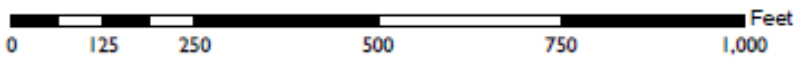
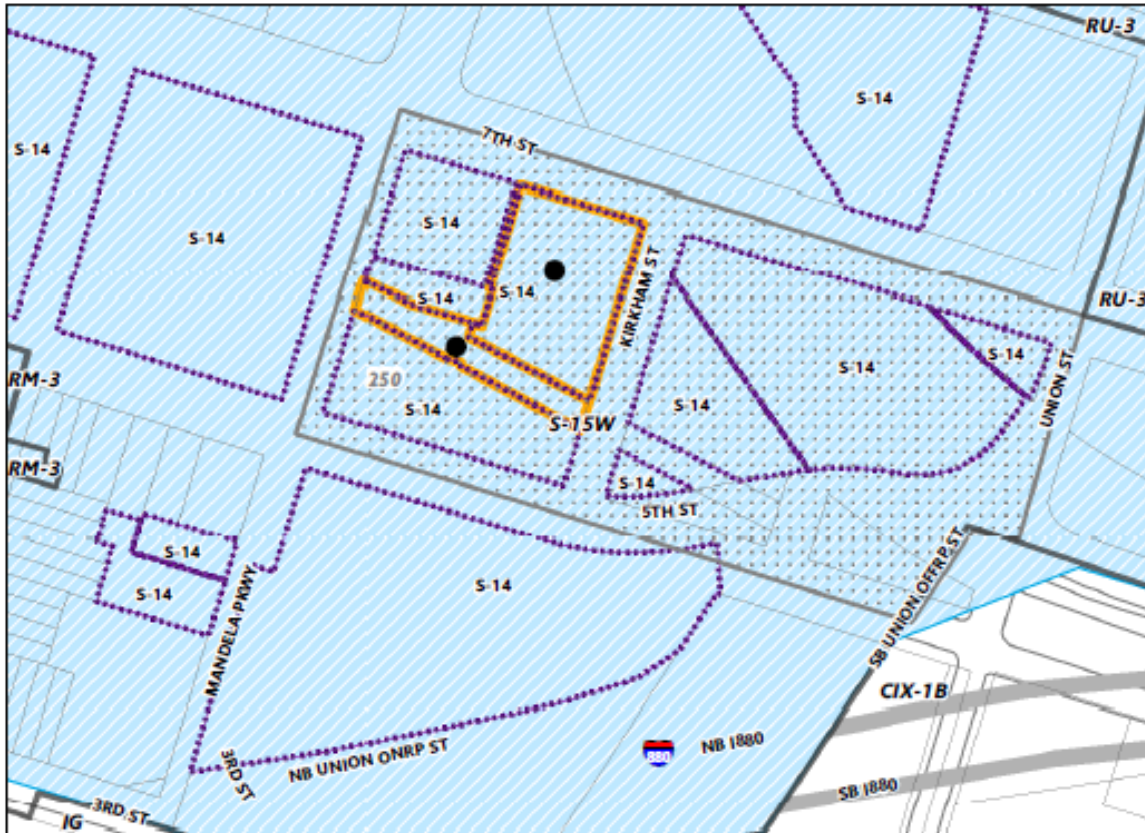


Location:	533 Kirkham Street (See map on reverse)
Assessors Parcel Numbers:	004-0069-002-01 & -002-02
Proposal:	Proposal to construct an eight-story mixed use building containing 289 dwelling units and approximately 2,900 square feet of ground floor commercial. The proposal involves a State Density Bonus proposal that would include 13 units designated as very-low income.
Applicant:	Justin Zucker / Rueben, Junius & Rose LLP
Owner:	TC II 533 LLC
Planning Permits Required:	Regular Design Review for new construction, Minor Conditional Use Permit for driveway location, Major Conditional Use Permit for a development project in excess of 100,000 square feet in an S-15 Zone, and Parcel Map Waiver to merge two parcels into one.
General Plan:	Community Commercial
Zoning:	S-15(W) S-13 S-14
Environmental Determination:	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions: 15182 - Specific Plan exemption; 15183 - Projects consistent with a community plan, general plan, or zoning; 15183.3 -Qualified In-fill projects; and 15164-Addendum to the 2014 certified West Oakland Specific Plan EIR; Each of the CEQA provisions provides a separate and independent basis for CEQA compliance.
Historic Status:	Not a historic property
City Council District:	3
Action to be Taken:	Decision on Application
Staff Recommendation:	Approve with the attached conditions.
Finality of Decision:	Appealable to City Council within 10 days
For Further Information:	Contact case planner Peterson Z. Vollmann at 510-238-6167 or by e-mail at pvollmann@oaklandca.gov .

CITY OF OAKLAND PLANNING COMMISSION



 Site Boundary  S-13 Combining Zone

Case File: PLN22173
Applicant: Kyle Winkler / Tidewater
Address: 533 Kirkham Street
Base Zone: S-15W
Combining Zones: S-14 (N parcel), S-13
Height Area: 250 ft

SUMMARY

Justin Zucker of Rueben, Junius & Rose has filed an application with the Bureau of Planning on behalf of the property owner TC II 533 LLC (Tidewater Capital) to develop an eight-story mixed use building that would include 289 dwelling units with approximately 2,900 square feet of ground floor commercial fronting on 7th Street. The proposal includes a State Density Bonus request that would include 13 of the proposed dwelling units to be designated as affordable for very-low-income households and requests development waivers for open space and height transition at the 7th Street frontage as allowed under the Density Bonus application.

The proposal appeared before the Design Review Committee (DRC) on June 28, 2023, in which the Committee voted to move the project forward to the full Planning Commission.

Staff recommends approval of the development application, subject to the attached findings and conditions of approval.

PROPERTY DESCRIPTION

The subject property consists of a 50,917 square-foot site located on the south side of 7th Street between Mandela Parkway and Kirkham Street. The southern end of the site is directly adjacent to the BART aerial tracks leading into the West Oakland BART station. The site contains the majority of the block north of the BART tracks except for a portion of the block that consists of a parcel under separate ownership at the southeast corner of 7th Street and Mandela Parkway. The project site contains street frontage along Kirkham Street, 7th Street, and a portion of Mandela Parkway to the rear of the aforementioned parcel adjacent to the site. The subject property is currently void of any development and consists of a paved asphalt parking lot.

PROJECT DESCRIPTION

The proposed Project would construct an eight-story mixed use building containing 289 dwelling units as well as a ground floor commercial space of 2,995 square feet. The residential apartments would be located on all floors of the building with the ground floor along 7th Street containing the building's residential lobby, commercial space and tenant amenities. The rear portion of the ground floor would contain a small, structured parking garage with an adjacent surface lot that extends out to the Mandela Street frontage for a total of 40 off-street parking stalls, one residential loading berth, and a bike storage room that would accommodate 80 long term bike parking stalls. The ground level also includes dwelling units on a double-loaded corridor that includes units facing into a ground-floor courtyard open space on the interior side, and on the exterior side of the corridor the units would have private patios facing both the side property line and out onto the street frontage along Kirkham Street.

The applicant is taking advantage of the Affordable Housing Density bonus and would include 13 dwelling units that would be designated as affordable for very-low-income households. The applicant is also looking to include development waivers, as allowed under the Density Bonus

Law, to reduce the amount of required open space and to waive the height reduction setback along 7th Street.

GENERAL PLAN ANALYSIS

The project site is located within the Community Commercial General Plan land use area. This land use classification is intended to create, maintain, and enhance areas suitable for a wide variety of commercial and institutional operations along the City's major corridors and in shopping districts and centers.

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

Policy T2.2 - Guiding Transit Oriented Development - Transit Oriented Development should be pedestrian oriented, encourage night and day time use, provide the neighborhood with needed goods and services, contain a mix of land uses, and be designed to be compatible with the character of surrounding neighborhoods.

Policy N3.1 - Facilitating Housing Construction - Facilitating the construction of housing units should be considered a high priority for the City of Oakland.

Policy N3.2 - Encourage In-fill Development - In order to facilitate the construction of needed housing units, in-fill development that is consistent with the General Plan should take place throughout the City of Oakland.

Policy N8.1 - Developing Transit Villages - "Transit Village" areas should consist of attached multi-story development on properties near or adjacent to BART Stations or other well-used or high-volume transit facilities, such as light rail, train, ferry stations or multiple-bus transfer locations. While residential units should be encouraged as part of any transit village, other uses may be included where they will not negatively affect the residential living environment.

The proposed Project is consistent/conforms with the above referenced policies and objectives and the general intent of Community Commercial land use designations by constructing a high-density residential building with within close proximity across the street from the West Oakland BART Station. The proposed ground floor will also provide an active ground floor along 7th Street with a commercial space and entry lobby to enhance the pedestrian environment.

West Oakland Specific Plan

The West Oakland Specific Plan provides the guiding framework for realizing the vision of a healthy, vibrant West Oakland. It reflects the desires and aspirations of a wide range of community members, stakeholders, steering committee participants, City staff, the Planning Commission, and City Council. The objectives of the Specific Plan are to bring to life the community's longstanding vision for a West Oakland that contains viable employment opportunities, provides needed goods and services, supports abundant and affordable housing resources, and facilitates sustainable development. The Specific Plan provides

guidelines and development standards that support this vision; and includes an implementation action plan to systematically achieve its key objectives. In the West Oakland Specific Plan, the project site is located in Subarea 2A of the 7th Street Opportunity Area and is one of several parcels identified as site #23, which contemplated higher-density housing, commercial office, and government/institutional office space around the core of the BART Station.

Among the Specific Plan goals and policies applicable to the proposed Project, and which the Project conforms with, are the following:

- Intent: Implement the City's long-term vision for a Transit-Oriented Development (TOD) project at the West Oakland BART station, in the area generally coinciding with the boundaries of the City's existing S-15 Transit Oriented Development Zone.
- Intent: Ensure a mix of land uses in the BART Station TOD to ensure the site becomes an integral and fully integrated component of West Oakland.
- 7th Street TOD Env-2: The new buildings envisioned to surround the West Oakland BART station as part of the TOD project are expected to provide a noticeable and significant noise buffer between portions of both the freeway and the BART tracks, and existing residential neighborhoods. The noise attenuation benefits from the proposed new buildings should be fully considered in final designs for these structures.

The project is consistent with the above-mentioned goals and policies and the development program analyzed in the WOSP EIR. The proposal consists of a high-density residential development within one block of the West Oakland BART station and includes an active ground floor commercial space that will activate 7th Street. The building will also abut the existing BART aerial structure which, the massing of which will help to provide a level of noise buffering for the residential neighborhood to the north.

ZONING ANALYSIS

The subject property is located within the S-15(W) Transit Oriented Development Commercial Zone ("W" being designated to the S-15 Zone in West Oakland established through the West Oakland Specific Plan). The Transit-Oriented Development (S-15) Zones are intended to create, preserve and enhance areas devoted primarily to serve multiple modes of transportation and to feature high-density residential, commercial, and mixed-use developments to encourage a balance of pedestrian-oriented activities, transit opportunities, and concentrated development; and encourage a safe and pleasant pedestrian environment near transit stations by allowing a mixture of Residential, Civic, Commercial, and Light Industrial Activities, allowing for amenities such as benches, kiosks, lighting, and outdoor cafes; and by limiting conflicts between vehicles and pedestrians, and is typically appropriate around transit centers such as Bay Area Rapid Transit (BART) stations, AC Transit centers, and other transportation nodes.

At the time that this development application was filed, the subject property was located within the 160-foot Height Area. As part of the recent zoning revisions associated with the updated Housing Element, the area that the property is located within was described on the updated zoning maps as being rezoned from the 160-foot Height Area to a 250-foot Height Area. However, corresponding zoning code text was not incorporated into the S-15 Zone Planning Code as part of the height map updates. As a result, the Zoning Manager has made a determination that the next highest height area for the applicable zoning district is to be applied to the site for consideration of the development application, which is the 175-foot height Area. The 175-foot Height Area is also consistent with the density and intensities that were allowed under the prior 160-foot Height Area in which the application had been reviewed under since it was filed. In addition, all of the remaining 160-foot Height Areas within the City were universally modified to 175 feet as part of the zoning updates, so there is essentially no substantive change to the Height Area applied to the site since the application has been under review, except that an additional 15 feet in height would be permitted but has no impact upon the development proposal since the building would only be approximately 85 feet in height.

Therefore, the Zoning Manager determination is that the site shall be evaluated according to the regulations for the 175-foot Height Area, which allows for a permitted height of 175 feet and residential density of one dwelling unit per 225 square feet of lot area for regular dwelling units and one dwelling unit per 110 square feet of lot area for efficiency dwelling units. The zoning regulations for the 175-foot Height Area also allow a commercial FAR of 5.0.

The project site is also located within the recently adopted S-13 and S-14 zones, which were established to provide additional incentives by streamlining of permit processing for the development of affordable housing. The development application was submitted prior to the adoption of these zones, and the applicant has not revised their application to take advantage of the permit streamlining measures provided within. No provisions of the S-13 or S-14 Zones are relevant to the subject development application under consideration.

Affordable Housing Density Bonus

As previously mentioned, the 175-foot height area regulations in which the Zoning Manager has determined that the Project site shall be evaluated under allow for a maximum residential density of one dwelling unit per 225 square feet of lot area for regular dwelling units and one dwelling per 110 square feet of lot area for efficiency dwelling units. Given that the project contains a mix of regular and efficiency dwelling units, the density is calculated by dividing the 50,917 square feet of site area based upon the percentage allocated to each dwelling type. In this case the applicant is proposing to allocate 9.5% of the site area to efficiency dwelling units (EDU) and 90.5 % to regular dwelling units (RDU) which would allow for a baseline density of 249 dwelling units with a unit mix of 82% RDU's and 18% EDU's for the baseline project. The applicant's proposal would include 5% (13 units) of the baseline project units as affordable to very low income which allows a 20% density bonus, thus allowing for a maximum density of 299 units for the project. The applicant's density bonus project would include 289 units, which would have the same unit type breakdown as the baseline project with 82% (237 units) of the units being RDU's and 18% (52 units) being EDU's. The density bonus calculation and unit type allocation are illustrated in the table below.

Baseline Density Project			
Dwelling Unit Type	Site Area by Percentage	Density Calculation	Allowed Dwellings (%)
EDU	$9.5\% \times 50,917 = 4837.12$	$4837.12/110 = 43.9$	43.9 (18%)
RDU	$90.5\% \times 50,917 = 46,079.89$	$46,079.89/225 = 204.8$	204.8 (82%)
Total Baseline			248.7 (249)*
Density Bonus Project 289 Units			
Baseline Density	Density Bonus (20%)	Unit Type Percentage: RDU 82% / EDU 18%	
249 units	$249 \times 1.20 = 298.8$ (299)* max density allowed	RDU $289 \times 82\% =$ 237	EDU $289 \times 18\% =$ 52

* Affordable Housing State Density Bonus Law allows fractional density calculations to round up to the next whole number.

Development Waivers

In addition to the density bonus described above, the Affordable Housing Density Bonus allows applicants to request certain development waivers that would relax standards that would otherwise preclude the development of the number of units proposed in density bonus project. The City is required to grant such waivers if it is demonstrated that the inclusion of the regulations would reduce the unit count in the density bonus project and findings cannot be made that would conclude that the project would result in an unavoidable impact to health and safety or upon a historic resource or if such waiver would be inconsistent with federal or state law.

The applicant has included a request for two such development waivers, 1) the applicant has requested to waive the open space standards of the Planning Code given that the expansion of the proposed open space courtyards or expansion of any other yards would result in the loss of dwelling units within the density bonus project, and 2) the applicant has requested to waive the height transition setback along 7th Street where the maximum height of the building within the first ten feet from the front property line is required to match the lower height limit across the street. By complying with said regulation the density bonus project would lose all of the eighth-floor units facing 7th Street.

Given that the applicant has demonstrated a loss of units from the proposed density bonus project with the application of both above-described development standards, and the granting of such waivers would not result in an impact upon a historic resource or health and safety, nor be inconsistent with any state or federal laws, the City is required to grant the waivers.

Conditional Use Permits

The proposed project would include more than 100,000 square feet of new floor area, and pursuant to Planning Code Section 17.97.030 a Major Conditional Use Permit is required, thus making the Planning Commission the decision-making body on the application.

Driveway/Parking Location

Planning Code Section 17.97.060 requires a Conditional Use Permit whenever a parking garage, loading berth or driveway located on the ground floor is within 20 feet of a pedestrian walkway or plaza. The project includes ground floor parking and loading accessed from a driveway on Kirkham Street, thus requiring the granting of a Conditional Use Permit. Staff believes that the granting of a Conditional Use Permit is appropriate given that the driveway is located on Kirkham Street, which creates the least impact onto the pedestrian streetscape and is preferable over the commercial street frontage on 7th Street or along Mandela Parkway across from the BART station.

Parking

Automobile Parking

At the time that this development application was filed, the subject property required .5 parking spaces per residential dwelling unit and did not require any parking for commercial activities. The city's parking regulations for the S-15(W) Zone were recently updated to eliminate the minimum parking requirement for both residential dwelling units and commercial activities. Also, the updated Planning Code regulations include anew maximum parking standard of .5 parking spaces per residential dwelling unit for the S-15 Zones, which would allow *no more than* 145 parking stalls for the project.

Initially the applicant had included a Concession/Incentive to waive the parking requirements as allowed under the Affordable Housing Density Bonus law. However, since the filing of the application, the city has adopted new parking regulations and state law AB 2097 went into effect on January 1, 2023, which states, "*A public agency shall not impose or enforce any minimum automobile parking requirement on a residential, commercial, or other development project if the project is located within one-half mile of public transit*". Given that the project site is located directly across the street from the West Oakland BART station, the City is precluded under state law from requiring any off-street parking for automobiles. Nonetheless, the applicant has included off-street parking for 40 automobiles. In addition, the one off-street loading berth required for the residential facilities is located within the parking garage to avoid a separate garage door and curb cut location on the street frontage.

Bike Parking

The S-15(W) Zone requires one long term bike parking stall per every four dwelling units and two stalls for the commercial activity (minimum requirement) for a total of 74 stalls, and one short term bike parking stall per every 20 dwelling units and two stalls for the commercial activity (minimum requirement) for a total of 16 stalls. The project as proposed includes a bike parking room that can accommodate 80 bikes, thus complying with the requirements under the Planning Code, and the right of way surrounding the project site will easily be able to accommodate eight bike racks to provide for the 16 required short term stalls.

Height & Setbacks

As previously stated, the subject property was located within the 160-foot Height Area at the time that this development application was filed. As part of the recent zoning revisions associated with the updated Housing Element, the S-15(W) Zone area that the property is located

within was rezoned from the 160-foot Height Area to a 250-foot Height Area. However, corresponding zoning code text was not incorporated into the S-15 Zone Planning Code as part of the height map updates. As a result, there is not an applicable 250-foot height area in the S-15 Zone Planning Code that can be associated with the project site. In light of this, the Zoning Manager has made a determination that the next highest height area is to be applied to the site for consideration of the development application, which is the 175-foot height Area. Other than the development waiver requested to eliminate the height transition requirement along 7th Street, the proposed project complies with all of the height and setback regulations for the 175-foot height Area within the Planning Code.

DESIGN REVIEW

The State Housing Accountability Act (HAA) states a housing project may not be denied or its density reduced if it is consistent with “objective, quantifiable, written development standards, conditions and policies;” unless specific findings are made. An “Objective standard” involves no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criteria available and knowable by the applicant and public official. Given this legal standard under the HAA, the City is limited when performing design review of development application to those Code and Design Guideline standards that are considered “Objective” and not subject to discretionary interpretation.

The proposed project appeared before the DRC for consideration on June 28, 2023. Given the limitations of review under the HAA mentioned above, staff presented the following analysis of the Design Review component of this development application which focused solely upon the Objective standards within the Design Guidelines for discussion.

Compliance with Objective Design Standards (Code and Design Guidelines)

As explained earlier in this report the proposed project is in compliance with all of the zoning regulations with the exception of the two standards that are subject to the allowed waivers. As such, under the Planning Code the project is compliant with all objective standards related to design.

The project site is also subject to two sets of adopted design guidelines, as both the Commercial Corridor Design Guidelines as well as the West Oakland Specific Plan (WOSP) Design Guidelines are applicable to the subject property. Many of the WOSP Design Guidelines that would be applicable to the project site are design principles that are also covered within the Commercial Corridor Design Guidelines. The project is largely in compliance with the applicable objective standards from both sets of design guidelines as provided in a high level summary below:

- Site Planning and Building Placement – The proposal locates the building, including the commercial storefronts, at the property line edge along the primary commercial street (7th Street in this case per the WOSP).
- Location of Open Space – The proposed open space is integral to the building design and is easily accessible to residents. The group open space courtyards are southern facing toward solar access.

- Location of Parking and Service Elements – Parking and service elements on the site are located off of the primary commercial street to the rear of active spaces and shielded from public view.
- Exterior Materials – The basis for consideration of exterior materials within the design guidelines documents is largely subjective given that the term “high-quality” is used to provide the standard. The only specific material called out as not acceptable is T-111 and as such staff is limited to critique of the proposed exterior finishes. The proposed project is proposing to use an Exterior Insulated Finish System (EIFS), which in the past has often been discouraged due to durability and maintenance issues. Given the limited list of what materials would not be considered “high-quality” within the design guidelines documents, staff must acknowledge that the proposed exterior finish is not inconsistent with any objective design guidelines. Staff will also note that the proposed granite finish to the EIFS could be viewed as a higher quality to that of a typical stucco exterior EIFS product. The design guidelines also identify the need for highly durable exterior materials along the ground floor on corridors. This could be argued to be seen as an objective standard if a particular material chosen at the ground level is a product that could be easily damaged by minimal impact. As such, this issue was raised to the applicant about the use of the EIFS panel system on the ground floor. As a result, the applicant revised the proposal to remove the foam EIFS system with a tile material along the base of the building that includes a solid substate to improve durability.

The three specific design guideline provisions that staff had brought forward for compliance discussion with the DRC were as follows:

- Landscape Buffer for Surface Parking Lot - Design Guideline 3.2.1 of the Corridor Design Guidelines states, “*Provide planting and a screening edge between the primary right-of-way and surface parking lots and landscaping in the interior of surface parking lots*”. This component was absent from the project design along the Mandela Parkway frontage of the parking lot at the time the item was heard by the DRC. The applicant has since revised to provide a landscape buffer as desired by the Guideline.
- Bay Window Projections - The WOSP Design Guidelines includes guideline Neighborhood Commercial 2: Massing, which states, “*Residential upper stories are encouraged to include bay windows above the ground floor to provide light and air, and to break up the scale of buildings and convey residential use*”. The proposed project does not include any bay window projections as encouraged by this objective guideline and is therefore not consistent. However, any bay window projections would be required to extend into the public right of way and would require an Encroachment Permit processed by OakDOT, who at the time of the design development during the pre-application had the position of putting a hold on supporting requests for such projections until a set of standards is established. As a result, the DRC members concurred with staff that it would be inappropriate to require the development project to incorporate bay projections and that the proposed design was satisfactory. Furthermore, the guideline in question states that bay projections at upper stories are “encouraged” and not necessarily required.

- Ground Floor Residential Grade Separation - The Corridor Design Guidelines includes guideline 4.1.2 that addresses grade separation of ground floor units from the grade of the adjacent right of way. Specifically, it states, “Provide at least a 2-1/2 to three-foot vertical separation between ground floor living space and the sidewalk grade to create a sense of privacy and buffer the residences from nearby traffic. The separation is particularly important for units near the right-of-way. Use this separation to place windows above the eye level of pedestrians on the adjacent sidewalk. The bottom of a window usually needs to be about 4 – 6 feet above grade, depending on the setback of the building, to prevent pedestrians from easily looking into interior living space.”. The proposed project includes ground floor dwelling units that face onto Kirkham Street, in which this objective design guideline is applicable, and the project does not fully comply. The issue that the applicant is contending with is the Americans with Disabilities Act (ADA) limitation on ramping area within the internal circulation of the building that would allow the full 30-36 inch separation as called out in the guideline. The proposal includes a ramping system that was able to raise the floor levels from the lobby entrance by 18 inches but were limited due to the site topography sloping down to the south where the building’s garage is located, which requires additional ramping back down in order to comply with ADA regulations. To address the privacy issue that the guidelines is intended to solve the applicant has included a six-foot recess of the unit from the property line, as well as including a raised landscape bed within the recess adjacent to the bedroom windows which adds an additional 18 inches in height as a buffer. The DRC members concurred with staff that the proposed design, along with the decorative screening for the patios, provides a visible separation that meets the intent of the guideline and is an acceptable alternative approach.

ENVIRONMENTAL DETERMINATION

The *West Oakland Specific Plan Environmental Impact Report (EIR)* analyzed the environmental impacts of adoption and implementation of the WOSP and, where the level of detail available was sufficient to adequately analyze the potential environmental effects, provided a project-level CEQA review for reasonably foreseeable development. This project-level analysis allows the use of CEQA streamlining and/or tiering provisions for projects developed under the WOSP.

Applicable CEQA streamlining and/or tiering code sections are described below, each of which, separately and independently, provide a basis for CEQA compliance.

Specific Plan Exemption. Public Resources Code Section 21155.4 and CEQA Guidelines Section 15182 allow streamlined environmental review for projects that are consistent with an adopted Specific Plan where the site meets the requirements of being in proximity to transit and none of the conditions for preparation of a subsequent or supplemental EIR pursuant to Section 15162 are satisfied.

Community Plan Exemption. Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allow streamlined environmental review for projects that are "consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-

specific significant effects which are peculiar to the project or its site." Section 15183(c) specifies that "if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards..., then an EIR need not be prepared for the project solely on the basis of that impact."

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

Addendum. Public Resources Code Section 21166 and CEQA Guidelines Section 15164 state that an addendum to a certified EIR is allowed when minor changes or additions are necessary and none of the conditions for preparation of a subsequent EIR or Negative Declaration pursuant to Section 15162 are satisfied.

Note:

A detailed CEQA Analysis was prepared for the project, and is available to the public on the City's website at: www.oaklandca.gov/documents/533-kirkham-street-ceqa-analysis

CONCLUSION

Staff believes that the proposed project is well designed and helps to implement the vision of the WOSP by the creation of a high-density residential building in very close proximity to the West Oakland BART station and establishing new sidewalks around the site perimeter that enhance the overall pedestrian environment of the area. In addition, the project will add to the City's housing stock including the proposed below market rate units that would be constructed within the project.

- RECOMMENDATIONS:**
1. Affirm staff’s environmental determination and adopt the attached CEQA Findings.
 2. Approve the Conditional Use Permits, Design Review and Parcel Map Waiver subject to the attached findings and conditions.

Prepared by:



PETERSON Z. VOLLMANN
Planner IV

Reviewed by:



CATHERINE PAYNE
Development Planning Manager
Bureau of Planning

Approved for Forwarding to the
City Planning Commission:



ED MANASSE
Deputy Director
Bureau of Planning

ATTACHMENTS:

- A. Findings for Approval
- B. Conditions of Approval
- C. SCA/RP from the 533 Kirkham Street CEQA Analysis Checklist
- D. Project Plans
- E. Parcel Map Waiver Map

ATTACHMENT A

FINDINGS FOR APPROVAL

This proposal meets all the required Design Review Criteria (Sections 17.136.050) and Conditional Use Permit Criteria (Sections 17.134.050 & 17.97.025) as set forth below and which are required to approve the application. This proposal is consistent with the Lot Design Standards (Section 16.24.040) of the Oakland Subdivision Regulations. Required findings are shown in **bold** type; reasons the proposal satisfies them are shown in normal type. (Note: The Project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record).

17.136.050(A) - RESIDENTIAL DESIGN REVIEW CRITERIA:

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

The proposed project is located within the West Oakland Specific Plan (WOSP) 7th Street opportunity area, which has the intent of creating a dense transit-oriented development area that takes advantage of the close proximity to the West Oakland BART station. The proposed building would be consistent with other recently approved buildings within the opportunity area of the specific plan area with regard to bulk, height, materials and textures. The proposal will be built out to the street frontage property lines to establish a street wall in the area and will back up against the BART aerial structure which will help with sound attenuation for the residential neighborhood to the north. The building will contain a tall ground floor with a large amount of transparency to internal active uses that will help to enhance the pedestrian environment of the area. The height of the building at 85 feet will be within the allowed height limit..

- 2. The proposed design will protect, preserve, or enhance desirable neighborhood characteristics.**

The proposed design will enhance the desirable neighborhood characteristics by redeveloping the site with a new high-density mixed use residential building that creates an active ground floor at the pedestrian level, as envisioned in the WOSP. The proposal will also provide for a dense residential environment in close proximity to the West Oakland BART station to enhance the area as a transit village.

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

The project site is flat and void of any existing landscaping.

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

The project site is not located on a hill.

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

The site is located within the Community Commercial land use classification of the Land Use and Transportation Element (LUTE) of the general Plan and within the West Oakland Specific Plan Area. The proposed development is consistent with the Design Guidelines set forth in the WOSP as well as the City's Corridor Design Guidelines.

The Project is consistent with the following LUTE and Specific Plan goals and policies:

Policy T2.2 – Guiding Transit Oriented Development – Transit Oriented Development should be pedestrian oriented, encourage night and day time use, provide the neighborhood with needed goods and services, contain a mix of land uses, and be designed to be compatible with the character of surrounding neighborhoods.

Policy N3.1 – Facilitating Housing Construction – Facilitating the construction of housing units should be considered a high priority for the City of Oakland.

Policy N3.2 – Encourage In-fill Development – In order to facilitate the construction of needed housing units, in-fill development that is consistent with the General Plan should take place throughout the City of Oakland.

Policy N8.1 – Developing Transit Villages – “Transit Village” areas should consist of attached multi-story development on properties near or adjacent to BART Stations or other well-used or high-volume transit facilities, such as light rail, train, ferry stations or multiple-bus transfer locations. While residential units should be encouraged as part of any transit village, other uses may be included where they will not negatively affect the residential living environment.

Intent: Implement the City's long-term vision for a Transit-Oriented Development (TOD) project at the West Oakland BART station, in the area generally coinciding with the boundaries of the City's existing S-15 Transit Oriented Development Zone.

Intent: Ensure a mix of land uses in the BART Station TOD to ensure the site becomes an integral and fully integrated component of West Oakland.

7th Street TOD Env-2: The new buildings envisioned to surround the West Oakland BART station as part of the TOD project are expected to provide a noticeable and significant noise buffer between portions of both the freeway and the BART tracks, and existing residential neighborhoods. The noise attenuation benefits from the proposed new buildings should be fully considered in final designs for these structures.

The Project is consistent/conforms with the above-mentioned goals and policies by creating a new high density mixed use residential development located within the 7th Street opportunity area of the specific plan in close proximity to the West Oakland BART Station across the street. The proposal includes an active ground floor with commercial space and lobby entrance to enhance the pedestrian environment on 7th Street along with the proposed streetscape improvements. The building will also abut the existing BART aerial structure which will provide a level of noise buffering for the residential neighborhood to the north.

SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

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

The location, size, design and operating characteristics of the proposed Project will be compatible with, and will not adversely affect, the livability or appropriate development of abutting properties and the surrounding neighborhood. The proposed project is consistent with scale, bulk, coverage and density requirements of the General Plan and applicable zoning regulations, and proposed height, scale and bulk of the building is compatible with similar structures constructed and recently approved in the immediate vicinity of the Project site within the 7th Street Opportunity area of the WOSP. The WOSP EIR outlined the potential traffic impacts within the area through the anticipated growth through the adopted plan, mitigations for improvements to intersections throughout the area were included, and each project is required to pay a fair share traffic impact fee that will go towards these future improvements to address traffic concerns.

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

The proposal will provide for a functional living environment that will be of a high-quality design located in an area planned for development of the kind proposed by the Project in very close proximity to the West Oakland BART Station as part of creating a transit village as envisioned in the WOSP.

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

The development proposed by the Project will help to fulfill the vision of the WOSP by developing a high-density mixed-use residential development with an active ground floor along 7th Street to add to the pedestrian vibrancy of the area and help to establish the transit village around the West Oakland BART Station as envisioned by the specific plan. The project will also add needed housing stock for the City including the incorporated below market rate units.

- 4. That the proposal conforms to all applicable Regular Design Review criteria set forth in the Regular Design Review procedure of Chapter 17.136.050 of the Oakland Planning Code.**

The proposed Project does conform to all applicable design review criteria, as described in the Residential Design Review Criteria findings above, which are hereby incorporated by reference.

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

The Project is consistent with the goals and policies of the Oakland General Plan, including the WOSP, and with all applicable zoning controls, as indicated in the Findings in Sections 17.136.050 above, hereby incorporated by reference.

SECTION 17.97.025 – S-15 ZONE CONDITIONAL USE PERMIT CRITERIA

- A. That the proposal will be of a quality and character which harmonizes with and serves to protect the value of private and public investment in the area;**

The proposed project is located within the West Oakland Specific Plan (WOSP) 7th Street opportunity area, which has the intent of creating a dense transit-oriented development area that takes advantage of the close proximity to the West Oakland BART station. The proposed building would redevelop and existing vacant lot and would be consistent with other recently approved buildings within the opportunity area. The proposed design includes quality exterior finishes and appropriately breaks down the massing of the building by incorporating upper-level courtyards and building recesses. The project will also establish a ground floor that includes a visual presence onto the street and when combined with the proposed improvements to the right of way will create a desirable pedestrian environment that will enhance the area.

- B. That the proposal will encourage an appropriate mixture of Residential and/or Commercial Activities in a manner which promotes and enhances use of multiple modes of transportation;**

The project is a high-density residential development that includes an active ground floor by incorporating tenant amenities that will be visually present from the right of way and could potentially be converted into commercial space in the future should the demand arise. The project is in direct proximity to the West Oakland BART Station and 7th Street which will promote the use of public transportation.

- C. That the proposal is designed to provide a safe and pleasant pedestrian environment;**

The proposal will include improvements to the public right of way that will install and widen sidewalks that will enhance the pedestrian environment of the area and will also contain ground floor facilities that will provide an active presence onto the street.

- D. That no front yard parking, loading area, or driveway shall connect or abut directly with the principal commercial street unless the determination can be made:**

- 1. That vehicular access cannot reasonably be provided from a different street or other way;**

The proposal includes one driveway access point on Kirkham Street, which is the least prominent frontage of the site and would not be considered a principal commercial street.

- 2. That every reasonable effort has been made to share means of vehicular access with abutting properties;**

No other properties are directly abutting the site, as the site fronts on the three adjacent streets and the site to the north on 7th Street is bisected by the BART aerial structure.

- 3. That the proposal is enclosed or screened from view of the abutting principal street by the measures required in Subsection 17.110.040.B.**

The parking garage will be enclosed and located behind other ground floor uses that will screen the garage from the public view.

- E. That the amount of off-street parking, if any, provided in excess of this code will not contribute significantly to an increased orientation of the area to automobile or truck movement.**

The parking provided will not be in excess of what is required or allowed by Code.

- F. In addition to the foregoing criteria and any other applicable requirements, Automotive Fee Parking within this zone shall be subject to the following use permit criteria:**

The proposal does not include Automotive Fee Parking.

SECTION 16.24.040 – LOT DESIGN STANDARDS

- A. No lot shall be created without frontage on a public street, except lots created in conjunction with approved private access easements.**

The merged lot will contain frontage on three public streets.

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

The side lot lines will generally run at right angles from the street frontages.

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

The proposal will comply with the zoning regulations of the S-15 (W) Zone as outlined in this staff report, and the new merged lot will combine a number of smaller lots into one larger parcel that will comply with the minimum lot size for the zone that it is located within.

- D. Lots shall be equal or larger in measure than the prevalent size of existing lots in the surrounding area.**

The merged lot will be larger than the smaller lots that currently exist and will be consistent with the lot sizes in the vicinity.

- E. Lots shall be designed in a manner to preserve and enhance natural out-croppings of rock, specimen trees or group of trees, creeks or other amenities.**

The site is previously developed and no such features exist.

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 9,364 dwelling units while Oakland's current capacity is 10,118 lower income units, a surplus of 754 units. [“Lower income” includes very low income (VLI) and low income (LI) units.]

Oakland’s remaining moderate income regional housing needs assessment is 4,341 dwelling units, while Oakland's current capacity is 5,093 moderate income units, a surplus of 752 units.

Oakland's remaining above moderate-income regional housing needs assessment is 8,116 dwelling units, while Oakland's current capacity is 14,520 above moderate-income units, a surplus of 6,404 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. *(Not applicable)*

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.

Lower income units (VLI/LI): 0 units
Moderate income units: 36 units
Above moderate-income units: 289 units
Total units: 325 units

() The proposed project is a non-residential development.

(X) 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:

Lower income units (VLI/LI): 13 Low Income units
Moderate income units: 0 units
Above moderate-income units: 276 unrestricted units
Total units: 289 units

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): + 13units
Moderate income units: -36
Above moderate income units: -49 units
Total units: - 72 units

CEQA COMPLIANCE FINDINGS

A. Introduction. These findings are made pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et seq.; “CEQA”) and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.; “CEQA Guidelines”) by the City Planning Commission in connection with the environmental analysis of the effects of implementation of the 533 Kirkham Street project, as more fully described elsewhere in this Staff Report and City Of Oakland (“City”)-prepared CEQA Analysis document entitled “533 Kirkham Street Project CEQA Analysis” dated November 2023 (“CEQA Analysis”) (the “Project”). The City is the lead agency for purposes of compliance with the requirements of CEQA. These CEQA findings are attached and incorporated by reference into each and every decision associated with approval of the Project and are based on substantial evidence in the entire administrative record.

An evaluation of the Project is provided in the CEQA Checklist of the CEQA Analysis incorporated by reference to this staff report. The CEQA Analysis concludes that the Project qualifies for an addendum as well as an exemption from additional environmental review. It is consistent with the development density and land use characteristics established by the City of Oakland General Plan, and any potential environmental impacts associated with its development were adequately analyzed and covered by the analysis in the WOSP EIR.

The Project would be required to comply with the applicable mitigation measures and City of Oakland SCAs identified in the WOSP EIR and presented in Attachment A to the CEQA Analysis. With implementation of the applicable mitigation measures and SCAs, the Project would not result in a substantial increase in the severity of previously identified significant impacts in the WOSP EIR or result in any new significant impacts that were not previously identified.

In accordance with California Public Resources Code Sections 21083.3, and 21166; and CEQA Guidelines Sections 15162, 15164, 15168, 15182, 15183, and 15183.3, and as set forth in the CEQA Analysis and Checklist attached to this report, the Project qualifies for an addendum and one or more exemptions because the following findings can be made:

II. CEQA Analysis Findings.

- A. Addendum.** The WOSP EIR analyzed the impacts of development within the WOSP. The Project would not result in substantial changes or involve new information not already analyzed in the WOSP EIR because the level of development now proposed for the site is within the broader development assumptions analyzed in the WOSP EIR. The Project would not cause new significant impacts not previously identified in the WOSP EIR or result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the WOSP that would cause significant environmental impacts to which the Project would contribute considerably, and no new information has been put forward that shows that the Project would cause significant environmental impacts. Therefore, no supplemental environmental review is required in accordance with Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 through 15164.
- B. Specific Plan Exemption.** The Project meets the eligibility guidelines and is a qualifying mixed-use project located within a priority transit area and is consistent with the development density established by the WOSP and analyzed in the certified WOSP EIR. As such, no further analysis of the environmental effects of the Project is required in accordance with Public Resources Code Section 21155.4 and CEQA Guidelines Section 15182.
- C. Community Plan Exemption.** The Project would not result in significant impacts that (1) are peculiar to the Project or project site; (2) were not previously identified as significant Project level, cumulative, or offsite effects in the WOSP EIR; or (3) were previously identified as significant effects, but as a result of substantial new information not known at the time the WOSP EIR was prepared, would increase in severity beyond that described in the EIR. Therefore, the Project would meet the criteria to be exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.
- D. Qualified In-fill Exemption.** The CEQA Analysis contains in Attachment E a written analysis consistent with Appendix M to the CEQA Guidelines examining whether the Project will cause any effects that require additional review under CEQA. The Project would not result in significant impacts that (1) are peculiar to the Project or project site; (2) were not previously identified as significant Project level, cumulative, or offsite effects in the WOSP EIR; or (3) were previously identified as significant effects, but as a result of substantial new information not known at the time the WOSP EIR was prepared, would increase in severity beyond that described in the EIR. Therefore, the Project

would meet the criteria to be exempt from further environmental review in accordance with Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3.

III. Conclusion. Overall, based on an examination of the analysis, findings, and conclusions of the WOSP EIR, which are summarized in the CEQA Checklist, the potential environmental impacts associated with the Project have been adequately analyzed and covered in the WOSP EIR. Therefore, no further review or analysis under CEQA is required.

Each of the above findings provides a separate and independent basis for CEQA compliance.

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

IV. Incorporation by Reference of Statement of Overriding Considerations: The WOSP EIR identified three areas of environmental effects of the WOSP that presented significant and unavoidable impacts. Because the Project may contribute to some significant and unavoidable impacts identified in the WOSP EIR identified above, but a Subsequent and/or Supplemental EIR is not required in accordance with CEQA Guidelines sections 15162, 15163, 15164, 15168, 15182, 15183 and 15183.3, a Statement of Overriding Considerations is not legally required. Nevertheless, in the interest of being conservative, the Statements of Overriding Consideration for the for the WOSP EIR, approved as Section XII of the CEQA Findings adopted by the City Council on July 15, 2014, via Resolution No. 85108 C.M.S, are all hereby incorporated by reference as if fully set forth herein.

ATTACHMENT B
CONDITIONS OF APPROVAL

STANDARD ADMINISTRATIVE CONDITIONS

1. Approved Use

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, and the approved plans **dated 10/10/23** as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

2. Effective Date, Expiration, Extensions and Extinguishment

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten (10) calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **five 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 a three-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. Compliance with Other Requirements

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

4. Minor and Major Changes

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

5. Compliance with Conditions of Approval

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

Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.

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

6. Signed Copy of the Approval/Conditions

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

7. Blight/Nuisances

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

8. Indemnification

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

9. Severability

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

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

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

11. Public Improvements

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

12. Compliance Matrix

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

13. Construction Management Plan

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

safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.

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

- a. All standard conditions identified in the **533 Kirkham Street Project CEQA Analysis** are included in the Standard Condition of Approval / Reporting Program (SCA/RP) which is included in these Conditions of Approval and are incorporated herein by reference, as **Attachment C**, as Conditions of Approval of the project. The Standard Conditions of Approval identified in the **533 Kirkham Street Project CEQA Analysis** are also included in the SCA/RP, and are, therefore, incorporated into these Conditions by reference but are not repeated in these Conditions. To the extent that there is any inconsistency between the SCA/RP and these Conditions, the more restrictive Conditions shall govern. In the event a Standard Condition of Approval recommended in the **533 Kirkham Street Project CEQA Analysis** has been inadvertently omitted from the SCA/RP, that Standard Condition of Approval is adopted and incorporated from the **533 Kirkham Street Project CEQA Analysis** into the SCA/RP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific Condition of Approval, and subject to the review and approval by the City of Oakland. The SCA/RP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval. Unless otherwise specified, monitoring of compliance with the Standard Conditions of Approval will be the responsibility of the Bureau of Planning, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCA/RP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.
- b. Prior to the issuance of the first construction-related permit, the project applicant shall pay the applicable mitigation and monitoring fee to the City in accordance with the City’s Master Fee Schedule.

OTHER STANDARD CONDITIONS

15. Employee Rights

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

16. Public Art for Private Development

Requirement: The project is subject to the City’s Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. (“Ordinance”). The public art contribution requirements are

equivalent to one-half percent (0.5%) for the “residential” building development costs, and one percent (1.0%) for the “non-residential” building development costs.

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

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

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

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

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

17. Affordable Residential Rental Units – Agreement and Monitoring

- a. Requirement #1: Pursuant to Section 17.107 of the Oakland Planning Code and the State Density Bonus Law California Government Code Section 65915 et seq. (“State Density Bonus Law”), the proposed project shall provide a minimum of **13** target dwelling units available at very low (as **5%** of the baseline units) for receiving a density bonus, concession and/or waiver of development standards.
- b. Requirement #2: The approved residential affordable units that are part of this approval shall remain and continue to be affordable at the specified level in accordance with California Health and Safety Code Section 50053 and its implementing regulations for a term of not less than 55 years or a longer period of time if required by the construction or mortgage finance assistance program, mortgage insurance program, or rental subsidy program. This Condition of Approval must also be in compliance with Section 65915(c)(1) of the State Density Bonus Law specifically, as well as all other applicable provisions of the State Density Bonus Law.
- c. Requirement #3: Prior to submittal of a construction-related permit, the applicant shall contact the Housing and Community Development Department (Housing Development Services Division) to enter into a Regulatory Agreement based on the City’s model documents, as may be amended from time to time, governing the target dwelling units. The Agreement shall contain restrictive covenants to ensure the continued affordability of the target dwelling units at the specified rent levels for a period of not less than fifty-five (55) years pursuant Section 65915 (c)(1) of the State Density Bonus Law, and restrict the occupancy of those units only to residents who satisfy the affordability requirement as approved for this project. Only households meeting the eligibility standards for the target dwelling units shall be eligible to occupy the target dwelling units.

If the property has an approved condominium map and the developer chooses to rent the affordable units at initial occupancy, the units cannot convert to ownership during the term of the Agreement, even if the market rate units in the development convert to ownership.

The Regulatory Agreement shall be recorded with the Alameda County Recorder's Office as an encumbrance against the property, and a copy of the recorded agreement shall be provided to and retained by the City. The Regulatory Agreement may not be subordinated in priority to any other lien interest in the property.

- d.* Requirement #4: Rental target dwelling units shall be managed / operated by the developer or developer's agent or the developer's successor. The developer of rental target dwelling units shall submit for review and approval by the Housing and Community Development Department and any other relevant City departments, an annual report identifying which units are target dwelling units, the monthly rent, vacancy information, monthly income for tenants of each target rental dwelling unit throughout the prior year, and other information required by the City. Said agreement shall maintain the tenants' privacy. The applicant shall pay to the Housing and Community Development Department an annual monitoring fee pursuant to the Master Fee Schedule (updated annually and available from the Budget Office of the City Oakland's Finance Department: <https://www.oaklandca.gov/departments/finance-department>) for City monitoring of target dwelling units.
- e.* Requirement #5: The floor area, number of bedrooms, and amenities (such as fixtures, appliances, location and utilities) of the affordable units shall be substantially equal in size and quality to those of the market rate units. Further, the proportion of unit types (i.e. three-bedroom and four-bedroom, etc.) of the affordable units shall be roughly the same as the project's market rate units.
- f.* Requirement #6: Tenant households in affordable units must have equal access to the project's services and facilities as tenant households in all other units within the project.
- g.* Requirement #7: Affordable units must be evenly distributed throughout the project.
- h.* Requirement #8: Applicant shall comply with the requirements of Section 65915(c)(3)(A) of the State Density Bonus Law requiring, without limitation, replacement units in those circumstances where the parcel subject to the density bonus requests contains or contained affordable units within the last five years.
- i.* Requirement #9: Applicants shall comply with all applicable provisions of State Density Bonus Law and all provisions of the City's density bonus law that are not preempted by state law.
- j.* Requirement #10: Affordable units shall be constructed concurrent with the construction of the market rate units in each phase of the project.
- k.* Requirement #11: The City will not issue final certificates of occupancy for more than fifty percent (50%) of the market rate units in any phase of development until final certificates of occupancy are issued for all of the affordable units in that phase.

When Required: First Construction-Related Permit Application and Ongoing

Initial Approval: Housing and Community Development Department – Housing Development Services Division

Ongoing Monitoring/Inspections: Housing Development Services Division

PROJECT SPECIFIC CONDITIONS OF APPROVAL

18. Exterior Finishes

Requirement: The final building permit plan set shall contain detailed information on all proposed exterior finishes for city approval. If requested by the Bureau of Planning sample materials shall be submitted and are subject to final approval by the Zoning Manager.

When Required: Prior to issuance of a Building Permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

19. Miscellaneous Transportation Related Measures

Requirement #1: The p-job permit plans for off-site improvements for the project shall include a pullout loading area along the Project’s Kirkham Street frontage just south of 7th Street, subject to review and approval by OakDOT, to accommodate passenger and truck loading through the following:

- Provide a seven-foot parking lane for about 75 feet by narrowing the proposed sidewalk along the Project’s Kirkham Street frontage from 15 to eight feet. Ensure that at least one accessible passenger loading space is provided.
- Install red curb and no stopping anytime signage on the west side of Kirkham Street along the remaining frontage to discourage pick-ups and drop offs.

Requirement #2: Ensure the design of the Project driveway provides adequate sight distance, defined as a clear line-of-sight between a motorist ten (10) feet back from the sidewalk and a pedestrian ten (10) feet away on each side of the driveway. If adequate sight distance cannot be provided, provide an audio/visual warning device to alert pedestrians on the adjacent sidewalk of vehicles exiting the driveway and warning devices to alert motorists exiting the garage driveway of pedestrians on both sides of the adjacent sidewalk.

Requirement #3: The building permit plan set shall provide details that ensure that the internal access for the long-term bicycle parking room contains a clear path of travel and eliminates any need of going through the loading berth or other parking spaces.

Requirement #4: If the 100% PS&E for the 7th Street Connection Project improvements are approved and finalized prior to the start of construction for the Project, the approved improvements on the south side of 7th Street along the project frontage shall be included in the p-job permit for off-site improvements, and constructed by the applicant.

Requirement #5: The p-job permit plans for off-site improvements for the project shall include a directional curb ramp with truncated domes at the southwest corner of the 7th Street/Kirkham Street intersection, subject to review and approval by OakDOT.

When Required: Prior to issuance of p-job permit and ongoing

Initial Approval: Bureau of Planning/DOT

Monitoring/Inspection: Bureau of Planning/OakDOT

ATTACHMENT C

Standard Conditions of Approval Reporting Program

This Standard Conditions of Approval (SCAs) Reporting Program (SCARP) is based on the CEQA Checklist prepared for the 533 Kirkham Project.

This SCARP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The SCARP lists City SCAs that apply to the Project. It is noted that no mitigation measures beyond the SCAs would be required for the Project. Mitigation measures identified in the WOSP EIR are now included in the City’s SCA’s such as Mitigation Measure Air-9B (SCA #24), Mitigation Measure Air-9C (SCA #24 and SCA #26), and Mitigation Measure Air-10 (SCA #23) and are functionally equivalent to those mitigation measures. All transportation mitigation measures identified in the WOSP EIR are included in the Citywide Transportation Impact Fee (TIF) and payment of this fee, as required by SCA #84, constitutes adequate mitigation. The SCARP also lists other SCAs that apply to the Project that have been updated or otherwise modified by the City since publication of the WOSP EIR. Specifically, on September 26, 2023, the City of Oakland released a revised set of all City of Oakland SCAs, which largely still include SCAs adopted by the City in 2008, along with supplemental, modified, and new SCAs. SCAs are measures that would minimize potential adverse effects that could result from implementation of the Project, to ensure the conditions are implemented and monitored. The revised set of the City of Oakland SCAs includes new, modified, and reorganized SCAs; however, none of the revisions diminish or negate the ability of the SCAs considered “environmental protection measures” to minimize potential adverse environmental effects. As such, the SCAs identified in the SCARP reflect the current SCAs only. Although the SCA numbers listed below may not correspond to the SCA numbers in the WOSP EIR, all of the environmental topics and potential effects addressed by the SCAs in the WOSP EIR are included in this SCARP (as applicable to the Project). This SCARP also identifies the mitigation monitoring requirements for each SCA.

To the extent that there is any inconsistency between any SCAs, the more restrictive conditions shall govern; to the extent any SCAs identified in the CEQA Checklist were inadvertently omitted, they are automatically incorporated herein by reference.

- The first column of the SCARP table identifies the SCA applicable to that topic in the CEQA Checklist. While a SCA can apply to more than one topic, it is listed in its entirety only under its primary topic (as indicated in the SCA designator). The SCAs are numbered to specifically apply to the Project and this CEQA Checklist; however, the SCAs as presented in the City’s

Standard Conditions of Approval and Uniformly Applied Development Standards document are included in parenthesis for cross-reference purposes.⁵⁹

- The second column identifies the monitoring schedule or timing applicable to the Project.
- The third column names the party responsible for monitoring the required action for the Project.

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

⁵⁹ Dated September 26, 2023 as amended.

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
General		
<p>SCA GEN-1 (Standard Condition Approval 15) Regulatory Permits and Authorizations from Other Agencies <u>Requirement:</u> The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.</p>	Prior to activity requiring permit/ authorization from regulatory agency.	City of Oakland Bureau of Planning and applicable regulatory agency with jurisdiction
Aesthetics, Shadow, and Wind		
<p>SCA AES-1 (Standard Condition of Approval 16) Trash and Blight Removal <u>Requirement:</u> The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.</p>	Ongoing.	City of Oakland Bureau of Building
<p>SCA AES-2 (Standard Condition of Approval 17) Graffiti Control <u>Requirement:</u></p> <p>a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:</p> <ol style="list-style-type: none"> i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces. ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces. iii. Use of paint with anti-graffiti coating. iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED). v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement. <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:</p> <ol style="list-style-type: none"> i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system. ii. Covering with new paint to match the color of the surrounding surface. iii. Replacing with new surfacing (with City permits if required). 	Ongoing.	City of Oakland Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>SCA AES-3 (Standard Condition of Approval 18) Landscape Plan</p> <p>a. Landscape Plan Required <u>Requirement:</u> The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code. Proposed plants shall be predominantly drought-tolerant. Specification of any street trees shall comply with the Master Street Tree List and Tree Planting Guidelines (which can be viewed at http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf and http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf, respectively), and with any applicable streetscape plan.</p> <p>b. Landscape Installation <u>Requirement:</u> The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.</p> <p>c. Landscape Maintenance <u>Requirement:</u> All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.</p>	<p>a. Prior to approval of construction-related permit.</p> <p>b. Prior to building permit final.</p> <p>c. Ongoing</p>	<p>a. City of Oakland Bureau of Planning</p> <p>b. City of Oakland Bureau of Planning and Bureau of Building</p> <p>c. City of Oakland Bureau of Building</p>
<p>SCA AES-4 (Standard Condition of Approval 19): Lighting <u>Requirement:</u> Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.</p>	<p>Prior to building permit final.</p>	<p>City of Oakland Bureau of Building</p>
<p>See SCA UTIL-2, Underground Utilities. See <i>Utilities and Service Systems</i>, below.</p>		
<p>Air Quality</p>		
<p>SCA AIR-1 (Standard Condition of Approval 20) Dust Controls – Construction-Related <u>Requirement:</u> The project applicant shall implement all of the following applicable dust control measures during construction of the project:</p> <p>a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.</p> <p>b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).</p> <p>c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>d. Limit vehicle speeds on unpaved roads to 15 miles per hour.</p> <p>e. All excavation, grading, and/or demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.</p> <p>f. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p>	<p>During construction.</p>	<p>City of Oakland Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>g. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>h. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</p>		
<p>SCA AIR-2 (Standard Condition of Approval 21) Criteria Air Pollutant Controls – Construction and Operation Related Requirement: The project applicant shall implement all of the following applicable basic and enhanced control measures for criteria air pollutants during construction of the project as applicable:</p> <p>a. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.</p> <p>b. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”).</p> <p>c. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Equipment check documentation should be kept at the construction site and be available for review by the City and the Bay Area Air Quality District as needed.</p> <p>d. Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand.</p> <p>e. Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.</p> <p>f. All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met.</p> <p>g. Criteria Air Pollutant Reduction Measures <u>Requirement:</u> Project applicants proposing projects that exceed BAAQMD screening levels (as amended to specify projects that include extensive demolition i.e., demolition greater than 100,000 square feet of building space) shall retain a qualified air quality consultant to prepare a project-level criteria air pollutant assessment of construction and operational emissions at the time the project is proposed. The project-level assessment shall either include a comparison of the project with other similar projects where a quantitative analysis has been conducted or shall provide a project-specific criteria air pollutant analysis to determine whether the project exceeds the City’s criteria air pollutant thresholds. In the event that a project-specific analysis finds that the project could result in criteria air pollutant emissions that exceed City significance thresholds (54 pounds per day of ROG, NO_x, or PM_{2.5} or 82 pounds per day of PM₁₀), the project applicant shall identify criteria air pollutant reduction measures to reduce the project's average daily emissions below these thresholds. The following emission reduction measures shall be implemented to the degree necessary to reduce emissions to levels below the significance thresholds. Additional measures shall be implemented if necessary. Quantified emissions and identified reduction measures shall be submitted to the City (and the Air District if specifically requested) for review and approval prior to the issuance of building permits and the approved criteria air pollutant reduction measures shall be implemented during construction.</p>	<p>During construction.</p>	<p>City of Oakland Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>i) <i>Clean Construction Equipment</i></p> <p>a. Where access to grid-powered electricity is reasonably available, portable diesel engines shall be prohibited and electric engines shall be used for concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, cement and mortar mixers, pressure washers, and pumps.</p> <p>b. Diesel off-road equipment shall have engines that meet the Tier 4 Final off-road emission standards, as certified by CARB, as required to reduce the emissions to less than the thresholds of significance shown in Table 2-1 of BAAQMD CEQA Guidelines (BAAQMD 2017b). This requirement shall be verified through submittal of an equipment inventory that includes the following information: (1) type of equipment; (2) engine year and age; (3) number of years since rebuild of engine (if applicable); (4) type of fuel used; (5) engine HP; (6) engine certification (tier rating); (7) verified diesel emission control strategy (VDECS) information if applicable, and other related equipment data. A Certification Statement is also required to be made by the Contractor as documentation of compliance and for future review by the air district as necessary. The Certification Statement must state that the Contractor agrees to comply and acknowledges that a violation of this requirement shall constitute a material breach of contract.</p> <p>c. Any other best available technology that reduces emissions offered at the time that future projects are reviewed may be included in the construction emissions minimization plan (e.g. alternative fuel sources, etc.).</p> <p>d. Exceptions to requirements a), b), and c) above may be granted if the project sponsor has submitted information providing evidence that meeting the requirement (1) is technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, or (3) there is a compelling emergency need to use equipment that do not meet the engine standards and the sponsor has submitted documentation that the requirements of this exception provision apply. In seeking an exception, the project sponsor shall demonstrate that the project will use the cleanest piece of construction equipment available and feasible and strive to meet a performance standard of average construction emissions of ROG, NO_x, PM_{2.5} below 54 lbs/day, and PM₁₀ emissions below 82 lbs/day.</p> <p>ii) <i>Super-Compliant VOC Architectural Coatings during Construction.</i> The Project sponsor shall use super-compliant VOC architectural coatings during construction for all interior and exterior spaces and shall include this requirement on plans submitted for review by the City's building official. "Super-Compliant" refers to paints that meet the more stringent regulatory limits in South Coast Air Quality Management District rule 1113 which requires a limit of 10 grams VOC per liter.</p> <p>iii) <i>Use Low and Super-Compliant VOC Architectural Coatings in Maintaining Buildings.</i> Subsequent projects shall use super-compliant VOC architectural coatings in maintaining buildings. "Super-Compliant" refers to paints that meet the more stringent regulatory limits in South Coast Air Quality Management District rule 1113, which requires a limit of 10 grams VOC per liter.</p> <p>iv) <i>Promote Use of Green Consumer Products.</i> To reduce ROG emissions associated with the Project, the Project Sponsor and/or future developer(s) shall provide education for residential tenants concerning green consumer products. The Project sponsor and/or future developer(s) shall develop electronic correspondence to be distributed by email annually and upon any new lease signing to residential tenants of each building on the Project site that encourages the purchase of consumer products that generate lower than typical VOC emissions. The correspondence shall encourage environmentally preferable purchasing.</p>		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>v) <i>Best Available Control Technology for Projects with Diesel Backup Generators and Fire Pumps.</i></p> <p>The Project sponsor shall implement the following measures. These features shall be submitted to the City for review and approval and be included on the Project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ol style="list-style-type: none"> a. Pursuant to SCA 24, non-diesel fueled generators shall be installed to replace diesel-fueled generators if feasible. Alternative fuels used in generators, such as biodiesel, renewable diesel, natural gas, or other biofuels or other nondiesel emergency power systems, must be demonstrated to reduce criteria pollutant emissions compared to diesel fuel. b. Pursuant to SCA 24, all new diesel backup generators shall have engines that meet or exceed CARB Tier 4 off-road Compression Ignition Engine Standards (title 13, CCR, section 2423). If CARB adopts future emissions standards that exceed the Tier 4 requirement, the emissions standards resulting in the lowest criteria pollutant emissions shall apply. c. All new diesel backup generators shall have an annual maintenance testing limit of 20 hours, subject to any further restrictions as may be imposed by BAAQMD in its permitting process. d. For each new diesel backup generator permit submitted to BAAQMD for the Project, the Project sponsor shall submit the anticipated location and engine specifications to the City for review and approval prior to issuance of a permit for the generator from the City of Oakland Department of Building Inspection. Once operational, all diesel backup generators shall be maintained in good working order for the life of the equipment and any future replacement of the diesel backup generators shall be required to be consistent with these emissions specifications. The operator of the facility at which the generator is located shall be required to maintain records of the testing schedule for each diesel backup generator for the life of that diesel backup generator and to provide this information for review to the planning department within three months of requesting such information. <p>vi) <i>Electric Vehicle Charging</i></p> <p>Prior to the issuance of the building's final certificate of occupancy, the project applicant shall demonstrate that the project is designed to comply with EV requirements in the most recently adopted version of CALGreen Tier 2 at the time of project-specific CEQA review. The installation of all EV charging equipment shall be included on the project drawings submitted for the construction-related permit(s) or on other documentation submitted to the City.</p> <p>vii) <i>Additional Operational Emissions Reduction Measures</i></p> <p>Subsequent projects that do not meet the screening criteria and exceed the applicable criteria air pollutant thresholds of significance shall implement the following additional measures to reduce operational criteria air pollutant emissions:</p> <ol style="list-style-type: none"> a. Prohibit TRUs from operating at loading docks for more than 30 minutes by posting signs at each loading dock presenting this TRU limit. b. All newly constructed loading docks that can accommodate trucks with TRUs shall be equipped with electric vehicle (EV) charging equipment for heavy-duty trucks. This measure does not apply to temporary street parking for loading or unloading. c. Require that all future tenants have a plan to convert their vehicle fleet(s) to zero emission vehicles (ZEVs) no later than 2040. This would be a condition of all leases at the project site. d. Other measures that become available and are shown to effectively reduce criteria air pollutant emissions on site or off site if emission reductions are realized within the air basin. Measures to reduce emissions on site are preferable to off-site emissions reductions. 		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>h. Construction Emissions Minimization Plan</p> <p>Requirement: For projects that involve construction activities with average daily emissions exceeding the CEQA thresholds for construction activity, currently 54 pounds per day of ROG, NO_x, of PM_{2.5} or 82 pounds per day of PM₁₀, the project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified criteria air pollutant reduction measures. The Emissions Plan shall be submitted to the City (and the Air District if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following:</p> <ul style="list-style-type: none"> i) An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all Verified Diesel Emissions Control Strategies (VDECS), the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date. ii) A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract. 		
<p>SCA AIR-3 (Standard Condition of Approval 22) Toxic Air Contaminant Controls-Construction Related</p> <p>a. Particulate Matter Reduction Measures</p> <p>Requirement: The project applicant shall implement appropriate measures during construction to reduce potential health risks to sensitive receptors due to exposure to diesel particulate matter (DPM) and particulate matter less than 2.5 microns in diameter (PM_{2.5}) in exhaust and fugitive emissions from construction activities. The project applicant shall choose to implement i or both ii and iii:</p> <ul style="list-style-type: none"> i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with current guidance from the California Air Resources Board (CARB), the Office of Environmental Health and Hazard Assessment, and the Bay Area Air Quality Management District (BAAQMD) to determine the health risk to sensitive receptors exposed to DPM and PM_{2.5} from exhaust and fugitive emissions from project construction. The HRA shall be based on project-specific construction schedule, equipment, and activity data. Estimated project-level health risks shall be compared to the City's health risk significance thresholds for projects. The HRA shall be submitted to the City (and the Air District if specifically requested) for review and approval. If the HRA concludes that the health risk is at or below the City's health risk significance thresholds for projects, then DPM and PM_{2.5} reduction measures are not required. If the HRA concludes that the health risk exceeds the City's health risk significance thresholds for projects, DPM and PM_{2.5} reduction measures shall be identified to reduce the health risk to below the City's health risk significance thresholds as set forth under subsection b below. Identified DPM and PM_{2.5} reduction measures shall be submitted to the City for review and approval prior to the issuance of building permits and the approved DPM and PM_{2.5} reduction measures shall be implemented during construction. <p>- or -</p> <ul style="list-style-type: none"> ii. The project applicant shall incorporate the following health risk reduction measures into the project to reduce TAC emissions from construction equipment. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: <ul style="list-style-type: none"> • All off-road diesel equipment shall be equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This shall be verified through an equipment inventory submittal and Certification Statement that the Contractor 	<ul style="list-style-type: none"> a. Prior to issuance of a construction related permit (i), during construction (ii). b. Prior to issuance of a construction related permit. 	<ul style="list-style-type: none"> a. City of Oakland Bureau of Planning and Bureau of Building. b. City of Oakland Bureau of Planning and Bureau of Building.

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of contract.</p> <ul style="list-style-type: none"> Where access to grid-powered electricity is available, portable diesel engines shall be prohibited and electric engines shall be used for concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, cement and mortar mixers, pressure washers, and pumps. Any other best available technology that reduces emissions offered at the time that future projects are reviewed may be included in the construction emissions minimization plan (e.g., alternative fuel sources, etc.). <p>-and-</p> <p>iii. The project applicant shall implement all enhanced control measures included in SCA 20 (Dust Controls – Construction Related).</p> <p>b. Construction Emissions Minimization Plan (if required by a above) <u>Requirement:</u> The project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified DPM reduction measures (if any). The Emissions Plan shall be submitted to the City (and the Bay Area Air Quality District if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following:</p> <ul style="list-style-type: none"> An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date. A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract. 		
<p>SCA AIR-4 (Standard Condition of Approval 23) Reduce Exposure to Air Pollution (Toxic Air Contaminants)</p> <p>a. Health Risk reduction Measures <u>Requirement:</u> The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:</p> <ul style="list-style-type: none"> The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements and in accordance with Bay Area Air Quality Management District (BAAQMD) CEQA guidance for HRAs to determine the health risk of exposure of project residents/occupants/users to air pollutants and the exposure of existing off-site sensitive receptors to project-generated TAC emissions. The HRA shall be based on project-specific activity data. Estimated project-level health risks shall be compared to the City’s health risk significance thresholds for projects. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below the City’s health risk significance thresholds for projects, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds the City’s health risk significance thresholds for projects, health risk reduction measures shall be identified to reduce the health risk to below the City’s health risk significance thresholds for projects. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. The approved risk reduction measures shall be implemented during construction and/or operations as applicable. <p>- or -</p>	<ul style="list-style-type: none"> a. Prior to approval of construction-related permit b. Ongoing 	<ul style="list-style-type: none"> a. City of Oakland Bureau of Planning and Bureau of Building b. City of Oakland Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ul style="list-style-type: none"> • Installation of mechanical ventilation systems to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Mechanical ventilation systems shall be capable of achieving the protection from particulate matter (PM_{2.5}) equivalent to that associated with a MERV-16 filtration (as defined by American Society of Heating, Refrigerating, and Air-Conditioning Engineers standard 52.2). As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required. • Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph). • Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible. • The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods. • Sensitive receptors shall be located on the upper floors of buildings, if feasible. • Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (<i>Pinus nigra</i> var. <i>maritima</i>), Cypress (<i>X Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids X trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>). • Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. • Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible. • Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: <ul style="list-style-type: none"> – Installing electrical hook-ups for diesel trucks at loading docks. – Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards. – Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels. – Prohibiting trucks from idling for more than two minutes. – Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented. <p>b. Maintenance of Health Risk Reduction Measures</p> <p><u>Requirement:</u> The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>		

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Cultural Resources		
<p>SCA CUL-1 (Standard Condition of Approval 36): Archaeological and Paleontological Resources – Discovery During Construction <u>Requirement:</u> Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.</p> <p>In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p>	During construction.	City of Oakland Bureau of Building
<p>SCA CUL-2 (Standard Condition of Approval 37): Archaeologically Sensitive Areas – Pre-Construction Measures <u>Requirement:</u> The project applicant shall implement Provision A (Intensive Pre-Construction Study) and Provision B (Construction ALERT Sheet) concerning archaeological resources. If Native American archaeological resources are identified or suspected in a project site, the City shall consult with a Native American representative(s) registered with the Native American Heritage Commission that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3.</p> <p>Provision A: Intensive Pre-Construction Study. The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. At a minimum, the study shall include:</p> <ol style="list-style-type: none"> Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources. A report disseminating the results of this research. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources. 	Prior to approval of construction-related permit; during construction	City of Oakland Bureau of Planning and Bureau of Building.

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<p>If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction.</p> <p>Provision B: Construction ALERT Sheet.</p> <p>The project applicant shall prepare a construction "ALERT" sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil-disturbing activities within the project site.</p> <p>The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in a visible location at the project site.</p>		
<p>SCA CUL-3 (Standard Condition of Approval SCA 38): Human Remains – Discovery During Construction</p> <p><u>Requirement:</u> Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.</p>	During construction.	City of Oakland Bureau of Building
<p>Geology, Soils, and Geohazards</p>		
<p>SCA GEO-1 (Standard Condition of Approval 40): Construction-Related Permit(s)</p> <p><u>Requirement:</u> 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.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building

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<p>SCA GEO-2 (Standard Condition of Approval 43): Seismic Hazards Zone (Landslide/Liquefaction) <u>Requirement:</u> The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant shall implement the recommendations contained in the approved report during project design and construction.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building
See SCA HYD-1, Erosion and Sedimentation Control Plan for Construction. See <i>Hydrology and Water Quality</i> , below.		
See SCA HYD-2, State General Construction Permit. See <i>Hydrology and Water Quality</i> , below.		
Greenhouse Gases and Climate Change		
<p>SCA GHG-1 (Standard Condition of Approval 45): Project Compliance with the Equitable Climate Action Plan (ECAP) Consistency Checklist <u>Requirement:</u> The project applicant shall implement all the measures in the Equitable Climate Action Plan (ECAP) Consistency Checklist that was submitted during the Planning entitlement phase.</p> <p>a. For physical ECAP Consistency Checklist measures to be incorporated into the design of the project, the measures shall be included on the drawings submitted for construction-related permits.</p> <p>b. For physical ECAP Consistency Checklist measures to be incorporated into the design of the project, the measures shall be implemented during construction.</p> <p>c. For ECAP Consistency Checklist measures that are operational but not otherwise covered by these SCAs, including but not limited to the requirement for transit passes or additional Transportation Demand Management measures, the applicant shall provide notice of these measures to employees and/or residents and post these requirements in a public place such as a lobby or work area accessible to the employees and/or residents.</p>	<p>a. Prior to approval of construction-related permit</p> <p>b. During construction</p> <p>c. Ongoing</p>	<p>a. City of Oakland Bureau of Planning</p> <p>b. City of Oakland Bureau of Planning and Bureau of Building</p> <p>c. City of Oakland Bureau of Planning</p>
See SCA AES-3, Landscape Plan. See <i>Aesthetics, Wind, and Shadow</i> , above.		
See SCA AIR-2, Criteria Air Pollutant Controls - Construction and Operation Related. See <i>Air Quality</i> , above.		
See SCA AIR-3, Toxic Air Contaminant Controls - Construction Related. See <i>Air Quality</i> , above.		
See SCA TRA-2, Bicycle Parking. See <i>Transportation and Circulation</i> , below.		
See SCA TRA-4, Transportation and Parking Demand Management. See <i>Transportation and Circulation</i> , below.		
See SCA TRA-6, Plug-In Electric Vehicle (PEV) Charging Infrastructure. See <i>Transportation and Circulation</i> , below.		
See SCA UTIL-1, Construction and Demolition Waste Reduction and Recycling. See <i>Utilities and Service Systems</i> , below.		
See SCA UTIL-4, Green Building Requirements. See <i>Utilities and Service Systems</i> , below.		
See SCA UTIL-7, Water Efficient Landscape Ordinance (WELO). See <i>Utilities and Service Systems</i> , below		

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Hazards and Hazardous Materials		
<p>SCA HAZ-1 (Standard Condition of Approval 47): Hazards Materials Related to Construction <u>Requirement:</u> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> a. Follow manufacture’s recommendations for use, storage, and disposal of chemical products used in construction; b. Avoid overtopping construction equipment fuel gas tanks; c. During routine maintenance of construction equipment, properly contain and remove grease and oils; d. Properly dispose of discarded containers of fuels and other chemicals; e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City’s Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate. 	During construction.	City of Oakland Bureau of Building
<p>SCA HAZ-2 (Standard Condition of Approval 48): Hazardous Building Materials and Site Contamination</p> <p>a. Hazardous Building Materials and Site Contamination <u>Requirement:</u> The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p> <p>b. Environmental Site Assessment Required <u>Requirement:</u> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p> <p>c. Health and Safety Plan Required <u>Requirement:</u> The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.</p>	<ul style="list-style-type: none"> a. Prior to approval of demolition, grading, or building permits b. Prior to approval of construction-related permit c. Prior to approval of construction-related permit d. During Construction 	<ul style="list-style-type: none"> a. City of Oakland Bureau of Building b. Applicable regulatory agency with jurisdiction c. City of Oakland Bureau of Building d. City of Oakland Bureau of Building

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<p>d. Best Management Practices (BMPs) Required for Contaminated Sites</p> <p><u>Requirement:</u> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p> <ul style="list-style-type: none"> i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements. ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building. 		
See SCA TRA-1, Construction Activity in the Public Right-of-Way. See <i>Transportation and Traffic</i> , below.		
Hydrology and Water Quality		
<p>SCA HYD-1 (Standard Condition of Approval 53): Erosion and Sedimentation Control Plan for Construction</p> <p>a. Erosion and Sedimentation Control Plan Required</p> <p><u>Requirement:</u> The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p> <p>b. Erosion and Sedimentation Control During Construction</p> <p><u>Requirement:</u> The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.</p>	<ul style="list-style-type: none"> a. Prior to approval of construction-related permit b. During construction 	<ul style="list-style-type: none"> a. City of Oakland Bureau of Building b. City of Oakland Bureau of Building
<p>SCA HYD-2 (Standard Condition of Approval 54): State Construction General Permit</p> <p><u>Requirement:</u> The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.</p>	Prior to approval of construction-related permit	State Water Resources Control Board
<p>SCA HYD-3 (Standard Condition of Approval 58): NPDES C.3 Stormwater Requirements for Regulated Projects</p> <p>a. Post-Construction Stormwater Management Plan Required</p> <p><u>Requirement:</u> The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:</p>	<ul style="list-style-type: none"> a. Prior to approval of construction-related permit. b. Prior to building permit final. 	<ul style="list-style-type: none"> a. City of Oakland Planning and Bureau of Building b. City of Oakland Bureau of Building

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i. Location and size of new and replaced impervious surface; ii. Directional surface flow of stormwater runoff; iii. Location of proposed on-site storm drain lines; iv. Site design measures to reduce the amount of impervious surface area; v. Source control measures to limit stormwater pollution; vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.		
<p>b. Maintenance Agreement Required</p> <p><u>Requirement:</u> The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:</p> <p>i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and</p> <p>ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary.</p> <p>The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p>		
See SCA GEO-1, Construction-Related Permit(s) . See <i>Geology, Soils, and Geohazards</i> , above.		
See SCA UTIL-6, Storm Drain System . See <i>Utilities and Service Systems</i> , below.		
Noise		
<p>SCA NOI-1 (Standard Condition of Approval 67) Construction Days/Hours</p> <p><u>Requirement:</u> The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <p>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.</p> <p>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.</p> <p>c. No construction is allowed on Sunday or federal holidays.</p> <p>Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.</p> <p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity</p>	During construction.	City of Oakland Bureau of Building

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outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.		
<p>SCA NOI-2: (Standard Condition of Approval 68) Construction Noise</p> <p><u>Requirement:</u> The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 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. 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. Applicant shall use temporary power poles instead of generators where feasible. 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. 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. 	During construction.	City of Oakland Bureau of Building
<p>SCA NOI-3 (Standard Condition of Approval 69) Extreme Construction Noise</p> <p>a. Construction Noise Management Plan Required</p> <p><u>Requirement:</u> Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <ol style="list-style-type: none"> Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and Monitor the effectiveness of noise attenuation measures by taking noise measurements. <p>b. Public Notification Required</p> <p><u>Requirement:</u> The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p>	<ol style="list-style-type: none"> Prior to approval of construction-related permit. During construction. 	<ol style="list-style-type: none"> City of Oakland Bureau of Building City of Oakland Bureau of Building

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<p>SCA NOI-4 (Standard Condition of Approval 71) Construction Noise Complaints</p> <p><u>Requirement:</u> The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ol style="list-style-type: none"> Designation of an on-site construction complaint and enforcement manager for the project; A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit; Protocols for receiving, responding to, and tracking received complaints; and Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request. 	Prior to approval of construction-related permit.	City of Oakland Bureau of Building
<p>SCA NOI-5 (Standard Condition of Approval 72) Exposure to Community Noise</p> <p><u>Requirement:</u> The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:</p> <ol style="list-style-type: none"> 45 dBA: Residential activities, civic activities, hotels 50 dBA: Administrative offices; group assembly activities 55 dBA: Commercial activities 65 dBA: Industrial activities 	Prior to approval of construction-related permit.	City of Oakland Bureau of Planning and Bureau of Building
<p>SCA NOI-6 (Standard Condition of Approval 73) Operational Noise</p> <p><u>Requirement:</u> Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>	Ongoing.	City of Oakland Bureau of Building
<p>SCA NOI-7 (Standard Condition of Approval 74) Exposure to Vibration</p> <p><u>Requirement:</u> Requirement: The project applicant shall submit a Vibration Reduction Plan prepared by a qualified acoustical consultant for City review and approval that contains vibration reduction measures to reduce groundborne vibration to acceptable levels per Federal Transit Administration (FTA) standards. The applicant shall implement the approved Plan during construction. Potential vibration reduction measures include, but are not limited to, the following:</p> <ol style="list-style-type: none"> Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a "spring isolation" system that consists of resilient spring supports that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of groundborne vibration to the residences above. Trenching, which involves excavating soil between the railway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project's structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets [i.e., Styrofoam] or low-density polyethylene). 	Prior to approval of construction-related permit.	City of Oakland Bureau of Planning and Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
Public Services, Parks, and Recreation Facilities		
<p>SCA PUB-1 (Standard Condition of Approval 78) Capital Improvements Impact Fee <u>Requirement:</u> The project applicant shall comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).</p>	Prior to issuance of building permit	City of Oakland Bureau of Building
Transportation and Circulation		
<p>SCA TRA-1 (Standard Condition of Approval 80) Construction Activity in the Public Right-of-Way</p> <p>a. Obstruction Permit Required <u>Requirement:</u> The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.</p> <p>b. Traffic Control Plan Required <u>Requirement:</u> 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.</p> <p>c. Repair of City Streets <u>Requirement:</u> The project applicant shall repair any damage to the public right-of way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p>	<p>a. Prior to approval of construction-related permit.</p> <p>b. Prior to approval of construction-related permit.</p> <p>c. Prior to building permit final.</p>	<p>a. City of Oakland Department of Transportation</p> <p>b. City of Oakland Department of Transportation</p> <p>c. City of Oakland Department of Transportation</p>
<p>SCA TRA-2 (Standard Condition of Approval 81) Bicycle Parking <u>Requirement:</u> The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Planning and Bureau of Building
<p>SCA TRA-3 (Standard Condition of Approval 82): Transportation Improvements. <u>Requirement:</u> The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Review for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, transportation demand management measures, and transit, pedestrian, and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</p> <p>a. 2070L Type Controller with cabinet accessory</p>	Prior to building permit final or as otherwise specified	City of Oakland Bureau of Building and City of Oakland Department of Transportation

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) d. Countdown pedestrian head module switch out e. City Standard ADA wheelchair ramps f. Video detection on existing (or new, if required) g. Mast arm poles, full activation (where applicable) h. Polara Push buttons (full activation) i. Bicycle detection (full activation) j. Pull boxes k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum l. Conduit replacement contingency m. Fiber switch n. PTZ camera (where applicable) o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor p. Signal timing plans for the signals in the coordination group q. Bi-directional curb ramps (where feasible, and if project is on a street corner) r. Upgrade ramps on receiving curb (where feasible, and if project is on a street corner)		
<p>SCA TRA-4 (Standard Condition of Approval 83) Transportation and Parking Demand Management</p> <p>a. Transportation and Parking Demand Management (TDM) Plan Required</p> <p><u>Requirement:</u> The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p> <p>i. The goals of the TDM Plan shall be the following:</p> <ul style="list-style-type: none"> • Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable. • Achieve the following project vehicle trip reductions (VTR): <ul style="list-style-type: none"> – Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR – Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR • Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate • Enhance the City's transportation system, consistent with City policies and programs. <p>ii. The TDM Plan should include the following:</p> <ul style="list-style-type: none"> • Baseline existing conditions of parking and curbside regulations within the surrounding neighborhood that could affect the effectiveness of TDM strategies, including inventory of parking spaces and occupancy if applicable. • Proposed TDM strategies to achieve VTR goals (see below). <p>iii. For employers with 100 or more employees at the subject site, the TDM Plan shall also comply with the requirements of Oakland Municipal Code Chapter 10.68 Employer-Based Trip Reduction Program.</p> <p>iv. The following TDM strategies must be incorporated into a TDM Plan based on a project location or other characteristics. When required, these mandatory strategies should be identified as a credit toward a project's VTR</p>	a. Prior to approval of planning application. b. Prior to building permit final c. Ongoing	a. City of Oakland Bureau of Planning b. City of Oakland Bureau of Building c. City of Oakland Department of Transportation

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

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
		Schedule	Responsibility
Improvement	Required by code or when...		
Intersection improvements⁶⁰	<ul style="list-style-type: none"> Identified as an improvement within site analysis 		
New sidewalk, curb ramps, curb and gutter meeting current City and ADA standards	<ul style="list-style-type: none"> Always required 		
No monthly permits and establish minimum price floor for public parking⁶¹	<ul style="list-style-type: none"> If proposed parking ratio exceeds 1:1000 sf. (commercial) 		
Parking garage is designed with retrofit capability	<ul style="list-style-type: none"> Optional if proposed parking ratio exceeds 1:1.25 (residential) or 1:1000 sf. (commercial) 		
Parking space reserved for car share	<ul style="list-style-type: none"> If a project is providing parking and a project is located within downtown. One car share space reserved for buildings between 50 – 200 units, then one car share space per 200 units. 		
Paving, lane striping or restriping (vehicle and bicycle), and signs to midpoint of street section	<ul style="list-style-type: none"> Typically required 		
Pedestrian crossing improvements	<ul style="list-style-type: none"> Identified as an improvement within site analysis 		
Pedestrian-supportive signal changes⁶²	<ul style="list-style-type: none"> Identified as an improvement within operations analysis 		
Real-time transit information system	<ul style="list-style-type: none"> A project frontage block includes a bus stop or BART station and is along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better 		
Relocating bus stops to far side	<ul style="list-style-type: none"> A project is located within 0.10 mile of any active bus stop that is currently near-side 		
Signal upgrades⁶³	<ul style="list-style-type: none"> Project size exceeds 100 residential units, 80,000 sf. of retail, or 100,000 sf. of commercial; and Project frontage abuts an intersection with signal infrastructure older than 15 years 		

⁶⁰ Including but not limited to visibility improvements, shortening corner radii, pedestrian safety islands, accounting for pedestrian desire lines.

⁶¹ May also provide a cash incentive or transit pass alternative to a free parking space in commercial properties.

⁶² Including but not limited to reducing signal cycle lengths to less than 90 seconds to avoid pedestrian crossings against the signal, providing a leading pedestrian interval, provide a "scramble" signal phase where appropriate.

⁶³ Including typical traffic lights, pedestrian signals, bike actuated signals, transit-only signals

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
		Schedule	Responsibility
Improvement	Required by code or when...		
Transit queue jumps	<ul style="list-style-type: none"> Identified as a needed improvement within operations analysis of a project with frontage along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better 		
Trenching and placement of conduit for providing traffic signal interconnect	<ul style="list-style-type: none"> Project size exceeds 100 units, 80,000 sf. of retail, or 100,000 sf. of commercial; and Project frontage block is identified for signal interconnect improvements as part of a planned ITS improvement; and A major transit improvement is identified within operations analysis requiring traffic signal interconnect 		
Unbundled parking	<ul style="list-style-type: none"> If proposed parking ratio exceeds 1:1.25 (residential) 		
<p>v. Other TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping. Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project. Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan, the Master Street Tree List and Tree Planting Guidelines (which can be viewed at http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf and http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf, respectively) and any applicable streetscape plan. Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency). Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative mode. Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3). Guaranteed ride home program for employees, either through 511.org or through separate program. Pre-tax commuter benefits (commuter checks) for employees. 			

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<ul style="list-style-type: none"> Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants. On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools. Distribution of information concerning alternative transportation options. Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties. Parking management strategies including attendant/valet parking and shared parking spaces. Requiring tenants to provide opportunities and the ability to work off-site. Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week). Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours. <p>The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.</p>		
<p>b. TDM Implementation – Physical Improvements</p> <p><u>Requirement:</u> For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/ approvals from the City and install the improvements prior to the completion of the project.</p> <p>c. TDM Implementation – Operational Strategies</p> <p><u>Requirement:</u> For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.</p>		
<p>SCA TRA-5 (Standard Condition of Approval 84) Transportation Impact Fee</p> <p><u>Requirement:</u> The project applicant shall comply with the requirements of the City of Oakland Transportation Impact Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).</p>	Prior to issuance of building permit	City of Oakland Bureau of Building
<p>SCA TRA-6 (Standard Condition of Approval 86) Plug-In Electric Vehicle (PEV) Charging Infrastructure</p> <p>a. PEV-Ready Parking Spaces</p> <p><u>Requirement:</u> The applicant shall submit, for review and approval of the Building Official and the Zoning Manager, plans that show the location of parking spaces equipped with full electrical circuits designated for future PEV charging (i.e. “PEV-Ready”) per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-Ready parking spaces.</p>	<p>a. Prior to issuance of building permit</p> <p>b. Prior to issuance of building permit</p>	<p>a. City of Oakland Bureau of Building</p> <p>b. City of Oakland Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>b. PEV-Capable Parking Spaces</p> <p><u>Requirement:</u> The applicant shall submit, for review and approval of the Building Official, plans that show the location of inaccessible conduit to supply PEV-capable parking spaces per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-capable parking spaces.</p>		
Utilities and Service Systems		
<p>SCA UTIL-1 (Standard Condition of Approval 87) Construction and Demolition Waste Reduction and Recycling</p> <p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>	Prior to approval of construction-related permit	City of Oakland Public Works Department, Environmental Services Division
<p>SCA UTIL-2 (Standard Condition of Approval 88) Underground Utilities</p> <p><u>Requirement:</u> The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p>	During construction	City of Oakland Bureau of Building
<p>SCA UTIL-3 (Standard Condition of Approval 89) Recycling Collection and Storage Space</p> <p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two (2) cubic feet of storage and collection space per residential unit is required, with a minimum of ten (10) cubic feet. For nonresidential projects, at least two (2) cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten (10) cubic feet.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Planning and Bureau of Building
<p>SCA UTIL-4 (Standard Condition of Approval 90) Green Building Requirements</p> <p>a. Compliance with Green Building Requirements During Plan-Check</p> <p><u>Requirement:</u> The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).</p> <p>i. The following information shall be submitted to the City for review and approval with the application for a building permit:</p> <ul style="list-style-type: none"> • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. 	<p>a. Prior to approval of construction-related permit.</p> <p>b. During construction.</p> <p>c. Prior to Final Approval.</p>	<p>a. City of Oakland Bureau of Building</p> <p>b. City of Oakland Bureau of Building</p> <p>c. City of Oakland Bureau of Planning and Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<ul style="list-style-type: none"> • Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> • CALGreen mandatory measures. • Green building point level/certification requirement per the appropriate checklist approved during the Planning entitlement process. • All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted. • The required green building point minimums in the appropriate credit categories. <p>b. Compliance with Green Building Requirements During Construction <u>Requirement:</u> The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project. The following information shall be submitted to the City for review and approval:</p> <p>i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.</p> <p>ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.</p> <p>iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</p> <p>c. Compliance with Green Building Requirements After Construction <u>Requirement:</u> Prior to the finalizing the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.</p>		
<p>SCA UTIL-5 (Standard Condition of Approval 92) Sanitary Sewer System <u>Requirement:</u> The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City’s Master Fee Schedule for funding improvements to the sanitary sewer system.</p>	Prior to approval of construction-related permit.	City of Oakland Public Works Department, Department of Engineering and Construction
<p>SCA UTIL-6 (Standard Condition of Approval 93) Storm Drain System <u>Requirement:</u> The project storm drainage system shall be designed in accordance with the City of Oakland’s Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building
<p>SCA UTIL-7 (Standard Condition of Approval 95) Water Efficient Landscape Ordinance (WELO) <u>Requirement:</u> The project applicant shall comply with California’s Water Efficient Landscape Ordinance (WELO) in order to reduce landscape water usage. For the specific ordinance requirements, see the link below: http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Planning

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	Schedule	Responsibility
<p>For any landscape project with an aggregate (total noncontiguous) landscape area equal to 2,500 sq. ft. or less, the project applicant may implement either the Prescriptive Measures or the Performance Measures, of, and in accordance with the California’s Model Water Efficient Landscape Ordinance. For any landscape project with an aggregate (total noncontiguous) landscape area over 2,500 sq. ft., the project applicant shall implement the Performance Measures in accordance with the WELO.</p> <p><i>Prescriptive Measures:</i> Prior to construction, the project applicant shall submit the Project Information (detailed below) and documentation showing compliance with Appendix D of California’s Model Water Efficient Landscape Ordinance (see page 38.14(g) in the link above).</p> <p><i>Performance Measures:</i> Prior to construction, the project applicant shall prepare and submit a Landscape Documentation Package for review and approval, which includes the following:</p> <ul style="list-style-type: none"> a. Project Information: <ul style="list-style-type: none"> i. Date, ii. Applicant and property owner name, iii. Project address, iv. Total landscape area, v. Project type (new, rehabilitated, cemetery, or home owner installed), vi. Water supply type and water purveyor, vii. Checklist of documents in the package, and viii. Project contacts ix. Applicant signature and date with the statement: “I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package.” b. Water Efficient Landscape Worksheet <ul style="list-style-type: none"> i. Hydrozone Information Table ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use c. Soil Management Report d. Landscape Design Plan e. Irrigation Design Plan, and f. Grading Plan <p>Upon installation of the landscaping and irrigation systems, and prior to the final of a construction-related permit, the Project applicant shall submit a Certificate of Completion (see page 38.6 in the link above) and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of Completion shall also be submitted to the local water purveyor and property owner or his or her designee.</p>		
See SCA AIR-2, Criteria Air Pollutant Controls – Construction and Operation Related , See <i>Air Quality</i> , above.		
See SCA HYD-1, Erosion and Sedimentation Control Plan for Construction . See <i>Hydrology and Water Quality</i> , above.		
See SCA HYD-3 NPDES C.3 Stormwater Requirements for Regulated Projects . See <i>Hydrology and Water Quality</i> , above.		
See SCA TRA-2, Bicycle Parking . See <i>Transportation and Circulation</i> , above.		
See SCA TRA-6, Plug-In Electric Vehicle (PEV) Charging Infrastructure . See <i>Transportation and Circulation</i> , above.		

ATTACHMENT D

SOLOMON CORDWELL BUENZ

533 Kirkham St

TC II 533 KIRKHAM, LLC

10/10/2023



ZONING SUMMARY

533 Kirkham, West Oakland CA

ZONING SUMMARY

GENERAL ZONING INFORMATION	REFERENCE	NOTES
ASSESSORS BLOCK	Oakland Map	Parcel Number 004 006900201, 004 006900202
ZONING USE DISTRICT	S-15W	Transit-Oriented Development Commercial Zone
PERMITTED AND/OR CONDITIONAL USES	17.97.040	Permanent Multifamily Residential is Permitted
HEIGHT AND BULK CONTROLS		
SITE AREA	Survey	50,917 sqft
FLOOR AREA RATIO (FAR)	17.97.070	Table 17.97.01 Height, Floor Area Ratio (FAR), Density, and Open Space Regulations Maximum Nonresidential FAR = 5.0
HEIGHT LIMIT	17.97.070	Table 17.97.01 Height, Floor Area Ratio (FAR), Density, and Open Space Regulations Maximum Height = 160 ft.
REQUIRED SETBACKS	17.97.060	Table 17.97.03: Property Development Standards = 0'
REAR YARDS / COURTS	17.97.060	Table 17.97.03: Property Development Standards = 10'
DETAILED CONTROLS & REQUIREMENTS		
RESIDENTIAL DENSITY LIMITS	17.97.070	Table 17.97.01 Height, Floor Area Ratio (FAR), Density, and Open Space Regulations Maximum Residential Density (SF of Lot Area Required per Dwelling Unit) Regular Units = 225 sf Efficiency Dwelling Units = 110 sf
OPEN SPACE REQUIREMENTS	17.97.070	18,442 sqft WAIVER REQUESTED
ADDITIONAL REGULATIONS	17.97.070	
MAXIMUM HEIGHT FROM ADJACENT PRINCIPAL STREET	17.97.070	Table 17.97.01 1. The maximum height within ten (10) feet of the front property line is either the height limit on the subject lot shown in the above table or the height maximum for the height area of the parcel directly across the principal street, whatever is less
MAXIMUM NONRESIDENTIAL FAR	17.97.070	Table 17.97.01 5. No portion of lot area used to meet the residential density requirements shall be used as a basis for computing the maximum nonresidential FAR unless the total nonresidential floor area on the lot is less than three thousand (3,000) square feet.
COURTYARD REGULATIONS	17.108.120	Legally Required Living Room Windows in Either or Both Walls. If either or both such opposite walls contain any legally required window of any living room in a Residential Facility, a court shall be provided between such walls with a minimum horizontal depth equal to sixteen (16) feet, plus four (4) feet for each story above the level of the aforementioned court, but shall nor be required to exceed forty (40) feet.
OFF-STREET PARKING - RESIDENTIAL	17.116.060	One-half (½) space for each dwelling unit.
OFF-STREET PARKING - OFFICE OR COMMERCIAL	17.116.080	No spaces required
OFF-STREET LOADING - RESIDENTIAL	17.116.120	50,000 sf or more square feet. One (1) berth required
OFF-STREET LOADING - COMMERCIAL	17.116.140	0-25,000 sf: 0 berth required.
BICYCLE REQUIREMENTS - RESIDENTIAL	17.117.090	Long-term 1 space for each 4 dwelling units Short-term 1 space for each 20 dwelling units.
BICYCLE REQUIREMENTS - COMMERCIAL	17.117.110	Long-term 1 space for each 10,000 sf floor area Short-term 1 space for each 20,000 sf floor area



SITE PHOTOS AND KEY MAP



1-Looking site across from 7th street



2-Gas Station to the West of site



3-North west corner of site



4-View from 7th st towards kirkham



5-North East corner of site



6-Looking towards south from Kirkham



7-South East corner of the site



8-South west view of site



9-View from Kirkham towards 7th st.



10-Looking towards North from site



11-View from Kirkham and 5th street



12-View looking west down 7th St.



13-Mandela Parkway and 5th st.



14- 7th and Mandela Parkway

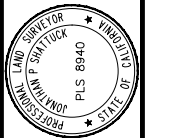


15-Site looking from the parking lot



16-Bart track on Mandela Parkway



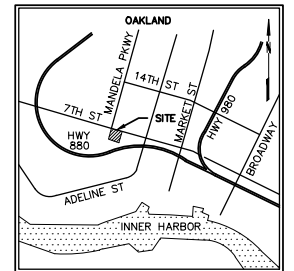


JONATHAN P. SHATTUCK PLS 8940

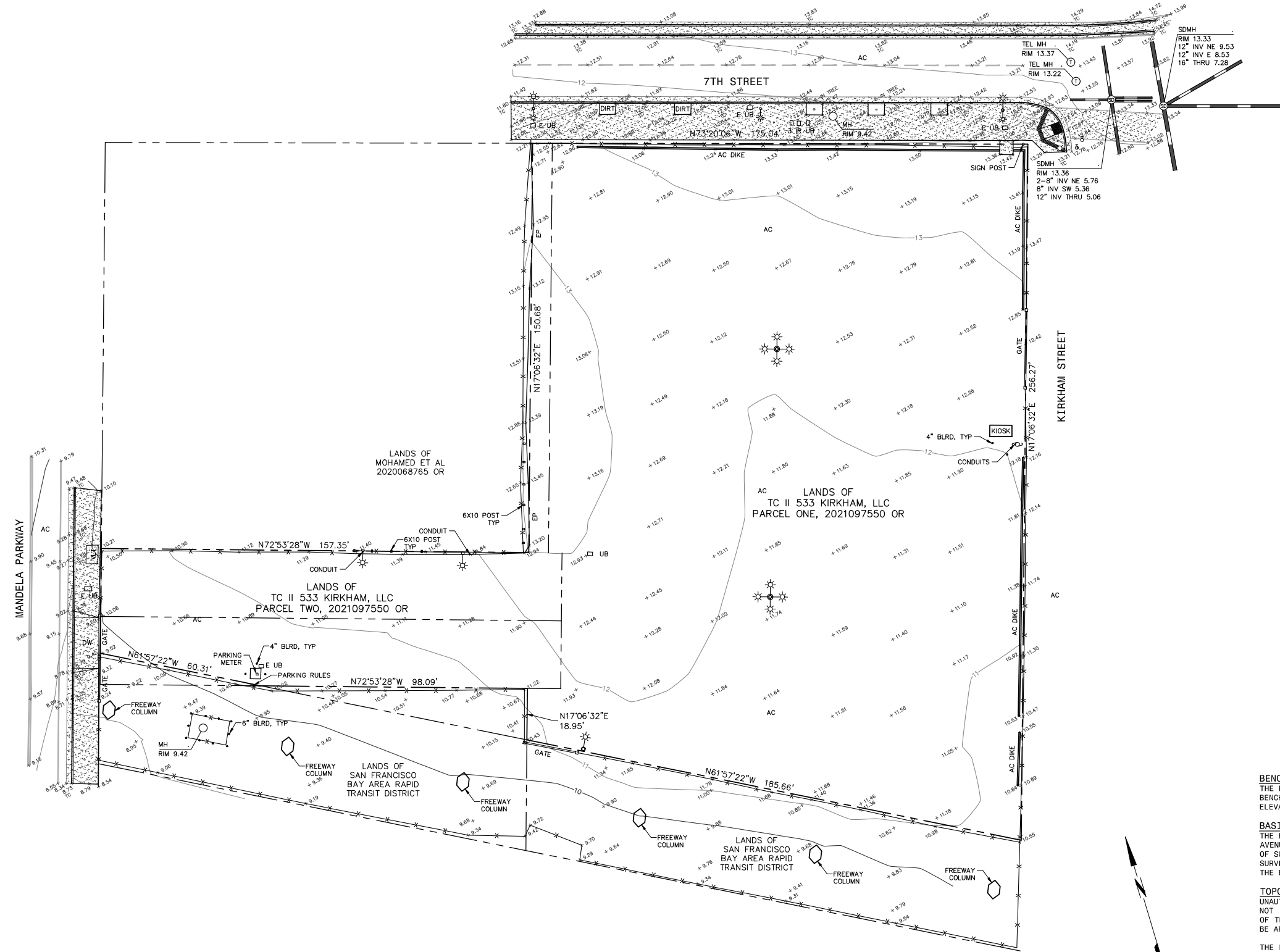


533 KIRKHAM STREET
APN 004-0089-002
OAKLAND, CALIFORNIA

TOPOGRAPHIC MAP



VICINITY MAP
NOT TO SCALE



SYMBOLS & LEGEND

EXISTING

- § VALVE
- FIRE HYDRANT
- SIGN
- ⊙ STREET LIGHT
- ⊕ UTILITY POLE
- TREE
- - - BOUNDARY LINE
- - - FENCE
- - - STORM DRAIN
- ▨ CONCRETE
- ▨ DETECTABLE WARNING

ABBREVIATIONS

- AC ASPHALT CONCRETE
- APN ASSESSOR'S PARCEL NUMBER
- BLRD BOLLARD
- DW DRIVEWAY
- E ELECTRIC
- EP EDGE OF PAVEMENT
- INV BOTTOM INSIDE OF PIPE
- IR IRRIGATION
- MH MANHOLE
- SDMH STORM DRAIN MANHOLE
- TC TOP FACE OF CURB
- TEL TELECOMMUNICATION LINE
- TYP TYPICAL
- UB UTILITY BOX
- VLT VAULT

BENCHMARK

THE ELEVATIONS SHOWN HEREON ARE BASED ON A FOUND CITY OF OAKLAND BENCHMARK, DESIGNATION 25/H, BEING A BRONZE DISK STAMPED, "SEC 25 STA H." ELEVATION 10.784 FEET (DATUM = MEAN SEA LEVEL).

BASIS OF BEARINGS

THE BEARING OF NORTH 72°53'28" WEST BETWEEN FOUND MONUMENTS ON 5TH AVENUE BETWEEN HENRY STREET AND KIRKHAM STREET AS SHOWN ON THAT RECORD OF SURVEY, R/S 1687, FILED AUGUST 7, 2000 IN BOOK 25 OF RECORDS OF SURVEY AT PAGES 58-69, INCLUSIVE, ALAMEDA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY.

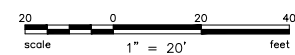
TOPOGRAPHIC NOTES

UNAUTHORIZED CHANGES & USES: THE PROFESSIONAL PREPARING THIS MAP WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THIS MAP. CHANGES TO THIS MAP MUST BE REQUESTED IN WRITING AND MUST BE APPROVED BY THE PROFESSIONAL.

THE LOCATIONS OF EXISTING UNDERGROUND FACILITIES SHOWN ON THESE DRAWINGS ARE APPROXIMATE AND ARE BASED ON OBSERVED TOPOGRAPHIC SURFACE FEATURES. THE PROFESSIONAL PREPARING THIS MAP ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THESE FACILITIES OR FOR THE INADVERTENT OMISSION OF RELATED INFORMATION.

TREE DIAMETERS ARE MEASURED AT CHEST HEIGHT (48"). DRILLINE DIAMETERS AND TREE SPECIES ARE APPROXIMATE ONLY AND SHOULD BE VERIFIED BY A CERTIFIED ARBORIST.

FIELD SURVEY DATE: APRIL 6 & 7, 2021



Revisions	No.	Date	By	Appr.
		May 2021	JS	JS

Drawing Number: 210514_TOPO.dwg

1 OF 1

533 KIRKHAM

WEST OAKLAND, CALIFORNIA

PROJECT DESCRIPTION:

8 STORY MIXED USE BUILDING FEATURING APPROXIMATELY 289 APARTMENT UNITS, 3000 SF OF RETAIL, AND 24 PARKING SPACES

OWNER:

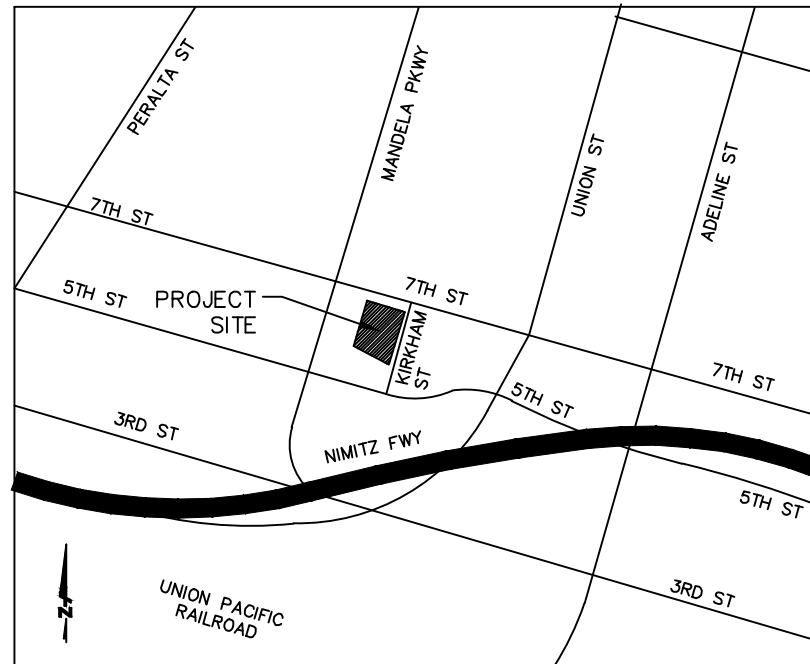
KYLE WINKLER
 TC II 533 KIRKHAM, LLC
 351 CALIFORNIA STREET, SUITE 1110
 SAN FRANCISCO, CA 94104
 (510) 290-9901

ENGINEER:

BKF ENGINEERS
 1646 N. CALIFORNIA BLVD., SUITE 400
 WALNUT CREEK, CA 94596
 (925) 940-2263

FLOOD ZONE:

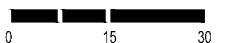
THE PROJECT IS IN THE SELECTED FLOODMAP BOUNDARAY BUT OUTSIDE THE FLOOD ZONE AREA



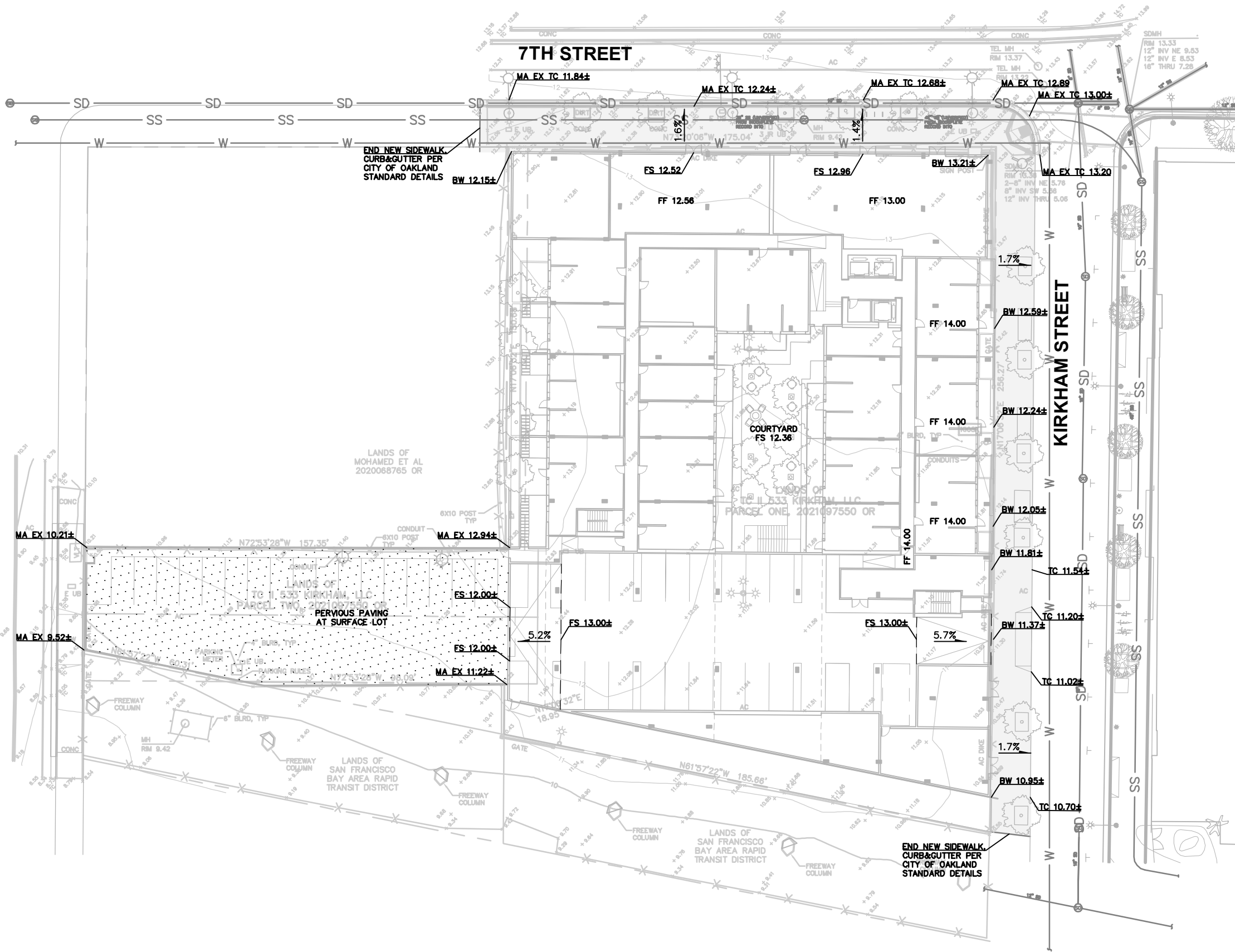
VICINITY MAP

NTS

Sheet List Table	
Sheet Number	Sheet Title
C0.0	GRADING AND DRAINAGE TITLE SHEET
C1.0	GRADING AND DRAINAGE PLAN
C1.1	STORMWATER DRAINAGE PLAN
C2.0	EROSION CONTROL PLAN
C2.1	EROSION CONTROL DETAILS
C2.2	BEST MANAGEMENT PRACTICES
C3.0	STORMWATER CONTROL PLAN
C4.0	CIVIL DETAILS



MANDELA PARKWAY



LEGEND:

- FLOW DIRECTION
- SAWCUT LINE
- GRADE BREAK
- GRADING LIMITS
- PERVIOUS PAVING
- NEW SIDEWALK, CURB AND GUTTER

ABBREVIATIONS:

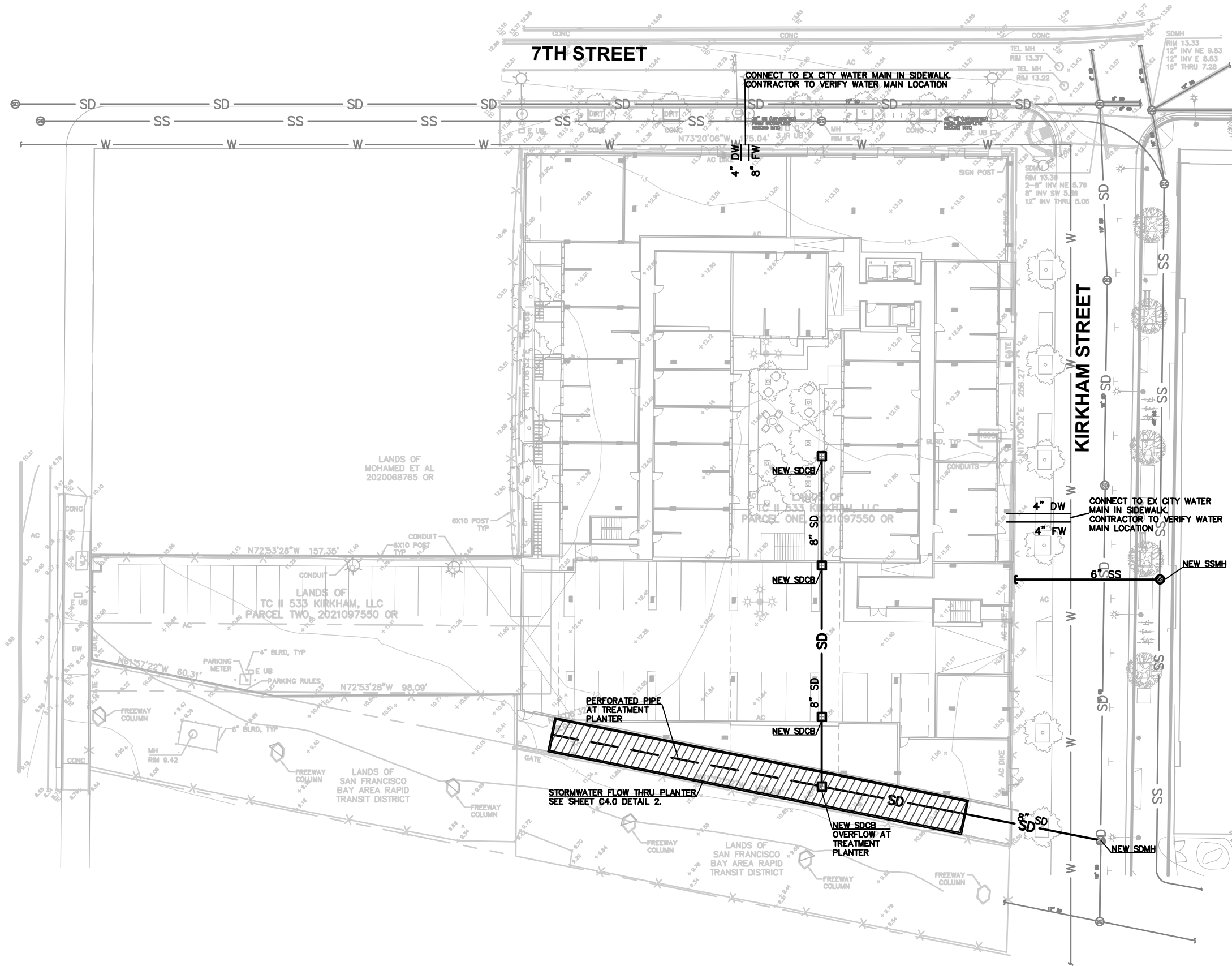
- AC ASPHALT CONCRETE
- BGW BOTTOM OF GRADE AT WALL
- BW BACK OF WALK
- BS BOTTOM OF STEP
- EX EXISTING
- EG EXISTING GRADE
- FF FINISH FLOOR
- FG FINISHED GRADE
- FL FLOWLINE
- FW FIRE WATER
- HP HIGH POINT
- LG LIP OF GUTTER
- GRT GRATE
- MA MATCH
- TC TOP OF CURB
- TGW TOP OF GRADE AT WALL
- TS TOP OF STEP
- TW TOP OF WALL

NOTES:

1. FOR WALKWAYS AND ALL ACCESSIBLE AREAS CROSS SLOPES SHALL NOT EXCEED 2% GRADE.
2. THE CONTRACTOR IS RESPONSIBLE FOR MATCHING EXISTING STREETS, SURROUNDING LANDSCAPE AND OTHER IMPROVEMENTS WITH A SMOOTH TRANSITION IN PAVING, CURBS AND SIDEWALKS, GRADING, ETC. AND TO AVOID ABRUPT OR APPARENT CHANGES.
3. REFER TO ARCHITECTURAL PLANS BUILDING DETAILS.
4. IF, DURING CONSTRUCTION, ARCHAEOLOGICAL OR NATIVE AMERICAN REMAINS OR ARTIFACTS ARE ENCOUNTERED, THE CONTRACTOR SHALL HALT CONSTRUCTION IN THE VICINITY AND SHALL NOTIFY THE PROJECT OWNER.
5. ALL DISTANCES AND DIMENSIONS ARE IN FEET AND TO FACE OF CURB UNLESS OTHERWISE NOTED ON PLANS.
6. UNLESS OTHERWISE SPECIFIED, THE NOMINAL SPECIFIED HEIGHT OF CURB MEASURED FROM GUTTER TO TOP OF CURB SHALL BE 6".
7. ALL WORK SHALL CONFORM TO CURRENT CITY STANDARD PLANS AND SPECIFICATIONS, UNLESS OTHERWISE NOTED AND APPROVED.



MANDELA PARKWAY



LEGEND:

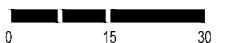
- STORM DRAIN
- SEWER LINE
- WATER LINE
- PERFORATED PIPE

ABBREVIATIONS:

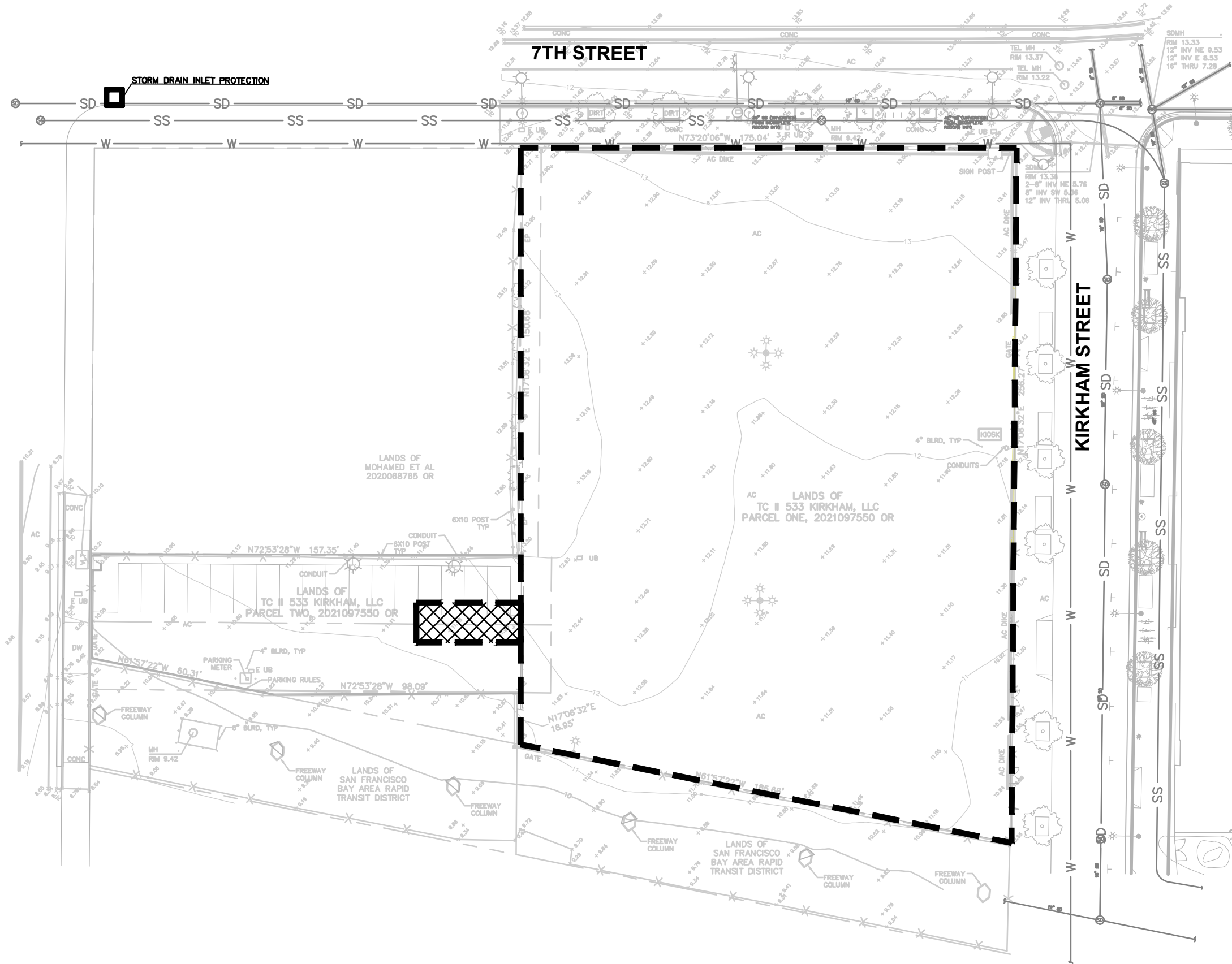
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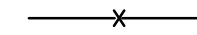

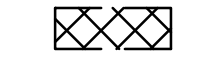

1. FOR WALKWAYS AND ALL ACCESSIBLE AREAS CROSS SLOPES SHALL NOT EXCEED 2% GRADE.
2. THE CONTRACTOR IS RESPONSIBLE FOR MATCHING EXISTING STREETS, SURROUNDING LANDSCAPE AND OTHER IMPROVEMENTS WITH A SMOOTH TRANSITION IN PAVING, CURBS AND SIDEWALKS, GRADING, ETC. AND TO AVOID ABRUPT OR APPARENT CHANGES.
3. REFER TO ARCHITECTURAL PLANS BUILDING DETAILS.
4. IF, DURING CONSTRUCTION, ARCHAEOLOGICAL OR NATIVE AMERICAN REMAINS OR ARTIFACTS ARE ENCOUNTERED, THE CONTRACTOR SHALL HALT CONSTRUCTION IN THE VICINITY AND SHALL NOTIFY THE PROJECT OWNER.
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MANDELA PARKWAY

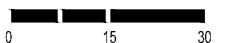


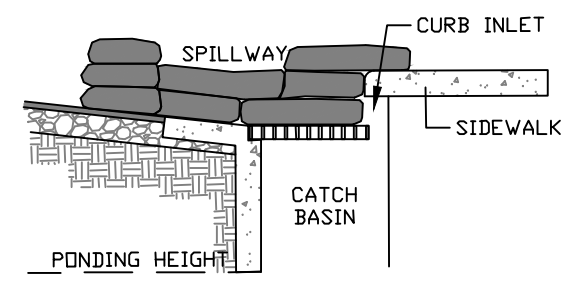
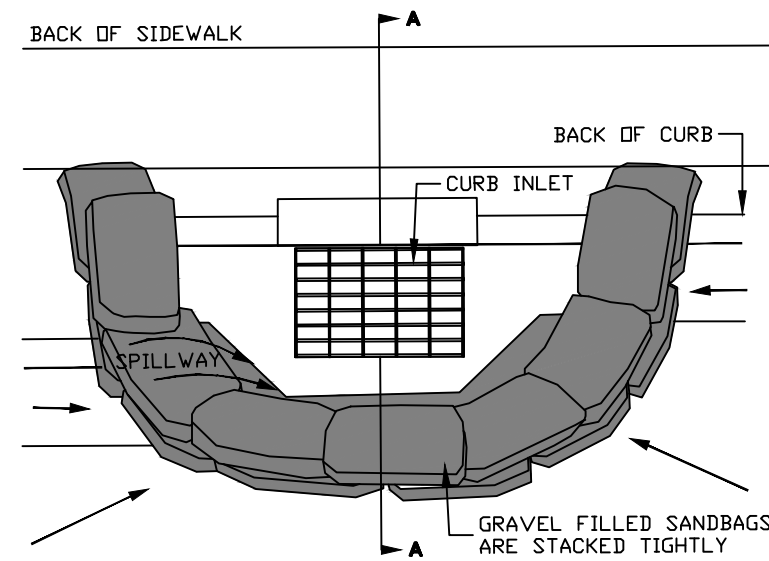
LEGEND:

-  CONSTRUCTION FENCE
 -  FIBER ROLL
 -  STABILIZED CONSTRUCTION ENTRANCE
 -  STORM DRAIN INLET PROTECTION (TO BE PLACED ON ALL EXISTING AND PROPOSED INLETS)
- **REFER TO CASQA STORMWATER BMP HANDBOOK FOR MORE INFORMATION.

NOTES:

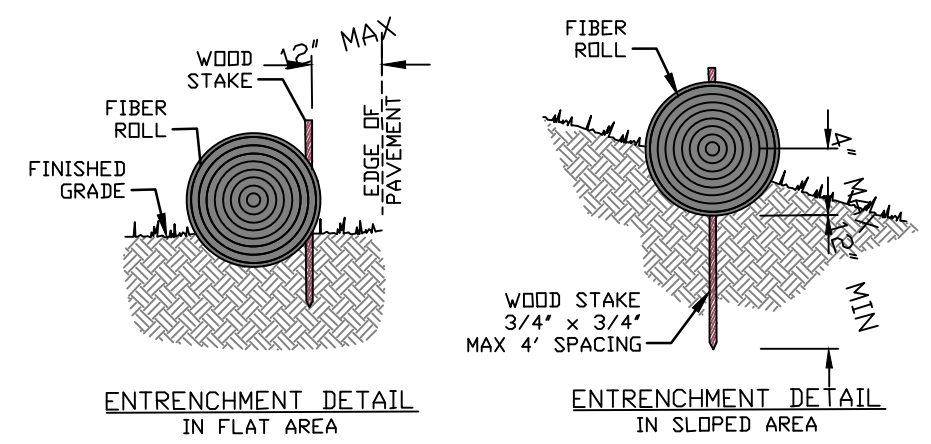
1. ALL EROSION CONTROL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS AND RECOMMENDATIONS CONTAINED WITHIN THE PROJECT GEOTECHNICAL REPORT TITLED "XXX" DATED XXX AND IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
2. THIS PLAN IS INTENDED TO BE USED FOR EROSION CONTROL ONLY. OTHER INFORMATION SHOWN HEREIN MAY NOT BE THE MOST CURRENT.





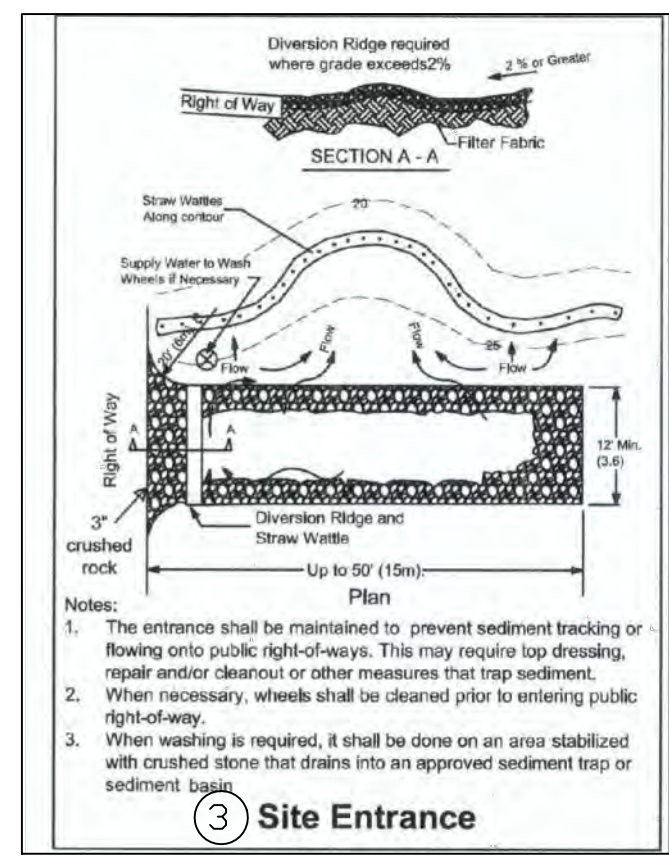
- NOTES:**
1. PLACE CURB TYPE SEDIMENT BARRIERS ON GENTLY SLOPING STREET SEGMENTS, WHERE WATER CAN POND AND ALLOW SEDIMENT TO SEPARATE FROM RUNOFF.
 2. SANDBAGS OF EITHER BURLAP OR WOVEN 'GEOTEXTILE' FABRIC, ARE FILLED WITH GRAVEL LAYERED AND PACKED TIGHTLY.
 3. LEAVE A ONE SANDBAG GAP IN THE TOP ROW TO PROVIDE A SPILLWAY FOR OVERFLOW.
 4. INSPECT BARRIERS AND REMOVE SEDIMENT AFTER EACH STORM EVENT. SEDIMENT AND GRAVEL MUST BE REMOVED FROM THE TRAVELED WAY IMMEDIATELY.

① CURB INLET SEDIMENT BARRIER
NOT TO SCALE



- NOTES**
1. FIBER ROLLS ARE TUBES MADE FROM POROUS BIODEGRADABLE FIBER STUFFED IN A PHOTO-DEGRADABLE OPEN WEAVE NETTING. THEY ARE APPROXIMATELY 8" DIAMETER.
 2. FIBER ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE ROLL IN A TRENCH, 2"-4" DEEP, DUG ON CONTOUR. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND ROLL. ROLLS SHOULD BE ABUTTED SECURELY TO PROVIDE A TIGHT JOINT, NOT OVERLAPPED.

③ FIBER ROLL
NOT TO SCALE

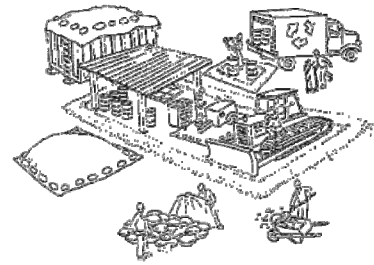


- Notes:**
1. The entrance shall be maintained to prevent sediment tracking or flowing onto public right-of-ways. This may require top dressing, repair and/or cleanout or other measures that trap sediment.
 2. When necessary, wheels shall be cleaned prior to entering public right-of-way.
 3. When washing is required, it shall be done on an area stabilized with crushed stone that drains into an approved sediment trap or sediment basin.

③ Site Entrance



Pollution Prevention - It's Part of the Plan



Make sure your crews and subs do the job right!

Runoff from streets and other paved areas is a major source of pollution and damage to creeks and the San Francisco Bay. Construction activities can directly affect the health of creeks and the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines and the project specifications will ensure your compliance with County of Alameda requirements.

Materials storage & spill cleanup

Non-hazardous materials management

- Sand, dirt, and similar materials must be stored at least 10 feet (3 meters) from catch basins. All construction material must be covered with a tarp and contained with a perimeter control during wet weather or when rain is forecasted or when not actively being used within 14 days.
- Use (but don't overuse) reclaimed water for dust control as needed.
- Sweep or vacuum streets and other paved areas daily. Do not wash down streets or work areas with water!
- Recycle all asphalt, concrete, and aggregate base material from demolition activities. Comply with Alameda County Ordinances for recycling construction materials, wood, gyp board, pipe, etc.
- Check dumpsters regularly for leaks and to make sure they are not overfilled. Repair or replace leaking dumpsters promptly.
- Cover all dumpsters with a tarp at the end of every work day or during wet weather.

Hazardous materials management

- Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state, and federal regulations.
- Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecasted.
- Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecasted within 24 hours.
- Be sure to arrange for appropriate disposal of all hazardous wastes.

Spill prevention and control

- Keep a stockpile of spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- When spills or leaks occur, contain them immediately and be particularly careful to prevent leaks and spills from reaching the gutter, street, or storm drain. Never wash spilled material into a gutter, street, storm drain, or creek!
- Dispose of all containment and cleanup materials properly.
- Report any hazardous materials spills immediately! Dial 911 or Alameda County Public Works Agency dispatch at (510) 670-5500

Construction Entrances and Perimeter

- Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off site.
- Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking.

Vehicle and equipment maintenance & cleaning

- Inspect vehicles and equipment for leaks frequently. Use drip pans to catch leaks until repairs are made; repair leaks promptly.
- Fuel and maintain vehicles on site only in a bermed area or over a drip pan that is big enough to prevent runoff.
- If you must clean vehicles or equipment on site, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or creeks.
- Do not clean vehicles or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc.



Earthwork & contaminated soils

- Keep excavated soil on the site where it will not collect in the street.
- Transfer to dump trucks should take place on the site, not in the street.
- Use fiber rolls, silt fences, or other control measures to minimize the flow of silt off the site.

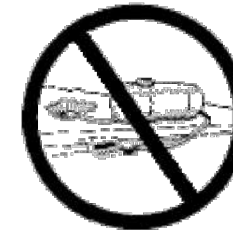


- Earth moving activities are only allowed during dry weather by permit and as approved by the County Inspector in the Field.
- Mature vegetation is the best form of erosion control. Minimize disturbance to existing vegetation whenever possible.
- If you disturb a slope during construction, prevent erosion by securing the soil with erosion control fabric, or seed with fast-growing grasses as soon as possible. Place fiber rolls down-slope until soil is secure.

- If you suspect contamination (from site history, discoloration, odor, texture, abandoned underground tanks or pipes, or buried debris), call the Engineer for help in determining what should be done, and manage disposal of contaminated soil according to their instructions.

Dewatering operations

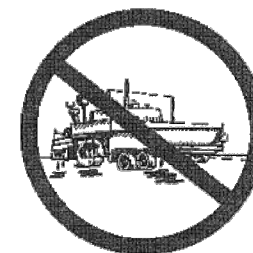
- Effectively manage all run-on, all runoff within the site, and all runoff that discharges from the site. Run-on from off site shall be directed away from all disturbed areas or shall collectively be in compliance.
- Reuse water for dust control, irrigation, or another on-site purpose to the greatest extent possible.
- Be sure to notify and obtain approval from the Engineer before discharging water to a street, gutter, or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the Engineer to determine what testing is required and how to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.



Saw cutting

- Always completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or sand/gravel bags to keep slurry out of the storm drain system.
- Shovel, absorb, or vacuum saw-cut slurry and pick up all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- If saw cut slurry enters a catch basin, clean it up immediately.

Paving/asphalt work



- Always cover storm drain inlets and manholes when paving or applying seal coat, tack coat, slurry seal, or fog seal.
- Protect gutters, ditches, and drainage courses with sand/gravel bags, or earthen berms.
- Do not sweep or wash down excess sand from sand sealing into gutters, storm drains, or creeks. Collect sand and return it to the stockpile, or dispose of it as trash.
- Do not use water to wash down fresh asphalt concrete pavement.

Concrete, grout, and mortar storage & waste disposal

- Store concrete, grout, and mortar under cover, on pallets, and away from drainage areas. These materials must never reach a storm drain.
- Wash out concrete equipment/trucks off-site or into contained washout areas that will not allow discharge of wash water onto the underlying soil or onto the surrounding areas.



- Collect the wash water from washing exposed aggregate concrete and remove it for appropriate disposal off site.

Painting



- Never rinse paint brushes or materials in a gutter or street!
- Paint out excess water-based paint before rinsing brushes, rollers, or containers in a sink.
- Paint out excess oil-based paint before cleaning brushes in thinner.
- Filter paint thinners and solvents for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as hazardous waste.

Landscape Materials

- Contain, cover, and store on pallets all stockpiled landscape materials (mulch, compost, fertilizers, etc.) during wet weather or when rain is forecasted or when not actively being used within 14 days.
- Discontinue the application of any erodible landscape material within 2 days of forecasted rain and during wet weather.

For references and more detailed information:
www.cleanwaterprogram.org
www.cabmphandbooks.com

Storm drain polluters may be liable for fines of \$10,000 or more per day!







MANDELA PARKWAY

7TH STREET

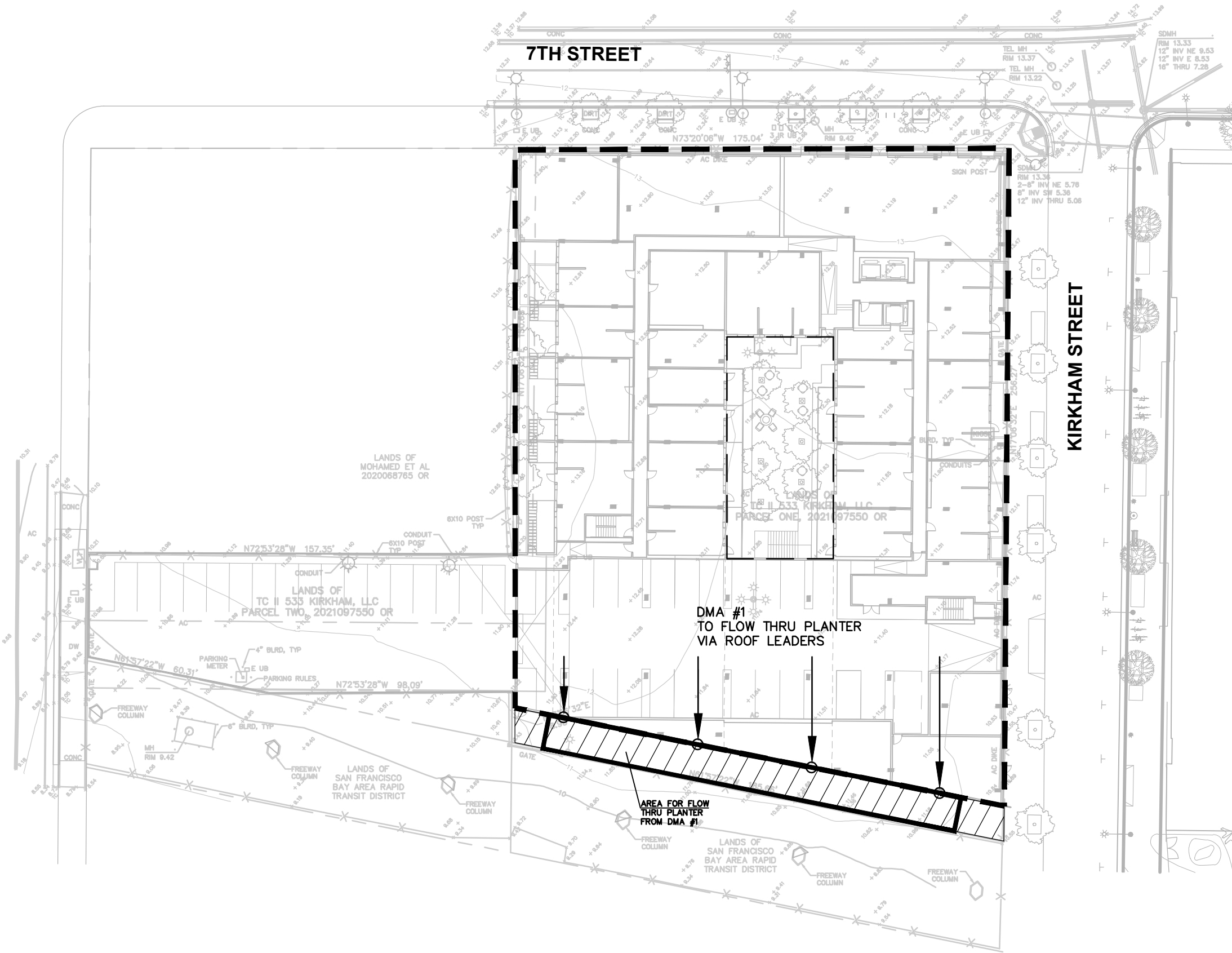
KIRKHAM STREET

LEGEND:

-  DRAINAGE MANAGEMENT AREA (DMA) BOUNDARY
-  FLOW THROUGH PLANTER (FP)
-  DMA LABEL
-  RAIN WATER ROOF LEADER

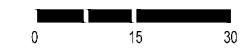
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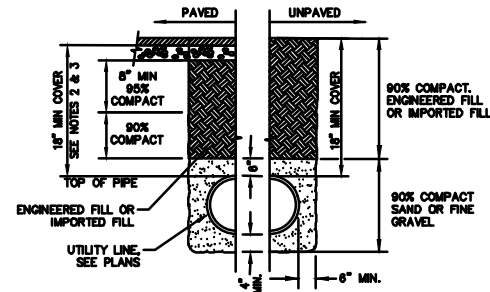
1. SEE GRADING PLAN FOR BIORETENTION AREA ELEVATIONS.
2. SEE LANDSCAPE PLANS FOR PROPOSED LOCATION AND IDENTIFICATION OF LANDSCAPING AND PLANT MATERIALS.



DMA #1
TO FLOW THRU PLANTER
VIA ROOF LEADERS

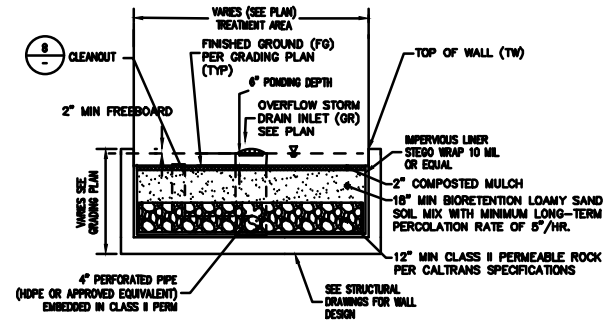
AREA FOR FLOW
THRU PLANTER
FROM DMA #1



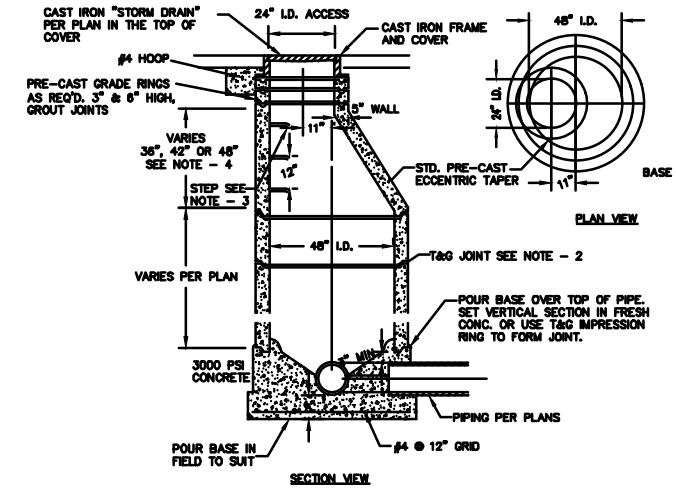


- NOTES:**
- RESTORE EXISTING SURFACE TO EXISTING CONDITIONS AFTER TRENCH WORK AND COMPACTION IS COMPLETE.
 - COVER FOR ASPHALT AREAS IS DEFINED FROM TOP OF PIPE TO TOP OF AGGREGATE BASE.
 - COVER FOR CONCRETE AREAS IS DEFINED FROM TOP OF PIPE TO TOP OF FINISHED SURFACE.
 - WHERE THICKNESS OF FILL EXCEEDS 7 FT, THE PORTION OF FILL BELOW 7 FT SHALL BE 90% COMPACT

1 ON-SITE TYPICAL UTILITY TRENCH
NTS

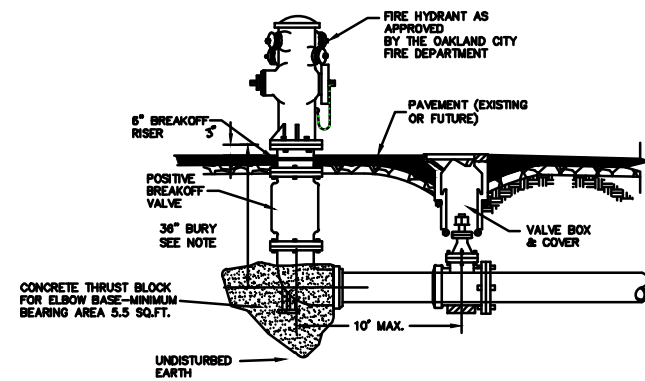


2 FLOW THROUGH PLANTER
NTS

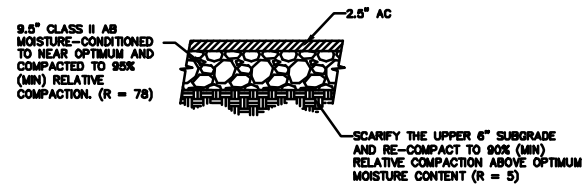


- NOTES:**
- USE 48\"/>

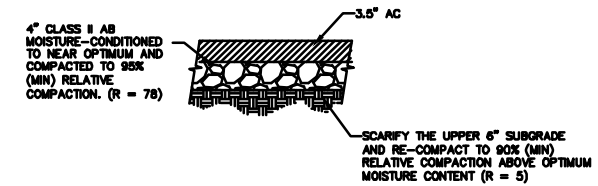
3 SANITARY OR STORM DRAIN MANHOLE
NTS



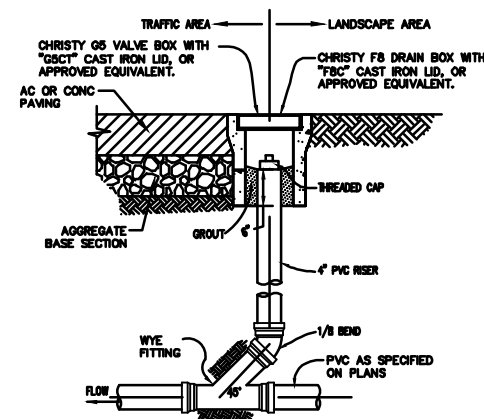
4 FIRE HYDRANT INSTALLATION
SCALE: NONE



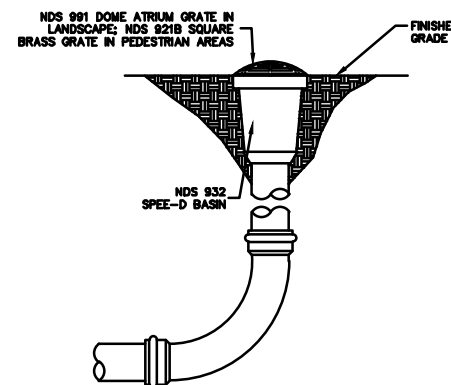
5 AC PAVEMENT
NTS



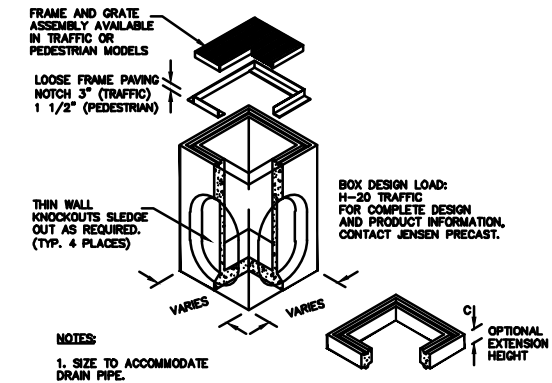
6 CONCRETE SECTION
NTS



7 STORM AND SEWER CLEANOUT
NTS



8 AREA DRAIN
NTS



9 STORM DRAIN CATCH BASIN
NTS

Decorative Metal Screens



Unit Pavers



Raised Planters



Feature Lighting



Moveable Tables and Chairs



Fire Pit



Bike Rack



Parking Lot Fence and Gate



Client

Project Partners

Stamp

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No.	Date	Description

Date	08/21/2023
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L3.00
Landscape Materials
Palette

Client

Project Partners

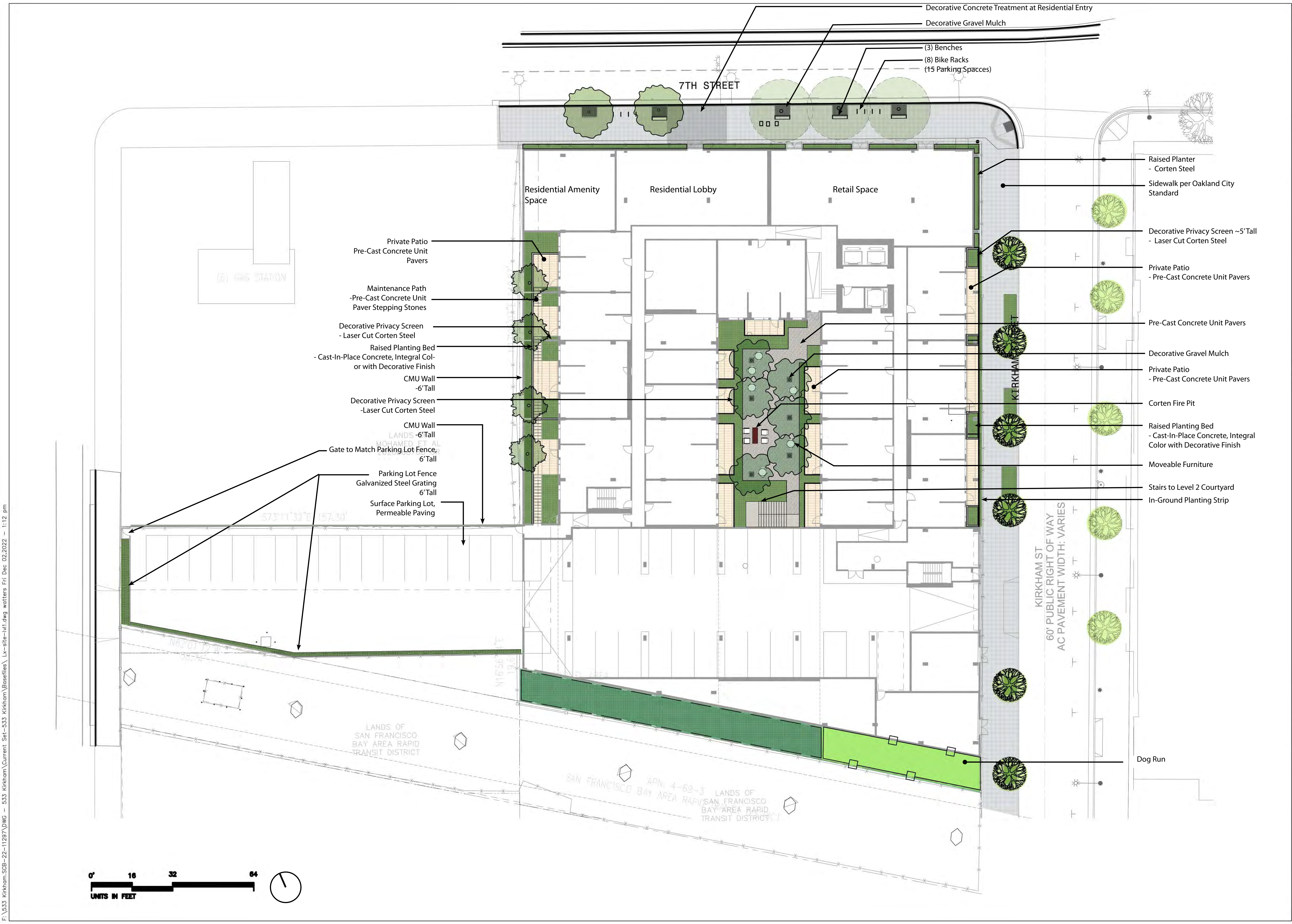
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L3.01
 Landscape Materials
 and Features- Level 1



F:\533_Kirkham_SCB-22-11297\DWG - 533_Kirkham\Current_Set-533_Kirkham\Basefiles\Lv-site-M1.dwg walters Fri Dec 02,2022 - 1:12 pm

Client

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MANDELA PARKWAY



Private Patio
- Pre-Cast Concrete Unit Pavers

Decorative Privacy Screen
- Laser Cut Corten Steel

Stairs to Level 1 Courtyard

Pre-Cast Concrete Unit Pavers

Decorative Privacy Screen
- Laser Cut Corten Steel

Raised Planter
- Cast-In-Place Concrete, Integral Color with Decorative Finish

Decorative Privacy Screen
- Laser Cut Corten Steel

Moveable Furniture

(2) Electric Grill

Private Patio
- Pre-Cast Concrete Unit Pavers



No.	Date	Description

Date 08/21/2023
 Scale As Noted
 Drawn DRAWN BY
 Check CHECKED

Sheet
L3.02
 Landscape Materials
 and Features- Level 2

PLANT LIST

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	MATURE SIZE
PiCh	<i>Pistachia chinensis</i> 'Keith Davey'	Chinese Pistache	As Noted	36" Box	40'H x 40'W
BeNi	<i>Betula nigra</i> "Dura Heat"	River Birch	15'	36" Box	50'H x 40'W
ChTa	<i>Chitalpa x tashkenensis</i>	Chitalpa	As Noted	36" Box	20'H x 20'W
MaGr	<i>Magnolia grandiflora</i> "Little Gem"	Little Gem Magnolia	As Noted	36" Box	20'H x 10'W
AcCo	<i>Acacia cognata</i>	River Wattle	As Noted	36" Box	20'H x 20'W

SHRUBS & GROUND COVER

SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	MATURE SIZE
CaDi	<i>Carex divulsa</i>	Berkeley Sedge	12"	1 gal.	1.5'H x 1.5'W
IrDo	<i>Iris douglasii</i>	Douglas Iris	12"	1 gal.	3'H x 3'W
DeCe	<i>Deschampsia cespitosa</i>	Tufted Hair Grass	18"	1 gal.	3'H x 1.5'W
RiSa	<i>Ribes sanguineum</i>	Red Flowering Currant	36"	5 gal.	8'H x 8'W
AcMo	<i>Acanthus mollis</i>	Bear's Britches	36"	5 gal.	5'H x 5'W
RhCa	<i>Rhamnus californica</i>	California Coffeeberry	36"	5 gal	9'H x 7'W

HEDGE

SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	MATURE SIZE
PiTe	<i>Pittosporum tenuifolium</i> "Silver Sheen"	Silver Sheen Kohuhu	36"	15 gal.	12'H x 6'W

VINES

SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	MATURE SIZE
JaPo	<i>Jasminum polyanthum</i>	Climbing Jasmine	As Noted	5 gal.	
ClAr	<i>Clematis armandii</i>	Evergreen Clematis	As Noted	5 gal.	

BIORETENTION PLANTING

SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	MATURE SIZE
DeCe	<i>Deschampsia cespitosa</i>	Tufted Hair Grass	18"	1 gal	3'H x 1.5'W
NaPu	<i>Nasella pulchra</i>	Purple Needlegrass	18"	1 gal	2'H x 2'W
AcMi	<i>Achillea millefolium</i>	Yarrow	24"	1 gal	3'H x 3'W
CaCa	<i>Carpenteria californica</i>	Bush Anemone	36"	5 gal	5'H x 5'W
AcCi	<i>Acer circinatum</i>	Vine Maple	60"	15 gal	20'H x 20'W



Chinese Pistache
Pistachia chinensis



Chitalpa
Chitalpa x tashkenensis



Little Gem Magnolia
Magnolia grandiflora "Little Gem"



River Wattle
Acacia cognata



River Birch
Betula nigra "Dura Heat"



Tufted Hairgrass
Deschampsia cespitosa



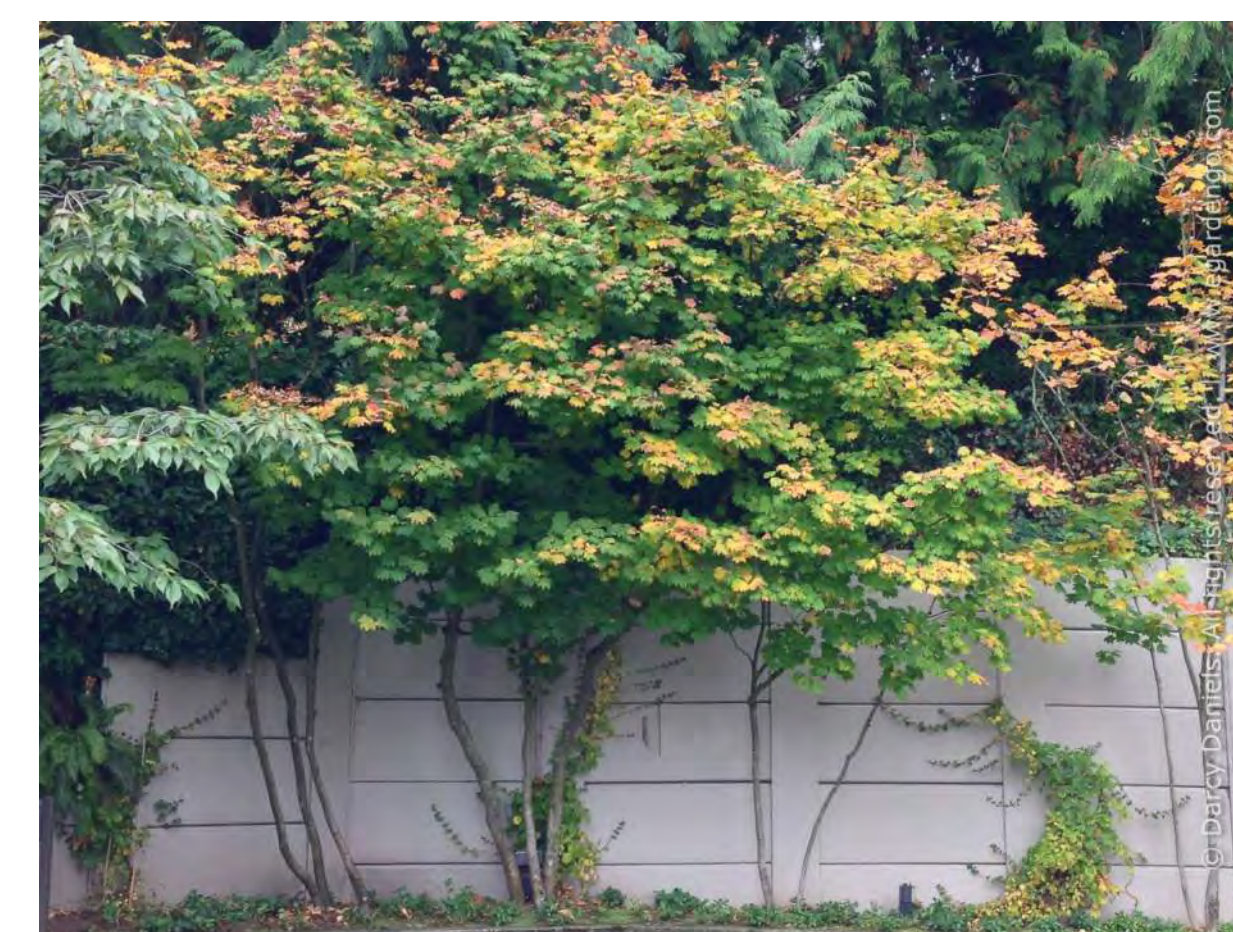
Douglas Iris
Iris douglasiana



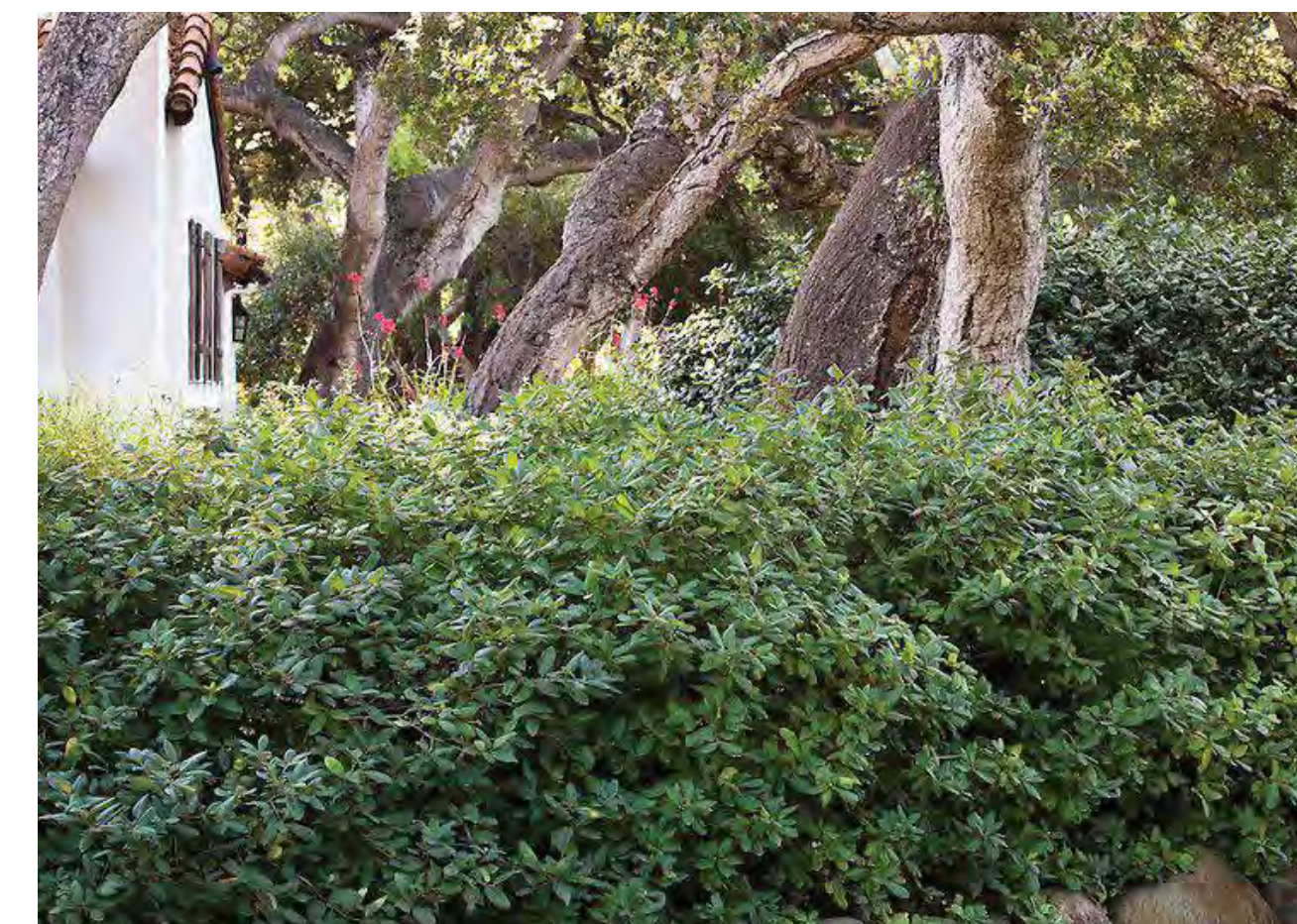
Yarrow
Achillea millefolium



Bush Anemone
Carpenteria californica



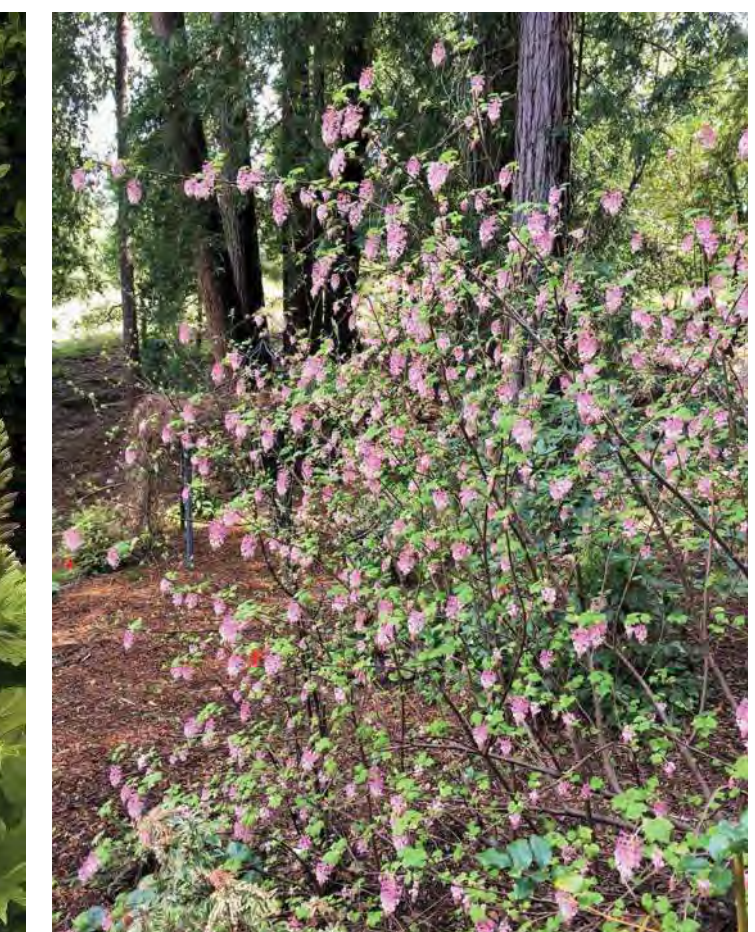
Vine Maple
Acer circinatum



California Coffeeberry
Rhamnus californica



Bear's Britches
Acanthus mollis



Flowering Currant
Ribes sanguineum



Creeping Jasmine
Jasminum polyanthum



Clematis
Clematis armandii



Silver Sheen Kohuhu
Pittosporum tenuifolium 'Silver Sheen'

Client

Project Partners

Stamp

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No.	Date	Description

Date	08/21/2023
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L4.00
Landscape Planting
Palette

Client

Project Partners

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Date 08/21/2023
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L4.01
 Landscape Planting - Level 1



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Client

Project Partners

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MANDELA PARKWAY

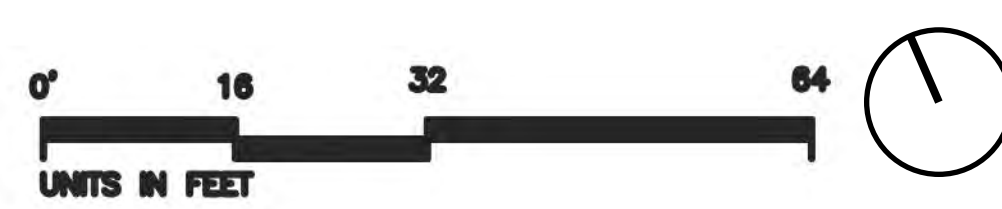


- Raised Planter Bed
- (6) Proposed Trees
Betula nigra var. "Dura Heat"
- (2) Proposed Multistem Trees
Magnolia grandiflora var. "Little Gem"
- (2) Proposed Multistem Trees
Acacia cognata

No.	Date	Description

Date	08/21/2023
Scale	As Noted
Drawn	DRAWN BY
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Sheet
L4.02
 Landscape Planting -
 Level 2

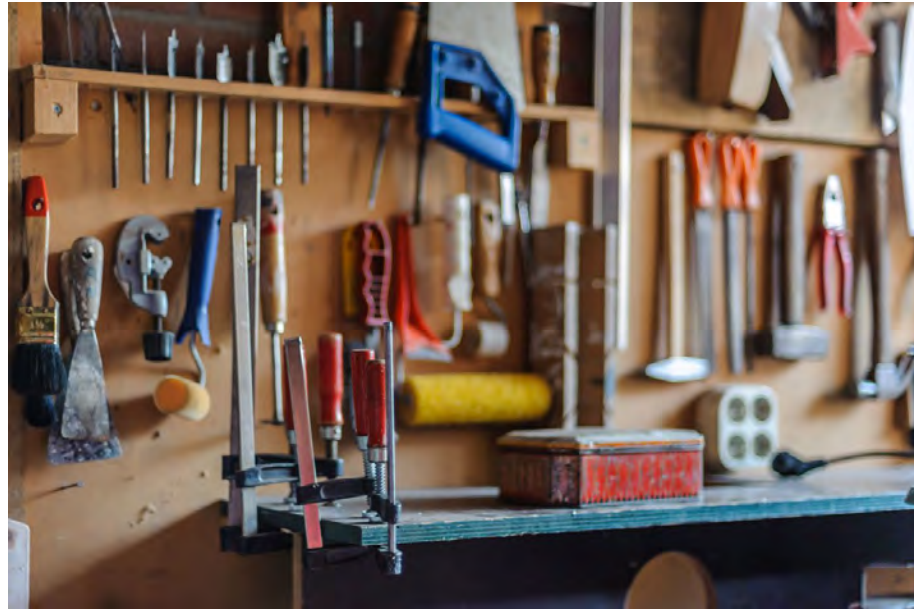


HISTORY AND PLACE

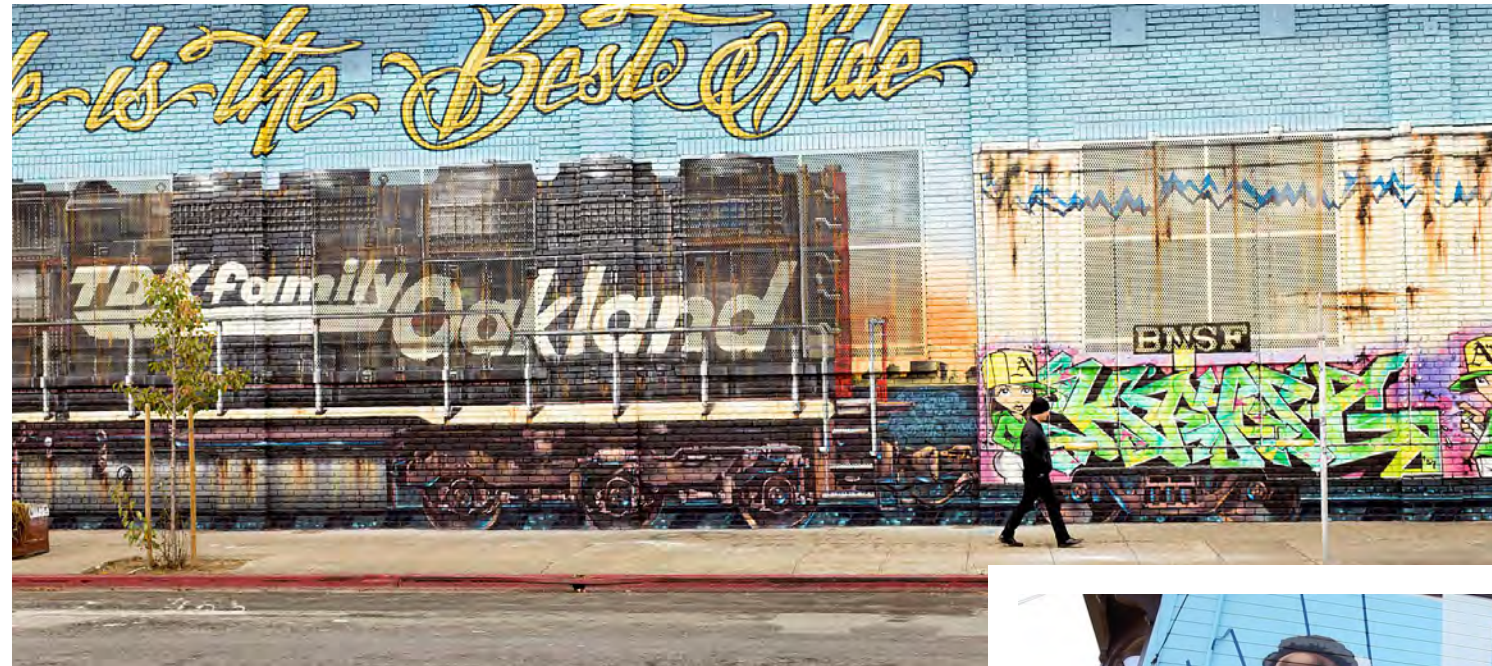
HISTORY AND PLACE - 7TH STREET & WEST COAST JAZZ



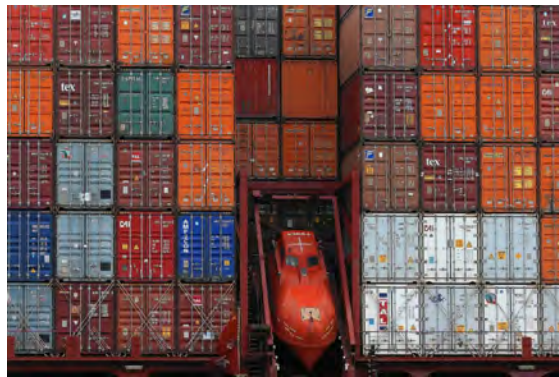
HISTORY AND PLACE - ARTISTS AND MAKERS



HISTORY AND PLACE - ART MURALS



HISTORY AND PLACE - PORT OF OAKLAND



SURROUNDING AREA

SURROUNDING AREA



SURROUNDING AREA



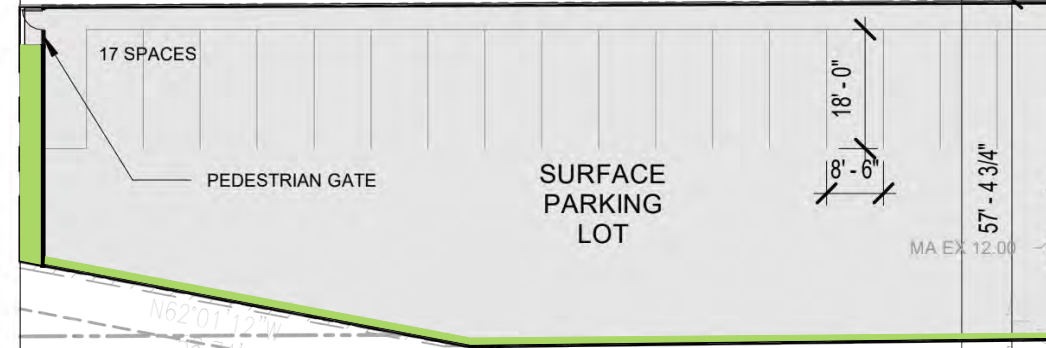
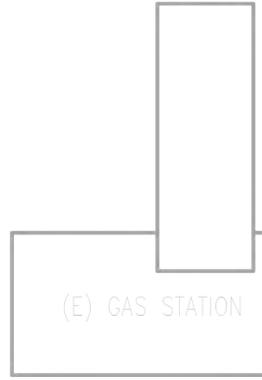
SURROUNDING AREA



FLOOR PLANS & AREA MATRIX

FLOOR PLAN - GROUND LEVEL

7TH STREET



KIRKHAM STREET

60' PUBLIC RIGHT OF WAY
AC PAVEMENT WIDTH: VARIES
NEW CURB CUT

(F) 500 KIRKHAM DEVELOPMENT

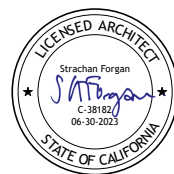


FLOOR PLAN - LEVEL 2

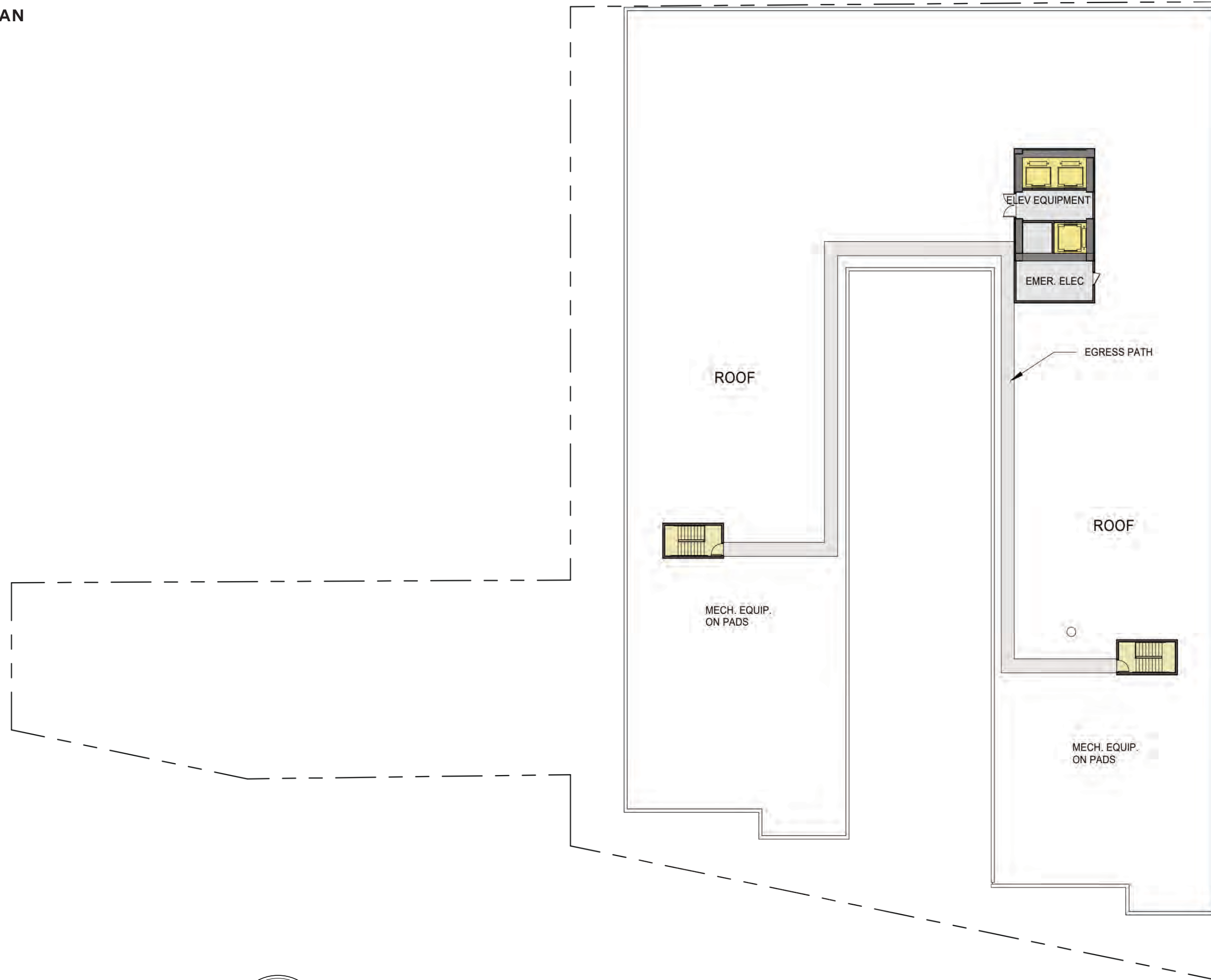


FLOOR PLAN - LEVELS 3-8

WAIVER REQUIRED FOR 10' BUILDING SETBACK ABOVE 75'



ROOF PLAN



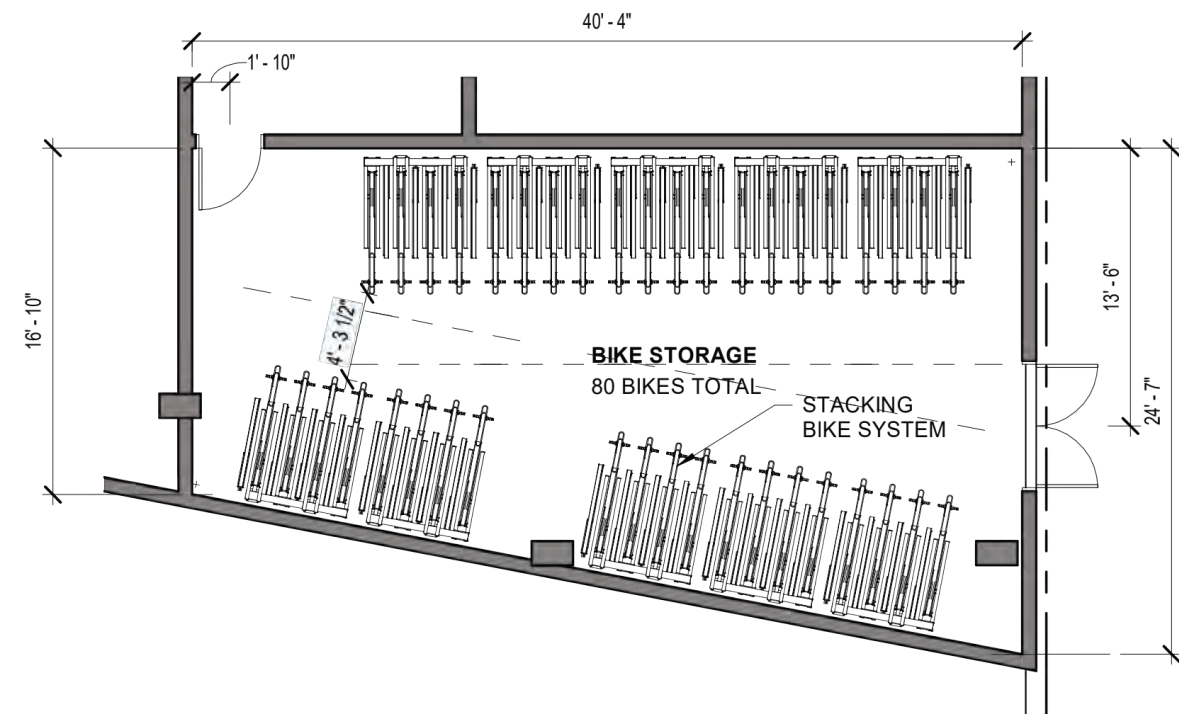
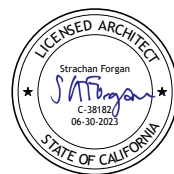


Patent #8,950,592

Dero Decker

The Dero Decker takes bike parking to the next level – literally. By stacking bikes on a two-tiered system, capacity doubles. Unlike other two-tier systems our lift-assist top trays slide down inches from the ground, thus requiring only minimal lifting of the bike into the tray. The Dero Decker has a front wheel safety locking lever and tray dampers to provide safe lowering of upper trays. The near vertical lowered trays also reduce the required aisle space, giving the Dero Decker the smallest footprint on the market.

©2021



AREA MATRIX

		TYPE IA					Site Area		50,917		sf									
		Residential					Amenity		Retail	Active Resi	Parking	BOH	Totals							
		Area	399	550	700	900	RES	RES	GSF	GSF	spaces	GSF	GSF	GSF	GSF					
		units/ flr.	ST	JR1Br	1Br1Ba	2Br2Ba	NSF	GSF	GSF	GSF	spaces	GSF	GSF	GSF	GSF					
flr. Elev.	f / f	Flr.																		
																			0	
+85.00		R	ROOF				0	1,000											1,000	
+75.00	10	08	39	7	10	8	14	26,493	31,322										31,322	
+65.00	10	07	39	7	10	8	14	26,493	31,322										31,322	
+55.00	10	06	39	7	10	8	14	26,493	31,322										31,322	
+45.00	10	05	39	7	10	8	14	26,493	31,322										31,322	
+35.00	10	04	39	7	10	8	14	26,493	31,322										31,322	
+25.00	10	03	39	7	10	8	14	26,493	31,322										31,322	
+15.00	10	02	39	7	11	7	14	26,343	31,322										31,322	
+0.00	15	01	16	3	3	4	6	11,047	17,603	2,999	1,206	40	8,936	3,856					34,600	
			289	52	74	59	104	0	196,348	237,857	2,999	1,206	40	8,936	3,856				254,854	
			total units	ST	JR1Br	1Br1Ba	2Br2Ba	NSF	GSF	GSF	GSF	spaces	GSF	GSF	GSF					
				18.0%	25.6%	20.4%	36.0%		679 avg			0.14 spaces per unit								
																		Overall		
																		77.04%		

Bicycle Parking Calculation

Residential Per 17.117.090

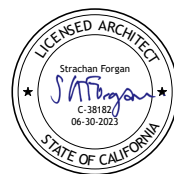
Long-term 1 space for each 4 dwelling units
 289 units/4 = 72.25 spaces required
 80 spaces provided

Short-term 1 space for each 20 dwelling units
 289 units/20 = 14.45 spaces required
 15 spaces provided

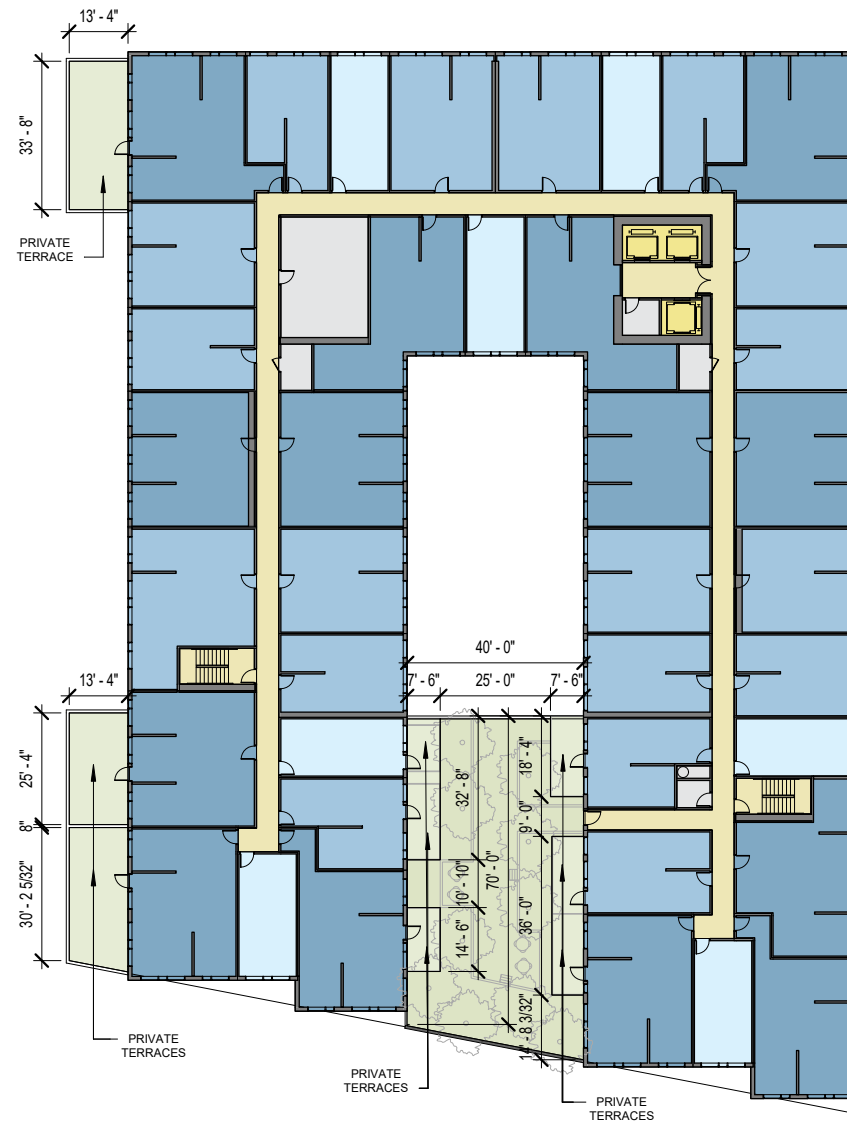
Commercial Per 17.117.110

Long-term 1 space for each 10,000 sf floor area
 2,999 sf/10,000 = 1 space minimum
 1 space provided

Short-term 1 space for each 20,000 sf floor area
 2,999 sf/20,000 = 1 space minimum
 1 space provided



OPEN SPACE



Open Space Calculation

Per 17.97.070
 75 sf of group open space for 1 dwelling unit
 38 sf of group open space for 1 efficiency dwelling unit
 289 units total
 216 DU x 75 sf = 16,200 sf
 21 DU x 15 sf = 315 sf
 49 EDU x 38 sf = 1862 sf
 3 EDU x 15 sf = 45 sf
 Total Required = 18,422 sf

Group Open Space Provided
 L1 = 2,368 sf
 L2 = 2,200 sf

Private Open Space Provided (counts 2x)
 L1 = 3,035 sf
 L2 = 1,950 sf

Group Private Total
 (2,368+2,200) + 2(3,035+1,950) = 14,538 sf Provided

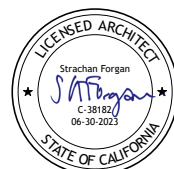
LEED CHECKLIST

LEED-NC v4 Checklist
533 Kirkham
7/14/2022
Target = Gold

Project Totals	Yes	?	No	Checklist Certification Level: (Does not include ? credits)
	63	32	31	Gold

Certified 40-49 points
Silver 50-59 points
Gold 60-79 points
Platinum 80 points and above
Cells highlighted yellow - substitute to v4.1

Category	Credit Name	Yes	?	No	Phase	Status	Responsibility	Requirements
Integrative Process	C Integrative Process	1			D	Targeted	SCB/MEP	Perform preliminary energy and water budget analysis before completion of schematic design.
Location and Transportation	C LEED-ND Location			16	n/a	Not-Attempted	-	Alternative LT points option for projects within LEED-ND certified site.
	C Sensitive Land Protection	1			D	Targeted	SCB	Achieved if site is previously developed.
	C High-Priority Site		2		n/a	Not-Attempted	SCB	Historical District (1pt); Priority Designation (1pt); Brownfield Remediation (2pts).
	C Surrounding Density & Diverse Uses	4		1	D	Targeted	SCB	Substitute to v4.1 - allows use of Walkscore
	C Access to Quality Transit	5			D	Targeted	SCB	v4.1: 72/100/144/250/360 weekday trips, 30/70/108/160/216 weekend trips. (210/121 for 3 points)
	C Bicycle Facilities	1			D	Targeted	SCB/Owner	Long Term Storage: 60 minimum, 1 is for FTEs, Short Term: 2. 1 shower required. Will FTEs have shower access?
	C Reduced Parking Footprint	1			D	Targeted	SCB/Owner	40% reduction reqd and 5% as preferred for car-pool. v4.1: 30% reduction or provide carshare 1 vehicle parking space.
	C Green Vehicles	1			D	Targeted	SCB/Owner	Provide 1 charging stations/ 2 EV ready and 2 preferred parking spaces for green vehicles.
Sustainable Sites	P Construction Activity Pollution Prevention	Y			C	Required	Contractor	Develop/implement SWPP and dust control plan.
	C Site Assessment	1			D	Targeted	SCB	Assess site factors (wind, solar exposure, terrain, etc.) and describe how they influenced project design.
	C Site Development - Protect or Restore Habitat		2		D	Targeted	Landscape	Restore 15% or 25% of site area under v4.1.
	C Open Space	1			D	Targeted	Landscape	30% of site area open and accessible to occupants, 25% of that must be vegetated. Green roof OK on high-density sites.
	C Rainwater Management	1	2		D	Targeted	Civil	Manage 70th-75th-80th in v4.1 percentile rainfall and use LID practices.
	C Heat Island Reduction	2			D	Targeted	SCB	Roof and non-roof (2pt)
	C Light Pollution Reduction	1			D	Targeted	Lighting	Specify fixtures with low BUG ratings; internally illuminated signage must comply.
Water Efficiency	P Outdoor Water Use Reduction	Y			D	Required	Landscape	No irrigation or reduce peak potable water usage by at least 30% from baseline.
	P Indoor Water Use Reduction	Y			D	Required	SCB/Owner	20% reduction.
	P Building-Level Water Metering	Y			D	Required	MEP	Install water metering equipment and share usage data for 5 years.
	C Outdoor Water Use Reduction	1		1	D	Targeted	Landscape	Do not install landscape irrigation or reduce potable water 50-100%.
	C Indoor Water Use Reduction	3	1	2	D	Targeted	SCB	(1pt: 25%, 2pts: 30%, 3pts: 35%, 4pts: 40%, 5pts: 45%, 6pts: 50%).
	D Cooling Tower Water Use	2			D	Targeted	MEP	Limit potable water use and contaminants.
	C Water Metering	1			D	Targeted	MEP	Provide water meters on 2 or more water subsystems.
Energy and Atmosphere	P Fundamental Commissioning and Verification	Y			C	Required	Cx	Complete commissioning activities in accordance with ASHRAE guidelines.
	P Minimum Energy Performance	Y			D	Required	MEP	5% reduction compared to ASHRAE 90.1-2010.
	P Building-Level Energy Metering	Y			D	Required	MEP	Install energy meters and submeters. Reporting must be 1 month periods for 5 years.
	P Fundamental Refrigerant Management	Y			D	Required	MEP	No CFC based refrigerant in any new systems.
	C Enhanced Commissioning	3	3		C	Targeted	Cx	Contract enhanced Cx (3pts), include O&M performance issues (+1pt), envelope Cx (2pts).
	C Optimize Energy Performance	6	6	6	D	Targeted	MEP	(6%: 1pt, 8%: 2pts, 10% 3pts, etc.).
	C Advanced Energy Metering	1			D	Targeted	MEP	Install metering of any individual end uses accounting for 10% or more of energy use.
	C Demand Response		2		C	Targeted	Owner	Demand response utility program for 10% of estimated building energy.
	C Renewable Energy Production		2	1	n/a	Targeted	MEP	Produce a minimum of 1%/5%/10% of predicted annual energy cost.
	C Enhanced Refrigerant Management	1			D	Targeted	MEP	No refrigerants or refrigerant types that do not exceed calculated project threshold.
	C Green Power and Carbon Offsets		2		D	Targeted	Owner	50% for 1 point, 100% for 2. Typically defer till end of process.
Materials and Resources	P Storage and Collection of Recyclables	Y			D	Required	SCB/Owner	Provide dedicated areas for collection of building recyclable material.
	P CDWM Planning	Y			C	Required	Contractor	Establish recycling goals for at least 5 streams of construction or demolition waste.
	C Building Life-Cycle Impact Reduction		3	2	D	Deferred	Contractor	Reuse existing structure, or conduct LCA (1 pt.) and show 5-10-20% impact reduction (2-3-4 pts)
	C BPDO - Environmental Product Declarations	1		1	C	Targeted	Contractor	Provide EPD for 20 products from 5 manufacturers.
	C BPDO - Sourcing of Raw Materials	1		1	C	Targeted	Contractor	Good sourcing practice for 15% or 30% (2 pts.) of total project material cost (buyback program, recycled content, FSC wood, salvage/reuse)
	C BPDO - Material Ingredients	1		1	C	Targeted	Contractor	Ingredient disclosure for 20 products from 5 manufacturers (HPD, C2C, Declare)
	C C&D Waste Management	2			C	Targeted	Contractor	Divert at least 75% of total construction material including at least 3 streams of waste. Commingled = single stream.
Indoor Environmental Quality	P Minimum IAQ Performance	Y			D	Required	MEP	Meet ASHRAE 62.1-2010. Combustion appliances must be vented.
	P Environmental Tobacco Smoke Control	Y			C	Required	Owner	No smoking; provide signage and nonsmoking lease docs for student housing.
	C Enhanced IAQ Strategies	1	1		D	Targeted	SCB	Improve indoor air quality using combination of listed strategies. Mech + Interior
	C Low-Emitting Materials	3			C	Targeted	Contractor	Low VOC products and documentation (4 categories for full credit, sub for 4.1)
	C Construction IAQ Management Plan	1			C	Targeted	Contractor	Develop/implement IAQ plan during construction.
	C Indoor Air Quality Assessment	2			C	Targeted	Contractor	
	C Thermal Comfort	1			D	Targeted	MEP	Meet requirements of ASHRAE 55-2010.
	C Interior Lighting	1	1		D	Targeted	Lighting	Provide user control of interior lighting or Meet at least 4 quality criteria.
	C Daylight		2	1	C	Deferred	SCB	Provide shading and demonstrate illumination levels are met but not exceeded.
	C Quality Views	1			D	Targeted	SCB	75% of regularly occupied area meet at least 2 view criteria.
	C Acoustic Performance	1			D	Targeted	-	Reduce reverb, HVAC background noise, and sound transmission in all occupied spaces.
Innovation	C Innovation in Design: Reduced Parking	1			D/C	Targeted	-	EP LTc7 Reduced Parking Footprint, over 80%
	C Innovation in Design: Quality Views	1			D/C	Targeted	-	EP IEQ - Quality Views? Waste Diversion?
	C Innovation in Design: TBD	1			D/C	Targeted	-	Innovation in Design: O&M Green Cleaning Policy
	C Innovation in Design: TBD	1			D/C	Targeted	-	Innovation in Design: O&M Green Building Education
	C Innovation in Design: TBD	1			D/C	Targeted	-	Pilot credit: Design for active users? Water Leak Detection and Monitoring?
	C LEED Accredited Professional	1			C	Targeted	-	Yes
Regional Priority	C Optimize Energy Performance	1			D/C	Targeted	-	10-pt threshold
	C Access to Quality Transit	1			D/C	Targeted	-	2-pt threshold
	C Indoor Water Use Reduction		1		D/C	Targeted	-	4-pt threshold
	C BPDO - Sourcing of Raw Materials	1			D/C	Not-Attempted	-	5-pt threshold



EXTERIOR CONCEPT





EAST ELEVATION - KIRKHAM ST.

1. GRANITE TEXTURED EIFS - MEDIUM GREY
2. GRANITE TEXTURED EIFS - GREEN
3. WINDOW MULLION & METAL PANEL - DARK GREY
4. VISION GLASS - CLEAR
5. VISION GLASS - LOW IRON
6. WALL TILE - DARK GREY
7. SMOOTH EIFS - DARK GREY
8. CORTEN STEEL

WAIVER REQUIRED FOR 10'
BUILDING SETBACK ABOVE 75'



NORTH ELEVATION - 7TH ST.

1. GRANITE TEXTURED EIFS - MEDIUM GREY
2. GRANITE TEXTURED EIFS - GREEN
3. WINDOW MULLION & METAL PANEL - DARK GREY
4. VISION GLASS - CLEAR
5. VISION GLASS - LOW IRON
6. WALL TILE - DARK GREY
7. SMOOTH EIFS - DARK GREY
8. CORTEN STEEL



WEST ELEVATION

- 1. GRANITE TEXTURED EIFS - MEDIUM GREY
- 2. GRANITE TEXTURED EIFS - GREEN
- 3. WINDOW MULLION & METAL PANEL - DARK GREY
- 4. VISION GLASS - CLEAR
- 5. VISION GLASS - LOW IRON
- 6. WALL TILE - DARK GREY
- 7. SMOOTH EIFS - DARK GREY
- 8. CORTEN STEEL

WAIVER REQUIRED FOR 10'
BUILDING SETBACK ABOVE 75'



SOUTH ELEVATION

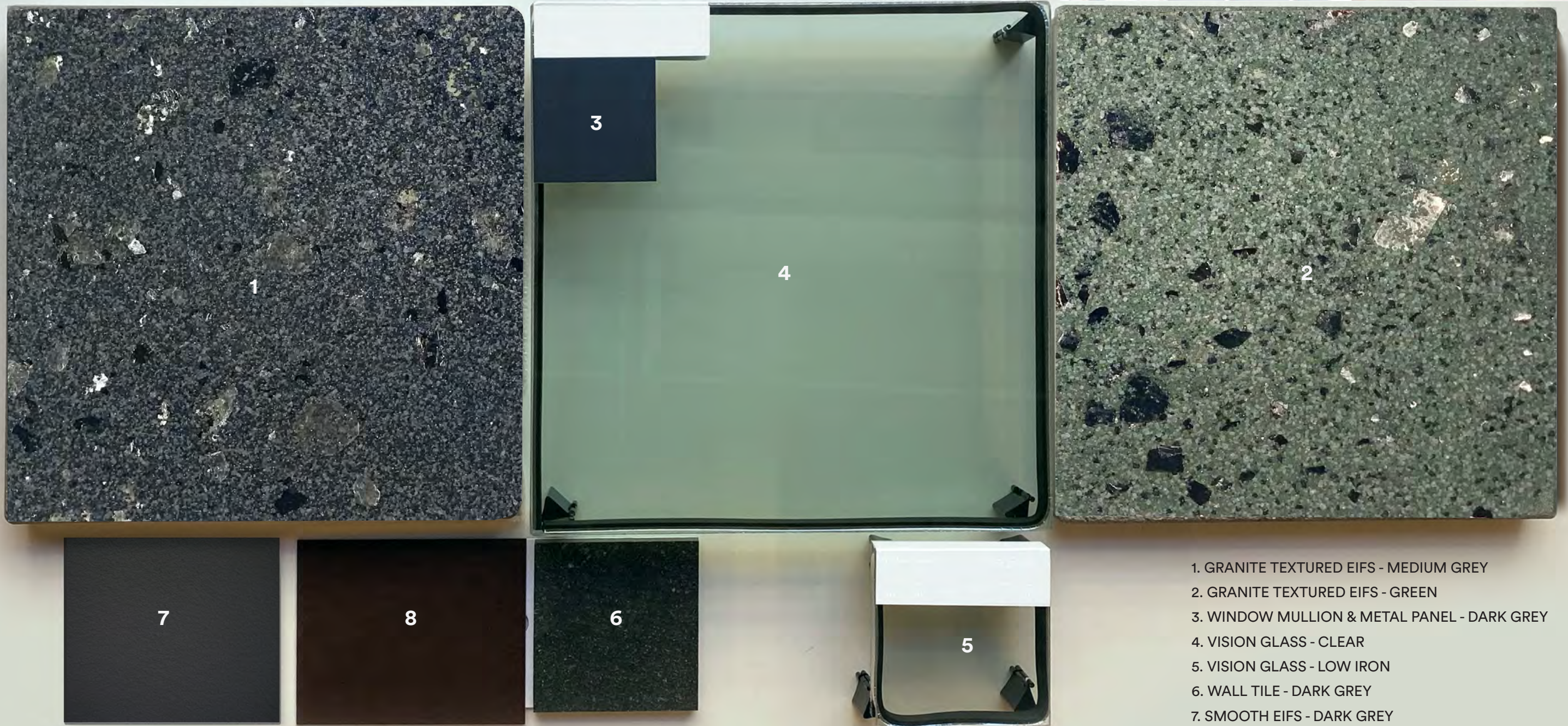
- 1. GRANITE TEXTURED EIFS - MEDIUM GREY
- 2. GRANITE TEXTURED EIFS - GREEN
- 3. WINDOW MULLION & METAL PANEL - DARK GREY
- 4. VISION GLASS - CLEAR
- 5. VISION GLASS - LOW IRON
- 6. WALL TILE - DARK GREY
- 7. SMOOTH EIFS - DARK GREY
- 8. CORTEN STEEL



BUILDING SECTION / COURTYARD ELEVATION

- 1. GRANITE TEXTURED EIFS - MEDIUM GREY
- 2. GRANITE TEXTURED EIFS - GREEN
- 3. WINDOW MULLION & METAL PANEL - DARK GREY
- 4. VISION GLASS - CLEAR
- 5. VISION GLASS - LOW IRON
- 6. WALL TILE - DARK GREY
- 7. SMOOTH EIFS - DARK GREY
- 8. CORTEN STEEL





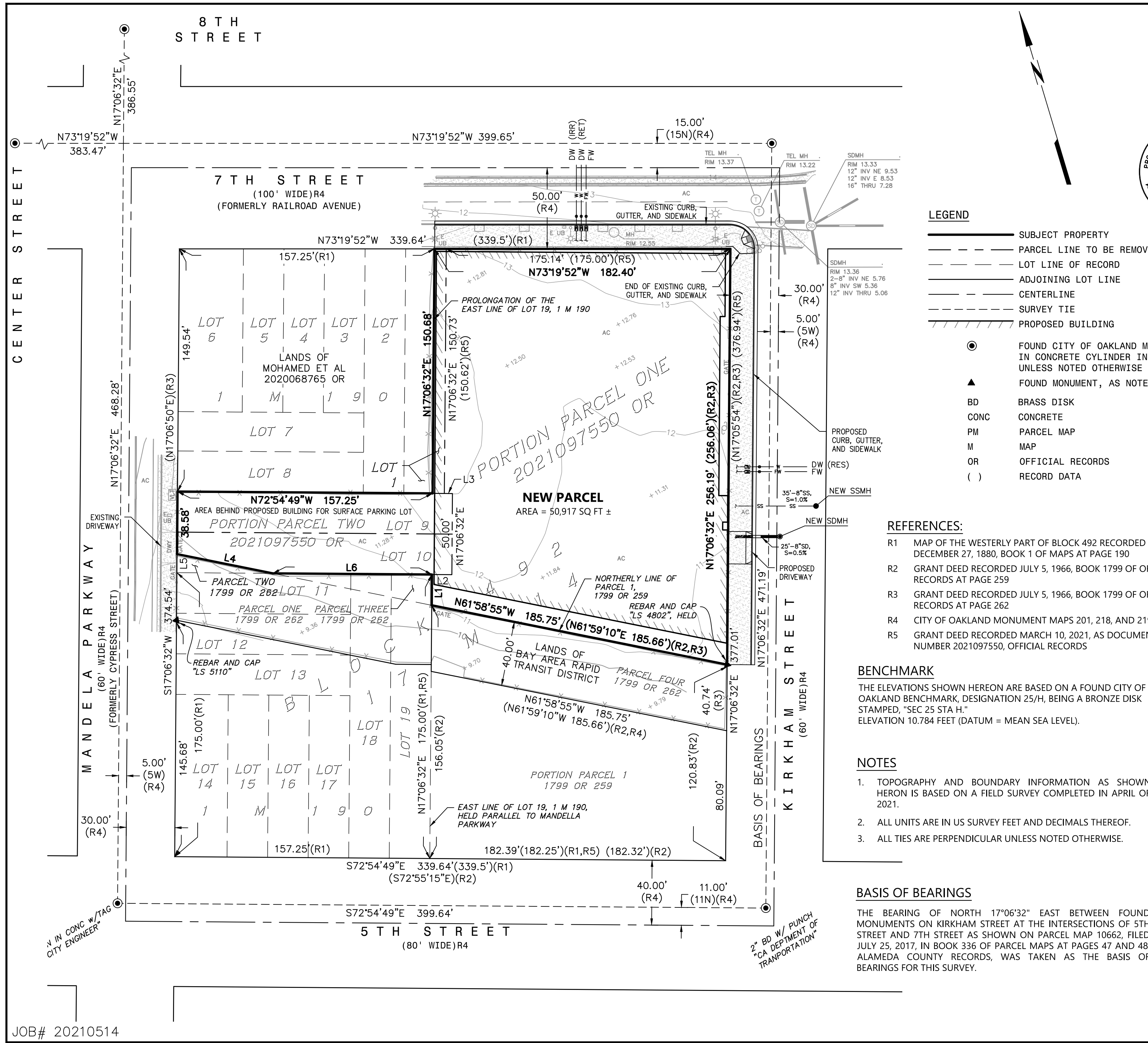
- 1. GRANITE TEXTURED EIFS - MEDIUM GREY
- 2. GRANITE TEXTURED EIFS - GREEN
- 3. WINDOW MULLION & METAL PANEL - DARK GREY
- 4. VISION GLASS - CLEAR
- 5. VISION GLASS - LOW IRON
- 6. WALL TILE - DARK GREY
- 7. SMOOTH EIFS - DARK GREY
- 8. CORTEN STEEL



SOLOMON CORDWELL BUENZ

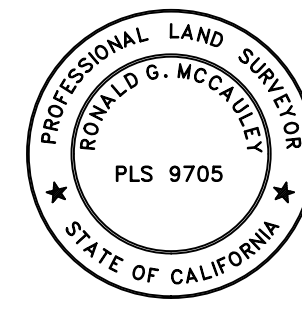
255 California Street
San Francisco, CA 94111
T 415.216.2450

ATTACHMENT E



SURVEYOR'S STATEMENT:
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT.

BY: *Ronald G. McCauley*
 RONALD MCCAULEY, P.L.S., NO. 9705
 DATE: 09/13/2022



LINE TABLE				
MEASURED		RECORD		
LINE	BEARING	LENGTH	(BEARING)	(LENGTH)
L1	S17°06'32"W	18.95'	(S17°06'24"W)(R3)	(19.63')(R3)
L2	N72°54'49"W	12.25'		
L3	S72°54'49"E	5.00'		
L4	N61°58'55"W	60.22'	(N61°59'10"W)(R2,R3)	(58.74')(R2,R3)
L5	N17°06'32"E	11.42'	(N17°06'50"E)(R2,R3)	(11.37')(R2,R3)
L6	N72°54'49"W	98.12'	(S73°08'45"E)(R3)	

- LEGEND**
- SUBJECT PROPERTY
 - - - PARCEL LINE TO BE REMOVED
 - - - LOT LINE OF RECORD
 - - - ADJOINING LOT LINE
 - - - CENTERLINE
 - - - SURVEY TIE
 - ▭ PROPOSED BUILDING
 - FOUND CITY OF OAKLAND MONUMENT PIN IN CONCRETE CYLINDER IN MONUMENT WELL, UNLESS NOTED OTHERWISE
 - ▲ FOUND MONUMENT, AS NOTED
 - BD BRASS DISK
 - CONC CONCRETE
 - PM PARCEL MAP
 - M MAP
 - OR OFFICIAL RECORDS
 - () RECORD DATA

STATEMENT OF PURPOSE:
 THIS PARCEL MAP WAIVER HAS BEEN PREPARED TO EFFECTUATE A LOT MERGER OF FOUR CONTIGUOUS PARCELS.

OWNER: TC II 533 KIRKHAM, LLC
 APN 004-0069-002-01 & 004-0069-002-02
 DOC 2021097550

EXISTING AREAS:

PORTION OF PARCEL ONE	41,687 SQ FT ±
202109755 OR	
PORTION OF LOT 1	1,093 SQ FT ±
1 MAP 190	
LOT 9	4,239 SQ FT ±
1 MAP 190	
PORTION OF LOT 10	3,901 SQ FT ±
1 MAP 190	
NEW AREA:	50,917 SQ FT ±

- REFERENCES:**
- R1 MAP OF THE WESTERLY PART OF BLOCK 492 RECORDED DECEMBER 27, 1880, BOOK 1 OF MAPS AT PAGE 190
 - R2 GRANT DEED RECORDED JULY 5, 1966, BOOK 1799 OF OFFICIAL RECORDS AT PAGE 259
 - R3 GRANT DEED RECORDED JULY 5, 1966, BOOK 1799 OF OFFICIAL RECORDS AT PAGE 262
 - R4 CITY OF OAKLAND MONUMENT MAPS 201, 218, AND 219
 - R5 GRANT DEED RECORDED MARCH 10, 2021, AS DOCUMENT NUMBER 2021097550, OFFICIAL RECORDS

BENCHMARK
 THE ELEVATIONS SHOWN HEREON ARE BASED ON A FOUND CITY OF OAKLAND BENCHMARK, DESIGNATION 25/H, BEING A BRONZE DISK STAMPED, "SEC 25 STA H." ELEVATION 10.784 FEET (DATUM = MEAN SEA LEVEL).

- NOTES**
1. TOPOGRAPHY AND BOUNDARY INFORMATION AS SHOWN HERON IS BASED ON A FIELD SURVEY COMPLETED IN APRIL OF 2021.
 2. ALL UNITS ARE IN US SURVEY FEET AND DECIMALS THEREOF.
 3. ALL TIES ARE PERPENDICULAR UNLESS NOTED OTHERWISE.

BASIS OF BEARINGS
 THE BEARING OF NORTH 17°06'32" EAST BETWEEN FOUND MONUMENTS ON KIRKHAM STREET AT THE INTERSECTIONS OF 5TH STREET AND 7TH STREET AS SHOWN ON PARCEL MAP 10662, FILED JULY 25, 2017, IN BOOK 336 OF PARCEL MAPS AT PAGES 47 AND 48, ALAMEDA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY.

APPLICATION TO WAIVE PARCEL MAP

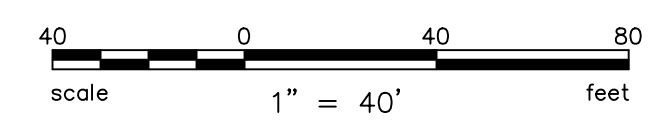
Parcel No. _____

I certify that I am the applicant named herein and that the information given on any submission herewith is in all respects true and accurate to the best of my knowledge and belief. I further certify that I am the owner or purchaser (option holder) of the property involved in this application.

I understand that any maps or exhibits filed become a permanent part of the file and may not be returned to me.

Signature: *Kyle Winkler* Print name: Kyle Winkler
 Capacity: Director
 Address: PO Box #2610 San Francisco, CA 94126 I am the: Property Owner
 Telephone No. 510-290-9901 Purchaser (include copy of contract)

Owner's Name: TC II 533 Kirkham, LLC (if other than applicant)
 Owner's Address: PO Box #2610 San Francisco, CA 94126 Telephone No. 510-290-9901



PARCEL MAP WAIVER

FOR LOT MERGER
 THE LANDS OF TC AQUISITION II, LLC

 AS DESCRIBED IN THE GRANT DEED
 RECORDED MARCH 3, 2021, AS DOCUMENT 2021-97550,
 OFFICIAL RECORDS OF ALAMEDA COUNTY

 CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA
 SEPTEMBER 2022



4670 WILLOW ROAD
 SUITE 250
 PLEASANTON, CA 94588
 (925) 396-7700
 www.bkf.com