

**Case File Number: CMDV06-573-R01**

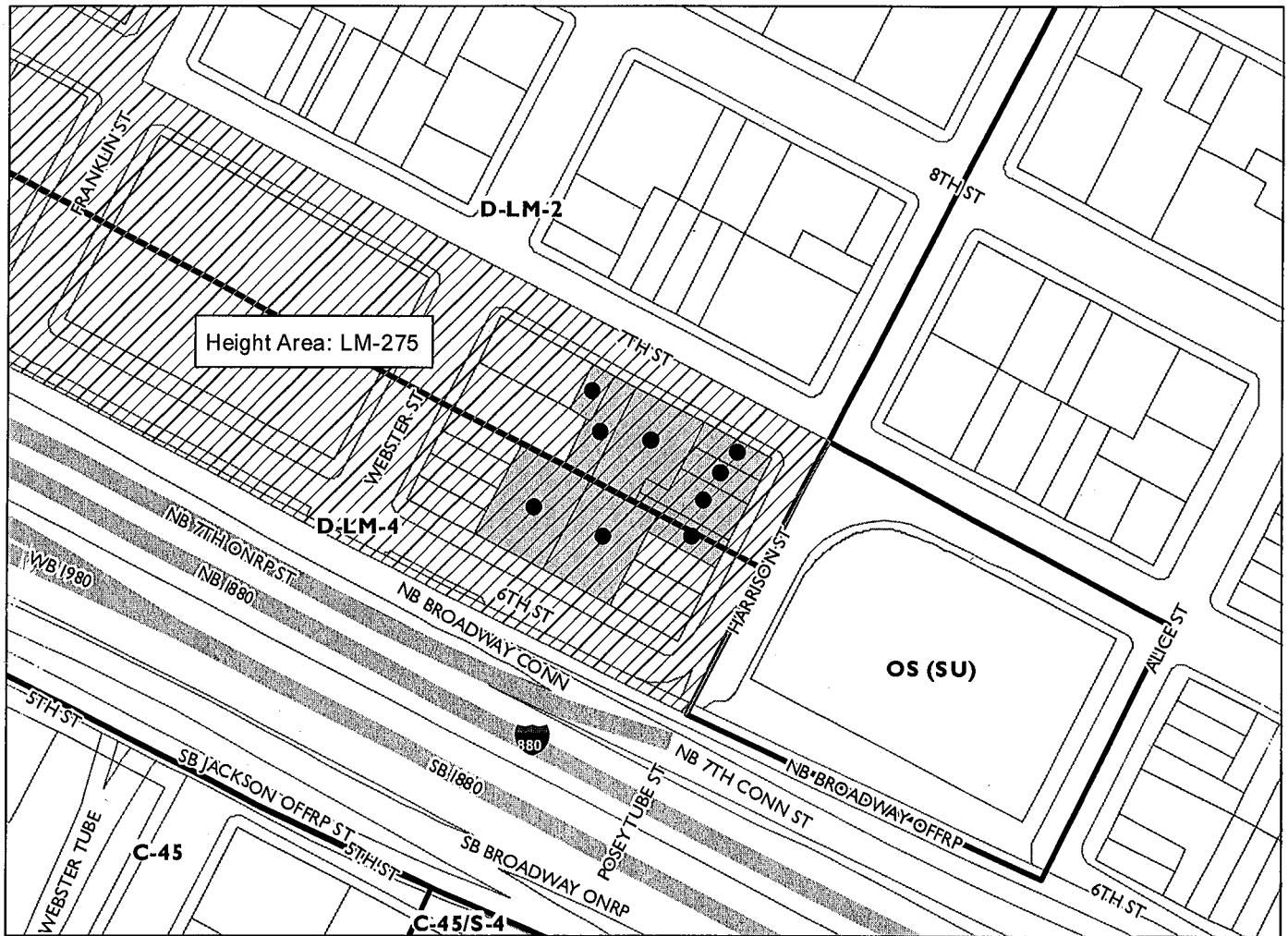
**September 6, 2017**

<b>Location:</b>	325 7 <sup>th</sup> Street
<b>Assessor's Parcel Numbers:</b>	001-0189-003-00; 001-0189-009-00; 001-0189-013-00; 001-0189-014-00;
<b>Proposal:</b>	To revise previously-approved mixed-use project to reduce the residential units from 380 units to 160 residential units and increase the commercial space from 9,110 to 11,243 square-feet.
<b>Owner:</b>	325 7 <sup>th</sup> Street, LLC
<b>Applicant:</b>	325 7 <sup>th</sup> Street, LLC. (510)763-2911
<b>Case Number:</b>	<b>CMDV06-573-R01</b>
<b>Planning Permits Required:</b>	Revision to previously-approved project involving a Major Conditional Use Permit, Design Review and updated Tentative Parcel Map;
<b>General Plan:</b>	Central Business District
<b>Zoning:</b>	D-LM 2 & D-LM 4 Lake Merritt Station Area District
<b>Environmental Determination:</b>	The revised project relies on the previously prepared 325 7 <sup>th</sup> Street EIR (ER07-0002) (2011 EIR) as well as City of Oakland General Plan Land Use and Transportation Element (LUTE) (1998), Housing Element; Lake Merritt Station Area Plan EIR (ER11-001)(2011); A detailed CEQA Analysis prepared for this project concluded that the proposed project, separately and independently, satisfies each of the following CEQA provisions: 15183 – Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for in-fill projects; and/or 15164 – Addenda to the 2011 EIR). The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 <sup>nd</sup> Floor, Oakland CA 94612, or online-at: <a href="http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/ak065545.pdf">http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/ak065545.pdf</a>
<b>Historic Status:</b>	Area of Primary Importance (API)
<b>Service Delivery District:</b>	Metro
<b>City Council District:</b>	2
<b>Status:</b>	Pending
<b>Action to be Taken:</b>	Decision based on staff report
<b>For Further Information:</b>	Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at <a href="mailto:mbrenyah@oaklandnet.com">mbrenyah@oaklandnet.com</a>

**SUMMARY**

In 2011, the Oakland Planning Commission approved an application to construct 380 residential units over ground floor commercial space at the subject site. The approved project involved removal and relocation of existing structures, including a residential structure at 617-621 Harrison Street that had a rating of "C1+" on the Oakland Cultural Heritage Survey. Since the project approval in 2011, the structure at 617-621 Harrison Street, which was identified as a contributor to the 7<sup>th</sup> Street/Harrison Square Residential Historic District, has been lost to fire.

# CITY OF OAKLAND PLANNING COMMISSION



0 100 200 400 600 800 Feet



Case File: CMDV06573 - R01  
Applicant: 325 7th Street, LLC  
Address: 325 7th Street  
Zone: D-LM 2 & D-LM 4  
Height Area: LM-275

On October 2016, 325 7<sup>th</sup> Street LLC filed an application with the Bureau of Planning to revise the previously-approved project to reduce the residential units from 380 to 160 units and increase the commercial floor area from 9,110 to 11,243 square feet.

The subject 0.81-acre site is located at the corner of Harrison Street and 7<sup>th</sup> Street on the western edge of the 7th Street/Harrison Square Residential Historic District. Pursuant to Planning Code Sections 17.136.055C and 17.136.060, any new construction project located within either an API in the Central Business District or the S-7 Zone must be reviewed by the Landmarks Preservation Advisory Board (LPAB) prior to any action on the application by a decision making body.

Staff presented an earlier version of the revised project design to the LPAB for comment at their October 10<sup>th</sup>, 2016 meeting. Those plans have since been revised consistent with the input from the LPAB. The changes included revisions to the proposed rooftop cultural art feature above the entry lobby wing, and incorporation of elements to make the building more responsive to the immediate context of medium density residential and varied commercial structures.

## **PROPERTY DESCRIPTION**

The subject 0.81-acre (35,500 square-foot) site encompasses approximately half the city block and is bounded by Harrison Street to the east, 7<sup>th</sup> Street to the north and 6<sup>th</sup> Street/880 Freeway elevated to the south. The site currently contains a collection of structures that would be demolished to construct the proposed project. The site is across the street from the Chinese Garden Park. The Oakland Downtown Salvation Army facility is one block to the west. The Lake Merritt BART Station is approximately four blocks to the east. The vicinity has a variety of civic, commercial, and residential uses.

## **PROJECT DESCRIPTION**

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

The revised project is significantly scaled back from the original. The revision reduces the number of residential units from 380 to 160 units and slightly increases the commercial space from 9,110 square feet to 11,243 square feet. Consequently, the revised project eliminates the two towers and instead involves five stories of residential units over ground level commercial space and a parking podium for a total of six stories and a height of approximately 76c feet. The number of parking spaces are also reduced from 399 spaces to 109 spaces. Access to the parking garage remains via a two-way entrance/exit located on 6<sup>th</sup> street and a one-way exit on 7<sup>th</sup> Street. No vehicle access is proposed on Harrison Street.

The original project proposed GFRC panels as exterior materials. The revised project proposes a combination of cement plaster, fiber cement boards, tiles, steel, glass, and other materials. The design incorporates various elements and detailing such as projecting and recessing planes, grouped

fenestrations, rhythms of shapes and forms, varied rooflines, and material changes to achieve a visually attractive development that both reads as a unified whole and features distinctive elements.

## **CEQA ANALYSIS**

The revised project relies on the previously prepared 325 7<sup>th</sup> Street EIR (ER07-0002) (2011 EIR) as well as City of Oakland General Plan Land Use and Transportation Element (LUTE) (1998), Housing Element; Lake Merritt Station Area Plan EIR (ER11-001; 2011), as detailed in the attached CEQA Findings.

A detailed CEQA Analysis prepared for this project concluded that the proposed project, separately and independently, satisfies each of the following CEQA provisions:  
15183 – Projects consistent with a community plan, general plan, or zoning;  
15183.3 – Streamlining for in-fill projects; and/or  
15164 – Addenda to the 2011 EIR.

The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2<sup>nd</sup> Floor, Oakland CA 94612, or online-at:  
<http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak065545.pdf>

## **GENERAL PLAN ANALYSIS**

The subject site is in the Central Business District land use classification according to the City of Oakland General Plan Land Use and Transportation Element (LUTE). According to the LUTE, the intent of the Central Business District is “to encourage, support, and enhance the downtown area as a high density mixed use urban center...and the desired character is to include ...offices, commercial, urban (high rise) residential...”

The site is also located within the Lake Merritt Station Area Plan (LMSAP), which identifies a portion of the subject site as a development “Opportunity Site”. The LMSAP identifies the site as part of the Pedestrian District – “An area of mixed-use, pedestrian oriented continuous storefront uses with a mix of retail, restaurants, businesses, cultural uses, and social services at the ground floor. Upper story spaces are available for a wide range of residential and commercial activities.”

The proposed project is consistent in all significant respects with the following General Plan objectives and policies:

- *Objective N3: Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future housing needs of the Oakland community.* The project will provide the Oakland community with 160 new dwelling units, and a 11,243 square-foot retail space.
- *Policy N3.1, Facilitating Housing Construction: Facilitating the construction of housing units should be considered a high priority for the City of Oakland.* The City of Oakland’s Bureau of Planning has streamlined its systems in order to facilitate the construction of new homes by assisting developers to navigate the permitting process smoothly and in a timely manner.

- *Policy N3.2, Encouraging Infill Development: In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland. The project is proposed for a site located in an urban area of Oakland. The new development will be an infill development that is consistent with the General Plan on a currently underutilized site.*
- *Policy N6.2, Increased Home Ownership: Housing developments that increase home ownership opportunities for households of all incomes are desirable. The project will provide property ownership opportunities for 160 combined new households and business owners. The developer intends to build these units as condominiums which will create multiple homeownership opportunities and make the units more affordable for purchasing as opposed to a 160-unit apartment complex with only one possible ownership entity.*

**ZONING ANALYSIS**

Development Standards

The previous zoning of the Project site was C-40 Community Thoroughfare Commercial, and S-17 Downtown Residential Open Space Combining Zone. Since the project was approved, the site has been rezoned to D-LM-2 and D-LM-4 Lake Merritt Station Area District. Under these zones, the subject site is subject to the LM-275 Height, Bulk, and Intensity Area Specific Standards, which allows a nonresidential FAR of 12.0 and residential density of one unit per 110 square feet of site area. The subject 35,500 square-foot site would, therefore, allow up to 322 residential units and up to 426,000 square feet of nonresidential floor area.

The proposed 160 units is less than half the number of allowable residential units and the proposed 9,834 commercial space is approximately .2 percent of the maximum nonresidential FAR of 12.0. Hence, the proposed revision is well under the maximum allowed density and FAR.

The proposed development is consistent with other applicable land use regulations and property development standards in the Oakland Planning Code:

**Table 1: Development Standards**

<b>Regulation</b>	<b>Required</b>	<b>Proposed</b>
Max. height	275 ft	76 ft
Min. setbacks	0 ft	0 ft
Min. useable open space	12,000 sq. ft. (75 sq. ft./unit)	16,809 sf/unit
Reqd. bicycle parking	42 Long term (LT)/11 Short Tern (ST)	160 LT/-11ST
Reqd. off-street parking	160 spaces (one/unit)	166 spaces

Historic Resource Evaluation

Based on the Oakland Historic Resource Inventory (see Attachment B), the 7<sup>th</sup> Street/Harrison Square Residential District consists of the properties along five blocks of 7<sup>th</sup> Street, including the cross streets, from Harrison to Fallon, extending in some places to 8<sup>th</sup> Street and 6<sup>th</sup> Street. It is almost entirely housing except for one City park. Individual block-fronts are varied, though matching pairs and triplets occur. The

district is a surviving remnant of a much larger neighborhood that was developed in the decades just before and after 1900. It is bounded on the west and northwest by the Chinatown Commercial District and on the other three sides by relatively newer construction such as the BART and the Joseph P. Bort MetroCenter buildings to the north, Laney College buildings and parking lot to the east, and the I-880 Freeway to the south. Some other uses include a gas station, small parking lots, small industrial buildings, and a motel.

The LMSAP Design Guidelines state that “The architectural details of new buildings within or adjacent to the 7<sup>th</sup> Street/Harrison Square Residential Historic District API should relate to existing distinguishing features of the district. Most of the buildings in the 7<sup>th</sup> Street /Harrison Square Residential District are detached one- or two-story wood frame structures set back from the sidewalk line, including many Victorian and Colonial Revival cottages and houses. The district began as a residential area and continues largely so to this day. Except for the intrusions of some industrial buildings and apartment buildings, the district is unified in scale, apparent density, use, and relationship of buildings to lots.”

As mentioned, the previously-approved project involved the removal/relocation of a residential structure that was a contributor to the 7<sup>th</sup> Street/Harrison Square Residential Historic District. This structure has since burned down and no longer exists at the subject site.

Required Findings for special regulations for Historic Properties in the Central Business Zones are discussed in Attachment B of this report.

## **KEY ISSUES AND IMPACTS**

Overall, the proposed site plan and design for the project are successful and consistent with the goal of creating an active, pedestrian-oriented retail development in Downtown Oakland. The key issues and impacts are discussed below.

### New residents in Oakland downtown

The proposed new residential units and commercial space, which are located within a couple blocks of BART and AC Transit stops, are expected to increase transit use and capacity exists to accommodate that increase. The additional residents will also support local businesses and promote more economic activity in the vicinity.

### Automobile Parking

The project provides at least one off-street parking space for all the residential units within the ground level garage. The revised proposal contains six more parking spaces than the original plan, for a total of 166 spaces, which will be sufficient for a site that is heavily served by transit.

### Site Plan and Building Design

The site plan presents a relatively dense development in a context of an urbanized neighborhood. The design incorporates various elements and detailing such as projecting/recessed planes, a series of grouped fenestration, rhythm of shapes and forms, varied rooflines, and material changes to achieve a visually attractive development that both reads as a unified whole while featuring distinctive elements. The proposed landscaping includes trees, shrubs, ground cover, as well as hardscape such as decorative pavers, planters and other features that enhance the visual quality, functionality, and experience of the

open areas. Along 7<sup>th</sup> Street, the ground level features the main entry lobby and retail spaces that extend to the corner of Harrison Street. A one lane garage exit and driveway is also located on 7<sup>th</sup> Street. The garage with a two-way entry/exit driveway and accessory spaces occurs on the 6<sup>th</sup> Street side.

#### Public Art

The project proposes enhancements to all the visible blank walls with patterns and treatments that will add visual interest and minimize perceived bulk. The project proposes a mural on the highly visible blank wall(s) to comply with its Public Art requirement.

#### Useable Open Space

The D-LM-2 and D-LM-4 districts require 75 square feet of useable open space per dwelling unit and a total of 12,000 square feet for the entire development. The project meets this requirement by providing a total of 16,809 square feet of usable open space. The project incorporates landscaping (softscape and hardscape) to enhance the open areas and achieve a net reduction of peak flow stormwater run-off.

#### Landscaping

The project incorporates various landscaping elements to soften and achieve an attractive street and courtyard ambience. The project involves landscaped terraces on the second levels of the two wings. The proposed landscaping includes trees, shrubs, ground cover, as well as hardscape such as decorative pavers, planters and other features that enhance the visual quality, functionality, and experience of the open areas.

#### Historic Resource Evaluation

The subject site is located within the 7<sup>th</sup> Street/Harrison Square Residential District API and, therefore, the LAPB has reviewed and recommended design enhancements which have been incorporated into the project to make it more compatible to the API.

### **CONCLUSION**

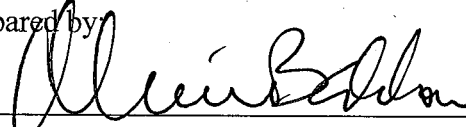
Based on the analysis contained in this report, staff believes that the proposed project is an appropriate high density mixed-use development that will improve an existing underutilized site to provide 160 new residential units close to mass transit and help alleviate the ongoing housing crises in Oakland. It will also further the overall objectives of the Lake Merritt Station Area Plan which, among other goals, aims to increase housing supply to accommodate a diverse community around the Lake Merritt BART Station. The proposed design also compliments the 7<sup>th</sup> Street/Harrison Square Residential District API with a building scale that provides an appropriate transition from medium density to higher intensity medium-to high-rise mixed use and commercial Downtown buildings. Overall, the project is a mixed use development that increases retail space and housing supply close to mass transit in the Oakland downtown district, consistent with the objectives of the Oakland General Plan.

**RECOMMENDATIONS:**

Thus, staff recommends that the Commission:

1. Affirm staff's CEQA determination; and
2. Approve the Design Review subject to the attached Findings and Conditions of Approval.

Prepared by:



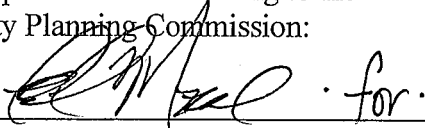
MAURICE BRENYAH-ADDOW - Planner III

Reviewed by:



SCOTT MILLER - Zoning Manager

Approved for forwarding to the  
City Planning Commission:

 for.

DARIN RANELLETTI – Interim Director  
Planning and Building Department

**ATTACHMENTS:**

- A. Findings
- B. Conditions of Approval, including Standard Conditions of Approvals  
CEQA Analysis Document prepared for the project.
- C. Project Plans
- D. SCA/MMRP from the July 2017 CEQA Analysis



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ATTACHMENT A: FINDINGS

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This proposal meets the required findings and standards under Section 17.136.050, *Regular Design Review* criteria of the Oakland Planning Code as set forth below. Required findings are shown in normal type; reasons your proposal satisfies them are shown in **bold** type.

**SECTION 17.136.050(a)**

**REGULAR DESIGN REVIEW FINDINGS:**

1. That the proposed design will create a building or set of buildings that are well related to the surrounding area in their setting, scale, bulk, height, materials, and textures. **The proposed new development responds to downtown surroundings with a six-story structure that has five stories of residential units over ground floor commercial and parking. The residential units are organized around a central courtyard that serves as useable open space and light well to provide sunlight into interior spaces. The design incorporates elements and materials that articulate the façades with recesses and projections, a series of grouped fenestration, and varied rooflines, all aimed to manage massing and minimize perceived bulk. The overall design relates well to the surrounding area in their setting, scale, bulk, height, materials and textures.**
2. That the proposed design will protect, preserve or enhance desirable neighborhood characteristics. **The subject site is located on the border of where the medium density, low-rise residential buildings within the historic 7<sup>th</sup> Street Residential District transition to higher intensity medium- to high-rise mixed use and commercial Downtown buildings. The scale and mixed use nature of the proposed project provides such a transition and is therefore appropriate for the location. The new condo units will bring more residents and businesses to revitalize the neighborhood. The attached standard conditions of approval are to ensure that all potential negative impacts have been reduced to less than significant.**
3. That the proposed design will be sensitive to the topography and landscape. **The proposed development is expected to involve minimal earthwork for foundations and other site improvements.**
4. That if situated on a hill, the design and massing of the proposed building relates to the grade of the hill. N/A
5. That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable district plan or development control map which has been adopted by the City council. **See General Plan analysis, above.**

**17.136.055 Special regulations for Historic Properties in the Central Business Zones.**

**B.2. Findings.**

- a) Any proposed new construction is compatible with the existing API in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing; **Although the proposed development is located on the fringes of the API where structures begin to transition into the adjacent downtown commercial, mixed use and high density residential areas, the design ensures that the massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing of the proposed development, is complimentary to the other structures in the API. Specifically, the design incorporates various elements and detailing such as projecting/recessed planes, a series of grouped fenestration, rhythm of shapes and forms, varied rooflines, and material changes to achieve a visually attractive development that both reads as a unified whole while featuring distinctive elements. LAPB has also reviewed and made recommendations that have been incorporated into the project.**
  
- b) New street frontage has forms that reflect the widths and rhythm of the facades on the street and entrances that reflect the patterns on the street; **The proposed building design has street facades and entrances that are consistent with the pattern of similar-sized developments in the area. For example, along 7<sup>th</sup> Street, the ground level features the main entry lobby and retail spaces that extend to the corner of Harrison Street.**
  
- c) The proposal provides high visual interest that either reflects the level and quality of visual interest of the API contributors or otherwise enhances the visual interest of the API. **The proposed building is a mixed-use structure located at the end of the 7<sup>th</sup> Street/Harrison Square Residential District. Although most of the buildings within the API are a mix of single and medium density residential structures, the proposed mixed-use structure will enhance the visual interest of the API. The Contemporary rendition of the traditional designs within the API provides a visual reference that transitions architectural styles within the API to the contemporary surroundings.**
  
- d) The proposal is consistent with the visual cohesiveness of the API. For the purpose of this finding, visual cohesiveness is the architectural character, the sum of all visual aspects, features, and materials that defines the API. A new structure contributes to the visual cohesiveness of a district if it relates to the design characteristics of a historic district while also conveying its own time. New construction may do so by drawing upon some basic building features, such as the way in which a building is located on its site, the manner in which it relates to the street, its basic mass, form, direction or orientation (horizontal vs. vertical), recesses and projections, quality of materials, patterns of openings and level of detailing. When some combination of these design variables are arranged in a new building

to relate to those seen traditionally in the area, but integral to the design and character of the proposed new construction, visual cohesiveness results;

**The proposed development occurs at the border of the 7<sup>th</sup> Street/Harrison Square Residential District API and incorporates various elements and detailing such as projecting/recessed planes, a series of grouped fenestration, rhythm of shapes and forms, varied rooflines, and material changes to achieve a visually attractive development that both reads as a unified whole while featuring distinctive elements. These elements relate to those traditionally seen in the areas and the project therefore, does not affect the visual cohesiveness of the District.**

- e) Where height is a character-defining element of the API there are height transitions to any neighboring contributing historic buildings. "Character-defining elements" are those features of design, materials, workmanship, setting, location, and association that identify a property as representative of its period and contribute to its visual distinction or historical significance. APIs with a character-defining height and their character-defining height level are designated on the zoning maps; and **Transitions are not necessary in the design because the development is located on the border of the API and across from a park. Nonetheless, the design ensures that the massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing the proposed development provides a nice transition to the other structures in the API.**
  
- f) For additions, the proposal meets either: 1) Secretary of Interior's standards for the treatment of historic resources; 2) the proposal will not adversely affect the character of the property or API; or, 3) upon the granting of a conditional use permit, (see Chapter 17.134 for the CUP procedure) and a hearing in front of the Landmarks Preservation Advisory Board for its recommendations, a project meets the additional findings in Subsection g., below. **The project is not an addition so this criteria is not applicable.**
  
- g) For construction of new principal buildings:
  - I. The project will not cause the API to lose its status as an API; **The Office of Cultural Survey and the LPAB has determined that the project will not cause the API to lose its status.**
  - II. The proposal will result in a building or addition with exterior visual quality, craftsmanship, detailing, and high quality and durable materials that is at least equal to that of the API contributors; **The design and exterior materials of the new building are similar to exterior materials and finishes in the API. The project proposes a combination of cement plaster, fiber cement boards, tiles, steel, glass, and other materials. The design incorporates various elements and detailing such as projecting and recessing planes, grouped fenestrations, rhythms of shapes and forms, varied rooflines, and material changes to achieve a visually attractive development.**

- III. The proposal contains elements that relate to the character-defining height of the API, if any, through the use of a combination of upper story setbacks, window patterns, change of materials, prominent cornice lines, or other techniques. APIs with a character-defining height and their character-defining height level are designated on the zoning maps. **There is no character defining height level in the API.**

## CEQA COMPLIANCE FINDINGS

I. Introduction: These findings are made pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et seq.; "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.; "CEQA Guidelines") by the Zoning Manager in connection with the environmental analysis of the effects of implementation of the **325 7<sup>th</sup> Street Project**, as more fully described elsewhere in this Staff Report and City of Oakland ("City")-prepared CEQA Analysis document entitled "**325 7<sup>th</sup> Street Project CEQA Analysis**" dated July 2017 ("CEQA Analysis") (the "Project"). The City is the lead agency for purposes of compliance with the requirements of CEQA. These CEQA findings are attached and incorporated by reference into each and every decision associated with approval of the Project and are based on substantial evidence in the entire administrative record.

### II. Applicability/Adoption of Previous CEQA Documents

A. Adoption of 325 Seventh Street Project EIR and certification of 325 Seventh Street EIR (aka 2011 EIR): The City finds and determines that (a) the Oakland City Planning Commission on June 20, 2011 adopted the 325 Seventh Street Project EIR for the Project; and (b) made appropriate CEQA findings including certification of the 325 Seventh Street Project EIR. The City Planning Commission in adopting the 325 Seventh Street Project EIR following a public hearing, approved applicable mitigation measures and standard conditions of approval and determined that the uniformly applicable development policies or standards, together with the mitigation measures set out in the 325 Seventh Street Project EIR, would substantially mitigate the impacts of the 325 Seventh Street Project and future alterations resulting in lesser impacts to the projects thereunder.

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

- C. Adoption of Oakland Housing Element Update (2007-2014 and 2015-2025) and Certification of Oakland Housing Element Update EIR and Addendum: The City finds and determines that (a) the Oakland City Council on December 21, 2010, adopted Resolution No. 83194 C.M.S. which adopted the 2007-2014 Housing Element, made appropriate CEQA findings, including certification of the 2010 Environmental Impact Report (EIR); and (b) the Oakland City Council on November 20, 2014, adopted Resolution No. 85315 C.M.S. which adopted the 2015-2023 Housing Element, made appropriate CEQA findings, including certification of the 2014 Addendum to the 2010 EIR; and (c) the 2010 Housing Element Update EIR satisfies the designation of a "Program EIR" under CEQA Guidelines section 15183 as well the description of "Planning Level Document" set out in Public Resources Code section 21094.5 and in CEQA Guidelines section 15183.3. The City Council, in adopting the Oakland Housing Element Updates following a public hearing, approved applicable mitigation measures and standard conditions of approval and determined that the uniformly applicable development policies or standards, together with the mitigation measures set out in the 2010 Housing Element Update EIR, would substantially mitigate the impacts of the Housing Element Update and future projects thereunder.
- D. Adoption of the Lake Merritt Station Area Plan (LMSAP) EIR (2014): The City finds and determines that (a) the Oakland City Council on November 18, 2014 adopted Resolution No. 85276 C.M.S. which adopted the Lake Merritt Station Plan EIR for the Project Area; and (b) made appropriate CEQA findings including certification of the LMSAP EIR; and (c) the LMSAP EIR satisfies the designation of a "Program EIR" under CEQA Guidelines Section 15168. The City Council, in adopting the LMSAP EIR following a public hearing, approved applicable mitigation measures and standard conditions of approval and determined that the uniformly applicable development policies or standards, together with the mitigation measures set out in the LMSAP EIR, would substantially mitigate the impacts of the LMSAP EIR and future projects thereunder.

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

The City hereby finds that, as set forth below and in the checklist attached as part of the CEQA Analysis, the Project is exempt from any additional CEQA Analysis under the "Community Plan Exemption" of Public Resources Code section 21083.3 (CEQA Guidelines §15183) and/or the "Qualified Infill Exemption" under Public Resources section 21094.5 (CEQA Guidelines §15183.3) and that the CEQA Analysis also constitutes an Addendum to the 2011 EIR pursuant to Public Resources Code section 21166 (CEQA Guidelines §15162) and that such Addendum determines that none of the three events requiring subsequent or supplemental environmental analysis as stipulated in Public Resources Code section 21166 have occurred, thus not additional environmental analysis beyond the 2011 EIR and the CEQA Analysis is necessary. The specific statutory exemptions and the categorical exemption are discussed below in more detail.

A. Community Plan Exemption; Public Resources Code Section 21083.3 (CEQA Guidelines §15183): The City finds and determines that, for the reasons set out below and in the CEQA Analysis, the Community Plan Exemption applies to the Project. Therefore, no further environmental analysis is required because all of the Project's effects on the environment were adequately analyzed and mitigation measures provided in the 2010 Oakland Housing Element Update EIR and 2014 Addendum t, the 1998 LUTE EIR, and the 2014 LMSAP EIR (collectively called "Previous CEQA Documents"); there are no significant effects on the environment which are peculiar to the Project or to the parcel upon which it is located not addressed and mitigated in the Previous CEQA Documents; and there is no new information showing that any of the effects shall be more significant than described in the Previous CEQA Documents.

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

B. Qualified Infill Exemption; Public Resources Code Section 21094.5 (CEQA Guidelines §15183.3): The City finds and determines that, for the reasons set forth below and in the CEQA Analysis, a Qualified Infill Exemption applies to the Project and no further environmental analysis is required since all the Project's effects on the environment were adequately analyzed and mitigation measures provided in the Previous CEQA Documents; the Project will cause no new specific effects not addressed in the Previous CEQA Documents that are specific to the Project or the Project Site; and there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the Previous CEQA Documents.

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

Project. Based upon the CEQA Analysis and other substantial evidence in the record, the City finds and determines that no further environmental analysis of the effects of the Project is required.

C. CEQA Analysis Constitutes an Addendum' Public Resources Code Section 21166 (CEQA Guidelines §15164).

The City finds and determines that the CEQA Analysis constitutes an Addendum to the 2011 EIR and that no additional environmental analysis of the Project beyond that contained in the 2011 EIR is necessary. The City further finds that no substantial changes are proposed in the Project that would require major revisions to the 2011 EIR because of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes occur with respect to the circumstances under which the Project will be undertaken which will require major revisions of the 2011 EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and there is no new information of substantial importance not known and which could not have been known with the exercise of reasonable diligence as of the time of certification of the 2011 EIR showing that the Project will have one or more significant effects not discussed in the 2011 EIR; significant effects previously examined will be substantially more severe than shown in the 2011 EIR, mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project; or mitigation measures or alternatives which are considerable different from those analyzed in the 2011 EIR would substantially reduce one or more significant effects on the environment.

Based on these findings and determinations, the City further finds that no Subsequent or Supplemental EIR or additional environmental analysis shall be required because of the Project. The City has considered the CEQA Analysis along with the 2011 EIR prior to making its decision on the Project and a discussion is set out in the CEQA Analysis explaining the City's decision not to prepare a Subsequent or Supplemental EIR pursuant to Guidelines section 15162 and/or 15163.

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

V. Incorporation by Reference of Statement of Overriding Considerations: Each of the Previous CEQA Documents identified significant and unavoidable impacts.<sup>1</sup> The 1998 LUTE EIR identified six areas of environmental effects of the LUTE that presented significant and unavoidable impacts; the 2010 Oakland Housing Element Update EIR and 2014 Addendum identified two areas of environmental effects of the Housing Element Update that presented significant and unavoidable impacts; and the Lake Merritt Station Area Plan EIR identified three areas of environmental effects of the Lake Merritt Station Area Plan that presented significant and unavoidable impacts; and the 325 7<sup>th</sup> Street EIR identified two areas of environmental effects of the 325 7<sup>th</sup> Street project that presented significant and unavoidable impacts . Because the Project may contribute to some significant and

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



unavoidable impacts identified in the Previous CEQA Documents identified above, but a Subsequent and/or Supplemental EIR is not required in accordance with CEQA Guidelines sections 15162, 15163, 15164, 15168, 15180, 15183 and 15183.3, a Statement of Overriding Considerations is not legally required. Nevertheless, in the interest of being conservative, the Statements of Overriding Consideration for the 1998 LUTE EIR, adopted by the City Council on March 24, 1998, via Resolution No. 74129 C.M.S.; for the 2010 Oakland Housing Element Update EIR and 2014 Addendum adopted by the Oakland City Council on December 21, 2010, via Resolution No. 83194 C.M.S and on November 20, 2014, via Resolution No. 85315 C.M.S., respectively; for the Lake Merritt Station Area Plan EIR, adopted by the City Council on November 18, 2014, via Resolution No. 85276 C.M.S; and for the 325 7<sup>th</sup> Street EIR, adopted by the Planning Commission on July 11, 2011, are all hereby incorporated by reference as if fully set forth herein.

## CONDITIONS OF APPROVAL

1. **Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, Staff report and the approved plans **dated February 14, 2017 and submitted February 14, 2017**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

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

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

3. **Compliance with Other Requirements**

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

4. **Minor and Major Changes**

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

**CONDITIONS OF APPROVAL**

**Attachment B**

**5. Compliance with Conditions of Approval**

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

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

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

**7. Blight/Nuisances**

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

**8. Indemnification**

- 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 the Bureau of Building, if directed by the Building Official, Director of City Planning, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

**11. Public Improvements**

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

**12. Compliance Matrix**

The project applicant shall submit a Compliance Matrix, in both written and electronic form, for review and approval by the Bureau of Planning and the Bureau of Building that lists each Condition of Approval (including each mitigation measure if applicable) in a sortable spreadsheet. The Compliance Matrix shall contain, at a minimum, each required Condition

of Approval, when compliance with the Condition is required, and the status of compliance with each Condition. For multi-phased projects, the Compliance Matrix shall indicate which Condition applies to each phase. The project applicant shall submit the initial Compliance Matrix prior to the issuance of the first construction-related permit and shall submit an updated matrix upon request by the City.

**13. Construction Management Plan**

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

**14. Regulatory Permits and Authorizations from Other Agencies**

Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.

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

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

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

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

- a. All mitigation measures identified in the 325 7<sup>th</sup> Street CEQA Analysis Document are included in the Standard Condition of Approval / Mitigation Monitoring and Reporting

Program (SCAMMRP) which is included in these Conditions of Approval and are incorporated herein by reference, as Attachment C, as Conditions of Approval of the project. The Standard Conditions of Approval identified in the **325 7<sup>th</sup> Street CEQA Analysis Document** are also included in the SCAMMRP, and are, therefore, incorporated into these Conditions by reference but are not repeated in these Conditions. To the extent that there is any inconsistency between the SCAMMRP and these Conditions, the more restrictive Conditions shall govern. In the event a Standard Condition of Approval or mitigation measure recommended in **325 7<sup>th</sup> Street CEQA Analysis Document** has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the **325 7<sup>th</sup> Street CEQA Analysis Document** into the SCAMMRP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable mitigation measures adopted, and with all Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or Condition of Approval, and subject to the review and approval by the City of Oakland. The SCAMMRP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval and mitigation measure. Monitoring of compliance with the Standard Conditions of Approval and mitigation measures will be the responsibility of the Bureau of Planning and the Bureau of Building, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.

- b. Prior to the issuance of the first construction-related permit, the project applicant shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

**16. Regulatory Permits and Authorizations from Other Agencies**

Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.

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

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

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

**Project-Specific Conditions**

**17. Public Improvements Consistent with the LMSP**

Requirement: Plans shall be submitted for review and approval that include public right of way improvements that are consistent with the Lake Merritt Station Plan. This shall apply to all project frontages.

When Required: Prior to issuance of Building Permit

Initial Approval: Bureau of Planning; Public Works

Monitoring/Inspection: Bureau of Building

**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. Public Art for Private Development Condition of Approval**

Requirement: The project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). The public art contribution requirements are equivalent to one-half percent (0.5%) for the "residential" building development costs, and one percent (1.0%) for the "non-residential" building development costs. The contribution requirement can be met through the commission or acquisition and installation of publicly accessible art fund, or satisfaction of alternative compliance methods described in the Ordinance. The applicant shall provide proof of full payment of the in-lieu contribution, or provide proof of installation of artwork on the development site prior to the City's issuance of a final certificate of occupancy for each phase unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval. On-site art installation shall be designed by independent artists, or artists working in conjunction with arts or community organizations that are verified by the City to either hold a valid Oakland business license and/or be an Oakland-based 501(c) (3) tax designated organization in good standing.

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

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

percent of development cost would be used to determine the nonresidential share of the contribution fee.

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

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

**20. Development Impact Fees**

The project shall be subject to, and Applicant shall agree to pay, any applicable development impact fees adopted by the City Council.

When Required: Prior to issuance of Building Permits

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

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**21. Green Building Requirements**

a. ***Compliance with Green Building Requirements During Plan-Check***

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

i. The following information shall be submitted to the City for review and approval with the application for a building permit:

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

ii. The set of plans in subsection (i) shall demonstrate compliance with the following:

- CALGreen mandatory measures.



- All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.
- 53 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

b. ***Compliance with Green Building Requirements During Construction***

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

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

c. ***Compliance with Green Building Requirements After Construction***

Requirement: Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to **Green Building Certification Institute** and attain the minimum required certification/point level. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Bureau of Planning the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.

When Required: After project completion as specified

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**22. Sanitary Sewer System**

Requirement: The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.

When Required: Prior to approval of construction-related permit

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

Monitoring/Inspection: N/A

**23. Tentative Parcel Map**

In order for the proposed project to be completed as condominiums, the project applicant shall revise the Tentative Parcel Map to reflect the change in number of units, and apply and receive approval for a Final Parcel Map with the City of Oakland Planning and Building Departments.

When Required: Prior to approval of issuance of certificate of occupancy

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

**24. Other City Department Requirements**

The applicant shall comply with all requirements of other City of Oakland departments.

When Required: Prior to application for a building permit

Initial Approval: Bureau of Planning; Bureau of Building; Fire Prevention; Public Works.

Monitoring/Inspection: Bureau of Building

**25. Final Building Materials and Colors**

The applicant shall submit the final exterior building materials and colors to the Oakland Planning Bureau for review and approval. The applicant shall provide the following details:

- a. Samples of exterior materials, colors, and other finishes; and
- b. Window details showing 2" minimum recess from surrounding exterior walls.

When Required: Prior to application for a building permit

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

**26. Transportation**

The applicant shall incorporate the following transportation improvements, subject to City review and approval:

- Ensure that both project driveways on 6th and 7th Streets would provide adequate sight distance between motorists exiting the driveway and pedestrians on the adjacent sidewalks. This may require redesigning and/or widening the driveway (Considering that the sidewalk along the project frontage on 6th Street is about 18 feet, one potential design may be to install planter wells adjacent to the 6th Street driveway to move pedestrians away from the driveway to ensure adequate sight distance and continue to maintain adequate sidewalk width). If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveways;
- To ensure adequate sight distance for vehicles, prohibit on-street parking along within 20 feet on the both sides of the 6th Street driveway and on the west side of the 7th Street driveway;
- Consider relocating all or some of the long-term bicycle parking from the Mezzanine Level to a more convenient location on the ground level;
- Identify location and amount of short-term bicycle parking, consistent with the City of Oakland Bicycle Parking Ordinance. Short-term bicycle parking should be near the entrances to the commercial and both residential components of the project;
- Explore the feasibility of providing a bulb-out at the southwest corner of the 7th Street/Harrison Street intersection in the currently cross-hatched pavement area considering that fire hydrants, signal poles, and/or light poles are provided that may obstruct installation. The relocation of any existing infrastructure or features such as those noted above shall be considered to render installation infeasible. The applicant shall submit a feasibility analysis for review and approval by the City. If the City determines the improvements feasible then the applicant shall submit a p-job permit for review and approval by the Department of Transportation to implement this improvement.
- Work with Department of Transportation and AC Transit to explore the feasibility of providing a bus shelter to enhance the existing bus stop on eastbound 7th Street, just west of Harrison Street. considering that fire hydrants, signal poles, and/or light poles are provided that may obstruct installation. The relocation of any existing infrastructure or features such as those noted above shall be considered to render installation infeasible. The applicant shall submit a feasibility analysis for review and approval by the City. If the City determines the improvements feasible then the applicant shall submit a p-job permit for review and approval by the Department of Transportation to implement this improvement.
- Provide at least one on-site car share spaces (required by Code Section 17.116.105);
- Unbundle parking from the rent or sale of dwelling units (required by Code Section 17.116.310); and

- Provide a monthly transit benefit to each dwelling unit in an amount equal to either one-half the price of an Adult 31-Day AC Transit Pass (valued at \$75 as of March 2017) or an AC Transit EasyPass (required by Code Section 17.116.105).

When Required: Prior to application for; issuance of; Building Permits; final inspections; issuance of Certificate of Occupancy; and Ongoing  
Initial Approval: Bureau of Planning; Bureau of Building; PWA  
Monitoring/Inspection: Bureau of Building

**Applicant Statement**

I have read and accept responsibility for the Conditions of Approval. I agree to abide by and conform to the Conditions of Approval, as well as to all provisions of the Oakland Planning Code and Oakland Municipal Code pertaining to the project.

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\_\_\_\_\_  
Name of Project Applicant.

\_\_\_\_\_  
Signature of Project Applicant

\_\_\_\_\_  
Date

**APPROVED BY:**

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

325 7th St. Oakland, California

# 325 SEVENTH STREET

## PLANNING DEPARTMENT APPLICATION SUBMITTAL 2017.04.07

### PROJECT DIRECTORY

OWNER / DEVELOPER	ARCHITECT	LANDSCAPE
BALCO PROPERTIES LTD, LLC 1624 FRANKLIN STREET, SUITE 1115 OAKLAND, CA 94612 TEL: 510.63.2811	YHA ARCHITECTS 1617 CLAY STREET OAKLAND, CA 94612 TEL: 510.266.6888	WELLES MITCHELL & CO. 302 FOURTH STREET OAKLAND, CA 94607 TEL: 510.451.9987

**CIVIL ENGINEER**  
BRF ENGINEERS  
200 PARK H. OGDEN PLAZA, SUITE 300  
OAKLAND, CA 94612  
TEL: 510.893.7265

### PROJECT INFORMATION

#### BUILDING AND SITE

BUILDING - GROSS FLOOR AREA:	205,186 SF
BUILDING OUTLINE:	35,081 SF
NET SITE AREA:	BUILDING SITE ± 0.015 ACRES (65,500 SF)
FLOOR AREA RATIO:	205,186 SF = 3.13
BUILDING COVERAGE:	NET SITE AREA = 35,500 SF = 0.54
PROJECT HOUSING DENSITY:	BLDG. OUTLINE = 35,081 SF = 0.53
	NET SITE AREA = 35,500 SF = 0.54
	NUMBER OF UNITS = 160
	NET SITE AREA = 0.815 = 1.96 DU/AC

BUILDING CODE	SEISMIC ZONE	TYPE III-A OVER TYPE IP000UM
CONSTRUCTION TYPE:		R2 I/M
OCCUPANCY GROUP:		71-27 / 6 STORES
BUILDING HEIGHT / NUMBER OF STORES:		COMMERCIAL / RESIDENTIAL
USE:		DUALZ / DUALM
ZONING DESIGNATION:		2016 CALIFORNIA BUILDING STANDARDS CODE
CODE EDITION:		

**HAZARDOUS WASTE AND SUBSTANCES STATEMENT**  
THIS PROJECT IS LOCATED IN A SITE THAT IS NOT INCLUDED ON ANY OF THE LISTS COMPILED PURSUANT TO THIS SECTION (SEE PROJECT APPLICATION SECTION 9)



### SHEET INDEX

A0	PROJECT INFORMATION & INDEX	A15	RENDER
P1	GREEN BUILDING COMPLIANCE	A16	RENDER
P2	SITE & CONTEXT PICTURES	L01	CONCEPT SITE LANDSCAPE PLAN
P3	SITE & CONTEXT PICTURES	L02	CONCEPT 2ND FLOOR LANDSCAPE PLAN
P4	STREET ELEVATIONS	L03	CONCEPT ROOF LANDSCAPE PLAN
P5	SITE AND GROUND FLOOR PLAN	L04	CONCEPT LANDSCAPE MATERIALS
A1.5	MEZZANINE PLAN	L05	CONCEPT PLANT IMAGES
A2	TYPICAL UPPER FLOOR PLAN (2ND - 5TH)	C1.0	EXISTING CONDITIONS & DEMOLITION PLAN
A3	SOUTH FLOOR PLAN	C2.0	GRADING & PAVING PLAN
A4	ROOF PLAN	C3.0	UTILITY PLAN
A5	NORTH ELEVATION	C4.0	STORM WATER CONTROL PLAN
A6	EAST ELEVATION		
A7	SOUTH ELEVATION		
A8	WEST ELEVATION		
A9	COURTYARD ELEVATIONS		
A10	SECTION A		
A11	SECTION B		
A12	MATERIAL BOARD		
A13	RENDER		
A14	RENDER		

#### BUILDING AREA

	RESIDENTIAL	COMMERCIAL	OTHER	GROSS PER FLOOR
GROUND LEVEL	0	7,487	27,594	35,081
MEZZANINE	0	7,487	13,349	20,846
2ND LEVEL	29,012	0	4,199	33,211
3RD LEVEL	29,012	0	0	29,012
4TH LEVEL	29,012	0	0	29,012
5TH LEVEL	29,012	0	0	29,012
6TH LEVEL	29,012	0	0	29,012
7TH LEVEL	29,012	0	0	29,012
8TH LEVEL	29,012	0	0	29,012
TOTAL	145,160	14,974	45,132	205,186

\*AREAS IN SQUARE FEET

#### RESIDENTIAL UNIT MIX

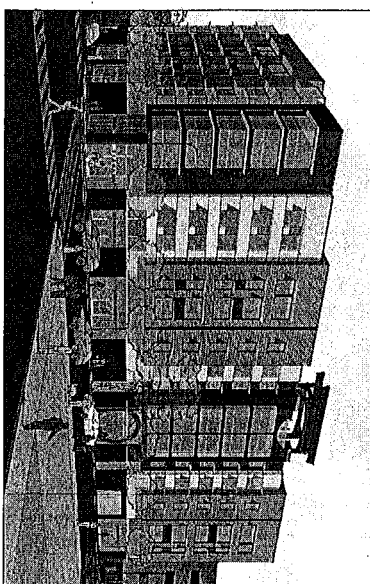
	ONE	TWO	THREE	TOTAL
GROUND LEVEL	0	0	0	0
MEZZANINE LEVEL	0	0	0	0
2ND LEVEL	6	21	4	31
3RD LEVEL	6	21	4	31
4TH LEVEL	6	21	4	31
5TH LEVEL	6	21	4	31
6TH LEVEL	6	21	4	31
7TH LEVEL	6	21	4	31
8TH LEVEL	6	21	4	31
TOTAL	30	105	20	155

#### OPEN SPACE

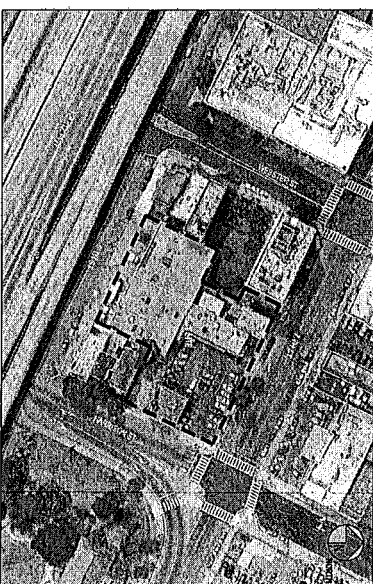
	GROUP OPEN SPACE	PRIVATE OPEN SPACE	TOTAL PROVIDED
GROUND LEVEL	0	0	0
MEZZANINE	0	0	0
2ND LEVEL	6,451	0	6,451
3RD LEVEL	0	0	0
4TH LEVEL	0	0	0
5TH LEVEL	0	0	0
6TH LEVEL	0	0	0
7TH LEVEL	0	0	0
8TH LEVEL	0	0	0
ROOF DECK	10,298	0	10,298
TOTAL PROVIDED	16,749	0	16,749

\*AREAS IN SQUARE FEET

### RENDERING



### GENERAL VICINITY PLAN



PARKING SPACE	INTERMEDIATE SPACES	FULL SPACES	COMPACT SPACES	ACCESSIBLE SPACES	TOTAL
PARKING SPACES PROVIDED	77	17	11	4	109
NO MINIMUM SPACES REQUIRED BY CODE					

325 SEVENTH STREET  
325 7th Street OAKLAND, CALIFORNIA

### PROJECT INFORMATION & INDEX

A0



**LEED 2009 for New Construction and Major Renovations**  
Project Checklist

Project Name  
Date

**Sustainable Sites Possible Points: 26**

Y	N	Prereq	Description	Possible Points
Y		Prereq 1	Construction Activity Pollution Prevention	1
Y		Credit 1	Site Selection	1
Y		Credit 2	Development Density and Community Connectivity	5
Y		Credit 3	Brownfield Redevelopment	1
Y		Credit 4.1	Alternative Transportation—Public Transportation Access	6
Y		Credit 4.2	Alternative Transportation—Bicycle Storage and Changing Rooms	1
Y		Credit 4.3	Alternative Transportation—Low-Emitting and Fuel-Efficient Vehicles	3
Y		Credit 4.4	Alternative Transportation—Parking Capacity	2
Y		Credit 5.1	Site Development—Protect or Restore Habitat	1
Y		Credit 5.2	Site Development—Maximize Open Space	1
Y		Credit 6.1	Stormwater Design—Quantity Control	1
Y		Credit 6.2	Stormwater Design—Quality Control	1
Y		Credit 7.1	Heat Island Effect—Non-roof	1
Y		Credit 7.2	Heat Island Effect—Roof	1
Y		Credit 8	Light Pollution Reduction	1

**Water Efficiency Possible Points: 10**

Y	N	Prereq	Description	Possible Points
Y		Prereq 1	Water Use Reduction—20% Reduction	2 to 4
Y		Credit 1	Water Efficient Landscaping (OPTION 1)	2
Y		Credit 2	Innovative Wastewater Technologies	2 to 4
Y		Credit 3	Water Use Reduction	2 to 4

**Energy and Atmosphere Possible Points: 35**

Y	N	Prereq	Description	Possible Points
Y		Prereq 1	Fundamental Commissioning of Building Energy Systems	1 to 19
Y		Prereq 2	Minimum Energy Performance	1 to 7
Y		Prereq 3	Optimize Energy Performance	2
Y		Credit 1	On-Site Renewable Energy	2
Y		Credit 2	Enhanced Commissioning	2
Y		Credit 3	Enhanced Refrigerant Management	3
Y		Credit 4	Measurement and Verification	3
Y		Credit 5	Green Power	2
Y		Credit 6		2

**Materials and Resources Possible Points: 14**

Y	N	Prereq	Description	Possible Points
Y		Prereq 1	Storage and Collection of Recyclables	1 to 3
Y		Credit 1.1	Building Reuse—Maintain Existing Walls, Floors, and Roof	1
Y		Credit 1.2	Building Reuse—Maintain 50% of Interior Non-Structural Elements	1 to 2
Y		Credit 2	Construction Waste Management (75%)	1 to 2
Y		Credit 3	Materials Reuse	2

**Materials and Resources Continued Possible Points: 15**

Y	N	Prereq	Description	Possible Points
Y		Credit 4	Recycled Content (10%)	1 to 2
Y		Credit 5	Regional Materials (10%)	1 to 2
Y		Credit 6	Rapidly Renewable Materials	1
Y		Credit 7	Certified Wood	1

**Indoor Environmental Quality Possible Points: 15**

Y	N	Prereq	Description	Possible Points
Y		Prereq 1	Minimum Indoor Air Quality Performance	1
Y		Prereq 2	Environmental Tobacco Smoke (ETS) Control	1
Y		Credit 1	Outdoor Air Delivery Monitoring	1
Y		Credit 2	Increased Ventilation	1
Y		Credit 3.1	Construction IAQ Management Plan—During Construction	1
Y		Credit 3.2	Construction IAQ Management Plan—Before Occupancy	1
Y		Credit 4.1	Low-Emitting Materials—Adhesives and Sealants	1
Y		Credit 4.2	Low-Emitting Materials—Paints and Coatings	1
Y		Credit 4.3	Low-Emitting Materials—Flooring Systems	1
Y		Credit 4.4	Low-Emitting Materials—Composite Wood and Agrifiber Products	1
Y		Credit 5	Indoor Chemical and Pollutant Source Control	1
Y		Credit 6.1	Controllability of Systems—Lighting	1
Y		Credit 6.2	Controllability of Systems—Thermal Comfort	1
Y		Credit 7.1	Thermal Comfort—Design	1
Y		Credit 7.2	Thermal Comfort—Verification	1
Y		Credit 8.1	Daylight and Views—Daylight	1
Y		Credit 8.2	Daylight and Views—Views	1

**Innovation and Design Process Possible Points: 6**

Y	N	Prereq	Description	Possible Points
Y		Credit 1.1	Innovation in Design: Specific Title	1
Y		Credit 1.2	Innovation in Design: Specific Title	1
Y		Credit 1.3	Innovation in Design: Specific Title	1
Y		Credit 1.4	Innovation in Design: Specific Title	1
Y		Credit 1.5	Innovation in Design: Specific Title	1
Y		Credit 2	LEED Accredited Professional	1

**Regional Priority Credits Possible Points: 4**

Y	N	Prereq	Description	Possible Points
Y		Credit 1.1	Regional Priority: Specific Credit	1
Y		Credit 1.2	Regional Priority: Specific Credit	1
Y		Credit 1.3	Regional Priority: Specific Credit	1
Y		Credit 1.4	Regional Priority: Specific Credit	1

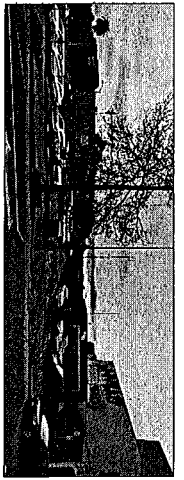
**TOTAL Possible Points: 110**

Certified 40 to 49 points Silver 50 to 59 points Gold 60 to 79 points Platinum 80 to 110

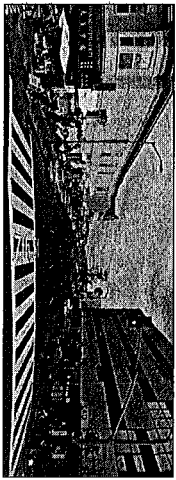
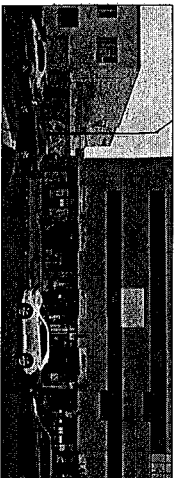
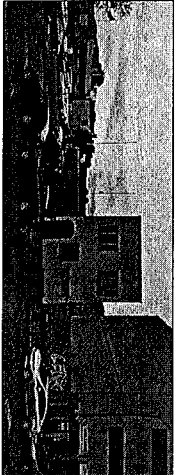


**325 SEVENTH STREET**  
325 7th Street OAKLAND, CALIFORNIA

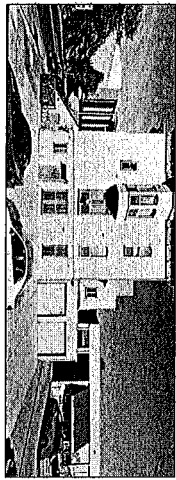
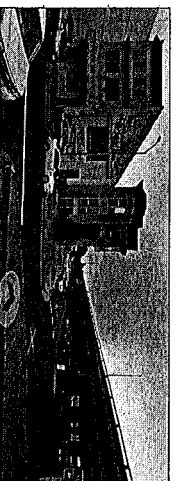
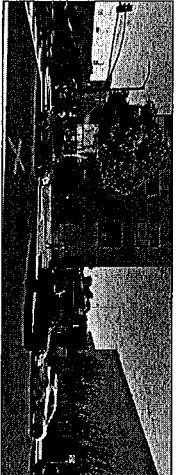
**GREEN BUILDING COMPLIANCE**



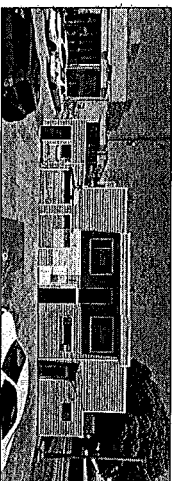
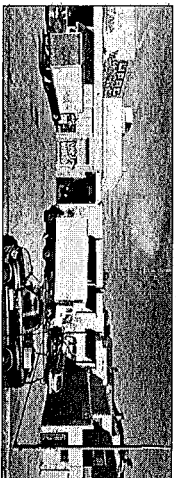
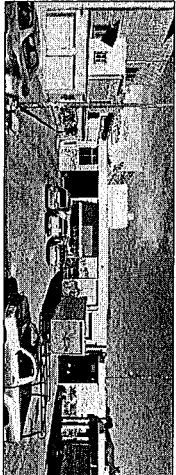
7TH STREET ELEVATIONS



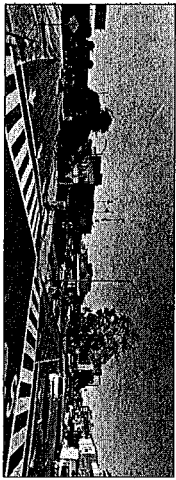
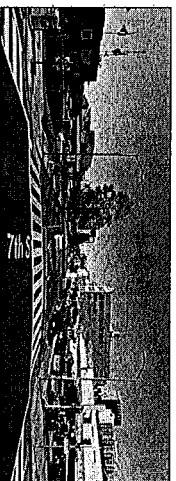
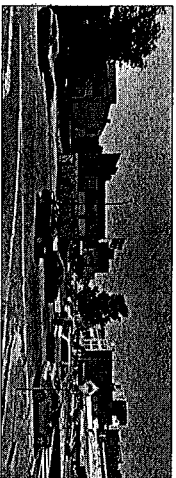
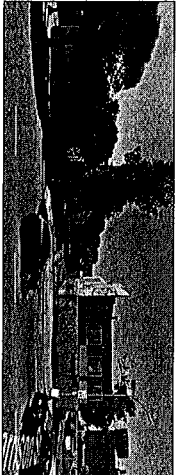
WEBSTER STREET ELEVATIONS



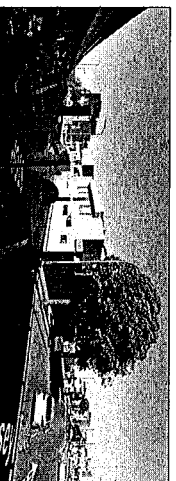
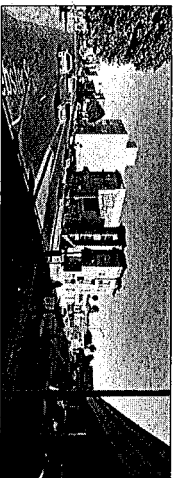
6TH STREET ELEVATIONS



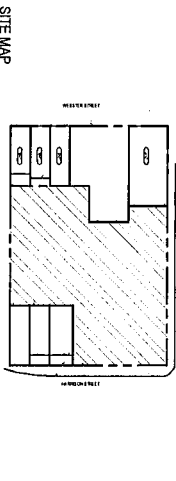
HARRISON STREET ELEVATIONS



7TH AND HARRISON

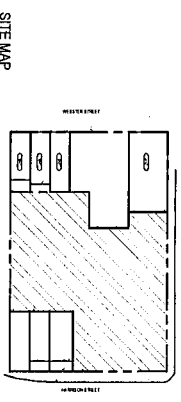


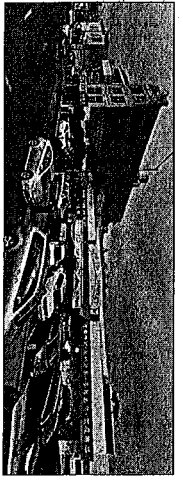
7TH AND WEBSTER



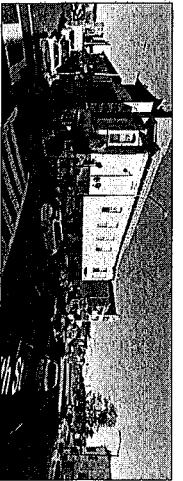
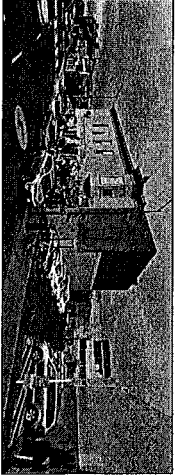
325 SEVENTH STREET  
325 7th Street OAKLAND, CALIFORNIA

SITE & CONTEXT PICTURES

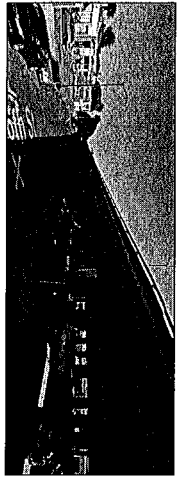
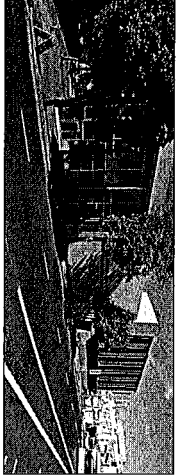




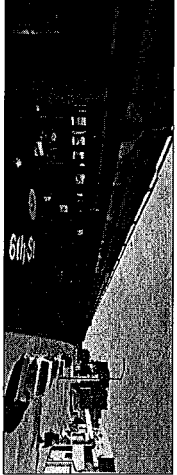
7TH STREET - ACROSS FROM SITE



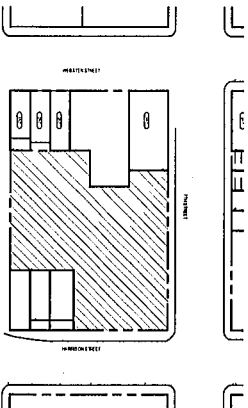
WEBSTER STREET - ACROSS FROM SITE



6TH STREET - ACROSS FROM SITE



HARRISON STREET - ACROSS FROM SITE



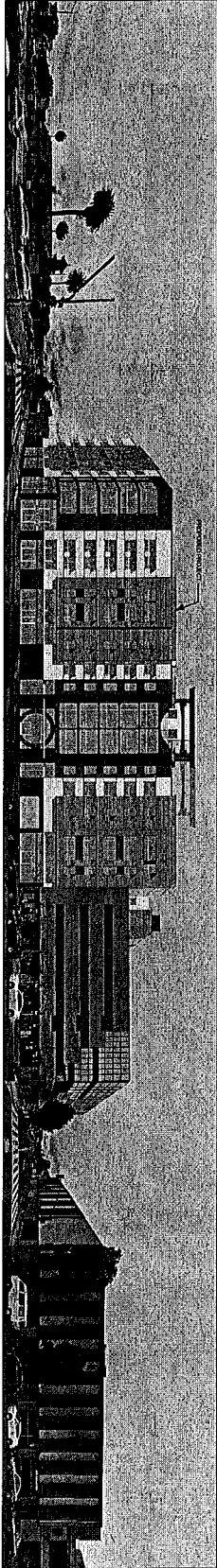
SITE MAP



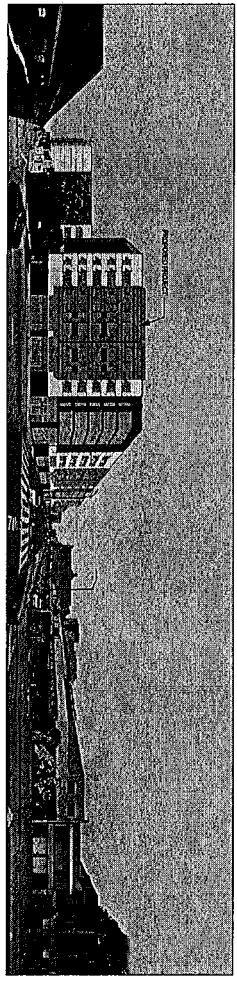
**325 SEVENTH STREET**  
325 7th Street OAKLAND, CALIFORNIA

**SITE & CONTEXT PICTURES**

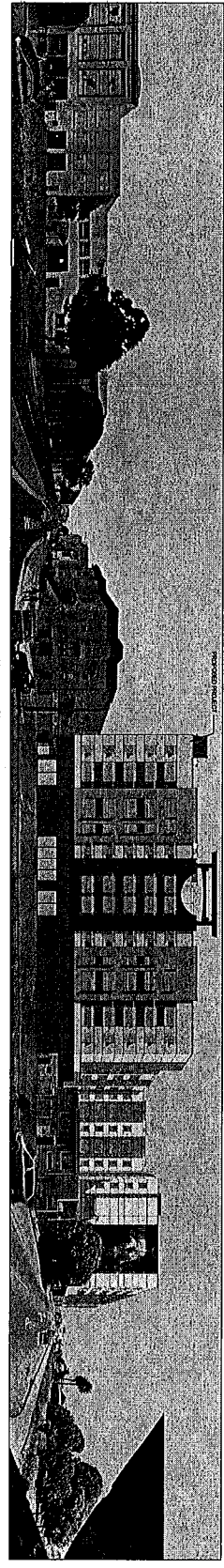




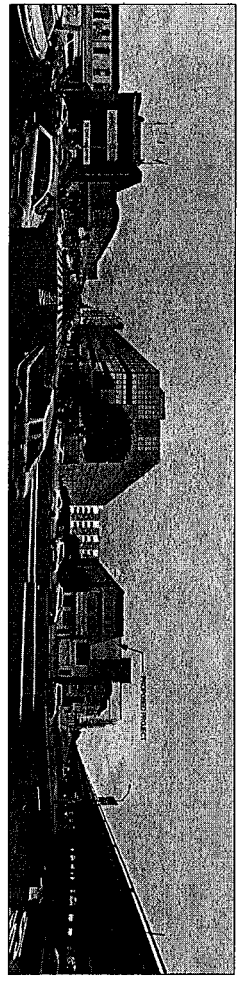
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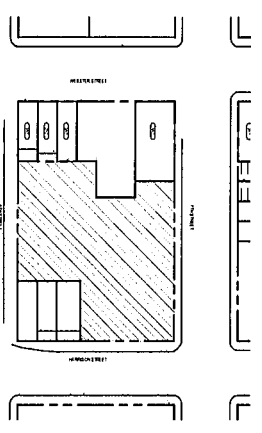
HARRISON STREET



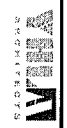
6TH STREET



WEBSTER STREET



SITE MAP

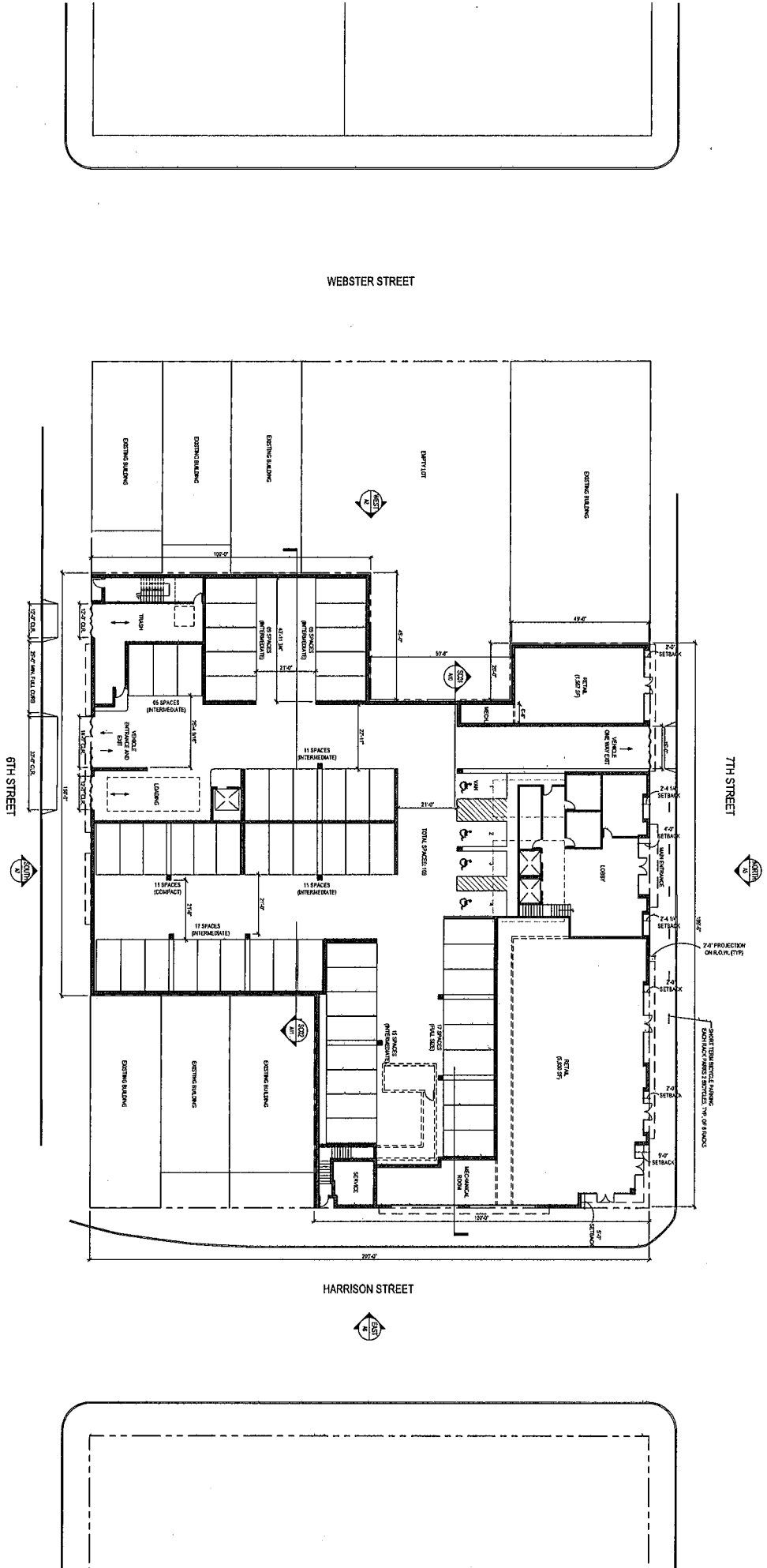


**325 SEVENTH STREET**  
325 7th Street OAKLAND, CALIFORNIA

**STREET ELEVATIONS**

NOTES:  
 • FOR ACCURATE PROPERTY LINES AND DIMENSIONS SEE  
 • FOR STREET LAYOUTS SEE SAN FRANCISCO STREET LINES  
 SHEET

INTERSTATE 880 HIGHWAY

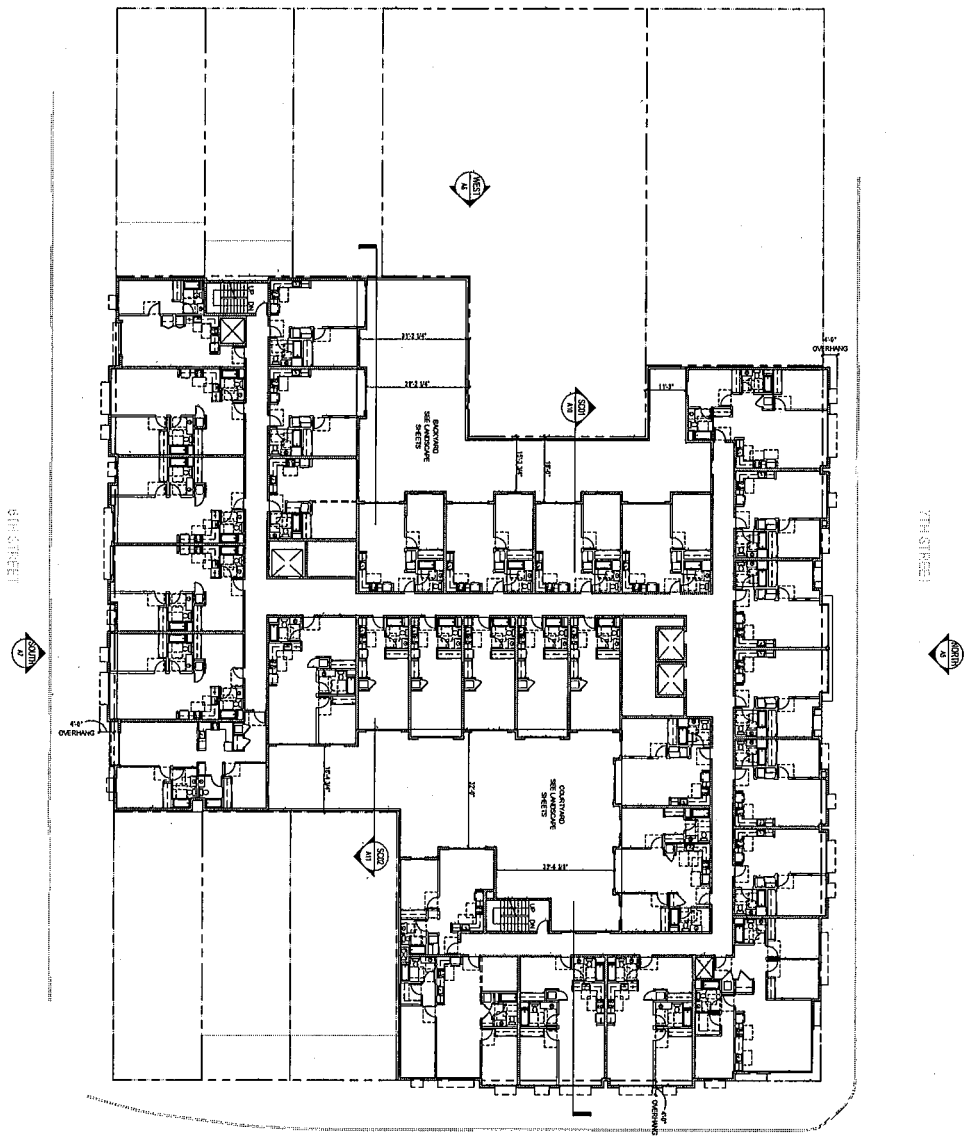




**325 SEVENTH STREET**  
325 7th Street OAKLAND, CALIFORNIA

**TYPICAL UPPER FLOOR PLAN (2ND - 5TH)**

WEBSTER STREET

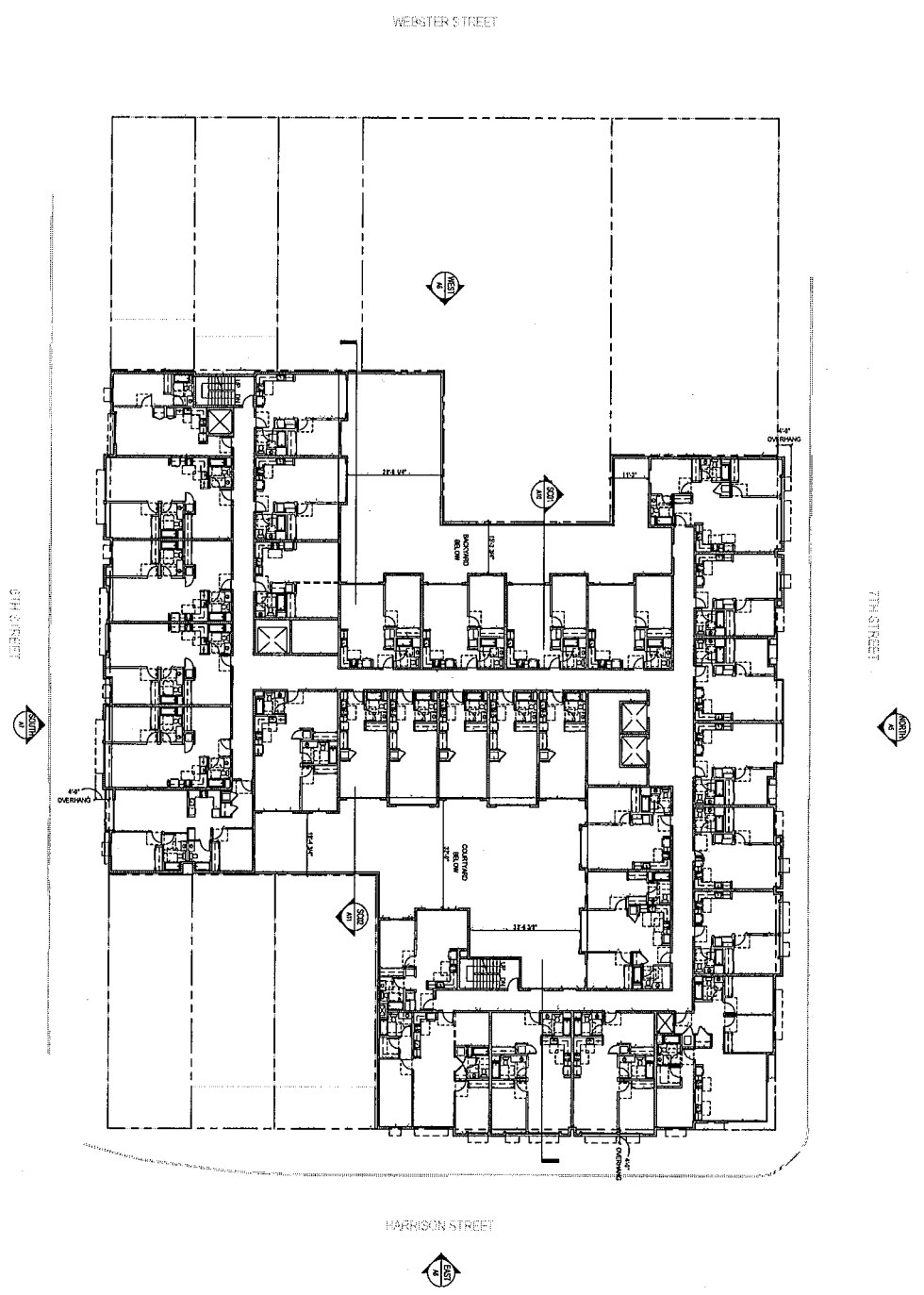


7TH STREET

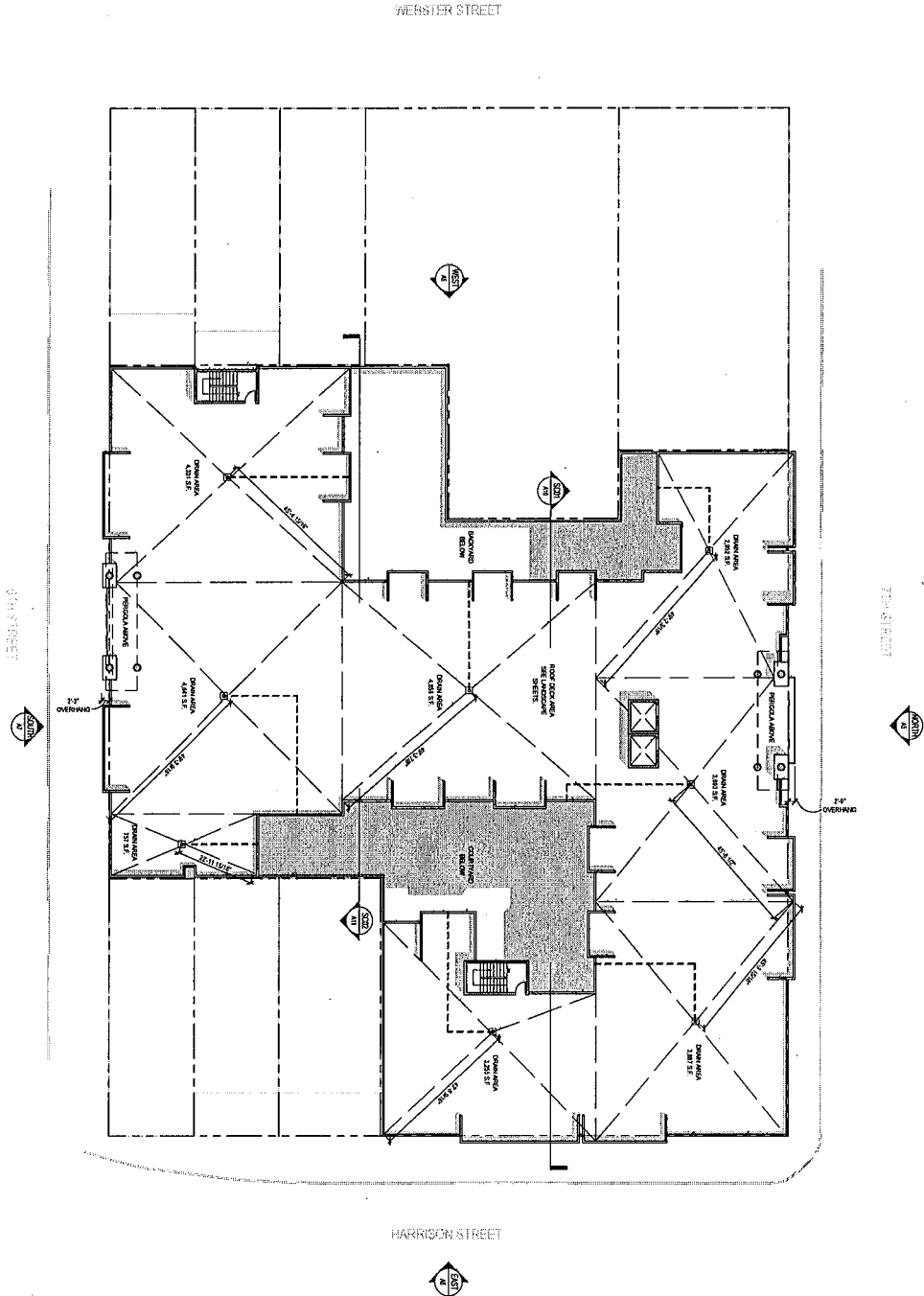
7TH STREET

HARRISON STREET





NOTES  
• DRAWINGS AT FOLIO CENTER



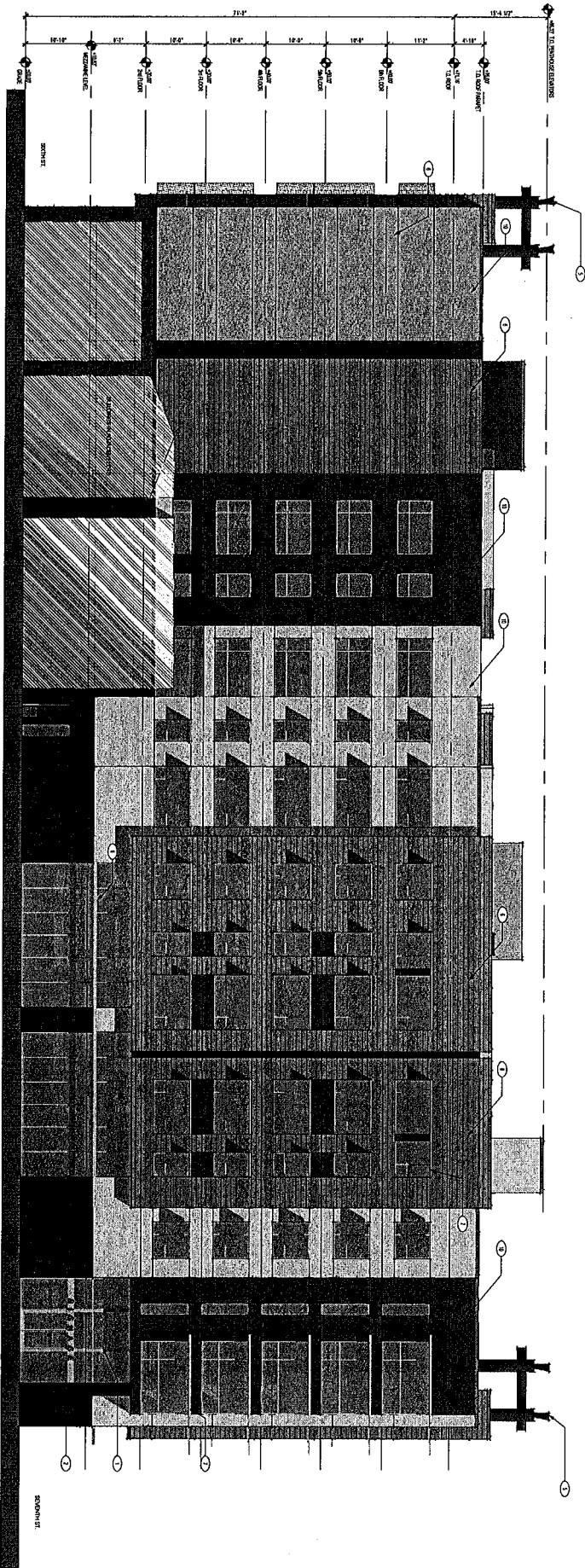
WEBSTER STREET

HARRISON STREET

SEVENTH STREET

SEVENTH STREET





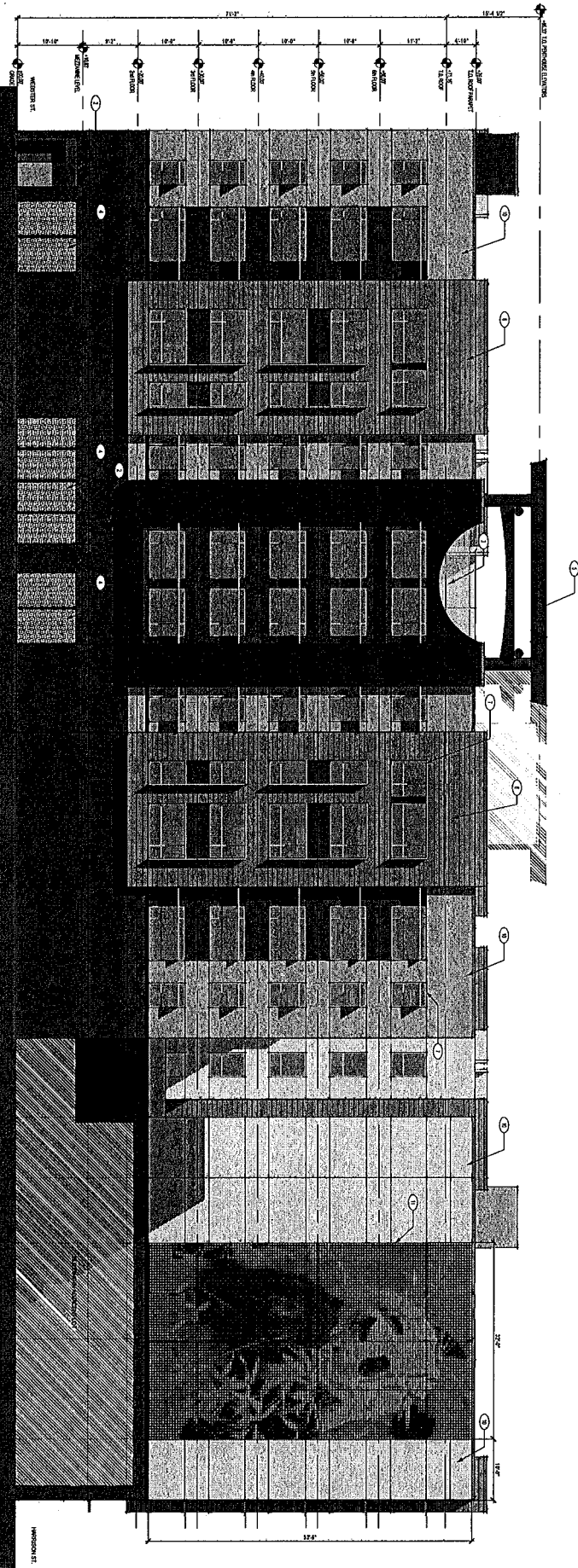
- SCALE: 1/8" = 1'-0"
- MATERIALS:**
1. CONCRETE, STRUCTURAL STEEL (175)
  2. GLASS WINDOW SYSTEM (175)
  3. STEEL, BOLD, POLISHED (175)
  4. PAINTED STEEL PANEL, RIBBED, AT FLOOR LEVEL (175)
  5. ALUMINUM WINDOW (175)
  6. ALUMINUM WINDOW (175)
  7. ALUMINUM WINDOW (175)
  8. ALUMINUM WINDOW (175)
  9. ALUMINUM WINDOW (175)
  10. ALUMINUM WINDOW (175)



**325 SEVENTH STREET**  
 325 7th Street OAKLAND, CALIFORNIA

**EAST ELEVATION**





1. CONCRETE STRUCTURE SYSTEM (TYP)  
 2. METAL CLADDING/ENTRANCE TRUSS (SEE SHOWN) (TYP)  
 3. GLASS WINDOW/DOOR FRAMEWORK  
 4. PAINTED CONCRETE FINISH AT FLOOR SLAB  
 5. FIBER CEMENT PANELS (MASONRY PANELS, LIGHT BROWN) (TYP)  
 6. ALUMINUM WINDOW/DOOR  
 7. ALUMINUM FINISH  
 8. ALUMINUM CLADDING  
 9. PAINTED CONCRETE FINISH  
 10. METAL CLADDING/ENTRANCE TRUSS (SEE SHOWN)  
 11. PAINTED CONCRETE FINISH AT FLOOR SLAB
- AND DETAIL TO BE PROVIDED UNDER SEPARATE DRAWING

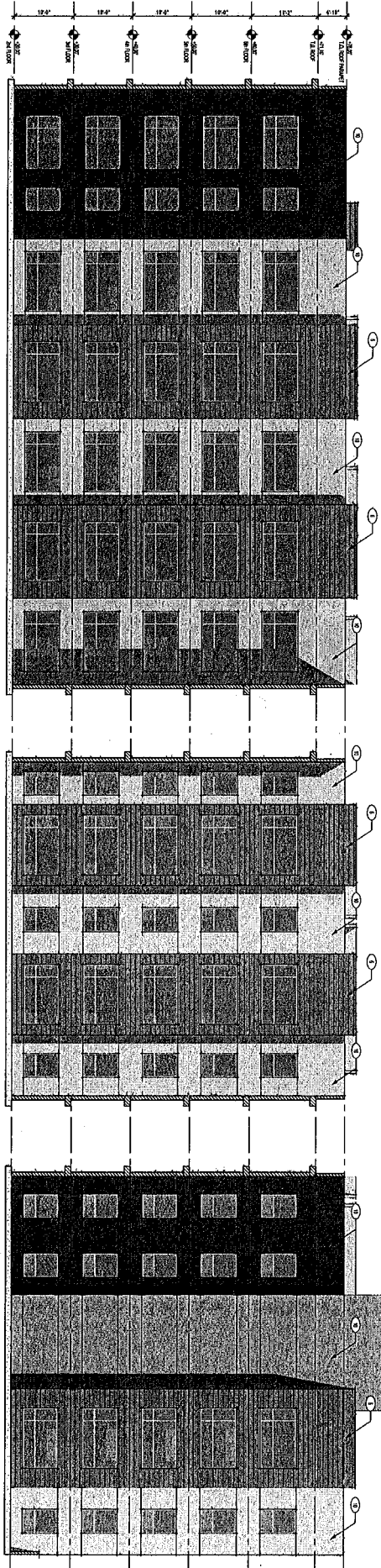




EAST

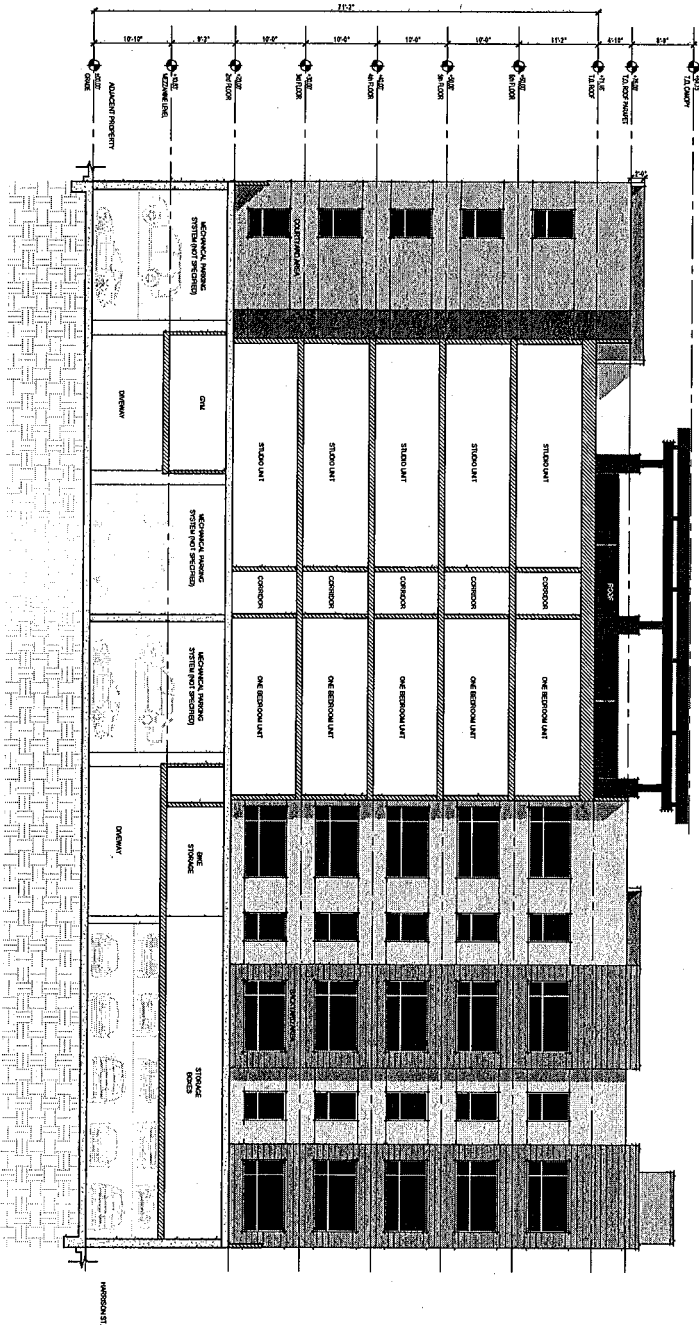
SOUTH

WEST



- SCALE: 1/8" = 1'-0"
- MATERIALS:
1. OPERATIONAL STAINLESS STEEL CURTAIN WALL
  2. OPERATIONAL STAINLESS STEEL WINDOW WALL
  3. GLASS WINDOW WALL
  4. STEEL BRIDGE DECKING
  5. OPERATIONAL STAINLESS STEEL WINDOW WALL
  6. ALUMINUM WINDOW WALL
  7. ALUMINUM WINDOW WALL
  8. ALUMINUM WINDOW WALL
  9. ALUMINUM WINDOW WALL
  10. ALUMINUM WINDOW WALL
  11. ALUMINUM WINDOW WALL
  12. ALUMINUM WINDOW WALL
  13. ALUMINUM WINDOW WALL
  14. ALUMINUM WINDOW WALL
  15. ALUMINUM WINDOW WALL
  16. FINISHED CONCRETE FLOOR

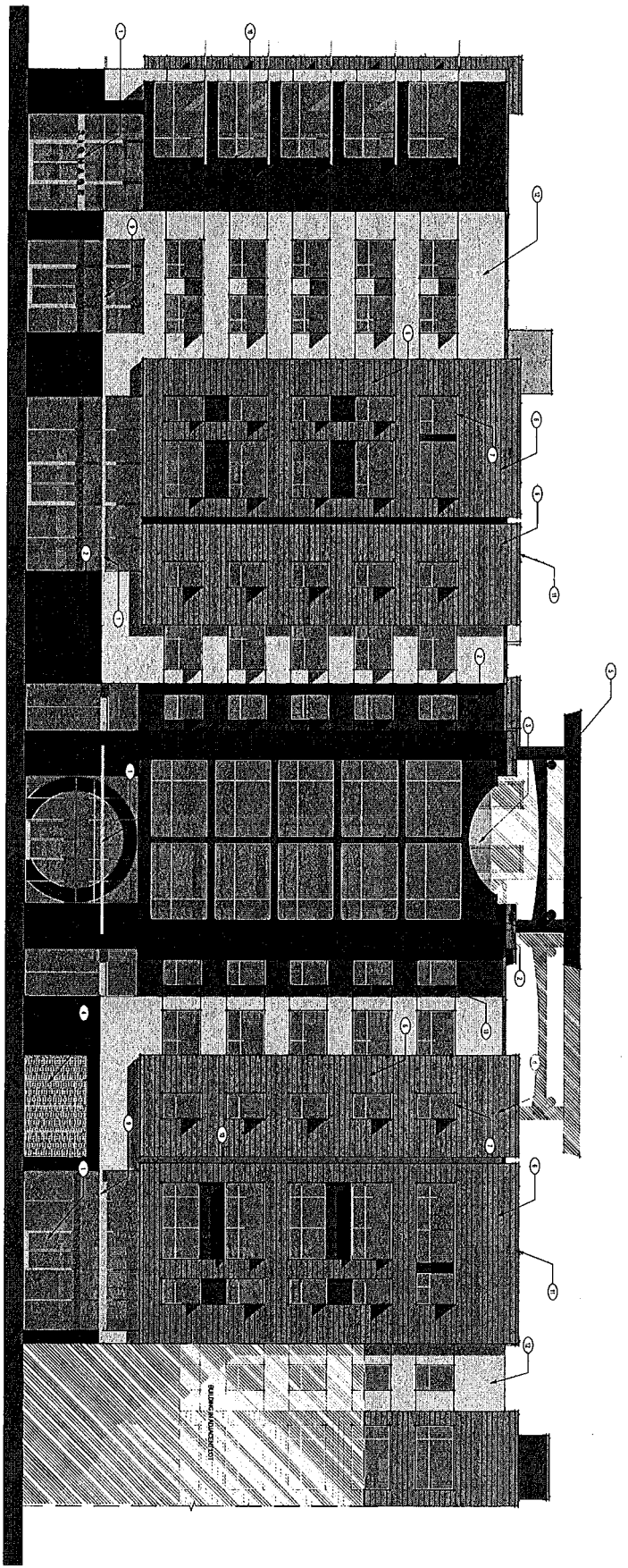




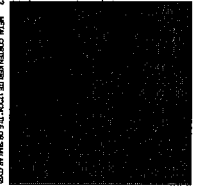
**325 SEVENTH STREET**  
 325 7th Street OAKLAND, CALIFORNIA

**SECTION B**





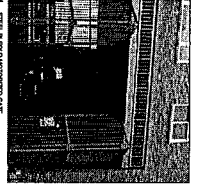
1 DARK, TEXTURED WALL PANELING



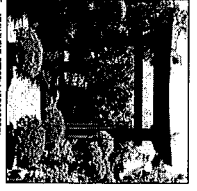
2 DARK, TEXTURED WALL PANELING



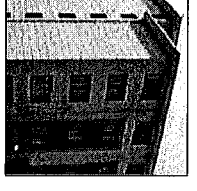
3 DARK, TEXTURED WALL PANELING



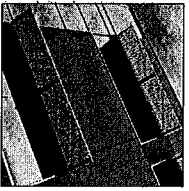
4 DARK, TEXTURED WALL PANELING



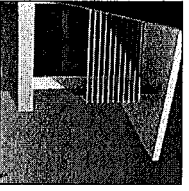
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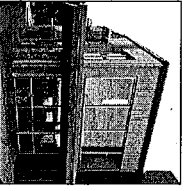
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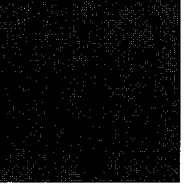
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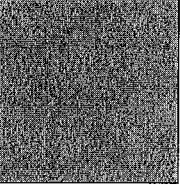
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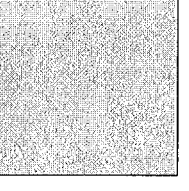
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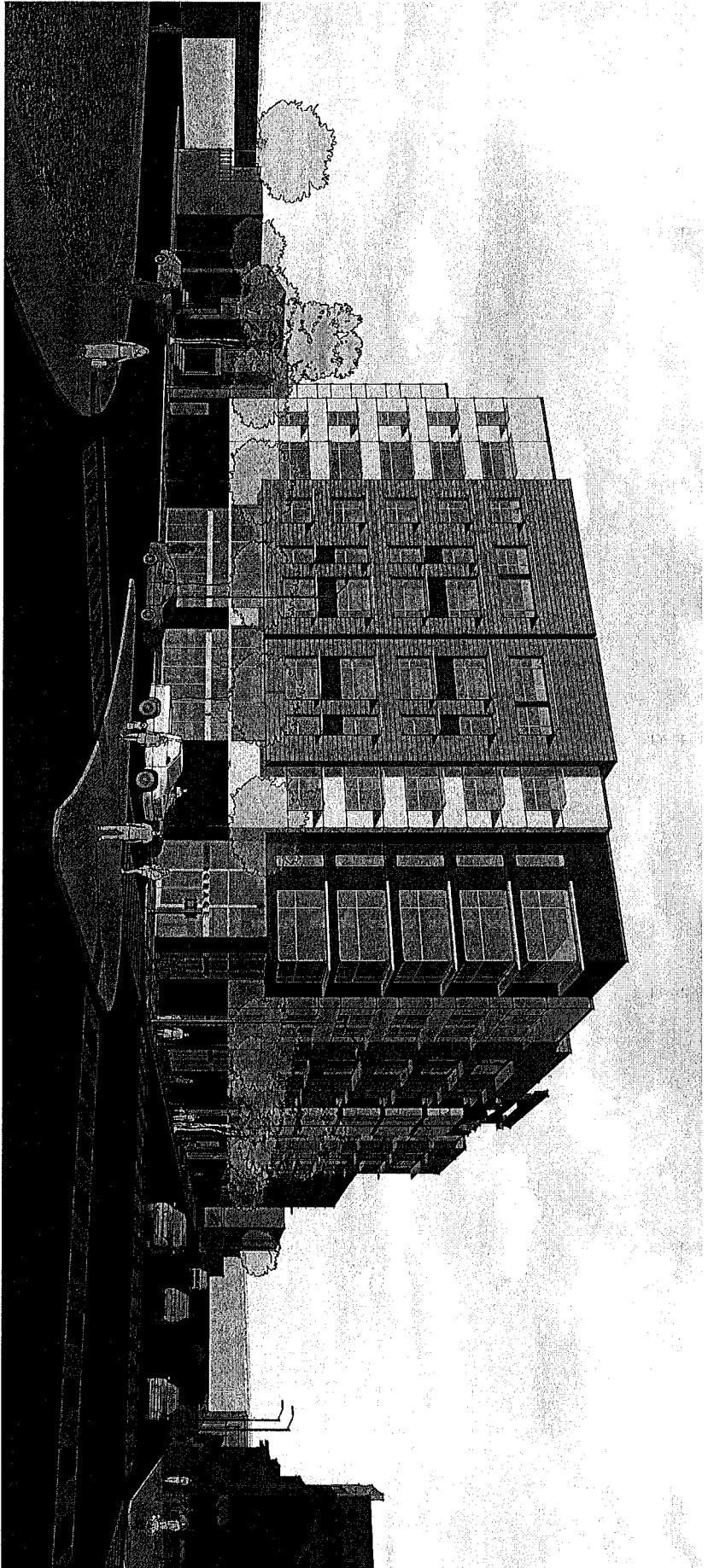
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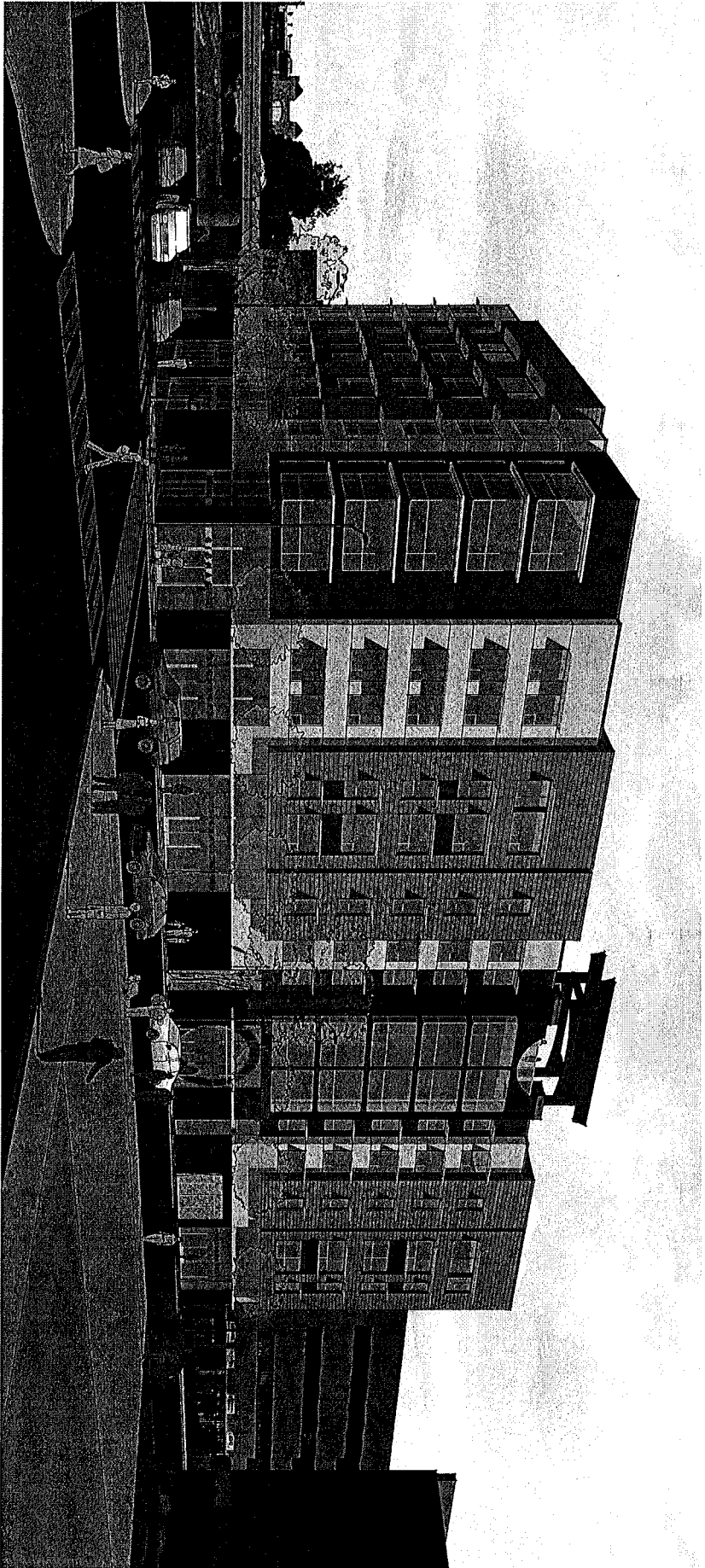


11 DARK, TEXTURED WALL PANELING



12 DARK, TEXTURED WALL PANELING

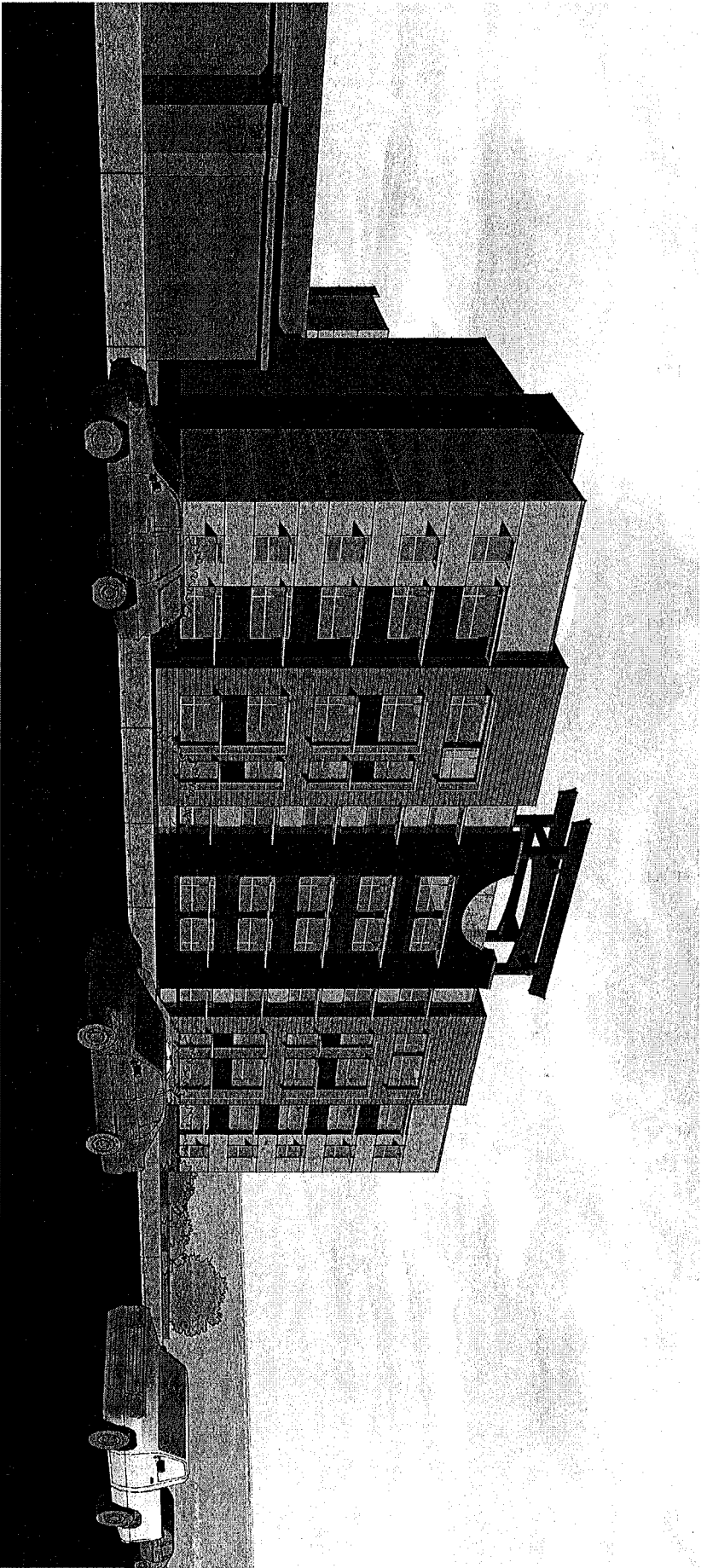




**325 SEVENTH STREET**  
325 7th Street OAKLAND, CALIFORNIA

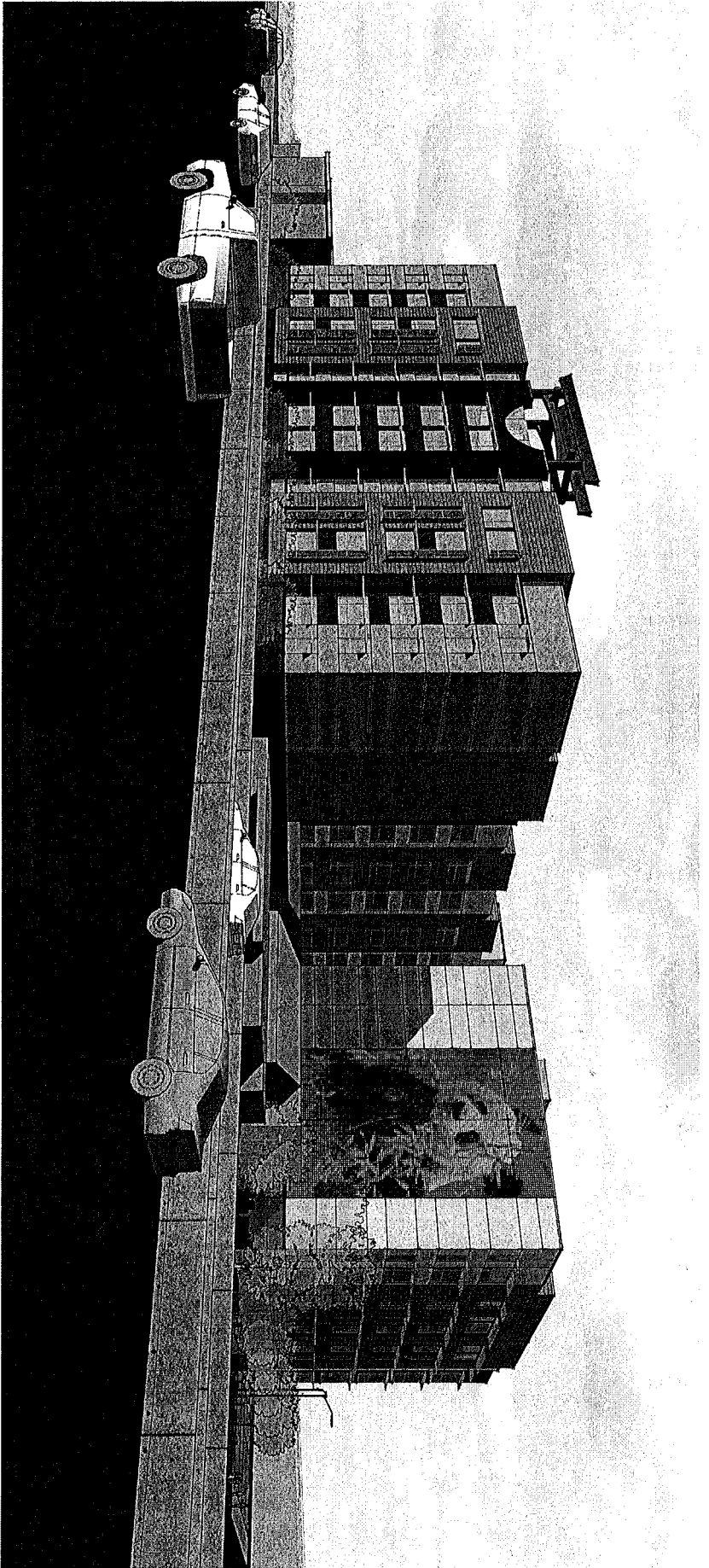
RENDER - HARRISON ST. & 7TH ST. (N - E)





**325 SEVENTH STREET**  
325 7th Street OAKLAND, CALIFORNIA

RENDER - FROM FREEWAY (S / W)



**325 SEVENTH STREET**  
325 7th Street OAKLAND, CALIFORNIA

RENDER - FROM FREEWAY (S / E)

## City of Oakland Standard Conditions of Approval/Mitigation and Monitoring Reporting Program

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

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

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

All SCAs identified in the CEQA Analysis—which is consistent with the measures and conditions presented in the City of Oakland General Plan, LUTE EIR—are included herein. To the extent that any SCA identified in the CEQA Analysis was inadvertently omitted, it is automatically incorporated herein by reference.

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

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

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) table presents the mitigation measure necessary to mitigate potentially significant impacts identified for the Original 325 7<sup>th</sup> Street Project and which is still required for the Modified Project as discussed in the CEQA Analysis. The SCAMMRP also identifies the mitigation monitoring requirements. This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects."

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

Note that the SCAs included in this document are referred to using an abbreviation for the environmental topic area and are numbered sequentially for each topic area—e.g., **SCA-AIR-1**, **SCA-AIR-2**. The SCA title and the SCA number that corresponds to the City's master SCA list are also provided—e.g., **SCA-AIR-1: Construction-Related Air Pollution (Dust and Equipment Emissions; #19)**.

Table 4. Standard Conditions of Approval for the Modified Project

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p><b>Aesthetics, Shadow, and Wind</b></p> <p><b>SCA-AES-1: Graffiti Control. (#16)</b></p> <p>a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:</p> <ul style="list-style-type: none"> <li>i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.</li> <li>ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.</li> <li>iii. Use of paint with anti-graffiti coating.</li> <li>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).</li> <li>v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.</li> </ul> <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include:</p> <ul style="list-style-type: none"> <li>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.</li> <li>ii. Covering with new paint to match the color of the surrounding surface.</li> <li>iii. Replacing with new surfacing (with City permits if required).</li> </ul>	<p>Ongoing</p>	<p>N/A</p>	<p>Bureau of Building</p>
<p><b>SCA-AES-2: Landscape Plan. (#17)</b></p> <p>a. <i>Landscape Plan Required</i></p> <p>The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning</p>	<p>N/A</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.</p> <p><i>b. Landscape Installation</i></p> <p>The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.</p> <p><i>c. Landscape Maintenance</i></p> <p>All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.</p>	<p>Prior to building permit final</p> <p>Ongoing</p>	<p>Bureau of Planning</p> <p>N/A</p>	<p>Bureau of Building</p> <p>Bureau of Building</p>
<p><b>SCA-AES-3: Lighting. (#18)</b></p> <p>Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.</p>	<p>Prior to building permit final</p>	<p>N/A</p>	<p>Bureau of Building</p>
<b>Air Quality</b>			
<p><b>SCA-AIR-1: Construction Management Plan. (#13)</b></p> <p>Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire</p>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Planning, Bureau of Building, et al.</p>	<p>Bureau of Planning</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p><b>SCA-AIR-2: Construction-Related Air Pollution (Dust and Equipment Emissions). (#19)</b></p> <p>The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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).</li> <li>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.</li> <li>Pave all roadways, driveways, sidewalks, etc. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used.</li> <li>Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</li> <li>Limit vehicle speeds on unpaved roads to 15 miles per hour.</li> <li>Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.</li> <li>Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five</li> </ol>	<p>During construction</p>	<p>N/A</p>	<p>Bureau of Planning</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>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> <ul style="list-style-type: none"> <li>i. 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.</li> <li>j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.</li> <li>k. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</li> <li>l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</li> <li>m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</li> <li>n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</li> <li>o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</li> <li>p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind-blown dust. Wind breaks must have a maximum 50 percent air porosity.</li> <li>q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</li> <li>r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.</li> <li>s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</li> </ul>			



Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met.</p> <p>v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).</p> <p>w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.</p> <p>x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard.</p> <p>y. Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.</p>			
<p><b>SCA-AIR-3: Exposure to Air Pollution (Toxic Air Contaminants). (#20)</b>  <i>a. Health Risk Reduction Measures</i>                      The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:</p> <p>i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable</p>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p>- or -</p> <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"> <li>• Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.</li> <li>• Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).</li> <li>• Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.</li> <li>• 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.</li> <li>• Sensitive receptors shall be located on the upper floors of buildings, if feasible.</li> <li>• 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 (x <i>Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoides</i> x <i>trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>).</li> </ul>			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> <li>• Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.</li> <li>• Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.</li> <li>• Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:</li> <li>• Installing electrical hook-ups for diesel trucks at loading docks.</li> <li>• Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.</li> <li>• Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.</li> <li>• Prohibiting trucks from idling for more than two minutes.</li> <li>• 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.</li> </ul> <p><i>b. Maintenance of Health Risk Reduction Measures</i></p> <p>The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>	<p>Ongoing</p>	<p>N/A</p>	<p>Bureau of Building</p>
<p><b>SCA-AIR-4: Asbestos in Structures. (#23)</b></p> <p>The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.</p>	<p>Prior to approval of construction-related permit</p>	<p>Applicable regulatory agency with jurisdiction</p>	<p>Applicable regulatory agency with jurisdiction</p>
<p><b>SCA-AIR-5: Stationary Sources of Air Pollution (Toxic Air Contaminants). (#21)</b></p> <p>The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>

Standard Conditions of Approval stationary sources of toxic air contaminants.	When Required	Initial Approval	Monitoring/ Inspection
<p><b>Biological Resources</b></p> <p><b>SCA-BIO-1: Tree Removal During Bird Breeding Season. (#26)</b></p> <p>To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p>	<p>Prior to removal of trees</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>SCA-BIO-2: Tree Permit. (#27)</b></p> <p>a. <i>Tree Permit Required</i></p> <p>Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.</p> <p>b. <i>Tree Protection During Construction</i></p> <p>Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <ol style="list-style-type: none"> <li>i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of</li> </ol>	<p>Prior to approval of construction-related permit</p> <p>During construction</p>	<p>Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building</p> <p>Public Works Department, Tree Division</p>	<p>Bureau of Building</p> <p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.</p> <p>ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filling, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p> <p>vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed</p>			

Standard Conditions of Approval of by the project applicant in accordance with all applicable laws, ordinances, and regulations.	When Required	Initial Approval	Monitoring/ Inspection
<p><b>c. Tree Replacement Plantings</b></p> <p>Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:</p> <ul style="list-style-type: none"> <li>i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.</li> <li>ii. Replacement tree species shall consist of <i>Sequoia sempervirens</i> (Coast Redwood), <i>Quercus agrifolia</i> (Coast Live Oak), <i>Arbutus menziesii</i> (Madrone), <i>Aesculus californica</i> (California Buckeye), <i>Umbellularia californica</i> (California Bay Laurel), or other tree species acceptable to the Tree Division.</li> <li>iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.</li> <li>iv. Minimum planting areas must be available on site as follows: <ul style="list-style-type: none"> <li>• For <i>Sequoia sempervirens</i>, three hundred fifteen (315) square feet per tree;</li> <li>• For other species listed, seven hundred (700) square feet per tree.</li> </ul> </li> <li>v. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.</li> <li>vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.</li> </ul>	<p>Prior to building permit final</p>	<p>Public Works Department, Tree Division</p>	<p>Bureau of Building</p>
<p><b>SCA-BIO-3: Bird Collision Reduction Measures. (#25)</b></p>	<p>Prior to approval of</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>The project applicant shall submit a Bird Collision Reduction Plan for City review and approval to reduce potential bird collisions to the maximum feasible extent. The Plan shall include all of the following mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent. The project applicant shall implement the approved Plan. Mandatory measures include all of the following:</p> <ul style="list-style-type: none"> <li>i. For large buildings subject to federal aviation safety regulations, install minimum intensity white strobe lighting with three second flash instead of solid red or rotating lights.</li> <li>ii. Minimize the number of and co-locate rooftop-antennas and other rooftop structures.</li> <li>iii. Monopole structures or antennas shall not include guy wires.</li> <li>iv. Avoid the use of mirrors in landscape design.</li> <li>v. Avoid placement of bird-friendly attractants (i.e., landscaped areas, vegetated roofs, water features) near glass unless shielded by architectural features taller than the attractant that incorporate bird friendly treatments no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule), as explained below.</li> <li>vi. Apply bird-friendly glazing treatments to no less than 90 percent of all windows and glass between the ground and 60 feet above ground or to the height of existing adjacent landscape or the height of the proposed landscape. Examples of bird-friendly glazing treatments include the following: <ul style="list-style-type: none"> <li>• Use opaque glass in window panes instead of reflective glass.</li> <li>• Uniformly cover the interior or exterior of clear glass surface with patterns (e.g., dots, stripes, decals, images, abstract patterns). Patterns can be etched, fritted, or on films and shall have a density of no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule).</li> <li>• Install paned glass with fenestration patterns with vertical and horizontal mullions no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule).</li> <li>• Install external screens over non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects.</li> <li>• Install UV-pattern reflective glass, laminated glass with a patterned UV-reflective coating, or UV-absorbing and UV-</li> </ul> </li> </ul>	<p>construction-related permit</p>		

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<p>reflecting film on the glass since most birds can see ultraviolet light, which is invisible to humans.</p> <ul style="list-style-type: none"> <li>• Install decorative grilles, screens, netting, or louvers, with openings no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule).</li> <li>• Install awnings, overhangs, sunshades, or light shelves directly adjacent to clear glass which is recessed on all sides.</li> <li>• Install opaque window film or window film with a pattern/design which also adheres to the "two-by-four" rule for coverage.</li> </ul> <p>vi. Reduce light pollution. Examples include the following:</p> <ul style="list-style-type: none"> <li>• Extinguish night-time architectural illumination treatments during bird migration season (February 15 to May 15 and August 15 to November 30).</li> <li>• Install time switch control devices or occupancy sensors on non-emergency interior lights that can be programmed to turn off during non-work hours and between 11:00 p.m. and sunrise.</li> <li>• Reduce perimeter lighting whenever possible.</li> <li>• Install full cut-off, shielded, or directional lighting to minimize light spillage, glare, or light trespass.</li> <li>• Do not use beams of lights during the spring (February 15 to May 15) or fall (August 15 to November 30) migration.</li> </ul> <p>vii. Develop and implement a building operation and management manual that promotes bird safety. Example measures in the manual include the following:</p> <ul style="list-style-type: none"> <li>• Donation of discovered dead bird specimens to an authorized bird conservation organization or museums (e.g., UC Berkeley Museum of Vertebrate Zoology) to aid in species identification and to benefit scientific study, as per all federal, state and local laws.</li> <li>• Distribution of educational materials on bird-safe practices for the building occupants. Contact Golden Gate Audubon Society or American Bird Conservancy for materials.</li> <li>• Asking employees to turn off task lighting at their work stations and draw office blinds, shades, curtains, or other window coverings at end of work day.</li> <li>• Install interior blinds, shades, or other window coverings in windows above the ground floor visible from the exterior as part</li> </ul>			



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<p>of the construction contract, lease agreement, or CC&amp;Rs.</p> <ul style="list-style-type: none"> <li>Schedule nightly maintenance during the day or to conclude before 11 p.m., if possible.</li> </ul>			
<p><b>Cultural Resources</b></p>			
<p><b>SCA-CUL-1: Archaeological and Paleontological Resources – Discovery During Construction. (#29)</b></p> <p>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</p>	<p>During construction</p>	<p>N/A</p>	<p>Bureau of Building</p>

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<p>impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p>			
<p><b>SCA-CUL-2: Archaeologically Sensitive Areas—Pre-Construction Measures. (#30)</b></p> <p>The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources.</p> <p><b>Provision A: Intensive Pre-Construction Study.</b></p> <p>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"> <li>a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources.</li> <li>b. A report disseminating the results of this research.</li> <li>c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources.</li> </ol> <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</p>	<p>Prior to approval of construction-related permit; During Construction</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>

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<p>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><b>Provision B: Construction ALERT Sheet.</b></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>During Construction</p>	<p>N/A</p>	<p>Bureau of Building</p>
<p><b>SCA-CUL-3: Human Remains – Discovery during Construction. (#31)</b></p> <p>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</p>			

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<p>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>			
<p><b>Geology and Soils</b></p>			
<p><b>SCA-GEO-1: Construction-Related Permits(s). (#33)</b>                      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>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>SCA-GEO-2: Seismic Hazards Zone (Landslide/Liquefaction). (#36)</b>                      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>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>Hazards and Hazardous Materials</b></p>			
<p><b>SCA-HAZ-1: Hazardous Materials Related to Construction. (#39)</b>                      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>	<p>During construction</p>	<p>N/A</p>	<p>Bureau of Building</p>

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<p>a. Follow manufacturer's recommendations for use, storage, and disposal of chemical products used in construction;</p> <p>b. Avoid overtopping construction equipment fuel gas tanks;</p> <p>c. During routine maintenance of construction equipment, properly contain and remove grease and oils;</p> <p>d. Properly dispose of discarded containers of fuels and other chemicals;</p> <p>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</p> <p>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.</p>			
<p><b>SCA-HAZ-2: Building Materials and Site Contamination. (#40)</b></p> <p>a. <i>Hazardous Building Materials Assessment</i></p> <p>The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building 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</p>	<p>Prior to approval of demolition, grading, or building permits</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>

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<p>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><i>b. Environmental Site Assessment Required</i></p> <p>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><i>c. Health and Safety Plan Required</i></p> <p>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> <p><i>d. Best Management Practices (BMPs) Required for Contaminated Sites</i></p> <p>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"> <li>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.</li> <li>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.</li> </ul>	<p>Prior to approval of construction-related permit</p> <p>Prior to approval of construction-related permit</p> <p>During construction</p>	<p>Applicable regulatory agency with jurisdiction</p> <p>Applicable regulatory agency with jurisdiction</p> <p>Bureau of Building</p> <p>N/A</p>	<p>Applicable regulatory agency with jurisdiction</p> <p>Bureau of Building</p> <p>Bureau of Building</p>

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<p><b>SCA-HAZ-3: Hazardous Materials Business Plan. (#41)</b></p> <p>The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following:</p> <ol style="list-style-type: none"> <li>The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.</li> <li>The location of such hazardous materials.</li> <li>An emergency response plan including employee training information.</li> <li>A plan that describes the manner in which these materials are handled, transported, and disposed.</li> </ol>	<p>Prior to building permit final</p>	<p>Oakland Fire Department</p>	<p>Oakland Fire Department</p>
<p><b>Hydrology and Water Quality</b></p>			
<p><b>SCA-HYDR-1: Erosion and Sedimentation Control Measures for Construction. (#44)</b></p> <p>The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.</p>	<p>During construction</p>	<p>N/A</p>	<p>Bureau of Building</p>
<p><b>SCA-HYDR-2: NPDES C.3 Stormwater Requirements for Regulated Projects. (#50)</b></p> <p>a. <i>Post-Construction Stormwater Management Plan Required</i></p> <p>The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning; Bureau of Building</p>	<p>Bureau of Building</p>

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<p>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"> <li>i. Location and size of new and replaced impervious surface;</li> <li>ii. Directional surface flow of stormwater runoff;</li> <li>iii. Location of proposed on-site storm drain lines;</li> <li>iv. Site design measures to reduce the amount of impervious surface area;</li> <li>v. Source control measures to limit stormwater pollution;</li> <li>vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and</li> <li>vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.</li> </ul> <p><b>b. Maintenance Agreement Required</b>                      The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:</p> <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul> <p>The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p>	<p>Prior to building permit final</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>Noise</b></p>	<p>During Construction</p>	<p>N/A</p>	<p>Bureau of Building</p>
<p><b>SCA-NOS-1: Construction Days/Hours. (#58)</b></p>			



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<p>The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>c. No construction is allowed on Sunday or federal holidays.</li> </ul> <p>Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.</p> <p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.</p>	<p>During Construction</p>	<p>N/A</p>	<p>Bureau of Building</p>
<p><b>SCA-NOS-2: Construction Noise. (#59)</b></p> <p>The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.</li> <li>b. Except as provided herein, impact tools (e.g., jack hammers,</li> </ul>			

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<p>pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.</p> <ul style="list-style-type: none"> <li>c. Applicant shall use temporary power poles instead of generators where feasible.</li> <li>d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.</li> <li>e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.</li> </ul>			
<p><b>SCA-NOS-3: Extreme Construction Noise. (#60)</b></p> <p>a. <i>Construction Noise Management Plan Required</i></p> <p>Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</li> <li>ii. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical</li> </ul>	<p>Prior to Approval</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>

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<p>and structural requirements and conditions;</p> <ul style="list-style-type: none"> <li>iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</li> <li>iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and</li> <li>v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</li> </ul> <p><i>b. Public Notification Required</i></p> <p>The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p>			
<p><b>SCA-NOS-4: Construction Noise Complaints. (#62)</b></p> <p>The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ul style="list-style-type: none"> <li>a. Designation of an on-site construction complaint and enforcement manager for the project;</li> <li>b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;</li> <li>c. Protocols for receiving, responding to, and tracking received complaints; and</li> <li>d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.</li> </ul>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>SCA-NOS-5: Operational Noise. (#64)</b></p> <p>Noise levels from the project site after completion of the project (i.e.,</p>	<p>Ongoing</p>	<p>N/A</p>	<p>Bureau of Building</p>

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<p>during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p> <p><b>SCA-NOS-6: Exposure to Community Noise. (#63)</b></p> <p>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> <ul style="list-style-type: none"> <li>a. 45 dBA: Residential activities, civic activities, hotels.</li> <li>b. 50 dBA: Administrative offices; group assembly activities.</li> <li>c. 55 dBA: Commercial activities.</li> <li>d. 65 dBA: Industrial activities.</li> </ul>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>
<b>Transportation and Traffic</b>			
<p><b>Mitigation Measure Traf-7.</b></p> <p>Optimize the traffic signal timing at the intersection of 5th Street/Oak Street. Optimization of traffic signal timing shall include adjusting the signal cycle length from 45 seconds to 60 seconds, and determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches. Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the Project sponsor shall submit the following to City of Oakland's Transportation Service Division and Caltrans for review and approval:</p> <ul style="list-style-type: none"> <li>a. <i>Plans, Specifications, and Estimates (PS&amp;E) to modify the intersection.</i></li> </ul> <p>All elements shall be designed to City standards in effect at the time of construction and all new and upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and ADA standards (according to Federal and State Access Board</p>	<p>Monitoring Schedule:                      Submittal prior to issuance of a building permit                      Implement TSD-approved improvements prior to final inspection of the building permit</p>	<p>Monitoring Responsibility:                      City of Oakland, CEDA-Dept. of Engineering &amp; Construction, Transportation Services Division;                      City of Oakland CEDA-Building Services Division, Zoning Inspection;                      City of Oakland CEDA-Planning &amp; Zoning-                      Caltrans</p>	<p>Monitoring Procedure:                      Review and approve PS&amp;E.                      Confirm that improvements are designed and implemented pursuant to approved PS&amp;E.</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>guideline) at the time of construction. Current City Standards call for among other items the elements listed below:</p> <ul style="list-style-type: none"> <li>i. 2070L Type Controller</li> <li>ii. Full signal actuation (includes video detection, bicycle detection, pedestrian push buttons)</li> <li>iii. Fiber signal interconnect for corridors identified in the City's ITS Master Plan for a maximum of 600 feet</li> <li>iv. GPS communication clock</li> <li>v. Accessible pedestrian crosswalks according to Federal and State Access Board Guidelines</li> <li>vi. Accessible pedestrian signals audible and tactile according to Federal Access Board guidelines</li> <li>vii. Countdown Pedestrian Signals</li> </ul> <p>b. <i>Signal timing plans for the signals in the coordination group.</i></p> <p>The Project sponsor shall fund, prepare and install the approved plans and improvements.</p>			
<p><b>Mitigation Measure Traf-3.</b></p> <p>Optimize the traffic signal timing at the intersection of 6th Street/Jackson Street. Optimization of traffic signal timing would include adjusting cycle length from 60 seconds to 75 seconds, and determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches. Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the Project sponsor shall submit the following to City of Oakland's Transportation Service Division and Caltrans for review and approval:</p> <ul style="list-style-type: none"> <li>a. <i>Plans, Specifications, and Estimates (PS&amp;E) to modify the intersection.</i></li> </ul> <p>All elements shall be designed to City standards in effect at the time of construction and all new and upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and ADA standards (according to Federal and State Access Board guideline) at the time of construction. Current City Standards call for among other items the elements listed below:</p> <ul style="list-style-type: none"> <li>i. 2070L Type Controller</li> </ul>	<p>Monitoring Schedule:</p> <p>Submittal prior to issuance of a building permit</p> <p>Implement TSD-approved improvements prior to final inspection of the building permit</p>	<p>Monitoring Responsibility:</p> <p>City of Oakland, CEDA-Dept. of Engineering &amp; Construction, Transportation Services Division;</p> <p>City of Oakland CEDA-Building Services Division, Zoning Inspection;</p> <p>City of Oakland CEDA-Planning &amp; Zoning.</p> <p>Caltrans</p>	<p>Monitoring Procedure:</p> <p>Review and approve PS&amp;E.</p> <p>Confirm that improvements are designed and implemented pursuant to approved PS&amp;E.</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>ii. Full signal actuation (includes video detection, bicycle detection, pedestrian push buttons)</p> <p>iii. Fiber signal interconnect for corridors identified in the City's ITS Master Plan for a maximum of 600 feet</p> <p>iv. GPS communication clock</p> <p>v. Accessible pedestrian crosswalks according to Federal and State Access Board Guidelines</p> <p>vi. Accessible pedestrian signals audible and tactile according to Federal Access Board guidelines</p> <p>vii. Countdown Pedestrian Signals</p> <p>b. <i>Signal timing plans for the signals in the coordination group.</i></p> <p>The Project sponsor shall fund, prepare and install the approved plans and improvements.</p>			
<p><b>SCA-TRANS-1: Transportation and Parking Demand Management. (#71)</b></p> <p>a. <i>Transportation and Parking Demand Management (TDM) Plan Required</i></p> <p>The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p> <p>i. The goals of the TDM Plan shall be the following:</p> <ul style="list-style-type: none"> <li>• Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project.</li> <li>• Achieve the following project vehicle trip reductions (VTR):</li> <li>• Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR</li> <li>• Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR</li> <li>• Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate.</li> <li>• Enhance the City's transportation system, consistent with City policies and programs.</li> </ul> <p>ii. TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the</li> </ul>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning</p>	<p>N/A</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>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.</p> <ul style="list-style-type: none"> <li>• Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.</li> <li>• 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.</li> <li>• Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.</li> <li>• Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.</li> <li>• 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).</li> <li>• Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.</li> <li>• 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).</li> <li>• Guaranteed ride home program for employees, either through 511.org or through separate program.</li> <li>• Pre-tax commuter benefits (commuter checks) for employees.</li> <li>• 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.</li> </ul>			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> <li>• On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.</li> <li>• Distribution of information concerning alternative transportation options.</li> <li>• 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.</li> <li>• Parking management strategies including attendant/valet parking and shared parking spaces.</li> <li>• Requiring tenants to provide opportunities and the ability to work off-site.</li> <li>• 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).</li> <li>• 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.</li> </ul>			
<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>Prior to Building Permit Final</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><i>b. TDM Implementation — Physical Improvements</i></p> <p>For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p> <p><i>c. TDM Implementation — Operational Strategies</i></p> <p>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</p>	<p>Ongoing</p>	<p>Bureau of Planning</p>	<p>Bureau of Planning</p>



Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>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><b>SCA-TRANS-2: Construction Activity in the Public Right-of-Way. (#68)</b></p> <p>a. <i>Obstruction Permit Required</i></p> <p>The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.</p> <p>b. <i>Traffic Control Plan Required</i></p> <p>In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.</p> <p>c. <i>Repair City Streets</i></p> <p>The project applicant shall repair any damage to the public right-of-way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p>	<p>Prior to approval of construction-related permit</p> <p>Prior to approval of construction-related permit</p> <p>Prior to Building Permit Final</p>	<p>Bureau of Building</p> <p>Bureau of Building Public Works Department, Transportation Services Division</p> <p>N/A</p>	<p>Bureau of Building</p> <p>Bureau of Building</p> <p>Bureau of Building</p>
<p><b>SCA-TRANS-3: Bicycle Parking. (#69)</b></p>	<p>Prior to approval of</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p> <p><b>SCA-TRANS-4: Transportation Improvements. (#70).</b></p> <p>The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Study for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, and 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&amp;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> <ol style="list-style-type: none"> <li>a. 2070L Type Controller with cabinet accessory</li> <li>b. GPS communication (clock)</li> <li>c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)</li> <li>d. Countdown pedestrian head module switch out</li> <li>e. City Standard ADA wheelchair ramps</li> <li>f. Video detection on existing (or new, if required)</li> <li>g. Mast arm poles, full activation (where applicable)</li> <li>h. Polara Push buttons (full activation)</li> <li>i. Bicycle detection (full activation)</li> <li>j. Pull boxes</li> </ol>	<p>construction-related permit</p> <p>Prior to building permit final or as otherwise specified</p>	<p>Bureau of Building, Public Works Department, Transportation Services Division</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum</p> <p>l. Conduit replacement contingency</p> <p>m. Fiber switch</p> <p>n. PTZ camera (where applicable)</p> <p>o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor</p> <p>p. Signal timing plans for the signals in the coordination group</p>			
<b>Utilities and Service Systems</b>			
<p><b>SCA-UTIL-1: Construction and Demolition Waste Reduction and Recycling. (#74)</b></p> <p>The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify 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 <a href="http://www.greenhalo.com">www.greenhalo.com</a> or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>	<p>Prior to approval of construction-related permit</p>	<p>Public Works Department, Environmental Services Division</p>	<p>Public Works Department, Environmental Services Division</p>
<p><b>SCA-UTIL-2: Underground Utilities. (#75)</b></p> <p>The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&amp;E, shall be placed underground if feasible. All utilities shall be installed in accordance with</p>	<p>During Construction</p>	<p>N/A</p>	<p>Bureau of Building</p>

Standard Conditions of Approval standard specifications of the serving utilities.	When Required	Initial Approval	Monitoring/ Inspection
<p><b>SCA-UTIL-3: Recycling Collection and Storage Space. (#76)</b>                      The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>
<p><b>SCA-UTIL-4: Green Building Requirements. (#77)</b>                      a. <i>Compliance with Green Building Requirements During Plan-Check</i>                      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"> <li>• Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.</li> <li>• Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.</li> <li>• Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.</li> <li>• Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (i) below.</li> <li>• 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.</li> <li>• 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.</li> <li>• Other documentation as deemed necessary by the City to</li> </ul>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Building</p>	<p>N/A</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>demonstrate compliance with the Green Building Ordinance.</p> <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> <li>• CALGreen mandatory measures.</li> <li>• All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.</li> <li>• A minimum of 23 points (3 Community; 6 IAQ/Health; 6 Resources; 8 Water) as defined by the Green Building Ordinance for Residential New Construction.</li> <li>• 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.</li> <li>• The required green building point minimums in the appropriate credit categories.</li> </ul> <p>b. <i>Compliance with Green Building Requirements During Construction</i>                      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> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</li> </ul> <p>c. <i>Compliance with Green Building Requirements After Construction</i>                      Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green and attain the minimum required</p>	<p>During Construction</p> <p>N/A</p> <p>After Project Completion as Specified</p>	<p>Bureau of Building</p> <p>Bureau of Planning</p>	<p>Bureau of Building</p> <p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>certification/point level. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Bureau of Planning the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.</p>			
<p><b>SCA-UTIL-5: Sanitary Sewer System. (#79)</b>                      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>	<p>Prior to approval of construction-related permit</p>	<p>Public Works Department, Department of Engineering and Construction</p>	<p>N/A</p>
<p><b>SCA-UTIL-6: Storm Drain System. (#80)</b>                      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>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>SCA-UTIL-7: Recycled Water. (#81)</b>                      Pursuant to section 16.08.030 of the Oakland Municipal Code, the project applicant shall provide for the use of recycled water in the project for landscape irrigation purposes unless the City determines that there is a higher and better use for the recycled water, the use of recycled water is not economically justified for the project, or the use of recycled water is not financially or technically feasible for the project. The project applicant shall contact the New Business Office of the East Bay Municipal Utility District (EBMUD) for a recycled water feasibility assessment by the Office of Water Recycling. If recycled water is to be provided in the project, the project drawings submitted for construction-related permits shall include the proposed recycled water system and the project applicant shall install the recycled water system during construction.</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>