

Case File Number PLN23114

**May 1, 2024**

<b>Location:</b>	<b>6021 College Avenue (See map on the reverse)</b>
<b>Assessor’s Parcel Number:</b>	014 126800300
<b>Proposal</b>	To operate a wine bar with light food offerings, accessory retail goods, and off-premises bottle sales.
<b>Applicant:</b>	Tony Valadez / (510) 459-4022
<b>Contact Person and Phone Number:</b>	Faunus Lucas / (510) 520-1242
<b>Owner:</b>	Larry W. Olund (510) 459-2022 / (925) 819-1222
<b>Case File Number:</b>	PLN23114
<b>Planning Permits Required</b>	Major Conditional Use Permit for an Alcoholic Beverage Sales Commercial Activity; and a Minor Variance for the 1,000-foot distance separation requirement between other establishments selling alcoholic beverages §17.103.030(B)(1).
<b>General Plan</b>	Neighborhood Center Mixed Use
<b>Zoning</b>	CN-1 Zone
<b>Proposed Environmental Determination</b>	Exempt per the State CEQA Guidelines Section 15301 - Existing facilities, Section 15303 - New construction or conversion of small structures, and Section 15183 - Projects consistent with a Community Plan, General Plan, or Zoning
<b>Historic Status:</b>	The building is Potentially Designated Historic Property with an Oakland Cultural Heritage Survey Rating of C3.
<b>City Council District:</b>	1
<b>Status:</b>	Pending
<b>Staff Recommendation:</b>	Approve the proposal subject to the Conditions of Approval
<b>Finality of Decision:</b>	Appealable to City Council
<b>For Further Information:</b>	Contact Case Planner Danny Thai at (510) 238-3584 or by email at <a href="mailto:dthai@oaklandca.gov">dthai@oaklandca.gov</a>

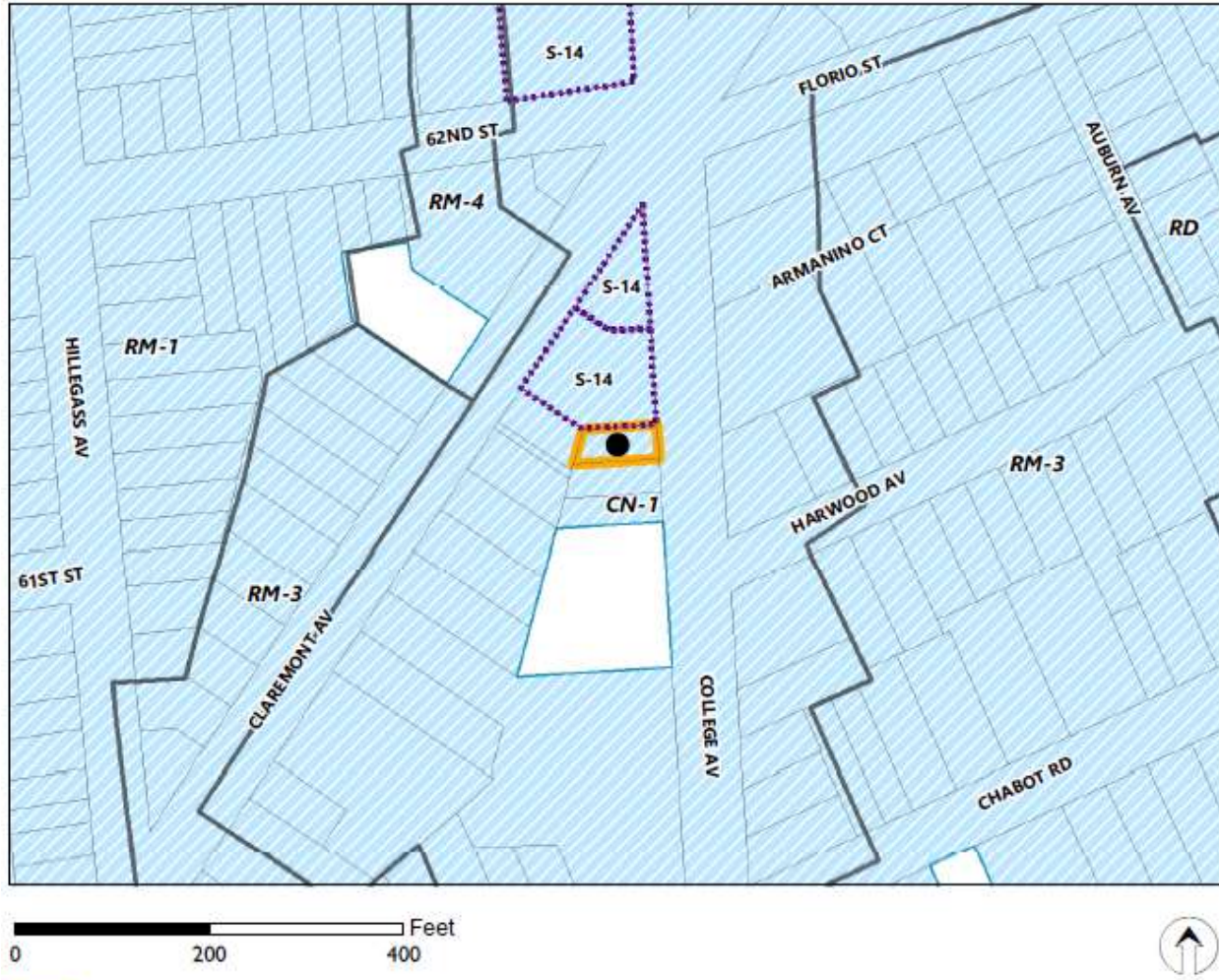
**SUMMARY**

The Applicant has submitted a request to establish a beer and wine bottle shop with on- and off-site bottle and food sales in a 3,504 square-foot vacant ground-floor commercial space located at 6023 College Avenue. The proposal would require a Type 41 Beer and Wine License from the California Department of Alcoholic Beverage Control (ABC) which allows for on- and off-site sales of alcohol up to 24% (48 proof) with food service. Requested hours of operation would be 10:00 am to 10:00 pm every day of the week. The project requires a Major Conditional Use Permit (CUP) for an Alcoholic Beverage Sales Commercial Activity and a Minor Variance to allow the sale of alcoholic beverages within 1,000 feet from another Alcoholic Beverage Sales Commercial businesses.

The project is not located in an area of overconcentration related to crime and ABC licenses. The proposal will establish a new small business and service in the Rockridge neighborhood which will further contribute to this pedestrian friendly and lively commercial corridor. Based on the Findings and Conditions of Approval, the business is not anticipated to lead to nuisances (**Attachment A and B**).

Therefore, staff recommends approval of the requested permits, subject to the Conditions of Approval included in this report.

# CITY OF OAKLAND PLANNING COMMISSION



- Site Boundary
- S-13 Combining Zone

Case File: PLN23114  
Applicant: Tony Valadez  
Address: 6023 College Avenue  
Base Zone: CN-1  
Combining Zone: S-13



## SURROUNDING AREA AND PROPERTY DESCRIPTION

The Project site is located on College Avenue, the main commercial corridor in the Rockridge neighborhood, and approximately three blocks north of the Rockridge Bay Area Rapid Transit (BART) station. The surrounding area consists of a wide range of commercial uses such as retail, consumer services, and restaurants as well as a church. The adjacent property to the north is a vacant lot.

The project site includes a one-story, 3,504 square-foot building with a mezzanine which covers the entire lot. The building includes three commercial spaces (6021, 6023 and 6025 College Avenue), and the proposal will be located at 6021 College Avenue. The building is a Potentially Designated Historic Property (PDHP) with an Oakland Cultural Heritage Survey Rating of C3. The project site most recently contained a General Retail Sales Commercial Activity for ecologically friendly goods. The other two commercial spaces within the building are currently used as a commercial office and retail sales of bulk groceries.

## PROJECT DESCRIPTION

The proposal is to establish a beer and wine bottle shop (Alcoholic Beverage Sales Commercial Activity) that offers on-site consumption with light food offerings as well as off-site bottle sales within one of the existing ground floor spaces in the building (*Attachment C*). In addition, the Applicant proposes a 9'-7" x 4'-10" (42.29 square-foot) Sidewalk Café Nonresidential Facility located in front of the storefront to the left of the front door. The review of the Sidewalk Cafés are not within the purview of the Planning Bureau or Planning Commission, but are instead reviewed by the City's Department of Transportation during the encroachment permit application process.

Beer and wine will be sold by the bottle or glass on-site and offered for sale to-go in unopened bottles. Examples of food menu items which will be prepared on-site include oysters, hot dogs, tinned fish, pickle plates, hot dogs, and a variety of cheeses (*Attachment D*).

The proposed beer and wine bottle shop would have a Type 41 Beer and Wine License from ABC which allows for on- and off-site sales of alcohol up to 24% (48 proof) with food service. Requested hours of operation would be 10:00 am to 10:00 pm every day of the week.

No other exterior changes are proposed as part of this application. Any request for signage will be handled separately from this application. There is no on-site parking required for the commercial /uses.

The applicant is in the process of applying for the ABC license. The applicant voluntarily agrees to all ABC and City regulations regarding this activity. The applicant has conducted community outreach by contacting neighborhood groups including the Neighborhood Crime Prevention Association (NCPC) as further discussed in the Key Issues and Impacts.

## GENERAL PLAN ANALYSIS

The property is in the Neighborhood Center Mixed Use land use classification of the General Plan's Land Use & Transportation Element (LUTE). The intent of the area is: "to identify, create, maintain and enhance mixed use neighborhood commercial centers. These centers are typically characterized by smaller scale pedestrian-oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and smaller scale educational, cultural, or entertainment uses."

The proposed project (wine and beer shop with a selection of food offerings) will bring a new eating and drinking option to the neighborhood. Therefore, the proposed business conforms to this intent as well as to the following LUTE Policies:

Policy I/C1.1 Attracting New Business

*The City will strive to attract new businesses to Oakland which have potential economic benefits in terms of jobs and/or revenue generation.*

Objective I/C3

*Ensure that Oakland is adequately served by a wide variety of commercial uses, appropriately sited to provide for competitive retail merchandising and diversified office uses, as well as personal and professional services.*

Policy I/C3.2 Enhancing Business Districts.

*Retain and enhance clusters of similar types of commercial enterprises as the nucleus of distinctive business districts, such as the existing new and used automobile sales and related uses through urban design and business retention efforts.*

Policy I/C3.4 Strengthening Vitality.

*The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.*

Staff finds that the proposal conforms to the General Plan because the proposed wine and beer shop, in conjunction with the selection of food offerings, should support customer activity in the College Avenue retail area.

**ZONING ANALYSIS**

The property is in the Neighborhood Commercial - 1 (CN-1) Zone. “The intent of the CN-1 Zone is to maintain and enhance vibrant commercial districts with a wide range of retail establishments serving both short and long term needs in attractive settings oriented to pedestrian comparison shopping.”

The proposal will establish an Alcoholic Beverage Sales Activity within a ground floor commercial space. The following permit and Findings are required for the proposal. These items are further discussed in the *Key Issues and Impacts* section of this report.

Major Conditional Use Permit with Additional Findings

Pursuant to Section 17.33.30 of the City of Oakland Planning Code, a CUP is required for Alcoholic Beverage Sales Commercial Activities in the CN-1 Zone. Based on the proposed activity, a Major CUP and consideration by the Planning Commission is required per Planning Code Section 17.134.020(A)(2).

The additional Findings further ensure a thorough review of Alcoholic Beverage Sales Activities, above and beyond general CUP findings. The Planning Code requires additional review of these types of activities to ensure that they do not contribute to alcohol-related nuisances or discourage business attraction.

Minor Variance for 1,000' Separation between Alcoholic Establishments

Pursuant to Section 17.103.030 (B)(1), no Alcoholic Beverage Sales Commercial Activity or sale of alcoholic beverages shall be located closer than 1,000 feet to any other establishment selling alcoholic beverages measured between closest building walls, except:

- a. On-sale retail licenses located in the Central District (defined for the purposes of this Chapter only as within the boundaries of I-980 and Brush street to the west; both sides of 27th Street to the north; Harrison Street/Lake Merritt and the Lake Merritt Channel to the east; and the Estuary to the south);
- b. Off-sale retail licenses located in the Jack London District (defined for the purposes of this Chapter only as within the boundaries of Martin Luther King Jr. Way to the west, I-880 to the north; the Lake Merritt Channel to the east; and the Estuary to the south);
- c. If the activity is in conjunction with a Full-Service Restaurant or Limited-Service Restaurant and Café Commercial Activity;
- d. Establishments with twenty-five (25) or more full time equivalent (FTE) employees or a total floor area of twelve thousand (12,000) square feet or more; or
- e. If the activity is in conjunction with the on-sale and/or off-sale of alcoholic beverages at an alcoholic beverage manufacturer.

The proposal does not meet any of the stated exceptions above, and there are other businesses within 1,000 feet of 6021 College Avenue that sell alcohol, including grocery stores, bars, and restaurants. . As such a Minor Variance is needed for separation requirement. This issue is further discussed in the *Key Issues and Impact* section below.

**ENVIRONMENTAL DETERMINATION**

The California Environmental Quality Act (CEQA) Guidelines categorically exempt specific types of projects from environmental review. Section 15301 of the State CEQA Guidelines exempts projects involving operation of existing private facilities. The proposal to serve and sell alcohol and food items in an existing building in a commercial district meets this description as the project would constitute operation of an existing private facility. Section 15183 of the State CEQA Guidelines relates to Projects Consistent with a Community Plan, General Plan or Zoning. The project adheres to this section, as described above. The project is, therefore, not subject to further environmental review.

**KEY ISSUES AND IMPACTS**

For a Conditional Use Permit (CUP) application, staff must consider what potential issues could occur because of the project or future use of an approval, and attach appropriate Conditions of Approval to the activity to ensure it operates compatibly with its surroundings. In this case, the proposal involves alcohol sales within 1,000 feet of other existing alcohol sales. To justify the operation, the proposal cannot constitute a nuisance to other uses or contribute to a proliferation of alcohol sales. Typical problems that can result from alcohol sales include litter, loitering, noise, public intoxication, and associated nuisances.

*Analysis of Overconcentration*

The Census Tract 4002 area where the project is located is not over-concentrated for liquor licenses or for crime in the Police Beat 12Y. Pursuant to Section 17.33.30 of the City of Oakland Planning Code, Alcoholic Beverage Sales Commercial Activity can be granted only if the proposed license is in an area where Alcoholic Beverage License is not in an overconcentrated area, or otherwise a finding of Public Convenience or Necessity is necessary. There are 5 alcohol licenses within Census Tract 4002 out of a total of 3,657 alcohol licenses in Alameda County. Staff has therefore determined that the addition of another store selling alcohol as a result of this project does not represent an overconcentration of alcoholic beverage licenses pursuant to the definition of Alcoholic beverage license overconcentrated areas in Section 17.09.040 and Section 17.103.030(B)(2) of the Planning Code.



*Separation of Alcoholic Establishments*

As discussed above, the proposal will be located within 1,000 feet of other businesses selling alcohol. As further detailed in the Variance Findings, Staff finds the reduced distance separation acceptable because of the following factors:

- The hours of use and the operations of the establishment make a potential nuisance to civic or residential uses is considered very unlikely.
- The proposed activity is inherently different from a liquor store (Convenience Market Commercial Activity).
- Conditions of Approval (**Attachment B**) would require the regular clean-up of the immediate vicinity by the establishment and signage to discourage litter and noise with a contact telephone number to report transgressions.

*Proposed Conditions of Approval*

Staff finds that the proposed operational characteristics are sufficient to control nuisance with the addition of Conditions of Approval. Specifically:

- There will be a selection of food offerings prepared on-site in addition to the on-site sales of alcohol.
- The business is only proposing to be open from 10:00 am to 10:00 pm and is not a late-night operation.
- Operational staff would be trained regarding safe practices for selling liquor including how to recognize a customer that should not be served.

*Letters of Support and Community Outreach*

The Applicant introduced the proposal to the Rockridge District Association (RDA) and the Rockridge Community Planning Council (RCPC) and received letters of support on January 30, 2024 (**Attachment E**) and on January 11, 2024 (**Attachment F**). The applicant also discussed their proposal with the Rockridge Neighborhood Crime Prevention Council (RNCPC) and the RNCPC did not have any comments (**Attachment G**). Lastly, the Applicant has also reached out to community members including both residents and nearby business owners. Letters of support from six community members were obtained (**Attachment H**).

**SUMMARY**

Staff finds the proposal will not pose a nuisance or constitute a proliferation of alcohol outlets in the district. Due to the nature of the operation and setting, staff supports the proposal with the inclusion of Conditions of Approval.

**RECOMMENDATIONS:**

1. Affirm staff's environmental determination.
2. Approve the Major Conditional Use Permit and Minor Variance subject to the attached findings and conditions.

Prepared by:

  
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Danny Thai  
Planner I

Reviewed by:



\_\_\_\_\_  
ROBERT MERKAMP  
Zoning Manager

Approved for forwarding to the  
City Planning Commission:



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ED MANASSE , Deputy Director  
Bureau of Planning

**ATTACHMENTS:**

- A. Findings Approval
- B. Conditions for Approval
- C. Plans
- D. Preliminary Menu
- E. Rockridge District Association (RDA) Letter of Support
- F. Rockridge Community Planning Council (RCPC) Letter of Support
- G. Rockridge Neighborhood Crime Prevention Council (RNCPC) Letter
- H. Letters of Comment by Community

## FINDINGS FOR APPROVAL

This proposal meets the required findings under Conditional Use Permit Criteria (OMC Sec. 17.134.050), CN-1 Additional Conditional Use Permit Findings (OMC Sec. 17.33.030, Table 17.33.01 (L4)), Special Regulations Applying to Certain Establishments Selling Alcoholic Beverages (OMC Sec. 17.103.030(A)), and Variance Findings Required (OMC Sec. 17.148.050) under the Planning Code (Title 17), as set forth below. Required findings are shown in bold type; explanations as to why these findings can be made are in normal type.

### CONDITIONAL USE PERMIT PROCEDURE CRITERIA (OMC SEC. 17.134.050)

- A. 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 the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development:**

The project will be situated amidst the vibrant College Avenue commercial corridor in the Rockridge neighborhood, which includes establishments such as Talisman Antiques, Oori Triangles, Love Again Fabrics, Berkeley Kids Room, Transports, Courtside Tennis & Pickleball, Gentleman's Barbershop, Redfield Cider Bar & Bottle Shop, Wood Tavern, VINO!, Beer Baron Whiskey Bar & Kitchen, Trader Joe's, and numerous others.

The proposed business will primarily sell wine and beer with limited food offerings for both on and off-site consumption. The business will be in an existing historic building, and there is no proposal to alter the size, bulk, coverage, or exterior design of the building except for a 42 square-foot sidewalk café space. The operating characteristics, which include reduced evening hours and again, food offerings, will ensure that there are limited impacts to neighbors. The proposal will be a neighborhood place close to bicycle and mass transit facilities so there is not expected to be a concern with traffic generation on surrounding streets.

In sum, the business location will provide yet another lively and pedestrian friendly service for the neighborhood and will not adversely affect the livability or appropriate development of surrounding properties.

- B. 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 proposed project will offer another convenient option for wine, beer, and food in the community. The proposed business is complementary to a highly walkable neighborhood with a diverse number of establishments that sell products, services, foods, and drinks.

- C. 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 business will enhance the successful operation of the area by providing another lively, pedestrian oriented business within the neighborhood. The proposal will bring additional customers to a retail district and add a small number of jobs.



**D. The proposal conforms with all applicable Regular Design Review criteria set forth in Section 17.136.050 of the Oakland Planning Code:**

This Finding is not applicable. There are no exterior changes proposed as part of the project. The new 42 square-foot Sidewalk Café proposed in the front of the store is permissible by right.

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

The property is in the Neighborhood Center Mixed Use land use classification of the General Plan's Land Use & Transportation Element (LUTE). The intent of the area is: "to identify, create, maintain and enhance mixed use neighborhood commercial centers. These centers are typically characterized by smaller scale pedestrian-oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and smaller scale educational, cultural, or entertainment uses."

The proposed project (wine and beer shop with a selection of food offerings) will bring a new eating and drinking option to the neighborhood. Therefore, the proposed business conforms to this intent as well as to the following LUTE Policies:

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Policy I/C3.2 Enhancing Business Districts.

*Retain and enhance clusters of similar types of commercial enterprises as the nucleus of distinctive business districts, such as the existing new and used automobile sales and related uses through urban design and business retention efforts.*

Policy I/C3.4 Strengthening Vitality.

*The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.*

**F. For proposals involving a One- or Two-Family Residential Facility: If the Conditional Use Permit concerns a regulation governing maximum height, minimum yards, or maximum lot coverage or building length along side lot lines, the proposal also conforms with at least one of the following criteria:**

- 1. 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 conditional use permits that allow height increases, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height;**
- 2. At least sixty (60) percent of the lots in the immediate context are already developed and the proposal would not exceed the corresponding as-built condition on these lots, and, for conditional**

use permits that allow height increases, 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 conditional use permit.

The proposal does not involve a one- or two-family residential facility. Therefore, this Finding does not apply.

**CN-1 ADDITIONAL CONDITIONAL USE PERMIT FINDINGS (OMC Sec. 17.33.030., Table 17.33.01 (L4))**

The intent of the CN-1 zone is to maintain and enhance vibrant commercial districts with a wide range of retail establishments serving both short and long term needs in attractive settings oriented to pedestrian comparison shopping.

**1. The proposal will not detract from the character desired for the area:**

The Rockridge shopping district is one of the most vibrant commercial districts in Oakland, with a variety of businesses providing a variety of products and services. The walkable throughfare is pedestrian-friendly with a diverse mix of businesses.

The proposed project adds a new business within a vacant storefront on this corridor that will provide wine and beer with food and retail items. It is anticipated that the project will attract 150 customers a day to this area, adding to the vibrancy and vitality of the shopping district. The establishment's operating parameters, including noise mitigation measures and compliance to the Municipal Code and Conditions of Approval, ensure minimal disruption to the neighborhood's tranquility and livability.

**2. The proposal will not impair a generally continuous wall of building facades:**

The proposal will activate an existing vacant storefront fronting College Avenue. The storefront is 35' wide and the design is mostly transparent with glass in the front of the business. The proposal will not change the building design, and thus will not impair the continuous wall of building facades. A sidewalk café is proposed in front, but this will also not impair the continuous facades.

**3. That the proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not impair the retention or creation of an important shopping frontage:**

The area is a mix of commercial uses with a church also on this block. The proposal will activate a store frontage that is currently vacant, fronting College Avenue. The business will bring patrons to the area and likely strengthen the concentration and continuity of retail facilities.

**4. That the proposal will not interfere with the movement of people along an important pedestrian street:**

Except for a new 42 square-foot Sidewalk Café Nonresidential Facility proposed in the front of the store, the business will occur within an existing building. The outdoor dining area will be enclosed by a dining barrier measuring 42" high, made of galvanized steel tube, permanently bolted to the

sidewalk. (See Sheet A201 in Attachment C). There will be at least five feet of pedestrian thruway in front of the sidewalk cafe meeting ADA requirements.

- 5. That the proposal will conform in all significant respects with any applicable district plan which has been adopted by the City Council:**

See Findings per OMC Sec. 17.134.050(E) Conditional Use Permit findings above.

**ALCOHOLIC BEVERAGE SALES CUP FINDINGS (OMC Sec. 17.103.030(A))**

- 1. The proposal will not contribute to undue proliferation of such uses in an area where additional ones would be undesirable, with consideration to be given to the area’s function and character, problems of crime and loitering, and traffic problems and capacity:**

The Rockridge and College Avenue shopping district comprises various commercial establishments, including multiple food and beverage businesses, retail stores, service businesses and bars. Places that sell alcohol, are deemed suitable for this area, provided they are designed to be active spaces that do not create a nuisance for the neighborhood.

The small business size reduced nighttime hours, and inclusion of food will likely reduce any potential impacts on neighboring businesses or residents such as crime, litter, noise, or loitering. Just the opposite, the business will more likely bring patrons to this area and increase the vitality of the area. Furthermore, many patrons are within walking distance to their residences or three blocks away from the Rockridge BART Station. With implementation of the Conditions of Approval, the business operator will provide information and assistance to assist people in getting transportation home via taxi or ridesharing if necessary.

The proposal will not contribute to an undue proliferation of uses which would be undesirable.

- 2. The proposal will not adversely affect adjacent or nearby churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds:**

The proposal is consistent with other alcoholic beverage sales establishments within the Rockridge neighborhood and with appropriate Conditions of Approval will not affect schools, parks, religious uses.

- 3. The proposal will not interfere with the movement of people along an important pedestrian street:**

The establishment will be in an existing building with a zero-lot line to the sidewalk and no driveway or parking lot to interrupt pedestrians.

- 4. The proposed development will be of an architectural and visual quality and character which harmonizes with, or where appropriate enhances, the surrounding area:**

The project would require a Building Permit for any interior tenant improvements. No exterior changes are proposed with the project. However, any new signage or façade improvements would be processed under a separate permit.

- 5. The design will avoid unduly large or obtrusive Signs, bleak unlandscaped parking areas, and an overall garish impression:**



The project will operate within an existing building which covers the entire site, and no exterior façade changes are proposed. Any exterior alteration or a new signage is subject to design review criteria and will require processing under a separate permit to avoid these issues.

**6. Adequate litter receptacles will be provided where appropriate:**

The establishment will contain litter receptacles within the premises, and litter receptacles will be easily identifiable within the premises including near the entryway as Conditioned in the Conditions of Approval.

**7. Where the proposed use is in close proximity to residential uses, and especially to bedroom windows, it will be limited in hours of operation, or designed or operated, so as to avoid disruption of residents’ sleep between the hours of ten p.m. and seven a.m.:**

The rear of the building abuts a commercial lot and within close vicinity to residentially zoned properties; however, patrons will not be accessing the business via the rear door that opens in the adjacent rear lot. Patrons will only be visiting the business via College Avenue in a commercial shopping district. Closing time will be 10pm every day, avoiding the disruption of residents’ sleep between the hours of 10pm and 7am.

**8. Proposals for new Fast-Food Restaurants must substantially comply with the provisions of the Oakland City Planning Commission "Fast-Food Restaurant--Guidelines for Development and Evaluation" (OCPD 100-18):**

This Finding is inapplicable; the proposal does not involve a fast-food restaurant.

**VARIANCE FINDINGS (OMC Sec. 17.148.050)**

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

The project requires a Minor Variance because it involves alcohol sales within 1,000-feet to multiple (10) businesses that sell alcohol. However, three businesses have alcohol as accessory to grocery stores, and five businesses have alcohol as accessory to full-service restaurants.

Business Name	Address	Type of Alcohol Sales	Distance from 6023 College Ave
Saffron kitchen	5940 College Ave, Oakland, CA 94618	on-premise	250 ft
Yimm	6048 College Ave, Oakland, CA 94618	on-premise	365 ft
Millennium Restaurant	5912 College Ave, Oakland, CA 94618	on-premise	390ft
The Graduate	6202 Claremont Ave, Oakland, CA 94618	on-premise	426 ft
Beer Barron	5900 College Ave, Oakland, CA 94618	on-premise	433 ft
S fizio	6099 Claremont Ave, Oakland, CA 94618	on-premise	453 ft
Safeway	6310 College Ave, Oakland, CA 94618	off-premise	528 ft
Redfield Cider	5815 College Ave, Oakland, CA 94618	On and off-premise	733 ft
Starter Bakery	5804 College Ave, Oakland, CA 94618	on-premise	813 ft
Trader Joe's	5727 College Ave, Oakland, CA 94618	off-premise	930 ft

Strict compliance would prohibit the business and limit the food and drink options available in the neighborhood, not draw additional patrons to the area to shop and get services, and potentially not increase the vitality of the area.

The area is not over-concentrated for liquor licenses in the Census Tract 4002 or for crime in the Police Beat 12Y. The proposed activity would offer on-site alcohol with food offerings and would differ from a liquor store. Due to the nature of the operation and setting, the proposal with Conditions of Approval is justified.

The proposed project will provide wine and beer offerings with a selection of food offerings that offer convenience and functionality to community members which improves the livability and enjoyment of the area.

- 2. 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:**

There exists a multitude of other establishments within the district that sell alcoholic beverages, but are not categorized as full-service restaurants, and are within 1,000 feet minimum distance separation mandates for alcohol beverage sales due to their operational characteristics and/or planning entitlement. Thus, strict compliance with the regulations would deprive the applicant of privileges enjoyed by other owners of similarly zoned property within this district and beyond. Examples include Ordinaire, Bay Grape, Oakland Yard, and Redfield Cider which is just down the street and also received Minor Variances for distance separation.

- 3. 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 proposal will not adversely affect the character, livability, or appropriate development of surrounding properties. The project is located on College Avenue which is one of the most vibrant, lively, and pedestrian friendly neighborhood corridors in the City. The proposed wine bar's potential positive economic impacts include the anticipated attraction of 150 daily patrons which will draw additional customers to the area, a retail component to the business, food offerings, the small sidewalk café to enliven the pedestrian experience, and measures to mitigate noise and other disturbances. The proposal will not be detrimental to public welfare or other adopted plans, and the business has the support of the community groups.

- 4. 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:**

In the district, there are other establishments that sell alcohol, with eight establishments within 1,000 feet selling alcohol on-premises and three establishments selling alcohol for off-premises consumption. Any future similar establishments will also face similar requirements. Certain limited-service restaurants, some with variances, have received approvals. Full-service restaurants are allowed alcohol sales by-right. This case aims to grant an entitlement to allow a business activity that is typical of similar establishments in the Rockridge neighborhood vicinity and beyond. Examples include Ordinaire, Bay Grape, Oakland Yard, and Redfield Cider which is just down the street and also received Minor Variances for distance separation.

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.

This Finding is not applicable. The proposal will occur within an existing building and no exterior changes are proposed. The front outdoor dining area is outright permitted. Any signage will require a separate permit.

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

See Findings per OMC Sec. 17.134.050(E) Conditional Use Permit findings above.

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 building length along side lot lines, the proposal also conforms with at least one of the following 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:
  - b. Over 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 1-4b); 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 does not involve a one-or two-family residential facility. Therefore, this Finding does not apply.

#### **No Net Loss Findings (California Government Code Section 65863 (b)(2))**

*If a city, county, or city and county, by administrative, quasi-judicial, legislative, or other action, allows development of any parcel with fewer units by income category than identified in the jurisdiction's housing element for that parcel, the city, county, or city and county shall make a written finding supported by substantial evidence as to whether or not remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.*



**No Net Loss Finding 1:** The City of Oakland adopted its current 2023-2031 Housing Element on January 31, 2023. The Housing Element identifies the realistic capacity for housing production throughout the current 2023-2031 Planning Period. This capacity accommodates the Regional Housing Needs Allocation, as well as a buffer, which ensures that if certain identified sites are not developed at the realistic capacity, that there would remain a sufficient number of units available to meet Oakland's Housing Needs. (See Housing Element, Appendix C, Table C-2.) For purposes of this finding, the buffer is calculated on a quarterly basis according to progress made during the 2023-2031 Planning Period.

Oakland's remaining lower income regional housing needs assessment is 6,424 dwelling units while Oakland's current capacity is 9,695 lower income units, a surplus of 3,271 units. ["Lower income" includes very low income (VLI) and low income (LI) units.]

Oakland's remaining moderate income regional housing needs assessment is 3,986 dwelling units, while Oakland's current capacity is 4,909 moderate income units, a surplus of 923 units.

Oakland's remaining above moderate-income regional housing needs assessment is 6,966 dwelling units, while Oakland's current capacity is 15,067 above moderate-income units, a surplus of 8,101 units.

**No Net Loss Finding 2:** The proposed project is located on a site that is identified in the City of Oakland 2023-2031 Housing Element as a Housing Element Opportunity Site.

- YES
- NO

**No Net Loss Finding 3:** The proposed project meets the following criteria. *The Finding is not applicable. The proposal includes a business activity proposal, and no residential units are proposed at this Nonresidential building.*

- The proposed project is a non-residential development located on a site that **was not** identified in the City of Oakland 2023-2031 Housing Element. Therefore, the project has no impact on the City's housing capacity.
- The proposed project includes residential development and is located on a site that **was not** identified in the City of Oakland 2023-2031 Housing Element. Therefore, the project results in an increase in the City's housing capacity equal to the total units proposed.

**No Net Loss Finding 4:** The City of Oakland 2023-2031 Housing Element identifies the following realistic capacity for the site. *The Finding is not applicable. The proposal includes a business activity proposal, and no residential units are proposed at this Nonresidential building.*

Lower income units (VLI/LI): N/A  
 Moderate income units: N/A  
 Above moderate-income units: N/A  
 Total units: \_\_\_\_\_ N/A \_\_\_\_\_

- The proposed project is a non-residential development.
- The proposed project includes residential development.

Therefore, an analysis of potential net loss must be made, as documented below.

**No Net Loss Finding 5:** The proposed project includes the following residential unit count: *The Housing Element did not identify a housing capacity for this site. The Finding is not applicable. The proposal includes a business activity proposal, and no residential units are proposed at this Nonresidential building.*

Lower income units (VLI/LI): N/A  
Moderate income units: N/A  
Above moderate-income units: N/A  
Total units: \_\_\_\_\_ N/A \_\_\_\_\_

The project therefore will result in a net increase or net loss of units as compared to the City’s Housing Element projections as follows:

Lower income units (VLI/LI): N/A  
Moderate income units: N/A  
Above moderate-income units: N/A  
Total units: \_\_\_\_\_ N/A \_\_\_\_\_

# ATTACHMENT B

## CONDITIONS OF APPROVAL

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

**1. Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **received July 10, 2023**, and the approved plans **dated March 27, 2024, and received April 1, 2024**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

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

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten (10) calendar days unless an appeal is filed. This Approval shall expire **three (3) years** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period a complete building permit application has been filed with the Bureau of Building and diligently pursued towards completion, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant up to two, one-calendar year extensions or a one, two-calendar year extension with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

**3. Compliance with Other Requirements**

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

**4. Minor and Major Changes**

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

**5. Compliance with Conditions of Approval**

- a. The project applicant and property owner, including successors, (collectively referred to hereafter as the “project applicant” or “applicant”) shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved

technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.

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

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

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

**7. Blight/Nuisances**

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

**8. Indemnification**

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

**9. Severability**

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

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

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

**11. Public Improvements**

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

**12. Trash and Blight Removal**

Requirement: The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**13. Graffiti Control**

Requirement:

- a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:
  - i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
  - ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
  - iii. Use of paint with anti-graffiti coating.
  - iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
  - v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**14. Asbestos in Structures**

Requirement: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

**15. 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

**16. 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

**17. 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

**18. Construction Noise**

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **19. 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

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

### ***a. Obstruction Permit Required***

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

When Required: Prior to approval of construction-related permit

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

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

Requirement: In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall



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

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

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

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

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Department of Transportation

**21. 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](http://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

**22. Employee Rights**

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

**23. Sidewalk Café Nonresidential Facilities**

Requirement: The project business owners/operators in the project shall comply with all of the following standards for Sidewalk Cafes:

- A. Operators/owners of Sidewalk Cafes shall comply with all permitting requirements imposed by the City's Department of Transportation and other affected departments and agencies. Standards for Sidewalk Cafes shall include, but not be limited to requirements that a waste receptacle be placed outside, all garbage/litter associated with Sidewalk Cafes be removed within twenty-four (24) hours, and the operators/owners obtain liability insurance. The City shall be named as an additional insured and the amount of the insurance shall be determined by the City's Risk Manager.
- B. The operators/owners of Sidewalk Cafes shall defend, indemnify, and hold harmless the City of Oakland its agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Oakland, its agents, officers or employees to attack, set aside, void or annul, an approval by the City of Oakland, the Department of Transportation, Planning and Building Department, Planning Commission, or City Council. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.
- C. The operator/owners of Sidewalk Cafes shall continually bus tables and provide a final cleanup at the end of the business day that will include litter pickup one hundred (100) feet in each direction from the site.
- D. Outdoor sidewalk dining, where proposed, requires additional approvals for Encroachment Permit that must be acquired separately by the applicant (approved sidewalk seating may include consumption of alcoholic beverages).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**24. Additional Permits Required**

Requirement:

- i. Necessary ABC permits (license Type 1) must be obtained prior to commencement of activity. This use shall conform to all provisions of the State ABC license. The state license and state conditions shall be posted along with these Conditional Use Permit conditions in a place visible to the public. This use shall also conform to all State Retail Operating Standards, Section 25612.5 of the Business and Professions Code and local Performance Standards, Section 15210, where applicable including any future changes in the above regulations. The intent of these standards is to reduce nuisance, litter, loitering, and crime associated with alcohol outlets. The City Conditions of Approval shall be forwarded to the Department of Alcoholic Beverage Control.
- ii. The applicant shall submit a letter to staff signed by the applicant addressed to the State Department of Alcoholic Beverage Control stipulating that they wish to include conditions of their ABC license. The Oakland Planning Commission may, after notice and hearing, revoke this Conditional Use Permit if the applicant fails to include the above conditions in the ABC license.

**25. Operation and Facility Requirements**

Requirement: The project applicant and business owners in the project shall comply with all the following:

**a) Hours of Operation**

Hours of operation (including but not limited to alcoholic beverage sales) shall be limited to the following unless further restricted by ABC: 10:00 AM to 10:00 PM every day of the week.

**b) Minors**

Admittance of minors is dependent on ABC and the License Type.

**c) Alcoholic beverage sales display area**

Sales display area of alcoholic beverages shall be set back from doorways.

**d) Business signage**

Any new or modified business signage requires review and approval by the Planning and Zoning Division.

**e) Advertising signage**

No product advertising signage (such as neon beer signs) or banners (such as happy hour advertisements) may be displayed.

**f) Nuisances**

Crime, litter, noise, or disorderliness conduct associated with alcoholic beverage sales at the establishment may result in a hearing to consider revocation of the Major Conditional Use Permit or attachment of additional Conditions of Approval.

**g) Performance standards**

In addition, to the Operational Noise Condition above, the establishment shall adhere to performance standards for odor, and all environmental effects of the bar/lounge as regulated under OMC Chapter 17.120.

**h) Noise**

- i. No live music or DJ's are allowed without a Cabaret Permit from the City Administrator's Office. Hours of Operation for music and admission shall be based on a Cabaret Permit.
- ii. The City Noise Ordinance (OMC Sec. 8.18.010) and Performance Standards (OMC Sec. 17.20.050) shall be observed for noise emanating from within the establishment from any music and from patrons as well as from outdoor noise from patrons.

**i) Neighborhood Outreach and contact phone numbers**

The business operator shall be accessible to neighbors wishing to register complaints against the business and shall work to eliminate any nuisances related to the business as reported by neighbors. The establishment shall display signage inside the building and next to the exit discouraging the patrons from generating nuisances outdoors both fronting the building and within the neighborhood. The establishment shall also display signage behind the bar offering contact numbers for both the business operator and the City Code Compliance at (510)238-3381 and OPD non-emergency at (510-777-3333) for the purpose of reporting nuisances.

**j) Signage**

Within 30 days of the date of decision, at least one sign (one square foot maximum) shall be posted and maintained in a legible condition at each public entrance to the building prohibiting littering and loitering. Required signage prohibiting open containers and drinking in public shall also be maintained in legible condition near each public entrance to bar. The "No Open Container" signs are available from the cashier located on the second floor of 250 Frank H. Ogawa Plaza.

**k) ABAT Registration**

The operator shall register with the Police Department’s Alcoholic Beverage Action Team and adhere to their regulations.

**l) Deemed Approved Alcoholic Beverage Sale Regulations**

The applicant and proprietor voluntarily agree to conform to the Oakland Planning Code Deemed Approved Alcoholic Beverage Sale Regulations (OMC Sec. 17.156).

**m) Taxi call program**

The establishment shall maintain a program of calling taxi cabs for patrons on request for the purpose of preventing driving while intoxicated and shall maintain this service. Signage offering this service shall be displaying behind the bar.

**n) Staff training and monitoring program**

The operator shall require new employees to comply with a staff training program that includes training on the Conditions of Approval and ABC statutes and regulations. Staff of the business shall regularly monitor the premises and public right-of-way to discourage all nuisances including but not limited to loitering, littering, noise, graffiti, public drinking / intoxication / urination / violence, and noise.

**o) Future Operators**

Any future operators of the business are subject to these conditions and shall register with the Bureau of Planning and with ABAT.

**APPROVED BY:**

City Planning Commission: \_\_\_\_\_ (date) \_\_\_\_\_ (vote)



# BOTTLE SHOP AND WINE BAR TENANT IMPROVEMENT

6021 COLLEGE AVENUE, OAKLAND CA 94618  
 PLANNING APPLICATION UPDATE  
 3/27/2024

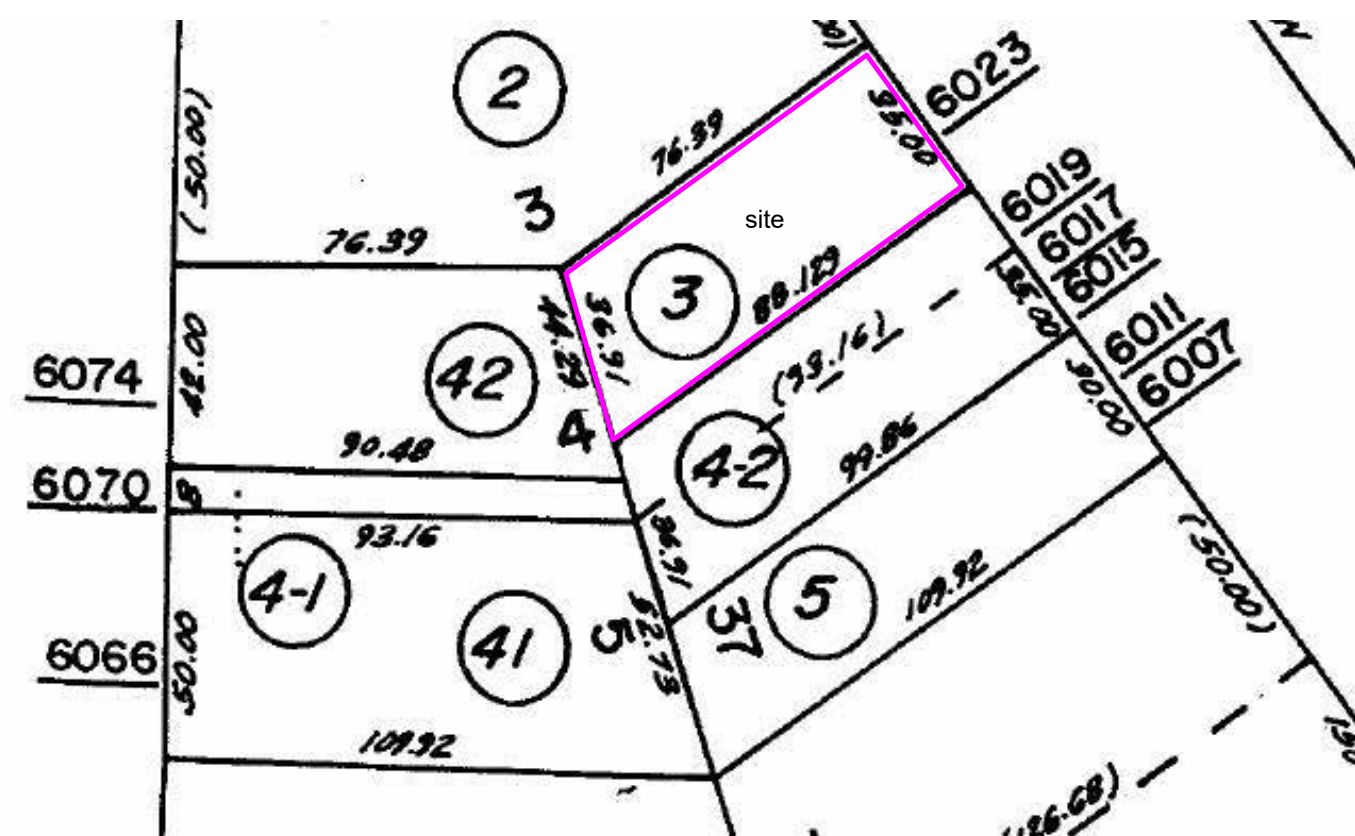


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 510-459-2022

## ABBREVIATIONS

AFF	ABOVE FINISHED FLOOR	(N)	NEW
ACOUS	ACOUSTICAL	NEG	NEGATIVE
ADJ	ADJUSTABLE	NOM	NOMINAL
AL	ALIGN	NIC	NOT IN CONTRACT
ALT	ALTERNATE	NTS	NOT TO SCALE
AB	ANCHOR BOLT	NO	NUMBER
APROV	APPROVED		
ARCH	ARCHITECTURAL	OC	ON CENTER
AUTO	AUTOMATIC	OD	OUTSIDE DIAMETER
		OP	OPENING
		OPP	OPPOSITE
		ORIG	ORIGINAL
BLDG	BUILDING		
BLKG	BLOCKING		
BM	BEAM		
BD	BOARD	PART	PARTITION
BO	BOTTOM OF	PP	PARTIAL PENETRATION
BS	BOTH SIDES	PAF	POWDER ACTUATED FASTENER
		PLAM	PLASTIC LAMINATE
		PL	PLATE
CAB	CABINET	PN	PLATE NAILING
CBC	CALIFORNIA BUILDING CODE	PLYWD	PLYWOOD
CJ	CAST IRON	PT	POINT
CIP	CAST IN PLACE	LB	POUND
COL	COLUMN	PRES	PRESSURE
CTR	CENTER		
CL	CENTER LINE	QUAL	QUALITY
CTC	CENTER TO CENTER	QUAN	QUANTITY
CER	CERAMIC		
CJ	CONSTRUCTION JOINT		
CL	CLEAR	PT	PRESSURE/
CMU	CONCRETE MASONRY UNIT		PRESERVATIVE TREATED
CON	CONNECTION	PS	PRESTRESSED
CONT	CONTINUOUS	PART	PARTITION
CP	COMPLETE PENETRATION		
CS	COUNTERSUNK	RAD	RADIUS
CW	COLD WATER	RWL	RAIN WATER LEADER
		RECPT	RECEPTACLE
DET	DETAIL	REF	REFERENCE
DEPT	DEPARTMENT	REIN	REINFORCEMENT, REINFORCED
DIA	DIAMETER	REQ	REQUIRED
DIV	DIVISION	RDWD	REDWOOD
DR	DOOR	RH	RIGHT HAND
DBL	DOUBLE	RHR	RIGHT HAND REVERSE
DF	DOUGLAS FIR	RM	ROOM
DN	DOWN	RND	ROUND
DS	DIAGONAL SHEATHING	RO	ROUGH OPENING
DWG	DRAWING	REV	REVISION
DRWR	DRAWER		
		SS	SANITARY SEWER
(E)	EXISTING	SAD	SEE ARCHITECTURAL DRAWINGS
EA	EACH	SCD	SEE CONSULTANT DRAWINGS
EF	EACH FACE	SED	SEE ELECTRICAL DRAWINGS
EW	EACH WAY	SKD	SEE KITCHEN CONSULTANT
EN	EDGE NAILING	SSD	DRAWINGS
EL	ELEVATION	SLD	SEE STRUCTURAL DRAWINGS
ELEV	ELEVATOR	SMD	SEE LANDSCAPE DRAWINGS
ELEC	ELECTRICAL	SFMD	SEE MECHANICAL DRAWINGS
ENG	ENGINEER	SPD	SEE FINISH CARPENTRY DRAWINGS
EQ	EQUAL	SJ	SEE PLUMBING DRAWINGS
EQUIP	EQUIPMENT	SCHED	SEISMIC JOINT
EX	EXHAUST	SECT	SCHEDULE, SCHEDULE
EXP	EXPEDITE	SHT	SECTION
EXT	EXTERIOR	SM	SHEET
		SIM	SHEET METAL
FAB	FABRICATE	SP	SIMILAR
FOC	FACE OF CONCRETE	SPEC	SPACE
FOF	FACE OF FINISH	SQ	SPECIFICATION
FOS	FACE OF STUD	SQFT	SQUARE
FOW	FACE OF WALL	ST	SQUARE FOOT
FIN	FINISH	STAG	STRAP TIE
FF	FINISHED FLOOR	SSTL	STAGGERED
FE	FIRE EXTINGUISHER	STAND	STAINLESS STEEL
FA	FIRE ALARM	STL	STANDARD
FLR	FLOOR	STOR	STEEL
FLUOR	FLUORESCENT	STRUCT	STORAGE
FL	FLUSH	SUS	STRUCTURAL
FOUND	FOUNDATION	SYM	SUSPENDED
FTNG	FOOTING	SYS	SYMMETRICAL
FR	FRAMING	SYSTEM	SYSTEM
FUR	FURRING	TEMP	TEMPERED
		THR	THICKNESS
GA	GAUGE	THR	THREADED
GALV	GALVANIZED, GALVANIZING	TD	TIE DOWN
GL	GLASS, GLAZING	T&B	TOP AND BOTTOM
GLULAM	GLUE LAMINATED BEAM	TOC	TONGUE AND GROOVE
GYP BD	GYP SUM BOARD	TOF	TOP OF CONCRETE
		TOP	TOP OF FINISH
HVAC	HEATING VENTILATION & AIR CONDITIONING	TOS	TOP OF FLATE
HSR	HIGH STRENGTH RODS	TOW	TOP OF STEEL
HSB	HIGH STRENGTH BOLT	TN	TOP OF WALL
HT	HEIGHT	TYP	TRUE NORTH
HD	HOLD DOWN		TYPICAL
HORIZ	HORIZONTAL	UL	UNDER WRITERS LABORATORY
HW	HOT WATER	UON	UNLESS OTHERWISE NOTED
		UTIL	UTILITY, UTILITIES
INC	INCLUDING, INCLUDED	VERT	VERTICAL
INFO	INFORMATION	VIF	VERIFY IN FIELD
INT	INTERIOR	VER	VERIFY
		VEST	VESTIBULE
JH	JOIST HANGER	WC	WATER CLOSET
JT	JOINT	WH	WATER HEATER
LAM	LAMINATE	WO	WITH
LH	LEFT HAND	WD	WITH OUT
LHR	LEFT HAND REVERSE	WOOD	WOOD
LT	LIGHT	YD	YARD
LTW	LIGHT WEIGHT		
L	LONG, LENGTH		
MB	MACHINE BOLTS		
MAINT	MAINTENANCE		
MAX	MAXIMUM		
MECH	MECHANICAL		
MANF	MANUFACTURER		
MTL	METAL		
MEZZ	MEZZANINE		
MIN	MINIMUM		
MISC	MISCELLANEOUS		
MTD	MOUNTED		
MUL	MULLION		

## APN MAP



## PROJECT DIRECTORY

TENANT: FAUNUS LUCAS  
 faunus@aintnormalcafe.com  
 510-520-1242

ARCHITECT: COAST ARCHITECTURE AND DESIGN  
 5717 VAN FLEET AVENUE  
 RICHMOND, CA 94804  
 ATTN: TONY VALADEZ  
 510-459-2022  
 tony@coastarchitecture.com

## GRAPHIC SYMBOLS

<b>DETAIL REFERENCE</b>	DRAWING NUMBER	---	#	---
	SHEET NUMBER	---	#	---
<b>DETAIL SECTION REFERENCE</b>	DRAWING NUMBER	---	#	---
	SHEET NUMBER	---	#	---
<b>BUILDING SECTION REFERENCE</b>	DRAWING NUMBER	---	#	---
	SHEET NUMBER	---	#	---
<b>WALL SECTION REFERENCE</b>	DRAWING NUMBER	---	#	---
	SHEET NUMBER	---	#	---
<b>EXTERIOR ELEVATION REFERENCE</b>	DRAWING NUMBER	---	1	---
	SHEET NUMBER	---	#	---
<b>INTERIOR ELEVATION REVERENCE</b>	DRAWING NUMBER	---	4	---
	SHEET NUMBER	---	#	---
<b>REVISION REFERENCE</b>	---	---	#	---
<b>DOOR REFERENCE</b>	---	---	##	---
<b>WINDOW REFERENCE</b>	---	---	#	---
<b>ELEVATION DATUM</b>	---	---	⊙	---
<b>ROOM NUMBER</b>	---	---	###	---
<b>PARTITION TYPE</b>	---	---	#	---
<b>FINISH CEILING HEIGHT</b>	---	---	X'-X"	---

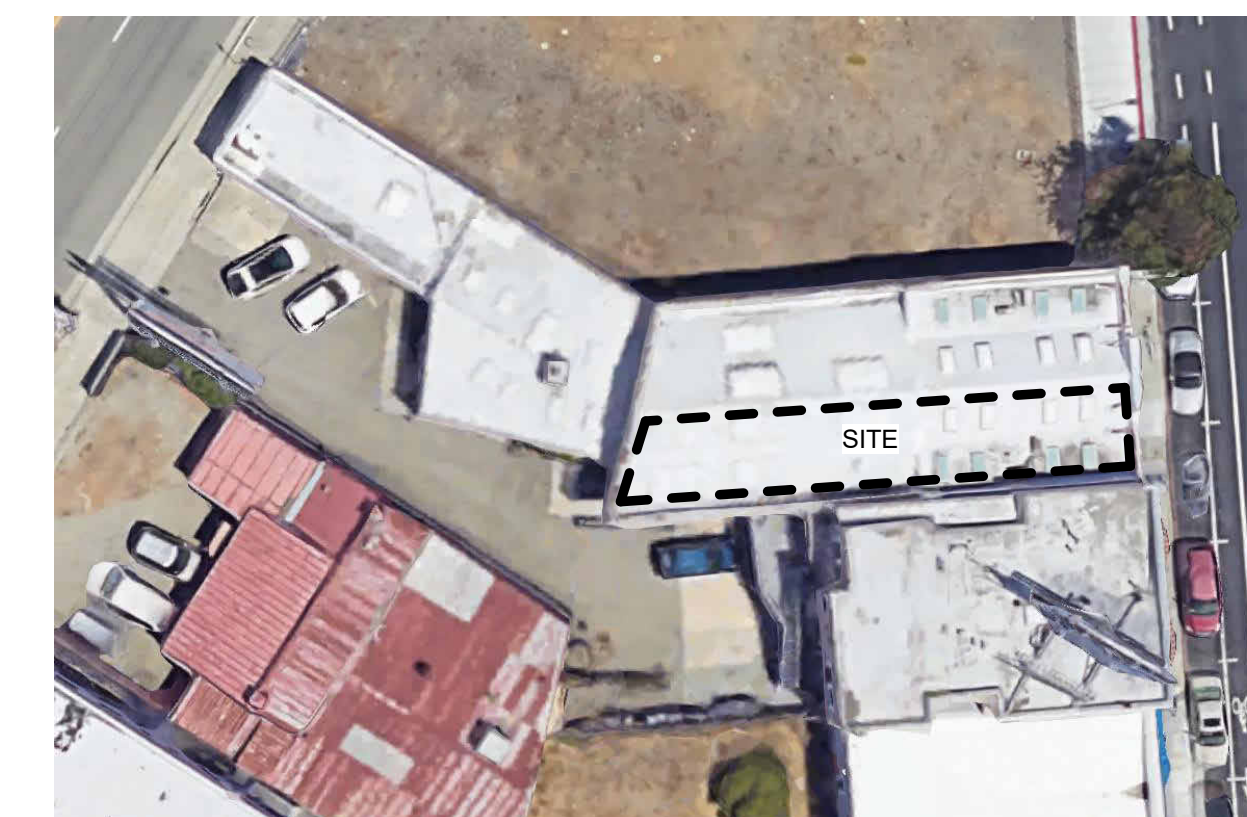
## SHEET LIST

SHEET LIST		
DISCIPLINE	SHEET NUMBER	SHEET NAME
GENERAL	G0	COVER
GENERAL	G0.3	CALGREEN
GENERAL	G0.4	CALGREEN
GENERAL	G0.5	CALGREEN
GENERAL	G0.6	PHOTOS
ARCHITECTURAL	A101	SITE PLAN AND DEMO PLAN
ARCHITECTURAL	A201	PLANS

6021 COLLEGE AVE  
 OAKLAND CA 94618

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## ZONING

APN: 014 126-800-402  
 ZONING: CN1  
 USE ALLOWED: YES

## PROJECT DESCRIPTION

THIS PROJECT IS RENOVATION OF AN EXISTING CAFE SPACE TO A NEW RETAIL SPACE SELLING WINE AND OTHER GOODS. THE SPACE WILL ALSO INCLUDE A WINE BAR AND A KITCHEN FOR FOOD SERVICE.

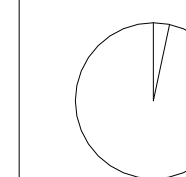
## PROJECT DATA

OCCUPANCY: B  
 FLOOR AREA: 1,672SF GROUND FLOOR TENANT FLOOR AREA IN EXISTING 3,290SF BUILDING  
 EXISTING HEIGHT: 2 STORIES, 22' HIGH (NO CHANGE PROPOSED)  
 CONSTRUCTION TYPE: IIIA  
 SPRINKLERED: N  
 FIRE ALARM: N

### APPLICABLE CODES:

2022 TITLE 24, PART 1 - CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE  
 2022 TITLE 24, PART 2 - CALIFORNIA BUILDING CODE  
 2022 TITLE 24, PART 3 - CALIFORNIA ELECTRICAL CODE  
 2022 TITLE 24, PART 4 - CALIFORNIA MECHANICAL CODE  
 2022 TITLE 24, PART 5 - CALIFORNIA PLUMBING CODE  
 2022 TITLE 24, PART 6 - CALIFORNIA ENERGY CODE  
 2022 TITLE 24, PART 9 - CALIFORNIA FIRE CODE  
 2022 TITLE 24, PART 10 - CALIFORNIA EXISTING BUILDING CODE  
 2022 TITLE 24, PART 11 - CALIFORNIA GREEN BUILDING STANDARDS CODE  
 2022 TITLE 24, PART 12 - CALIFORNIA REFERENCE STANDARDS CODE

ALL CONSTRUCTION TO COMPLY WITH APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS PERTAINING TO SAFETY OF PERSONS, PROPERTY AND ENVIRONMENTAL PROTECTION.



No.	Description	Date

## COVER

Project number	23-10
Date	3/27/2024
Drawn by	TV
Checked by	Checker

GO







2022 CALIFORNIA GREEN BUILDING STANDARDS CODE
NONRESIDENTIAL MANDATORY MEASURES, SHEET 2 (January 2023)

Main table containing building standards sections 5.303.1 through 5.402.2, 5.402.3, 5.402.4, 5.402.5, 5.402.6, 5.402.7, 5.402.8, 5.402.9, 5.402.10, 5.402.11, 5.402.12, 5.402.13, 5.402.14, 5.402.15, 5.402.16, 5.402.17, 5.402.18, 5.402.19, 5.402.20, 5.402.21, 5.402.22, 5.402.23, 5.402.24, 5.402.25, 5.402.26, 5.402.27, 5.402.28, 5.402.29, 5.402.30, 5.402.31, 5.402.32, 5.402.33, 5.402.34, 5.402.35, 5.402.36, 5.402.37, 5.402.38, 5.402.39, 5.402.40, 5.402.41, 5.402.42, 5.402.43, 5.402.44, 5.402.45, 5.402.46, 5.402.47, 5.402.48, 5.402.49, 5.402.50, 5.402.51, 5.402.52, 5.402.53, 5.402.54, 5.402.55, 5.402.56, 5.402.57, 5.402.58, 5.402.59, 5.402.60, 5.402.61, 5.402.62, 5.402.63, 5.402.64, 5.402.65, 5.402.66, 5.402.67, 5.402.68, 5.402.69, 5.402.70, 5.402.71, 5.402.72, 5.402.73, 5.402.74, 5.402.75, 5.402.76, 5.402.77, 5.402.78, 5.402.79, 5.402.80, 5.402.81, 5.402.82, 5.402.83, 5.402.84, 5.402.85, 5.402.86, 5.402.87, 5.402.88, 5.402.89, 5.402.90, 5.402.91, 5.402.92, 5.402.93, 5.402.94, 5.402.95, 5.402.96, 5.402.97, 5.402.98, 5.402.99, 5.402.100.

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OAKLAND CA 94618

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Table with 3 columns: No., Description, Date. Contains project details like Project number 23-10, Date 3/27/2024, Drawn by Author, Checked by Checker.

CALGREEN logo and G0.4 project identifier.

DISCLAIMER: THIS DOCUMENT IS PROVIDED AND INTENDED TO BE USED AS A MEANS TO INDICATE AREAS OF COMPLIANCE WITH THE CALIFORNIA GREEN BUILDING STANDARDS (CALGREEN) CODE. DUE TO THE VARIABLES BETWEEN BUILDING DEPARTMENT JURISDICTIONS, THIS CHECKLIST IS TO BE USED ON AN INDIVIDUAL PROJECT BASIS AND MAY BE MODIFIED BY THE END USER TO MEET THOSE INDIVIDUAL NEEDS.



# 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE

## NONRESIDENTIAL MANDATORY MEASURES, SHEET 3 (January 2023)

Y	NA	RESPON. PARTY	5.504.4 FINISH MATERIAL POLLUTANT CONTROL. Finish materials shall comply with Sections 5.504.4.1 through 5.504.4.6.																																																														
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>5.504.4.1 Adhesives, sealants and caulks.</b> Adhesives, sealants, and caulks used on the project shall meet the requirements of the following standards:</p> <ol style="list-style-type: none"> <li>Adhesives, adhesive bonding primers, adhesive primers, sealants, sealant primers and caulks shall comply with local or regional air pollution control or air quality management district rules where applicable, or SCQAIMD Rule 1168 VOC limits, as shown in Tables 5.504.4.1 and 5.504.4.2. Such products also shall comply with the Rule 1168 prohibition on the use of certain toxic compounds (chloroform, ethylene dichloride, methylene chloride, perchloroethylene and trichloroethylene), except for aerosol products as specified in subsection 2, below.</li> <li>Aerosol adhesives, and smaller unit sizes of adhesives, and sealant or caulking compounds (in units of product, less packaging, which do not weigh more than one pound and do not consist of more than 16 fluid ounces) shall comply with statewide VOC standards and other requirements, including prohibitions on use of certain toxic compounds, of California Code of Regulations, Title 17, commencing with Section 94507.</li> </ol>																																																														
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>TABLE 5.504.4.1 - ADHESIVE VOC LIMIT<sup>1,2</sup></b></p> <p>Less Water and Less Exempt Compounds in Grams per Liter</p> <table border="1"> <thead> <tr> <th>ARCHITECTURAL APPLICATIONS</th> <th>CURRENT VOC LIMIT</th> </tr> </thead> <tbody> <tr><td>INDOOR CARPET ADHESIVES</td><td>50</td></tr> <tr><td>CARPET PAD ADHESIVES</td><td>50</td></tr> <tr><td>OUTDOOR CARPET ADHESIVES</td><td>150</td></tr> <tr><td>WOOD FLOORING ADHESIVES</td><td>100</td></tr> <tr><td>RUBBER FLOOR ADHESIVES</td><td>60</td></tr> <tr><td>SUBFLOOR ADHESIVES</td><td>50</td></tr> <tr><td>CERAMIC TILE ADHESIVES</td><td>65</td></tr> <tr><td>VCT &amp; ASPHALT TILE ADHESIVES</td><td>50</td></tr> <tr><td>DRYWALL &amp; PANEL ADHESIVES</td><td>50</td></tr> <tr><td>COVE BASE ADHESIVES</td><td>50</td></tr> <tr><td>MULTIPURPOSE CONSTRUCTION ADHESIVES</td><td>70</td></tr> <tr><td>STRUCTURAL GLAZING ADHESIVES</td><td>100</td></tr> <tr><td>SINGLE-PLY ROOF MEMBRANE ADHESIVES</td><td>250</td></tr> <tr><td>OTHER ADHESIVES NOT SPECIFICALLY LISTED</td><td>50</td></tr> <tr><td colspan="2"><b>SPECIALTY APPLICATIONS</b></td></tr> <tr><td>PVC WELDING</td><td>510</td></tr> <tr><td>CPVC WELDING</td><td>490</td></tr> <tr><td>ABS WELDING</td><td>325</td></tr> <tr><td>PLASTIC CEMENT WELDING</td><td>250</td></tr> <tr><td>ADHESIVE PRIMER FOR PLASTIC</td><td>550</td></tr> <tr><td>CONTACT ADHESIVE</td><td>80</td></tr> <tr><td>SPECIAL PURPOSE CONTACT ADHESIVE</td><td>250</td></tr> <tr><td>STRUCTURAL WOOD MEMBER ADHESIVE</td><td>140</td></tr> <tr><td>TOP &amp; TRIM ADHESIVE</td><td>250</td></tr> <tr><td colspan="2"><b>SUBSTRATE SPECIFIC APPLICATIONS</b></td></tr> <tr><td>METAL TO METAL</td><td>30</td></tr> <tr><td>PLASTIC FOAMS</td><td>50</td></tr> <tr><td>POROUS MATERIAL (EXCEPT WOOD)</td><td>50</td></tr> <tr><td>WOOD</td><td>30</td></tr> <tr><td>FIBERGLASS</td><td>80</td></tr> </tbody> </table> <p>1. IF AN ADHESIVE IS USED TO BOND DISSIMILAR SUBSTRATES TOGETHER, THE ADHESIVE WITH THE HIGHEST VOC CONTENT SHALL BE ALLOWED.</p> <p>2. FOR ADDITIONAL INFORMATION REGARDING METHODS TO MEASURE THE VOC CONTENT SPECIFIED IN THIS TABLE, SEE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT RULE 1168, <a href="http://www.arb.ca.gov/DRDS/SC/CUR/HTMR/1168.PDF">www.arb.ca.gov/DRDS/SC/CUR/HTMR/1168.PDF</a></p>	ARCHITECTURAL APPLICATIONS	CURRENT VOC LIMIT	INDOOR CARPET ADHESIVES	50	CARPET PAD ADHESIVES	50	OUTDOOR CARPET ADHESIVES	150	WOOD FLOORING ADHESIVES	100	RUBBER FLOOR ADHESIVES	60	SUBFLOOR ADHESIVES	50	CERAMIC TILE ADHESIVES	65	VCT & ASPHALT TILE ADHESIVES	50	DRYWALL & PANEL ADHESIVES	50	COVE BASE ADHESIVES	50	MULTIPURPOSE CONSTRUCTION ADHESIVES	70	STRUCTURAL GLAZING ADHESIVES	100	SINGLE-PLY ROOF MEMBRANE ADHESIVES	250	OTHER ADHESIVES NOT SPECIFICALLY LISTED	50	<b>SPECIALTY APPLICATIONS</b>		PVC WELDING	510	CPVC WELDING	490	ABS WELDING	325	PLASTIC CEMENT WELDING	250	ADHESIVE PRIMER FOR PLASTIC	550	CONTACT ADHESIVE	80	SPECIAL PURPOSE CONTACT ADHESIVE	250	STRUCTURAL WOOD MEMBER ADHESIVE	140	TOP & TRIM ADHESIVE	250	<b>SUBSTRATE SPECIFIC APPLICATIONS</b>		METAL TO METAL	30	PLASTIC FOAMS	50	POROUS MATERIAL (EXCEPT WOOD)	50	WOOD	30	FIBERGLASS	80
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>TABLE 5.504.4.2 - SEALANT VOC LIMIT</b></p> <p>Less Water and Less Exempt Compounds in Grams per Liter</p> <table border="1"> <thead> <tr> <th>SEALANTS</th> <th>CURRENT VOC LIMIT</th> </tr> </thead> <tbody> <tr><td>ARCHITECTURAL</td><td>250</td></tr> <tr><td>MARINE DECK</td><td>760</td></tr> <tr><td>NONMEMBRANE ROOF</td><td>300</td></tr> <tr><td>ROADWAY</td><td>250</td></tr> <tr><td>SINGLE-PLY ROOF MEMBRANE</td><td>450</td></tr> <tr><td>OTHER</td><td>420</td></tr> <tr><td colspan="2"><b>SEALANT PRIMERS</b></td></tr> <tr><td>ARCHITECTURAL</td><td></td></tr> <tr><td>NONPOROUS</td><td>250</td></tr> <tr><td>POROUS</td><td>775</td></tr> <tr><td>MODIFIED BITUMINOUS</td><td>500</td></tr> <tr><td>MARINE DECK</td><td>760</td></tr> <tr><td>OTHER</td><td>750</td></tr> </tbody> </table> <p>NOTE: FOR ADDITIONAL INFORMATION REGARDING METHODS TO MEASURE THE VOC CONTENT SPECIFIED IN THESE TABLES, SEE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT RULE 1168.</p> <p><b>5.504.4.3 Paints and coatings.</b> Architectural paints and coatings shall comply with VOC limits in Table 1 of the ARB Architectural Coatings Suggested Control Measure, as shown in Table 5.504.4.3, unless more stringent local limits apply. The VOC content limit for coatings that do not meet the definitions for the specialty coatings categories listed in Table 5.504.4.3 shall be determined by classifying the coating as a Flat, Nonflat or Nonflat-High Gloss coating, based on its gloss, as defined in Subsections 4.21, 4.36 and 4.37 of the 2007 California Air Resources Board Suggested Control Measure, and the corresponding Flat, Nonflat or Nonflat-High Gloss VOC limit in Table 5.504.4.3 shall apply.</p> <p><b>5.504.4.3.1 Aerosol Paints and coatings.</b> Aerosol paints and coatings shall meet the PVMIR Limits for ROC in Section 94522(a)(3) and other requirements, including prohibitions on use of certain toxic compounds and ozone depleting substances, in Sections 94522(c)(2) and (d)(2) of California Code of Regulations, Title 17, commencing with Section 94520; and in areas under the jurisdiction of the Bay Area Air Quality Management District additionally comply with the percent VOC by weight of product limits of Regulation 8 Rule 49.</p>	SEALANTS	CURRENT VOC LIMIT	ARCHITECTURAL	250	MARINE DECK	760	NONMEMBRANE ROOF	300	ROADWAY	250	SINGLE-PLY ROOF MEMBRANE	450	OTHER	420	<b>SEALANT PRIMERS</b>		ARCHITECTURAL		NONPOROUS	250	POROUS	775	MODIFIED BITUMINOUS	500	MARINE DECK	760	OTHER	750																																		
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GRAMS OF VOC PER LITER OF COATING, INCLUDING WATER &amp; EXEMPT COMPOUNDS</p> <p>2. THE SPECIFIED LIMITS REMAIN IN EFFECT UNLESS REVISED LIMITS ARE LISTED IN SUBSEQUENT COLUMNS IN THE TABLE.</p> <p>3. VALUES IN THIS TABLE ARE DERIVED FROM THOSE SPECIFIED BY THE CALIFORNIA AIR RESOURCES BOARD, ARCHITECTURAL COATINGS SUGGESTED CONTROL MEASURE, FEB. 1, 2008. MORE INFORMATION IS AVAILABLE FROM THE AIR RESOURCES BOARD.</p> <p><b>5.504.4.3.2 Verification.</b> Verification of compliance with this section shall be provided at the request of the enforcing agency. Documentation may include, but is not limited to, the following:</p> <ol style="list-style-type: none"> <li>Manufacturer's product specification</li> <li>Field verification of on-site product containers</li> </ol> <p><b>5.504.4.4 Carpet Systems.</b> All carpet installed in the building interior shall meet the requirements of the California Department of Public Health, "Standard Method for the Testing and Evaluation of Volatile Organic Chemical Emissions from Indoor Sources Using Environmental Chambers," Version 1.2, January 2017 (Emission testing method for California Specifications 01350).</p> <p>See California Department of Public Health's website for certification programs and testing labs. <a href="https://www.cdph.ca.gov/Programs/CDC/PHP/DEOD/CEHLB/IAQ/Pages/VOC.aspx#material">https://www.cdph.ca.gov/Programs/CDC/PHP/DEOD/CEHLB/IAQ/Pages/VOC.aspx#material</a></p> <p><b>5.504.4.4.1 Carpet cushion.</b> All carpet cushion installed in the building interior shall meet the requirements of the California Department of Public Health, "Standard Method for the Testing and Evaluation of Volatile Organic Chemical Emissions from Indoor Sources Using Environmental Chambers," Version 1.2, January 2017 (Emission testing method for California Specifications 01350).</p> <p>See California Department of Public Health's website for certification programs and testing labs. <a href="https://www.cdph.ca.gov/Programs/CDC/PHP/DEOD/CEHLB/IAQ/Pages/VOC.aspx#material">https://www.cdph.ca.gov/Programs/CDC/PHP/DEOD/CEHLB/IAQ/Pages/VOC.aspx#material</a></p> <p><b>5.504.4.4.2 Carpet adhesive.</b> All carpet adhesive shall meet the requirements of Table 5.504.4.1.</p> <p><b>5.504.4.5 Composite wood products.</b> Hardwood plywood, particleboard and medium density fiberboard composite wood products used on the interior or exterior of the buildings shall meet the requirements for formaldehyde as specified in ARB's Air Toxics Control Measure (ATCM) for Composite Wood (17 CCR 93120 et seq.). Those materials not exempted under the ATCM must meet the specified emission limits, as shown in Table 5.504.4.5.</p> <p><b>5.504.4.5.3 Documentation.</b> Verification of compliance with this section shall be provided as requested by the enforcing agency. Documentation shall include at least one of the following:</p> <ol style="list-style-type: none"> <li>Product certifications and specifications.</li> <li>Chain of custody certifications.</li> <li>Product labels and invoices as meeting the Composite Wood Products regulation (see CCR, Title 17, Section 93120, et seq.).</li> <li>Exterior grade products marked as meeting the PS-1 or PS-2 standards of the Engineered Wood Association, the Australian AS/NZS 2269 or European 636 S3 standards.</li> <li>Other methods acceptable to the enforcing agency.</li> </ol>	COATING CATEGORY	CURRENT VOC LIMIT	<b>SPECIALTY COATINGS</b>		ALUMINUM ROOF COATINGS	400	BASEMENT SPECIALTY COATINGS	400	BITUMINOUS ROOF COATINGS	50	BITUMINOUS ROOF PRIMERS	350	BOND BREAKERS	350	CONCRETE CURING COMPOUNDS	350	CONCRETE/MASONRY SEALERS	100	DRIVEWAY SEALERS	50	DRY FOG COATINGS	150	FALX FINISHING COATINGS	350	FIRE RESISTIVE COATINGS	350	FLOOR COATINGS	100	FORM-RELEASE COMPOUNDS	250	GRAPHIC ARTS COATINGS (SIGN PAINTS)	500	HIGH-TEMPERATURE COATINGS	420	INDUSTRIAL MAINTENANCE COATINGS	250	LOW SOLIDS COATINGS <sup>1</sup>	120	MAGNESITE CEMENT COATINGS	450	MASTIC TEXTURE COATINGS	100	METALLIC PIGMENTED COATINGS	500	MULTICOLOR COATINGS	250	PRETREATMENT WASH PRIMERS	420	PRIMERS, SEALERS, & UNDERCOATERS	100	REACTIVE PENETRATING SEALERS	350	RECYCLED COATINGS	250	ROOF COATINGS	50	RUST PREVENTATIVE COATINGS	250	<b>SHELLACS:</b>		CLEAR	730	OPAQUE	550	<b>SPECIALTY PRIMERS, SEALERS &amp; UNDERCOATERS</b>		STAINS	250	STONE CONSOLIDANTS	450	SWIMMING POOL COATINGS	340	TRAFFIC MARKING COATINGS	100	TUB & TILE REFINISH COATINGS	420	WATERPROOFING MEMBRANES	250	WOOD COATINGS	275	WOOD PRESERVATIVES	350	ZINC-RICH PRIMERS	340
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Y	NA	RESPON. PARTY	5.504.4.6 Resilient flooring systems. Where resilient flooring is installed, at least 80 percent of floor area receiving resilient flooring shall meet the requirements of the California Department of Public Health, "Standard Method for the Testing and Evaluation of Volatile Organic Chemical Emissions from Indoor Sources Using Environmental Chambers," Version 1.2, January 2017 (Emission testing method for California Specifications 01350).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>See California Department of Public Health's website for certification programs and testing labs. <a href="https://www.cdph.ca.gov/Programs/CDC/PHP/DEOD/CEHLB/IAQ/Pages/VOC.aspx#material">https://www.cdph.ca.gov/Programs/CDC/PHP/DEOD/CEHLB/IAQ/Pages/VOC.aspx#material</a></p> <p><b>5.504.4.6.1 Verification of compliance.</b> Documentation shall be provided verifying that resilient flooring materials meet the pollutant emission limits.</p> <p><b>5.504.4.7 Thermal insulation</b> Comply with the requirements of the California Department of Public Health, "Standard Method of the Testing and Evaluation of Volatile Organic Chemical Emissions from Indoor Sources Using Environmental Chambers," Version 1.2, January 12, January 2017 (Emission testing method for California Specification 01350). See California Department of Public Health's website for certification programs and testing labs. <a href="https://www.cdph.ca.gov/Programs/CDC/PHP/DEOD/CEHLB/IAQ/Pages/VOC.aspx#material">https://www.cdph.ca.gov/Programs/CDC/PHP/DEOD/CEHLB/IAQ/Pages/VOC.aspx#material</a></p> <p><b>5.504.4.7.1 Verification of compliance.</b> Documentation shall be provided verifying that thermal insulation materials meet the pollutant emission limits.</p> <p><b>5.504.4.8 Acoustical ceiling and wall panels.</b> Comply with the requirements of the California Department of Public Health, "Standard Method for the Testing and Evaluation of Volatile Organic Chemical Emissions from Indoor Sources Using Environmental Chambers," Version 1.2, January 2017 (Emission testing method for California Specification 01350). See California Department of Public Health's website for certification programs and testing labs.</p> <p><b>5.504.4.8.1 Verification of compliance.</b> Documentation shall be provided verifying that acoustical finish materials meet the pollutant emission limits.</p> <p><b>5.504.5.3 Filters.</b> In mechanically ventilated buildings, provide regularly occupied areas of the building with air filtration media for outside and return air that provides at least a Minimum Efficiency Reporting Value (MERV) of 13. MERV 13 filters shall be installed prior to occupancy, and recommendations for maintenance with filters of the same value shall be included in the operation and maintenance manual.</p> <p><b>Exceptions:</b> Existing mechanical equipment.</p> <p><b>5.504.5.3.1 Labeling.</b> Installed filters shall be clearly labeled by the manufacturer indicating the MERV rating.</p> <p><b>5.504.7 ENVIRONMENTAL TOBACCO SMOKE (ETS) CONTROL.</b> Where outdoor areas are provided for smoking, prohibit smoking within 25 feet of building entrance and operable windows and within the building as already prohibited by other laws or regulations; or as enforced by ordinances, regulations or policies of any city, county, city and county, California Community College, campus of the California State University, or campus of the University of California, whichever are more stringent. When ordinances, regulations or policies are not in place, post signage to inform building occupants of the prohibitions.</p> <p><b>SECTION 5.505 INDOOR MOISTURE CONTROL</b> <b>5.505.1 INDOOR MOISTURE CONTROL.</b> Buildings shall meet or exceed the provisions of California Building Code, CCB, Title 24, Part 2, Sections 1202 (Ventilation) and Chapter 14 (Exterior Walls). For additional measures, see Section 5.407.2 of this code.</p> <p><b>SECTION 5.506 INDOOR AIR QUALITY</b> <b>5.506.1 OUTSIDE AIR DELIVERY.</b> For mechanically or naturally ventilated spaces in buildings, meet the minimum requirements of Section 120.1 (Requirements for Ventilation) of the California Energy Code, or the applicable local code, whichever is more stringent, and Division 1, Chapter 4 of CCR, Title 8.</p> <p><b>5.506.2 CARBON DIOXIDE (CO<sub>2</sub>) MONITORING.</b> For buildings or additions equipped with demand control ventilation, CO<sub>2</sub> sensors and ventilation controls shall be specified and installed in accordance with the requirements of the California Energy Code, Section 120(c)(4).</p> <p><b>5.506.3 Carbon dioxide (CO<sub>2</sub>) monitoring in classrooms.</b> (DSA-SS) Each public K-12 school classroom, as listed in Table 120.1-A of the California Energy Code, shall be equipped with a carbon dioxide monitor or sensor that meets the following requirements:</p> <ol style="list-style-type: none"> <li>The monitor or sensor shall be permanently affixed in a larger-proof manner in each classroom between 3 and 6 feet (914 mm and 1829 mm) above the floor and at least 5 feet (1524 mm) away from door and operable windows.</li> <li>When the monitor or sensor is not integral to an Energy Management Control System (EMCS), the monitor or sensor shall display the carbon dioxide readings on the device. When the sensor is integral to an EMCS, the carbon dioxide readings shall be available to and regularly monitored by facility personnel.</li> <li>A monitor shall provide notification on the monitor when the carbon dioxide levels in the classroom have exceeded 1,100ppm. A sensor integral to an EMCS shall provide notification to facility personnel through a visual and/or audible indicator when the carbon dioxide levels in the classroom have exceeded 1,100ppm.</li> <li>The monitor or sensor shall measure carbon dioxide levels at minimum 15-minute intervals and shall maintain a record of previous carbon dioxide measurements of not less than 30 days duration.</li> <li>The monitor or sensor used to measure carbon dioxide levels shall have the capacity to measure carbon dioxide levels with a range of 400ppm to 2000ppm or greater.</li> <li>The monitor or sensor shall be certified by the manufacturer to be accurate within 75ppm at 1,000ppm carbon dioxide concentration and shall be certified by the manufacturer to require calibration no more frequently than once every 5 years.</li> </ol> <p><b>SECTION 5.507 ENVIRONMENTAL CONTROL</b> <b>5.507.4 ACOUSTICAL CONTROL.</b> Employ building assemblies and components with Sound Transmission Class (STC) values determined in accordance with ASTM E 90 and ASTM E 413, or Outdoor-Indoor Sound Transmission Class (OITC) determined in accordance with ASTM E 1332, using either the prescriptive or performance method in Section 5.507.4.1 or 5.507.4.2.</p> <p><b>Exception:</b> Buildings with few or no occupants or where occupants are not likely to be affected by exterior noise, as determined by the enforcing authority, such as factories, stadiums, storage, enclosed parking structures and utility buildings.</p> <p><b>Exception: [DSA-SS]</b> For public schools and community colleges, the requirements of this section and all subsections apply only to new construction.</p> <p><b>5.507.4.1 Exterior noise transmission, prescriptive method.</b> Wall and roof-ceiling assemblies exposed to the noise source making up the building or addition envelope shall meet a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 in the following locations:</p> <ol style="list-style-type: none"> <li>Within the 65 CNEl noise contour of an airport.</li> </ol> <p><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>L<sub>eq</sub> or CNEl for military airports shall be determined by the facility Air Installation Compatible Land Use Zone (AICLUZ) plan.</li> <li>L<sub>eq</sub> or CNEl for other airports and heliports for which a land use plan has not been developed shall be determined by the local general plan noise element.</li> </ol> <p><b>5.507.4.2 Performance Method.</b> For buildings located as defined in Section 5.507.4.1 or 5.507.4.1.1, wall and roof-ceiling assemblies exposed to the noise source making up the building or addition envelope or altered envelope shall be constructed to provide an interior noise environment attributable to exterior sources that does not exceed an hourly equivalent noise level (Leq) of 50 dBA in occupied areas during any hour of operation.</p> <p><b>5.507.4.1.1 Noise exposure where noise contours are not readily available.</b> Buildings exposed to a noise level of 65 dBA L<sub>eq</sub> of 1 hr during any hour of operation shall have building, addition or alteration exterior wall and roof-ceiling assemblies exposed to the noise source meeting a composite STC rating of at least 45 (or OITC 35), with exterior windows of a minimum STC of 40 (or OITC 30).</p> <p><b>5.507.4.2.1 Site Features.</b> Exterior features such as sound walls or earth berms may be utilized as appropriate to the building, addition or alteration project to mitigate sound migration to the interior.</p> <p><b>5.507.4.2.2 Documentation of Compliance.</b> An acoustical analysis documenting complying interior sound levels shall be prepared by personnel approved by the architect or engineer of record.</p> <p><b>5.507.4.3 Interior sound transmission.</b> Wall and floor-ceiling assemblies separating tenant spaces and tenant spaces and public places shall have an STC of at least 40.</p> <p>Note: Examples of assemblies and their various STC ratings may be found at the California Office of Noise Control: <a href="http://www.toobase.org/PDF/CaseStudies/stc_ratings.pdf">www.toobase.org/PDF/CaseStudies/stc_ratings.pdf</a>.</p> <p><b>SECTION 5.508 OUTDOOR AIR QUALITY</b> <b>5.508.1 Ozone depletion and greenhouse gas reductions.</b> Installations of HVAC, refrigeration and fire suppression equipment shall comply with Sections 5.508.1.1 and 5.508.1.2.</p> <p><b>5.508.1.1 Chlorofluorocarbons (CFCs).</b> Install HVAC, refrigeration and fire suppression equipment that do not contain CFCs.</p> <p><b>5.508.1.2 Halons.</b> Install HVAC, refrigeration and fire suppression equipment that do not contain Halons.</p>

Y	NA	RESPON. PARTY	5.508.2 Supermarket refrigerant leak reduction. New commercial refrigeration systems shall comply with the provisions of this section when installed in retail food stores 8,000 square feet or more conditioned area, and that utilize either refrigerated display cases, or walk-in coolers or freezers connected to remote compressor units or condensing units. The leak reduction measures apply to refrigeration systems containing high-global-warming potential (high-GWP) refrigerants with a GWP of 150 or greater. New refrigeration systems include both new facilities and the replacement of existing refrigeration systems in existing facilities.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Exception:</b> Refrigeration systems containing low-global warming potential (low-GWP) refrigerant with a GWP value less than 150 are not subject to this section. Low-GWP refrigerants are nonozone-depleting refrigerants that include ammonia, carbon dioxide (CO<sub>2</sub>), and potentially other refrigerants.</p> <p><b>5.508.2.1 Refrigerant piping.</b> Piping compliant with the California Mechanical Code shall be installed to be accessible for leak protection and repairs. Piping runs using threaded pipe, copper tubing with an outside diameter (OD) less than 1 1/4 inch, flared tubing connections and short radius elbows shall not be used in refrigeration systems except as noted below.</p> <p><b>5.508.2.1.1 Threaded pipe.</b> Threaded connections are permitted at the compressor rack.</p> <p><b>5.508.2.1.2 Copper pipe.</b> Copper tubing with an OD less than 1 1/4 inch may be used in systems with a refrigerant charge of 5 pounds or less.</p> <p><b>5.508.2.1.2.1 Anchorage.</b> One-fourth-inch OD tubing shall be securely clamped to a rigid base to keep vibration levels below 8 mils.</p> <p><b>5.508.2.1.3 Flared tubing connections.</b> Double-flared tubing connections may be used for pressure controls, valve pilot lines and oil.</p> <p><b>Exception:</b> Single-flared tubing connections may be used with a multilayer seal coated with industrial sealant suitable for use with refrigerants and tightened in accordance with manufacturer's recommendations.</p> <p><b>5.508.2.1.4 Elbows.</b> Short radius elbows are only permitted where space limitations prohibit use of long radius elbows.</p> <p><b>5.508.2.2 Valves.</b> Valves and fittings shall comply with the California Mechanical Code and as follows.</p> <p><b>5.508.2.2.1 Pressure relief valves.</b> For vessels containing high-GWP refrigerant, a rupture disc shall be installed between the outlet of the vessel and the inlet of the pressure relief valve.</p> <p><b>5.508.2.2.1.1 Pressure detection.</b> A pressure gauge, pressure transducer or other device shall be installed in the space between the rupture disc and the pressure relief valve to indicate a disc rupture or discharge of the relief valve.</p> <p><b>5.508.2.2.2 Access valves.</b> Only Schrader access valves with a brass or steel body are permitted for use.</p> <p><b>5.508.2.2.2.1 Valve caps.</b> For systems with a refrigerant charge of 5 pounds or more, valve caps shall be brass or steel and not plastic.</p> <p><b>5.508.2.2.2.2 Seal caps.</b> If designed for it, the cap shall have a neoprene O-ring in place.</p> <p><b>5.508.2.2.2.2.1 Chain tethers.</b> Chain tethers to fit over the stem are required for valves designed to have seal caps.</p> <p><b>Exception:</b> Valves with seal caps that are not removed from the valve during stem operation.</p> <p><b>5.508.2.3 Refrigerated service cases.</b> Refrigerated service cases holding food products containing vinegar and salt shall have evaporator coils of corrosion-resistant material, such as stainless steel; or be coated to prevent corrosion from these substances.</p> <p><b>5.508.2.3.1 Coil coating.</b> Consideration shall be given to the heat transfer efficiency of coil coating to maximize energy efficiency.</p> <p><b>5.508.2.4 Refrigerant receivers.</b> Refrigerant receivers with capacities greater than 200 pounds shall be fitted with a device that indicates the level of refrigerant in the receiver.</p> <p><b>5.508.2.5 Pressure testing.</b> The system shall be pressure tested during installation prior to evacuation and charging.</p> <p><b>5.508.2.5.1 Minimum pressure.</b> The system shall be charged with regulated dry nitrogen and appropriate tracer gas to bring system pressure up to 300 psig minimum.</p> <p><b>5.508.2.5.2 Leaks.</b> Check the system for leaks, repair any leaks, and retest for pressure using the same gauge.</p> <p><b>5.508.2.5.3 Allowable pressure change.</b> The system shall stand, unaltered, for 24 hours with no more than a +/- one pound pressure change from 300 psig, measured with the same gauge.</p> <p><b>5.508.2.6 Evacuation.</b> The system shall be evacuated after pressure testing and prior to charging.</p> <p><b>5.508.2.6.1 First vacuum.</b> Pull a system vacuum down to at least 1000 microns (+/- 50 microns), and hold for 30 minutes.</p> <p><b>5.508.2.6.2 Second vacuum.</b> Pull a second system vacuum to a minimum of 500 microns and hold for 30 minutes.</p> <p><b>5.508.2.6.3 Third vacuum.</b> Pull a third vacuum down to a minimum of 300 microns, and hold for 24 hours with a maximum drift of 100 microns over a 24-hour period.</p> <p><b>CHAPTER 7 INSTALLER &amp; SPECIAL INSPECTOR QUALIFICATIONS</b> <b>702 QUALIFICATIONS</b> <b>702.1 INSTALLER TRAINING.</b> HVAC system installers shall be trained and certified in the proper installation of HVAC systems including ducts and equipment by a nationally or regionally recognized training or certification program. Uncertified persons may perform HVAC installations when under the direct supervision and responsibility of a person trained and certified to install HVAC systems or contractor licensed to install HVAC systems. Examples of acceptable HVAC training and certification programs include but are not limited to the following:</p> <ol style="list-style-type: none"> <li>State certified apprenticeship programs.</li> <li>Public utility training programs.</li> <li>Training programs sponsored by trade, labor or statewide energy consulting or verification organizations.</li> <li>Programs sponsored by manufacturing organizations.</li> <li>Other programs acceptable to the enforcing agency.</li> </ol> <p><b>702.2 SPECIAL INSPECTION [HCD].</b> When required by the enforcing agency, the owner or the responsible entity acting as the owner's agent shall employ one or more special inspectors to provide inspection or other duties necessary to substantiate compliance with this code. Special inspectors shall demonstrate competence to the satisfaction of the enforcing agency for the particular type of inspection or task to be performed. In addition to other certifications or qualifications acceptable to the enforcing agency, the following certifications or education may be considered by the enforcing agency when evaluating the qualifications of a special inspector:</p> <ol style="list-style-type: none"> <li>Certification by a national or regional green building program or standard publisher, such as HERS raters, building performance contractors, and home energy auditors.</li> <li>Successful completion of a third party apprentice training program in the appropriate trade.</li> <li>Other programs acceptable to the enforcing agency.</li> </ol> <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>Special inspectors shall be independent entities with no financial interest in the materials or the project they are inspecting for compliance with this code.</li> <li>HERS raters are special inspectors certified by the California Energy Commission (CEC) to rate homes in California according to the Home Energy Rating System (HERS).</li> </ol> <p><b>[BSC-CG]</b> When required by the enforcing agency, the owner or the responsible entity acting as the owner's agent shall employ one or more special inspectors to provide inspection or other duties necessary to substantiate compliance with this code. Special inspectors shall demonstrate competence to the satisfaction of the enforcing agency for the particular type of inspection or task to be performed. In addition, the special inspector shall have a certification from a recognized state, national or international association, as determined by the local agency. The area of certification shall be closely related to the primary job function, as determined by the local agency.</p> <p><b>Note:</b> Special inspectors shall be independent entities with no financial interest in the materials or the project they are inspecting for compliance with this code.</p> <p><b>703 VERIFICATIONS</b> <b>703.1 DOCUMENTATION.</b> Documentation used to show compliance with this code shall include but is not limited to, construction documents, plans, specifications, builder or installer certification, inspection reports, or other methods acceptable to the enforcing agency which demonstrate substantial conformance. When specific documentation or special inspection is necessary to verify compliance, that method of compliance will be specified in the appropriate section or identified applicable checklist.</p>

CONSULTANT

CONSULTANT STAMP

No.	Description	Date

**CALGREEN**

Project number 23-10  
Date 3/27/2024  
Drawn by Author  
Checked by Checker

**G0.5**

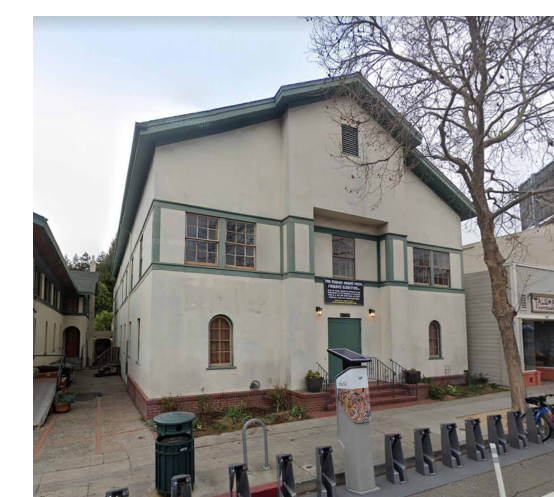




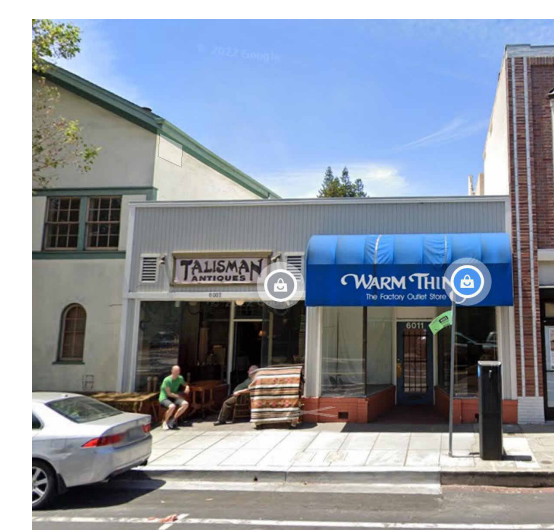
10 - 5937 COLLEGE AVE



09 - 5951 COLLEGE AVE



08 - 5955 COLLEGE AVE



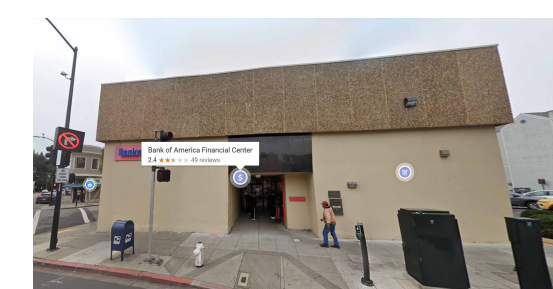
07 - 6011 COLLEGE AVE



06 - 6019 COLLEGE AVE



01 - 6029 COLLEGE AVE



02 - 6201 COLLEGE AVE



03 - 6219 COLLEGE AVE



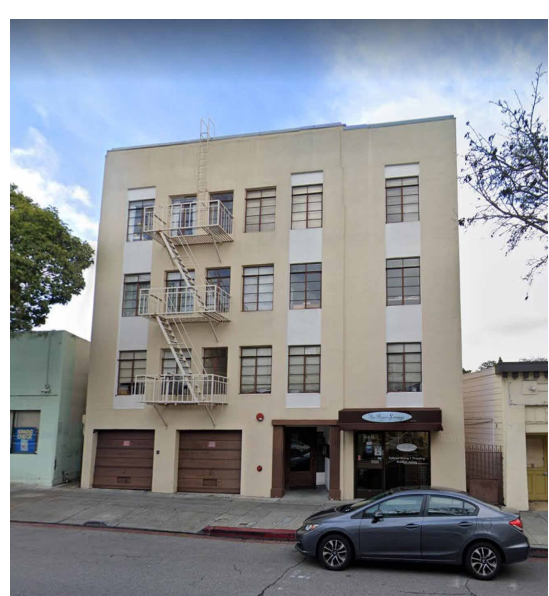
04 - 6239 COLLEGE AVE



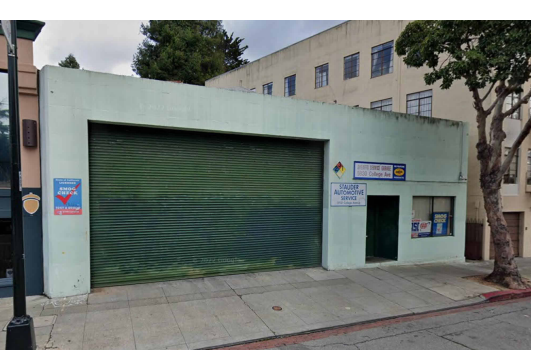
05 - 6241 COLLEGE AVE



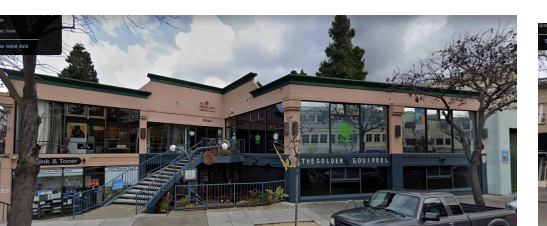
20 - 5912 COLLEGE AVE



19 - 5916 COLLEGE AVE



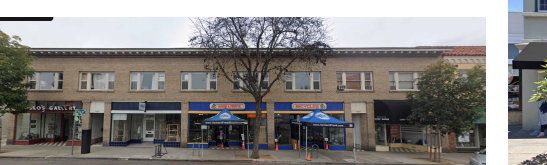
18 - 5930 COLLEGE AVE



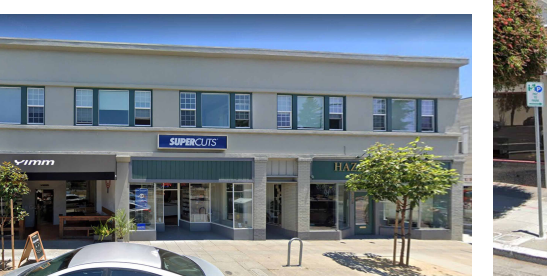
17 - 5954 COLLEGE AVE



16 - 6008 COLLEGE AVE



15 - 6036 COLLEGE AVE



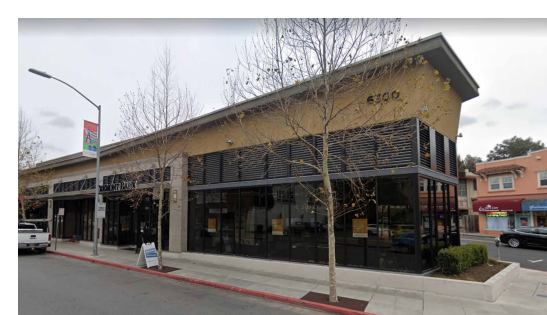
14 - 6046 COLLEGE AVE



13 - 6052 COLLEGE AVE

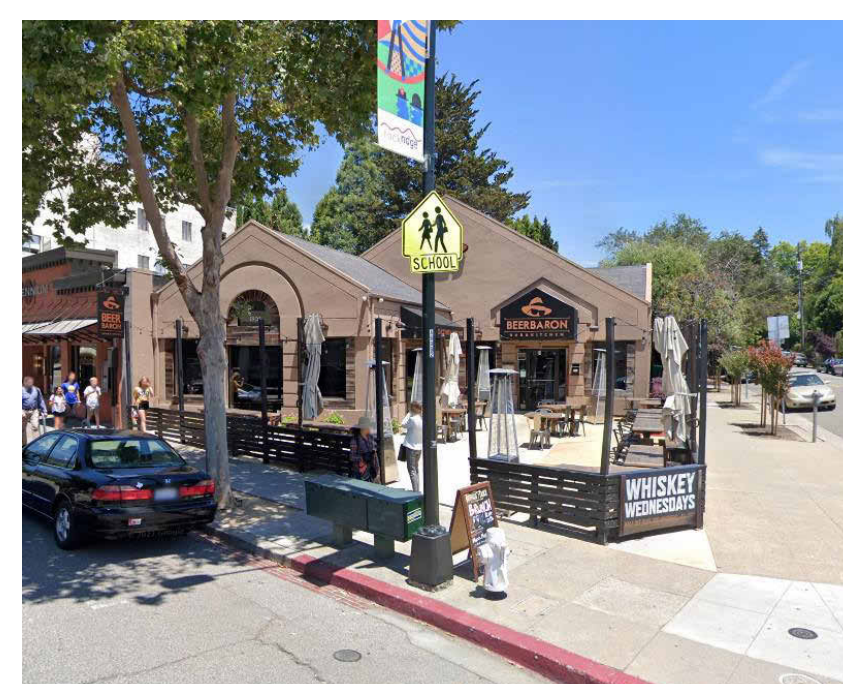


12 - 6058 COLLEGE AVE

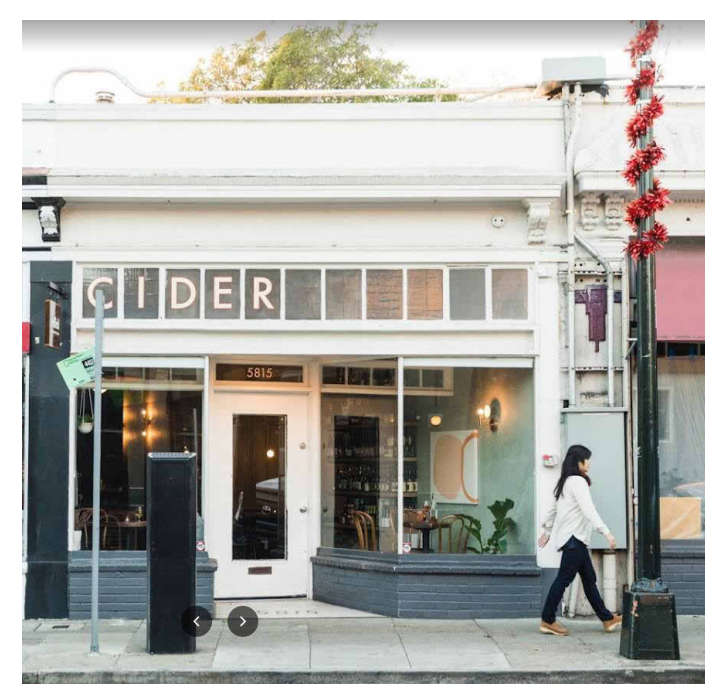


11 - 6300 COLLEGE AVE

COMPARABLE BUSINESSES NEARBY:



A - BEER BARON 5902 COLLEGE AVE



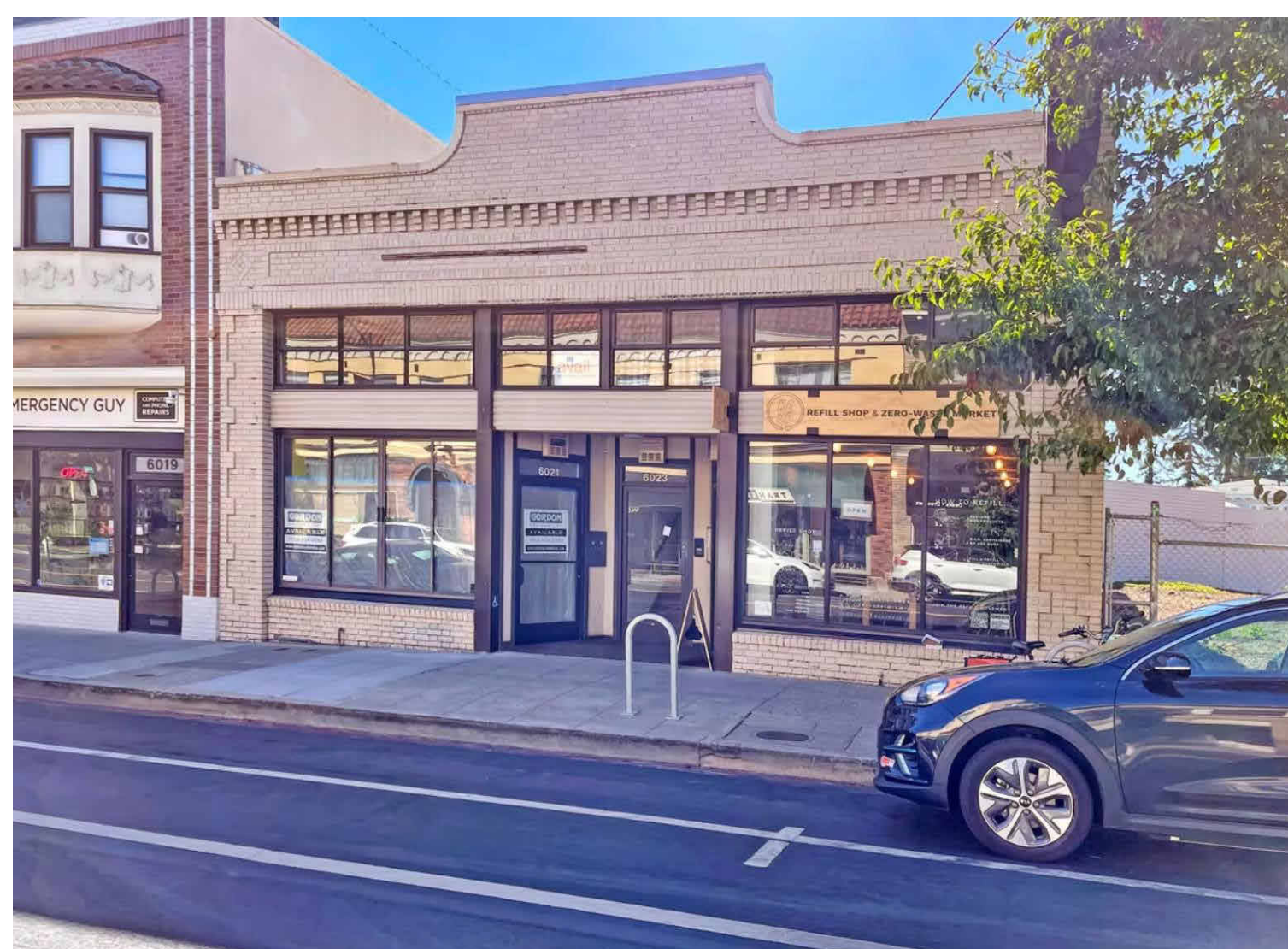
B - REDFIELD CIDER BAR AND BOTTLE SHOP 5815 COLLEGE AVE



C - SFIZIO PASTA 6099 CLAREMONT AVE



SUBJECT PROPERTY  
REAR FACADE



SUBJECT PROPERTY  
FRONT FACADE

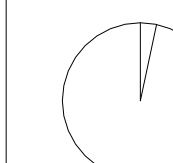


CONTEXT MAP

6021 COLLEGE AVE  
OAKLAND CA 94618

CONSULTANT

CONSULTANT STAMP



No.	Description	Date

PHOTOS

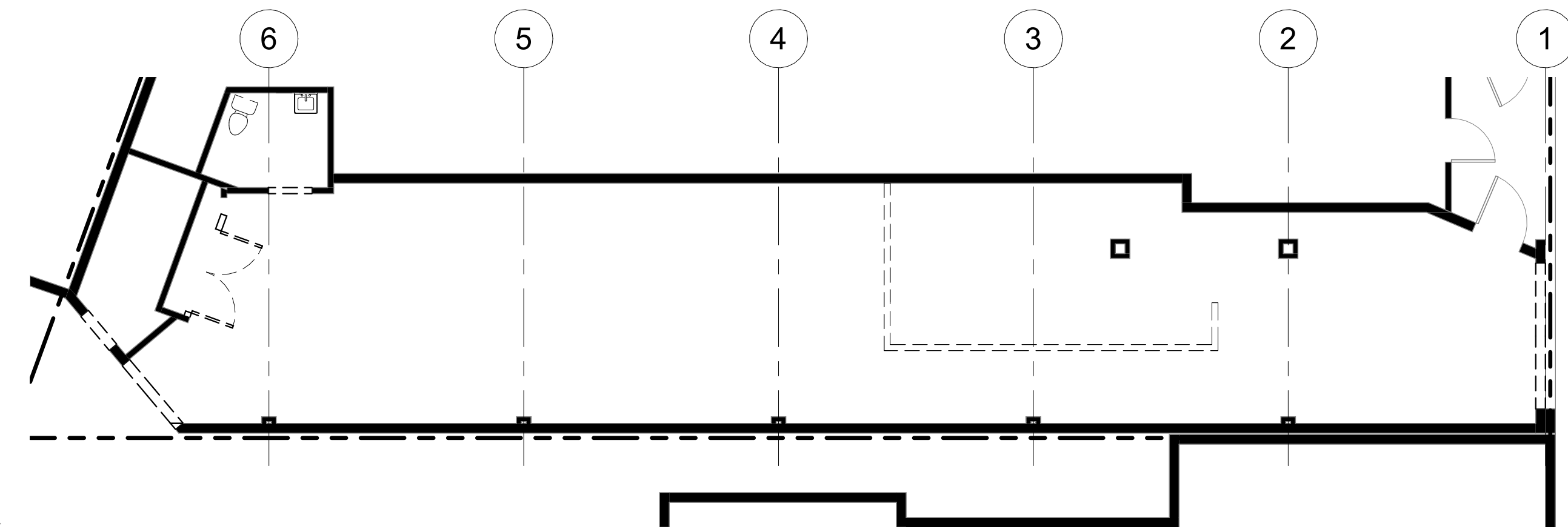
Project number	23-10
Date	3/27/2024
Drawn by	Author
Checked by	Checker

G0.6



**SHEET NOTES**

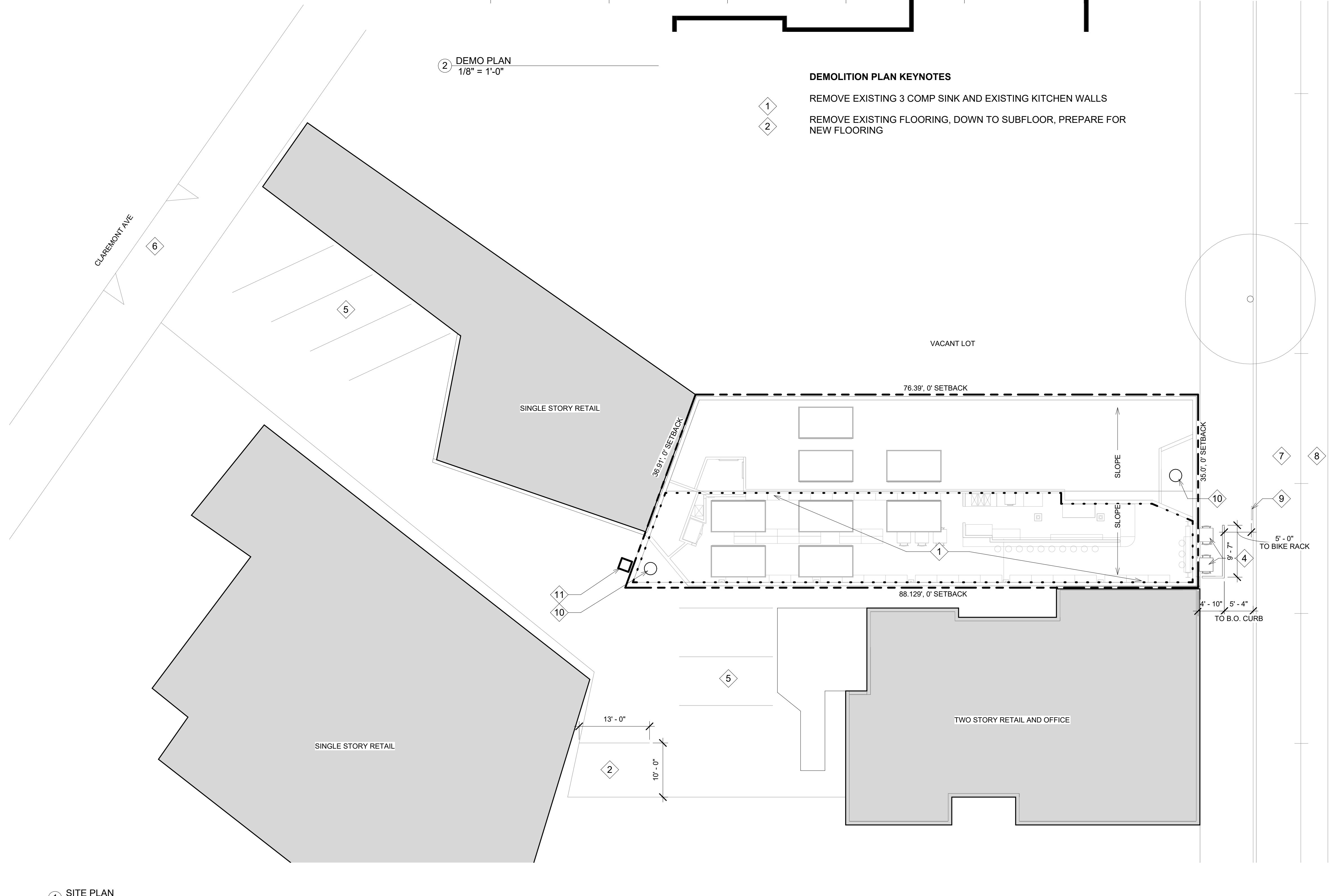
1. ACCESSIBLE PATHS OF TRAVEL INCLUDING ENTRANCE, EGRESS, STAIRWAYS SHALL MEET REQUIREMENTS OF CBC 11B-302. SHALL HAVE A CONTINUOUS COMMON SURFACE, NOT INTERRUPTED BY STEPS OR BY ABRUPT CHANGES IN LEVEL EXCEEDING 1/4 INCH AND SHALL BE A MINIMUM OF 48 INCHES IN WIDTH. SURFACE CROSS SLOPES SHALL NOT EXCEED 1/4 INCH PER FOOT. WHEN THE SLOPE IN DIRECTION OF TRAVEL OF ANY WALK EXCEEDS ONE UNIT VERTICAL TO 20 UNITS HORIZONTAL, IT SHALL COMPLY WITH PROVISIONS OF CBC 11B-405 FOR RAMPS. SEE ALSO LIFE SAFETY PLANS.
2. CUT & PATCH EXISTING PAVING AS REQUIRED FOR NEW WORK.
3. SITE PLAN SHOWN FOR REFERENCE ONLY. NO NEW SITE WORK IS PROPOSED AS A PART OF THIS WORK.



2 DEMO PLAN  
1/8" = 1'-0"

**DEMOLITION PLAN KEYNOTES**

- 1 REMOVE EXISTING 3 COMP SINK AND EXISTING KITCHEN WALLS
- 2 REMOVE EXISTING FLOORING, DOWN TO SUBFLOOR, PREPARE FOR NEW FLOORING



1 SITE PLAN  
1" = 10'-0"

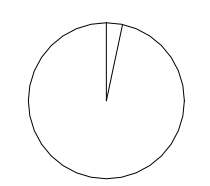
- 1 SUBJECT AREA
- 2 EXISTING TRASH AREA BEHIND 6' H CHAIN LINK FENCE WITH VINYL INSERTS
- 3 NOT USED
- 4 PROPOSED SIDEWALK SEATING TABLES WITH PERMANENT PTD WD BARRIER
- 5 EXISTING PARKING TO REMAIN
- 6 EXISTING DRIVEWAY TO REMAIN
- 7 EXISTING STREET PARKING TO REMAIN
- 8 EXISTING BIKE LANE
- 9 PROPOSED CITY STANDARD BIKE RACK
- 10 EXISTING SOFFIT LIGHTING TO REMAIN
- 11 EXISTING WALLPACK LIGHTING TO REMAIN

**LEGEND**

- EXISTING BUILDING NOT IN CONTRACT
- ACCESSIBLE PATH OF TRAVEL

CONSULTANT

CONSULTANT STAMP



No.	Description	Date

**SITE PLAN AND DEMO PLAN**

Project number	23-10
Date	3/27/2024
Drawn by	Author
Checked by	Checker

**A101**



**FLOOR PLAN SHEET NOTES**

1. PRELIMINARY FLOOR PLAN FOR PLANNING APPROVAL ONLY



3D VIEW



RAIL DESIGN IMAGE

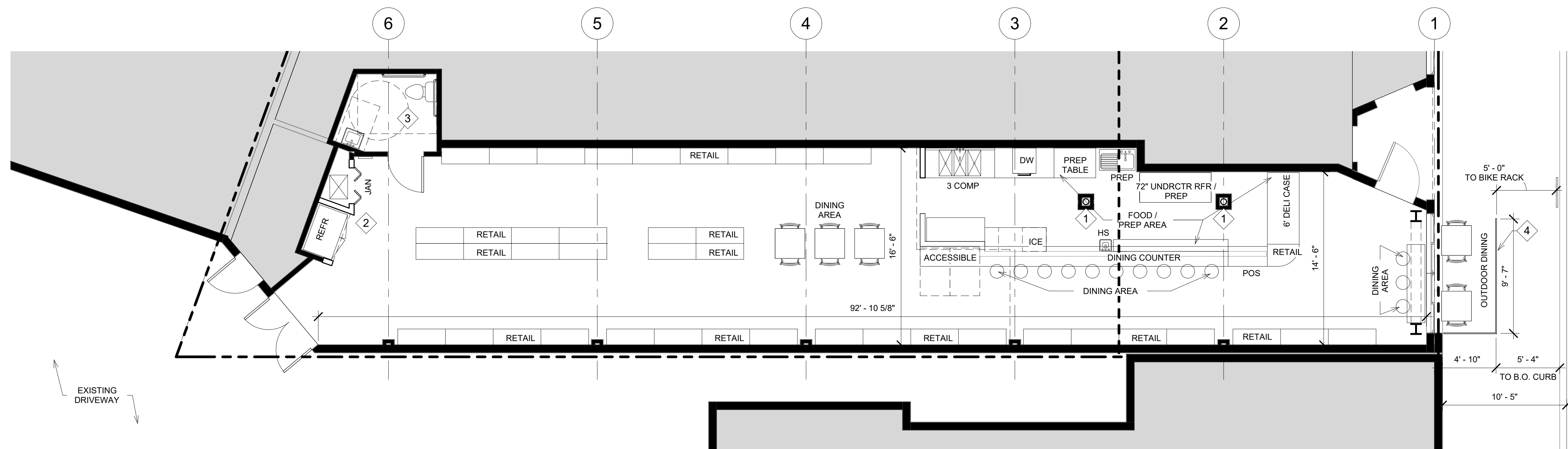
OUTDOOR DINING BARRIER TO BE PAINTED GALVANIZED STEEL TUBE, PERMANENTLY BOLTED DOWN TO SIDEWALK

**FLOOR PLAN KEYNOTES**

- 1 (E) COLUMNS
- 2 (N) WALLS AND DOORS FOR REACH IN REFRIGERATOR AND JANITOR SINK
- 3 RENOVATE (E) RESTROOM TO BE FULLY ACCESSIBLE, GENDER NEUTRAL RESTROOM
- 4 PERMANENT PAINTED GALV. STEEL 42" HIGH RAILING. SEE DESIGN IMAGE

CONSULTANT

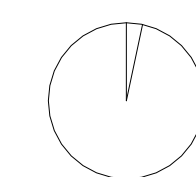
CONSULTANT STAMP



1 FLOOR PLAN  
3/16" = 1'-0"

**FLOOR PLAN LEGEND**

- NEW UNRATED CONSTRUCTION
- EXISTING WALL TO REMAIN
- AREA NOT IN CONTRACT



No.	Description	Date

**PLANS**

Project number	23-10
Date	3/27/2024
Drawn by	Author
Checked by	Checker

**A201**



# ATTACHMENT D

**7/10/2023**

**6023 College Avenue**

**Minor CUP for Limited Service Restaurant**

**ZW2300964**

## **Preliminary Menu:**

Charcuterie

Cheese board

Tinned fish and crackers

Pickle plate

Simple salad

Oysters

Hot dog

Wine/beer

Beer and Wine by the glass or bottle

# ATTACHMENT E



Oakland Planning Department  
250 Frank H. Ogawa Plaza  
Oakland, CA 94612

Dear Oakland Planning Department

January 30, 2024

As the president of the Rockridge District Association (the BID that encompasses the businesses along College Avenue), I'm writing in support of the new business that Mr. Faunus Lucas is looking to open at 6023 College Avenue, Oakland 94618. This business would be one selling beer and wine and specialty grocery items for consumption in the store, or to go. This would be a unique addition to our business district, bringing always-needed diversity to our merchant population.

For the past several years Mr. Lucas has owned and operated the Ain't Normal Café at 5701 College Avenue, also in our Business Improvement District. During that time he has been an upstanding member of our business district, supportive of our efforts to build a strong business area, and actively collaborated in our myriad activities and programs to do just that.

Sincerely,

A handwritten signature in black ink, appearing to read "Monte S. McClain", with a long horizontal flourish extending to the right.

Rev. Monte S. McClain  
President, Rockridge District Association

---

**Rockridge District Association, a Rockridge Business Improvement District**

5940 College Ave Ste A ▪ Oakland ▪ CA 94618  
▪ Phone 510-604-3125 ▪  
info@rockridgedistrict.com ▪ www.rockridgedistrict.com

# ATTACHMENT F



January 11, 2024

Danny Thai, Planner  
City of Oakland  
Bureau of Planning  
[By email]

Dear Mr. Thai:

The Rockridge Community Planning Council (RCPC) is pleased to offer its support to the proposed project at 6021 College Avenue.

It is our understanding that this new neighborhood business would offer beer and wine to stay and to go, food, and specialty wine, adjacent grocery and retail items. We believe that this new establishment will be a wonderful addition to the neighborhood--a place to hang out and enjoy a glass of wine and bite to eat and/or grab a bottle and a snack for a dinner party.

The project sponsor also owns Ain't Normal Cafe on College Avenue, which is a terrific and well run neighborhood fixture. As we return to normalcy out of the Pandemic, it is important that we all work together to fill what is a larger than usual number of vacant storefronts on College Avenue. We hope to see this new business open as soon as possible on the Avenue,

Sincerely,

*Kenneth Rich*

---

Ken Rich,  
RCPC Land Use Committee Chair

# ATTACHMENT G

Danny Thai  
City of Oakland  
Bureau of Planning

Dear Mr. Thai,

The NCPC is a small volunteer group that facilitates communication between the city, mostly OPD, and members of the community around Crime Prevention and Public Safety. We have never been asked to give our opinion on a planning issue. We do not feel that on planning issues we are representatives of the community.

We are writing this letter so that your Bureau does not infer a lack of response as a negative indication on such matters.

Thank you  
For the leadership of the NCPC  
Michael Ubell, Chair

# ATTACHMENT H

Bryan A. Hillebrandt  
676 Alcatraz Avenue  
Oakland. CA 94609  
415-377-0575

Dear City of Oakland Planning Council,

I'm writing today to express my support for Faunus Lucas's proposed wine bar and retail shop on College Avenue. Faunus has already brought so much to College Avenue and the community with his current café, I'm confident the new endeavor will continue that work.

Since Faunus opened his coffee shop, Ain't Normal, he has transformed a dark, depressing coffee shop with surly baristas into a vibrant, welcoming hub for all members of the community. I started frequenting the café during the pandemic and watched this transformation first hand. Where the previous café had been more of a spot for commuters to grab a coffee before hopping on BART, Faunus has made Ain't Normal a destination in itself. There are still the commuters, but now you'll find teachers, parents, and students from Claremont, a running club and a biking club, neighborhood business owners, students, and so on. With Faunus' care and attention it's become a great place to hang out and enjoy locally sourced food with some of the best coffee from the best local and global roasters.

I'm excited to see the plans for the new establishment. I'm especially excited to see the proposed sidewalk seating area. It's really great to be passing by the café and see people hanging out, it makes the area feel so much more welcoming and vibrant. I would love to see this same feeling brought to the 6000 block of College, which at the moment could really use a bit more life.

I have no doubt that the new wine bar and bottle shop will instantly become another cornerstone of the community. I urge the planning commission to approve this new endeavor. It's great to have someone like Faunus be excited about Oakland and take the time and care to elevate the neighborhood.

Sincerely,

Bryan A. Hillebrandt



Danny Thai  
Planner  
Bureau of Planning  
City of Oakland  
Letter of support re: Permit Number PLN23114

April 21, 2024

Dear Mr. Thai,

I write in support of the proposed project at 6021 College Avenue. I welcome the presence of a new business in the Rockridge neighborhood that caters to folks in walking distance, and I believe, would also be a destination spot for those around Oakland and the greater Bay Area looking for a place to eat and have a glass of wine.

If Faunus's current business, Ain't Normal Café, is any indication, the wine bar will thrive where other businesses have stagnated, bringing crucial energy to a charming retail corridor. The presence of sidewalk seating will be especially important in establishing the lively character that so many Bay Area residents cherish.

Faunus has demonstrated a commitment to providing locally made goods and to supporting local schools, including donating coffee to Peralta Elementary's Garden Day in the first months of opening his business.

I encourage the commission to expedite (if possible) any permits necessary for the wine bar, especially for sidewalk seating. This neighborhood needs more bustling storefronts in place of the dark, empty retail locations that have multiplied since the pandemic.

Thank you for considering my input.

Best regards,

Sarah Selvidge

Dear City of Oakland Planning Department

April 21st, 2024

I'm a 17 year resident in the North Oakland/Rockridge area, and currently with 2 children at Chabot Elementary school nearby College Ave. I'm also one of the co-chairs of the Friends of Frog Park, a community group that helps maintain a major neighborhood park very close to Ain't Normal and the new proposed enterprise. Faunus Lucas and his business, Ain't Normal, have been generous supporters of our volunteer work.

I'm writing to express my sincere support for the use permit application for 6021 College Ave. The concept for this business sounds great, and I have no doubt that Faunus will make it something special.

Ain't Normal Cafe has been a boon for the neighborhood, and it is clear that Faunus has a knack for good design (the indoor and outdoor spaces are thriving) as well as for the food and drink. The business has been constantly evolving and improving, with excellent food, drinks, and goods to buy. I have complete faith that Faunus will be able to make this new proposed enterprise thrive as well, and become another neighborhood fixture.

Sincerely,



Will Sheldon  
Oakland resident at 5887 Margarido Dr.  
Friends of Frog Park co-chair  
510-316-1602



Oakland Planning Department  
250 Frank H. Ogawa Plaza  
Oakland, CA, 94612

Dear Oakland Planning Department,

I am writing to you as a 20 Rockridge Resident, former Treasurer of the Rockridge District Association and owner of a business that was previously located in Rockridge for 30 years. I am writing in support of the new business that Faunus Lucas is hoping to open at 6023 College Avenue. A new wine bar and retail shop would be a great addition to the neighborhood and bring new life to what has been an empty storefront for years. His proposed concept sounds like it will be a great place to stop in for a glass of wine with friends or to pick up something to take home.

In the years since Faunus opened Ain't Normal Café, down the street from the proposed new business, the corner has been transformed into one of the most vibrant in the neighborhood with a bustling café and beautiful out door seating area. Spending time at the patio , or even just walking by on a nice day and seeing the crowds, brings a smile to my face to see the corner transformed into a lively community hub. I regularly stop by for coffee after dropping my kids at school at Chabot and Claremont.

Faunus clearly has the a sense of the pulse of the neighborhood and I fully expect his new venture to be a similarly inviting, vibrant addition to the neighborhood; given the current economic and retail climate in the city of Oakland, this is hugely needed. I have gotten to know Faunus over the last few years and have no doubt he is the type of entrepreneur we need to support right now as he has and will continue to work tirelessly to help fuel the economic resurgence of Oakland.

Respectfully,

Anthony Barr

President, The Henry Levy Group



April 22, 2024

*By Email Only*

Oakland City Planning Commission

ATTN: BUREAU OF PLANNING

Email service list: [jfearnopc@gmail.com](mailto:jfearnopc@gmail.com), [jahrensopc@gmail.com](mailto:jahrensopc@gmail.com),  
[alexrandolph.oak@gmail.com](mailto:alexrandolph.oak@gmail.com), [jrenkopc@gmail.com](mailto:jrenkopc@gmail.com), [nataliesandovalopc@gmail.com](mailto:nataliesandovalopc@gmail.com),  
[SShiraziOPC@gmail.com](mailto:SShiraziOPC@gmail.com), [vsugrueopc@gmail.com](mailto:vsugrueopc@gmail.com), [ngray@oaklandca.gov](mailto:ngray@oaklandca.gov)

RE: 6021 College Ave, Oakland, CA 94618  
Case File No. PLN23114, Agenda on May 1, 2024 at 3:00 p.m.  
Applicants Tony Valadez and Faunus Lucas

Dear Planning Commission

I am an uninterested party in the above-referenced matter. I am writing in support of the applicants related to Case File. No. PLN23114.

I am a frequent visitor to Ain't Normal Café ("ANC") located at 5701 College Ave, Oakland 94618. It was brought to my attention that the owner of ANC intends on opening another establishment for which public notices have been completed and the application process is pending.

Since the opening of ANC, I have personally witnessed that Faunus has been an active owner and manager, taking good care of ANC patrons and the underserved community by providing free coffee and food upon request. Faunus has displayed, in my presence, that he respects everyone regardless of their financial position in life, and has given back to the less fortunate and homeless community around College Avenue.

Over the course of my visits to ANC over the past three years, Faunus has proven to me that is an asset to the Oakland business community and neighborhood, and that he has the utmost respect for other establishments and takes pride in his work.

Faunus has also demonstrated great regard for noise levels, foot traffic, and responsible management of pathways (ingress and egress) for all patrons.

I am certain that the applicants will adhere to the same courtesies Faunus undertook at ANC. It is important to note that College Avenue is a mixed-use commercial location where a beer and wine location is perfectly suited.

There is much more foot traffic, noise, and other reasons why the applicant's request is not just good, but perfectly appropriate for their intended use.

I fully support the applicants because they have proven to me to be responsible, conscientious, and respectful business owners in the Oakland community.

If you have any questions, please do not hesitate to contact me.

Regards,

A handwritten signature in black ink, appearing to read 'GSBali'.

Gaurav S. Bali, Esq.

Dear City of Oakland Planning,

I am writing to express my support of Mr. Faunas' Lucas next project at 6021 College Ave. As a Berkeley graduate and Oakland resident, I have fond memories of walking down college ave. I believe that a well curated beer/wine and grocery would do very well, as well as having a nice parklet would add to the energy of the street.

I'm a regular at Mr. Lucas' Ain't Normal Cafe because of the quality of every selection, coffee to food to wine. On top of this, he and his staff are very friendly. And I've witnessed his generosity in giving less fortunate people free coffee. He has been a great boon to the neighborhood.



Edward Cheung  
5667 Carberry Ave  
Oakland, CA  
[edwardhwc@gmail.com](mailto:edwardhwc@gmail.com)



Dear Members of the City of Oakland Planning Commission,

I am Joyce Gardner, a business owner and longtime resident of Oakland. I opened Fit, a designer clothing store on College Ave more than two decades ago. Today I am writing to express my support for Faunus Lucas's proposed wine bar and retail bottle shop on College Ave. As I understand, it will be a nice place to grab a glass of wine and something to eat. Or to pick up a nice bottle of wine and some fun retail snacks to enjoy off premise.

I have all the confidence in Faunus as a member of the community, business owner, and neighbor. Since becoming my business neighbor with the opening of his Cafe, Ain't Normal, I have gotten to know him well. Faunus has uplifted the corner from its previous iterations. Thanks to Faunus's vision and dedication, the café has transformed into a thriving business with a nice outdoor space, attracting a diverse clientele. His commitment to providing an inviting environment has had a significant ripple effect on neighboring businesses like mine. He is also a thoughtful neighbor, helping with heavy lifting and frequently checking on my employee's safety in the evenings.

Faunus's proposed wine bar, offering local beer, wine, food, and specialty grocery items, is a welcome addition to our neighborhood, especially during these challenging times for the restaurant industry. His track record of sourcing locally and collaborating with other businesses and artists demonstrates his commitment to community development.

I firmly believe that Faunus's new venture will not only provide an excellent gathering place for residents and visitors but also contribute to the economic vitality of Oakland. It promises new jobs, increased tax revenue, and an improved streetscape for our city.

Considering the current economic climate and the hardships faced by restaurants throughout the Bay Area, I urge the City of Oakland Planning Commission to expedite the approval process for Faunus Lucas's establishment. His innovative approach and community-focused mindset will undoubtedly enrich our city and provide a compelling reason for residents to engage with the vibrant Oakland scene.

Thank you for considering my strong endorsement of this exciting addition to our neighborhood.

Sincerely,

A handwritten signature in blue ink that reads "Joyce Gardner". The signature is fluid and cursive, with a long horizontal line extending to the right.

Joyce Gardner  
Owner of FIT  
510-502-1550

Erin O'Hara  
5466 Thomas Avenue  
Oakland, CA 94618  
[murphyee15@gmail.com](mailto:murphyee15@gmail.com)  
719-322-6738

Dear City of Oakland Planning Council,

It is with much enthusiasm that I write this letter of recommendation for Faunus Lucas and his next business venture. I have known Faunus since he opened Ain't Normal Cafe in 2020 as a regular, dare I say, daily customer. While I was in it for the best latte, I had the pleasure of watching the business grow and expand, while also getting to know Faunus. He transformed a quiet dilapidated corner coffee shop into a fresh, modern establishment with not only delicious beverages and snacks, but he facilitated the creation of a true community space.

Ain't Normal is now a bustling business, bringing heart and people to Rockridge. I am lucky enough to stop by almost daily as I walk my kids to Chabot Elementary. I see teachers and students from Claremont Middle School, fire trucks stopping by, and a study hum of families and professionals of all ages. The tables outside are almost always full, making the area feel alive. It is a place people come to meet, enjoy good food and drink, and soak in the neighborhood.

Beyond being an exceptional coffee shop, Faunus has demonstrated a meticulous investment in various facets of his business. He actively champions and supports local artists, purveyors, and businesses, fostering a network of connections with Bay Area enterprises. From collaborating with family-run tile makers and countertop builders, to the custom lights, to the locally produced coffee brands and wines, Faunus goes beyond the norm. His commitment extends to being a generous contributor to local schools, showcasing his dedication to community support.

As a deeply engaged community member of Oakland, serving on the PTA executive board, working as a public substitute teacher, and having previously been part of the transformative efforts at Numi Organic Tea in the Uptown area, I am honored to extend my unequivocal support for Faunus' next entrepreneurial endeavor. His proven expertise and visionary approach undoubtedly promises to create another charismatic establishment providing yet another compelling reason for Oakland residents to get out and engage with our vibrant city.

Please don't hesitate to reach out with any questions.

Sincerely,

Erin O'Hara  
Oakland resident



January 4, 2024

Dear City of Oakland Planning,

I'd like to express my support for Faunus Lucas and his pending enterprise to bring a wine bar to the 6000 block of College Avenue. The establishment will offer local beer, wine, food, and specialty grocery and retail items to go. Given the current status of the economy and hardships and challenges facing restaurants throughout the Bay Area and country, I would implore the City to approve, and even fast track, such an endeavor.

Faunus' existing business, Ain't Normal Café, has been a boon to the College Avenue scene and a popular spot for students, bicyclists, foodies, coffee aficionados and city hipsters alike.

Sincerely,  
**INSIDEOUT DESIGN, INC.**



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Penn Phillips  
Principal  
Certified Arborist WE-6608A  
Landscape Architect 5602



January 4th, 2024

Dear City Planning Officials,

As lifelong residents of Oakland and proud neighbors of the Rockridge and Berkeley-Clairemont neighborhoods, we enthusiastically support Faunus Lucas's proposed wine bar and retail shop on College Avenue.

Faunus's Ain't Normal Café has become a cornerstone of our community. It's more than a café; it's a vibrant hub where locals and entrepreneurs from across the Bay Area converge. The transformation of a once-dull corner into a bustling destination showcases his commitment to revitalizing our community.

The proposed wine bar is not just a business expansion; it's a beacon of growth and community engagement for College Avenue. Faunus's track record in creating inviting, dynamic spaces promises that this venture will bring further economic and social vibrancy to our neighborhood.

In these challenging times, supporting initiatives that contribute positively to Oakland's culture and economy is crucial. Thus, we urge a swift approval of Faunus Lucas's new project, confident that it will enhance the charm and appeal of our beloved city.

Thank you for considering our support for this exciting new addition to College Avenue.

Warm regards,



Nick Cronan

Founder / Branch  
[Branchcreative.com](http://Branchcreative.com)  
855 Montgomery St,  
San Francisco, CA 94133



Analisa Goodin

CEO / Catch+Release  
[Catchandrelease.com](http://Catchandrelease.com)  
278 Alvarado Rd  
Berkeley, California

Tiffany Chan  
6295 Acacia Ave.  
Oakland, CA 94618  
[tiffanyannchan@gmail.com](mailto:tiffanyannchan@gmail.com)  
(415)889-0453

Dear City of Oakland Planning Council,

I'm writing in support of Faunus Lucas and his plan to open a wine bar and retail shop on the 6000 Block of College Ave. There are many reasons why I support this new endeavor, including:

- **Proven Success** – Faunus' current business, Ain't Normal, is a gem in the Rockridge neighborhood. Pass by any day of the week or weekend, and you'll see a line out the door for their delicious coffee creations, homemade pastries, tasty sandwiches and treats, and a wonderful wine selection. Combine that with friendly service and there's a reason there are so many neighborhood regulars. In addition, Faunus has made sure to offer a huge and welcoming outdoor seating area, giving people a wonderful common area to meet and catch up, something sorely needed after the pandemic years.
- **Community-Focused** – Faunus is an Oakland business owner who supports the greater Oakland community. After contacting him to see if he could offer a discount on coffee for our Teacher's Appreciation Breakfast at Claremont Middle School (an Oakland public school located across the street from the café), Faunus went above and beyond and donated a full espresso bar and served our teachers himself.
- **Ideal Location and Concept** – As a Rockridge resident and regular customer of Re-Up, Sfizio, Transports, and Oori Rice Triangles (all businesses located within a block of this new venture), the location is ideal for a place where people can come together and connect over a glass of wine and snacks or pick up a bottle of wine.

I highly encourage you to expedite the approval of his next business. Faunus is the type of Oakland business owner we need to support and encourage to keep Oakland as an attractive place to live and work.

Please reach out to me with any questions.

Best regards,  
Tiffany Chan  
Oakland Resident  
Claremont Middle/Chabot Elementary PTA Board Member

# SINGER ASSOCIATES PUBLIC RELATIONS, INC.

PUBLIC AFFAIRS & CORPORATE COMMUNICATIONS

As neighbors of the proposed new business on College Avenue by Faunus Lucas, we strongly support the approval this wonderful addition to the neighborhood by the City of Oakland.

We look forward to being able to buy a bottle of wine, eat some food and have glass of wine and pick up provisions at this new neighborhood spot. We believe the overwhelming, vast majority of nearby neighbors also support the addition of this shop and its offerings.

Mr. Lucas took over the coffee shop at Miles Avenue and College Avenue about 4 years ago. He took a depressing, tired old coffeehouse and made it a neighborhood attraction that has won rave reviews from the San Francisco Chronicle to Eater. His coffee as well as his food are considered among the finest in the entire bay area, bringing locals, neighbors and positive regional attention to Oakland.

We believe this new proposed shop will do the same: create a positive atmosphere in the neighborhood, create new jobs, taxes for the city and improve the College Avenue streetscape.

We strongly encourage the City of Oakland to approve Mr. Lucas's plans and get this store open as soon as possible.

Regards,

S.R.T. Singer and Sharon Singer



Jason Charles  
[jason@vincaminorwine.com](mailto:jason@vincaminorwine.com)  
707-331-0450

Dear City of Oakland Planning Council,

I would love to express support for Faunus Lucas's proposed wine shop on College Ave.

As a small business owner myself and Rockridge resident it has been amazing to see the community and impact he has made with Ain't Normal Cafe over the past years. It's been my family's go to spot on most mornings before school drop off and weekend hangs with friends.

It would be great to see Faunus open another vibrant small business on the 6000 block of College Ave knowing that it will continue to bring the community together and provide jobs.

Best,

Jason Charles  
Owner Vinca Minor Wine

April 21, 2024

Danny Thai, Planner  
City of Oakland  
Bureau of Planning  
[By email]

Dear Mr. Thai:

I am writing today as an Oakland native and longtime resident of our city to express my support for the proposed project at 6201 College Avenue.

I have been informed that the new business would offer beer and wine to stay and to go, food, and specialty products ranging from, retail items and beverage and grocery adjacent items. I believe this new storefront would be an excellent addition to the neighborhood that would serve the local residents as well as attract residents from different parts of the city to the Rockridge business corridor.

I would also like to express my support for the project sponsor, Faunus Lucas. I have been a regular patron of his existing business in Rockridge, Ain't Normal Café, since its opening. I have watched him build a strong, loyal, and ever-growing clientele through excellent service, high standards of business operations, and a deep commitment to his neighborhood.

I look forward to supporting Faunus and his next endeavor and I am available to answer any follow-up questions you have.

Sincerely,  
Joey Wolf  
Oakland Resident

A handwritten signature in black ink, appearing to be 'Joey Wolf', with a long horizontal line extending to the right.

## Thai, Danny

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**From:** Jon Ettinger <jon@1606studio.com>  
**Sent:** Monday, April 22, 2024 4:20 PM  
**To:** Thai, Danny  
**Subject:** College ave wine bar

You don't often get email from jon@1606studio.com. [Learn why this is important](#)

I am writing in Support of the application for the prospective wine bar on College avenue, including the seating on the sidewalk. This would be perfect for our neighborhood!

Thx,

Jon Ettinger  
5745 Presley way

Executive Producer / Partner  
1 6 0 6  
415.694.8001  
1606Studio.com

## Thai, Danny

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**From:** Laurie Williams <williams.zabel@gmail.com>  
**Sent:** Monday, April 15, 2024 8:33 AM  
**To:** Thai, Danny  
**Cc:** Robin Paul; Robin McDonnell; Paul McDonnell; Casey RCPC  
**Subject:** Proposed Metal around Wine Bar seating at 6021 College Ave will interfere unnecessarily with pedestrian sidewalk in high traffic area

**Categories:** Comments

[You don't often get email from williams.zabel@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dan, Thanks so much for speaking with me yesterday.

As we discussed, I am submitting a comment requesting that Oakland prohibit the proposed wine bar from having fencing around its outdoor seating on the public sidewalk. I am not opposed to 2 small outdoor tables with 2 chairs each located against the window of the business, as is done at several businesses in the area. However, the addition of the proposed fencing will significantly diminish the remaining area available to pedestrians and is inconsistent with a well-used thoroughfare with pedestrians passing in both directions.

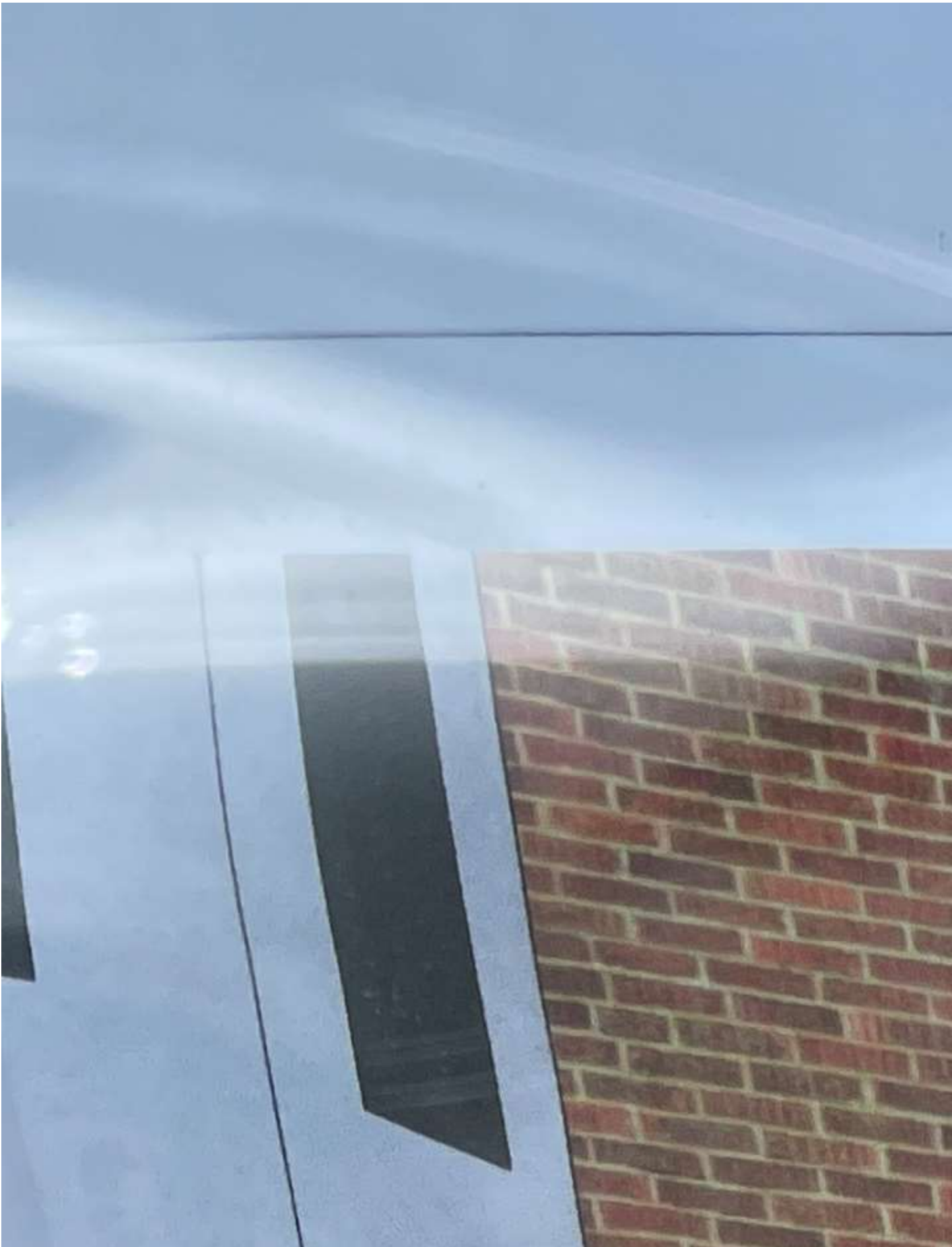
Please let me know what, if anything, Oakland laws and regulations have to say about such obstructions to pedestrian traffic.

Much appreciated. Laurie Williams  
510-390-4224









Sent from my iPhone

April 19, 2024

Danny Thai

City of Oakland

Bureau of Planning

[dthai@oaklandca.gov](mailto:dthai@oaklandca.gov)

To Whom It May Concern:

I'm writing to express my support for Faunus Lucas's new venture at 6023 College Ave, Oakland. As a resident of Rockridge for over 18 years, I strongly value local businesses that encourage community and vibrancy to the area. I continue to be a regular patron of Faunus's Ain't Normal Café and am excited that his new venture will be a meaningful addition to the area. I especially am looking forward to the proposed sidewalk seating area and being able to enjoy a drink/snack on a nice day.

Thanks for your consideration.

Sincerely,

Tony Shen

Rockridge resident

April 22, 2024

Danny Thai  
Planner  
Bureau of Planning  
City of Oakland

Dear Mr. Thai,

I write in support of the proposed project at 6021 College Avenue. My family and I have always loved the walkability and close-knit community of our Lower Rockridge neighborhood. A wine bar with more communal sidewalk seating would be a wonderful addition.

We hope to see the commission help maintain and expand on our critical College Avenue retail corridor which has seen many shuttered storefronts since the pandemic. Faunus's current business, Ain't Normal Cafe, has bucked the trend and is a beloved neighborhood mainstay. I believe his wine bar concept will also thrive among locals and attract new visitors.

Thank you for considering my thoughts.

Tan Lam

6232 Manoa Street  
Oakland, CA 94618  
415-885-9302

Letter of support re: Permit  
Number PLN23114

Oakland Planning Department  
250 Frank H. Ogawa Plaza  
Oakland, CA 9461

April 22, 2024

To the Oakland Planning Council:

I'm writing in enthusiastic support of Faunus Lucas's proposed wine bar and bottle shop on College Avenue. I live right around the corner, and I think this spot will be wonderful addition to our neighborhood—a place to eat, drink, and talk. I'm especially excited about the possibility of outdoor dining—College Avenue is one of the most charming streets in a city that has some of the best weather in the world. We need more places to sit and eat outside!

I'm a regular at Faunus's coffee shop, Ain't Normal Cafe, and have a lot of admiration for the place he's built—and the way he's built it. He's devoted to excellence—the coffee is incredible and the kitchen serves delicious food—and he's transformed the shop into a place people gather and hang out. I'm very proud to have Ain't Normal in the neighborhood—it's a spot I show off to friends when they visit from out of town.

This new wine bar is a terrific idea. This exciting! We need more places like this! It'll make a great place to live even better.

Mac Barnett