 CONCRETE SIDING ON LOW RISE TOWER: FIBER C, OKO SKIN - CHROME



7 FAUX WOOD MATERIAL AT COMMERCIAL SOFFIT: TREPSA - PU08 ROMANTIC WALNUT



8 PERFORATED METAL BALCONY PANEL: MCNICHOLS 169512185A



9 METAL BALCONY RAILING: POWDER COATED, COOL ANTIQUE







VIEW LOOKING NORTH ON 7TH STREET



VIEW LOOKING SOUTH ON 7TH STREET



VIEW DRIVING SOUTH ON 880



VIEW DRIVING NORTH ON 880







7



1



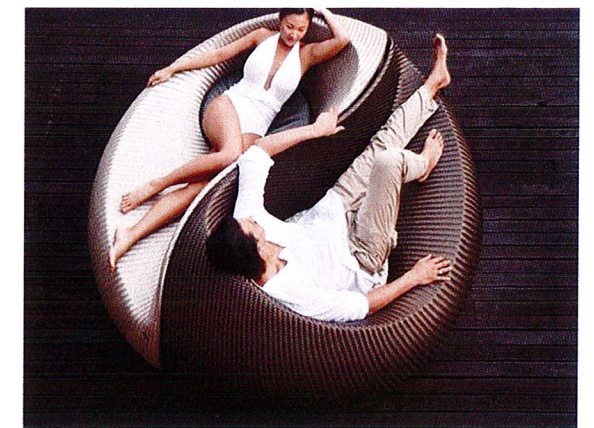
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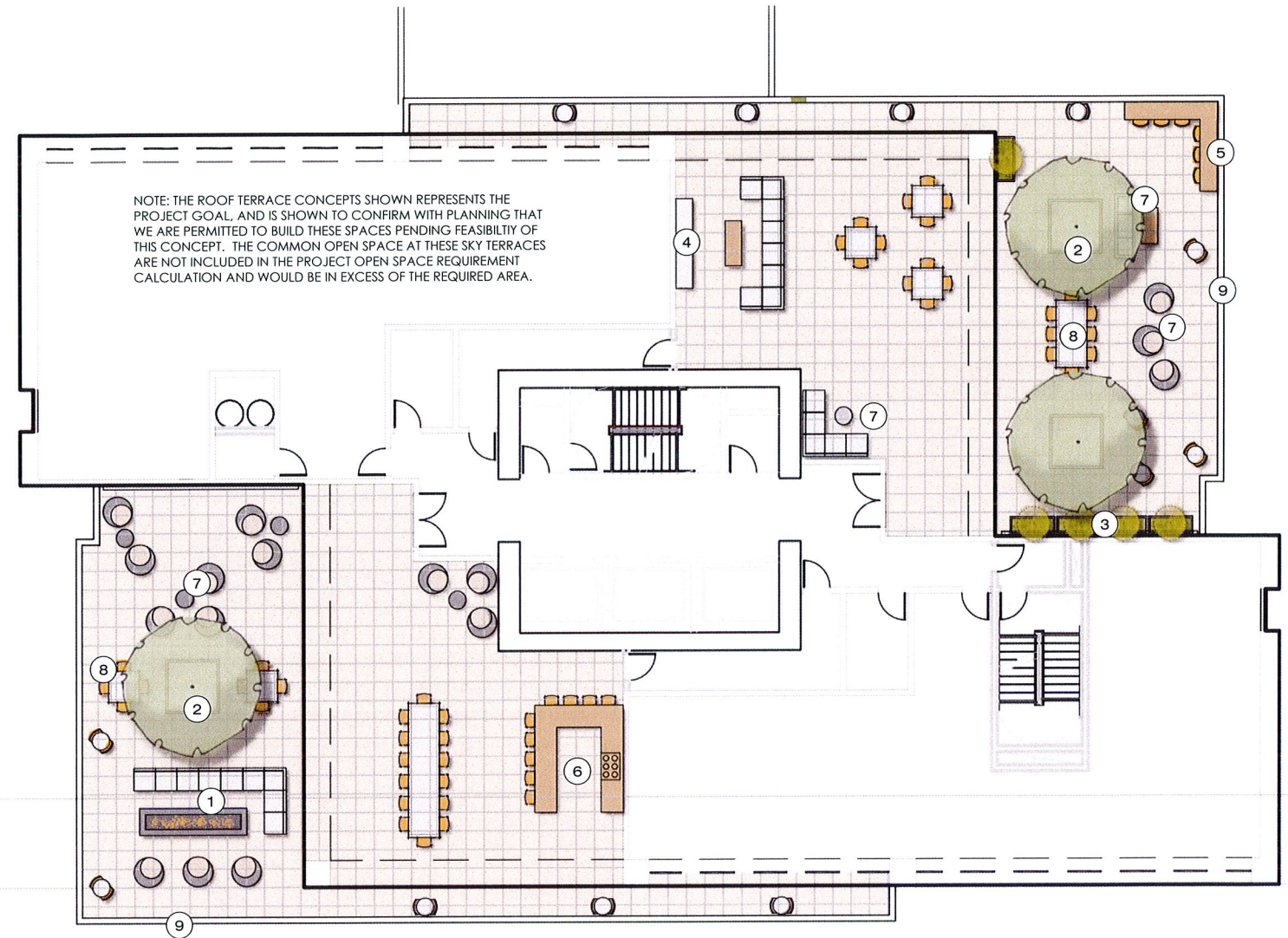
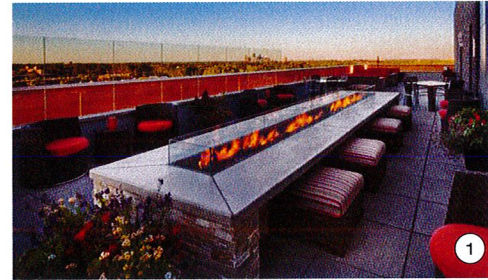


2



6

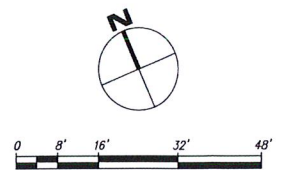




LEGEND

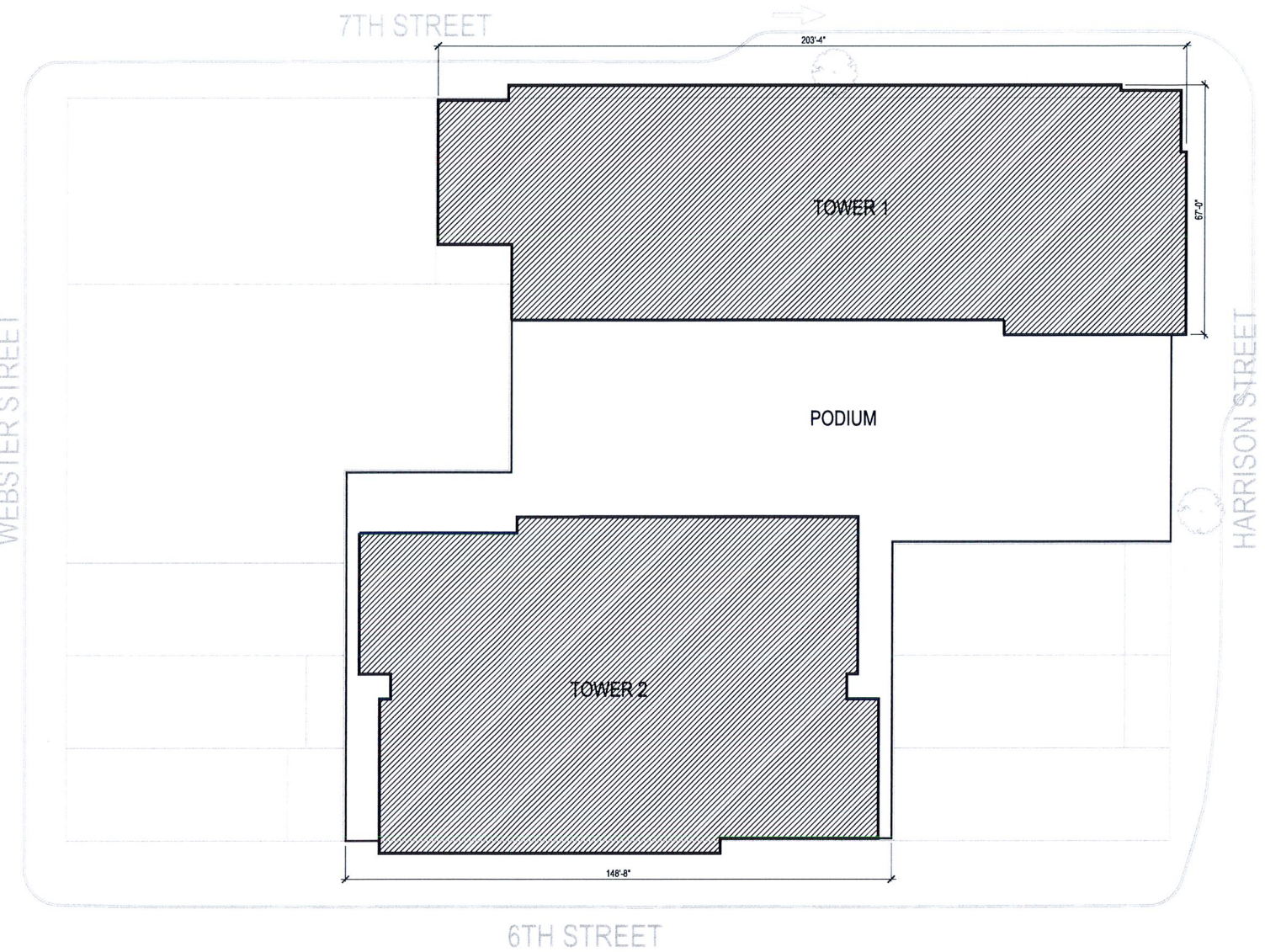
- ① FIRE PIT & LOUNGE SEATING
- ② SCULPTURAL TREE IN RAISED PLANTER
- ③ PRECAST PLANTERS WITH SHRUBS
- ④ FIREPLACE OR BIG SCREEN TV
- ⑤ PARAPET BAR & SEATING
- ⑥ DEMONSTRATION KITCHEN
- ⑦ LOUNGE SEATING
- ⑧ BAR HEIGHT ISLAND & SEATING
- ⑨ TALL GLASS WINDSCREEN W/ ADJUSTABLE LOUVERS

6 T H S T R E E T

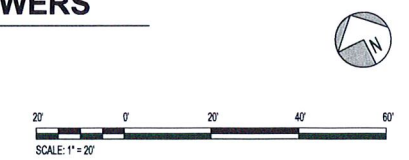


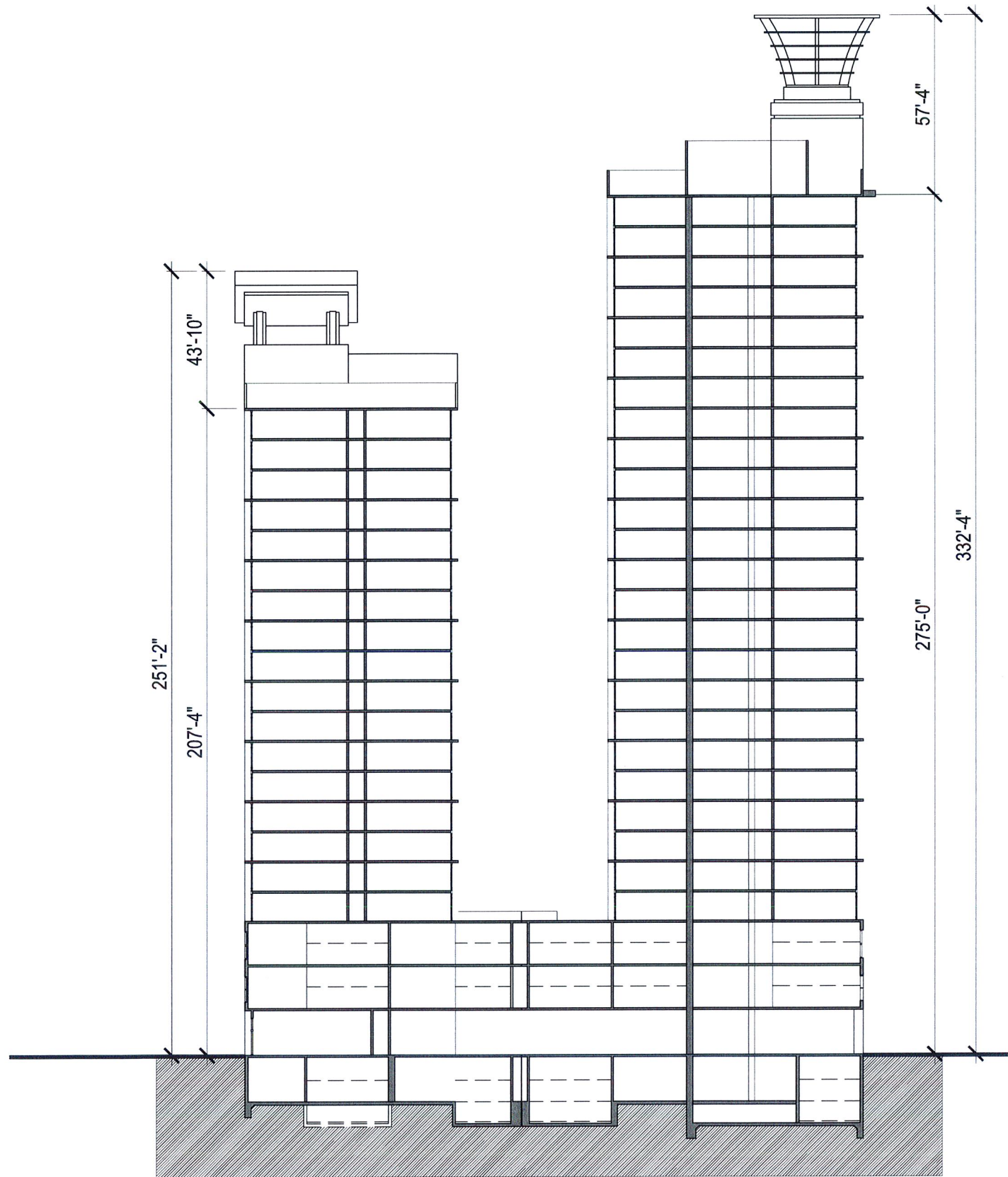


ENTITLED DESIGN - TYPICAL FLOOR PLATE OF TOWERS

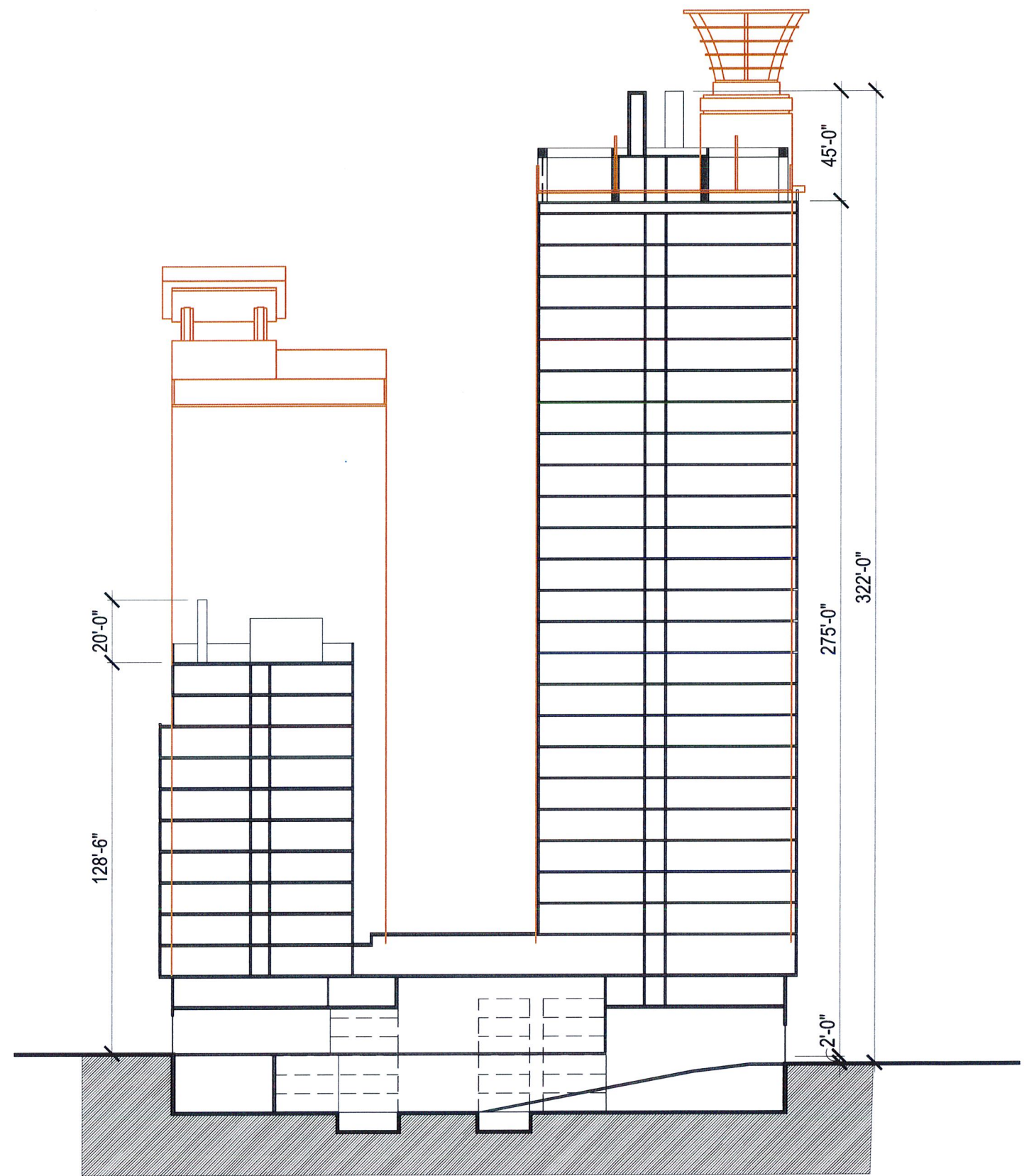


REFINED DESIGN - TYPICAL FLOOR PLATE OF TOWERS





ENTITLED DESIGN - SOUTHEAST FACING SECTION

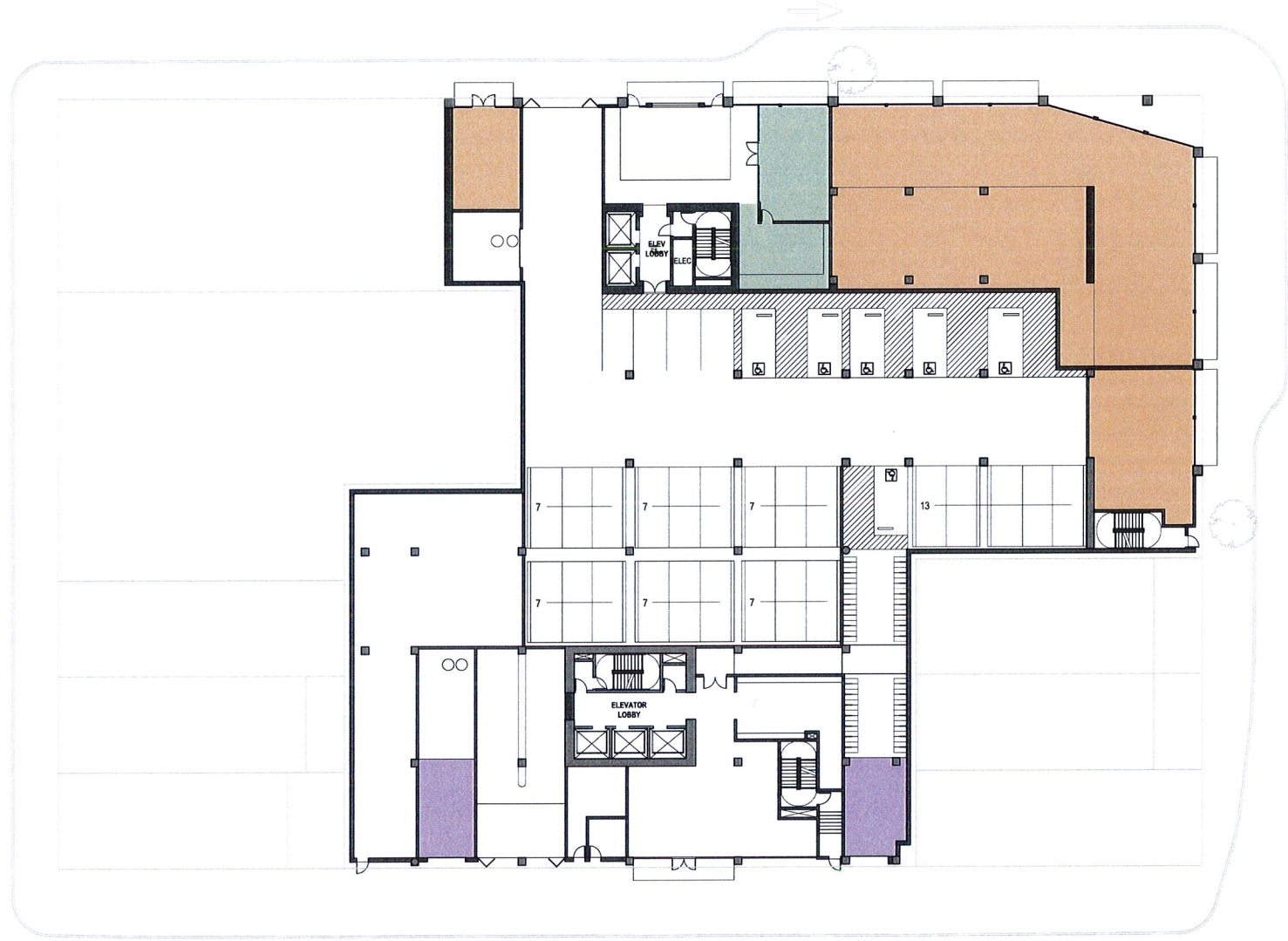


REFINED DESIGN - SOUTHEAST FACING SECTION

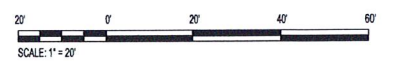




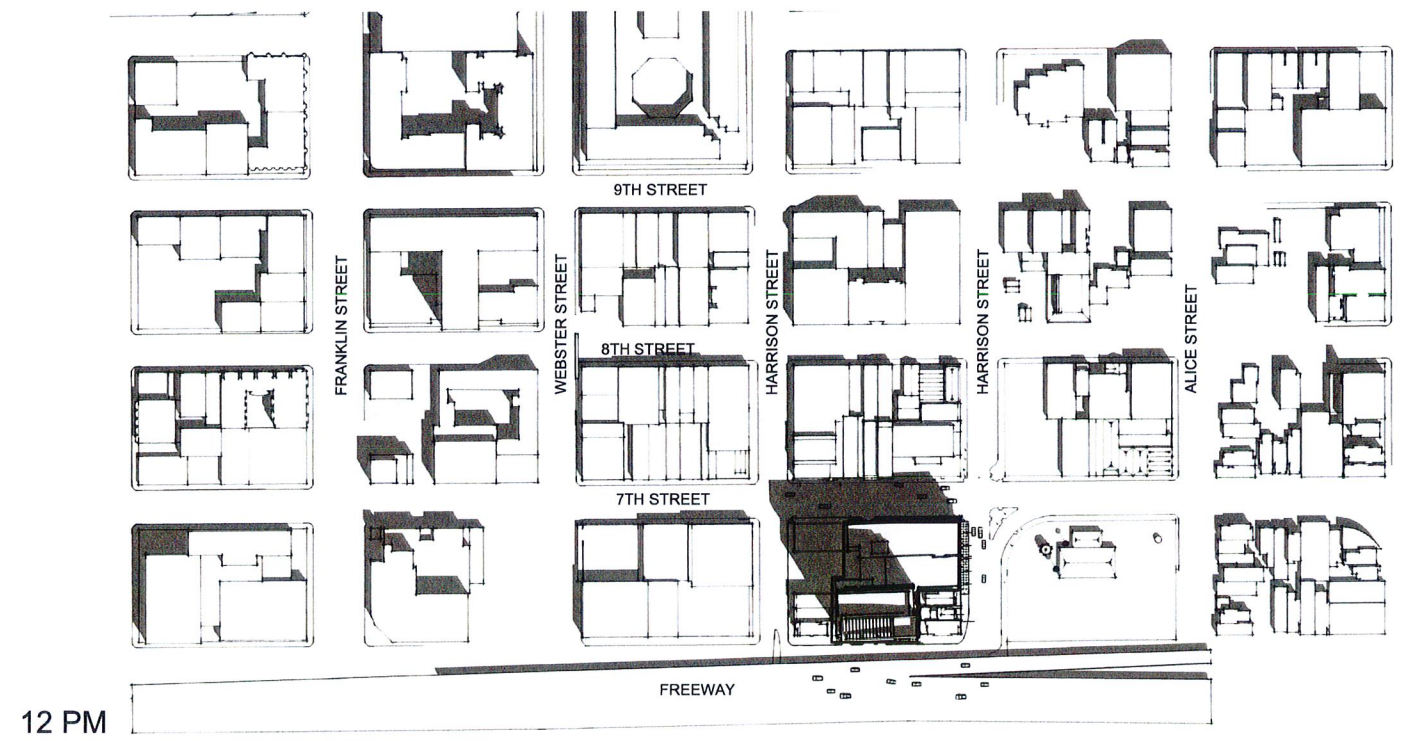
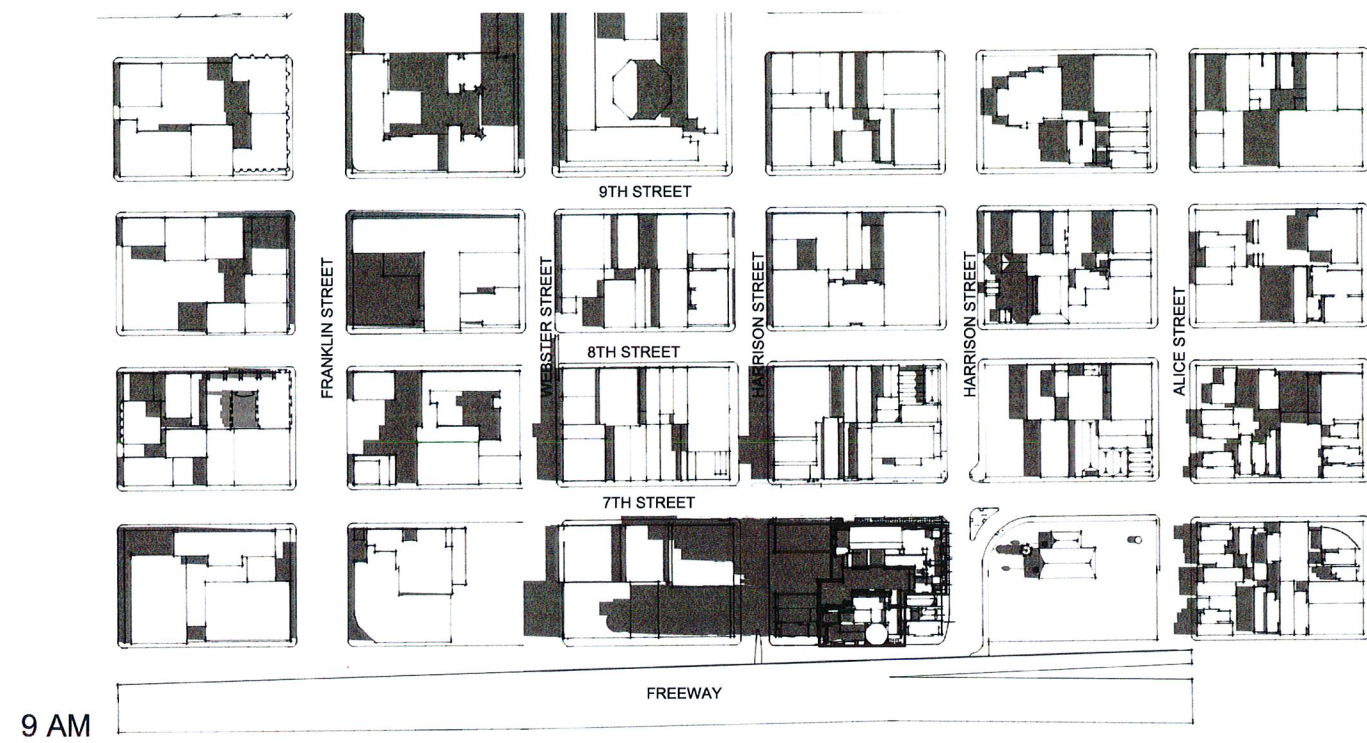
ENTITLED DESIGN - GROUND FLOOR PLAN



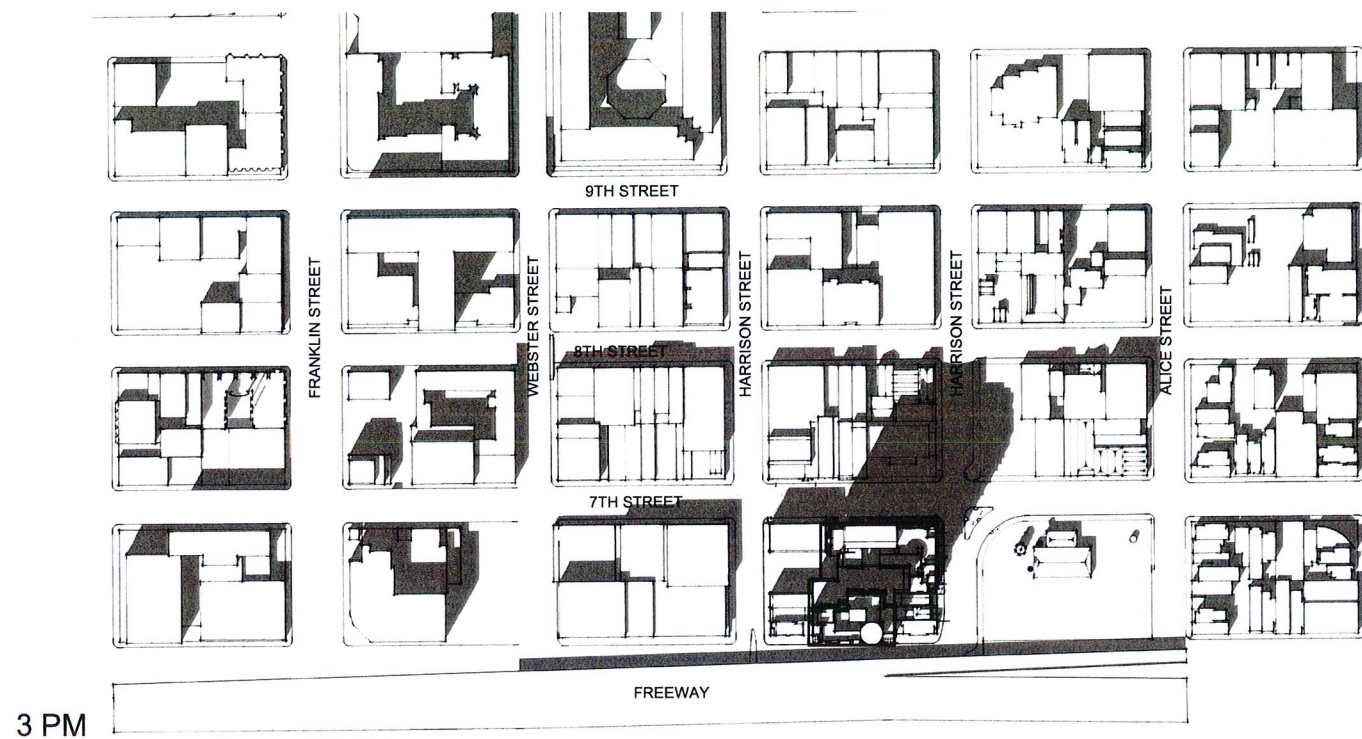
REFINED DESIGN - GROUND FLOOR PLAN



SPRING / FALL EQUINOX (MARCH 20 / SEPTEMBER 22)



SPRING / FALL EQUINOX (MARCH 20 / SEPTEMBER 22)



3 PM

ENTITLED DESIGN

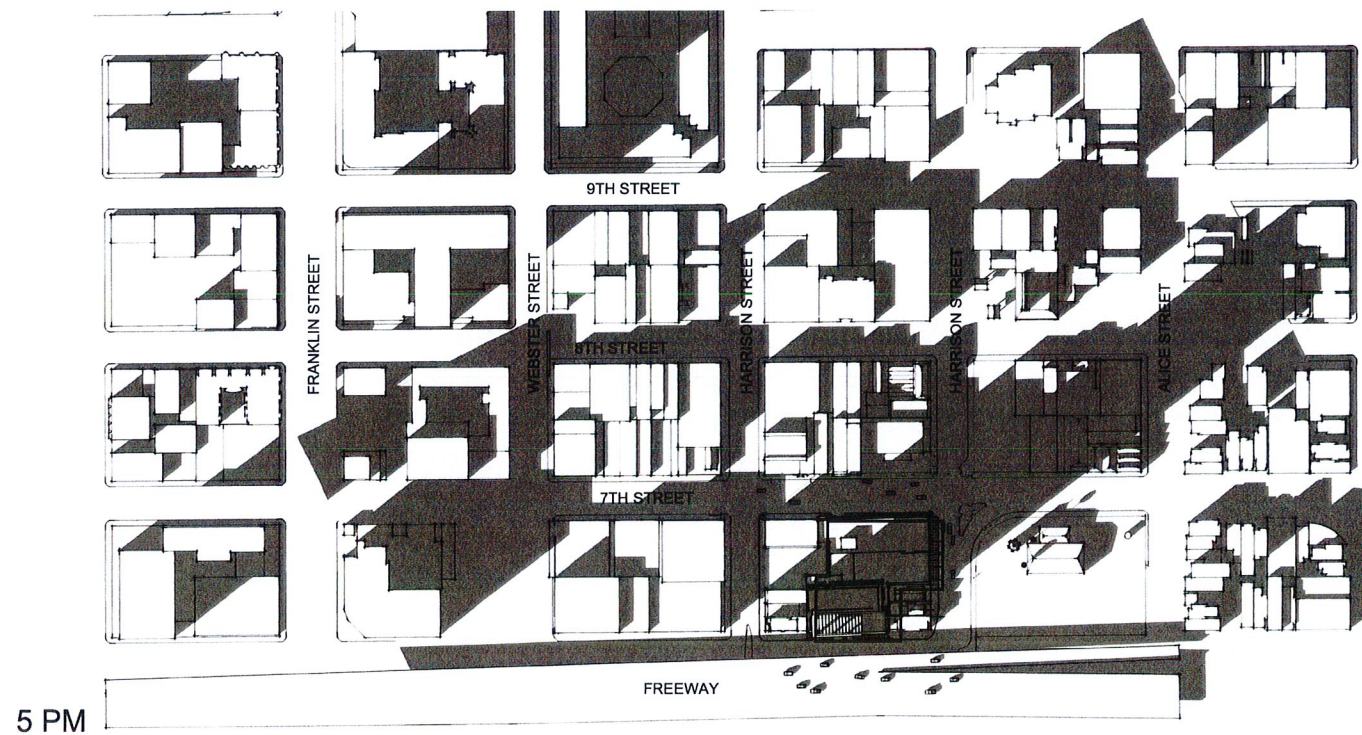


5 PM



3 PM

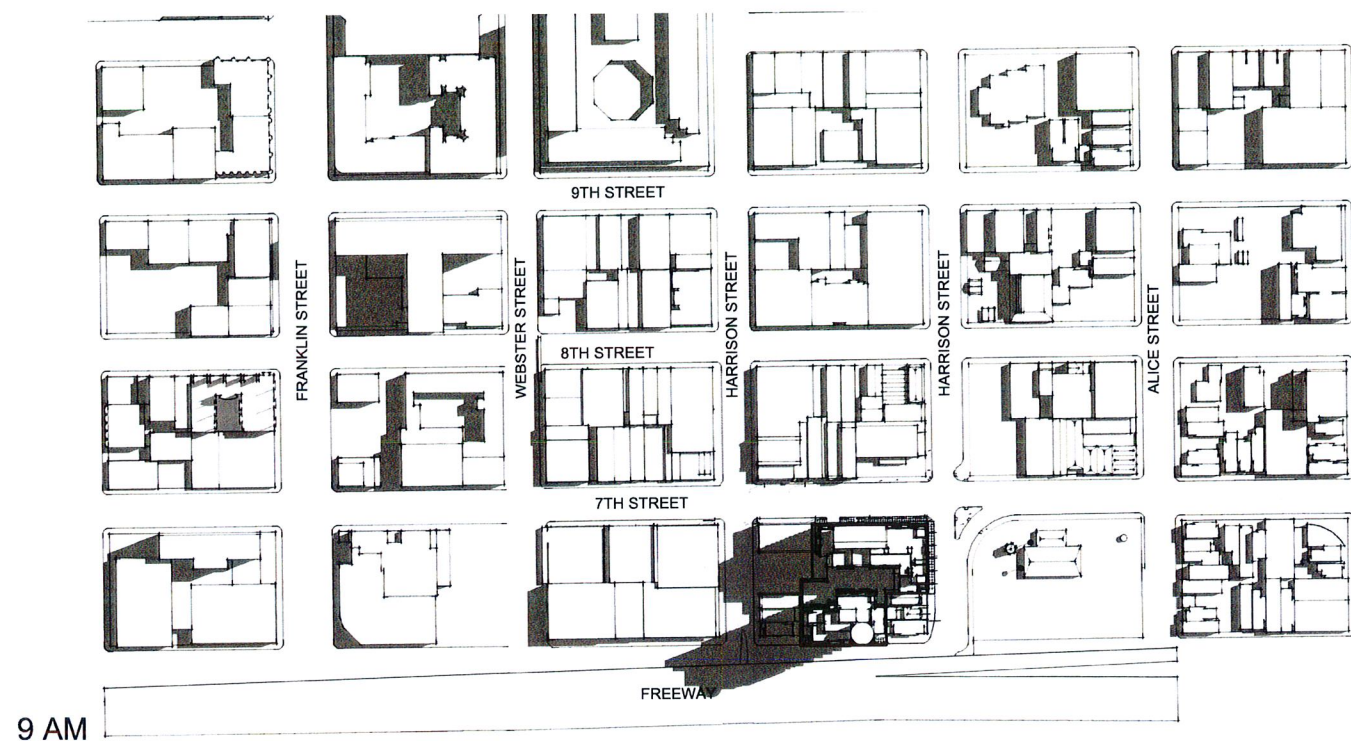
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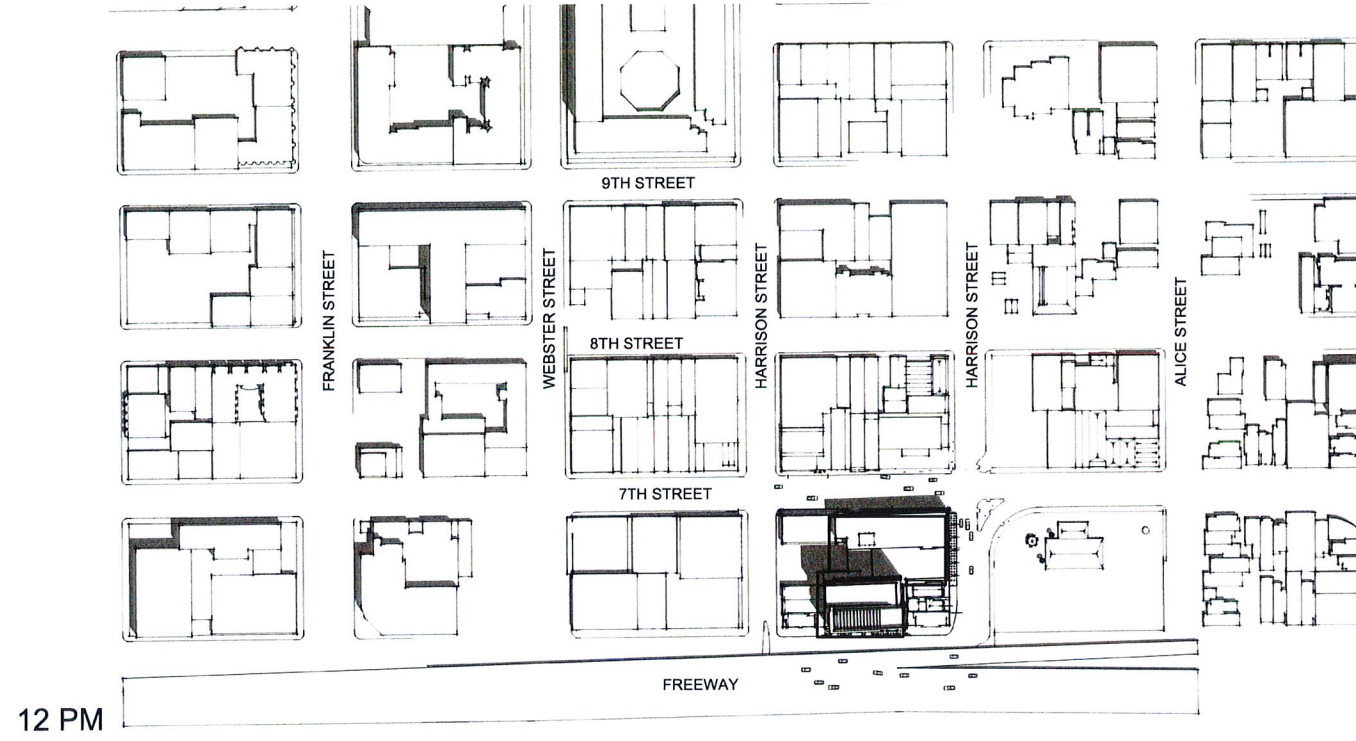
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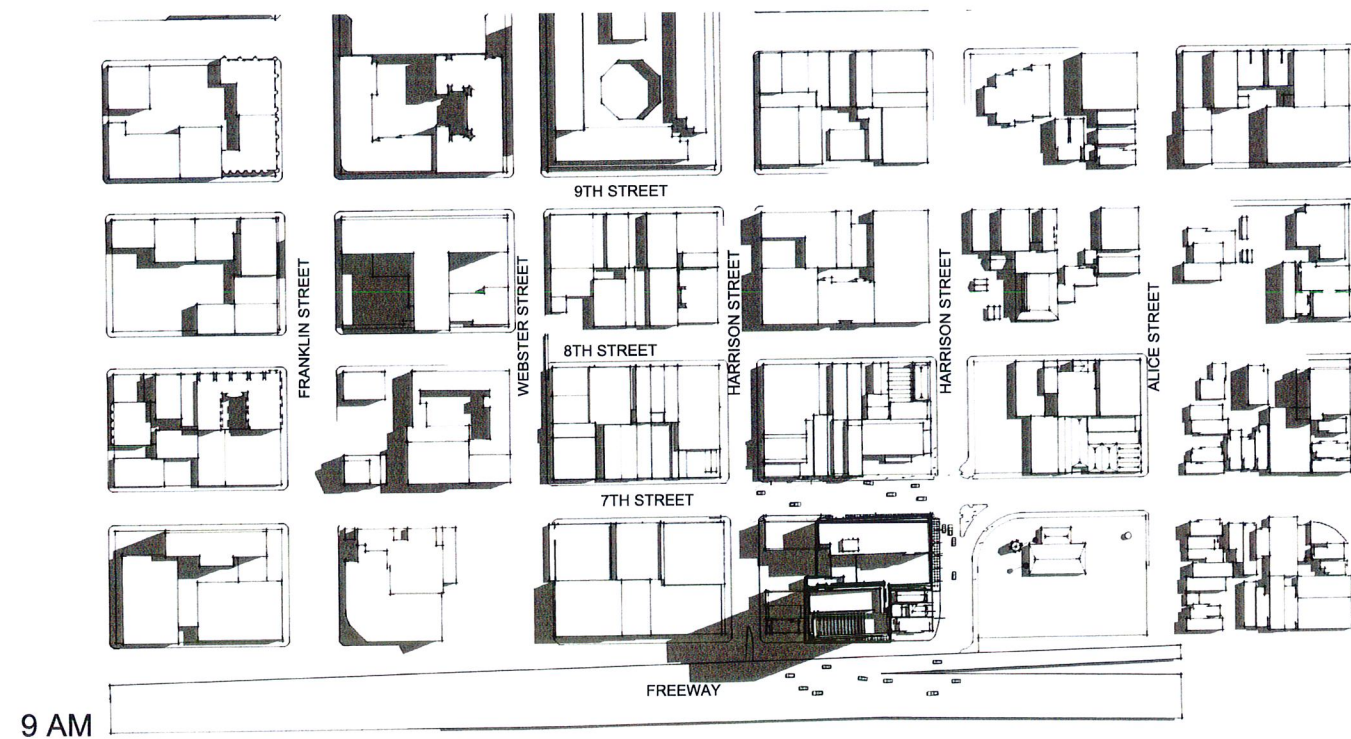
SUMMER SOLSTICE (JUNE 20)



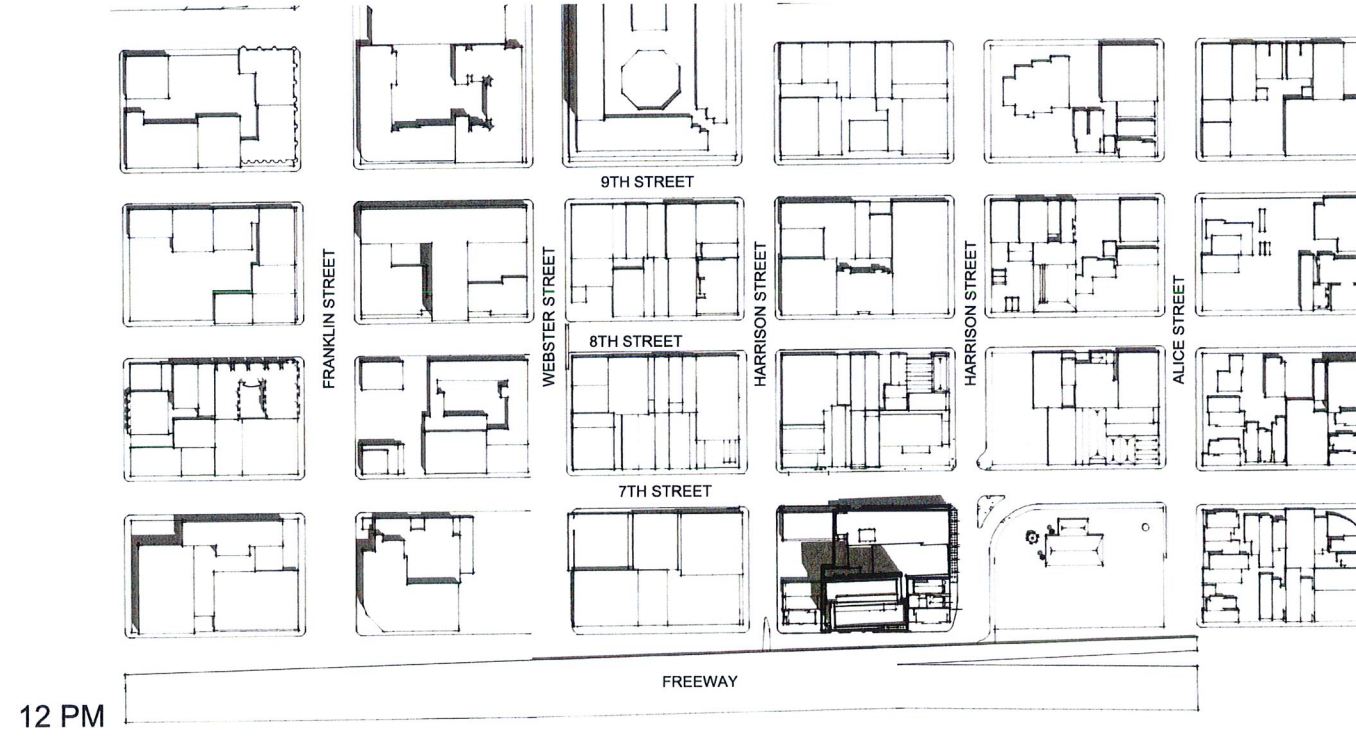
ENTITLED DESIGN



12 PM



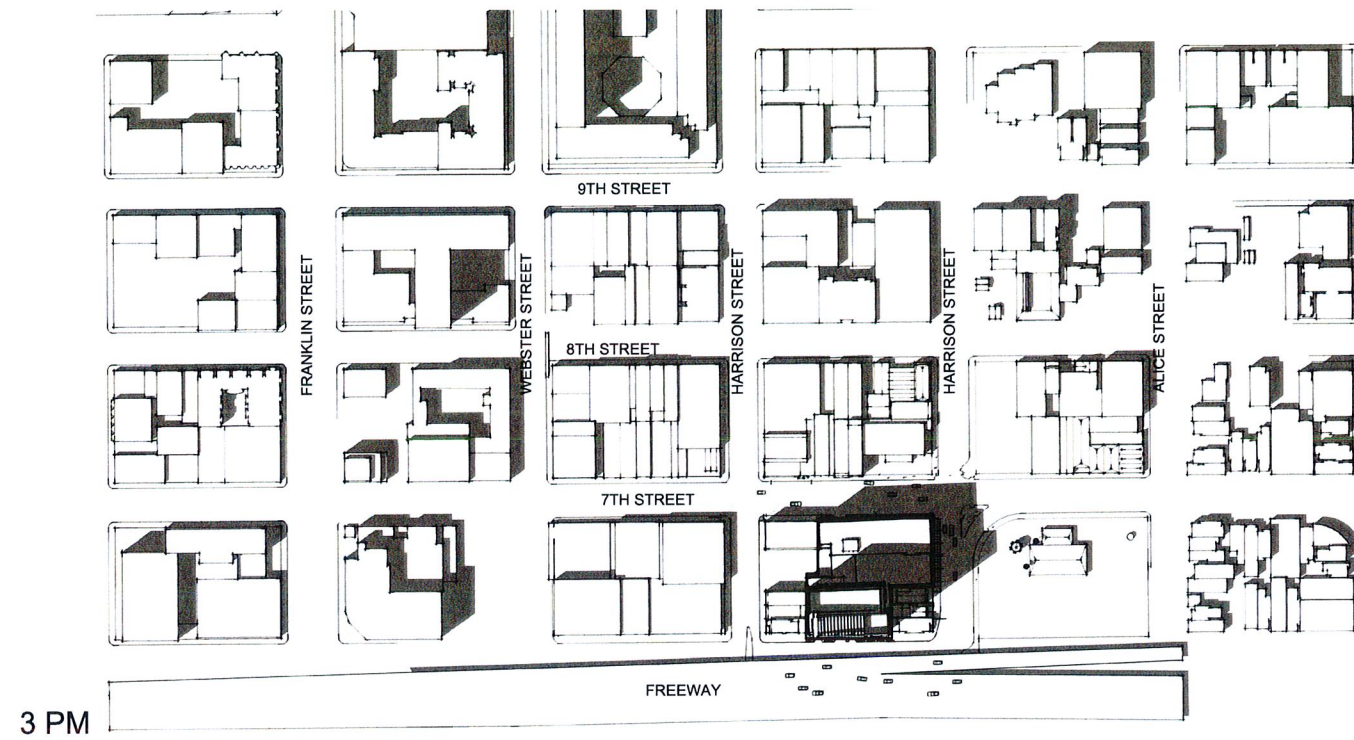
REFINED DESIGN



12 PM

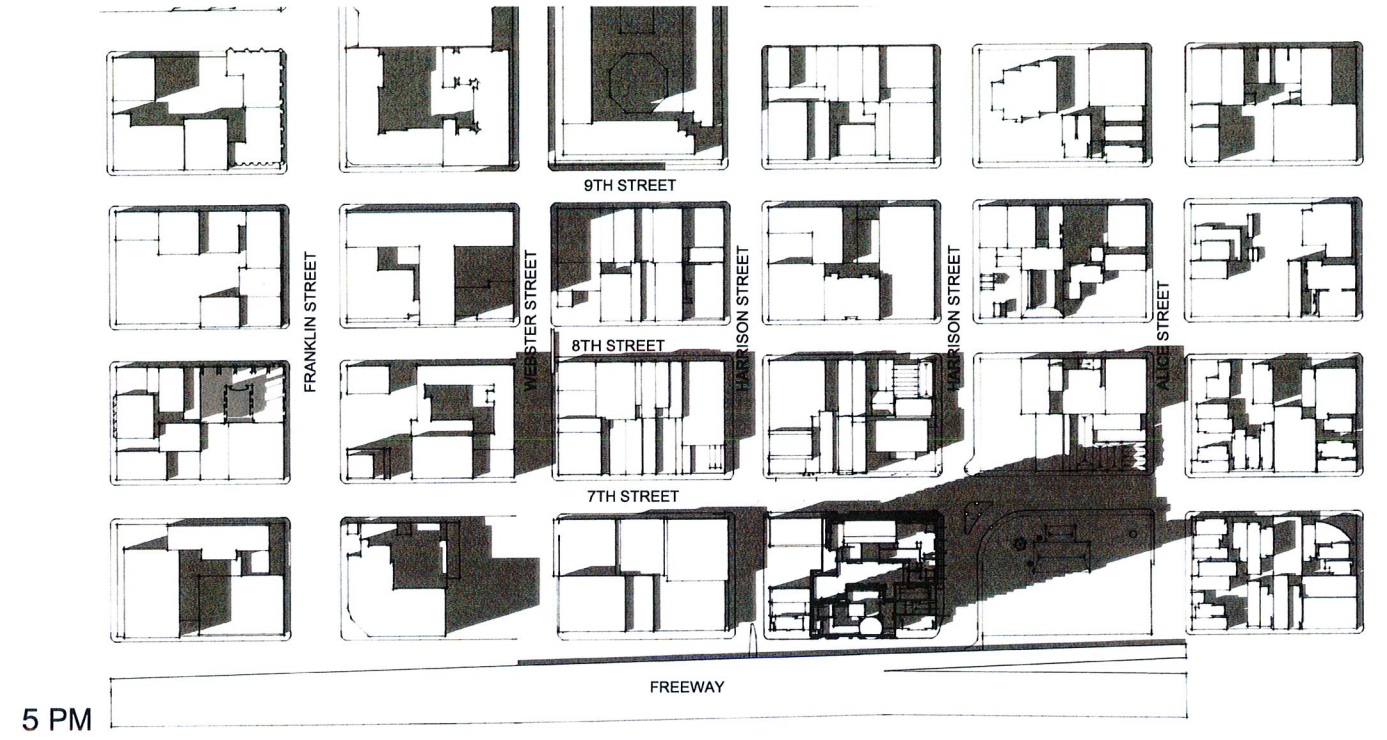


SUMMER SOLSTICE (JUNE 20)

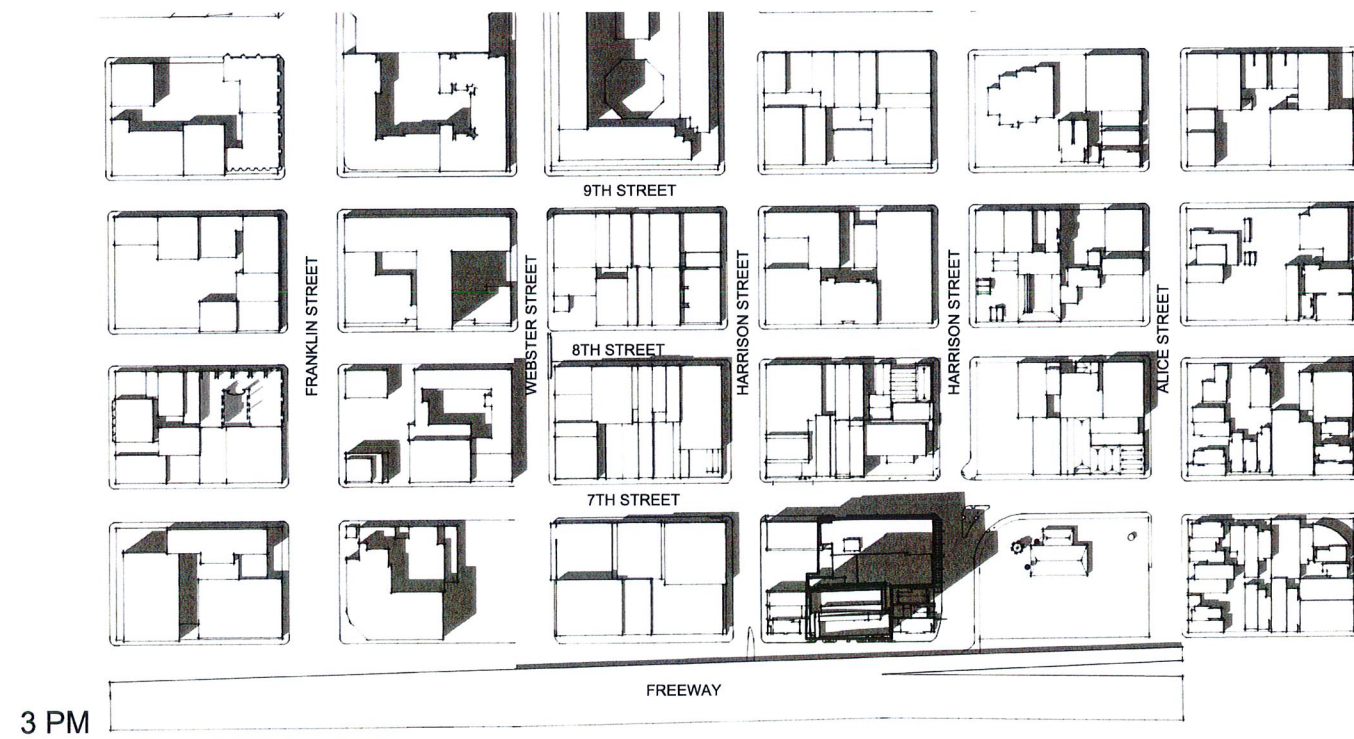


3 PM

ENTITLED DESIGN

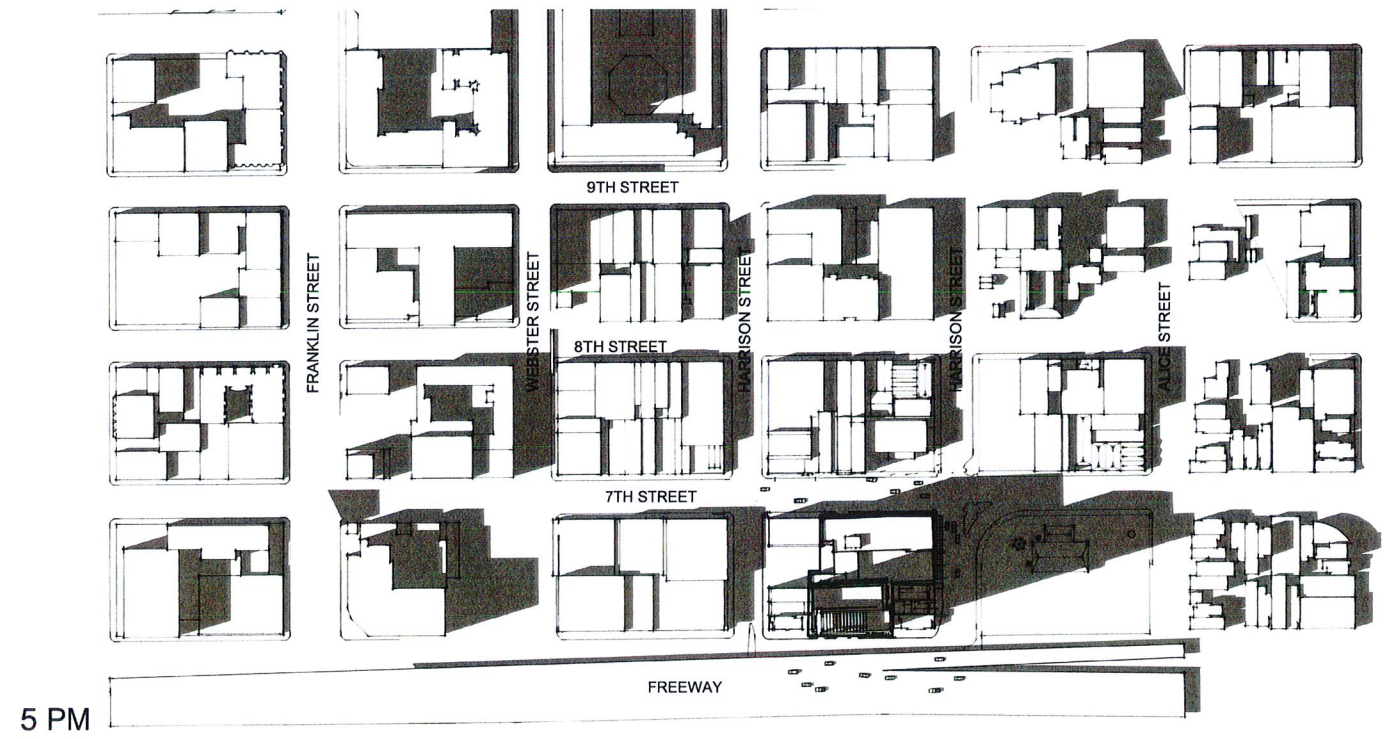


5 PM



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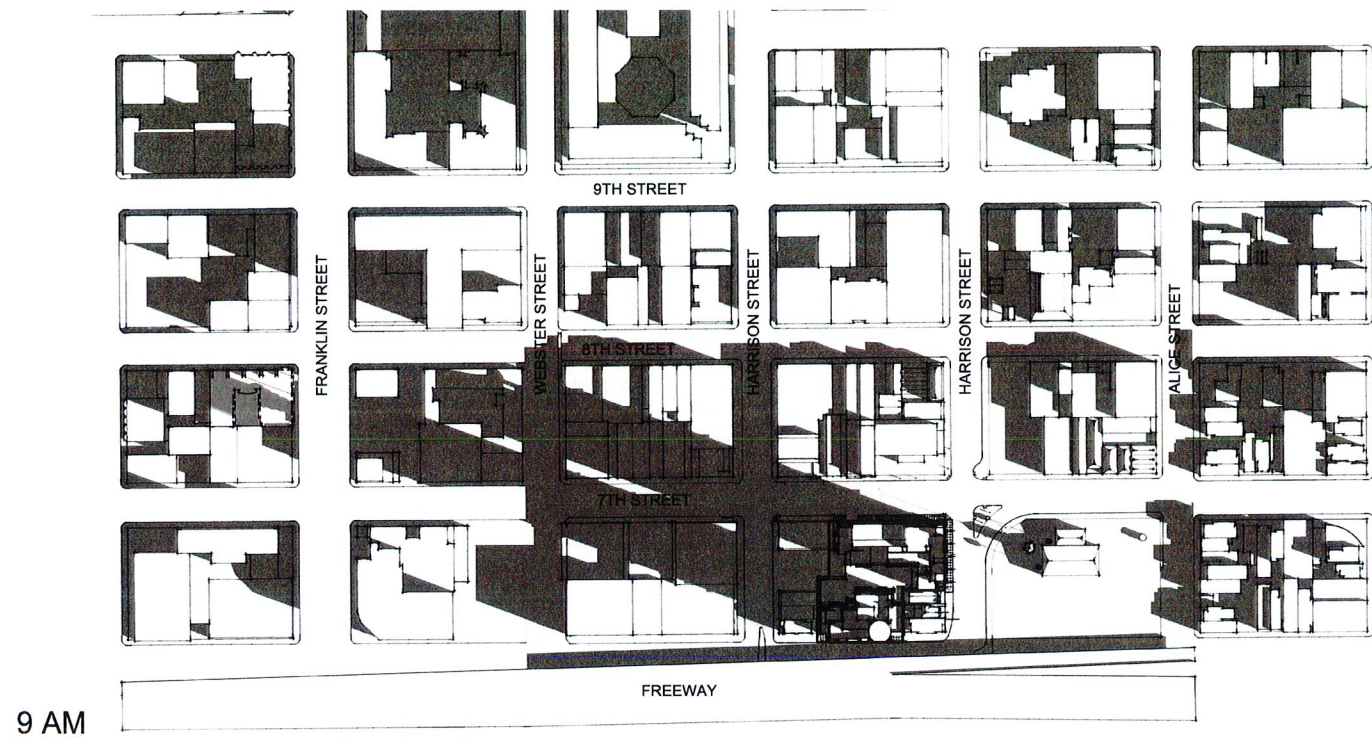
REFINED DESIGN



5 PM



WINTER SOLSTICE (DECEMBER 21)



ENTITLED DESIGN



REFINED DESIGN

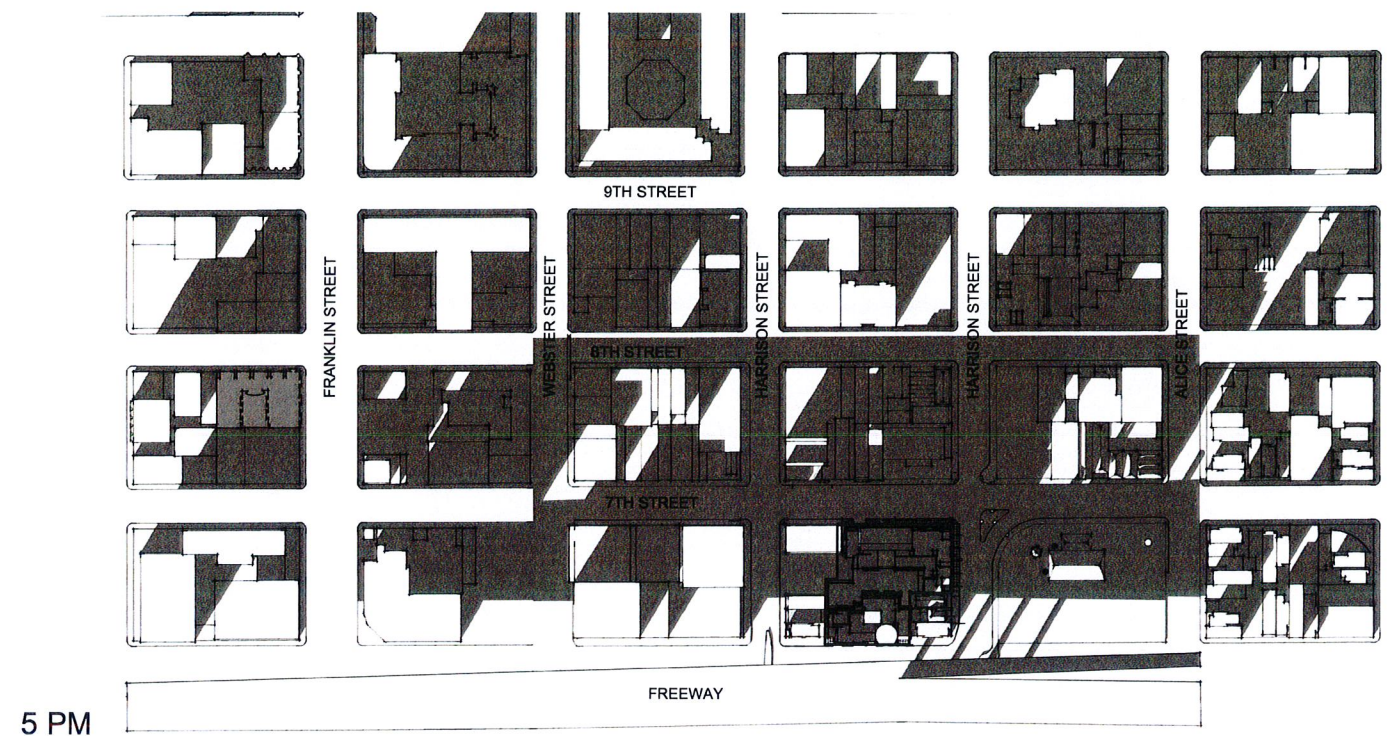


WINTER SOLSTICE (DECEMBER 21)

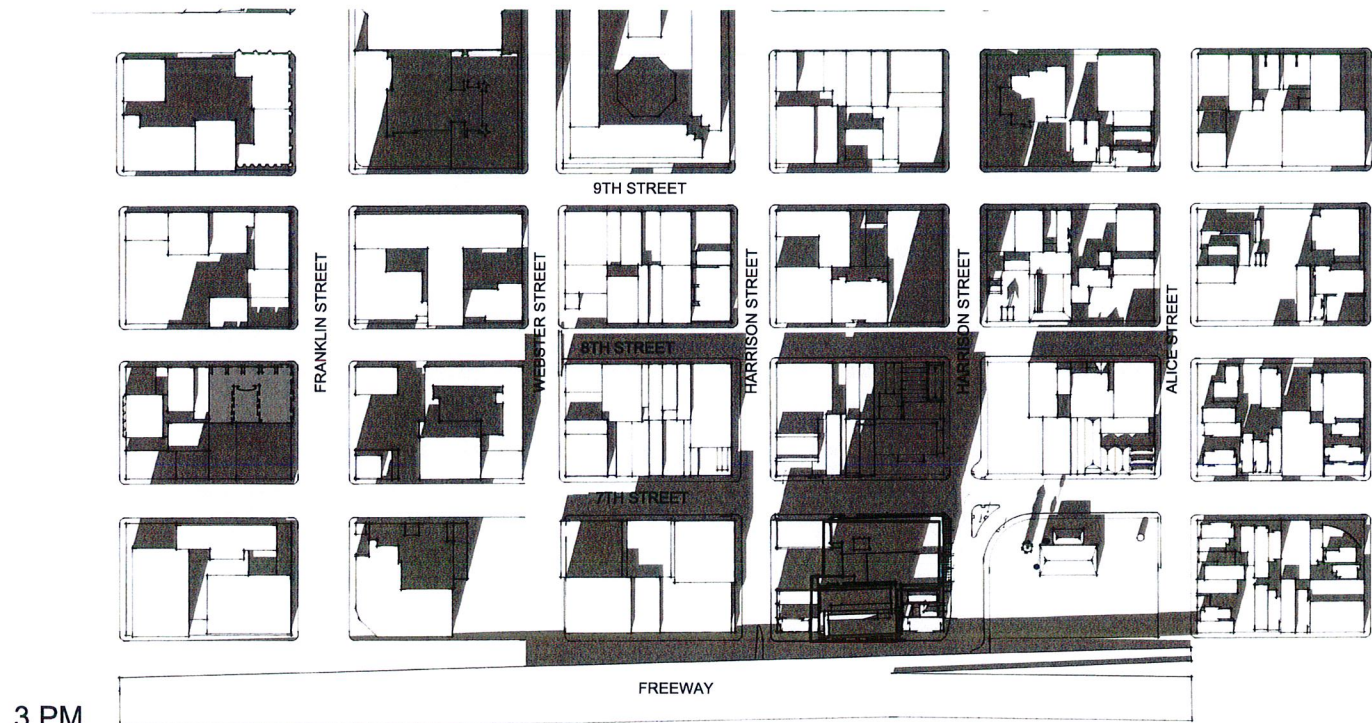


3 PM

ENTITLED DESIGN

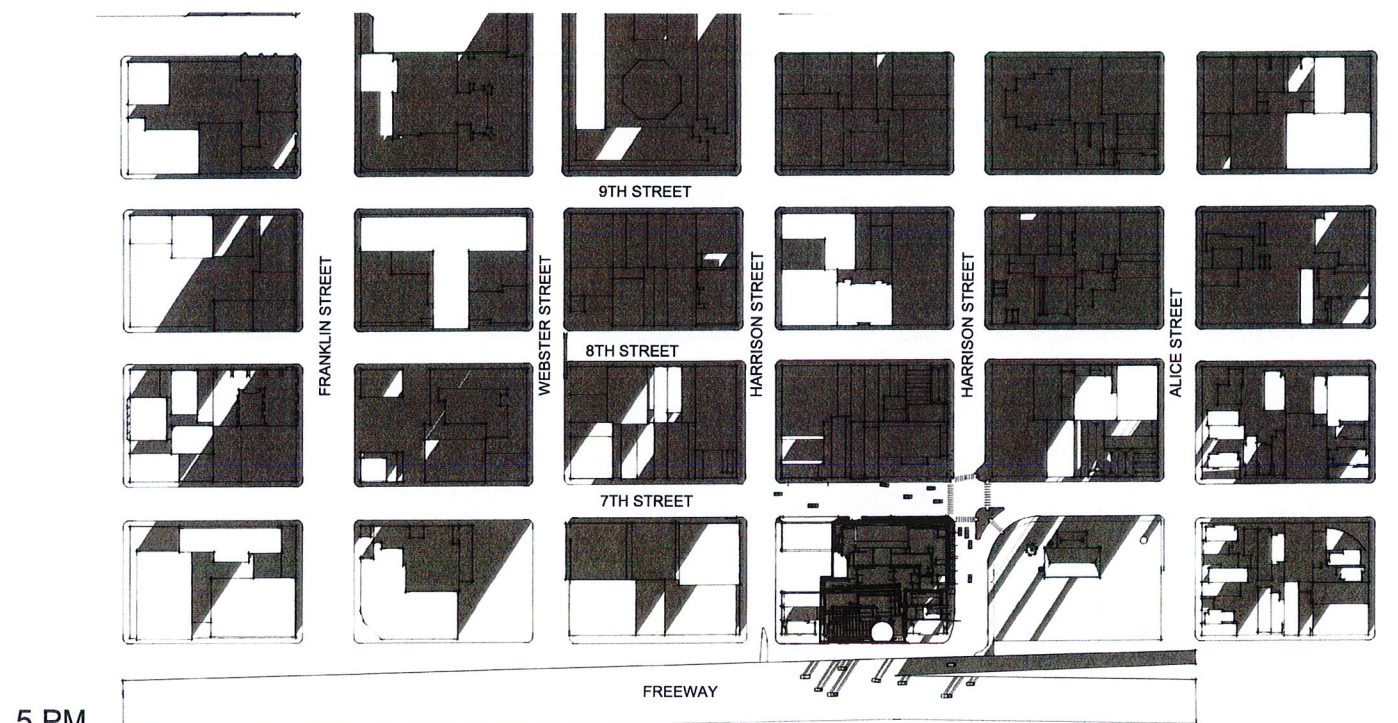


5 PM



3 PM

REFINED DESIGN

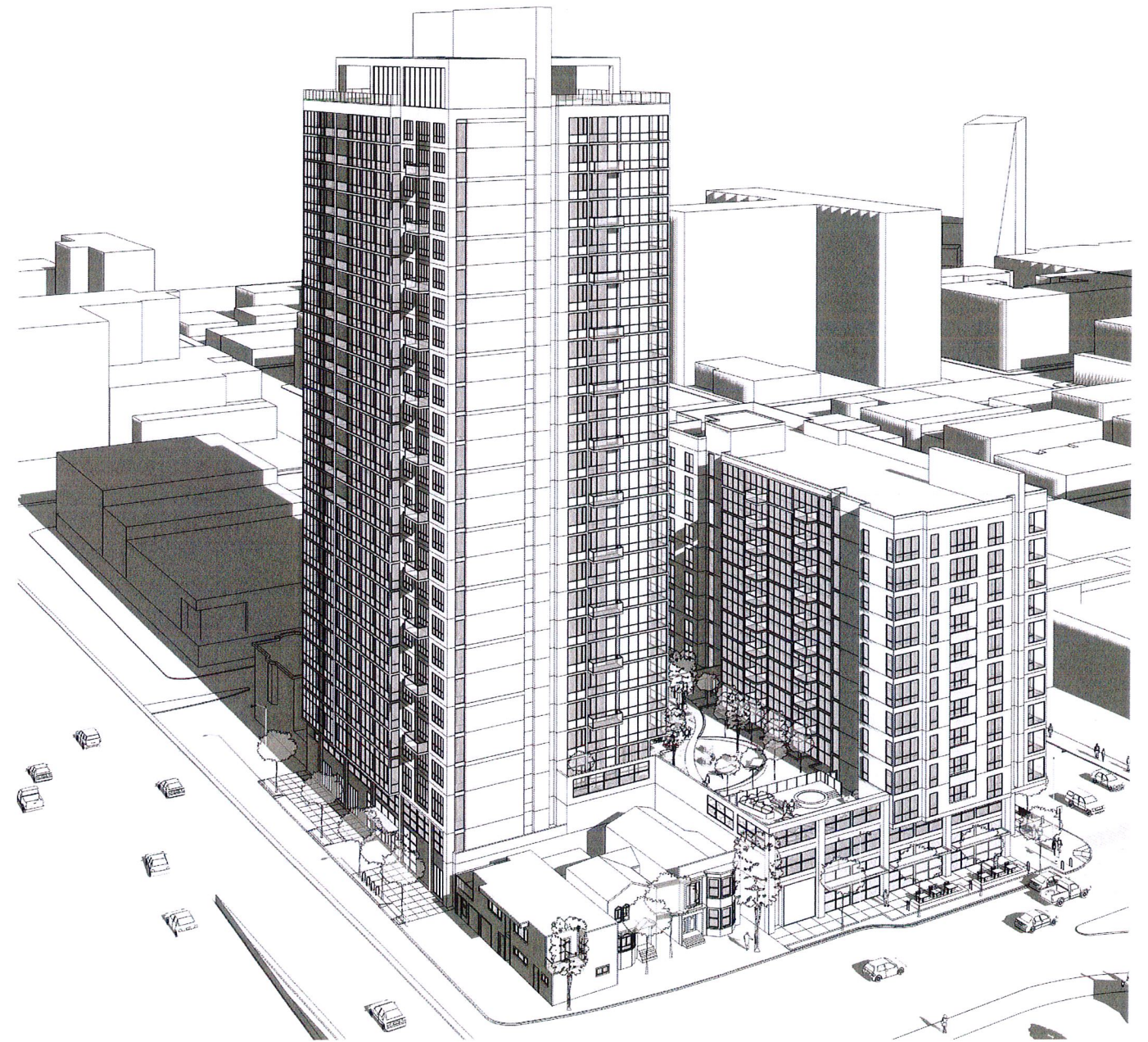


5 PM

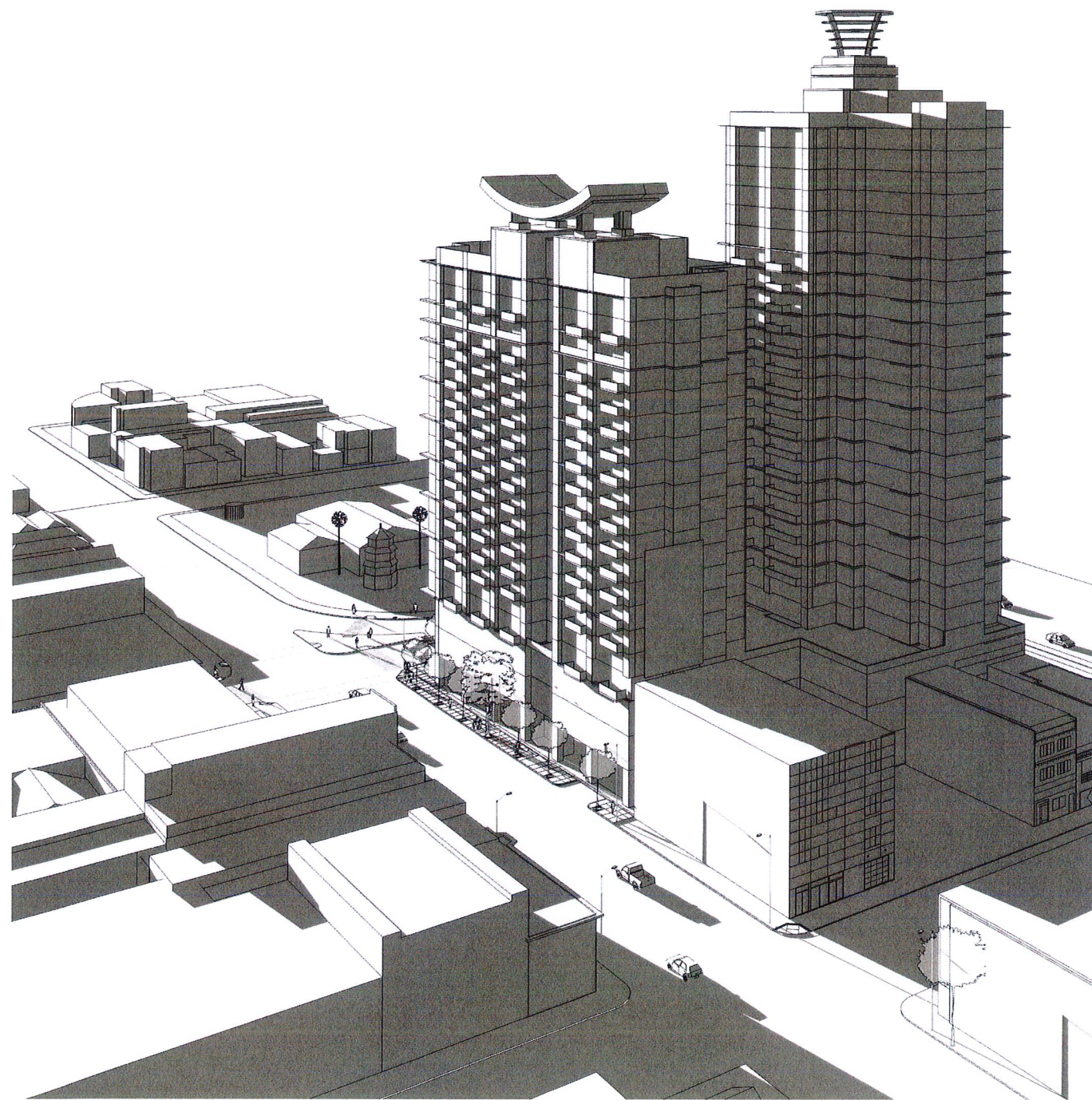




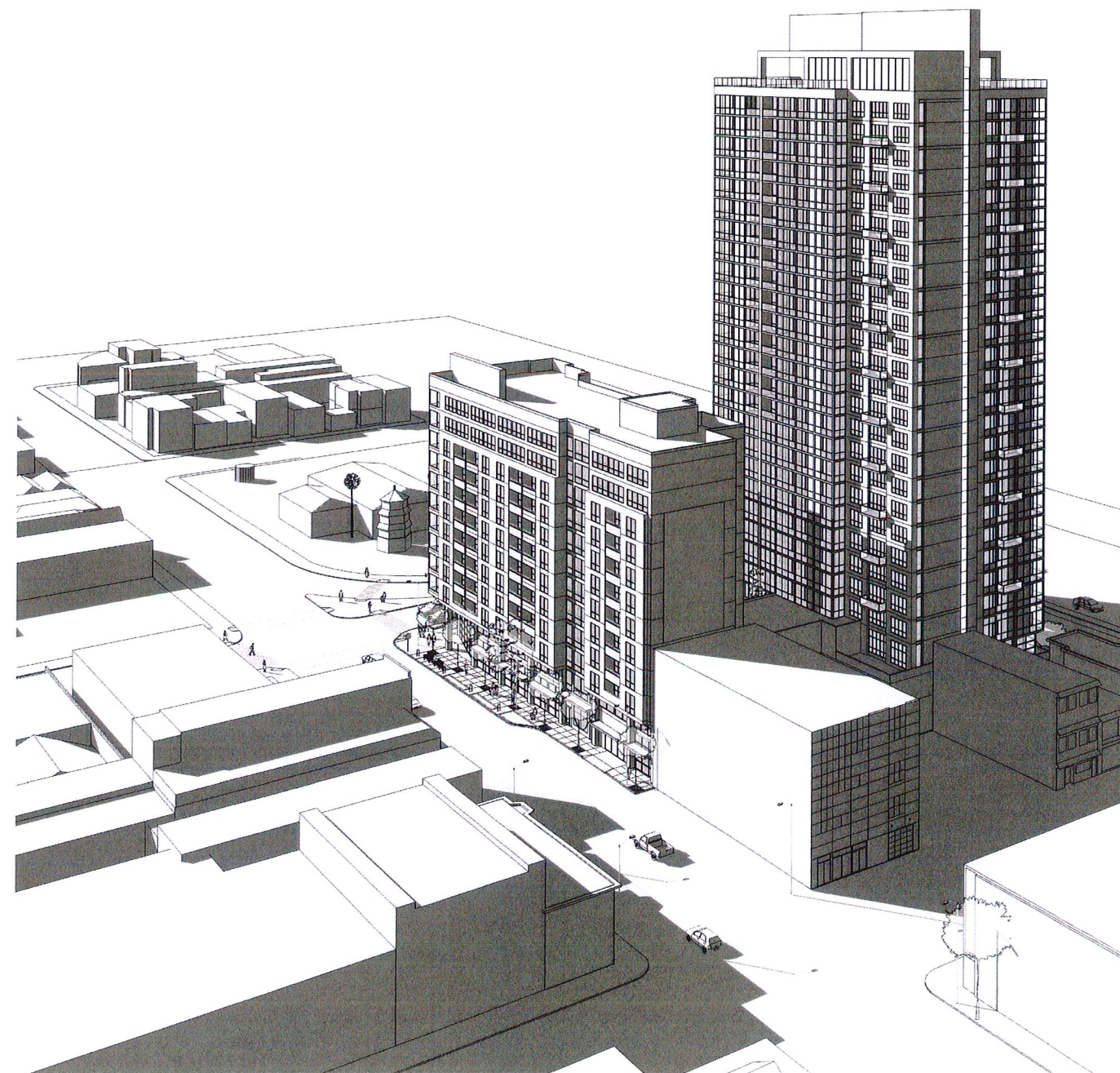
ENTITLED DESIGN - AERIAL VIEW FROM THE SOUTH



REFINED DESIGN - AERIAL VIEW FROM THE SOUTH



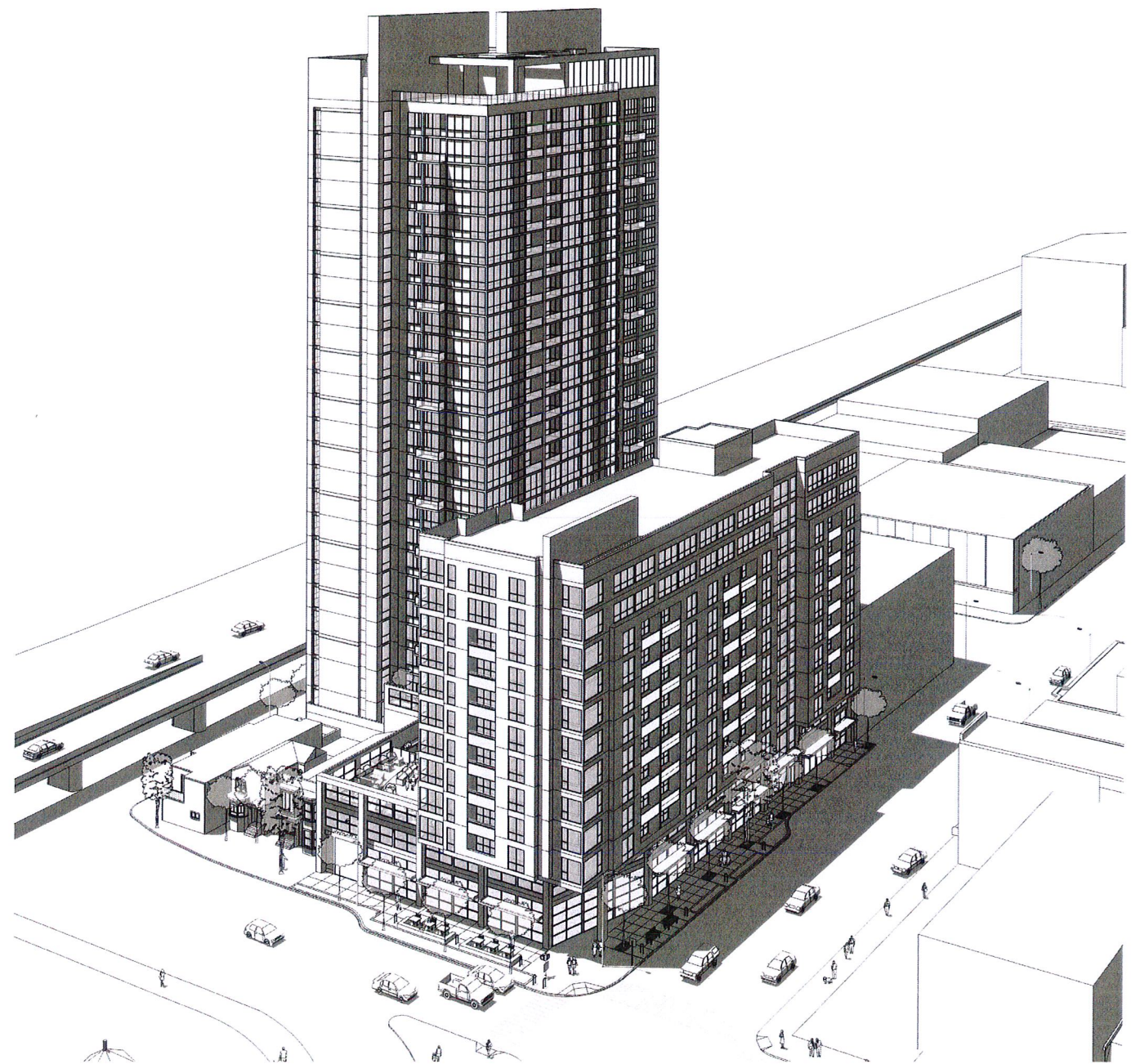
ENTITLED DESIGN - AERIAL VIEW FROM THE NORTH



REFINED DESIGN - AERIAL VIEW FROM THE NORTH



ENTITLED DESIGN - AERIAL VIEW FROM THE EAST



REFINED DESIGN - AERIAL VIEW FROM THE EAST



ENTITLED DESIGN - AERIAL VIEW FROM THE WEST



REFINED DESIGN - AERIAL VIEW FROM THE WEST