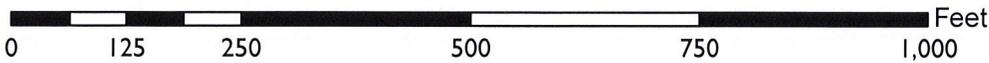
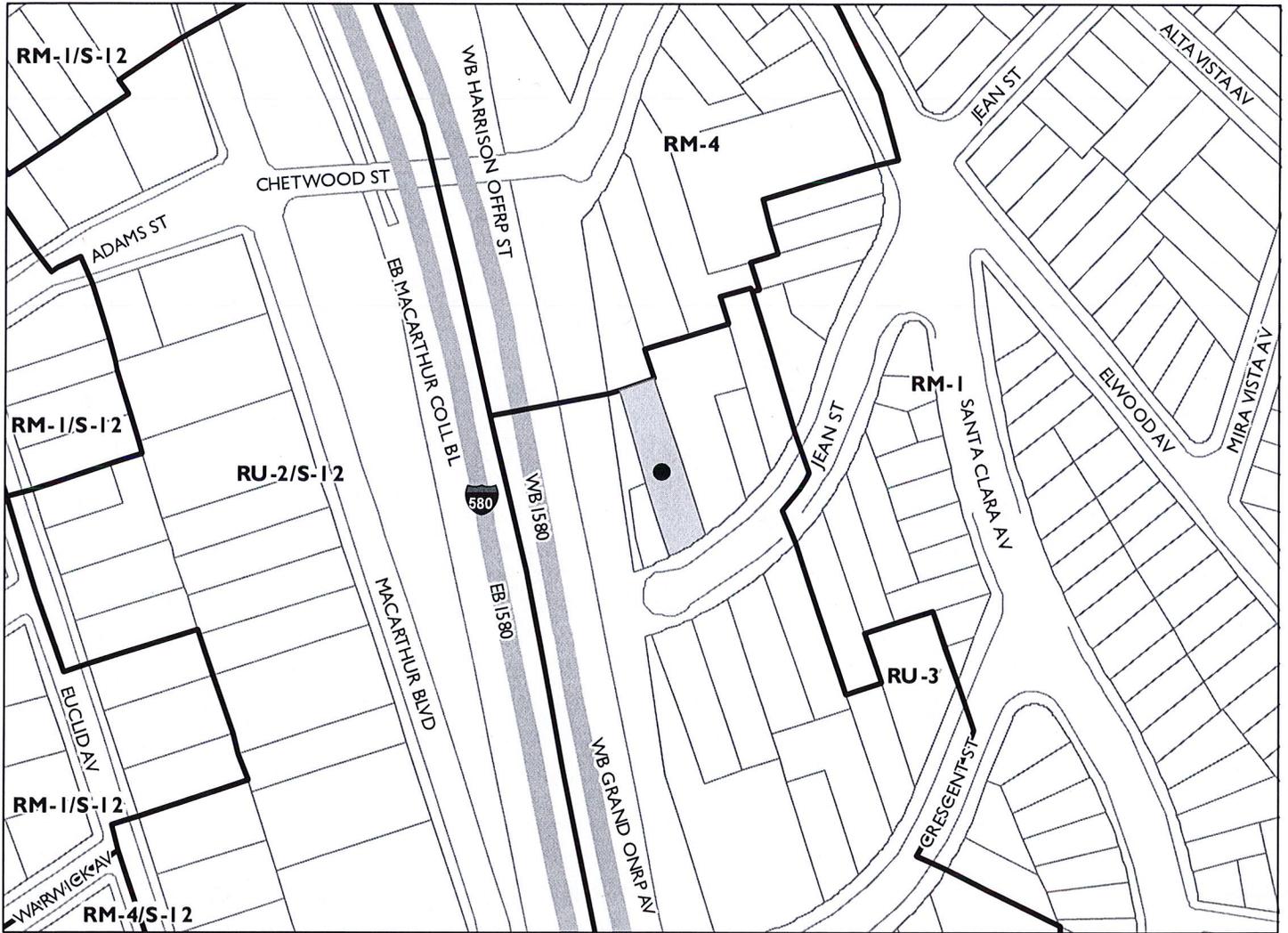


Location:	469 Jean Street
Assessor's Parcel Number:	010 -0821-024-00
Proposal:	To subdivide a 10,429 square foot parcel with an existing two-unit building and create a mini-lot development with seven parcels. The project includes the construction of six three-story residences (One unit per lot) with access provided through a shared access-facility. Each residence will contain one off-street parking space.
Contact Person:	Emily Laetz
Phone Number:	(310) 383-7237
Owner:	Ivy Star, LLC
Planning Permits Required:	Major Conditional Use Permit for a project that results in 7 or more units in a RU zone (Sec. 17.134.020). Tentative Tract Map for a subdivision of one parcel into seven mini-lots (OMC Sec. 16.24.040); Minor Conditional Use Permit to create a seven (7) mini-lot development (OPC Sec. 17.134.050, 17.134.020 & 17.142.012); Minor Conditional Use Permit for Shared Access Facility (17.102.090 (B)). Regular Design Review for the construction of 6 new residential units (Sec. 17.136.050); and Minor Variance(s) to allow 100% of required open through private balconies and decks and to allow for two curb cuts on an interior parcel (Sec.17.148.050).
General Plan:	Urban Residential
Zoning:	RU-3 Urban Residential 3 Zone
Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines: In-Fill Development Projects; Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Not A Potentially Designated Historic Property (DHP); Survey rating: Fc3
Service Delivery District:	2
City Council District:	2
Date Filed:	6/22/2016
Staff Recommendation:	Approve with the attached conditions
Finality of Decision:	<i>Appealable to City Council within 10 days</i>
For Further Information:	Contact case planner Jose M. Herrera-Preza, Planner II at (510) 238-3808 or jherrera@oaklandnet.com

SUMMARY

The proposal will subdivide an existing 10,429 square foot parcel, containing an existing two-unit building, into a seven (7) parcel mini-lot development (resulting in 8 total residential units). The proposal involves the construction of six three-story townhome style residences (one unit per lot) each with one-off Street parking space for a total of 8 parking spaces for the project. The subject property is an interior parcel surrounded by a mixture of multi-family style buildings ranging from a five-story 33 unit condominium to a two-story 4 unit garden apartment building.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN16193 / TTM8351

Applicant: Emily Leatz

Address: 469 Jean Street

Zone: RU-3

The project requires a Major Conditional Use Permit for a project resulting in 7 or more units in the RU zone, a Tentative Tract Map for a subdivision that creates 5 or more new parcels, a Minor Conditional Use Permit to create mini-lots, a Minor Conditional Use Permit to access the new parcels via a Private Access Easement (PAE), a Minor Variance to allow 100% of the required open space through private decks and balconies and to allow two curb cuts on one parcel, and Regular Design Review for the construction of the six (6) new residential units. As detailed below, staff finds that the project meets all of the required findings for approval. Therefore, staff recommends approval of the project subject to the attached conditions of approval.

PROJECT DESCRIPTION

The proposal involves the subdivisions of a 10,429 square foot interior lot with an irregular (50' wide and 215' deep) rectangular shape. The subject property contains an existing two-unit building toward the rear of the property, which will remain, and create a seven (7) parcel mini-lot development oriented toward the front of the property onto Jean Street. Each proposed mini-lot will contain a three-story townhome style residence, which will result in 8 total units on the site. Six of the residential units will be served by a private access easement via an existing driveway and the two units with direct frontage onto Jean Street will each have an individual driveway approach. The following table lists the dimensions for the mini-lot subdivision:

	Lot Width	Lot Depth	Lot Size	Shared-Driveway 10 ft. wide x 122. ft. deep
Lot 1 (Building 1)	19.37 ft.	48.57 ft.	1,301 sq. ft.	N/A Fronts Jean St.
Lot 2 (Building 2)	21.49 ft.	52.28 ft.	1,070 sq. ft.	N/A Fronts Jean St.
Lot 3 (Building 3)	50 ft.	18.67 ft.	933 sq. ft.	Provided
Lot 4 (Building 4)	50 ft.	18.67 ft.	933 sq. ft.	Provided
Lot 5 (Building 5)	50 ft.	21.50 ft.	1,075 sq. ft.	Provided
Lot 6 (Building 6)	50 ft.	21.50 ft.	1,075 sq. ft.	Provided
Lot 7 (Building 7)	80.83 ft.	50 ft.	4,042 sq. ft.	Provided

New residences to be created would consist of a total of four (4) three-bedroom units and two (2) two-bedroom units. The project will incorporate permanent landscaping features throughout the site; and minor site modifications.

Open space

Usable open space will be provided through private decks and balconies along the second floors, some open space would be located at the rear of each unit.

Parking

The proposal will provide eight (8) parking spaces inside private garages, which would not be visible from the public right-of-way. Bicycle parking would also be installed on the property and at least two spaces at the public right of way on Jean Street.

Site improvements

Incorporation of pervious surfaces along driveways, permanent landscaping and a new curb cut.

PROPERTY DESCRIPTION

The property is a 10,429 square foot parcel along the 400 block of Jean Street, where it terminates at the 580 Freeway. The site is located along a block of Jean St. adjacent to a four-story residential condominium building and a number of two to three-story multi-family buildings at the end of a cul-de-sac. The property contains a three story duplex, which is setback 133' away from the front property line. The property contains a subtle elevation change of 6' up slope from Jean Street but equals to less than a 4% slope, so it is considered a flat lot. The Jean St. frontage measures fifty feet and faces two to three-story multi-family buildings. The interior sides measure two hundred two feet on the north and two hundred thirteen feet on the south side and abut larger multi-family residences. The site is part of the urban residential zone consisting of detached single family homes, duplexes, and apartment buildings.

GENERAL PLAN ANALYSIS

The property is located in the Urban Residential area under the General Plan. The intent of the area is: "to create, maintain, and enhance areas of the City that are appropriate for multi-unit, low-rise or mid-rise residential structures and neighborhood businesses where appropriate in locations with good access to transportation and other services." Desired Character and Uses is: "Future development within this classification should be primarily residential in character that house ground floor commercial uses and public facilities. If possible, where detached density housing adjoins the urban residential the project should be structured to create a transition area between the two." Intensity/Density is: "125 units per gross acre." The proposed design for a multi-family facility and site is, therefore, consistent with the intent, desired character and uses, and intensity/density of the General Plan as well as the following Policies:

Policy N3.2 Encouraging Infill Development.

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

Policy N3.8 Required High-Quality Design.

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

Policy N6.1 Mixing Housing Types.

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

Policy N6.2- Increase Home Ownership.

Housing development that increase home ownership opportunities for households of all incomes are desirable. The proposal provides home ownership opportunities for a range of potential home buyers. The mini-lot development approach will make the sixteen residential dwelling units more affordable due to the smaller lot sizes.

Policy N7.1 Ensuring Compatible Development.

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

The proposal is a residential in-fill development project that reuses and enhances a long vacant Property as well as contributing to the mix of housing types in a residential area. These items are discussed further in the Key Issues and Impacts section of this report.

Staff finds that the proposal conforms to the General Plans intent, desired character and policies.

ZONING ANALYSIS

The property is located in the RU-3 Urban Residential 3 Zone. The intent of the RU-3 Zone is: “to create, maintain, and enhance areas of the City that are appropriate for multi-unit, low-rise or mid-rise residential structures at somewhat higher densities than RU-2, and neighborhood businesses where appropriate in locations with good access to transportation and other services.” The proposed design for a mini-lot development of seven parcels and a total of eight units in an urban setting is consistent with this intent of the Planning Code and the following Planning Code Purpose:

To provide for desirable, appropriately located living areas in a variety of dwelling types and at a wide range of population densities, with adequate provision for sunlight, fresh air, and usable open space (OMC Sec. 17.07.030(D))

Considerations to approve the project relate to compatibility of density with the site and surrounding neighborhood; quality of architectural and site modifications; applicability of an environmental review exemption; and integrated design that will improve existing site conditions. Density would increase to the well below the maximum allowable density under Zoning. Parking would satisfy the required number of spaces and the Open space would be provided primarily through the installation of private balconies.

The following table indicates existing and proposed development standards:

	Existing	Proposed	Required/Allowed
Lot size	10,429	NA	NA
Units	2	8	1 unit per 450 sq. ft. of lot area (Maximum 23 units)
Usable Group Open Space	6,000	0	30 sq. ft. of space per unit when private open space is included (600 sq. ft.)
Usable Private Open Space	NA	1,216	87.5 sq. ft. of space per unit (1,750 sq. ft.)
Parking Spaces	2	8	1 space per Unit
Max # of Stories	NA	3	NA
Height	35 (existing)	29'	60'

These items are discussed further in the Key Issues and Impacts section of this report. The project meets Planning Code requirements for buffering (screening of residential parking), bicycle parking, landscaping, and meets the Green Building Ordinance. The proposed design for the new construction of a new multi-family building, consistent with the intent of the Planning Code and the following Purpose of the Planning Code:

“To provide for desirable, appropriately located living areas in a variety of dwelling types and at a wide range of population densities, with adequate provision for sunlight, fresh air, and usable open space....” (OMC Sec. 17.07.030(D).)

Staff finds that the proposal conforms to the applicable Planning Code requirements, except for the percentage of compact spaces (see discussion under Key Issues and Impacts Section).

Under Sections 16.08.030 for Tentative Map and 16.24.040 for Lot Design Standards of the Oakland Subdivision Regulations, and Sections 17.134.050 for General Use Permit criteria, 17.142.012 for Conditional Use Permit for waiver of certain requirements in mini-lots, City Guidelines for Shared-Access Facilities and 17.136.050 for Regular Design Review.

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines categorically exempts specific types of projects from environmental review. Section 15332 of the State CEQA Guidelines exempts “In-Fill Development Projects.” The proposal to create additional dwelling units within a structure in a developed urban area meets the conditions described in Section 15332. In addition, CEQA mandates that projects which are consistent with the development density established by existing zoning or general plan policies for which an EIR was certified shall not require additional environmental review (CEQA Guidelines, § 15183(a).)

The project is therefore exempt from further Environmental Review.

KEY ISSUES AND IMPACTS

The following are key issues that staff reviewed in response to the proposal:

1. Conditional Use Permit(s)

Required: Major Conditional Use Permit for a project that results in 7 or more units in an RU zone (Sec. 17.134.020). A Minor Conditional Use Permit to create a seven parcel (7) mini-lot development (OPC Sec. 17.134.050, 17.134.020 & 17.142.012); Minor Conditional Use Permit for Shared Access Facility (17.102.090 (B)).

The proposal meets all applicable zoning standards as far as they relate to density, building height and required development setbacks but the project still requires conditional use permits for the creation of mini-lot parcels, accessibility of the development and the resulting number of units in the RU zone. The provision of Section 17.142 of the Oakland Planning Code (OPC) for Mini-Lot Development provides for a comprehensively designed development containing lots that do not meet the minimum size or other requirements applying to individual lots may be waived or modified within a Mini-Lot Development, and floor area, parking, and other facilities may be located within said development without reference to lot lines. The proposed subdivision (Tentative Tract Map) proposal includes the siting of the buildings (three-story high) with one unit per lot for total of six (6) new residential units and two existing within seven (7) newly created parcels.

The development will be accessed through a shared access facility via an existing 10' wide driveway that terminates at the existing building located at the rear of the property. The proposed shared access facility deviates from the California Fire Code 13208 C.F.C. Appendix D, adopted in 2013, which normally requires a 20' wide fire truck access road width where the building height is less than 30' and incorporation of a Fire truck turn-around on fire access roads greater than 150' long to farthest structure on the lot. As such the applicant was granted a waiver from the requirements through an Alternative Methods of Construction by the Fire Marshall and Fire Protection Engineer (Attachment D) to allow the use of the existing driveway as a shared access facility due to the nature of the subject property meeting the following conditions in OMC Sec. 15.12.010 (C) (Attachment E):

Is **not** located within the Urban-Wildland Interface, High Fire Hazard Severity Zone, or Wildland Fire Assessment District; and

Contains the required street widths and slopes at the property and surrounding area to provide adequate fire truck access; and

Is located within an area that has an existing built-out street "grid" and has been previously developed; and

Is located in an area with adequate fire flow as determined by the Fire Chief.

2. Design Review

The proposal requires a Regular Design Review for the construction of 6 new residential units (Sec. 17.136.050). The proposed project will create a design that is well-related to the surrounding buildings, and would not have significant impacts on the adjacent buildings with respect to views, solar access and privacy. The construction of six residential buildings requires Regular Design Review. The new buildings are designed to complement the neighborhood and relate to the existing building context along Jean Street. The buildings have been designed to be compatible with the existing architecture in the neighborhood by using

similar façade articulations, incorporating exterior materials with similar horizontal siding and smooth stucco features and 2 inch recesses along window openings

Site Design: The proposal is to construct six three-story townhouse style buildings on six of the seven proposed mini-lots. Five lots (Lots 3-7) will use the private access easement (driveway) to access 5 enclosed attached car garages. The proposed 10' wide driveway surface area will be finished with concrete by provide permeable decorative pavers for individual driveway approaches to increase visual appeal as well as an environmentally superior alternative that will minimize storm water run-off. Landscape strips will be provided at appropriate areas to soften the edge of the easement.

Building Design: The project will construct six new three-story townhome style residences with a contemporary design aesthetic in the composition and form of the buildings. The building elevations are articulated to minimize perceived bulk and visual impacts on the street and neighboring properties through the use of various architectural techniques to reduce scale, bulk and massing of the building such as flat roofs, bay window projections and deep window recesses. The proposed buildings measure 29 feet to the top of the roof. The main entry to these units will be from the front porches, located adjacent to the shared-driveway. The exterior materials will use smooth coat stucco and horizontal cement fiber siding, metal railings and high quality glass and steel garage doors and black aluminum windows. The project also includes wall-sconce light fixtures to the side of the garages and balconies.

3. Variance

The proposal will require the granting of two Minor Variances to allow 100% of required open space via private open space and to allow two curb cuts on an interior parcel (Sec.17.148.050). The subject property currently has two curb cuts located at interior sides of the parcel and as part of the project no additional curb cuts will be added. The project will retain one curb cut in the existing location, which will be the shared access facility and the other curb cut one will be eliminated and relocated to the center of the parcel.

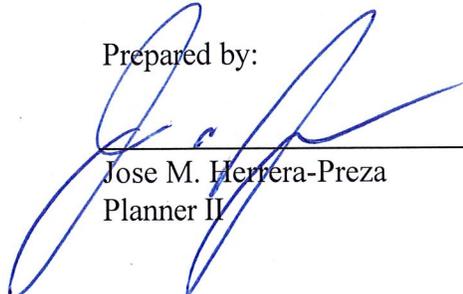
Due to conditions of design 100% of the required open space will be provided through private decks and balconies for each individual unit. See the findings section for more information.

CONCLUSION

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

- RECOMMENDATIONS:**
1. Affirm staff's environmental determination.
 2. Approve the Major Conditional Use Permit, Tentative Tract Map, Regular Design Review and Minor Variance subject to the attached Findings and Conditions.

Prepared by:



Jose M. Herrera-Preza
Planner II

Reviewed by:



Scott Miller
Zoning Manager

Reviewed by:



Darin Ranelletti, Deputy Director
Bureau of Planning and Building

Approved for forwarding to the
City Planning Commission:



Rachel Flynn, Director
Bureau of Planning and Building

ATTACHMENTS:

- A. Project Plans
- B. Context Photos
- C. O.F.D. Permit No. 2015-39646, A.M.R. #15 dated March 17, 2016
- D. City Policy Bulletin dated April 15, 2016

Findings for Approval

This proposal meets all the required findings under the General Use Permit Criteria (OMC Sec. 17.134.050; Section 17.102.320, Conditional Use Permit for waiver of certain requirements in mini-lot developments, Section 17.102.090, Conditional Use Permit for Shared Access Facilities, Regular Design Review Criteria (OMC Sec. 17.136.050(A)(C) of the Oakland Planning Code (Title 17); Minor Variance Permit Criteria (OMC Sec. 17.148.050 of the Oakland Planning Code of the Oakland Planning Code, and Section 16.04.010, Purpose, Section 16.24.040, Lot Design Standards, and Section 16.08.030 Tentative Tract Maps, of the Oakland Subdivision Regulations, as set forth below;. Required findings are shown in bold type; explanations as to why these findings can be made are in normal type.

SECTION 17.134.050 – GENERAL USE PERMIT CRITERIA:

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

The proposed development's location, size, design, and operating characteristics will be compatible with, and will not adversely affect, the livability or appropriate development of abutting properties and the surrounding neighborhood. The proposal requires two Conditional Use Permits: 1.) To allow a mini-lot development and 2.) To allow a Shared Access Facility to provide vehicular access to five of the seven proposed mini lots. The project will improve an existing underutilized residential lot with the construction of new residential buildings and associated site improvements that include new landscape and site design configuration. The mini-lot development allows the site to be improved as six (6) residential units located on six separate lots (one residential units per lot). The project has been designed to provide a convenient living environment that allows private ownership.

B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.

The location, design, and site plan of the proposed development will provide a convenient and functional living environment for a multi-family development. The proposed development allows the site to be developed within the prescribed RU-3 density and allows for the opportunity for each residence to have its own fee simple parcel. The project will enhance an existing underutilized parcel with substantial site improvements that include six (6) three-story residential townhome style buildings with a design aesthetic that a complement surrounding buildings and that is compatible with the neighborhood character. The project will be served by shared access facilities for vehicular access to six (6) parking spaces within 5 parcels. The Private Access Easement will be required to incorporate pavers and landscape strips to enhance the shared space and contribute to the visual appeal of the proposed development.

C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.

The project will enhance the existing site with attractive improvements. The project will provide much needed housing units in close proximity to public transit and the 580 freeway as well as to schools, shopping districts, and open space.

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

The proposal conforms to all significant aspects of the Design Review criteria set forth in Chapter 17.136 of the Oakland Planning Code, as outlined below.

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

The property is located in the Urban Residential area of the General Plan. The intent of the area is: "is to create, maintain, and enhance areas of the City that are appropriate for multi-unit, low-rise or mid-rise residential structures and neighborhood businesses where appropriate in locations with good access to transportation and other services." Desired Character and Uses is: "Future development within this classification should be primarily residential in character." The proposed design for a multi-family facility and site is, therefore, consistent with the intent and desired character and uses of the General Plan as well as the following Policies:

Policy N3.2 Encouraging Infill Development.

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

Policy N3.8 Required High-Quality Design.

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

Policy N6.1 Mixing Housing Types.

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

Policy N6.2- Increase Home Ownership.

Housing development that increase home ownership opportunities for households of all incomes are desirable. The proposal provides home ownership opportunities for a range of potential home buyers. The mini-lot development approach will make the sixteen residential dwelling units more affordable due to the smaller lot sizes.

Policy N7.1 Ensuring Compatible Development.

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

The proposal is a residential in-fill development project that enhances an urban residential district near a major city street surrounded with a mix of urban housing types in a residential area.

Section 17.102.320 Conditional Use Permit for waiver of certain requirements in Mini-lot Developments

A. Basic Provisions. Subject to the provisions of subsections B and C of this section, the maximum height and minimum yard, lot area, width, and frontage requirements otherwise applying to individual lots may be waived or modified within a mini-lot development, and floor area, parking, and other facilities may be located within said development without reference to lot lines, upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination:

1. That there is adequate provision for maintenance of the open space and other facilities within the development; and

The project meets and exceeds the open space requirements for the project of this scope. As part of the mini-lot development a private access easement is proposed to serve 5 of the newly created parcels and will serve as a Shared Access Facility for vehicular ingress and egress and also serve as a utilities easement. A condition of approval has been added to this approval to require a maintenance agreement that ensures that adequate maintenance for all common areas is in place.

2. That the total development meets all the requirements that would apply to it if it were a single lot.

The proposed development is significantly under the permitted density for the RU-3 zone, which would have allowed 23 units. The entire project meets all required front, side and rear setbacks. The proposed buildings will have less than 30' height where a maximum of 60' building height is allowed. The required open space would be satisfied through private decks but due to conditions of design no group open space is provided. All required off-street parking would be satisfied. The project when viewed in its entirety would meet and exceed all development standards that would apply if the site were a single parcel in the RU-3 zone.

B. Zones in Which Requirements May Be Waived. A conditional use permit pursuant to subsection A of this section may be granted only in the S-1 or S-2 zone or in any residential or commercial zone other than RH zones or the RD-1 zone.

The subject site is zoned RU-3 Zone and therefore complies with above criterion.

C. Maximum Size for Which Requirements May Be Waived. A conditional use permit pursuant to subsection A of this section may be granted only if the total land area of the mini-lot development is less than sixty thousand (60,000) square feet.

The subject site is 10,429 square feet and therefore complies with the above criterion.

Section 17.102.090 Conditional Use Permit for Shared Access Facilities

A. Use Permit Required. A shared access facility shall be allowed only upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

The proposed application involves a Minor Conditional Use Permit pursuant to Section 17.134. See findings above.

B. Use Permit Criteria. A conditional use permit under this section may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to all of the following additional use permit criteria:

1. Compliance with Guidelines. Each shared access facility proposal shall be in compliance with the City Planning Commission guidelines for development and evaluation of shared access facilities.

The proposed shared access facility is consistent with the applicable planning guidelines for development and evaluation of the easement. The facility will maintain a width of 10' throughout the length of the easement and will allow for reasonable modifications where appropriate.

2. Public Safety. The width of a shared access facility shall be adequate to ensure unimpeded emergency and nonemergency ingress and egress at all times. Additionally, the shared access facility shall conform to city standards for roadway layout and design.

The width of the shared access easement will be 10' for the length of the facility from Jean Street. The proposed easement will be subject to maximum slope and other requirements to meet city standards. Typically, a 20' wide access easement would be required to satisfy emergency and non-emergency ingress and egress, based the location of the subject property meeting climatic, geographic and topographic conditions pursuant to O.M.C. Sec. 15.12.010C. The width of Jean Street serves a adequate access to the site, the site not being located in the a High Fire Hazard Zone, the property deemed to have adequate fire flow and the site is located within an existing built-out street "grid" and previously developed combined with the relatively short length of the shared access facility also provides easy access to all units served.

3. Aesthetics. A shared access facility shall be designed to provide the environmentally superior alternative to other approaches for the development of the property and shall be designed to be visually compatible with its surroundings, as set forth in the City Planning Commission guidelines; necessary retaining walls shall not be of excessive height and shall not be visibly obtrusive, as such are defined in the City Planning Commission guidelines.

The proposed shared access facility is located on a relatively flat parcel (6' elevation change over a 135' run) from Jean Street; in an area of the property that currently serves as a driveway for the existing duplex. Any new retaining walls will be less than 3' in height and non-street facing, therefore preserving the aesthetics of the neighborhood. The surface of the facility is required to be finished with permeable decorative pavers for visual appeal as well as an environmentally superior alternative that will minimize storm water run-off. Landscape strips shall be provided at appropriate areas to soften the edges of the easement.

4. On-Going Owner Responsibility. Applicants for a shared access facility shall submit, for approval, an agreement for access facility maintenance, parking restrictions, and landscape maintenance. Upon staff approval, the proposed agreement shall be recorded by the applicant within thirty (30) days with the Alameda County Recorder. In addition, applicants for a shared access facility shall provide documentation of continuing liability insurance coverage. Documentation of insurance coverage shall include the written undertaking of each insurer to give the city thirty (30) days' prior written notice of cancellation, termination, or material change of such insurance coverage.

As a condition of approval, the applicant is required to prepare and submit a maintenance agreement for the proposed development to the Bureau of Planning for review and approval prior to issuance of a certificate of occupancy for the first unit.

5. Certification. Prior to construction, applicants for a shared access facility shall retain a California registered professional civil engineer to certify, upon completion, that the access facility was constructed in accordance with the approved plans and construction standards. This requirement may be modified or waived at the discretion of the Director of Public Works, based on the topography or geotechnical considerations. An applicant may also be required to show assurance of performance bonding for grading and other associated improvements. In addition, prior to the installation of landscaping, an applicant shall retain a landscape architect or other qualified individual to certify, upon completion, that landscaping was installed in accordance with the approved landscape plan.

Staff has added a condition of approval to this report for the project to meet this criterion.

Section 16.04.010, Purpose:

"...ensure that the development of subdivisions is consistent with the goals and policies of the Oakland General Plan."

The proposed project involves the division of land from one parcel into seven parcels. The site is located in the RU-3 Urban Residential 3 zoning district and the Urban Residential General Plan Land Use classification, which is intended *"to create, maintain, and enhance areas of the City that are appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services."* The proposed land subdivision maintains the character of the an urban developed area and is intended to be improved with multi-unit townhome style residences, therefore, it is consistent with the intended character, land uses, and densities of the General Plan and Zoning regulations.

Section 16.24.040 Lot design standards.

Lot design shall be consistent with the provisions of Section 16.04.010, Purpose, and the following provisions:

A. No lot shall be created without frontage on a public street, as defined by Section 16.04.030, except:

1. Lots created in conjunction with approved private access easements;

The subject property is an interior lot surrounded by mid-rise multi-unit residential buildings. The proposal will create five new lots without frontage onto a public street but will be served by a private access easement from Jean Street, that has been reviewed and approved by the Fire Marshall.

2. A single lot with frontage on a public street by means of a vehicular access corridor provided that in all cases the corridor shall have a minimum width of twenty (20) feet and shall not exceed three hundred (300) feet in length. Provided further, the corridor shall be a portion of the lot it serves, except that its area (square footage) shall not be included in computing the minimum lot area requirements of the zoning district.

Of the proposed seven mini-lots, two lots will have frontage onto Jean Street. The remaining five lots that do not have frontage onto a public street are being created in conjunction with a proposed Private Access Easements (Shared Access Facilities), which has been reviewed and granted a waiver by the Fire Chief to reduce the required 20' to a 10' access easement with conditions of approval. As part of the mini-lot development the newly created lots will have the required minimum lot size required by the zone to be waived through a Conditional Use Permit (see findings above).

B. The side lines of lots shall run at right angles or radially to the street upon which the lot fronts, except where impractical by reason of unusual topography.

All seven of the proposed lots have side lot lines that run at right angles to the street upon which they front. The proposed project maintains interior lot lines that run at right angles from Jean Street.

Specifically, the newly created interior lot lines will run at approximately a right angle for 130' from Jean Street then alters orientation due to existing site condition of the existing duplex on the property.

The project will divide an existing parcel, containing a duplex, into seven mini-lots. The proposed project therefore meets the above criteria.

C. All applicable requirements of the zoning regulations shall be met.

The subject 10,429 square-foot site complies with the RU-3 setbacks in its entirety however the mini-lot standards waive certain zoning requirements such as minimum lot size, width for the new individual lots that do not meet the minimum required by the zone.

SECTION 17.136.050.A - REGULAR DESIGN REVIEW CRITERIA:

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

The project is located on a 10,429 square foot interior parcel at near the intersection of Santa Clara Ave. and Jean Street in the RU-3 Urban Residential 3 Zone. The proposed project requires Regular Design Review to construct six three-story attached multi-family residences resulting in a total of 8 units where 23 units are permitted.

The proposed design applies a combination of materials including stucco, horizontal siding, aluminum frame windows, metal screens and railings and a variation of colors consistent with the design review guidelines and will work well to integrate the development with the neighboring structures. To minimize perceived bulk, the design applies a series of projections to articulate the building elevations. This design approach successfully allows the building to achieve a hierarchy of volumes and proportions that relate well to the neighborhood and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage and density. The proposed design will relate well with surrounding land uses in terms of setting, height, materials, and textures. The proposed design will incorporate balconies, patios, recessed windows and doors, new trees and landscaping, new illumination, new paving, and other site improvements such as fences.

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

The proposal will enhance the surrounding area by adding desirable site improvements to enhance the appearance of the neighborhood. This area of Oakland is an older neighborhood that has a desirable mix of multi-family dwellings down to single family dwelling consisting of two to five stories around Jean Street, thus this new development will increase property values for the surrounding neighborhood and be compatible with existing and future developments.

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

The subject property is a relatively flat lot located in a built-out urban area and minimize grading to the greatest extent possible. The proposed design incorporates landscaping into the site plan.

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

The site is not situated on a hill or hillside area.

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

The subject property is in the Urban Residential classification of the City of Oakland General Plan. The Urban Residential classification is intended to create, maintain, and enhance areas of the City that are appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services.

Objective N3 of the Oakland General Plan Land Use and Transportation Element states: "Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community". This proposal, to construct 6 attached residential townhomes to a lot containing a duplex conforms to the City of Oakland Comprehensive General Plan and is consistent with the Urban Residential general plan designation.

The proposed 8 unit mini-lot residential development will not detract from the character of this Urban Residential neighborhood, but rather, should enhance it.

SECTION 17.148.050A MINOR VARIANCE FINDINGS REQUIRED:

1. That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the Zoning Regulations, due to unique physical or topographical circumstances or conditions of design; or, as an alternative in the case of a Minor Variance, that such strict compliance would preclude an effective design solution improving the livability, operational efficiency, or appearance.

The subject property is an interior parcel that currently contains two legally existing curb cuts. The presence of two curb cuts on a parcel with one street frontage is considered non-conformity because it exceeds the maximum allowable of one curb cut per street frontage. The proposal will not increase the number of curb cuts on Jean Street but will instead relocate one of two curb cuts from a side to the center of the parcel in order to provide two parcels with direct vehicular access on Jean Street and result in two curb cuts within 10' of each other. The relocation of the curb cut results in a superior building design that will orient two buildings onto Jean Street that will provide more presence to the street and continue the pattern of development. Furthermore, due to conditions of the design, it is in practical to provide group open space at the required 15'x15' minimum when the parcel is only 50' wide. When required setbacks and the access easement are taken into consideration the buildable envelope would be greatly reduced and negatively affect the design of the project. Therefore the project satisfies the open space requirement through private decks and balconies.

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

As stated in finding #1, the number of curb cuts will not increase and all 100% of the open space will be provided through private open space due to site conditions and conditions of design.

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

The project has been designed to minimize its effect on the surrounding residential neighborhood by proposing less than maximum allowable density, will not add the number of curb cuts existing and incorporating a permanent landscape features to the site. Furthermore bicycle parking along Jean Street's will provided as the site is in close proximity to Santa Clara Ave. which is a major bike route and direct access to Bus Routes.

4. That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the Zoning Regulations.

The requested variance would not constitute a grant of special privilege and is consistent with the purpose of the zoning regulation. Based on the current pattern of development, the scope of the project meets the zoning regulation for required density, setbacks, height, open space but requires all open space to be provided as private open space.

5. That the elements of the proposal requiring the variance (e.g., elements such as buildings, walls, fences, driveways, garages and carports, etc.) conform with the Regular Design Review criteria set forth in the Design Review Procedure at Section 17.136.050;

The proposal meets all the Regular Design Review Criteria, as shown above.

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

The proposal conforms to all significant aspects of the Urban Residential General Plan Land Use classification including Objective N3 which encourages the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community.

Policy N3.5

Encouraging Housing Development

The City should actively encourage development of housing in designated mixed housing type and urban housing areas through regulatory and fiscal incentives, assistance in identifying parcels that are appropriate for new development, and other measures.

7. For proposals involving one or two residential dwelling units on a lot: That, if the variance would relax a regulation governing maximum height, minimum yards, maximum lot coverage or maximum floor area ratio, the proposal also conforms with at least one of the following additional criteria:

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

The proposal will not adversely impact the surrounding properties. The project has been designed to minimize its effect on the surrounding residential neighborhood.

IN-FILL DEVELOPMENT PROJECTS (CALIFORNIA ENVIRONMENTAL QUALITY ACT, GUIDELINES SECTION 15332)

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The project conforms to the General Plan and Planning Code. The proposal requires a minor variance; findings for the granting of the minor variance are required as described in the staff report.

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

The 10, 429 square foot site is substantially surrounded by urban uses and is located entirely within the City of Oakland.

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

The project site has no value as habitat for endangered, rare or threatened species. The site was developed as early as 1920's and contains significant impervious surface.

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

The proposal does not require a traffic study or transportation management plan although a transportation management plan will be voluntarily implemented. Existing curb cuts and driveway will be improved.

(e) The site can be adequately served by all required utilities and public services.

The site is already developed and is located in an urbanized area. New dwelling units will be served by existing utilities and public services.

CONDITIONS OF APPROVAL
PLN16193/TTM8351

STANDARD CONDITIONS:

1. Approved Use

a) The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, and the approved plans the plans dated **August 22 , 2016** as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

2. Effective Date, Expiration, Extensions and Extinguishment

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **two years** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period 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 Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. Compliance with Other Requirements

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

4. Minor and Major Changes

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

the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

5. Compliance with Conditions of Approval

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

6. Signed Copy of the Approval/Conditions

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

7. Blight/Nuisances

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

8. Indemnification

To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter

collectively called "City") from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.

- d. Within ten (10) calendar days of the filing of any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. Severability

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

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

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

11. Public Improvements

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

12. Compliance Matrix

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

13. Construction Management Plan

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

14. Regulatory Permits and Authorizations from Other Agencies

Requirement: 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.

When Required: Prior to activity requiring permit/authorization from regulatory agency

Initial Approval: Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

15. Graffiti Control

Requirement:

- a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:
 - Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
 - Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
 - Use of paint with anti-graffiti coating.
 - Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
 - Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
- b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:
 - i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.
 - ii. Covering with new paint to match the color of the surrounding surface.
 - iii. Replacing with new surfacing (with City permits if required).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

16. Landscape Plan

Landscape Plan Required

Requirement: The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

Landscape Installation

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

When Required: Prior to building permit final

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

Landscape Maintenance

Requirement: All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

17. Lighting

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

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

b)

18. Construction-Related Air Pollution Controls (Dust and Equipment Emissions)

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

- a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
- b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. Pave all roadways, driveways, sidewalks, etc. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used.
- c. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- d. Limit vehicle speeds on unpaved roads to 15 miles per hour.

- e. 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 five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.
- f. 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 five 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”).
- g. 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.
- h. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.

19. Exposure to Air Pollution (Toxic Air Contaminants)

Health Risk Reduction Measures

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

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

- 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 more of the following: Pine (*Pinus nigra* var. *maritima*), Cypress (*X Cupressocyparis leylandii*), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwood (*Sequoia sempervirens*).

Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.

Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.

Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:

Installing electrical hook-ups for diesel trucks at loading docks.

Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.

Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.

Prohibiting trucks from idling for more than two minutes.

Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

Maintenance of Health Risk Reduction Measures

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

20. Archaeological and Paleontological Resources – Discovery During Construction

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

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

21. Human Remains – Discovery During Construction

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

22. Construction-Related Permit(s)

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

23. Hazardous Materials Related to Construction

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

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

24. Site Design Measures to Reduce Stormwater Runoff

Requirement: Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate site design measures into the project to reduce the amount of stormwater runoff. These measures may include, but are not limited to, the following:

- a. Minimize impervious surfaces, especially directly connected impervious surfaces and surface parking areas;
- b. Utilize permeable paving in place of impervious paving where appropriate;
- c. Cluster structures;
- d. Direct roof runoff to vegetated areas;
- e. Preserve quality open space; and
- f. Establish vegetated buffer areas.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

25. Architectural Copper

Requirement: The project applicant shall implement Best Management Practices (BMPs) concerning the installation, treatment, and maintenance of exterior architectural copper during and after construction of the project in order to reduce potential water quality impacts in accordance with Provision C.13 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The required BMPs include, but are not limited to, the following:

- a. If possible, use copper materials that have been pre-patinated at the factory;
- b. If patination is done on-site, ensure rinse water is not discharged to the storm drain system by protecting storm drain inlets and implementing one or more of the following:
- c. Discharge rinse water to landscaped area;
- d. Collect rinse water in a tank and discharge to the sanitary sewer , with approval by the City; or haul off-site for proper disposal;
- e. During maintenance activities, protect storm drain inlets to prevent wash water discharge into storm drains; and
- f. Consider coating the copper with an impervious coating that prevents further corrosion.

When Required: During construction; ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

26. Construction Days/Hours

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

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

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

27. Construction Noise

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

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

c) When Required: During construction

d) Initial Approval: N/A

e) Monitoring/Inspection: Bureau of Building

28. Extreme Construction Noise

Construction Noise Management Plan Required

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

- i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

Public Notification Required

Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.

When Required: During construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

29. Extreme Construction Noise

Construction Noise Management Plan Required

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

- vi. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;
- vii. 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;

- viii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;
- ix. 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
- x. Monitor the effectiveness of noise attenuation measures by taking noise measurements.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

Public Notification Required

Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.

When Required: During construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

30. Construction Noise Complaints

Requirement: The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:

- a. Designation of an on-site construction complaint and enforcement manager for the project;
- b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;
- c. Protocols for receiving, responding to, and tracking received complaints; and
- d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

31. Operational Noise

Requirement: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

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

Obstruction Permit Required

Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

Traffic Control Plan Required

Requirement: In the event of obstructions to vehicle or bicycle travel lanes, 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 detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Transportation Services Division

Monitoring/Inspection: Bureau of Building

Repair of City Streets

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

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

33. Bicycle Parking

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

34. Construction and Demolition Waste Reduction and Recycling

Requirement: The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Environmental Services Division

Monitoring/Inspection: Public Works Department, Environmental Services Division

35. Underground Utilities

Requirement: The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

36. Recycling Collection and Storage Space

Requirement: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two 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 square feet of building floor area is required, with a minimum of ten cubic feet.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

37. Green Building Requirements

Compliance with Green Building Requirements During Plan-Check

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

- i. The following information shall be submitted to the City for review and approval with the application for a building permit:
 - Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.
 - Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
 - Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
 - Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.
 - Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
 - Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.

Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.
- ii. The set of plans in subsection (i) shall demonstrate compliance with the following:

CALGreen mandatory measures.

All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.

The required green building point minimums in the appropriate credit categories.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

Compliance with Green Building Requirements During Construction

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

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

- i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.
- ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.
- iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

Compliance with Green Building Requirements After Construction

Requirement: Prior to the finaling the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.

When Required: Prior to Final Approval

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

38. Sanitary Sewer System

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Department of Engineering and Construction

Monitoring/Inspection: N/A

39. Storm Drain System

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

Site Specific Conditions of Approval

40. Encroachment Permit

Prior to issuance of building permit.

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

41. Window and Door Details.

Prior to issuance of building permit.

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

42. Meter Shielding.

Prior to issuance of building permits.

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

43. Street Trees.

Prior to issuance of building permit.

The applicant shall provide 12 street trees in front of the building with review and approval of species, size at time of planting, and placement in the right-of-way, subject to review and approval by the Planning and Building Department.

APPROVED BY:

City Planning Commission: _____ (April 6, 2016) _____ (vote)



469 JEAN STREET

OAKLAND, CALIFORNIA

IVY STAR, LLC.

APN: 10-821-24

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OAKLAND, CA. 94610

Architecture | Planning | Interiors



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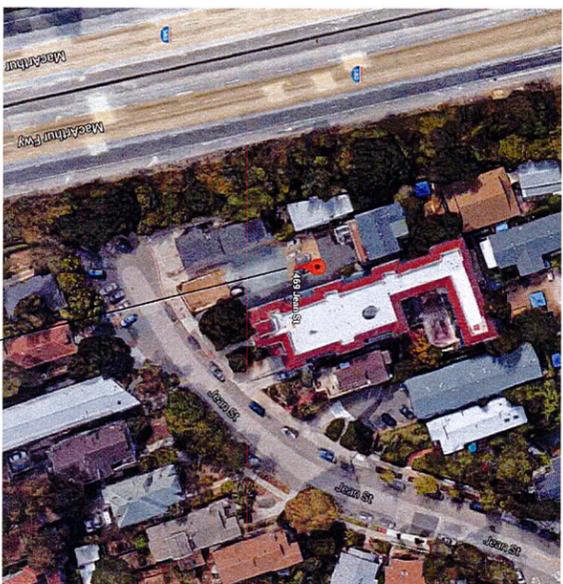
T. 415-512-1300
F. 415-288-0288

COVER SHEET

CS

SCALE: NO SCALE
DATE: 08.29.2016 DR SUB
PROJECT: 334001.0

VICINITY MAP



SHEET SCHEDULE

CS	COVER
DR 1	PROJECT TEAM / DATA / MAP / SHEET INDEX
CIVIL	
C1	TENTATIVE TRACT MAP 8351
ARCHITECTURAL	
DR 2	ARCHITECTURAL SITE PLAN / ROOF PLAN
DR 2.1	GRADING PLAN
DR 3	UNIT FLOOR PLANS
DR 4	BUILDING FLOOR PLANS
DR 5	BUILDING ELEVATIONS
LANDSCAPE	
L-1	LANDSCAPE SITE PLAN
L-2	LANDSCAPE DETAILS
L-3	LANDSCAPE DETAILS
L-4	PLANTING PLAN
L-5	PLANTING NOTES
L-6	PLANTING DETAILS

PROJECT TEAM

<p>DEVELOPER/CLIENT IVY STAR, LLC EMILY LAETZ P.O. BOX 20545 OAKLAND, CA 94620 PHONE: 310-383-7237</p>	<p>LANDSCAPE ARCHITECT LEVELSQUE DESIGN KEVIN LEVELSQUE 1414 BAY STREET, SUITE 100 ALAMEDA, CA 94501 PHONE: 510-521-6700</p>
<p>ARCHITECT HUNT HALE JONES ARCHITECTS RICHARD HUNT 444 SPEAR STREET, SUITE 105 SAN FRANCISCO, CA 94105 PHONE: 415-568-3833 FAX: 415-288-0288</p>	<p>CIVIL ENGINEER MORAN ENGINEERING, INC. JEFFREY BLACK 1930 SHATTUCK AVENUE, SUITE A BERKELEY, CA 94704 PHONE: 510-848-1930</p>

LOT 1 - UNIT A1	LOT 2 - UNIT A2	LOT 3 - UNIT B1	LOT 4 - UNIT B2	LOT 5 - UNIT C1	LOT 6 - UNIT C2
<p>LOT SIZE: 1301 S.F. GARAGE LEVEL: 113 S.F. MAIN LEVEL: 482 S.F. UPPER LEVEL: 537 S.F. TOTAL LIVING: 1132 S.F. GARAGE: 421 S.F. TOTAL: 1553 S.F.</p>	<p>LOT SIZE: 1070 S.F. GARAGE LEVEL: 125 S.F. MAIN LEVEL: 550 S.F. UPPER LEVEL: 627 S.F. TOTAL LIVING: 1302 S.F. GARAGE: 477 S.F. TOTAL: 1779 S.F.</p>	<p>LOT SIZE: 933 S.F. GARAGE LEVEL: 250 S.F. MAIN LEVEL: 445 S.F. UPPER LEVEL: 467 S.F. TOTAL LIVING: 1162 S.F. GARAGE: 225 S.F. TOTAL: 1387 S.F.</p>	<p>LOT SIZE: 933 S.F. GARAGE LEVEL: 250 S.F. MAIN LEVEL: 445 S.F. UPPER LEVEL: 467 S.F. TOTAL LIVING: 1162 S.F. GARAGE: 225 S.F. TOTAL: 1387 S.F.</p>	<p>LOT SIZE: 1075 S.F. GARAGE LEVEL: 328 S.F. MAIN LEVEL: 479 S.F. UPPER LEVEL: 522 S.F. TOTAL LIVING: 1329 S.F. GARAGE: 236 S.F. TOTAL: 1565 S.F.</p>	<p>LOT SIZE: 1075 S.F. GARAGE LEVEL: 328 S.F. MAIN LEVEL: 479 S.F. UPPER LEVEL: 522 S.F. TOTAL LIVING: 1329 S.F. GARAGE: 236 S.F. TOTAL: 1565 S.F.</p>

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PROJECT TEAM/DATA/SHEET INDEX

DR 1

SCALE: NO SCALE
 DATE: 08.29.2016 DR SUB
 PROJECT: 334001.0



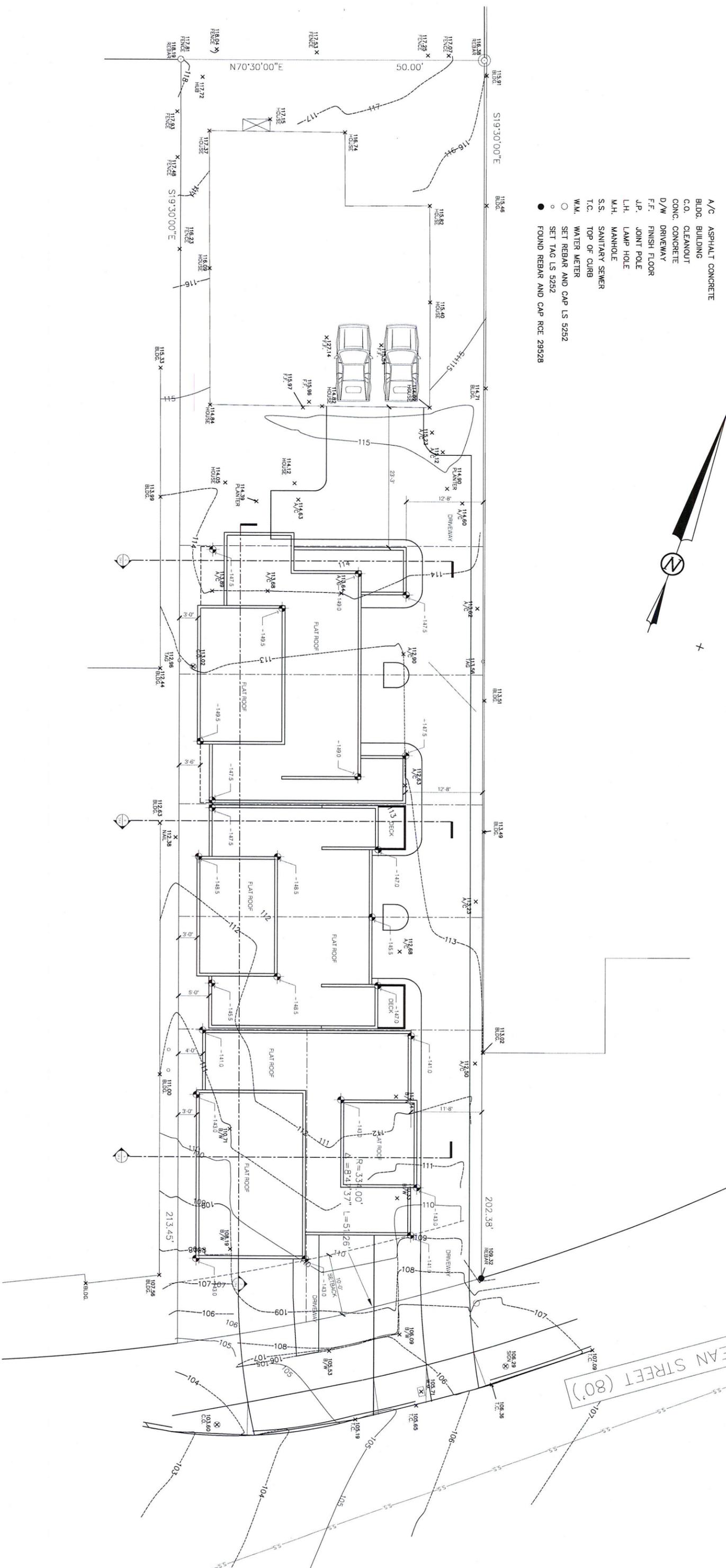
LEGEND

- A/C ASPHALT CONCRETE
- BLDG. BUILDING
- C.O. CLEANOUT
- CONC. CONCRETE
- D/W DRIVEWAY
- F.F. FINISH FLOOR
- J.P. JOINT POLE
- L.H. LAMP HOLE
- M.H. MANHOLE
- S.S. SANITARY SEWER
- T.C. TOP OF CURB
- W.M. WATER METER
- SET REBAR AND CAP LS 5252
- SET TAG LS 5252
- FOUND REBAR AND CAP RCE 29528



SANTA CLARA AVENUE (80')

JEAN STREET (80')



IWY STAR, LLC.

APN: 10-821-24

469 JEAN STREET

OAKLAND, CA. 94610

Architecture | Planning | Interiors

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ARCHITECTURAL SITE / ROOF PLAN

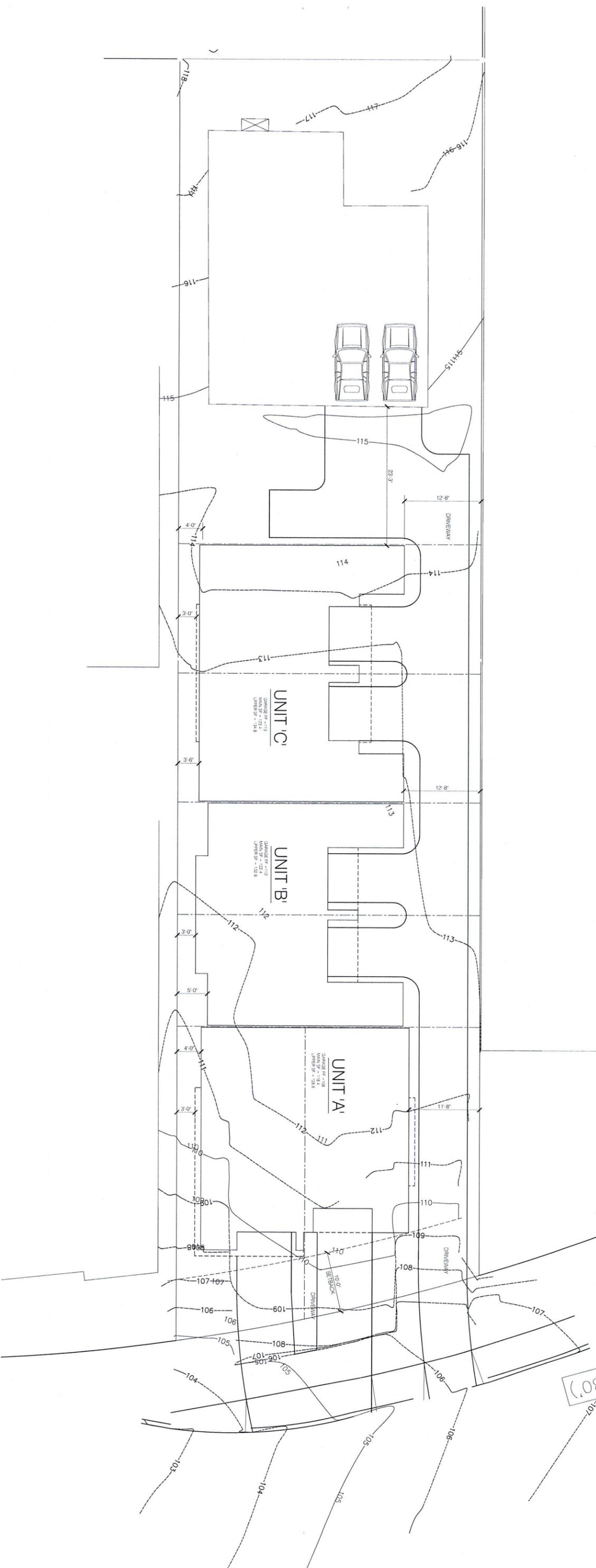
DR 2

SCALE: 1/8"=1'-0"
DATE: 08.29.2016 DR SUB
PROJECT: 334001.0



SANTA CLARA AVENUE (80')

JEAN STREET (80')



IVY STAR, LLC.

APN: 10-821-24

469 JEAN STREET

OAKLAND, CA. 94610



Architecture | Planning | Interiors

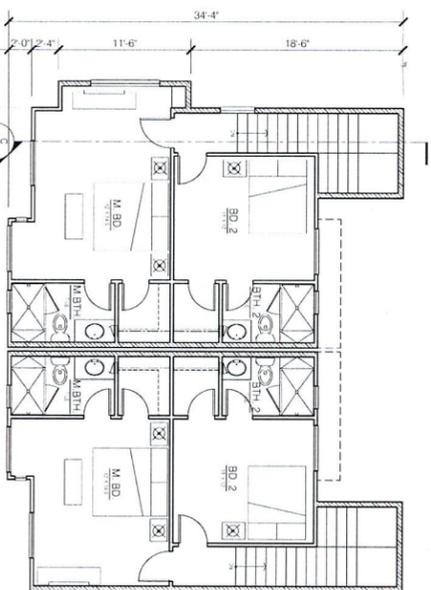
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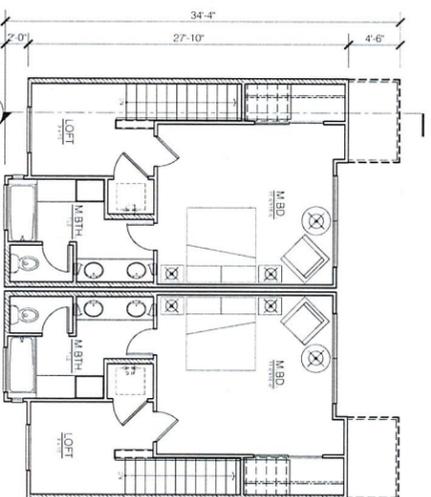
GRADING PLAN

DR 2.1

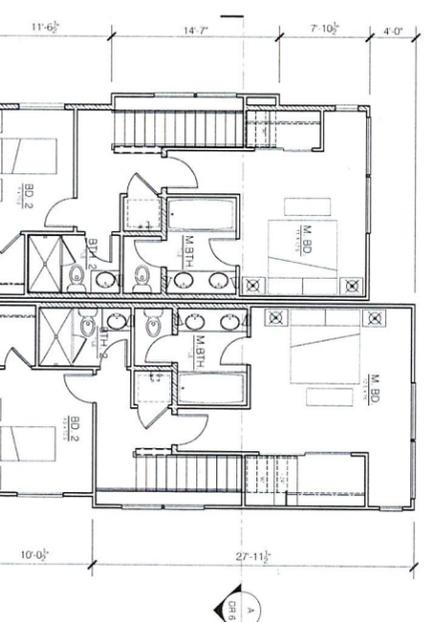
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DATE: 08.29.2016 DR SUB
PROJECT: 334001.0



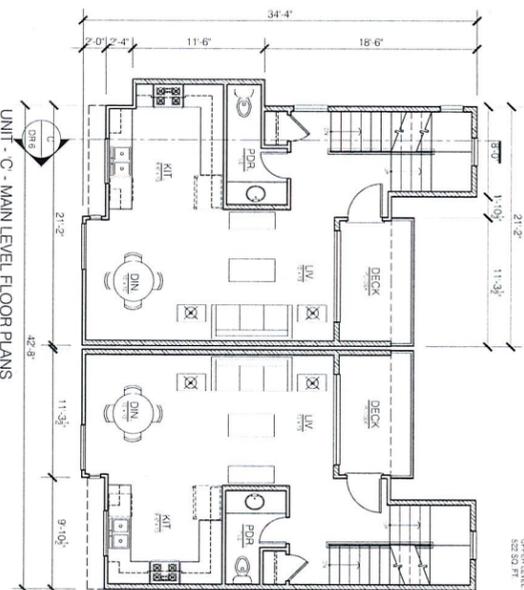
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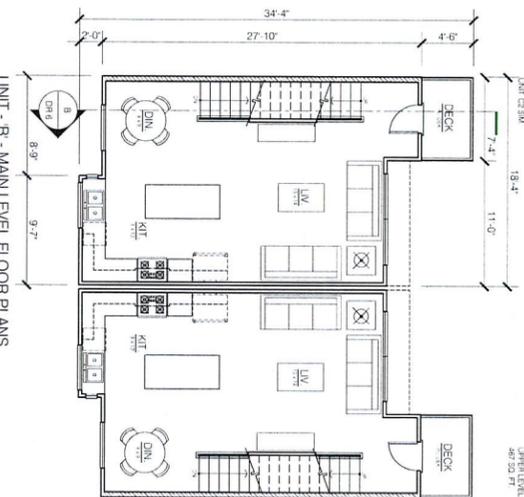
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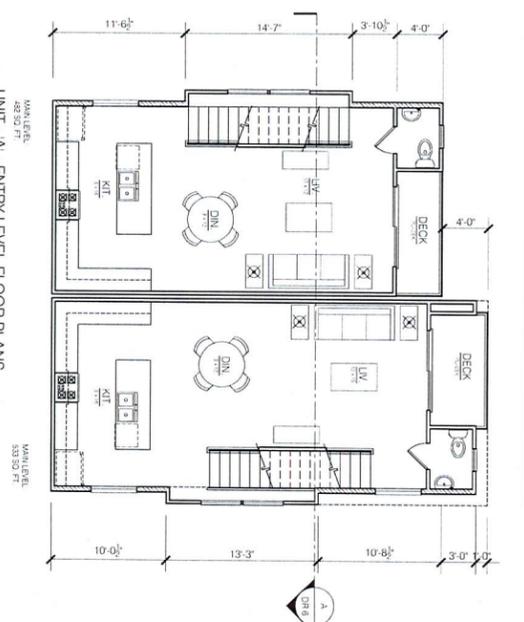
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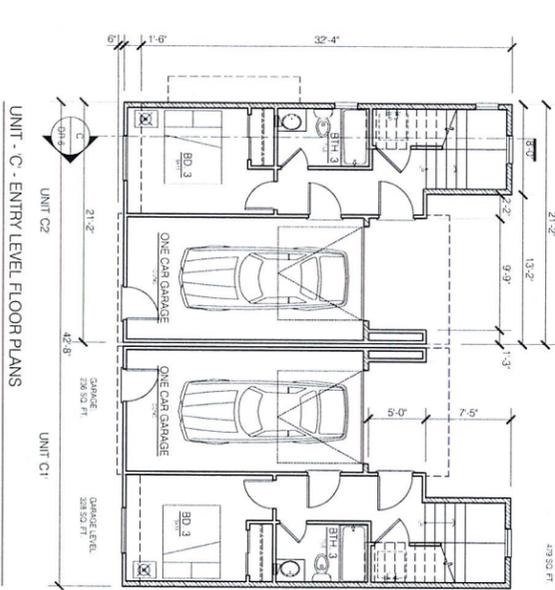
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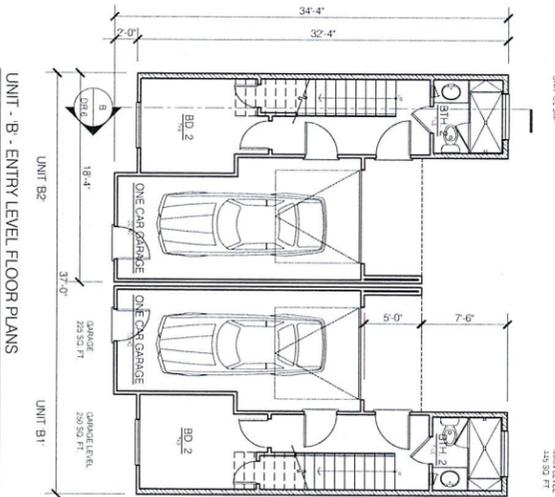
UNIT - B - MAIN LEVEL FLOOR PLANS



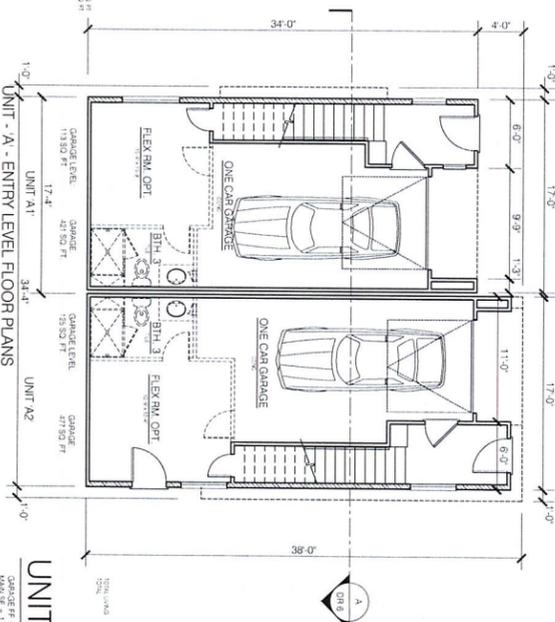
UNIT - A - MAIN LEVEL FLOOR PLANS



UNIT - C - ENTRY LEVEL FLOOR PLANS



UNIT - B - ENTRY LEVEL FLOOR PLANS



UNIT - A - ENTRY LEVEL FLOOR PLANS

Ivy STAR, LLC.

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OAKLAND, CA. 94610

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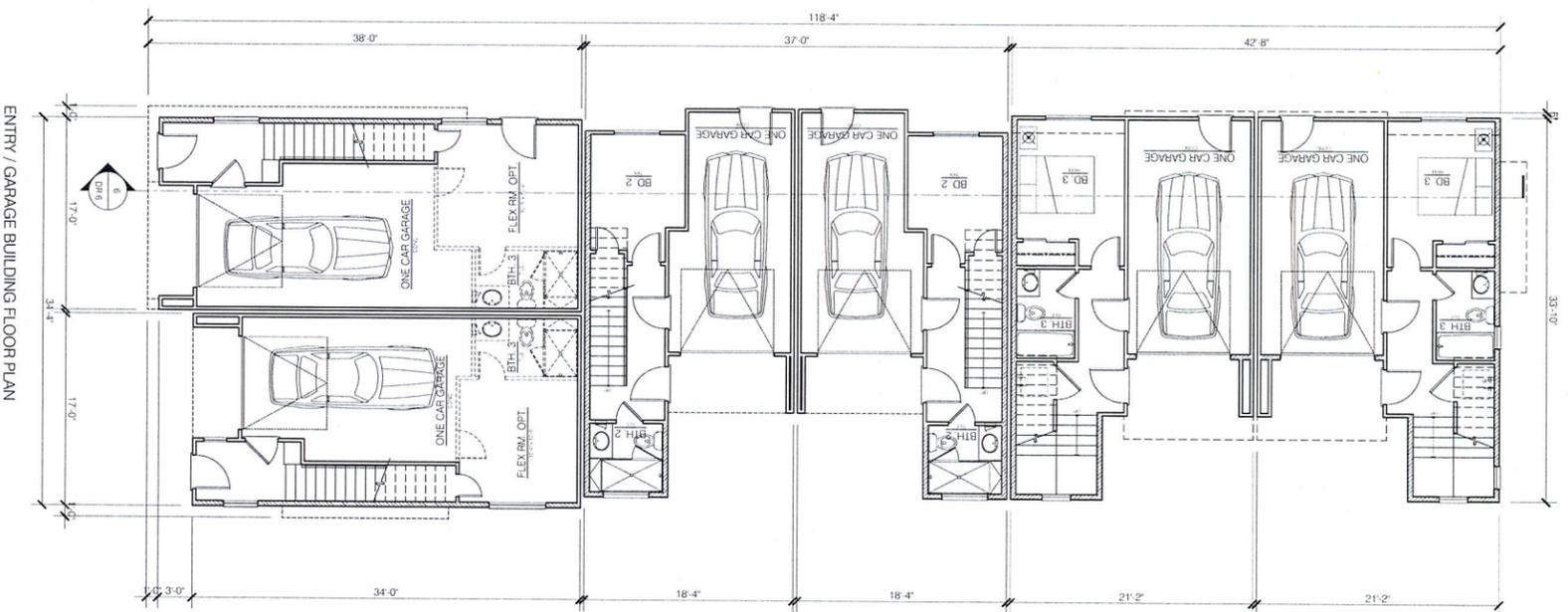
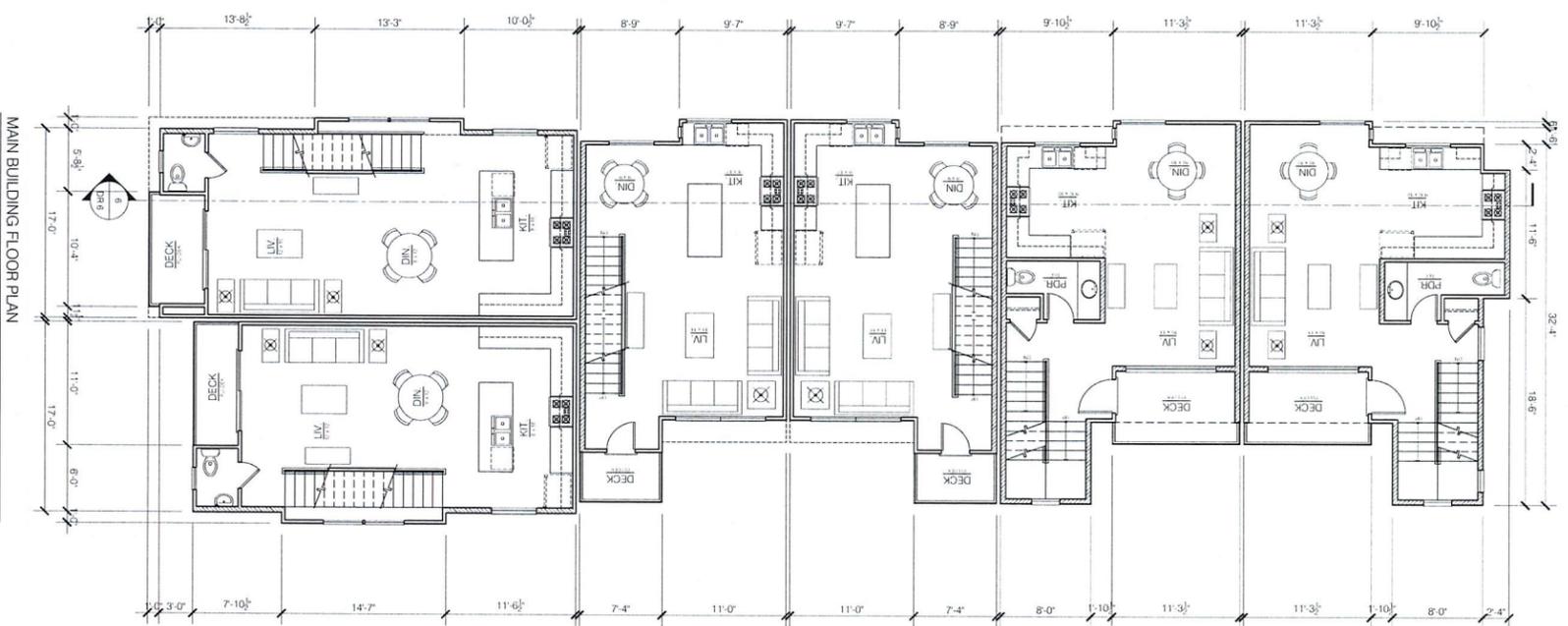
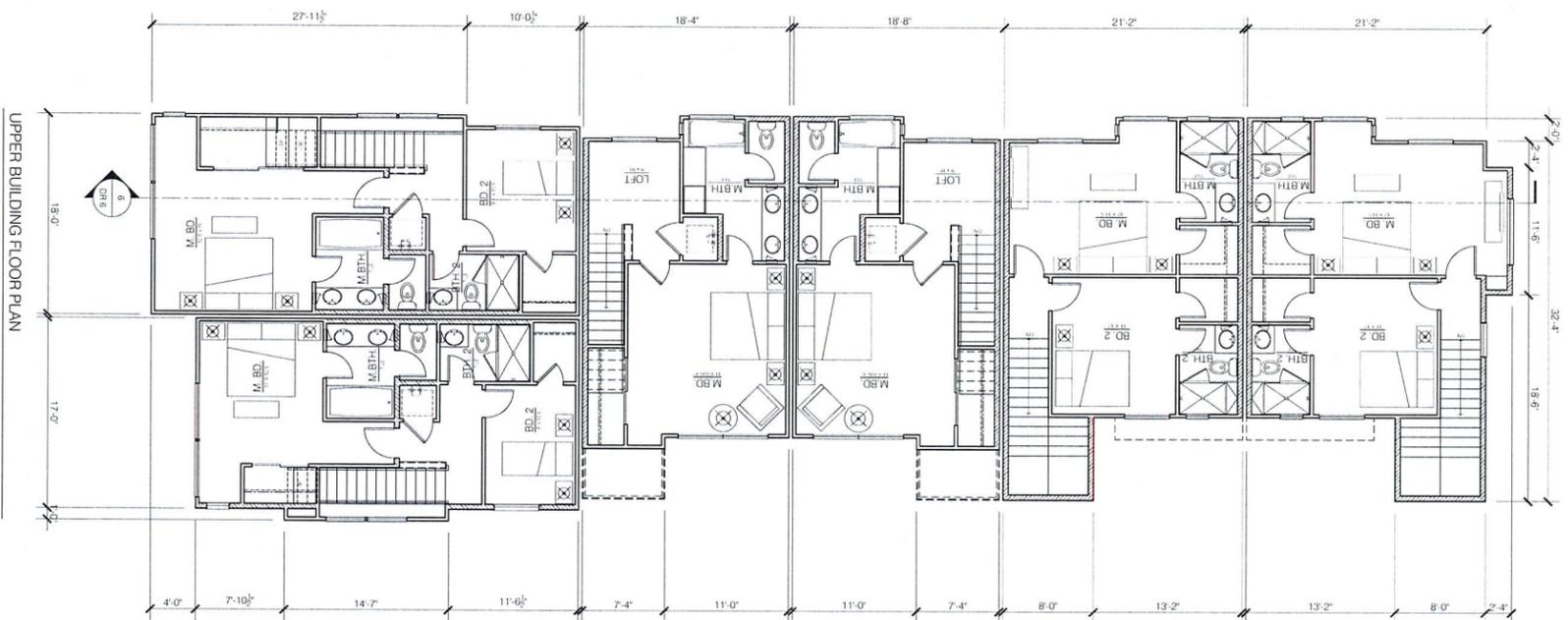
UNIT FLOOR PLANS

DR 3

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

DATE: 08.29.2016 DR SUB

PROJECT: 334001.0



UNIT 'C'
 GARAGE # - 113
 MAIN # - 1214
 UPPER # - 1218

UNIT 'B'
 GARAGE # - 112
 MAIN # - 1212
 UPPER # - 1218

UNIT 'A'
 GARAGE # - 108
 MAIN # - 1208
 UPPER # - 1218

IVY STAR, LLC.

APN: 10-821-24

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BUILDING FLOOR PLANS

DR 4

SCALE: 1/8" = 1'-0"
 DATE: 08-29-2016 DR SUB
 PROJECT: 334001.0



UNIT 'A.2'

UNIT 'B'

UNIT 'C'

RIGHT ELEVATION

ALLEY

- LEGEND
- 1. PLATEROOF - 190
 - 2. STUCCO - SMOOTH FINISH
 - 3. METAL RAILING/BALCONY
 - 4. SIDING - HARD PLANK
 - 5. METAL ENTRY AWNING
 - 6. METAL WINDOWS - DUAL GLAZED
 - 7. CARRIAGE STYLE METAL ROLL-UP GARAGE
 - 8. DOOR - FIRE-HOUSE
 - 9. EXT. LIGHT
 - 10. METAL ENTRY DOORS
 - 11. WOOD TRIM AT PARAPET
 - 12. ADDRESS SIGN

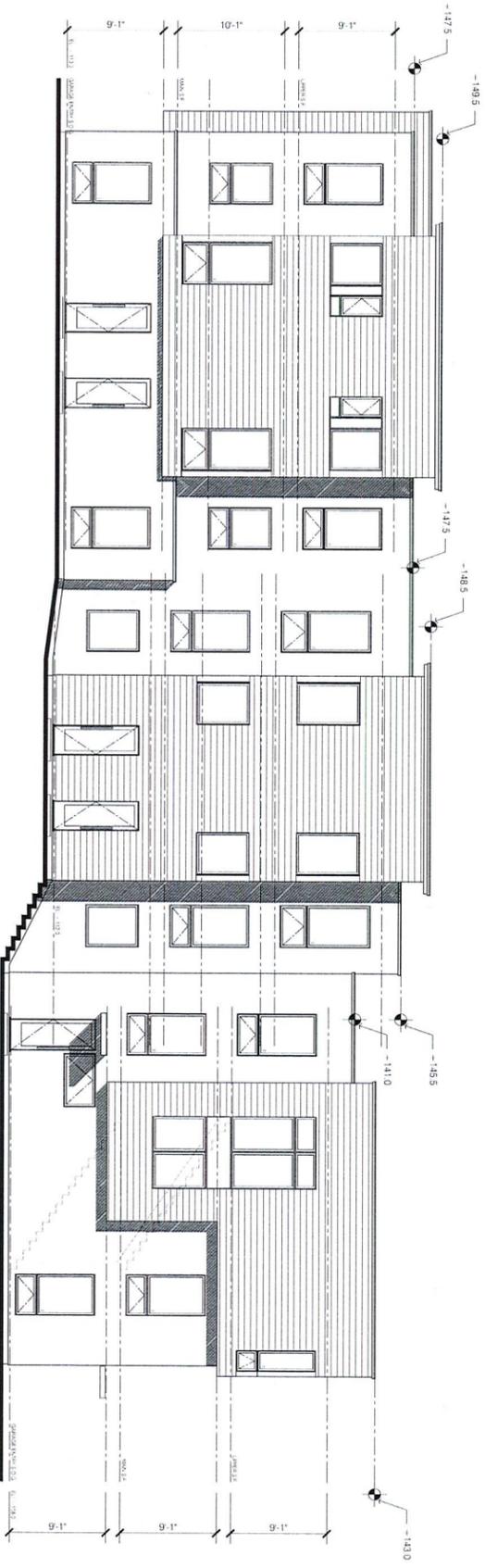


UNIT 'A.1'

UNIT 'A.2'

FRONT ELEVATION

STREET FRONT



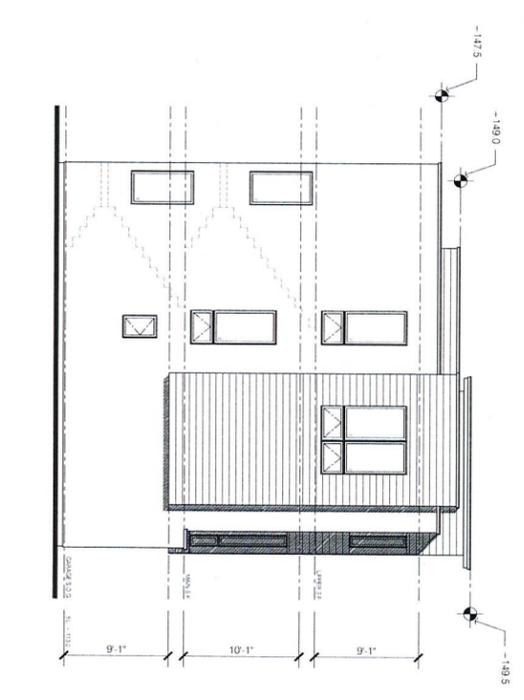
UNIT 'C'

UNIT 'B'

UNIT 'A.1'

LEFT ELEVATION

LEFT PROPERTY LINE



UNIT 'C.2'

REAR ELEVATION

REAR OF UNIT 'C'

IVY STAR, LLC.

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EXTERIOR BUILDING ELEVATIONS

DR 5

SCALE: 1/8" = 1'-0"
DATE: 08.29.2016 DR SUB
PROJECT: 334001.0



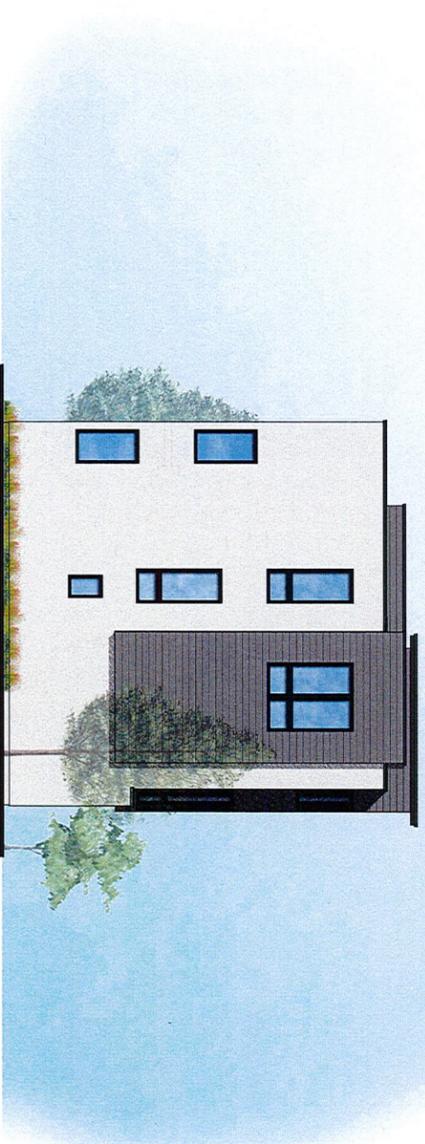
RIGHT ELEVATION
ALLEY



FRONT ELEVATION
STREET FRONT



LEFT ELEVATION
LEFT PROPERTY LINE



REAR ELEVATION
REAR OF UNIT 'C'

IVY STAR, LLC.

APN: 10-821-24

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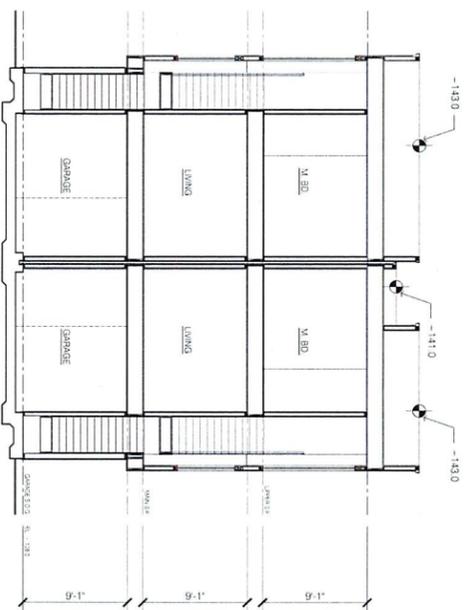
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RENDERED EXTERIOR ELEVATIONS

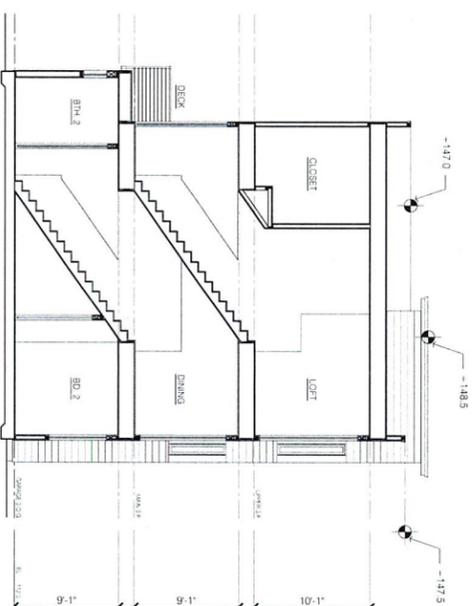
DR 5.1

SCALE: 1/8" = 1'-0"
DATE: 08.29.2016 DR SUB
PROJECT: 334001.0



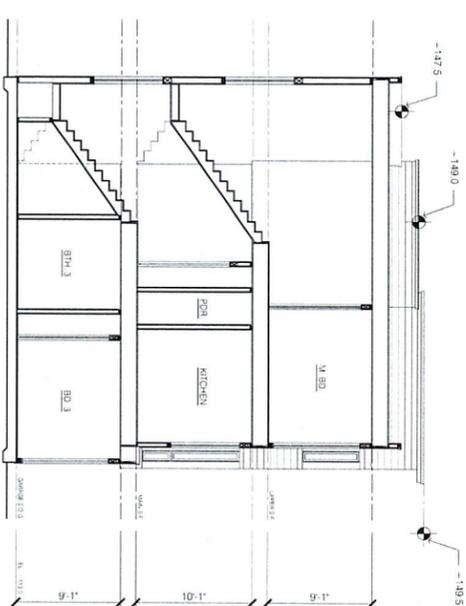
UNIT 'A'2 UNIT 'A'1

SECTION - A



UNIT 'B'1

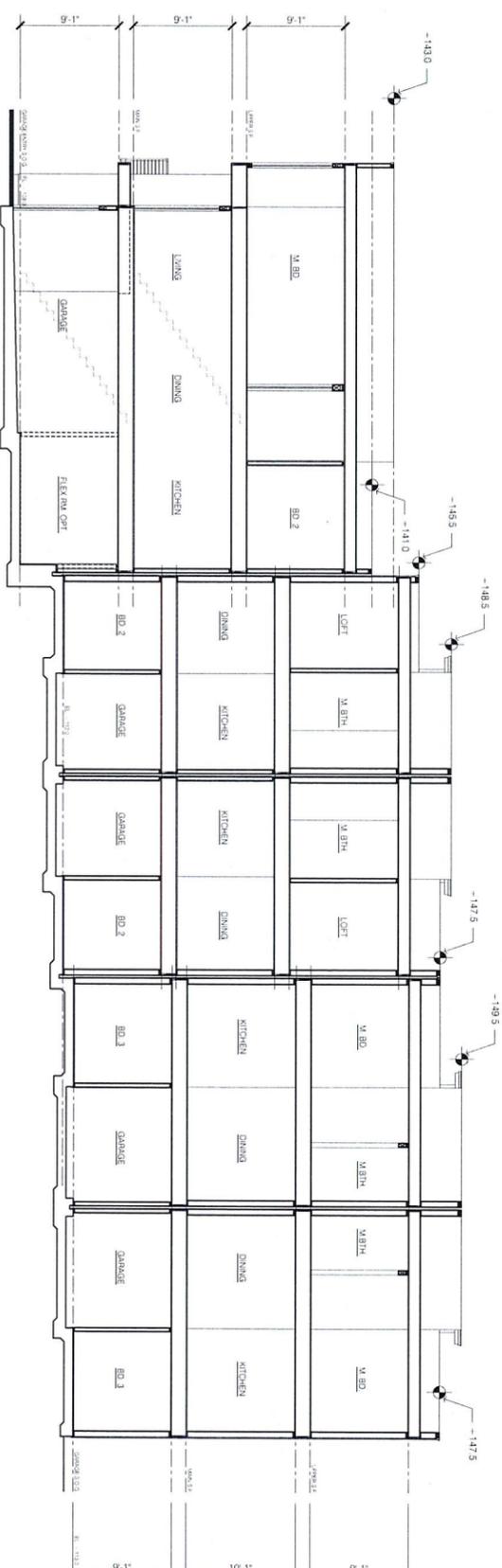
SECTION - B



UNIT 'C'1

SECTION - C

BUILDING SECTIONS - UNITS



UNIT 'A'2

UNIT 'B'1

UNIT 'C'1

BUILDING SECTION - D

IVY STAR, LLC.

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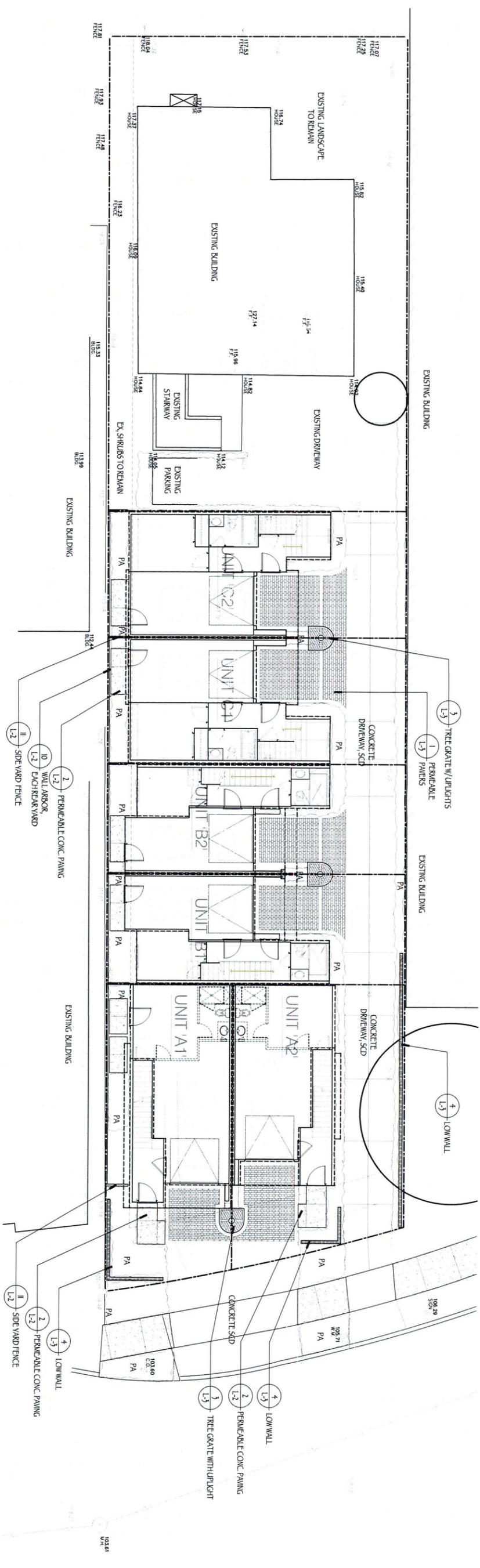
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BUILDING SECTIONS

DR 6

SCALE: 1/8"=1'-0"
DATE: 08.29.2016 DR SUB
PROJECT: 334001.0



LAYOUT LEGEND

	Concrete Paving	AD	Area Drain
	Back of Curb	BOC	Back of Curb
	Center Line	CL	Center Line
	Clean Out	CO	Clean Out
	Center Point	CP	Center Point
	Diameter	DI	Diameter
	Drain Inlet	DI	Drain Inlet
	Equal	EQ	Equal
	Expansion Joint	EJ	Expansion Joint
	Face of Curb	FC	Face of Curb
	Galvanized	GALV	Galvanized
	Mud Area	MA	Mud Area
	Minimum	MIN	Minimum
	Maximum	MAX	Maximum
	Planting Area	PA	Planting Area
	Property Line	PL	Property Line
	Point of connection	POC	Point of connection
	Perforated	PREF	Perforated
	Perpendicular	PT	Perpendicular
	Pressure Treated	PT	Pressure Treated
	Redwood	RDRW	Redwood
	Right of Way	ROW	Right of Way
	See Civil Engineer's Drawings	SED	See Civil Engineer's Drawings
	See Electrical Engineer's Drawings	SHT	See Electrical Engineer's Drawings
	Sheet	SP	Sheet
	Start Point	SP	Start Point
	See Structural Engineer's Drawings	SSD	See Structural Engineer's Drawings
	To Be Determined	TBD	To Be Determined
	Typical	TYP	Typical

LAYOUT NOTES

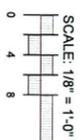
1. The Contractor shall verify all distances and dimensions in the field and bring any discrepancies to the attention of the builder and Landscape Architect for a decision before proceeding with the work.
2. All written dimensions supersede all scaled distances and dimensions. Dimensions shown are from the face of building, wall, face of curb, edge of walk, property line, or centerline of street or column unless otherwise noted on the drawings.
3. Walk scoring, expansion joints and headers shall be located as indicated on the plans or as field adjusted under the direction of the Landscape Architect.
4. The contractor is to verify location of all on-site utilities before commencing with the work. The contractor shall also be responsible for the repair of any damaged utilities.
5. All work is to be in compliance with the City of Mountain View's Conditions of Approval, standard plans and specifications.
- 7.

FINE GRADING NOTES

1. The Landscape Contractor is responsible for fine grading and positive surface drainage in all landscape areas. The Contractor shall verify all rough grades in the field and bring any discrepancies to the attention of the General Contractor, Landscape Architect and Civil Engineer for a decision before proceeding with the work.
2. See Civil Engineer's drawings for road surface elevations, roadway sections, catch basins, sidewalks, and top of curb elevations.
3. Contractors are to exercise extreme care in backfilling and compacting any excavation or trenching in areas previously compacted for other aspects of the work.
4. The Landscape Contractor shall remove from the site all debris and unsuitable material generated by their construction operations.
5. All on grade areas marked for planting shall be verified, by the fine grading contractor, that they are within a tenth of a foot of final grade. The Landscape Contractor shall rip compacted rough graded soil to a depth of 12 inches in both directions, then till in the soil amendment. Soil amendment shall be determined by an agricultural suitability's analysis (see Planting Note 5). A minimum of one foot depth of non-mechanically compacted soil is available for water absorption and root growth in planted areas.
6. Review structural soils report for recommendations on soil type, grading procedures, soil compaction, maximum allowable slopes, flatwork base material, etc. Copies of the report are available from the Owner.

FINE GRADING NOTES

7. Minimum paving slope to be typically 1 percent. Minimum planting area slope to be typically 2 percent. Bring any discrepancies to the attention of the Landscape Architect for a decision prior to fine grading.
8. Groundcover areas: Finish grades shall be 2 inch below the top of adjacent pavement, headers, curbs, or walls, unless otherwise specified. Lower headers where required to allow water to flow to drainage structures.



469 Jean Street

OAKLAND, CA

LANDSCAPE SITE PLAN

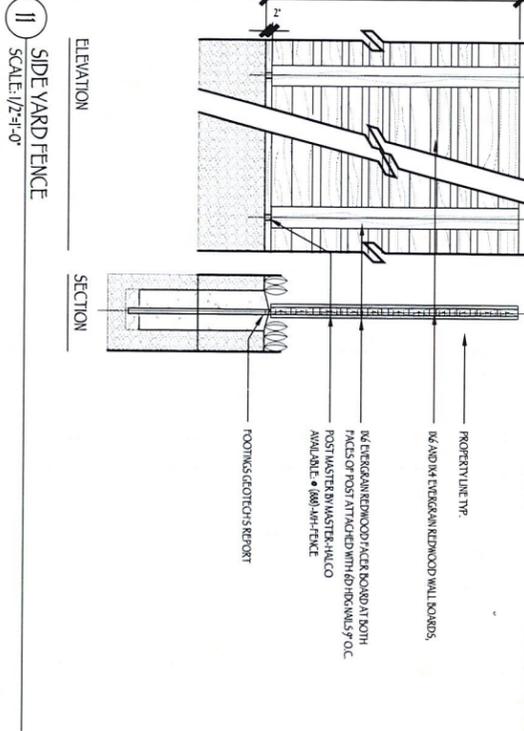
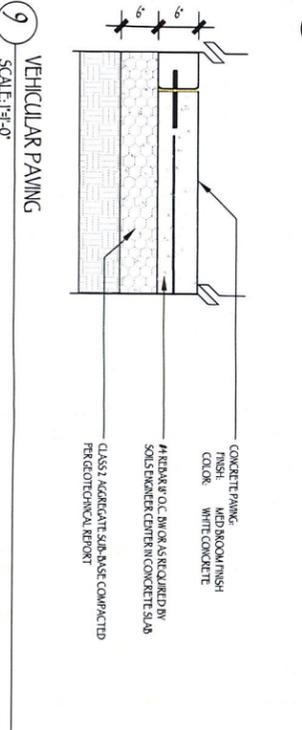
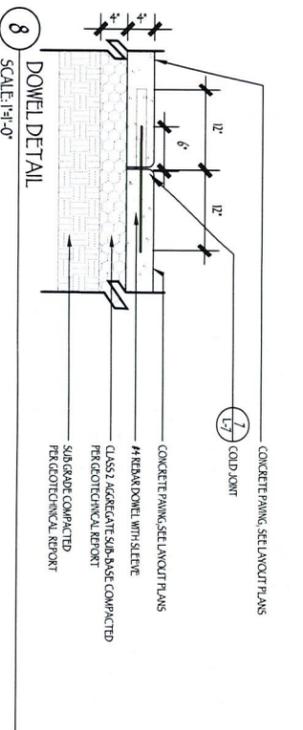
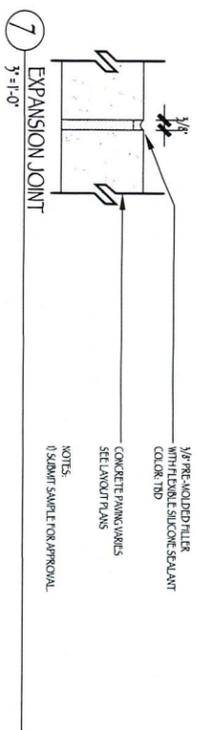
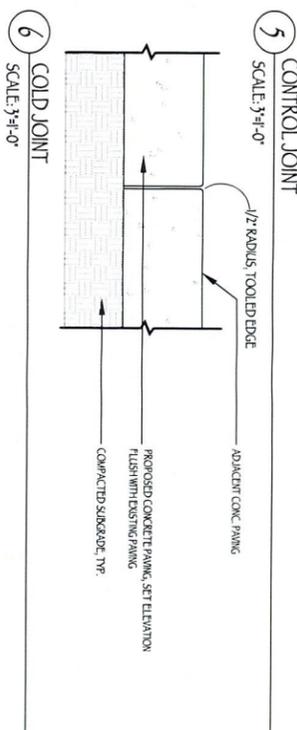
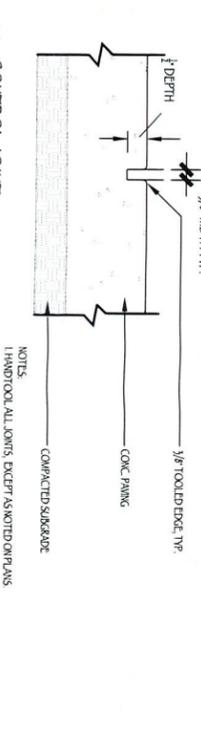
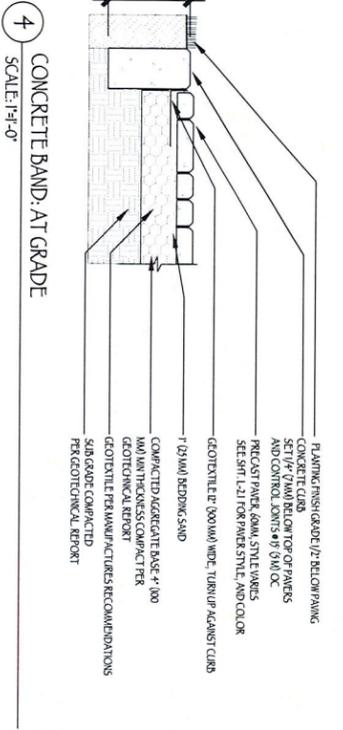
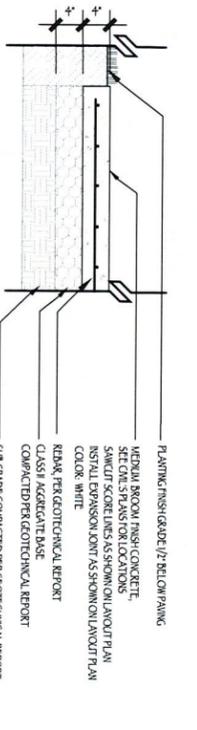
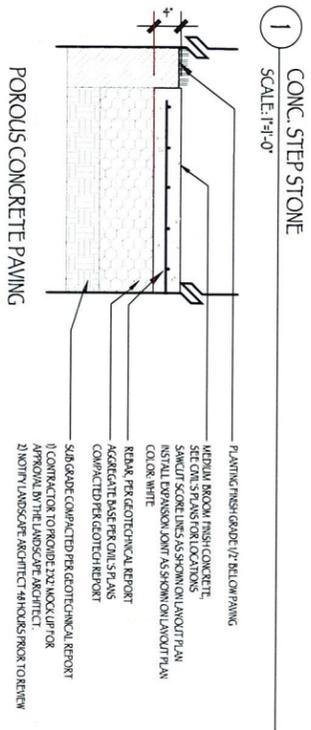
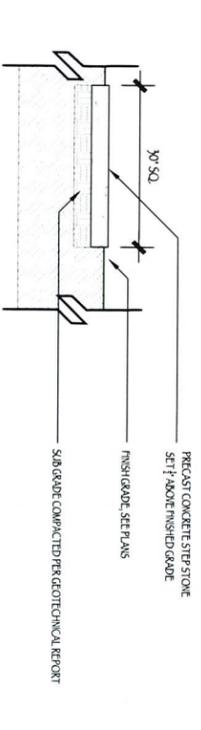
LEVESQUE DESIGN



1414 BAY STREET, SUITE 100
ALAMEDA, CALIFORNIA 94501
(510) 521 6700



SCALE: 1/8"=1'-0"
DATE: 06/16/2016
PROJECT: 16-119



469 Jean Street
OAKLAND, CA

LEVESQUE DESIGN

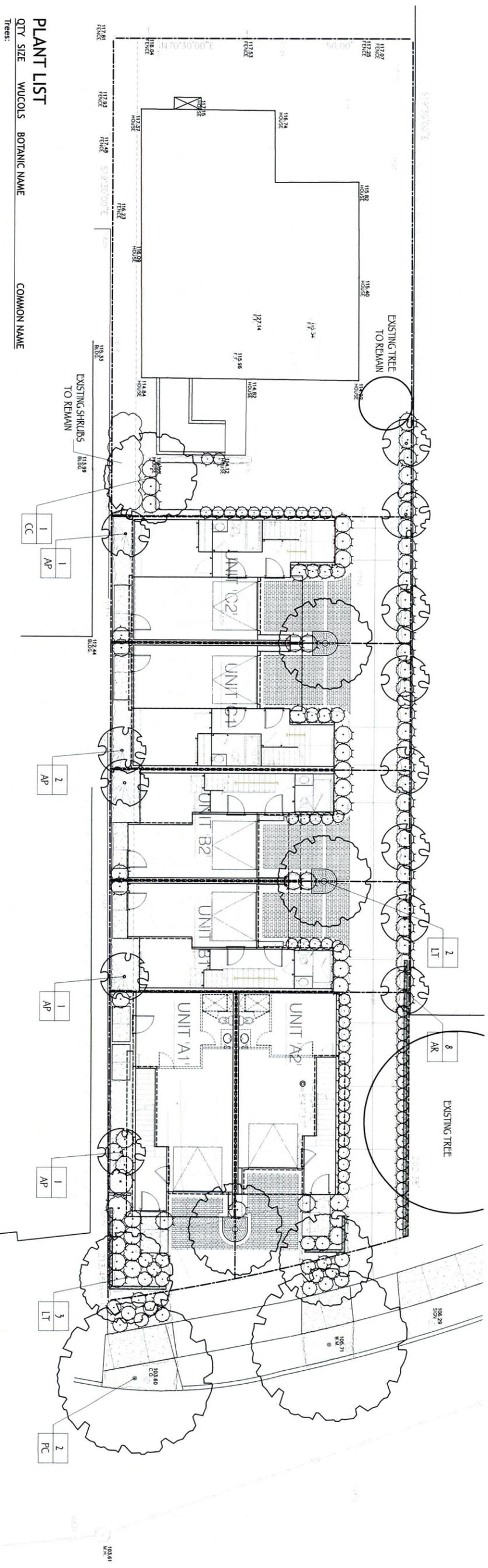
LANDSCAPE DETAILS

L-2



1414 BAY STREET, SUITE 100
ALAMEDA, CALIFORNIA 94501
(510) 521 6700

SCALE: 1/8"=1'-0"
DATE: 06/16/2016
PROJECT: 16-119

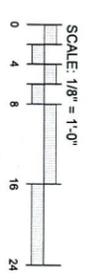


PLANT LIST

QTY	SIZE	WUCOLS	BOTANIC NAME	COMMON NAME
Trees:				
AR	24" Box	Mod	Acer rubrum 'Bowhall'	Bowhall Red Maple
AP	15 gal.	Mod	Acer palmatum 'Sango Kaku'	Coral Bark Maple - multi
CC	24" Box	Mod	Cercis canadensis	Eastern Redbud
LT	24" Box	Low	Lagerstroemia 'Tuckeroa'	Crape Myrtle - Standard
PC	24" box	Low	Pistacia chinensis 'Kiech Davies'	Chinese Pistachio
Shrubs:				
RT	15 gal.	Low	Rosemarinus 'Tuscan Blue'	Upright Rosemary
CM	5 gal.	Low	Callistemon v. 'Little John'	Dwarf Bottle Brush
CP	5 gal.	Low	Correa pulchella 'Mission Bells'	Australian Fuchsia
LG	5 gal.	Low	Lavender 'Goodwin Creek Gray'	Lavender
MG	5 gal.	Low	Mahonia Golden Abundance'	Oregon Grapeholly
ND	5 gal.	Low	Nandina domestica 'Plum Passion'	Heavenly Bamboo
SC	5 gal.	Low	Salvia clevelandii 'Winnifred Gilman'	Cleveland Sage
TF	5 gal.	Low	Teucrium fruticosum	Bush Germander
DC	1 gal.	Low	Deschampsia cespitosa	Tufted Hair Grass
CL	1 gal.	Low	Crocosmia 'Lucifer'	Lucifer Crocosmia
MR	1 gal.	Low	Muhlenbergia rigens	Deer Grass
PE	1 gal.	Low	Pennisetum 'Eaton Canyon'	Dwarf Fountain Grass
PB	1 gal.	Low	Phorrium tenax 'Bronze Baby'	New Zealand Flax
PD	1 gal.	Low	Phorrium tenax 'Duet'	New Zealand Flax
PS	1 gal.	Low	Polystichum californicum	Sword Fern
RI	1 gal.	Low	Rosemarinus 'Collingwood Ingram'	Rosemary
ZC	1 gal.	Low	Zauschneria californica 'Catalina'	California Fuchsia
Vines:				
VC	15 gal.	Low	Vitis californica 'Roger's Red'	California Wild Grape

IRRIGATION NOTES

1. The landscape shall be irrigated by a single common automatic irrigation system.
2. The irrigation design shall follow the City of Oakland Water Efficient Ordinance.
3. The irrigation system shall use a web connected smart controller.
3. Each tree shall be irrigated by one surface bubbler and one deep root bubbler. All trees shall be on a separate dedicated valve.
4. Shrub planting shall be irrigated, either with individual bubblers or sub surface drip irrigation system.
5. An independent irrigation audit shall be performed upon completion of the landscape installation.
6. Spray irrigation is not permitted on this project.



469 Jean Street
OAKLAND, CA

PLANTING PLAN

L-4

LEVESQUE DESIGN



1414 BAY STREET, SUITE 100
 ALAMEDA, CALIFORNIA 94501
 (510) 521 6700

SCALE: 1/8"=1-0"
 DATE: 06/16/2016
 PROJECT: 16-119

PLANTING NOTES

- The scope of the planting work includes, but is not limited to the following:
 - Ordering and delivery of the plant materials to site.
 - Soil preparation and conditioning.
 - Fine grading of all landscape areas, including supplying and installing amendments or imported topsoil as described on the drawings and as required by the recommendations of the soils testing report.
 - Coordination of additional drainage work as shown on the drawings.
 - Soil testing by Landscape Contractor.
 - Installation of plant materials.
 - Ninety (90) day maintenance period.
 - Replacement of all unsatisfactory plant materials.
 - Final Approval
 - Warranty
- The Landscape Contractor shall notify the site contractor and Landscape Architect of any discrepancy between the Drawings and/or Specifications and actual conditions. Specifications shall take precedence. No work shall be done in any area where there is such a discrepancy until the discrepancy has been clarified and a written response has been given by the Landscape Architect.
- All work shall be performed by persons familiar with planting work and under supervision of a qualified planting foreman.
- Within 30 days after award of contract the Landscape Contractor shall arrange with a nursery to obtain all plant materials noted on the plans and have them available for inspection by the Owner and the Landscape Architect. Upon approval of the plant material, the contractor shall purchase the material and have it segregated and grown for the job. The deposit necessary for such contract growing (if required) is to be born by the Landscape Contractor. If travel is required by the L.A. to inspect plant material, cost of travel shall be at the contractor's expense.
- The Landscape Contractor shall arrange and pay provide for (four) sustainable agricultural suitability and soil fertility tests to be performed on the rough graded soil. Two test shall include soil samples taken at a depth of 18". Two test shall include samples of soil taken at between 6" and 12". The Landscape Architect shall approve of the soil testing lab in advance. The soil lab shall make recommendations for use of organic and locally available amendments. Locations for soil samples shall be determined by the Landscape Architect. Soil amendments shall be thoroughly and evenly incorporated into the top 12" of all planter and lawn areas. After amendment, the soil shall have an organic content of 5.0% min. The results of these tests shall be reviewed by the Owner, General Contractor and the Landscape Architect for a decision prior to amending the soil. This analysis shall be conducted and paid for by the Landscape Contractor. Recommendations for amendments contained in this analysis are to be carried out before planting occurs. Such changes are to be accompanied by equitable adjustments in the contract price if/when necessary. For bid purposes include:
 - 6 cubic yards of Composted Greenwaste/Thousand Sq. Ft.
 - 10 pounds of Soil Sulfur /Thousand Sq. Ft.
- All trees are to be staked or guyed as shown in the staking/guying diagrams (see Planting Plan sheets). Contractor shall establish one in place example of each for approval by the Landscape Architect. Cut stake height as directed by the Landscape Architect.
- The Landscape Contractor shall be responsible for providing all plant material indicated on the plans, unless otherwise directed in writing. Contractor to submit unit, quantities and unit costs as a part of his bid. Cost for additional plants requested and approved by Owner and/or Landscape Architect will be based on this bid unit price.
- Plant locations are diagrammatic and are to be adjusted in the field as necessary to screen utilities but not impede access.
- The Landscape Architect reserves the right to make substitutions, additions, and deletions in the planting scheme as he feels necessary while work is in progress. Such changes, with written authorization, are to be accompanied by equitable adjustments in the contract price if and when necessary.
- All ground cover planting areas and plant pits shall be top-dressed with 3" layer of Walk-Or- much, a shredded fir bark product or shredded cedar bark mulch. Submit sample to Landscape Architect for approval prior to ordering. Material shall not be a redwood product.
- The planting backfill mix shall consist of 75% (by volume) native topsoil (with no rocks larger than 2" diameter) mixed with 25% approved soil amendment.
- Materials Delivery and Storage: Manufactured materials shall be delivered in original containers with brand and maker's name marked thereon. Materials in broken containers or showing evidence of damage will be rejected and must be immediately removed from the site. Odorous materials shall not be brought to the site until they are to be used.
- Contractor shall provide dust alleviation and control measures during the course of the work to the Owner's satisfaction at no additional costs to the contract.

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PLANTING NOTES (CONTINUED)

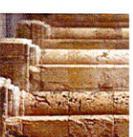
- Plant Material Specifications and Quantities: Plant materials shall be furnished in quantities required to complete the work as indicated on the drawings and shall be of species, kinds, sizes, spacing, etc., specified in the drawings herein.
 - Plant material shall conform with American Association of Nurseryman Standards, ANSI Z60.1, in all ways.
 - Nomenclatures: Plant Names listed on drawings conform to Standardized Plant Names established by American Joint Committee on Horticultural Nomenclature, except that for names not covered therein, the established custom of naming plants by the nursery trade shall be followed.
 - Right of inspection for approval or rejection is reserved at the place of growth on the project site at any time upon delivery or during the work. Plants shall be inspected for size, variety, condition, defects, or injury. Notify the Landscape Architect as to place of growth for inspection of plants within one month of award of contract.
 - No plant shall be bound with wire or rope at any time so as to damage the bark or break branches.
 - Dimensions: If applicable, height and spread of specimen plant materials are specified on the drawings. Measurements shall be made with materials in normal position without support or branches. Plants specified by container size shall be equal in size to similar plants in local retail nurseries.
 - Plants shall not be pruned prior to delivery, except as authorized by the Landscape Architect.
- Fine Grading and Soil Preparation:
 - The current site is at final grade. The contractor shall maintain existing grading and ensure positive drainage away from the building foundation.
 - All planting areas shall provide positive runoff at a minimum 2 percent slope without pockets or low points.
 - All planting areas shall be cleaned of weeds and debris prior to any soil preparation or grading work. Noxious weeds and grasses shall be removed by the roots wherever they are found at any stage of the work. Weeds and debris shall be disposed of off the site. Contractor shall meet with Landscape Architect before removing any existing shrubs and groundcover.
 - Soil contaminants by cement, paint, plaster, herbicides, or other construction debris shall be removed from the site and replaced with soil at no extra cost to the Owner. Replacement soil shall be reviewed by the Landscape Architect prior to placement.
 - Moisture Content: Soil shall not be worked when moisture content is so great that excessive compaction will occur nor when it is so dry that there will be dust in the air or that clods will not readily break. Water shall be applied, if necessary, to bring soil to an ideal moisture content for planting.
- Planting Procedures:
 - Do not install plant materials until all exterior construction work has been completed and sprinkler systems have been installed and tested. Planting areas shall have been graded and prepared as specified and shall be approved by the Landscape Architect.
 - Install drainage well in tree pits which do not drain. Fill tree pits with 18" of water and let settle for 24 hours. Pits with 12" or more of standing water shall have an 8" diameter by 36" deep well filled with drain rock (below bottom of plant pit). Cover top of well with a 24" square piece of filter fabric. Install per written authorization by the Owner. Provide a unit price quote per tree in the bid.
 - Before excavation, plants in containers shall be placed as indicated on the planting plan bringing any conflict with underground utility lines to the attention of the Landscape Architect.
 - Excavate square shaped and vertical sided holes to the sizes and depths indicated on the Drawings. Scarify the sides and bottom of all holes.
 - Remove containers, including boxes, prior to backfilling.
 - Verify that plants are not root bound or girdled, and that the primary leader is intact.
 - Remove any solid rock encountered to a depth of not less than 2 feet below the bottom of plant container. If existing conditions prevent this, bring the condition to the attention of the Landscape Architect for a solution.
 - Backfill the planting holes with the special backfill mix herein specified, see Planting Note 11.
 - Water-settle backfill areas thoroughly or compact by other approved method after planting so plants do not settle.
 - Place "best" products fertilizer tablets or Agriform Plant Tablets in holes, per manufacturer's written recommendations, at the following rates:
 - 1-Gallon Containers: 2 tablets @ 21 grams.
 - 5-Gallon Containers: 4 tablets @ 21 grams.Larger sized plants per manufacturer's recommendations
- Inspectors
Notify Owner's Authorized Representative at least seven (7) days in advance of an anticipated inspection. Inspections are as follows:
 - Commencement of Establishment and Maintenance work.
 - At thirty (30) day intervals through the maintenance period.
 - Completion of the Establishment and Maintenance work - Final walk-through, ten (10) days before the end of the maintenance period

PLANTING NOTES (CONTINUED)

- Establishing Maintenance Period:
 - Start of Maintenance - Establishment and Maintenance period shall not start until all elements of the landscape construction, including planting and irrigation for the entire project are complete. Project will not be segmented into maintenance phases, unless specifically authorized in writing by the Owner's Authorized Representative.
 - Request an inspection to begin the Establishment and Maintenance period after planting and related work has been completed in accordance with the Contract Documents. All planting shall be complete at the time of inspection. If such criterion is met to the satisfaction of the Owner's Authorized Representative and the Landscape Architect, written notification shall be issued to the Contractor to start the Establishment Maintenance period, noting the effective beginning and ending date of completion.
- Plant Establishment & Maintenance:
 - Protection: Work under this Section shall include complete responsibility for maintaining adequate protection for all areas. Any area damage by the maintenance contractor, including paved areas, shall be repaired at no additional expense to the Owner.
 - Continuously maintain all plantings in areas included in the Contract from the beginning of the contract work, during the progress of work, and for a period of 90 days after certified completion of all work until final acceptance of all contract work. Maintenance shall be performed at intervals of not more than ten (10) days.
 - Scope: Continuous maintenance and operations of the irrigation system, cultivating, weeding, trimming, pruning, adjustment of planting depth, fertilizing, spraying, and debris removal and clean-up, insect, pest, fungus, and rodent control, and any other operations are to be included in this scope of work to assure healthy, normal growth.
 - Fertilizing:
 - Fertilize all planting with the following or as noted in the required Horticulture Soils Report. At the end of the first 30 day and at 30 day intervals, apply top dress fertilizer. The fertilizer shall be 16% nitrogen, 6% phosphoric acid, 8% potash unless otherwise specified in the soils report. Fertilizer shall be mixed by a commercial fertilizer supplier.
 - After application, water fertilizer thoroughly into the soil.
 - Avoid applying fertilizer to the rootball or base of main stems; rather, spread evenly under the plant drip line.
 - Weed Control
Weeding, Cultivating, and Cleanup: Planting areas shall be kept neat and free from weeds and debris at all times and shall be manually weeded at not more than 10-day intervals. Said areas shall be weed free at the end of the Maintenance Period. Apply pre-emergent weed control per city standards, verify compatibility of herbicide with the plant material. Do not use material which inhibits specified plant material's growth.
 - Tree and Shrub Care
 - Maintain large enough basin around plants so hat enough water can be applied to establish moisture throughout the major root zone. When hand water, use a water wand to break the force, maintain mulch at a depth of 7" minimum depth to reduce evaporation and frequency of watering.
 - Pruning: Trees: Prune trees to develop permanent scaffold branches that are smaller in diameter than the trunk or branch to which they are attached; which have vertical spacing from 18" to 48" and radial orientation so as not to overlay one another, to eliminate diseased or damaged growth; to eliminate narrow V-shaped branch forks that lack strength; to reduce topping and wind damage by thinning out crowns to maintain growth within space limitations; to maintain a natural appearance; to balance crown with roots.
 - Trees shall not be topped and shall be allowed to grow to the full genetic height and habit. Under no circumstance will stripping of lower branches (raising-up) of young trees be permitted. Lower branches shall be retained in a "tipped back" or "pinched condition" with as much foliage as possible to promote caliper (trunk growth/tapered trunk). Lower branches can be cut flush with the trunk only after the tree is able to stand erect without staking or other support. Remove sucker growth if deemed appropriate by the Owner's authorized representative.
 - Thin out evergreen trees and shape when necessary to prevent wind storm damage. The primary pruning of deciduous trees shall be done during the dormant season. Prune damaged trees or those that constitute health or safety hazards at anytime of the year as required to eliminate unsafe conditions.
 - Trimming Shrubs: The objective of shrub pruning is the same as for trees. Do not clip shrubs into balled or boxed forms unless such is required by the design and directed by the landscape architect. Make pruning cuts at lateral branches or buds or flush with the trunk. "Stubbing" will not be permitted.
 - Staking and Guying: Remove stakes and guys as soon as they are no longer needed. Periodically inspect stakes to prevent girdling or rubbing that causes bark wounds. Replace broken stakes and ties with specified materials. All stakes shall be removed at one year after completed installation, if not sooner.

PLANTING NOTES (CONTINUED)

- Repacements: The contractor shall replace any plant materials that die or are damaged. Replacement shall occur within seven (7) days of plant death or damage. Replacements shall be made to the same Specifications as required for original plantings.
 - At the termination of the Maintenance Period, all plant materials shall be alive, healthy, undamaged, free from infestations, and in flourishing condition. Plantings that do not conform to Specifications shall be replaced and brought to a satisfactory condition before final acceptance of the work can be made.
- Following the 90 day Maintenance Period, there will be a final inspection by the Owner, Landscape Architect, and the City Representative. Items noted during the final inspection as not in accordance with the maintenance requirements shall be corrected by the Contractor prior to Final Acceptance of the landscape work. The 1 year warranty period shall begin with the Final Acceptance and the Owner's acceptance of the project. A letter documenting Final Acceptance, signed by the Owner's Authorized Representative, the contractor and the Landscape Architect shall be issued, with the starting date and the completion date of the warranty period.
- Warranty
 - Trees, shrubs, groundcovers and other plant materials shall be guaranteed to take root, grow and thrive for a period of one year after acceptance of the Work by the Owner. Plant materials which do not thrive as the direct result of the installation, procedure or maintenance practices during the maintenance period of the installing contractor shall be replaced by the installing contractor. This shall be as determined by the Owner.
 - Plant materials which fail as the result of poor maintenance practices after acceptance of the landscape by the Owner (at the end of the maintenance period) shall be the responsibility of the Owner's maintenance contractor.
 - Trees or other plant materials that die back and lose the form and size originally specified shall be replaced, even though they have taken root and are growing after the die-back.
 - Within fifteen days of written notification by the Owner, remove and replace warranted plant materials which, for any reason, fail to meet requirements of Warranty. Replacements shall be made to the same Specifications required for original materials and shall carry the same Warranty from the time they are replaced.
- The intent of the layout design and planting is to establish a high quality landscape installation. Future plant growth should require minimum trimming, thinning and pruning of the plant materials. Plant spacing is designed to allow for natural full growth and should not need the removal of some plant materials if over crowding occurs. The planting installations will require maintenance and management, by knowledgeable and trained personnel, to assure a quality project.
- Water Efficient Ordinance / AB 1881 Requirements
 - This project requires compliance with AB 1881, Model Water Efficient Landscape Ordinance. The maintenance contractor shall provide the following:
 - Irrigation schedule based on ET weather-based data and information on the drawings;
 - A regular landscape maintenance schedule;
 - An irrigation audit report of the newly installed irrigation system;
 - Copy of the horticultural soils report per the Planting Note 5, this sheet.
 - Penalties by a governing agency for non-compliance and over-water use during the landscape maintenance period shall be the responsibility of the maintenance contractor.
 - See the Irrigation Notes on sheet L.
- Irrigation System:
 - The Landscape Contractor shall arrange a meeting with the manufacturer's representative of the irrigation controller to train the maintenance personnel on the controller's proper use. Controller charts and as-built of the planting and irrigation plans shall be given to the Owner at the end of the maintenance period.
 - Set and program automatic controllers per irrigation schedule. Give the Owner's authorized representative, keys to each controller and written instructions on how to turn the system off in case of emergency.
 - Check system weekly for proper operation and coverage. Lateral lines shall be flushed out after removing the bubbler or two at the end of the lateral.
 - Repair damages to irrigation system at Contractor's expense. Make repairs within one watering period.
- Drainage System
 - All drains in landscaped areas, subsurface drain lines and grates shall be kept free and clear of leaves, litter and debris to ensure proper and free flow of water.
 - Drain lines shall be periodically flushed with clean water to avoid build up of silt and debris.
 - Ensure that at the end of maintenance period, drainage system is clean and free of debris and silt build up.
- Debris Removal
 - Remove trash in the landscape areas and debris generated by landscape maintenance operations and legally dispose of offsite.



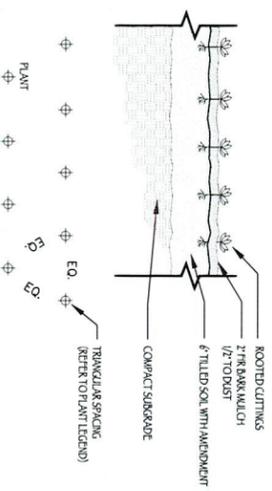
LEVESQUE DESIGN

1414 BAY STREET, SUITE 100
ALAMEDA, CALIFORNIA 94501
(510) 521 6700

PLANTING NOTES

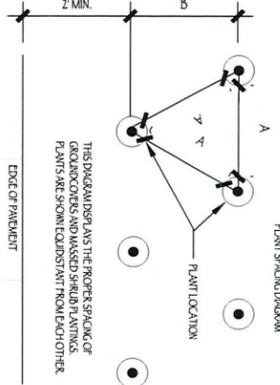
L-5

SCALE: 1/8" = 1'-0"
DATE: 06/16/2016
PROJECT: 16-119

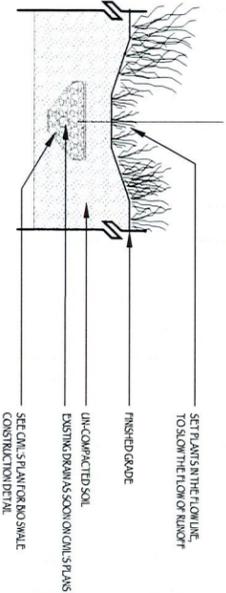


1 GROUNDCOVER PLANTING

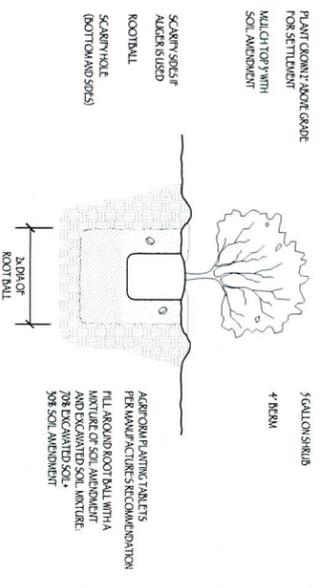
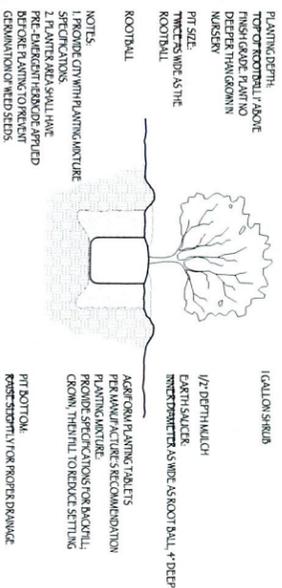
PLANT QUANTITY CHART		
A	B	# PLANTS / SFT.
6" O.C.	3.00'	1.60
8" O.C.	4.50'	1.20
10" O.C.	6.00'	0.90
12" O.C.	7.50'	0.70
14" O.C.	9.00'	0.55
16" O.C.	10.50'	0.45
18" O.C.	12.00'	0.38
20" O.C.	13.50'	0.32
22" O.C.	15.00'	0.28
24" O.C.	16.50'	0.24
26" O.C.	18.00'	0.21
28" O.C.	19.50'	0.18
30" O.C.	21.00'	0.16



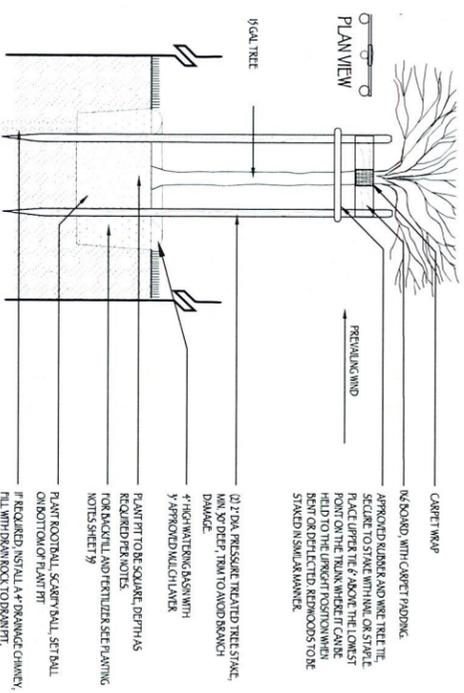
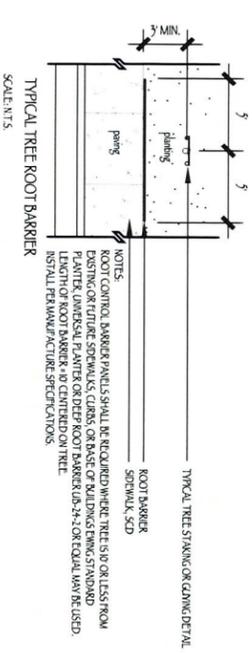
2 PLANT SPACING



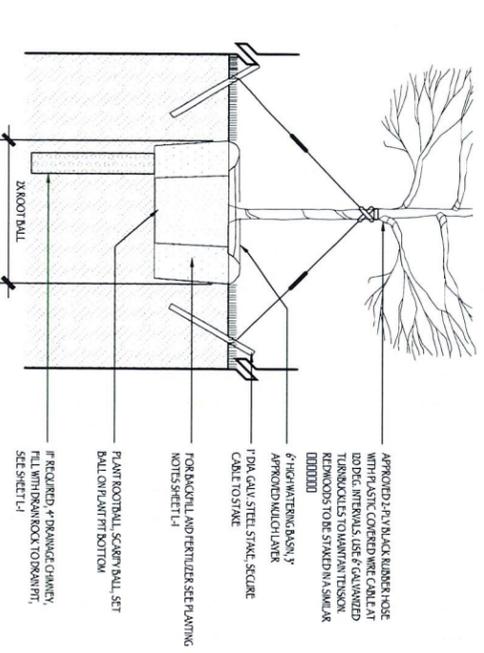
3 SWALE PLANTING DETAIL



4 SHRUB PLANTING DETAILS



5 TREE STAKING DETAIL



6 TREE GAINING DETAIL (6\"/>

469 Jean Street OAKLAND, CA

LEVESQUE DESIGN

PLANTING DETAILS

L-6



1414 BAY STREET, SUITE 100
ALAMEDA, CALIFORNIA 94501
(510) 521 6700

SCALE: 1/8" = 1'-0"
DATE: 06/16/2016
PROJECT: 16-119

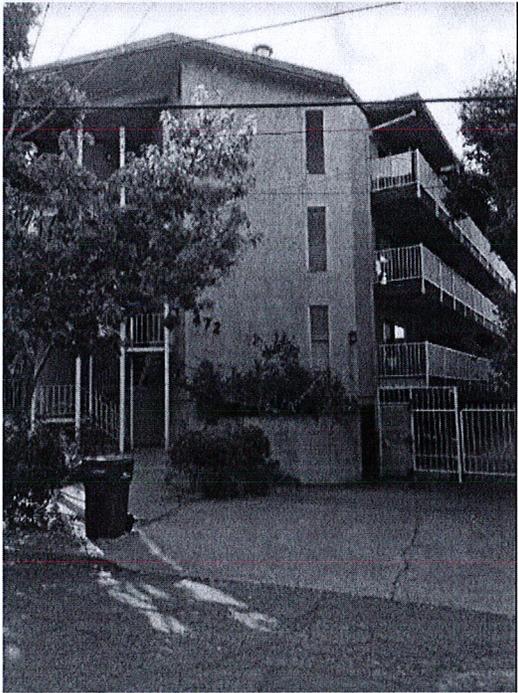
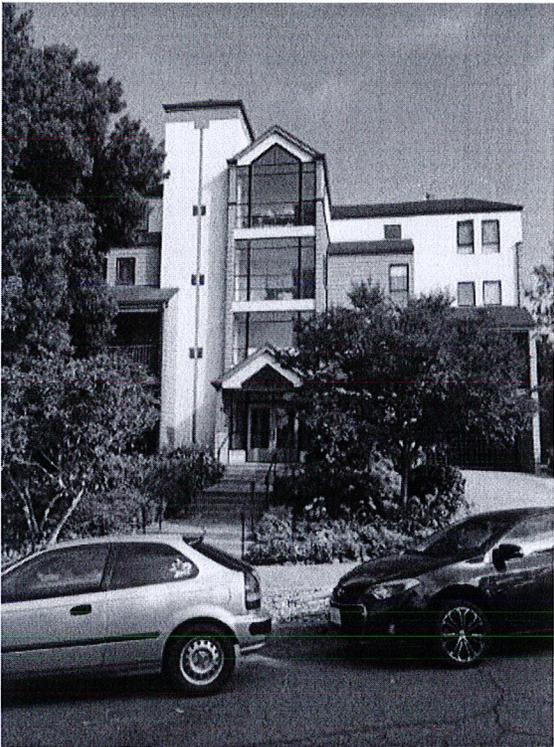
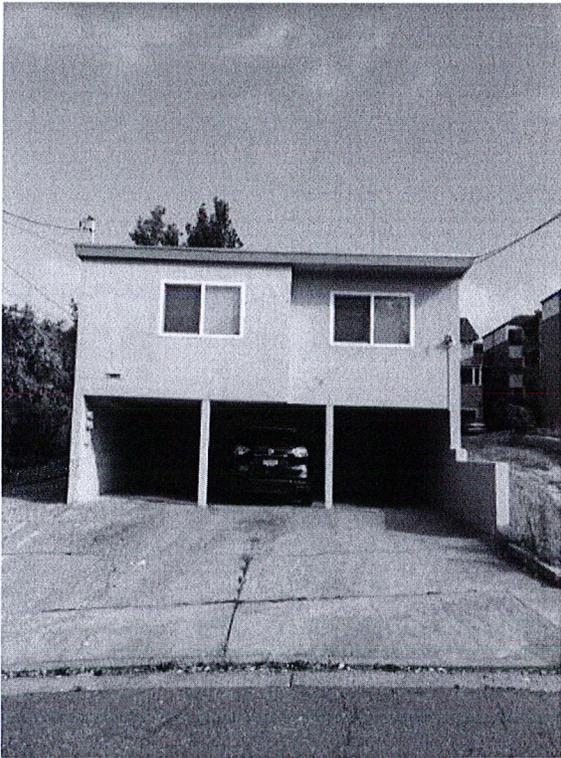
469 Jean St Unit Summary

LOT 1 - UNIT A1	LOT 2 - UNIT A2	LOT 3 - UNIT B1	LOT 4 - UNIT B2	LOT 5 - UNIT C1	LOT 6 - UNIT C2
LOT SIZE: 1301 S.F. GARAGE LEVEL: 113 S.F. MAIN LEVEL: 482 S.F. UPPER LEVEL: 537 S.F. TOTAL LIVING: 1132 S.F. GARAGE: 421 S.F. TOTAL: 1553 S.F.	LOT SIZE: 1070 S.F. GARAGE LEVEL: 125 S.F. MAIN LEVEL: 550 S.F. UPPER LEVEL: 627 S.F. TOTAL LIVING: 1302 S.F. GARAGE: 477 S.F. TOTAL: 1779 S.F.	LOT SIZE: 933 S.F. GARAGE LEVEL: 250 S.F. MAIN LEVEL: 445 S.F. UPPER LEVEL: 467 S.F. TOTAL LIVING: 1162 S.F. GARAGE: 225 S.F. TOTAL: 1387 S.F.	LOT SIZE: 933 S.F. GARAGE LEVEL: 250 S.F. MAIN LEVEL: 445 S.F. UPPER LEVEL: 467 S.F. TOTAL LIVING: 1162 S.F. GARAGE: 225 S.F. TOTAL: 1387 S.F.	LOT SIZE: 1075 S.F. GARAGE LEVEL: 328 S.F. MAIN LEVEL: 479 S.F. UPPER LEVEL: 522 S.F. TOTAL LIVING: 1329 S.F. GARAGE: 236 S.F. TOTAL: 1565 S.F.	LOT SIZE: 1075 S.F. GARAGE LEVEL: 328 S.F. MAIN LEVEL: 479 S.F. UPPER LEVEL: 522 S.F. TOTAL LIVING: 1329 S.F. GARAGE: 236 S.F. TOTAL: 1565 S.F.
3 bed / 3.5 bath	3 bed / 3.5 bath	2 bed / 2 bath	2 bed / 2 bath	3 bed / 3.5 bath	3 bed / 3.5 bath

469 Jean St Unit Summary

	Bed	Bath	Lot Size	Total SF	Living SF	Garage SF
Lot 1 - Unit A1	3	3.5	1301	1553	1132	421
Lot 2 - Unit A2	3	3.5	1070	1779	1302	477
Lot 3 - Unit B1	2	2	933	1387	1162	225
Lot 4 - Unit B2	2	2	933	1387	1162	225
Lot 5 - Unit C1	3	3.5	1075	1565	1329	236
Lot 6 - Unit C2	3	3.5	1075	1565	1329	236
Subtotal	16	18	6387	9236	7416	1820
<hr/>						
<i>Rear Existing Duplex</i>	5	3	4004	3516		

ATTACHMENT B





View from rear duplex onto vacant portion of parcel



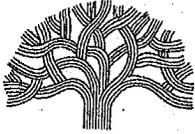
View from Jean St (existing right curb cut and driveway)



View from middle of parcel looking on rear structure and vacant land



View from Jean St (existing left curb cut and driveway)



ATTACHMENT C

CITY OF OAKLAND
Oakland Fire Department
Oakland, CA 94612
Fire Prevention Bureau
Dalziel Administration Building
250 Ogawa Plaza - 3rd floor

Alternate Methods of Construction

California Fire Code

2010 Edition - Chapter 1, Section 104.9

ADDRESS: 469 Jean St.

PARCEL: 010082102400

APPLICANT:

Brad Roemer

Owner

469 Jean St.

Oakland CA 94610

Phone.: 510.326.8647

469jeanst@gmail.com

2013 CFC SECTION 104.9, CFC Ch. 5,

CFC App. D, City Ord. 13208

PERMIT No.: 2015-39646, A.M.R. 15

PLAN CHECKER: Philip Basada

Background

The applicant intends to subdivide a lot into 8 parcels for the development 7 new 5 single family homes where 7 SFD owners will share a common driveway less than 20 feet wide. The driveway design deviates from City Ordinance 13208 and the adopted 2013 CFC Appendix D on fire access required roadway width.

The design called for 11'-8" distance between adjacent property line and exterior wall of one of the buildings. Fire truck access through the shared driveway exceeds 150 feet from the public street to the farthest existing house on the lot. The applicant requests to allow the current on-site road design for fire apparatus and fire crew access to this proposed development.

Analysis

City Ordinance 13208 requires:

- 20 feet wide fire truck access road width where building height is less than 30 feet.
- Fire truck turn-around on fire access roads greater than 150 feet long.

Attachments & References

California Fire Code, Fire Code Ordinance, Site Development Plan, AMMR application.

Alternate Methods of Construction

Standard Conditions of Approval

1. This Alternate Method of Construction (A.M.R.) shall apply solely to this permit and shall not be construed as establishing an expressed or implied precedent, policy, guideline, or standard. The Building Official, at his or her sole discretion, may amend or terminate this A.M.C. by written determination.

2. Any design or construction deviation from the requirements specified herein or failure to obtain a final inspection approval of the installation or failure subsequently to maintain and preserve the installation shall void this A.M.R.
3. The property owner and its successors, heirs, or assigns, affiliated companies or corporations, parent companies or corporations, or partners shall indemnify, defend and hold the City of Oakland and its officers, officials, employees, representatives, agents and volunteers harmless against all claims, injuries, damages, losses and suits, including attorney fees and expert witness fees, arising out of or in connection with this A.M.R. This indemnification shall survive the termination of this A.M.R.
4. Design and installation of fire detection, fire extinguishing, and smoke control systems and associated components, including water and power supply, sprinklers, hydrants, fire department connections, and stand pipes, shall conform with the regulations of the Building, Plumbing, Mechanical, Electrical, and Fire Codes, with NFPA standards, and with the requirements of the Building Official and Fire Marshal.

Special Conditions of Approval

Staff believes this request for an alternate method of modification could be granted with the above-mentioned analysis and the conditions of approval:

A. On-site Improvements:

1. A 6-inch dry horizontal standpipe with 6 2 1/2" hose outlet connections and 6 2 1/2" Fire Department connections are provided.
2. Residential fire sprinklers are enhanced to discharge 4 sprinkler heads at the same time. All closets and bathrooms are provided with sprinklers.
3. No vehicular gated entries are allowed.

B. Off-site (Public) Improvements:

4. Dry horizontal standpipe FDC is within 100 feet of a required public hydrant along Jean Street.

Fire Department

Fire Protection Engineer

P. Basada
P. Basada

3.17.16
date

Building Department

Plan Check Engineer

Ken Lau date

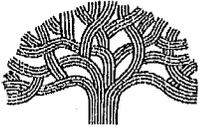
Fire Marshal

C. Trujillo
Miguel Trujillo
CESAR B. I.A.

3.18.16
date

Building Official

Tim Low date



CITY POLICY BULLETIN

ISSUANCE DATE: April 15, 2016

PERTINENT OMC SECTIONS: 16.16.020D (Width of Streets, Non-Hillside)
 16.16.025D (Width of Streets, Hillside)
 16.16.150 (600-Foot Maximum Length to a Dead End Street)
 16.04.060 (Exceptions to Requirements)
 15.12.010C (Fire Chief Discretion to Revise Requirements)
 15.12.020 App. D, Table D103.5 (Secondary Access Road required for Dead End Streets in Excess of 600 Feet)

QUESTION/ISSUE: In what instances would the Planning Director, Fire Chief, and City Engineer potentially revise/modify the requirement for secondary access for deadend streets exceeding 600 feet in length?

This Bulletin clarifies and memorializes the circumstances under which the City would consider revising/modifying the requirement of a secondary access for subdivisions that result in dead end streets in excess of 600 feet in length.^{1,2}

BACKGROUND

The Oakland Subdivision Regulations prohibit streets that result in a dead end in excess of 600 feet (OMC sections 16.16.150, 16.16.020D and 16.16.0225D); however, the Planning Commission and Planning Director have authority to consider exceptions to this requirement and has previously granted exceptions (pursuant to OMC section 16.04.040) to allow for a dead end street length in excess of 600 feet.³ Likewise, the Oakland Fire Code (OMC section 15.12.020, App. D, Table D103.5) also prohibits streets

¹ This policy bulletin addresses subdivisions. For existing legal lots of record on dead end streets, consult with the Planning Bureau which will consult with the Building Division, Fire Services Bureau, and City Attorney's office to determine adequate requirements for development. However, generally speaking, the City should waive the secondary access requirements if the **applicant demonstrates to the City's satisfaction** that the application of the secondary access requirement to a specific project would create an unconstitutional "taking" of property without just compensation (e.g., there are no feasible alternatives to a secondary access and without City approval of the project the applicant would be deprived of all economically viable use of their property) and that the project, if permitted, would be carried out only to the extent necessary to avoid a "taking."

² A "dead end street" is any street or private roadway that contains no additional outlet other than the single entry point; also defined as a "blind street" in OMC Section 16.04.030. The distance measurement for a "dead end street" shall begin at the nearest intersecting "through street." A "through street," while not specifically defined in the OMC, is a street or private roadway that contains multiple outlets to other streets and itself is not a "dead end street."

³ OMC section 16.04.060 states: "The Advisory Agency may in the exercise of reasonable judgment grant such variances as it determines warranted where the size of the subdivision or topographic or other physical conditions of the property make it impractical to conform to all of the provisions prescribed by this title, provided, however, that no variances may be made to any requirements imposed by the Subdivision Map Act; and provided further, however, that no variances may be made to any requirements imposed by Section 16.20.010." For Tentative Tract Maps, the Advisory Agency is the Planning Commission. For Tentative Parcel Maps, the Advisory Agency is the Planning Director.

that result in a dead end in excess of 600 feet, as did the Draft Access Road Guidelines, which were used prior to their codification into the Municipal Code in 2008; however, the OMC also provides for revisions/modifications to the 600 foot limit on dead end streets (OMC section 15.12.010C).

In addition, the City of Oakland's California Environmental Quality Act (CEQA) Thresholds of Significance Guidelines identify dead end streets in excess of 600 feet without secondary emergency access as a potentially significant environmental impact, unless otherwise determined to be acceptable by the Fire Chief, or designee, in specific instances due to climatic, geographic, or topographic conditions (pursuant to OMC section 15.12.010C).⁴

Given that the above are based upon life-safety factors, the Planning Director has determined that projects containing dead end streets in excess of 600 feet in length without secondary emergency access will **NOT** be recommended for approval by the Bureau of Planning, unless the Fire Chief and City Engineer both agree to modify/revise the secondary access requirement due to specific instances related to climatic, geographic, or topographic conditions, as discussed below.

GROUND FOR GRANTING REVISIONS/MODIFICATIONS TO SECONDARY ACCESS REQUIREMENT

Revisions/modifications to the secondary emergency access requirement will be considered by the Fire Chief, City Engineer, and the Planning Director, each of whom maintain their own independent authority, on a case-by-case basis and **may** be granted when a property contains, at a minimum, **all** of the following characteristics:

- Is **not** located within the Urban-Wildland Interface, High Fire Hazard Severity Zone, or Wildland Fire Assessment District; and
- Contains the required street widths and slopes at the property and surrounding area to provide adequate fire truck access; and
- Is located within an area that has an existing built-out street "grid" and has been previously developed; and
- Is located in an area with adequate fire flow as determined by the Fire Chief.

Revisions/modifications may also be considered for re-parcelization of existing property that has been previously developed and is not located within the Urban-Wildland Interface, High Fire Hazard Severity Zone, or Wildland Fire Assessment District, even though it may not meet all the rest of the above criteria.

Revisions/modifications should **not** be considered automatic but should be considered by the City for subdivisions meeting the above criteria because properties that are located in such areas (a) are not likely to be threatened by wildfires; (b) are located on a grid system, which tends to be located in flat areas of the city that typically would allow the Fire Department multiple points of access across other streets and properties, if necessary; and (c) residents would more easily be able to flee a structure fire by multiple points to other streets or across other properties, if necessary.

In contrast, projects in hillside areas generally do not meet one or more of the above criteria. Such properties are more likely to be threatened by rapidly spreading wildfires; have greater Fire Department response times than properties meeting the criteria; have limited ingress for fire fighters; have limited egress due to the nature of the street patterns, roadway widths, and steep topography; and also afford

⁴ OMC section 15.12.010 C states: "To the extent permitted by law, the Fire Chief may, at his/her sole discretion, revise requirements set forth in the Oakland Fire Code in specific instances due to climatic, geographic or topographic conditions."

residents little or no opportunity to flee a fire. The devastating Oakland Hills Fire of 1991 and prior, historic conflagrations demonstrate the dangers associated with the features of the types of sites that do not meet the above characteristics. As a result, such sites generally would not qualify for revisions/modifications of the 600 foot secondary access requirement.

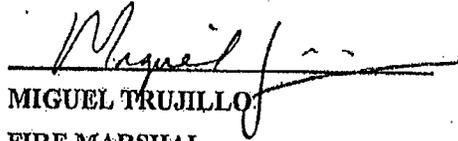
APPROVED BY:



**DARIN RANELETTI
DEPUTY DIRECTOR
BUREAU OF PLANNING**



**MICHAEL J. NEARY, P.E.
CITY ENGINEER
OAKLAND PUBLIC WORKS**



**MIGUEL TRUJILLO
FIRE MARSHAL
FIRE PREVENTION BUREAU**

469 Jean St. – Private Access Easement Distance

The proposed project should maintain its CEQA exemption, as the distance to adjacent Santa Clara Ave. is less than 600 feet. Utilizing City of Oakland and Google Earth GPS distance mapping, the total distance from Santa Clara Ave. to the end of the proposed private access easement is 561 feet. Please see the photo below that maps the path from Santa Clara Ave., along Jean St., and to the end of the 469 Jean Public Access Easement.

