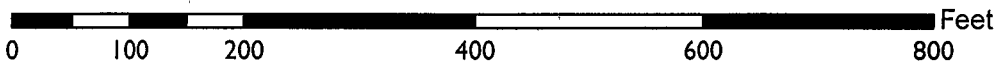


<b>Location:</b>	1314 Franklin Street (See map on reverse)
<b>Assessors Parcel Number:</b>	002-0055-001-00
<b>Proposal:</b>	Proposal to demolish the existing auto fee parking garage and construct a new mixed use development with approximately 16,500 square feet of ground floor retail and 634 dwelling units. The proposal includes application of density bonus provisions of Section 17.107 of the Planning Code for the inclusion of low income housing for a density bonus of 20% and requesting one development concession for maximum height. The proposed tower on the project site would be approximately 400 feet in height.
<b>Applicant:</b>	Carmel Partners / Greg Pasquali – (415) 231-0221
<b>Owner:</b>	CO VI Franklin, LLC
<b>Planning Permits Required:</b>	Regular Design Review for new construction, Major Conditional Use Permits for a large project in the D-LM Zone in excess of 200,000 square feet and Height Exception to allow the D-LM 275 Height Zone regulations, Minor Conditional use Permit to allow a base height of up to 85 feet and increase in the minimum tower dimensions by 30%, and Vesting Tentative Parcel Map for new condominiums.
<b>General Plan:</b>	Central Business District
<b>Zoning:</b>	D-LM-2 Zone/ D-LM-3 / D-LM-4 Zone Height Area D-LM 175
<b>Environmental Determination:</b>	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project 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 – Addendum to the 2014 certified Lake Merritt Station Area Plan EIR; Each of which provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 <sup>nd</sup> Floor or on-line at <a href="http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157">http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157</a>
<b>Historic Status:</b>	Not a historic property
<b>City Council District:</b>	3
<b>Action to be Taken:</b>	Decision on Application
<b>Staff Recommendation:</b>	Approve with the attached conditions.
<b>Finality of Decision:</b>	Appealable to City Council within 10 days
<b>For Further Information:</b>	Contact case planner <b>Peterson Z. Vollmann</b> at 510-238-6167 or by e-mail at <a href="mailto:pvollmann@oaklandnet.com">pvollmann@oaklandnet.com</a> .

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN16295  
Applicant: Carmel Partners  
Address: 1314 Franklin Street  
Zone: D-LM-2, D-LM-3, D-LM-4

## **SUMMARY**

Greg Pasquali on behalf of Carmel Partners has filed an application with the Bureau of Planning to develop a mixed use building that would include 634 dwelling units and approximately 16,500 square feet of ground floor retail. The proposal would be built on a site that consists of an entire city block and is currently being used as an auto fee parking garage.

The proposal appeared before the Design Review Committee (DRC) on November 30, 2016 and again on January 25, 2017 to provide a presentation on the design changes resulting from the prior DRC meeting. At the January 25, 2017 meeting the item was recommended to proceed forward to the full Planning Commission.

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

## **PROPERTY DESCRIPTION**

The subject property consists of the entire City block in Downtown Oakland bounded by 14<sup>th</sup>, 13<sup>th</sup>, Franklin and Webster Streets. The site is approximately 60,000 square feet in size and currently contains a multi-level auto fee parking garage known as the Downtown Merchant's Garage.

The project site is located within the Lake Merritt Station Area Plan (LMSAP) and is surrounded primarily by high density office buildings with ground floor retail uses along with other buildings that contain high density residential uses. The site is one block east of the 12<sup>th</sup> Street/City Center BART Station.

## **PROJECT DESCRIPTION**

The proposed project would demolish the existing two story above basement parking garage containing 520 parking stalls in order to construct a new mixed use development containing 634 residential dwelling units and approximately 16,500 square feet of ground floor retail. The proposal would be split into two major building components with a seven story building base occupying the majority of the site and a 40 story tower on the western portion of the property. The seven story portion of the building would form a courtyard apartment building above the podium with a large open space in the middle of the site adjacent to a large residential amenity space. The lower podium would contain the 16,500 square feet of retail focused on 14<sup>th</sup> and Franklin Streets with a smaller retail space at 13<sup>th</sup> and Webster Streets. The podium portion of the building also contains the parking for the building, including two basement levels of parking. The auto access would be from Webster and 13<sup>th</sup> Streets with a loading dock also on the south side of the site on 13<sup>th</sup> Street. 13<sup>th</sup> Street would also contain a secondary residential lobby entrance and amenity space. The primary lobby entrance would be on 14<sup>th</sup> Street so to share a common lobby entry for the seven story portion of the building as well as the 40 story tower. Additional residential amenity space would be located on the 40<sup>th</sup> floor of the building with adjacent decks as well as additional rooftop open space on the roof above.

The applicant is requesting a Major Conditional Use Permit as set forth in the D-LM Zone to allow one of three exceptions permitted to jump from the D-LM-175 height area up to the D-LM-275 height area to allow a maximum building height of 275 feet. The applicant is also taking advantage of State Law and the City Planning Code Section 17.107 to allow for a density bonus and allowed concession by

incorporating affordable housing into the development program, which allows the density and height of the proposal.

**GENERAL PLAN ANALYSIS**

The General Plan's Land Use and Transportation Element (LUTE) classifies the project site as being located in the Central Business District (CBD) General Plan area. This land use classification is intended to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, community facilities, and visitor uses. The CBD classification includes a mix of large-scale offices, commercial, urban high rise residential, institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses.

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

**Policy T2.1 - Encouraging Transit-Oriented Development** - Transit-oriented development should be encouraged at existing or proposed transit nodes, defined by the convergence of two or more modes of public transit such as BART, bus, shuttle service, light rail or electric trolley, ferry, and intercity or commuter rail.

**Policy D2.1 - Enhancing the Downtown** - Downtown development should be visually interesting, harmonize with its surroundings, respect and enhance important views in and of the downtown, respect the character, history, and pedestrian-orientation of the downtown, and contribute to an attractive skyline.

**Policy D10.1 – Encouraging Housing** – Housing in the downtown should be encouraged as a vital component of a 24-hour community.

**Policy D10.2 – Locating Housing** – Housing in the downtown should be encouraged in identifiable districts, within walking distance of the 12<sup>th</sup> Street, 19<sup>th</sup> Street, City Center, and Lake Merritt BART stations to encourage transit use, and in other locations where compatible with surrounding uses.

**Policy 11.1 - Promoting Mixed-Use Development** - Mixed use developments should be encouraged in the downtown for such purposes as to promote its diverse character, provide for needed goods and services, support local art and culture, and give incentive to reuse existing vacant or underutilized structures.

**Policy 11.2 - Locating Mixed-Use Development** - Mixed use development should be allowed in commercial areas, where the residential component is compatible with the desired commercial function of the area.

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

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

The proposed Project is consistent/conforms with the above referenced policies and objectives and the general intent of the Central Business District land use designation by constructing a new high density

residential building above a commercial ground floor on a major commercial street within the downtown core within walking distance to the 12<sup>th</sup> Street, 19<sup>th</sup> Street and Lake Merritt BART stations.

### **Lake Merritt Station Area Plan**

The Lake Merritt Station Area Plan (LMSAP) provides planning framework for future growth and development in the area surrounding the Lake Merritt BART Station. The Planning Area encompasses 315 acres in the heart of Oakland, a major urban center within the San Francisco Bay Area. Adjacent neighborhoods and destinations include Downtown Oakland, Lake Merritt, the Jack London District, Old Oakland, and Uptown.

The project site was identified as a development opportunity site within the 14<sup>th</sup> Street Corridor portion of the LMSAP.

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

**LMSAP Policy LU-2 - High intensity development potential.** Support transit-oriented development and accommodate regional growth projections by promoting high intensity and high density development in the Planning Area.

**LMSAP Policy LU-4 - Active ground floor uses.** Encourage active uses in new buildings on key streets in neighborhood hubs in order to transform key streets into activated pedestrian connections over time and expand the vibrancy and activity that already exists in some areas, as shown in Figure 4.2. These active ground floor uses should be located at the street edge, or at the edge of parks, plazas, or other public spaces. Activated neighborhood hubs include the 14th Street Corridor.

**LMSAP Policy LU-11 - Ceremonial street.** Establish 14th Street as a ceremonial street linking Frank Ogawa Plaza at the City Center to Lake Merritt, by promoting active uses along the corridor and implementing special pedestrian-oriented streetscape improvements.

**LMSAP Policy LU-13 - Complementary uses.** Complement existing government and institutional uses – including the Oakland Museum of California, Kaiser Auditorium, County Courthouse, Main Public Library – with new residential uses and by promoting active ground floor commercial uses in new development.

The Project is consistent/conforms with the above mentioned goals and policies by creating a new, mixed use development with high density housing and an active commercial ground floor located on the 14<sup>th</sup> Street Corridor in close proximity to three BART Stations.

### **ZONING ANALYSIS**

The subject property is located within the D-LM-2, D-LM-3, and D-LM-4 Zones. The site is also located within the D-LM Height Area 175. The intent of the D-LM-2 Zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of Office and Residential Activities. The intent of the D-LM-3 Zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District appropriate for a wide range of ground-floor Commercial Activities. Upper-story spaces are intended to be available for a wide range of Residential, Office, or

other Commercial Activities. The intent of the D-LM-4 Zone is to designate areas of the Lake Merritt Station Area Plan District appropriate for a wide range of Residential, Commercial, and compatible Light Industrial Activities.

### **Conditional Use Permits**

The D-LM Zones requires that any development that exceeds 200,000 square feet be required to obtain approval of a Major Conditional Use Permit.

The D-LM Zones also dictate allowed height and density based upon the height area in which the property is located. The subject property is located within a D-LM height area 175, which allows for one dwelling unit per 110 square feet of lot area. For the subject 60,032 square foot site a total of 545 dwelling units would be permitted. The D-LM Zone allows for three exceptions west of the Lake Merritt Channel to jump to the D-LM height area 275 by the granting of a Major Conditional Use Permit, which for this site would allow the height to increase from a maximum of 175 feet to 275 feet. The D-LM Zone also requires a Conditional Use permit to allow for an increase in the base height from 45 feet to 85 feet, which the applicant is also requesting as part of the application.

The D-LM Zone prescribes a limitation on tower length of 150 feet and a diagonal of 180 feet. The proposal would exceed these by approximately 15 feet or 10%, which is allowed upon the granting of a Conditional Use Permit. The Conditional Use Permit allows an increase by up to 30%.

Staff feels that the requested conditional use permits for size and height exception are warranted given that the proposed development is located on a site identified as an opportunity site within the LMSAP. Of the many opportunity sites within the LMSAP it is located closest to the densest parts of the plan area being one block off of the Broadway spine and the 12<sup>th</sup> Street/City Center BART Station.

The granting of the base height exception from 45 to 85 feet is also warranted since many of the surrounding buildings exceed 45 feet in height and the design allows for a nice transition from the podium building to the proposed tower.

The granting of the waiver for tower dimensions is also warranted since the intent is to provide for slender towers and with the additional height concession being requested from the applicant for affordable housing the resulting tower will appear very slender in the skyline as it would extend up to approximately 400 feet in height making it a signature building amongst the Oakland skyline as one of the tallest buildings in Oakland.

### **Density Bonus and Concessions for Affordable Housing**

The applicant has proposed as part of their development proposal to include affordable units within the project in order to take advantage of a density bonus and concessions pursuant to Planning Code Section 17.107. The applicant proposes to include either 5% of the 545 baseline allowed dwelling units at Very Low Income (less than 50% of Median Income) resulting in 27 affordable units or 10% of the baseline 545 units at Low Income (50-80% Median income) resulting in 54 affordable units. This allows for a Density Bonus of 20% above the baseline number of 545 units resulting in a maximum density of 654 dwelling units on the site, in which the proposed 634 dwelling units falls well within.

In addition to the bonus in density allowed on-site the applicant is also able to take advantage of one density bonus concession/incentive that would relax other Zoning Regulations. The applicant has requested that the Bureau of Planning waive the maximum height limit of 275 feet to allow the proposed

40 story tower that would result in a building height of approximately 400 feet in height (approximately 420 feet to the top of the mechanical penthouse).

Staff feels that the concession request is reasonable since it would result in a superior design by creating a slender tower versus that of if they were to request a waiver to the dimensional requirements that could result in a very tall and bulky building that could negatively impact the Oakland skyline.

**Parking**

The proposed project is located within the D-LM Zone which does not require new parking for residential or commercial uses. However, the proposal would include a multi-level structured garage that would include off-street parking for approximately 600 vehicles. Pursuant to Section 17.116.105 the development will also be required to provide two car share spaces as well as provide transit benefits for the units within the project.

Pursuant to Section 17.117 of the Planning Code bicycle parking is required and proposed as set forth in the following tables:

<b>Bike Parking Long Term</b>			
<b>Use</b>	<b>Amount</b>	<b>Required Bike Parking</b>	<b>Provided</b>
Residential	634 units	1: 4 units = 159	
Commercial	16,810 sq.ft.	1:12,000 sq.ft. = 2	
<b>TOTAL</b>		<b>161</b>	<b>195 minimum</b>

<b>Bike Parking Short Term</b>			
<b>Use</b>	<b>Amount</b>	<b>Required Bike Parking</b>	<b>Provided</b>
Residential	634 units	1:20 units = 32	
Commercial	16,810 sq.ft.	1:2,000 sq.ft. = 8	
<b>TOTAL</b>		<b>40</b>	<b>68</b>

**Design Review**

The proposed design occupies an entire City block and includes four block face frontages. In order to try to reduce the visual bulkiness of the building the architect has split the building into two distinctly different building forms. One building form is of a seven story "podium" type building that would sit on the eastern side of the site encompassing much of the city block while the second building mass would be to the western portion of the site in a 40 story tower.

The seven story podium building will consist of five stories above the double height ground floor base (including a level of parking tucked behind the facade) for a seven story mass. The building will be broken down with material changes and recesses with a dark bronze hardie panel facade backdrop with projecting elements that will be a mix of champagne and white stucco through the 3<sup>rd</sup> to 6<sup>th</sup> floors of the building.

The tower element of the project will be a combination of a glass tower with an intersecting solid form made up of aluminum paneling crating a rectilinear form over three story segments that will visually be compatible with the form of older masonry clad buildings in the area. The tower also steps back from the

south of the site to provide additional spatial separation from it and the historic Oakland Tribune Building to allow it to continue to stand out visually in the skyline.

The proposal provides for an active retail frontage along both 14<sup>th</sup> and Franklin Streets with continuous retail and a large lobby entrance at the joining point of the two building types. The 13<sup>th</sup> Street frontage would contain a small retail space located at the corner of 13<sup>th</sup> and Webster with a residential amenity space located along the mid-block section of 13<sup>th</sup> Street to still provide eyes on the street. A garage entry and loading berth access would also be proposed along 13<sup>th</sup> Street, which is appropriate since it is not designated as a commercial street in the D-LM Zoning. Webster Street is also not designated as a commercial street and would contain a second garage entry with decorative screening to conceal the ground level parking garage. Portions of Webster will still contain active space as the retail portions will wrap around the block at the corners.

### Design Review Committee

As previously mentioned, this item appeared before the Design Review Committee (DRC) on November 30, 2016 as well as on January 25, 2017. The main items raised at the first meeting were largely about the general design direction on the podium building and the ground floor design of the buildings. Comments were also included about the treatment of the building top to the residential tower. When the item returned to the DRC for the second time the meeting was mainly a presentation by the applicant on their responses to the comments from the prior meeting and the incorporated design changes. At the conclusion of the second DRC meeting the item was forwarded to the full Planning Commission with the feeling that the applicant had satisfactorily responded to the previous comments. One additional comment was provided to request that the applicant look at an additional option for the tower top by aligning the mechanical penthouse with the tower exterior which the applicant has stated would be financially infeasible due to added structural costs.

Staff believes the proposed design is consistent with the Lake Merritt Station Area Plan Design Guidelines by creating a mixed use development that establishes a strong pedestrian oriented commercial ground floor along 14<sup>th</sup> and Franklin Streets, while still providing attractive ground floors on the other two "non-commercial" streets of Webster and 13<sup>th</sup> Streets by providing retail wrapping the corners and adding amenity space. The applicant has also done a good job of breaking down the site into two visually different buildings and is proposing a well-designed tower that will be a signature building amongst the Oakland skyline as one of the tallest building in Oakland.

## **KEY ISSUES**

### **Affordable Housing**

One issue that has often come up on projects that have been proposed within the LMSAP as well as citywide is the provision for including affordable housing. The LMSAP identifies as goal of including 15% of new units to be available to low and moderate income households within the plan area. The adopted D-LM Zoning regulations following the adoption of the LMSAP did not place a direct requirement on development projects to provide on-site affordable housing. However, the City did pass a Citywide ordinance requiring impact fees, some of which would go into a fund to build affordable housing. If a development includes affordable housing built on-site then they are not subject to the impact fees related to affordable housing. The proposed development project will take advantage of the Density Bonus ordinance and provide either 5% very low income or 10% low income units that would be included on site as part of the development.



### **Community Benefits**

Another issue that has often come up on recent projects proposed within the LMSAP is that of “community benefits” in addition to the benefits of the project. The LMSAP does discuss looking into the feasibility of creating a developer incentive program in which a developer could receive density bonuses for providing affordable units, public open space, or other identified community benefits as part of the development proposal. This developer incentive program was never specifically adopted for the D-LM Zones since the idea would have been to reduce the allowable development in the area and allow a jump up in density with a community benefits package and was seen as being somewhat contrary to the idea of the plan area to provide high densities adjacent to BART Stations. What the adopted D-LM Zoning did include was a provision in which an applicant could request an increase in the allowed density and height by requesting a Major Conditional Use Permit to move up to a higher height/intensity zone which would be only be for a limited number of projects and was meant to keep individuals from gaining entitlements and land banking on properties with those entitlements rather than immediately constructing them.

Nonetheless, most large projects that have gone through the entitlement process within the LMSAP have been approached by community groups seeking community benefits which have been responded to in a number of different ways. While this is not a Planning Code requirement, staff understands that the applicant is going to propose a community benefits package that they will develop with the City Council members that represent the two districts in the LMSAP. However, staff has not required nor reviewed for comment any such community benefits package as it is outside the Planning submittal requirements.

### **ENVIRONMENTAL DETERMINATION**

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

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

- 1. Community Plan Exemption.** Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allow streamlined environmental review for projects that are “consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” Section 15183(c) specifies that “if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards..., then an EIR need not be prepared for the project solely on the basis of that impact.”
- 2. Qualified Infill Exemption.** Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 allow streamlining for certain qualified infill projects by limiting the topics subject to review at the project level, if the effects of infill development have been addressed in a planning level decision, or by uniformly applying development policies or standards. Infill projects are eligible if they are located in an urban area on a site that either has been previously developed

or that adjoins existing qualified urban uses on at least 75 percent of the site's perimeter; satisfy the performance standards provided in CEQA Guidelines Appendix M; and are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.

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

*Note:*

*A detailed CEQA Analysis was prepared for the project and was provided under separate cover for review and consideration by the Planning Commission, and is available to the public at the Planning Department office at 250 Frank H. Ogawa Plaza, 2<sup>nd</sup> Floor, Oakland, CA 94612 and on the City's website at: <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>*

## **CONCLUSION**

Staff believes that the proposed project is appropriate and helps to implement the vision of the LMSAP by providing a well-designed high density residential development with active ground floor retail on 14<sup>th</sup> Street. The building is within walking distance of three BART Stations. It is critical that the City develop densely around our valuable BART Stations to maximize the benefits of this regional transportation system. The proposed design is also consistent with the required Conditional Use Permit (CUP) criteria, Design Review criteria and LMSAP Design Guidelines.

**RECOMMENDATIONS:**

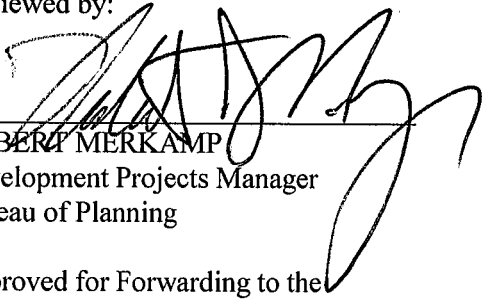
1. Affirm staff's environmental determination and adopt the attached CEQA Findings.
2. Approve the Conditional Use Permits, Design Review, and Vesting Tentative Parcel Map subject to the attached findings and conditions.

Prepared by:



PETERSON Z. VOLLMANN  
Planner IV

Reviewed by:



ROBERT MERKAMP  
Development Projects Manager  
Bureau of Planning

Approved for Forwarding to the  
City Planning Commission:



DARIN RANELETTI, Interim Director  
Department of Planning and Building

**ATTACHMENTS:**

- A. Findings for Approval
- B. Conditions of Approval
- C. SCA/MMRP from the 1314 Franklin Street CEQA Analysis Checklist
- D. Plans of the Project Site

## ATTACHMENT A

### FINDINGS FOR APPROVAL

This proposal meets all the required Conditional Use Permit Criteria (Section 17.134.050, & 17.101.G.050B.2 & 5), and Design Review Criteria (Section 17.136.050) as set forth below and which are required to approve your application. This proposal does not contain characteristics that require denial pursuant to the Tentative Map Findings (Section 16.08.030) and is consistent with the Lot Design Standards (Section 16.24.040) of the Oakland Subdivision Regulations. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type. (Note: the Project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record).

#### SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

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

The proposed residential building and ground floor commercial is appropriate for the site location. The proposed project will provide for a high density development in close proximity to jobs within the downtown core as well as numerous local and regional mass transit options. The project will contain a development that covers an entire city block and will break down the massing by dividing the development into two distinct buildings with the lower seven story building to the eastern portion of the site and the 40 story tower on the western portion of the site which is in closer relation to other towers within the downtown area including those directly across Franklin Street. The development will be consistent with the density envisioned in the LMSAP EIR and will pay traffic impacts fees to cover the development's fair share of traffic mitigations identified in the specific plan.

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

The proposal will provide a functional living environment with ample open space, and close proximity for residents to jobs downtown and multiple mass transit options for transportation. The new ground floor retail will improve the setting of the block by replacing a large parking garage that has largely blank non-active facades.

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

The development will help to enhance the area as a high density residential neighborhood and important shopping street along 14<sup>th</sup> Street by developing new high density housing in close proximity to downtown and regional and local mass transit and by providing new ground floor commercial along 14<sup>th</sup> Street to replace the existing parking garage that is void of active uses at the ground floor.

- 4. That the proposal conforms to all applicable design review criteria set forth in the DESIGN REVIEW PROCEDURE of Chapter 17.136 of the Oakland Planning Code.**

See Design Review findings below.

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

As detailed earlier in the report, and hereby incorporated by reference, the General Plan's Land Use and Transportation Element (LUTE) classifies the project site as being located in the Central Business District (CBD) General Plan area. This land use classification is intended encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, community facilities, and visitor uses. The CBD classification includes a mix of large-scale offices, commercial, urban high rise residential, institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses. The site is also within the Lake Merritt Station Area Plan (LMSAP), which was established to guide development for the large area surrounding the Lake Merritt BART station.

The proposed Project meets the referenced policies and objectives and the general intent of the Central Business District land use designation and the LMSAP by constructing a new high density residential building above a commercial ground floor on a major commercial street within the downtown core and within walking distance to three BART stations.

**17.101.G.050.B.2 – D-LM HEIGHT CRITERIA:**

- a. The proposal is consistent with the intent and desired land use character identified in the Lake Merritt Station Area Plan and its associated policies;**

The proposal is consistent with the intent and desired land use character of the site within the LMSAP by developing a high density residential development within close proximity to

downtown jobs and local and regional mass transit options as well as providing new pedestrian oriented ground floor commercial to enhance the 14<sup>th</sup> Street corridor.

**b. The proposal will promote implementation of the Lake Merritt Station Area Plan;**

The proposal will promote the implementation of the LMSAP by developing a high density residential development within close proximity to downtown jobs and local and regional mass transit options as well as providing new pedestrian oriented ground floor commercial to enhance the 14<sup>th</sup> Street corridor.

**c. The proposal is consistent with the desired visual character described in the Lake Merritt Station Area Plan and Lake Merritt Station Area Design Guidelines, with consideration given to the existing character of the site and surrounding area; and**

The proposed project is consistent with the required Design Review Findings below, and is consistent with the LMSAP Design Guidelines.

**17.101.G.050.B.2 – D-LM TOWER DIMENSION EXCEPTION:**

**a. The proposal will result in a signature building within the neighborhood, City, or region based on qualities, including but not limited to, exterior visual quality, craftsmanship, detailing, and high quality and durable materials.**

The proposed 40 story tower component of the project will include a design that incorporates a glass tower design intersected by an exterior cladding of metal paneling that will create a rectilinear pattern more reminiscent of the older masonry clad historic high rises in the district. The building will be a signature building within the Oakland skyline by being one of the tallest buildings in the City and will create a tall slender tower as intended by the dimensional limitations. The tower will contain a simplified rooftop component that will light up in the skyline in the evening while still stepping back from the Tribune Building and being a simplified design as to not compete with the ornate top of the Tribune Building.

**17.136.050(A) - RESIDENTIAL DESIGN REVIEW CRITERIA:**

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

The proposed project will construct a mixed use building with 634 units above ground floor commercial fronting on 14<sup>th</sup> Street. The proposed design occupies an entire City block and includes four block face frontages. In order to reduce the visual massiveness of the building the architect has split the building into two building masses. One will be a seven story podium building situated on the eastern portion of the site while a 40 story tower would occupy the western portion of the site. The eastern podium building would be of a similar

height and scale of other buildings in close proximity to the east. The exterior would contain a dark bronze hardie paneling contrasted by a lighter champagne and white cements plaster that would relate to other cement plaster and brick veneer exterior sin the area. The 40 story tower would contain a mix of a glass façade intersecting with a façade made up of metal paneling that would create a rectilinear pattern that would relate to the composition of older masonry clad high rises. The ground floor of the building would create new active retail store fronts along the majority of 14<sup>th</sup> and Franklin Streets to activate the streetscape in the area.

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

The proposed design will enhance the desirable neighborhood characteristics by developing an existing auto fee parking garage that is void of active space at the ground floor with new active ground floor commercial spaces, as well as provide for a dense residential environment in close proximity to downtown jobs, local and regional transit and open space.

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

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

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

The project site is flat.

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

The project site is consistent with the City's Corridor Design Guidelines and the LMSAP Design Guidelines. The Project is consistent with the goals and policies of the LUTE and LMSAP as indicated in Findings in Sections 17.134.050 above and the City Planning Commission Report, hereby incorporated by reference.

**16.08.030 - TENTATIVE MAP FINDINGS (Pursuant also to California Government Code §66474 (Chapter 4, Subdivision Map Act))**

The Advisory Agency shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

**A. That the proposed map is not consistent with applicable general and specific plans as specified in the State Government Code Section 65451.**

The proposal is consistent with the Central Business District General Plan designation and with the

***FINDINGS***

LMSAP by creating a mixed use development with viable street fronting retail along 14<sup>th</sup> Street. See additional General Plan Conformity findings above.

**B. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**

The proposal is consistent with the Central Business District General Plan designation and with the LMSAP by creating a mixed use development with viable street fronting retail along 14<sup>th</sup> Street. See additional General Plan Conformity findings above.

**C. That the site is not physically suitable for the type of development.**

The site is suitable for the proposed development as it is located close to public utilities, transit, and other civic facilities, and fulfills the vision for the area as set forth in the LMSAP.

**D. That the site is not physically suitable for the proposed density of development.**

The proposed density is consistent with the General Plan and Specific Plan density envisioned for the area.

**E. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

This site has been previously developed and does not contain any wildlife habitat or waterways.

**F. That the design of the subdivision or type of improvements is likely to cause serious public health problems.**

There should be no adverse health effects. This is in a mixed use development containing residential and retail uses located in the downtown area and it will introduce no new use classifications that are incompatible with the surrounding neighborhood.

**G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. (This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.)**

There are no easements on this property at present to allow the public access to anything.

**H. That the design of the subdivision does not provide to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision**

The project could to be set up for solar panels on the rooftop.

**SECTION 16.24.040 – LOT DESIGN STANDARDS**

As a one lot subdivision for condominium purposes these standards are not applicable.



**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 City Planning Commission in connection with the environmental analysis of the effects of implementation of the 1314 Franklin Street project, as more fully described elsewhere in this Staff Report and City Of Oakland (“City”)-prepared CEQA Analysis document entitled “1314 Franklin Street CEQA Analysis” dated March 16, 2016 (“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. Adoption of LMSAP and Certification of LMSAP EIR: 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 Area Plan (“LMSAP”), made appropriate CEQA findings, including certification of the LMSAP Environmental Impact Report (“EIR”); and (b) the LMSAP 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 LMSAP following a public hearing, approved as a part thereof Standard Conditions of Approval (“SCAs”) which constitute uniformly applied development policies or standards (together with other City development regulations) 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 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 that the CEQA Analysis constitutes an addendum to the LMSAP EIR, 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 LMSAP 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 no additional environmental analysis beyond the LMSAP EIR and the CEQA Analysis is

necessary. The specific statutory exemptions and the status of the CEQA Analysis as an Addendum 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 LMSAP EIR; 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 LMSAP EIR; and there is no new information showing that any of the effects shall be more significant than described in the LMSAP EIR.

As set out in detail in Attachment C 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 established by the LMSAP and analyzed in the LMSAP EIR 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 LMSAP EIR; nor are there potentially significant off-site impacts and cumulative impacts not discussed in the LMSAP EIR; 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 LMSAP EIR, are now determined to present a more severe adverse impact than discussed in the LMSAP EIR. 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 LMSAP EIR; the Project will cause no new specific effects not addressed in the LMSAP EIR 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 LMSAP EIR.

The City finds that, pursuant to CEQA Guidelines section 15183.3, the CEQA Analysis contains in Attachment D 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 D documents 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 LMSAP EIR; and indicates that the Project incorporates all applicable mitigation measures and SCAs from the LMSAP EIR. Attachment D also determines that the Project will cause no new specific effects not analyzed in the LMSAP EIR; determines that there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the LMSAP EIR, 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 LMSAP EIR and that no additional environmental analysis of the Project beyond that contained in the LMSAP EIR is necessary. The City further finds that no substantial changes are proposed in the Project that would require major revisions to the LMSAP 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 LMSAP 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 LMSAP EIR showing that the Project will have one or more significant effects not discussed in the LMSAP EIR; significant effects previously examined will be substantially more severe than shown in the LMSAP 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 considerably different from those analyzed in the LMSAP 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 LMSAP 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 sections 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: The LMSAP EIR identified three areas of environmental effects of the LMSAP that presented significant and unavoidable impacts. Because the Project may contribute to some significant and unavoidable impacts identified in the LMSAP EIR, but a Subsequent and/or Supplemental EIR is not required in accordance with CEQA Guidelines sections 15162, 15163, 15164, 15183 and 15183.3, a Statement of Overriding Considerations is not legally required. Nevertheless, in the interest of being conservative, the Statement of Overriding Consideration for the LMSAP EIR, approved as Section XII of the CEQA Findings adopted by the City Council on November 18, 2014, via Resolution No. 85276 C.M.S., is hereby incorporated by reference as if fully set forth herein.

## ATTACHMENT B

### CONDITIONS OF APPROVAL

#### STANDARD ADMINISTRATIVE CONDITIONS:

1. Approved Use

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **staff report** and the approved plans **dated March 15, 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 years** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. Compliance with Other Requirements

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

4. Minor and Major Changes

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

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

**5. Compliance with Conditions of Approval**

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

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

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

**7. Blight/Nuisances**

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

**8. Indemnification**

- 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,

**CONDITIONS OF APPROVAL**

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 serving of any Action as specified in subsection (a) above on the City, 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. Standard Conditions of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP)**

- a. All mitigation measures identified in the 1314 Franklin 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 1314 Franklin 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 the 1314 Franklin 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 1314 Franklin 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.

**PROJECT SPECIFIC CONDITIONS:**

**15. Exterior Finishes/ Final Design Details**

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

When Required: Prior to issuance of a Building Permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

**16. 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.

When Required: Prior to issuance of Final Certificate of Occupancy and Ongoing

Initial Approval: Bureau of Planning



**17. Covenants, Conditions and Restrictions & Homeowner's Association**

Requirement: When the condominium units created are offered for sale, the Covenants, Conditions and Restrictions (CC&Rs) for the approved units shall be submitted to the Planning and Zoning Division for review. The CC&Rs shall provide for the establishment of a non-profit homeowners association to maintenance and operation of all common landscaping, driveways, and other facilities, in accordance with approved plans. Membership in the association shall be made a condition of ownership. The developer shall be a member of such association until all units are sold.

When Required: If the condominium units are offered for immediate sale, within one year after issuance of the first certificate of occupancy. If not, prior to the first sale of a condominium unit.

**18. Miscellaneous Transportation Improvement Measures**

Requirement #1: Ensure that the project driveway on 13th Street 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. If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveway.

Requirement #2: Ensure that the project driveway on Webster Street would provide adequate sight distance between motorists exiting the driveway and passing bicyclists on Webster Street. Potential improvements may include implementing a raised crossing, parking-protected bikeway, or other high-visibility treatment at the driveway entrance.

Requirement #3: Implement a continuation of the existing Class 2 bicycle lanes on Webster Street and Franklin Street along the project frontage between 13th and 14th Streets.

Requirement #4: Ensure that long-term bicycle parking includes adequate space for cargo bicycles or bicycle trailer storage.

Requirement #5: Explore the feasibility of installing directional curb ramps at all four corners of the four intersections adjacent to the site. Considering that fire hydrants, signal poles, and/or light poles are provided at all the corners, construction of curb extensions (bulbouts) may also be required to provide directional curb ramps.

Requirement #6: Final p-job plans shall include improvements consistent with the City of Oakland Improvement Plans for 14th Street subject to review and approval by the Department of Public Works.

When Required: Prior to issuance of a building permit

Initial Approval: Bureau of Planning

**19. Minimum Required Number of Affordable Units**

Requirement: Pursuant to Section 17.107 of the Oakland Planning Code, the proposed project shall provide target dwelling units as follows for receiving a density bonus and concession:

- a) At least 54 dwelling units for low income households; or
- b) At least 27 dwelling units for very low income households; or

***CONDITIONS OF APPROVAL***

- c) At least 54 dwelling units for moderate income households in the case of a residential condominium development.

When Required: Ongoing

**20. Affordable Housing Agreement**

Requirement: The applicant shall submit an agreement for review and approval by the City Attorney, the Bureau of Planning, and any other relevant City departments, identifying which of the options for providing the target dwelling units described above in Condition #41 will be implemented. The agreement must also ensure the continued affordability of the target dwelling units for a period of not less than 30 years or a longer period of time if required by the construction or mortgage financing assistance program mortgage insurance program, or rental subsidy program, and to restrict occupancy only to residents who satisfy the affordability requirement for the specified unit(s). Rents for the lower income density bonus units shall be set at an affordable rent as defined in Section 50053 of the Health and Safety Code. Owner-occupied units shall be available at an affordable housing cost as defined in Section 50052.5 of the Health and Safety Code. Prior to issuance of a building permit for the affordable housing project, the applicant shall record as a deed restriction in the Alameda County Recorder's Office, notice of this requirement, in a form prescribed by the Director of City Planning.

When Required: Prior to issuance of a building permit

**21. Affordability Monitoring**

Requirement #1: The applicant shall submit for review and approval by the City Attorney, the Community and Economic Development Agency, and any other relevant City departments, proof that all buyers of for-sale target dwelling units have entered into a density bonus resale agreement with the City prior to purchasing the unit or property. The resale agreement shall specify that the title to the subject property or unit may not be transferred without prior approval of the City. The applicant shall record the above agreement with the Alameda County Recorder and shall provide a copy of recorded agreement to the City.

When Required: Prior to any sale of a unit

Requirement #2: Rental target dwelling units shall be managed/operated by the developer, developer's agent, or the developer's successor. The developer shall submit for review and approval by the City Attorney, the Community and Economic Development Agency, and any other relevant City departments, an annual report identifying which units are target dwelling units, the monthly rent, vacancy information, monthly income for tenants of each target rental dwelling unit throughout the prior year, and other information required by the City. Said agreement shall maintain the tenant privacy.

When Required: Ongoing annually

Requirement #3: The applicant shall pay an administrative monitoring fee to in accordance with the City's Master Fee Schedule (currently \$250 per unit per year for rental units or \$250 per homebuyer for condominiums) for City monitoring of the target dwelling units.

When Required: Prior to issuance of a building permit

## Attachment C

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# Standard Conditions of Approval and Mitigation Monitoring and Reporting Program

This Standard Conditions of Approval ("SCAs") and Mitigation Monitoring and Reporting Program ("SCAMMRP") is based on the CEQA Analysis prepared for the 1314 Franklin Street Mixed-Use Project.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The SCAMMRP lists mitigation measures recommended in the 2014 LMSAP EIR that apply to the proposed project. The SCAMMRP also lists other SCAs that apply to the proposed project, most of which were identified in the LMSAP EIR and some of which have been subsequently updated or otherwise modified by the City. Specifically, on July 22, 2015, the City of Oakland released a revised set of all City of Oakland SCAs, which largely still include SCAs adopted by the City in 2008, along with supplemental, modified, and new SCAs. SCAs are measures that would minimize potential adverse effects that could result from implementation of the proposed project, to ensure the conditions are implemented and monitored. The revised set of the City of Oakland SCAs includes new, modified, and reorganized SCAs; however, none of the revisions diminish or negate the ability of the SCAs considered "environmental protection measures" to minimize potential adverse environmental effects. As such, the SCAs identified in the SCAMMRP reflect the current SCAs only. Although the SCA numbers listed below may not correspond to the SCA numbers in the 2014 LMSAP EIR, all of the environmental topics and potential effects addressed by the SCAs in the LMSAP EIR are included in this SCAMMRP (as applicable to the proposed project). This SCAMMRP also identifies the mitigation monitoring requirements for each mitigation measure and SCA.

This CEQA Analysis is also based on the analysis in the following Prior EIRs that apply to the proposed project: Oakland's 1998 General Plan Land Use and Transportation Element ("LUTE") EIR ("1998 LUTE EIR"), the 2010 General Plan Housing Element Update EIR and its 2014 Addendum, and the 2011 Central District Urban Renewal Plan Amendments EIR (or "Redevelopment Plan Amendments EIR"). None of the mitigation measures or SCAs from these EIRs are included in this SCAMMRP because they, or an updated or equally effective mitigation measure or SCA, is identified in the 2014 LMSAP EIR, its addenda, or in this CEQA Analysis for the proposed project.

To the extent that there is any inconsistency between any mitigation measures and/or SCAs, the more restrictive conditions shall govern; to the extent any mitigation measure and/or SCA identified in the CEQA Analysis were inadvertently omitted, they are automatically incorporated herein by reference.

- The first column of the SCAMMRP table identifies the mitigation measure or SCA applicable to that topic in the CEQA Analysis. While a mitigation measure or SCA can apply to more than one topic, it is listed in its entirety only under its primary topic (as indicated in the mitigation or SCA designator). The SCAs are numbered to specifically apply to the proposed project and this CEQA Analysis; however, the SCAs as presented in the City's *Standard Conditions of Approval and Uniformly Applied Development Standards* document<sup>31</sup> are included in parenthesis for cross-reference purposes.
- The second column identifies the monitoring schedule or timing applicable to the Project.
- The third column names the party responsible for monitoring the required action for the Project.

The Project Sponsor is responsible for compliance with any recommendations identified in City-approved technical reports, all applicable mitigation measures adopted, and with all SCAs set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or condition of approval, and subject to the review and approval of the City of Oakland. Overall monitoring and compliance with the mitigation measures will be the responsibility of the Bureau or Planning, Zoning Inspections 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.

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<sup>31</sup> Dated July 22, 2015, as amended.

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
<b>General</b>			
<p><b>SCA GEN-1 (Standard Condition Approval 15) Regulatory Permits and Authorizations from Other Agencies Requirement:</b> The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.</p>		<p>Prior to activity requiring permit/authorization from regulatory agency.</p>	<p>City of Oakland Bureau of Planning and Building</p>
<b>Aesthetics, Shadow, and Wind</b>			
<p><b>SCA AES-1 (Standard Condition of Approval 16) Graffiti Control</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> </ul> <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:</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>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p><b>SCA AES-2 (Standard Condition of Approval 17) Landscape Plan</b></p> <p>a. Landscape Plan Required</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 construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.</p> <p>b. Landscape Installation</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>a. Prior to approval of construction-related permit.</p> <p>b. Prior to building permit final.</p> <p>c. Ongoing</p>	<p>a. City of Oakland Bureau of Planning and Building</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>c. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring
		Schedule
		Responsibility
<p><b>Aesthetics, Shadow, and Wind (cont.)</b></p>		
<p>c. Landscape Maintenance</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><b>SCA AES-3 (Standard Condition of Approval 18): Lighting</b></p> <p>Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.</p>	Prior to building permit final.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p>Also SCA UTIL-2, Underground Utilities. See <i>Utilities and Service Systems</i>, below.</p>		
<p><b>Air Quality</b></p>		
<p><b>SCA AIR-1 (Standard Condition of Approval 19) Construction-Related Air Pollution Controls (Dust and Equipment Emissions)</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 (using reclaimed water if possible). 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 possible.</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., as soon as feasible. In addition, building pads should be laid as soon as possible after grading 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 Air Resources Board's 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 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").</li> </ol>	During construction.	City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring
Air Quality (cont.)	Schedule
	Responsibility
<p>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.</p> <p>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.</p> <p>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.</p> <p>l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <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>	

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
Air Quality (cont.)		Schedule	Responsibility
<p>SCA AIR-2 (Standard Condition of Approval 20) <i>Exposure to Air Pollution (Toxic Air Contaminants)</i></p> <p><b>a. Health Risk Reduction Measures</b></p> <p><u>Requirement:</u> The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose <u>one</u> 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 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 style="text-align: center;">- 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 (<i>X Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoides X trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>).</li> <li>• Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.</li> </ul>		<p>a. Prior to approval of construction-related permit.</p> <p>b. ongoing</p>	<p>a. City of Oakland Bureau of Planning and Building; City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>



Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring Schedule	Responsibility
<b>Air Quality (cont.)</b>			
<ul style="list-style-type: none"> <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:                             <ul style="list-style-type: none"> <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> </li> </ul> <p><b>b. Maintenance of Health Risk Reduction Measures</b></p> <p><b>Requirement:</b> 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>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Planning and Building</p>	
<p><b>SCA AIR-3 (Standard Condition of Approval 21) Stationary Sources of Air Pollution (Toxic Air Contaminants)</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 stationary sources of toxic air contaminants. The project applicant shall choose <u>one</u> of the following methods:</p> <p>a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p style="text-align: center;">- or -</p> <p>b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ul style="list-style-type: none"> <li>i. Installation of non-diesel fueled generators, if feasible, or;</li> <li>ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.</li> </ul>	<p>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Planning and Building</p>	

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring Schedule	Responsibility
<b>Biological Resources</b>			
<p><b>SCA BIO-1 (Standard Condition of Approval 26): Tree Removal During Bird Nesting Season</b>                      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><b>SCA BIO-2 (Standard Condition of Approval 27): Tree Permit</b></p> <p><b>a. Tree Permit Required</b>                      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>b. Tree Protection During Construction</b>  <u>Requirement:</u> 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> <ul 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 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.</li> <li>ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</li> <li>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.</li> </ul>		<p>Prior to removal of trees.</p> <p>a. Prior to approval of construction-related permit                      b. During construction.</p>	<p>City of Oakland Public Works Department, Tree Division; Bureau of Buildings</p> <p>a. City of Oakland Public Works Department, Tree Division; Bureau of Buildings                      b. City of Oakland Public Works Department, Tree Division; Bureau of Buildings</p>

<b>Standard Conditions of Approval/Mitigation Measures</b>		<b>Mitigation Implementation/ Monitoring</b>
<b>Biological Resources (cont.)</b>	<b>Schedule</b>	<b>Responsibility</b>
<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 of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p>	<p>During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<b>Cultural Resources</b>		
<p><b>SCA CUL-1 (Standard Condition of Approval 29): Archaeological and Paleontological Resources – Discovery During Construction Requirement:</b> Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.</p> <p>In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p>	<p>During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Cultural Resources (cont.)	Schedule	Responsibility
<p><b>SCA CUL-2 (Standard Condition of Approval 30): Archaeologically Sensitive Areas – Pre-Construction Measures</b>                      Requirement: 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>                      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>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>A report disseminating the results of this research.</li> <li>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 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>                      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>Prior to approval of construction-related permit during construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
Cultural Resources (cont.)	Schedule	Responsibility	Responsibility
<p><b>SCA CUL-3 (Standard Condition of Approval SCA 31): <i>Human Remains - Discovery During Construction</i></b>  <b>Requirement:</b> Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.</p>	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections	City of Oakland Bureau of Building Services Division, Zoning Inspections
<b>Geology, Soils, and Geohazards</b>			
<p><b>SCA GEO-1 (Standard Condition of Approval 33): <i>Construction-Related Permits</i></b>  <b>Requirement:</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>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA GEO-2 (Standard Condition of Approval 34): <i>Soils Report</i></b>  <b>Requirement:</b> The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections	City of Oakland Bureau of Building Services Division, Zoning Inspections
<b>Greenhouse Gases and Climate Change</b>			
<p><b>SCA GHG-1 (Standard Condition of Approval SCA 38): <i>Greenhouse Gas (GHG) Reduction Plan</i></b>  <b>a. <i>Greenhouse Gas (GHG) Reduction Plan Required</i></b>  <b>Requirement:</b> The project applicant shall retain a qualified air quality consultant to develop a Greenhouse Gas (GHG) Reduction Plan for City review and approval and shall implement the approved GHG Reduction Plan.                      The goal of the GHG Reduction Plan shall be to increase energy efficiency and reduce GHG emissions to below at least one of the Bay Area Quality Management District's (BAAQMD's) CEQA Thresholds of Significance (1,100 metric tons of CO<sub>2</sub>e per year or 4.6 metric tons of CO<sub>2</sub>e per year per service population) AND to reduce GHG emissions by 36 percent below the project's 2005 "business-as-usual" baseline GHG emissions (as explained below) to help implement the City's Energy and Climate Action Plan (adopted in 2012) which calls for reducing GHG emissions by 36 percent below 2005 levels. The GHG Reduction Plan shall include, at a minimum, (a) a detailed GHG emissions inventory for the project under a "business-as-usual" scenario with no consideration of project design features, or other energy efficiencies, (b) an "adjusted" baseline GHG emissions inventory for the project, taking into consideration energy efficiencies included as part of the project (including the City's Standard Conditions of Approval, proposed mitigation measures, project design features, and other City requirements)</p>	a. Prior to approval of construction-related permit b. During construction c. Ongoing	a. City of Oakland Bureau of Planning b. City of Oakland Bureau of Planning and Bureau of Building c. City of Oakland Bureau of Planning	a. City of Oakland Bureau of Planning b. City of Oakland Bureau of Planning and Bureau of Building c. City of Oakland Bureau of Planning

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Greenhouse Gases and Climate Change (cont.)		Schedule
		Responsibility
<p>and additional GHG reduction measures available to further reduce GHG emissions, and (c) requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. If the project is to be constructed in phases, the GHG Reduction Plan shall provide GHG emission scenarios by phase.</p> <p>Potential GHG reduction measures to be considered include, but are not be limited to, measures recommended in BAAQMD's latest CEQA Air Quality Guidelines, the California Air Resources Board Scoping Plan (December 2008, as may be revised), the California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures (August 2010, as may be revised), the California Attorney General's website, and Reference Guides on Leadership in Energy and Environmental Design (LEED) published by the U.S. Green Building Council.</p> <p>The types of allowable GHG reduction measures include the following (listed in order of City preference): (1) physical design features; (2) operational features; and (3) the payment of fees to fund GHG-reducing programs (i.e., the purchase of "carbon credits") as explained below.</p> <p>The allowable locations of the GHG reduction measures include the following (listed in order of City preference): (1) the project site; (2) off-site within the City of Oakland; (3) off-site within the San Francisco Bay Area Air Basin; (4) off-site within the State of California; then (5) elsewhere in the United States.</p> <p>As with preferred locations for the implementation of all GHG reductions measures, the preference for carbon credit purchases include those that can be achieved as follows (listed in order of City preference): (1) within the City of Oakland; (2) within the San Francisco Bay Area Air Basin; (3) within the State of California; then (4) elsewhere in the United States. The cost of carbon credit purchases shall be based on current market value at the time purchased and shall be based on the project's operational emissions estimated in the GHG Reduction Plan or subsequent approved emissions inventory, which may result in emissions that are higher or lower than those estimated in the GHG Reduction Plan.</p> <p>For physical GHG reduction measures to be incorporated into the design of the project, the measures shall be included on the drawings submitted for construction-related permits.</p>	<p><b>b. GHG Reduction Plan Implementation During Construction</b></p> <p><u>Requirement:</u> The project applicant shall implement the GHG Reduction Plan during construction of the project. For physical GHG reduction measures to be incorporated into the design of the project, the measures shall be implemented during construction. For physical GHG reduction measures to be incorporated into off-site projects, the project applicant shall obtain all necessary permits/approvals and the measures shall be included on drawings and submitted to the City Planning Director or his/her designee for review and approval. These off-site improvements shall be installed prior to completion of the subject project (or prior to completion of the project phase for phased projects). For GHG reduction measures involving the purchase of carbon credits, evidence of the payment/purchase shall be submitted to the City for review and approval prior to completion of the project (or prior to completion of the project phase, for phased projects).</p> <p><b>c. GHG Reduction Plan Implementation After Construction</b></p> <p><u>Requirement:</u> The project applicant shall implement the GHG Reduction Plan after construction of the project (or at the completion of the project phase for phased projects). For operational GHG reduction measures to be incorporated into the project or off-site projects, the measures shall be implemented on an indefinite and ongoing basis.</p>	

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring
Greenhouse Gases and Climate Change (cont.)	Schedule Responsibility
<p>The project applicant shall satisfy the following requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. The GHG Reduction Plan requires regular periodic evaluation over the life of the project (generally estimated to be at least 40 years) to determine how the Plan is achieving required GHG emissions reductions over time, as well as the efficacy of the specific additional GHG reduction measures identified in the Plan.</p> <p><b>Annual Report.</b> Implementation of the GHG reduction measures and related requirements shall be ensured through compliance with Conditions of Approval adopted for the project. Generally, starting two years after the City issues the first Certificate of Occupancy for the project, the project applicant shall prepare each year of the useful life of the project an Annual GHG Emissions Reduction Report ("Annual Report"), for review and approval by the City Planning Director or his/her designee. The Annual Report shall be submitted to an independent reviewer of the City's choosing, to be paid for by the project applicant.</p> <p>The Annual Report shall summarize the project's implementation of GHG reduction measures over the preceding year, intended upcoming changes, compliance with the conditions of the Plan, and include a brief summary of the previous year's Annual Report results (starting the second year). The Annual Report shall include a comparison of annual project emissions to the baseline emissions reported in the GHG Plan.</p> <p>The GHG Reduction Plan shall be considered fully attained when project emissions are less than either applicable numeric BAAQMD CEQA Thresholds AND GHG emissions are 36 percent below the project's "adjusted" baseline GHG emissions, as confirmed by the City through an established monitoring program. Monitoring and reporting activities will continue at the City's discretion, as discussed below.</p> <p><b>Corrective Procedure.</b> If the third Annual Report, or any report thereafter, indicates that, in spite of the implementation of the GHG Reduction Plan, the project is not achieving the GHG reduction goal, the project applicant shall prepare a report for City review and approval, which proposes additional or revised GHG measures to better achieve the GHG emissions reduction goals, including without limitation, a discussion on the feasibility and effectiveness of the menu of other additional measures ("Corrective GHG Action Plan"). The project applicant shall then implement the approved Corrective GHG Action Plan.</p> <p>If, one year after the Corrective GHG Action Plan is implemented, the required GHG emissions reduction target is still not being achieved, or if the project applicant fails to submit a report at the times described above, or if the reports do not meet City requirements outlined above, the City may, in addition to its other remedies, (a) assess the project applicant a financial penalty based upon actual percentage reduction in GHG emissions as compared to the percent reduction in GHG emissions established in the GHG Reduction Plan; or (b) refer the matter to the City Planning Commission for scheduling of a compliance hearing to determine whether the project's approvals should be revoked, altered or additional conditions of approval imposed.</p> <p>The penalty as described in (a) above shall be determined by the City Planning Director or his/her designee and be commensurate with the percentage GHG emissions reduction not achieved (compared to the applicable numeric significance thresholds) or required percentage reduction from the "adjusted" baseline.</p>	

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Greenhouse Gases and Climate Change (cont.)	Schedule	Responsibility
<p>In determining whether a financial penalty or other remedy is appropriate, the City shall not impose a penalty if the project applicant has made a good faith effort to comply with the GHG Reduction Plan.</p> <p>The City would only have the ability to impose a monetary penalty after a reasonable cure period and in accordance with the enforcement process outlined in Planning Code Chapter 17.152. If a financial penalty is imposed, such penalty sums shall be used by the City solely toward the implementation of the GHG Reduction Plan.</p> <p><b>Timeline Discretion and Summary.</b> The City shall have the discretion to reasonably modify the timing of reporting, with reasonable notice and opportunity to comment by the applicant, to coincide with other related monitoring and reporting required for the project.</p> <p>See SCA AES-2, <i>Landscape Plan</i>. See <i>Aesthetics, Wind, and Shadow</i>, above.</p> <p>See SCA AIR-1, <i>Construction-Related Air Pollution Controls (Dust and Equipment Emissions)</i>. See <i>Air Quality</i>, above.</p> <p>See SCA UTIL-1, <i>Construction and Demolition Waste Reduction and Recycling</i>. See <i>Utilities and Service Systems</i>, below.</p> <p>See SCA UTIL-4, <i>Green Building Requirements</i>. See <i>Utilities and Service Systems</i>, below.</p> <p><b>Hazards and Hazardous Materials</b></p> <p><b>SCA HAZ-1 (Standard Condition of Approval 39): Hazardous Materials Related to Construction Requirement:</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> <ol style="list-style-type: none"> <li>a. Follow manufacturer's recommendations for use, storage, and disposal of chemical products used in construction;</li> <li>b. Avoid overtopping construction equipment fuel gas tanks;</li> <li>c. During routine maintenance of construction equipment, properly contain and remove grease and oils;</li> <li>d. Properly dispose of discarded containers of fuels and other chemicals;</li> <li>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</li> <li>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.</li> </ol>	<p>During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>



Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
		Schedule
		Responsibility
<p><b>Hazards and Hazardous Materials (cont.)</b></p>		
<p><b>SCA HAZ-2 (Standard Condition of Approval 40): Site Contamination</b></p>		
<p><b>a. Environmental Site Assessment Required</b>  <u>Requirement:</u> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p>	<p>a. Prior to approval of construction-related permit                      b. Prior to approval of construction-related permit                      c. During Construction</p>	<p>a. Oakland Fire Department                      b. City of Oakland Bureau of Building Services Division, Zoning Inspections                      c. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p><b>b. Health and Safety Plan Required</b>  <u>Requirement:</u> The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.</p>		
<p><b>c. Best Management Practices (BMPs) Required for Contaminated Sites</b>  <u>Requirement:</u> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p> <p>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.</p> <p>ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.</p>		
<p>See SCA TRA-1, Construction Activity in the Public Right-of-Way. See <i>Transportation and Traffic</i>, below.</p>		
<p><b>Hydrology and Water Quality</b></p>		
<p><b>SCA HYD-1 (Standard Condition of Approval 45): Erosion and Sedimentation Control Plan for Construction</b></p>		
<p><b>a. Erosion and Sedimentation Control Plan Required</b>  <u>Requirement:</u> The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included,</p>	<p>a. Prior to approval of construction-related permit.                      b. During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
<b>Hydrology and Water Quality (cont.)</b>			
<p>if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p>			
<p><b>b. Erosion and Sedimentation Control During Construction</b>                      Requirement: The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.</p>			
<p><b>SCA HYD-2 (Standard Condition of Approval 46): State Construction General Permit</b></p>		<p>Prior to approval of construction-related permit.</p>	
<p><b>a. Requirement:</b> The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.</p>			
<p><b>SCA HYD-3 (Standard Condition of Approval 50): NPDES C.3 Stormwater Requirements for Regulated Projects</b></p>		<p>a. Prior to approval of construction-related permit.                      b. Prior to building permit final.</p>	
<p><b>a. Post-Construction Stormwater Management Plan Required</b>                      Requirement: The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:</p> <ul style="list-style-type: none"> <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>                      Requirement: The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:</p>			
		<p>a. City of Oakland Bureau of Building Services Division, Zoning Inspections; City of Oakland Bureau of Planning and Building                      b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>	

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Hydrology and Water Quality (cont.)	Schedule	Responsibility
<p>i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and</p> <p>ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary.</p> <p>The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p> <p>Also SCA GEO-1, Construction-Related Permit(s). See <i>Geology, Soils, and Geohazards</i>, above.</p> <p>Also SCA GEO-2, Soils Report. See <i>Geology, Soils, and Geohazards</i>, above.</p> <p>Also SCA UTIL-6, Storm Drain System. See <i>Utilities and Service Systems</i>, below.</p>		
<b>Noise</b>		
<p>SCA NOI-1 (Standard Condition of Approval 58) <i>Construction Days/Hours</i></p> <p><b>Requirement:</b> The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <p>a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.</p> <p>b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.</p> <p>c. No construction is allowed on Sunday or federal holidays.</p> <p>Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.</p> <p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity 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>	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring Schedule	Responsibility
<b>Noise (cont.)</b>			
<p><b>SCA NOI-2: (Standard Condition of Approval 59) Construction Noise Requirement:</b> 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, 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.</li> <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>During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p><b>SCA NOI-3 (Standard Condition of Approval 60) Extreme Construction Noise</b></p> <p><b>a. Construction Noise Management Plan Required</b></p> <p><u>Requirement:</u> Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <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 and structural requirements and conditions;</li> <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>		<ul style="list-style-type: none"> <li>a. Prior to approval of construction-related permit.</li> <li>b. During construction.</li> </ul>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	
Noise (cont.)		Schedule	Responsibility
<p><b>b. Public Notification Required</b></p> <p><u>Requirement:</u> The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p>			
<p><b>SCA NOI-4 (Standard Condition of Approval 62) Construction Noise Complaints</b></p> <p><u>Requirement:</u> The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <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>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>	
<p><b>SCA NOI-5 (Standard Condition of Approval 63) Exposure to Community Noise</b></p> <p><u>Requirement:</u> The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:</p> <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>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>	
<p><b>SCA NOI-6 (Standard Condition of Approval 64) Operational Noise</b></p> <p><u>Requirement:</u> Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>	<p>Ongoing.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>	

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
Transportation and Circulation		Schedule	Responsibility
<b>SCA TRA-1 (Standard Condition of Approval 68) Construction Activity in the Public Right-of-Way</b>			
<p><b>a. Obstruction Permit Required</b>  <u>Requirement:</u> The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.</p> <p><b>b. Traffic Control Plan Required</b>  <u>Requirement:</u> In the event of obstructions to sidewalks or 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><b>c. Repair of City Streets</b>  <u>Requirement:</u> The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p>	<p>a. Prior to approval of construction-related permit.</p> <p>b. Prior to approval of construction-related permit.</p> <p>c. Prior to building permit final.</p>	<p>a. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. Public Works Department, Transportation Services Division</p> <p>c. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>	
<b>SCA TRA-2 (Standard Condition of Approval 69) Bicycle Parking</b>			
<p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p>	<p>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>	
<b>SCA TRA-3 (Standard Condition of Approval 70): Transportation Improvements.</b>			
<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> <p>a. 2070L Type Controller with cabinet accessory</p> <p>b. GPS communication (clock)</p> <p>c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)</p>	<p>Prior to building permit final or as otherwise specified</p>	<p>Bureau of Building, Public Works Department, Transportation Services Division</p>	

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
<b>Transportation and Circulation (cont.)</b>			
<p>d. Countdown pedestrian head module switch out</p> <p>e. City Standard ADA wheelchair ramps</p> <p>f. Video detection on existing (or new, if required)</p> <p>g. Mast arm poles, full activation (where applicable)</p> <p>h. Polara Push buttons (full activation)</p> <p>i. Bicycle detection (full activation)</p> <p>j. Pull boxes</p> <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>	<p>SCA TRA-4 (Standard Condition of Approval 71) <i>Transportation and Parking Demand Management</i></p> <p>a. <i>Transportation and Parking Demand Management (TDM) Plan Required</i></p> <p><u>Requirement:</u> The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p> <p>i. The goals of the TDM Plan shall be the following:</p> <ul style="list-style-type: none"> <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):                             <ul style="list-style-type: none"> <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> </ul> </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 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</li> <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> </ul>	<p>a. Prior to building permit final.</p> <p>b. Prior to building permit final</p> <p>c. Ongoing</p>	<p>a. City of Oakland Bureau of Planning and Building</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>c. City of Oakland Bureau of Planning and Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring
Transportation and Circulation (cont.)	Schedule
	Responsibility
<ul style="list-style-type: none"> <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> <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>	



Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring
Transportation and Circulation (cont.)		Schedule
		Responsibility
<p><b>b. TDM Implementation – Physical Improvements</b>  <u>Requirement:</u> For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p> <p><b>c. TDM Implementation – Operational Strategies</b>  <u>Requirement:</u> For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.</p>		
<p><b>LMSAP TRA Mitigation Measures</b>                      All the mitigation measures identified in the LMSAP EIR are included in the citywide Transportation Impact Fee (TIF). Therefore, the project applicant shall mitigate the project impacts by paying the required TIF.</p>		
<p><b>Utilities and Service Systems</b></p>		
<p><b>SCA UTIL-1 (Standard Condition of Approval 74) Construction and Demolition Waste Reduction and Recycling</b>  <u>Requirement:</u> The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at <a href="http://www.greenhalosystems.com">www.greenhalosystems.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>City of Oakland Public Works Department, Environmental Services Division</p>
<p><b>SCA UTIL-2 (Standard Condition of Approval 75) Underground Utilities</b>  <u>Requirement:</u> The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&amp;E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p>	<p>During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Utilities and Service Systems (cont.)		Schedule
		Responsibility
<p><b>SCA UTIL-3 (Standard Condition of Approval 76) Recycling Collection and Storage Space Requirement:</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>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p><b>SCA UTIL-4 (Standard Condition of Approval 77) Green Building Requirements</b></p> <p><b>a. Compliance with Green Building Requirements During Plan-Check</b></p> <p>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).</p> <ol style="list-style-type: none"> <li>i. The following information shall be submitted to the City for review and approval with the application for a building permit: <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 (ii) 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 demonstrate compliance with the Green Building Ordinance.</li> </ul> </li> <li>ii. The set of plans in subsection (i) shall demonstrate compliance with the following: <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>• [INSERT: Green building point level/certification requirement. (See Green Building Summary Table; for New Construction of Residential or Non-residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 53 points for residential and LEED Gold for non-residential)] per the appropriate checklist approved during the Planning entitlement process.</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>a. Prior to approval of construction-related permit.</li> <li>b. During construction.</li> <li>c. After project completion as specified.</li> </ol>	<ol style="list-style-type: none"> <li>a. City of Oakland Bureau of Building Services Division, Zoning Inspections</li> <li>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</li> <li>c. City of Oakland Bureau of Planning and Building</li> </ol>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Utilities and Service Systems (cont.)		Schedule
		Responsibility
<ul style="list-style-type: none"> <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>b. Compliance with Green Building Requirements During Construction</b>                      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:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</li> </ol>		
<p><b>c. Compliance with Green Building Requirements After Construction</b>                      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 Build It Green or 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.</p>		City of Oakland Public Works Department, Department of Engineering and Construction
<p><b>SCA UTIL-5 (Standard Condition of Approval 79) Sanitary Sewer System</b>                      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.</p>	Prior to approval of construction-related permit.	City of Oakland Public Works Department, Department of Engineering and Construction
<p><b>SCA UTIL-6 (Standard Condition of Approval 80) Storm Drain System</b>                      Requirement: The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
<b>Utilities and Service Systems (cont.)</b>			
<b>SCA UTIL-7 (Standard Condition of Approval 81) Recycled Water</b>			
<p><u>Requirement:</u> 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>City of Oakland Bureau of Planning and Building ; City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p>Also SCA HYD-1, Erosion and Sedimentation Control Plan for Construction. See <i>Hydrology and Water Quality</i>, above.</p>			
<p>Also SCA HYD-2, Site Design Measures to Reduce Stormwater Runoff. See <i>Hydrology and Water Quality</i>, above.</p>			

# Attachment D



## PROJECT DIRECTORY

### OWNER

CP VI FRANKLIN, LLC  
1000 Sansome St. Fl 1  
San Francisco, CA 94111  
(P) 415-273-2900

### ARCHITECT

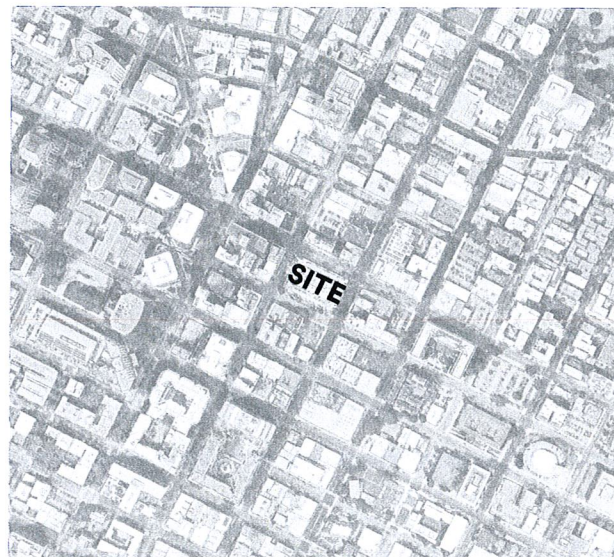
Solomon Cordwell Buenz  
255 California St. Fl 3  
San Francisco, CA 94111  
(P) 415-216-2450

### SURVEY / CIVIL ENGINEER

LANGAN  
501 14th Street Fl 3  
Oakland, CA 94612  
(P) 415-955-5240

### LANDSCAPE ARCHITECT

Surface Design, Inc.  
Pier 33, The Embarcadero #200  
San Francisco, CA 94111  
(P) 415-621-5522



## DRAWING INDEX

### GENERAL

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A0.14	SITE / ADJACENT LOT PHOTOGRAPHS
A0.15	ADJACENT LOT PHOTOGRAPHS
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A0.17	CONCEPT DIAGRAMS
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A0.21	14TH STREET FACING NW
A0.22	13TH STREET FACING SE
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A0.24	AERIAL VIEW FACING SW
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A1.02	SITE PLAN
A1.03	BUILDING AREA SUMMARY
A1.04	OPEN SPACE DIAGRAMS & SUMMARY

### CIVIL

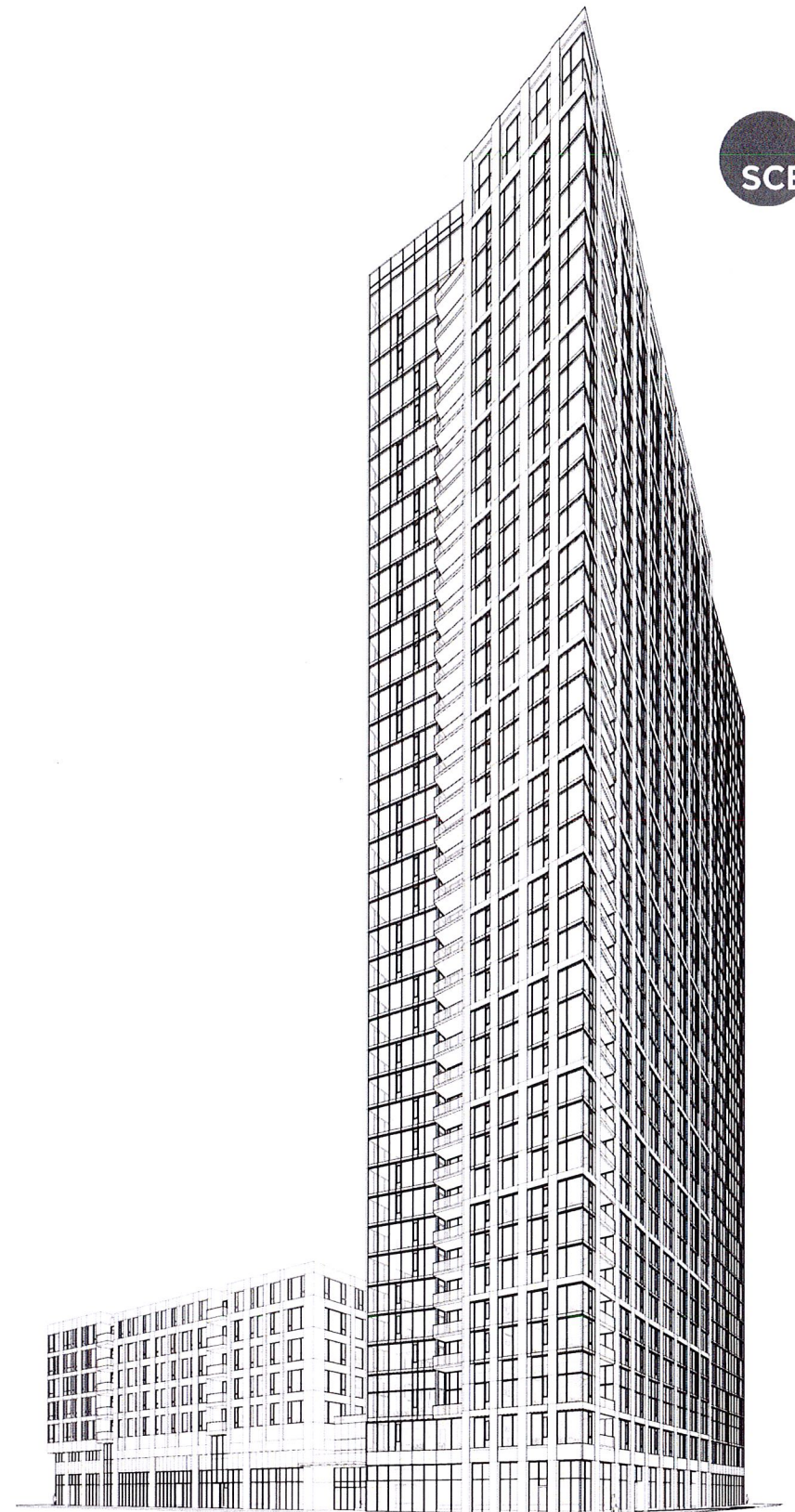
C1.00	SITE SURVEY
C1.01	EXISTING CONDITIONS PLAN
C2.01	SITE PLAN
C3.01	GRADING PLAN
C4.01	UTILITY PLAN
C5.01	EROSION AND SEDIMENTATION CONTROL PLAN
C6.01	PRELIMINARY POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN

### LANDSCAPE

L1.01	LANDSCAPE PLAN - SITE
L1.02	LANDSCAPE PLAN - LEVEL 4 AMENITY
L1.03	LANDSCAPE PLAN - ROOF

### ARCHITECTURAL

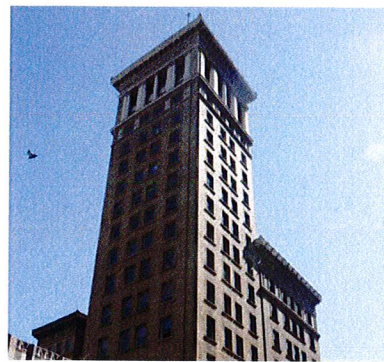
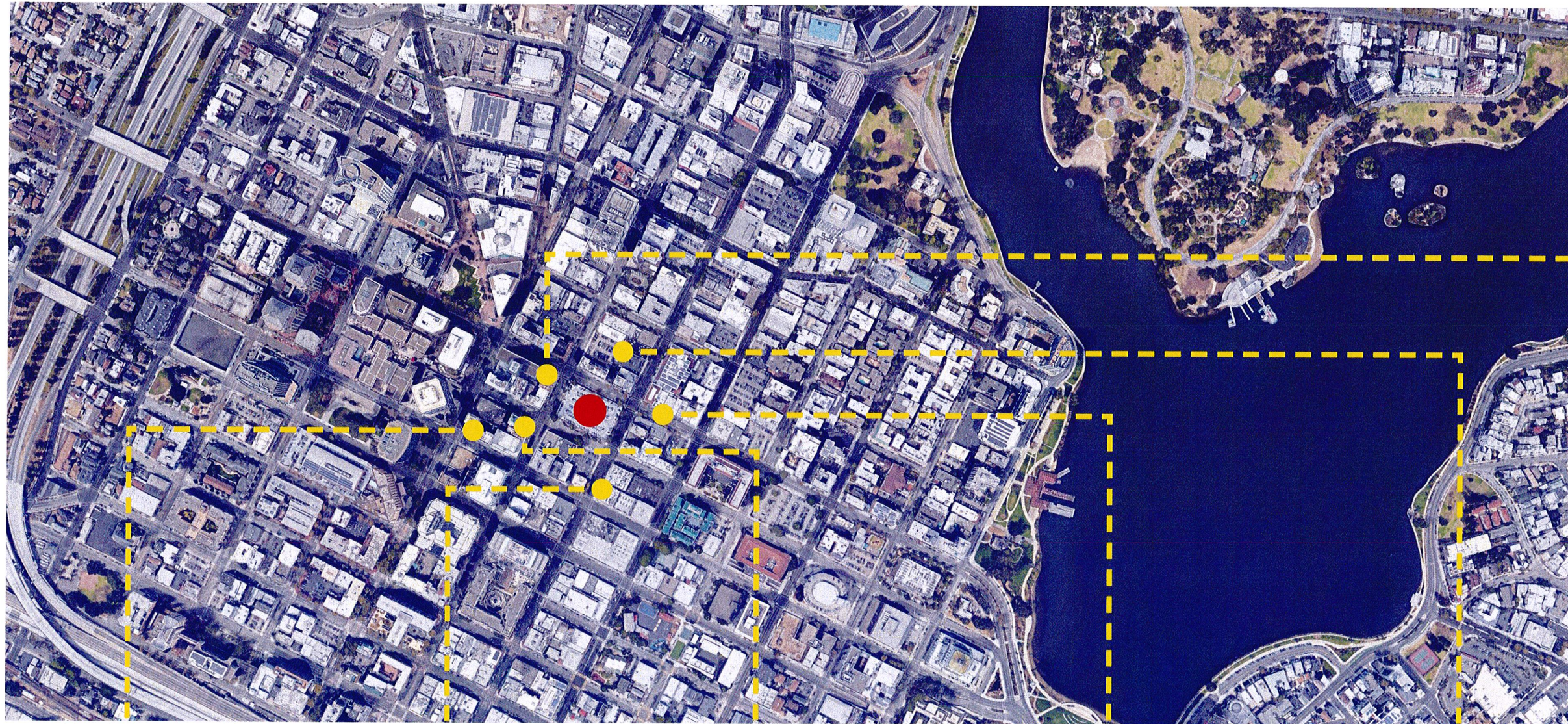
A2.B2	FLOOR PLAN - LEVEL B2
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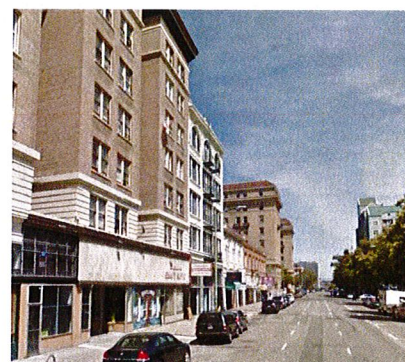
## 1314 FRANKLIN STREET

### Planning Commission Approval Package

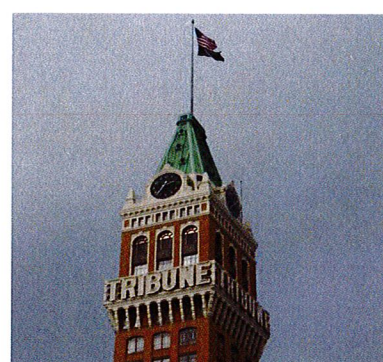
Solomon Cordwell Buenz / CP VI FRANKLIN, LLC / San Francisco, California



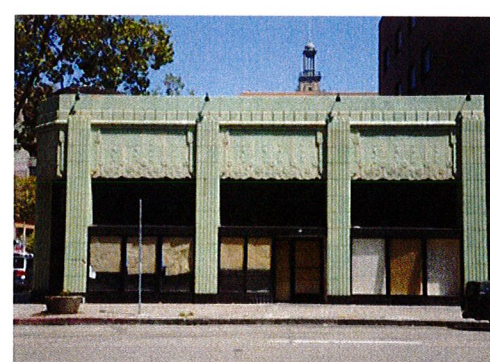
Oakland Bank of Savings Building



Historic King Block



Tribune Tower



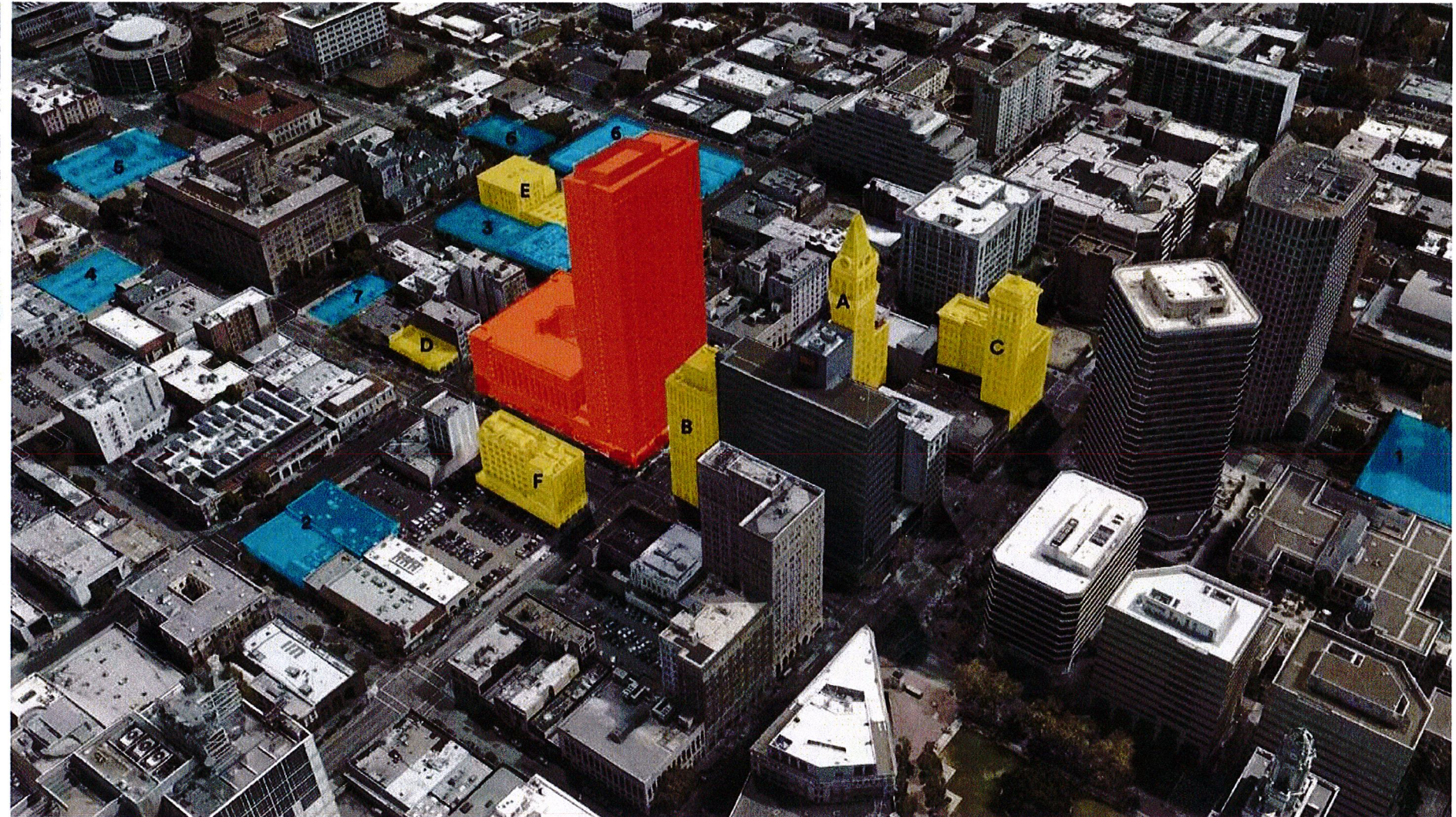
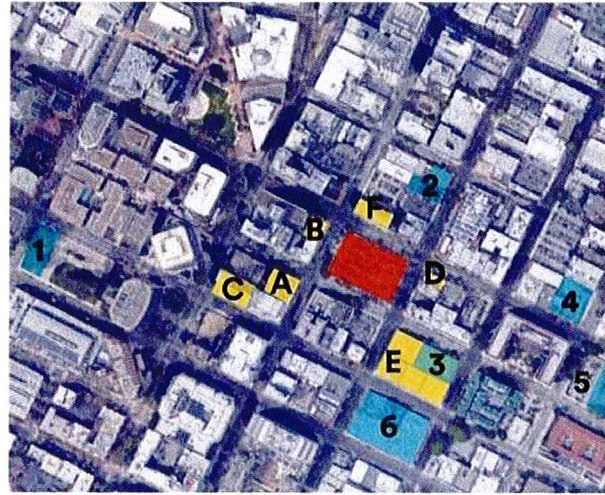
347 14th Street



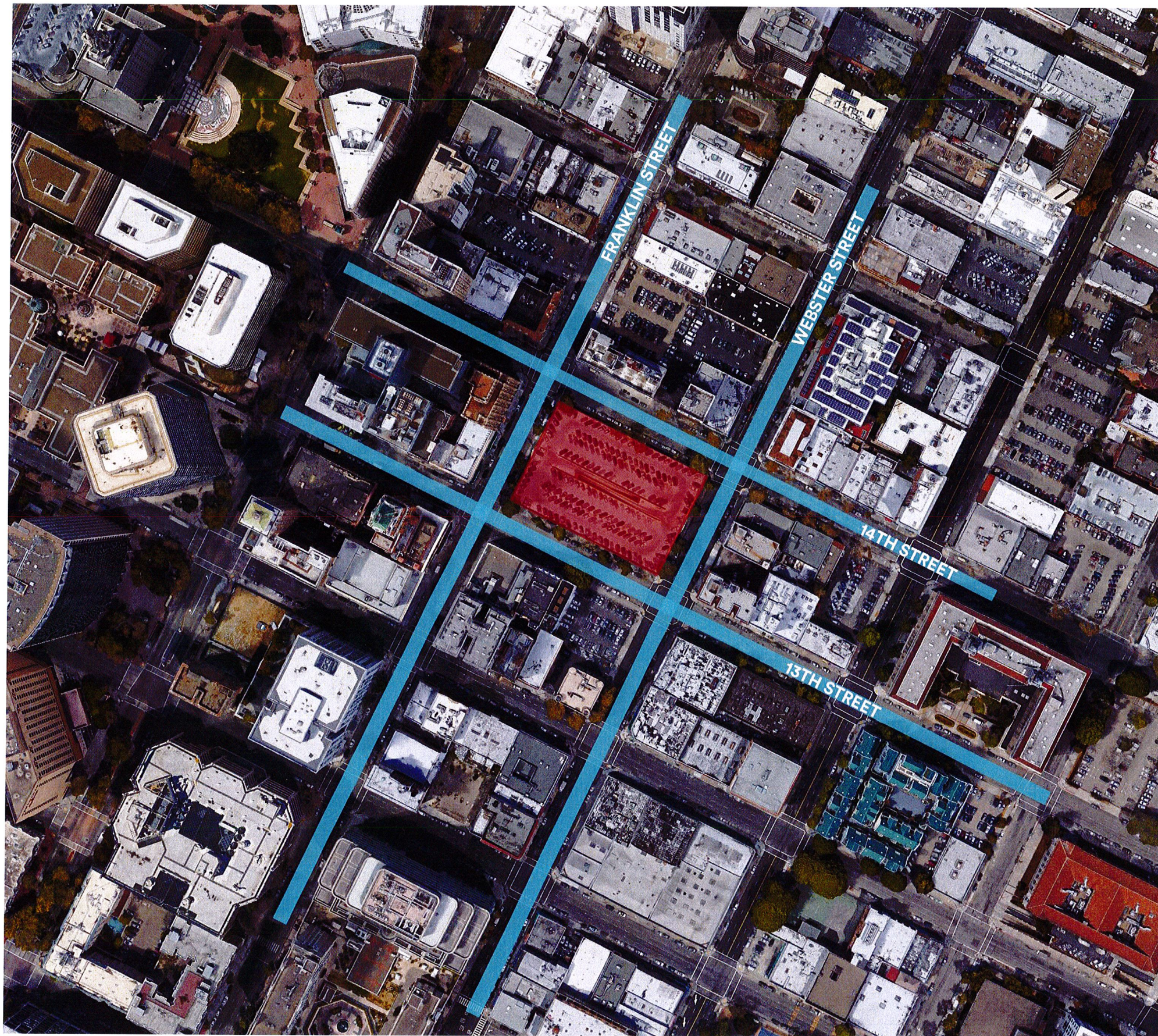
Alameda County Title Insurance C. Building



Financial Center Building



- |                             |                                       |
|-----------------------------|---------------------------------------|
| <b>1314 Franklin Site</b> ■ |                                       |
| <b>Proposed Projects</b> ■  | <b>Historic Buildings</b> ■           |
| 1. 1100 Clay Street         | A. Tribune Tower                      |
| 2. 1433 Webster Street      | B. Financial Center Building          |
| 3. 1261 Harrison Street     | C. Oakland Bank of Savings Building   |
| 4. 14th and Alice           | D. 347 14th Street                    |
| 5. 226 13th Street          | E. Historic King Block                |
| 6. W12                      | F. Alameda County Title Insurance Co. |



SITE

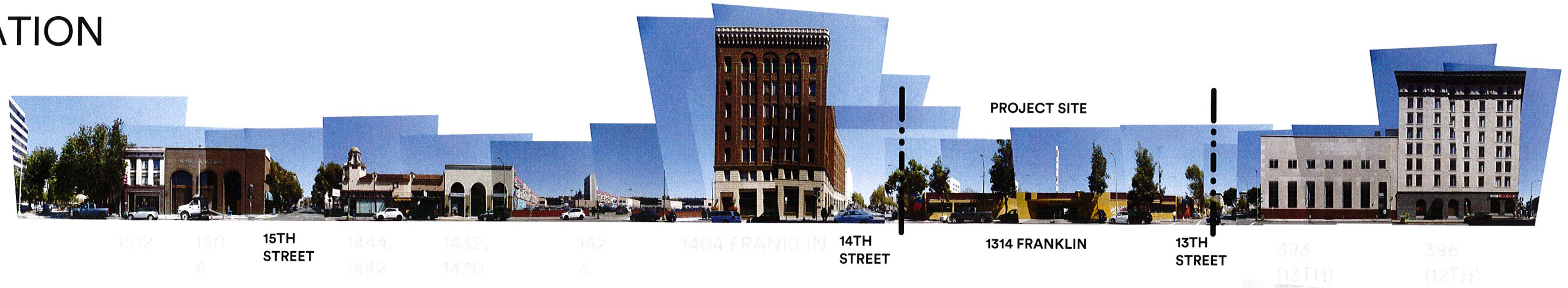


NEIGHBORHOOD PHOTOS



# FRANKLIN STREET ELEVATION

EAST



WEST



CP VI Franklin, LLC



SITE / ADJACENT LOT PHOTOGRAPHS

Planning Commission Approval Package

1314 FRANKLIN STREET

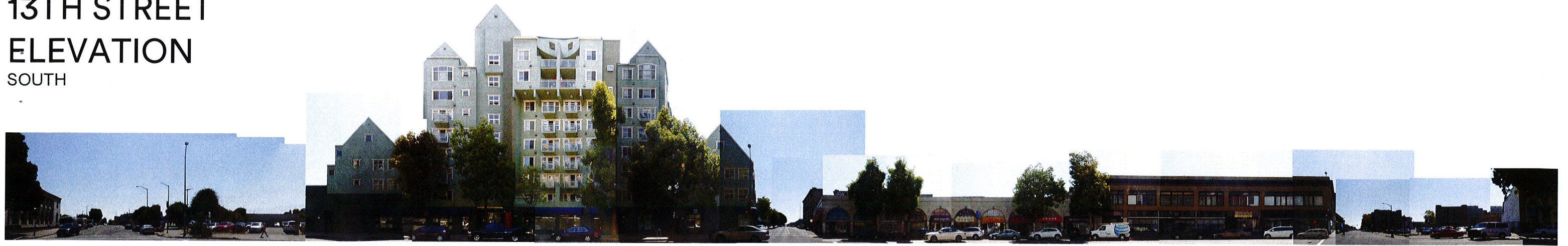
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03 — 15 — 2017

2016024

# 13TH STREET ELEVATION

SOUTH



ALICE STREET 281 287 299 HARRISON STREET 301, 315, 317, 319, 323, 325, 329, 337 341 345 347 WEBSTER STREET 1225 (WEBSTER)



369 375 377 393 FRANKLIN STREET TRIBUNE TOWER 431 435 1240 (BROADWAY) BROADWAY STREET



NORTH BROADWAY STREET 1300 (BROADWAY) 430, 428 420



414 410 408 404 FRANKLIN STREET PROJECT SITE 1314 FRANKLIN WEBSTER STREET 348 346 344 342 340 330 320 310, 308, 306, 304, 302, 300 HARRISON STREET 260

CP VI Franklin, LLC



SITE / ADJACENT LOT PHOTOGRAPHS  
 Planning Commission Approval Package  
 1314 FRANKLIN STREET  
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03 - 15 - 2017

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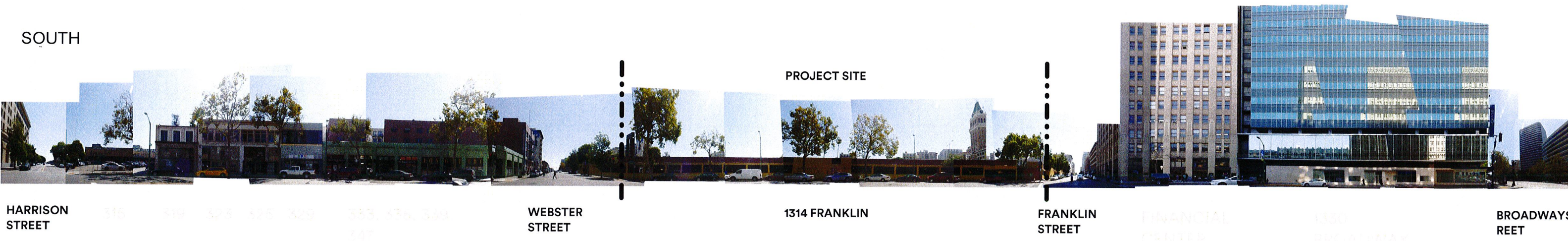
# 14TH STREET ELEVATION

NORTH



BROADWAY STREET 436 420 400 FRANKLIN STREET 1404 FRANKLIN 264 366, 382 WEBSTER STREET 340, 338 332 328, 324, 322 316 308 306 HARRISON STREET 300

SOUTH



HARRISON STREET 316 312 325 325 329 333, 336, 330 WEBSTER STREET 1314 FRANKLIN FRANKLIN STREET FINANCIAL CENTER BLDG. 1330 BROADWAY BROADWAY STREET

## CP VI Franklin, LLC



ADJACENT LOT PHOTOGRAPHS

Planning Commission Approval Package  
1314 FRANKLIN STREET  
Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

03 15 2017

2016024

# WEBSTER STREET ELEVATION

EAST

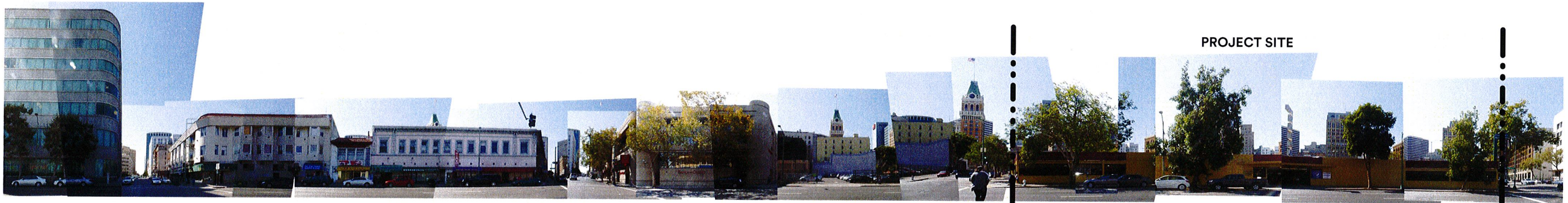


1510 15TH STREET 146 1438 1412, 1410, 1408, 1406 14TH STREET 347 (14TH) 1324, 1322 348 (13TH)



13TH STREET 345 (13TH) 1214, 1212, 121 1208 12TH STREET 345 (12TH) 301 (11TH) 11TH STREET 1088, 1068, 1038

WEST



375 (11TH) 11TH STREET 1101 1111 1115 1121 1123-112 112 12TH STREET 360 1225 13TH STREET 1314 FRANKLIN



14TH STREET 352 (14TH) 1407, 1409, 1411, 1415 1425 1433 351 (15TH) 15TH STREET 1515

CP VI Franklin, LLC

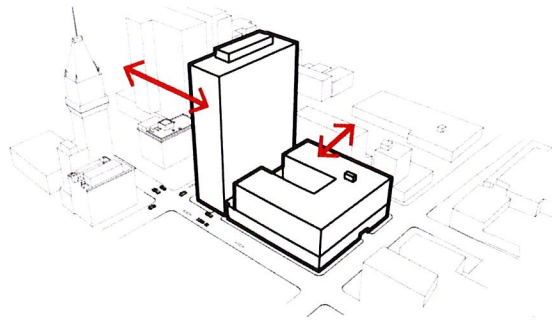


ADJACENT LOT PHOTOGRAPHS

Planning Commission Approval Package  
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Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

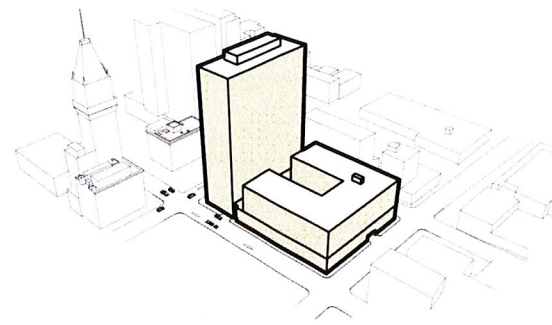
03 15 2017

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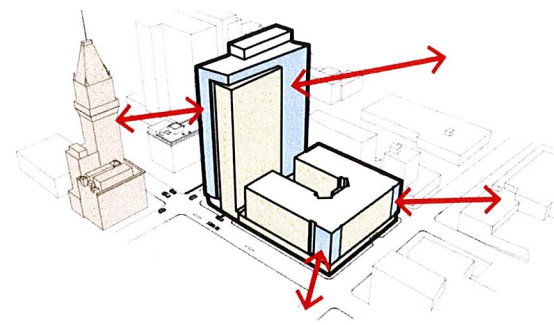
### MASSING

The high rise is biased towards the downtown core, while the podium relates to its low-rise surroundings.



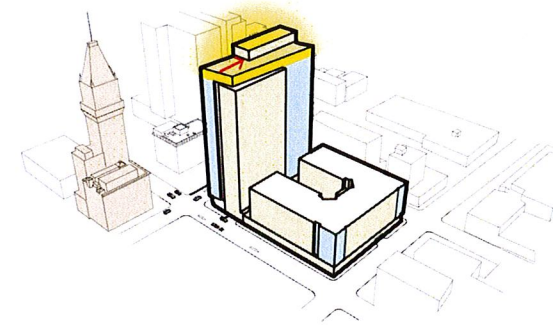
### CONTEXT

The tower gets wrapped with a punched- masonry skin to relate with the existing historical urban fabric. The podium body has a playful grid expression that relates to the tower and the neighborhood.



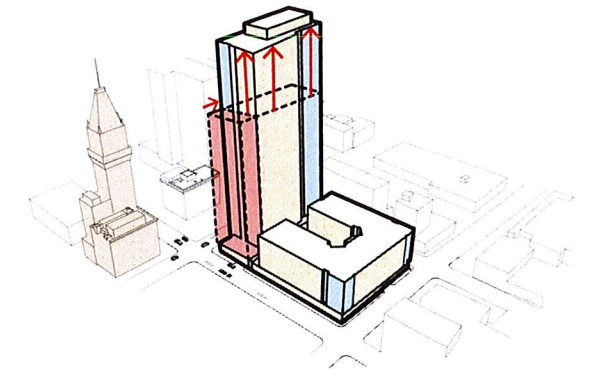
### EXPRESSION

A glass volume breaks the tower punched-masonry skin, opening the views toward the Tribune tower and Lake Merritt. The podium corners become glassy elements that activate street intersections. A bronze color is suggested at the window frames and metal elements to blend with the surrounding brick buildings.



### CHARACTER

The rooftop steps back, creating a loggia and outdoor terrace expressing the interlocking geometries. This "beacon" initiates a dialogue with the Tribune tower and other surrounding landmarks.

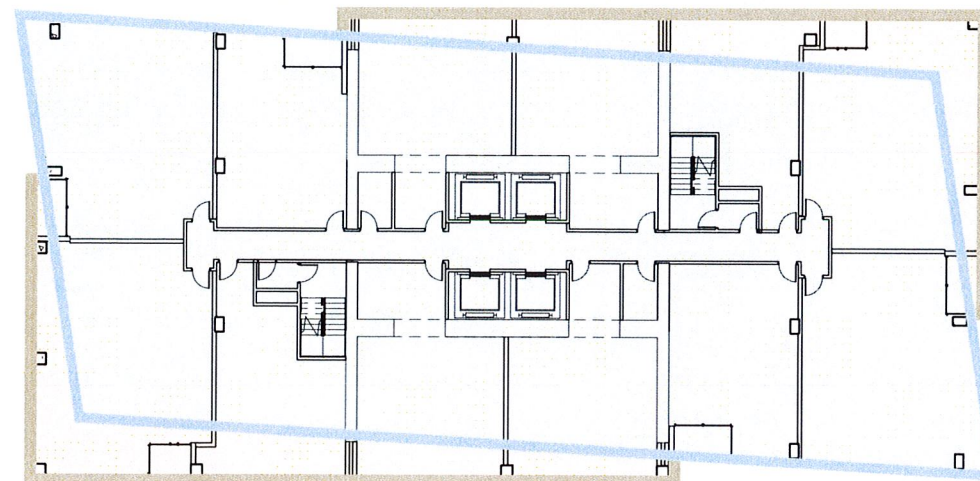


### TOWER SHIFT

The tower steps back and reaches upward to increase separation from the Tribune Tower.

glass wedge

punched masonry skin





**CP VI Franklin, LLC**



14TH STREET FACING SE

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1314 FRANKLIN STREET

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## CP VI Franklin, LLC

SCB 2017 SOLOMON CORDWELL BUENZ

14TH STREET FACING NW

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**CP VI Franklin, LLC**



13TH STREET FACING N

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## CP VI Franklin, LLC

SCB 2017 SOLOMON CORDWELL BUENZ

13TH STREET FACING SE

Planning Commission Approval Package

1314 FRANKLIN STREET

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## CP VI Franklin, LLC

SCB 2017 SOLOMON CORDWELL BUENZ

14TH STREET FACING SE AT DUSK

Planning Commission Approval Package

1314 FRANKLIN STREET

Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

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A0.25





## CP VI Franklin, LLC

SCB 2017 SOLOMON CORDWELL BUENZ

VIEW FROM 18TH STREET PIER

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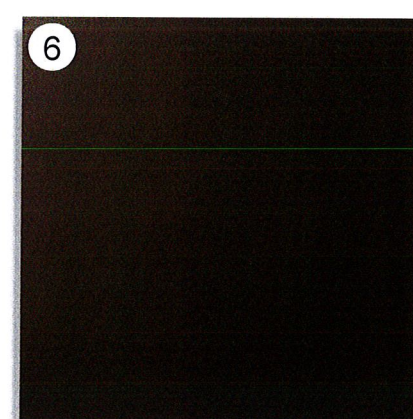
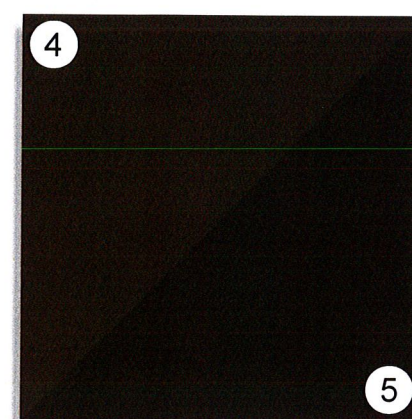
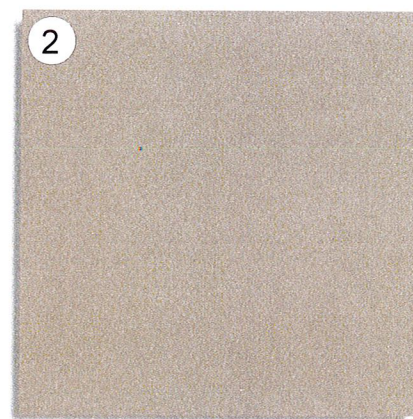
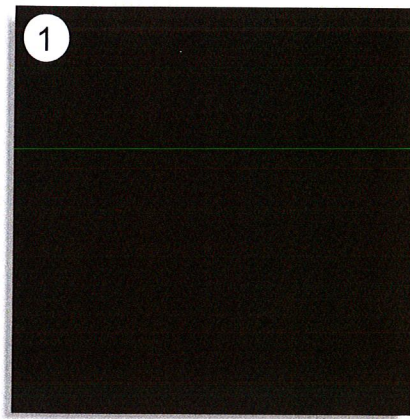
1314 FRANKLIN STREET

Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

03 — 15 — 2017

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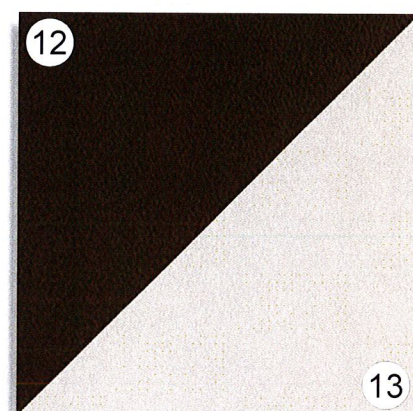
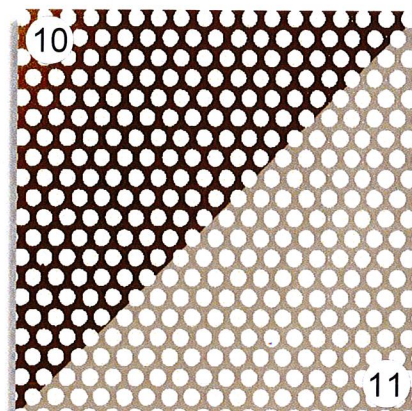
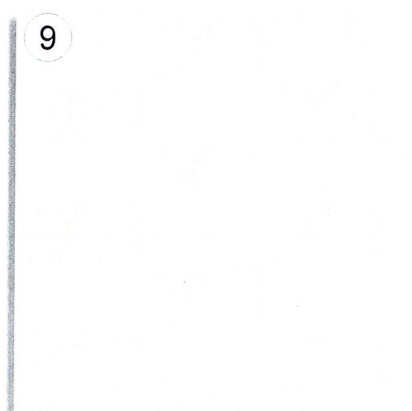
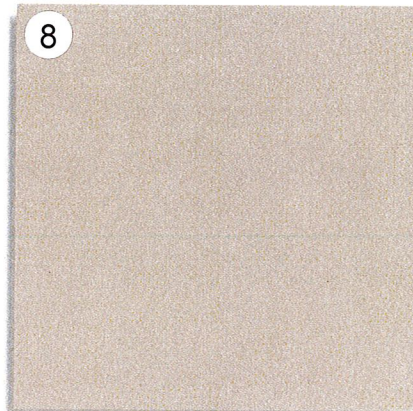
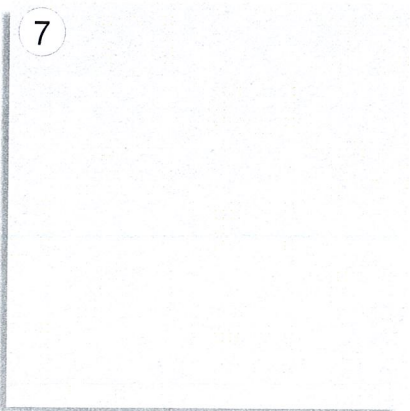
1 Metal Panel / Mullion - Dark Brown

2 Metal Panel - Champagne

3 Insulated Glazing Unit

4 Hardie Board - Dark Bronze 5 Dark Brown

6 Aluminum Window - Bronze



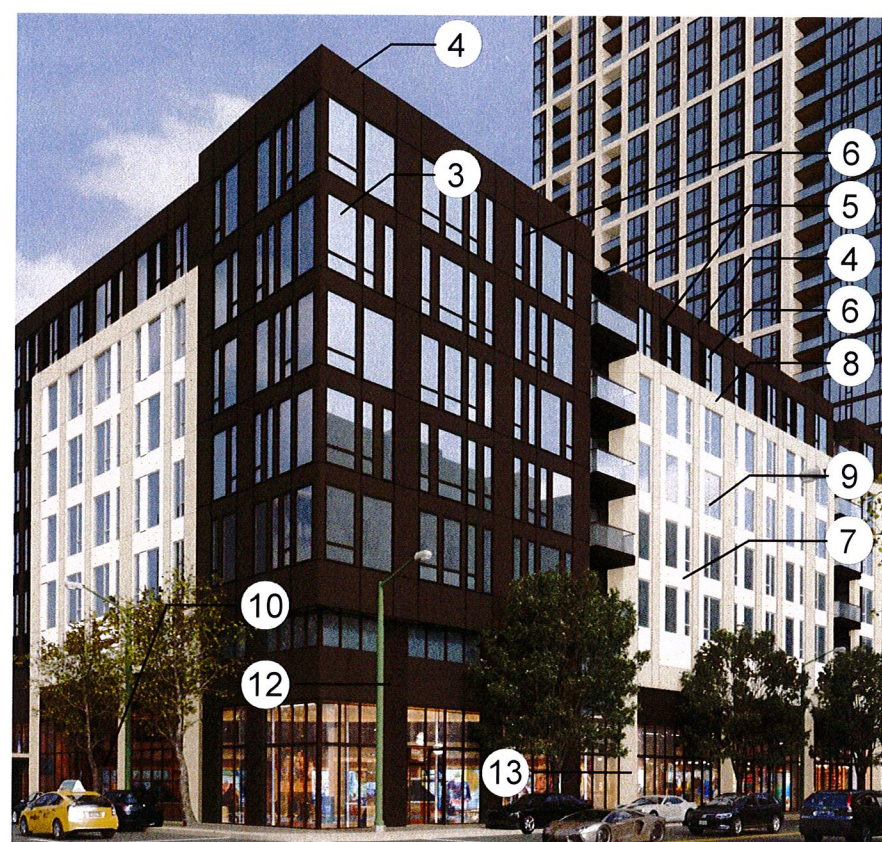
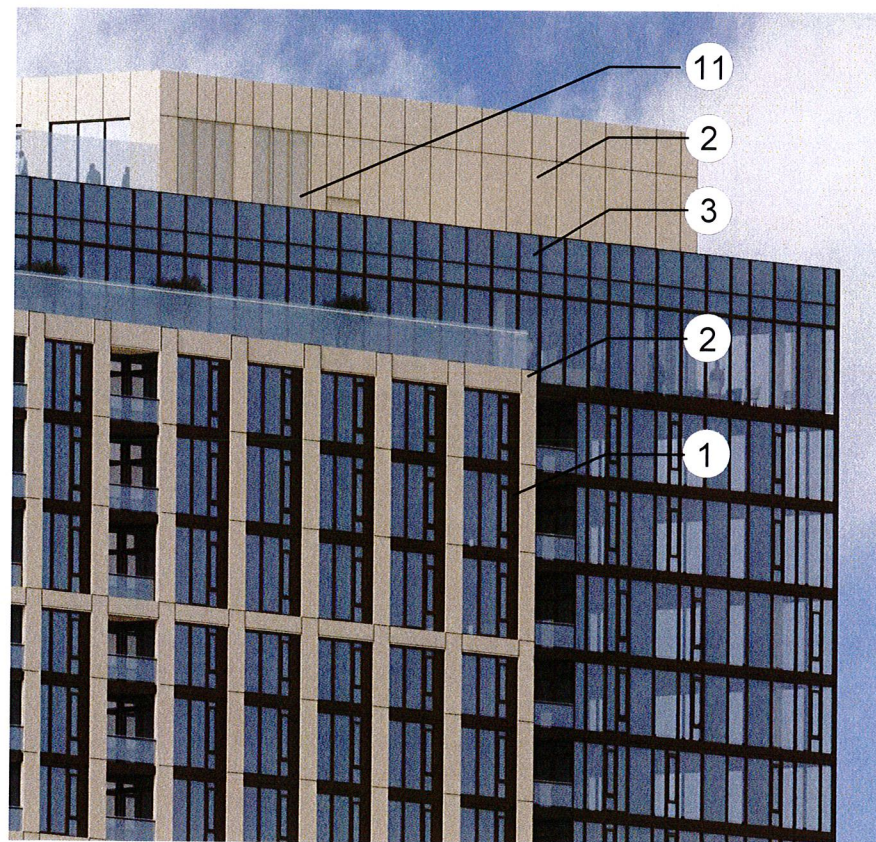
7 Stucco - White

8 Stucco - Champagne

9 Vinyl Window - White

10 Perforated Metal - Dark Bronze 11 Champagne

12 Tile - Dark Bronze 13 Champagne



# CP VI Franklin, LLC



## EXTERIOR MATERIALS

Planning Commission Approval Package

1314 FRANKLIN STREET

Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

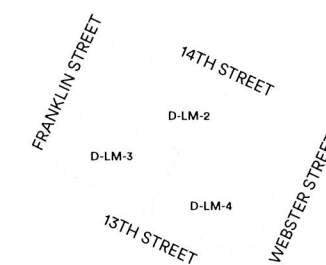
03 - 15 - 2017

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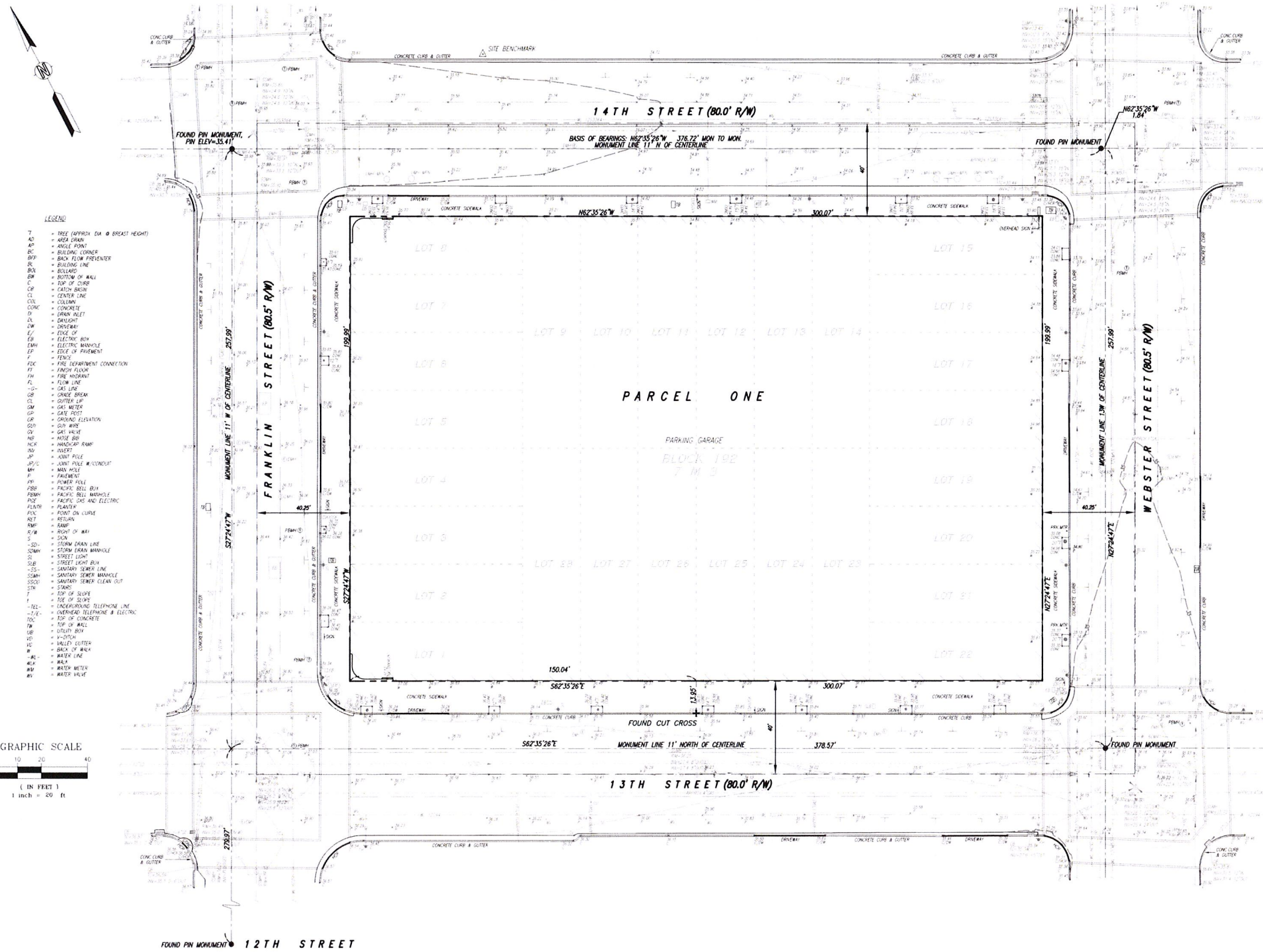
# ZONING SUMMARY

GENERAL ZONING INFORMATION	REFERENCE	DETAIL	DEVIATIONS
ASSESSORS BLOCK	Survey	Block 192, Kellersberger's Map of Oakland, Book 7, Page 3	N/A
ZONING USE DISTRICT	OAK-GIS	Northern Half: D-LM-2 Pedestrian Commercial, Southwest Quarter: D-LM-3 General Commercial, Southeast Quarter: D-LM-4 Mixed Commercial	N/A
PERMITTED AND/OR CONDITIONAL USES	17.101G.01	Residential, Community Assembly, General Retail, Full + Limited Service Restaurant, Consumer Service, Parking	N/A
GENERAL PLAN / ESTUARY POLICY PLAN	OAK-GIS	Central Business District	N/A
HISTORIC OR LANDMARK STATUS	OAK-GIS	No	N/A
LIQUEFACTION HAZARD ZONE	OAK-GIS	Severity 2	N/A
CONDO CONVERSION IMPACT AREA	OAK-GIS	No	N/A
HEIGHT AND BULK CONTROLS	REFERENCE	DETAIL	DEVIATIONS
SITE AREA	Survey	60,032 sqft	N/A
FLOOR AREA RATIO (FAR) - NON-RESIDENTIAL	17.101G.04	8-12:1	N/A
HEIGHT LIMIT - BASE	17.101G.04	45ft.	85ft Pursuant to CUP
HEIGHT LIMIT - TOWER	17.101G.04	175ft. Subject to 3 Buildings - LM-275 standards apply.	Unlimited per Concession Pursuant to (Government Code §§ 65915 et seq.)
MAXIMUM AVERAGE PER STORY ABOVE BUILDING BASE	17.101G.04	65% of site area or 10,000sf, whichever is greater; 38,990sf max. Proposed: 13,020sf	N/A
BULK LIMITS	17.101G.04	TOWER DIMENSIONS: - 150ft maximum tower elevation length. - 180ft maximum diagonal tower length.	30% increase pursuant to CUP - Elevation length allowed: 195ft; Proposed: 173.16ft Tower Length Diagonal length allowed: 252ft; Proposed: 189ft Tower Diagonal
REQUIRED SETBACKS	17.101G.04	Property Line: D-LM-2 - 5ft max., D-LM-3 - 5ft max., D-LM-4 - 10ft max. at ground floor only; Tower: 20ft at least 50ft of perimeter length of base	N/A
TOWER SEPARATION REQUIREMENTS	17.101G.04	50ft minimum between towers on same lot: N/A	N/A
REAR YARDS / COURTS	17.108.080	0ft	N/A
UNIT SEPARATION / EXPOSURE REQUIREMENTS	17.108.080	8ft minimum at living room windows +2ft for each floor above - maximum 10% of lot width	N/A
DETAILED CONTROLS & REQUIREMENTS	REFERENCE	DETAIL	DEVIATIONS
RESIDENTIAL DENSITY LIMITS	17.101G.04	110 sqft of lot area per unit, 35% density increase for very low income, senior citizens, or child care facilities = 546 dwelling units.	20% increase pursuant to Density Bonus Law (Government Code §§ 65915 et seq.). Density allowed: 656 dwelling units; Proposed: 634 dwelling units
OPEN SPACE REQUIREMENTS	17.101G.05 17.126.020 17.126.040	75 sqft per unit per unit. 1sf Private = 2sf Group. Min. Dimensions: Ground Floor Private: 10ft, Above ground floor: None, Public Ground-Floor P 15ft, Off-Site Open Space: 10ft, Community Room: 250 sqft.	N/A
GROUND FLOOR MINIMUM FLOOR HEIGHT	17.101G.03	15': 19'-4" Provided	N/A
GROUND FLOOR FRONTAGE TRANSPARENCY	17.101G.03	D-LM-2: 65%, D-LM-3: 55%, D-LM-4: 55%, reduced by 50% on secondary frontages	N/A
STOREFRONT WIDTH MINIMUM	17.101G.03	15ft: 36ft (min.) Provided	N/A
OFF-STREET PARKING - RESIDENTIAL	17.116.060	None required for D-LM-4: 554 Provided	N/A
OFF-STREET PARKING - RETAIL	17.116.080	None required for D-LM-4: 36 Provided	N/A
OFF-STREET PARKING - COMMERCIAL	17.116.080	None required for D-LM-4: 4 Provided	N/A
OFF-STREET PARKING DIMENSIONS	17.116.200	50-50 compact/standard, or 75% intermediate + 12.5% compact	N/A
OFF-STREET DRIVE AISLE DIMENSIONS	17.116.210	11ft parallel parking one-way; 21 ft 90 degrees two-way	N/A
LOADING BERTH REQUIREMENTS	17.116.120	50,000 sqft or more: One (1) berth.	N/A
LOADING BERTH REQUIREMENTS (COMMERCIAL)	17.116.140	Less than 25,000 sqft: No berth required.	N/A
LOADING BERTH DIMENSIONS	17.116.220	10ft x 23ft, 12ft high	N/A
BICYCLE REQUIREMENTS - RESIDENTIAL	17.117.090	LT: 0.25 spaces per dwelling unit; ST: 0.05 per dwelling units	N/A
BICYCLE REQUIREMENTS - RESTAURANT	17.117.090	LT: 1 per 12k (2 min); ST: 1 per 2k (2 min)	N/A
BICYCLE REQUIREMENTS - RETAIL	17.117.110	LT: 1 per 12k (2 min); ST: 1 per 5k (2 min)	N/A
BICYCLE REQUIREMENTS - COMMERCIAL	17.117.110	LT: 1 per 10k (2 min); ST: 1 per 20k (2 min)	N/A

# ZONING DIAGRAM



VESTING TENTATIVE PARCEL MAP 10645  
FOR CONDOMINIUM PURPOSES  
UP TO 650 RESIDENTIAL CONDOMINIUMS  
AND 3 COMMERCIAL CONDOMINIUMS



**OWNER'S INFORMATION**

CP VI FRANKLIN, LLC  
CONTACT: DREG PASQUALI  
415-373-2950  
1000 SANDWICH STREET, SUITE 180  
SAN FRANCISCO, CA 94111

**BENCHMARK**

CITY OF OAKLAND BENCHMARK 2640: TRIANGULATION MONUMENT "CENTRAL B" 6' FROM N/E CORNER 14TH STREET & 12' EAST OF WEST CURB HARRISON STREET ELEVATION = 32.697 CITY OF OAKLAND DATUM

**SITE BENCHMARK**

SURVEY CONTROL POINT SET CROSS IN SIDEWALK ON THE NORTH SIDE OF 14TH STREET, 2.5' NORTH OF THE FACE OF CURB AND 57.7' EAST OF NORTHEAST RETURN OF FRANKLIN STREET ELEVATION = 35.19 CITY OF OAKLAND DATUM

**BASIS OF BEARINGS**

BEARINGS ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM DATE 88 (CCSR8). THE BEARING N62°35'26" W BETWEEN CITY OF OAKLAND MONUMENTS LOCATED AT THE INTERSECTIONS OF 14TH STREET @ FRANKLIN AND WEBSTER STREET

**FEMA NOTE**

SUBJECT SITE IS LOCATED WITHIN FEMA FLOOD ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAP 800101000167, DATED 8-03-09

**REFERENCES**

EXISTING CONDITIONS PLAN  
PREPARED BY KISTER, SAKU & REL, INC.  
DATED 12-22-2016, JOB NO. 15468-16-11

SITE PLAN BY SOLOMON CORDWELL BUENZ,  
2585 CALIFORNIA STREET, SUITE 300  
SAN FRANCISCO, CA 94104  
PROJECT NO. 2016024, DATED 12-21-2016

GRADING AND UTILITY PLANS  
PREPARED BY LANGAN,  
501 14TH STREET, 3RD FLOOR  
OAKLAND, CA 94612  
PROJECT NO. 75063401

LANDSCAPE CONCEPTS PLANS  
PREPARED BY SOLOMON CORDWELL BUENZ,  
2585 CALIFORNIA STREET, SUITE 300  
SAN FRANCISCO, CA 94104  
PROJECT NO. 2016024, DATED 12-21-2016

**UTILITIES / SERVICES**

WATER SUPPLY: EAST BAY MUNICIPAL UTILITY DISTRICT  
SEWAGE DISPOSAL: CITY OF OAKLAND  
STORM DRAIN: CITY OF OAKLAND  
GAS & ELECTRIC: PACIFIC GAS & ELECTRIC  
TELEPHONE: SBC  
FIRE PREVENTION: OAKLAND FIRE DEPARTMENT

**PROPERTY INFORMATION**

GROSS ACRES: 1.37 ACRES

**PROPERTY INTENT**

ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES - UP TO 650 RESIDENTIAL CONDOMINIUMS AND 3 COMMERCIAL CONDOMINIUMS

**OWNER'S ACKNOWLEDGMENT**

I/WE HEREBY STATE THAT I/WE ARE THE OWNER(S) OF THE LAND INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP AND I HEREBY AGREE TO THE FILING OF THIS TENTATIVE MAP AND AGREE TO COMPLY WITH THE PROVISIONS OF THE CITY OF OAKLAND COMPREHENSIVE PLAN AND STATE OF CALIFORNIA MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP. ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE CITY OF OAKLAND STANDARDS.

AS OWNER CP VI FRANKLIN, LLC,  
A DELAWARE LIMITED LIABILITY COMPANY

BY: CP INVESTMENT V. REIT I  
A MARYLAND REAL ESTATE INVESTMENT TRUST,  
ITS MANAGING MEMBER

BY: CHRIS BUDA, EXECUTIVE VICE PRESIDENT

**SURVEYOR'S STATEMENT**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION AT THE REQUEST OF LANGAN ENGINEERS IN DECEMBER, 2016.

I HEREBY STATE THAT ALL EXISTING GRADES ARE BASED ON CITY OF OAKLAND DATUM.

I HEREBY FURTHER STATE THAT TO THE BEST OF MY KNOWLEDGE ALL PROVISIONS OF APPLICABLE STATE LAWS AND LOCAL ORDINANCES HAVE BEEN COMPLIED WITH.

*Patricia M. Rel*  
PATRICIA M. REL, CA LS 8178      02-01-2017  
DATE





90' - 6"  
1404 FRANKLIN

85' - 0"  
364 14TH

21' - 6"  
350 14TH

TOP OF MECHANICAL ENCLOSURE 421'-4"

200' - 0"  
FINANCIAL CENTER BLDG.

FRANKLIN STREET

2/A3.03

3/A3.02

67' - 6"  
1300 FRANKLIN

14TH STREET

2/A3.01

EXISTING STRUCTURE TO BE DEMOLISHED

1/A3.03

ROOF 401' - 4"

ROOF TERRACE 405'-10"

DOG RUN

LEVEL 4 POOL TERRACE 30' - 0"

PODIUM ROOF 85' - 0"

WEBSTER STREET

2/A3.03

1/A3.02

20' - 0"  
347 14TH

56' - 0"  
1320 WEBSTER

PARKING GARAGE ENTRANCE

85' - 0"  
348 13TH

REMOVED TREES  
LOADING ENTRANCE

PARKING GARAGE ENTRANCE

13TH STREET

PROPOSED TREES

55' - 6"  
393 13TH

70' - 0"  
370 13TH

40' - 0"  
369 13TH

CP VI Franklin, LLC



SITE PLAN

0 10 20

Planning Commission Approval Package

03 - 15 - 2017

1314 FRANKLIN STREET

Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

2016024

A1.02

BUILDING AREA SUMMARY  
TOWER

Main table for Tower Building Area Summary showing floor levels, unit types (1A Residential), and various GSF metrics like circulation, accessory, and amenities.

OPEN SPACE CALCULATIONS

Table showing open space calculations including private balconies, common outdoor space, and total space metrics.

PODIUM

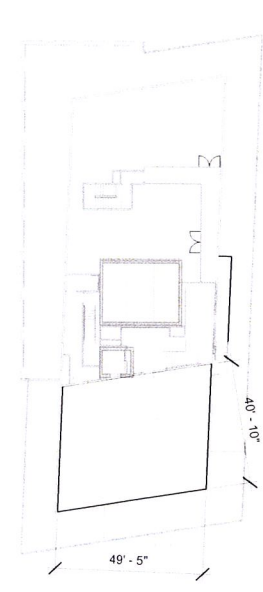
Main table for Podium Building Area Summary showing floor levels, unit types (IIIa Residential), and various GSF metrics.

PARKING CALCULATIONS

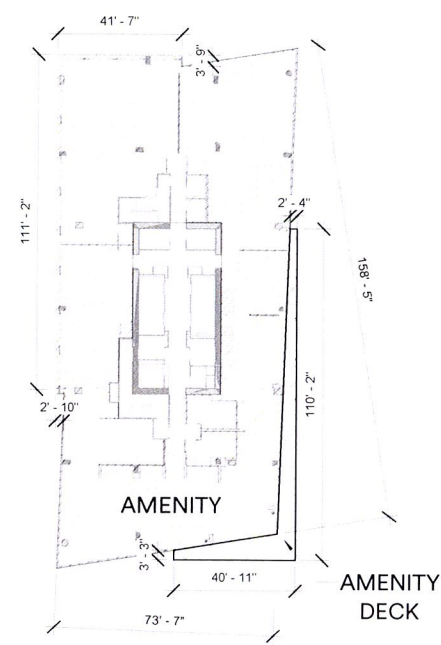
Table showing parking calculations for different vehicle types (ADA, regular, compact, tandem, motorcycle) and associated GSF metrics.

# OPEN SPACE SUMMARY

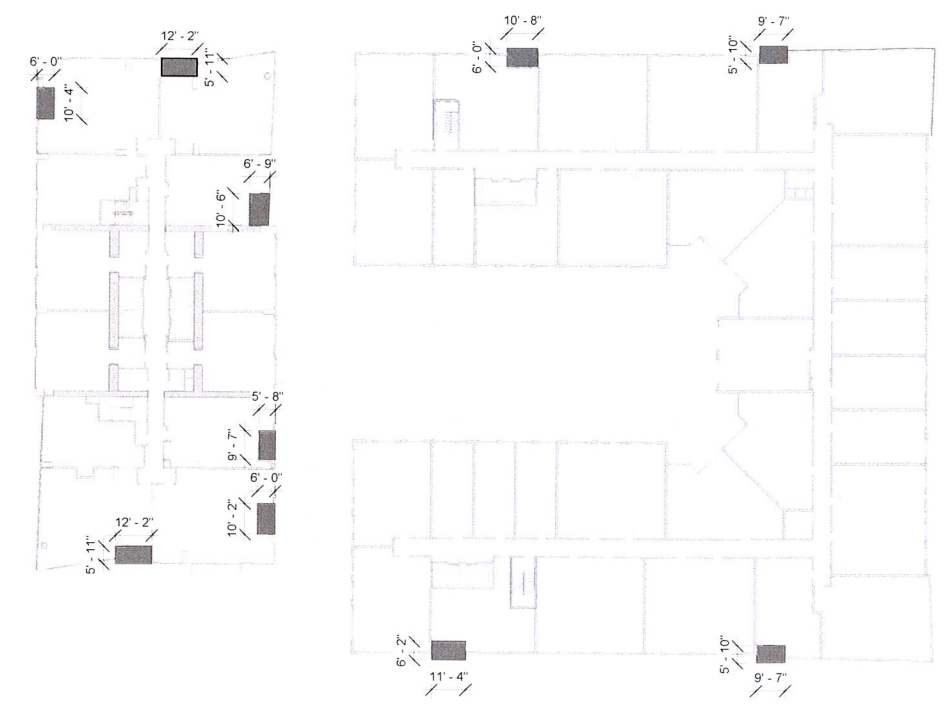
OPEN SPACE REQUIRED		
UNITS	REQUIRED	SF
634 UNITS	47,550	SF
OPEN SPACE PROVIDED		
GROUP OPEN SPACE - INTERIOR		
LEVEL 03 AMENITY	385	SF
LEVEL 04 AMENITY	3,870	SF
LEVEL 40 AMENITY	9,510	SF
ROOF AMENITY	315	SF
GROUP OPEN SPACE - EXTERIOR		
LEVEL 03 DOG RUN	1,135	SF
LEVEL 04 TERRACE	13,010	SF
LEVEL 40 AMENITY	805	SF
ROOF	2,145	SF
PRIVATE OPEN SPACE - EXTERIOR		
PODIUM	1,755 x2	3,510 SF
TOWER	13,265 x2	26,530 SF
(1SF PRIVATE = 2 SF GROUP)		
<b>TOTAL OPEN SPACE</b>	<b>57,705</b>	<b>SF</b>



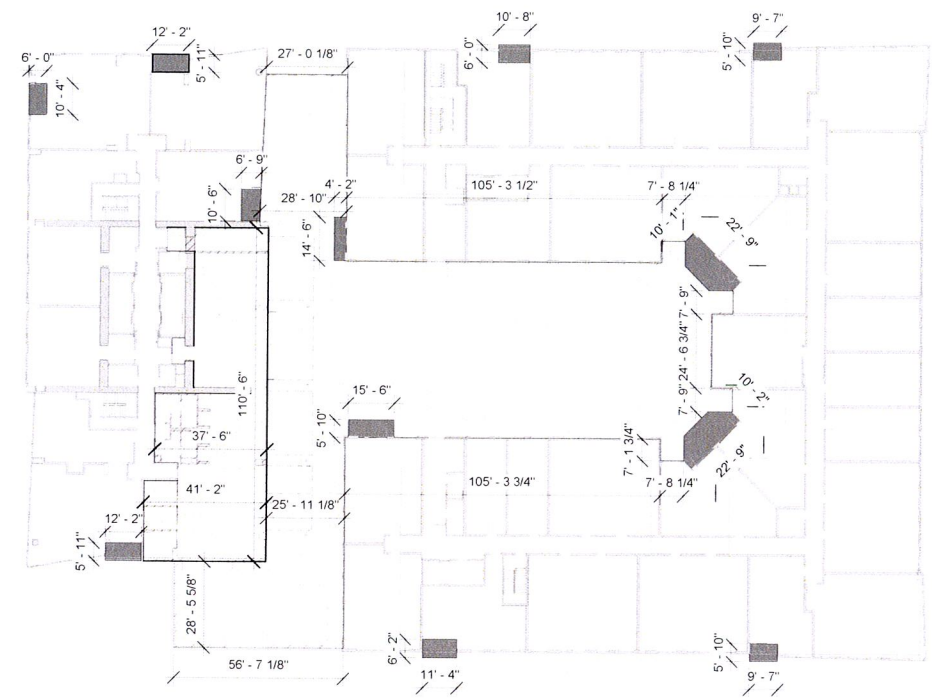
ROOF



LEVEL 40



LEVEL 05 / TYPICAL



LEVEL 04



LEVEL 03

- PRIVATE BALCONIES
- OUTDOOR PUBLIC USABLE OPEN SPACE
- INDOOR PUBLIC USABLE OPEN SPACE

**SURVEYOR'S NOTES**

THIS SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE AREA OF THE SUBJECT PROPERTY, THE LOCATION AND TYPE OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTY.

EXCEPT AS SHOWN ON THIS SURVEY, THERE ARE NO VISIBLE OR RECORDED EASEMENTS OR RIGHTS-OF-WAY ACROSS THE SUBJECT PROPERTY OF WHICH THE UNDERSIGNED HAS BEEN ADVISED.

EXCEPT AS SHOWN ON THE SURVEY, THERE ARE NO ENCROACHMENTS ONTO ADJOINING PREMISES, STREETS, OR ALLEYS BY ANY BUILDING, STRUCTURES OR OTHER IMPROVEMENTS AT THE SUBJECT PROPERTY, AND NO ENCROACHMENTS ONTO THE SUBJECT PROPERTY BY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PREMISES.

THE LOCATION OF EACH EASEMENT, RIGHT-OF-WAY, SERVITUDE OR OTHER MATTER AFFECTING THE SUBJECT PROPERTY AND LISTED IN THE PRELIMINARY TITLE REPORT PREPARED BY CHICAGO TITLE COMPANY, ORDER NUMBER FWAC-1018001188, DATED AS OF MARCH 2, 2016 WITH RESPECT TO THE SUBJECT PROPERTY, HAS BEEN SHOWN ON THIS SURVEY, TOGETHER WITH APPROPRIATE RECORDING REFERENCES, TO THE EXTENT SUCH MATTERS CAN BE LOCATED. THE PROPERTY SHOWN ON THIS SURVEY IS THE PROPERTY DESCRIBED IN THE TITLE REPORT.

**LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERN LINE OF 14TH STREET WITH THE EASTERN LINE OF FRANKLIN STREET; RUNNING THENCE EASTERLY ALONG SAID LINE OF 14TH STREET 300 FEET TO THE WESTERN LINE OF WEBSTER STREET; THENCE SOUTHERLY ALONG SAID LINE OF WEBSTER STREET 200 FEET TO THE NORTHERN LINE OF 13TH STREET; THENCE ALONG SAID LINE OF 13TH STREET WESTERLY 300 FEET TO THE SAID EASTERN LINE OF FRANKLIN STREET; THENCE ALONG SAID LINE OF FRANKLIN STREET NORTHERLY 200 FEET TO THE POINT OF BEGINNING.

BEING ALL OF BLOCK 192, AS SAID BLOCK IS SHOWN ON KELLERSBERGER'S MAP OF OAKLAND, FILED SEPTEMBER 2, 1853, IN BOOK 7 OF MAPS, AT PAGE 3, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

APN: 002-0055-001-00

**EXCEPTIONS**

SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY:

- 1. PROPERTY TAXES, WHICH ARE A LIEN NOT YET DUE AND PAYABLE, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES TO BE LEVIED FOR THE FISCAL YEAR 2016-2017.
2. THE LIEN OF SUPPLEMENTAL OR ESCAPED ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 75) OR PART 2, CHAPTER 3, ARTICLES 3 AND 4, RESPECTIVELY, OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF TITLE TO THE VESTEE NAMED IN SCHEDULE A OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION OCCURRING PRIOR TO DATE OF POLICY.
3. PRIOR TO CLOSE OF ESCROW, PLEASE CONTACT THE TAX COLLECTOR'S OFFICE TO CONFIRM ALL AMOUNTS OWING, INCLUDING CURRENT FISCAL YEAR TAXES, SUPPLEMENTAL TAXES, ESCAPED ASSESSMENTS AND ANY DELINQUENCIES.
4. REVISED STATEMENT OF INSTITUTION OF REDEVELOPMENT FOR THE CENTRAL DISTRICT REDEVELOPMENT PROJECT (CALIFORNIA HEALTH & SAFETY CODE SECTION 33373(C)), RECORDED DECEMBER 3, 2007, INSTRUMENT NO. 2007-409569, OF OFFICIAL RECORDS.
5. ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORD.

THIS COMPANY WILL REQUIRE, FOR REVIEW, A FULL AND COMPLETE COPY OF ANY UNRECORDED AGREEMENT, CONTRACT, LICENSE AND/OR LEASE, TOGETHER WITH ALL SUPPLEMENTS, ASSIGNMENTS AND AMENDMENTS THERETO, BEFORE ISSUING ANY POLICY OF TITLE INSURANCE WITHOUT EXCEPTING THIS ITEM FROM COVERAGE. THE COMPANY RESERVES THE RIGHT TO EXCEPT ADDITIONAL ITEMS AND/OR MAKE ADDITIONAL REQUIREMENTS AFTER REVIEWING SAID DOCUMENTS.

6. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH A CORRECT SURVEY WOULD DISCLOSE AND WHICH ARE NOT DISCLOSED BY THE PUBLIC RECORDS.

7. THIS COMPANY WILL REQUIRE THE FOLLOWING DOCUMENTS FOR REVIEW PRIOR TO THE ISSUANCE OF ANY TITLE ASSURANCE PREDICATED UPON A CONVEYANCE OR ENCUMBRANCE BY THE CORPORATION NAMED BELOW.

CORPORATION: DOWNTOWN REALTY CO., A CALIFORNIA CORPORATION

(A) A COPY OF THE CORPORATION BY-LAWS AND ARTICLES OF INCORPORATION.

(B) AN ORIGINAL OR CERTIFIED COPY OF THE RESOLUTION AUTHORIZING THE TRANSACTION CONTEMPLATED HEREIN.

(C) IF THE ARTICLES AND/OR BY-LAWS REQUIRE APPROVAL BY A "PARENT" ORGANIZATION, A COPY OF THE ARTICLES AND BY-LAWS OF THE PARENT.

THE RIGHT IS RESERVED TO ADD REQUIREMENTS OR ADDITIONAL ITEMS AFTER COMPLETION OF SUCH REVIEW.

8. THIS COMPANY WILL REQUIRE AN OWNERS AFFIDAVIT TO BE COMPLETED BY THE PARTY(IES) NAMED BELOW BEFORE ANY TITLE ASSURANCE REQUESTED UNDER THIS APPLICATION WILL BE ISSUED.

PARTY(IES): DOWNTOWN REALTY CO., A CALIFORNIA CORPORATION

THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED AFFIDAVIT.

9. PLEASE BE ADVISED THAT OUR SEARCH DID NOT DISCLOSE ANY OPEN DEEDS OF TRUST OF RECORD. IF YOU SHOULD HAVE KNOWLEDGE OF ANY OUTSTANDING OBLIGATION, PLEASE CONTACT THE TITLE DEPARTMENT IMMEDIATELY FOR FURTHER REVIEW PRIOR TO CLOSING.

**OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS**

2 ADDRESS(ES) OF THE SURVEYED PROPERTY IF DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR, OR OBSERVED WHILE CONDUCTING THE FIELDWORK.
1314 FRANKLIN STREET, OAKLAND, CALIFORNIA, 94612

3 FLOOD ZONE CLASSIFICATION (WITH PROPER ANNOTATION BASED ON FEDERAL FLOOD INSURANCE RATE MAPS OR THE STATE OR LOCAL EQUIVALENT) DEPICTED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY.

SUBJECT PROPERTY IS LOCATED IN ZONE X (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD-PLAIN.

PANEL NUMBER 06001 C 00670, CITY OF OAKLAND, 065048 MAP REVISED: AUGUST 3, 2009

4 GROSS LAND AREA (AND OTHER AREAS IF SPECIFIED BY THE CLIENT)

LAND AREAS SHOWN ON SHEETS 2.

5 VERTICAL RELIEF WITH THE SOURCE OF INFORMATION (E.G. GROUND SURVEY OR AERIAL MAP), CONTOUR INTERVAL, DATUM, AND ORIGINATING BENCHMARK IDENTIFIED.

6A IF SET FORTH IN A ZONING REPORT OR LETTER PROVIDED TO THE SURVEYOR BY THE CLIENT, LIST THE CURRENT ZONING CLASSIFICATION, SET BACK REQUIREMENTS, THE HEIGHT AND FLOOR SPACE AREA RESTRICTIONS, AND PARKING REQUIREMENTS. IDENTIFY THE DATE AND SOURCE OF THE REPORT OR LETTER.

NO ZONING REPORT PROVIDED

SUBJECT PROPERTY IS IN ZONE - D-LM-2 (LAKE MERRITT STATION AREA DISTRICT PEDESTRIAN COMMERCIAL - 2 ZONE.

SETBACKS FRONT - 0' MAXIMUM FRONT AND STREET SIDE FOR FIRST STORY - 0' SIDE - 0' CORNER SIDE - 0'

REAR - 0'

HEIGHT CENTRAL BUSINESS DISTRICT - LM-175 - 45 FT. BASE; 85 BASE UPON GRANTING OF CUP AND ADDITIONAL FINDINGS; 175 FT MAX. W/CUP: LM-275 - 45 FT. BASE; 85 BASE UPON GRANTING OF CUP AND ADDITIONAL FINDINGS; 275 FT MAX.

BASED ON CITY OF OAKLAND ZONING CODE

7 (A) EXTERIOR DIMENSIONS OF ALL BUILDINGS AS GROUND LEVEL B) SQUARE FOOTAGE OF: (1) EXTERIOR FOOTPRINT OF ALL BUILDINGS AT GROUND LEVEL

BUILDING SQUARE FOOTAGE AND AREA SHOWN ON SHEET 2

8 SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK (IN ADDITION TO THE IMPROVEMENTS AND FEATURES REQUIRED PURSUANT TO SECTION 5 ABOVE) (E.G. PARKING LOTS, BILLBOARDS, SIGNS, SWIMMING POOLS, LANDSCAPED AREA, SUBSTANTIAL AREAS OF REFUSE) SHOWN ON SHEET 2.

9 NUMBER AND TYPE (E.G. DISABLED, MOTORCYCLE, REGULAR AND OTHER MARKED SPECIALIZED TYPES) OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING AREAS, LOTS AND IN PARKING STRUCTURES. STRIPING OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING AREAS AND LOTS.

520 TOTAL PARKING SPOTS (PLUS 2 MOTORCYCLE SPACES) 4 DISABLED PARKING SPACES DESIGNATED 31 COMPACT PARKING SPACES DESIGNATED

11 LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY:

- OBSERVED EVIDENCE COLLECTED PURSUANT TO SECTION 5.E.IV.
• EVIDENCE FROM PLANS REQUESTED BY THE SURVEYOR AND OBTAINED FROM UTILITY COMPANIES, OR PROVIDED BY CLIENT (WITH REFERENCE AS TO THE SOURCES OF INFORMATION), AND
• MARKINGS REQUESTED BY THE SURVEYOR PURSUANT TO AN 811 UTILITY LOCATE OR SIMILAR REQUEST.

VISIBLE UTILITIES ONLY; ANY MUNICIPAL RESEARCH OR UNDERGROUND UTILITY LOCATION AT GROUND SERVICE CAN BE COMPLETED AS AN ADDENDUM PER REQUEST FROM CLIENT.

13 NAMES OF ADJOINING OWNERS ACCORDING TO CURRENT TAX RECORDS.

THERE ARE NO ADJOINING PROPERTIES.

16 THERE IS NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

18 IF THERE HAS BEEN A FIELD DELINEATION OF WETLANDS CONDUCTED BY A QUALIFIED SPECIALIST HIRED BY THE CLIENT, THE SURVEYOR SHALL LOCATE ANY DELINEATION MARKERS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK AND SHOW THEM ON THE FACE OF THE PLAT OR MAP. IF NO MARKERS WERE OBSERVED, THE SURVEYOR SHALL SO STATE.

NO WETLAND MARKERS WERE OBSERVED.

**SURVEYOR'S CERTIFICATE**

TO CARMEL PARTNERS, LLC, A COLORADO LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS AND CHICAGO TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDED ITEMS 2, 3, 4, 5, 6(A), 7(A), 7(B)(1), 8, 9, 11(A), 13, 16, 18 AND 20(A) OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 26, 2016



Signature of Michael W. Thompson, DATE 6/21/16

MICHAEL W. THOMPSON DATE mthompson@eabrazo.com

**CP VI Franklin, LLC**

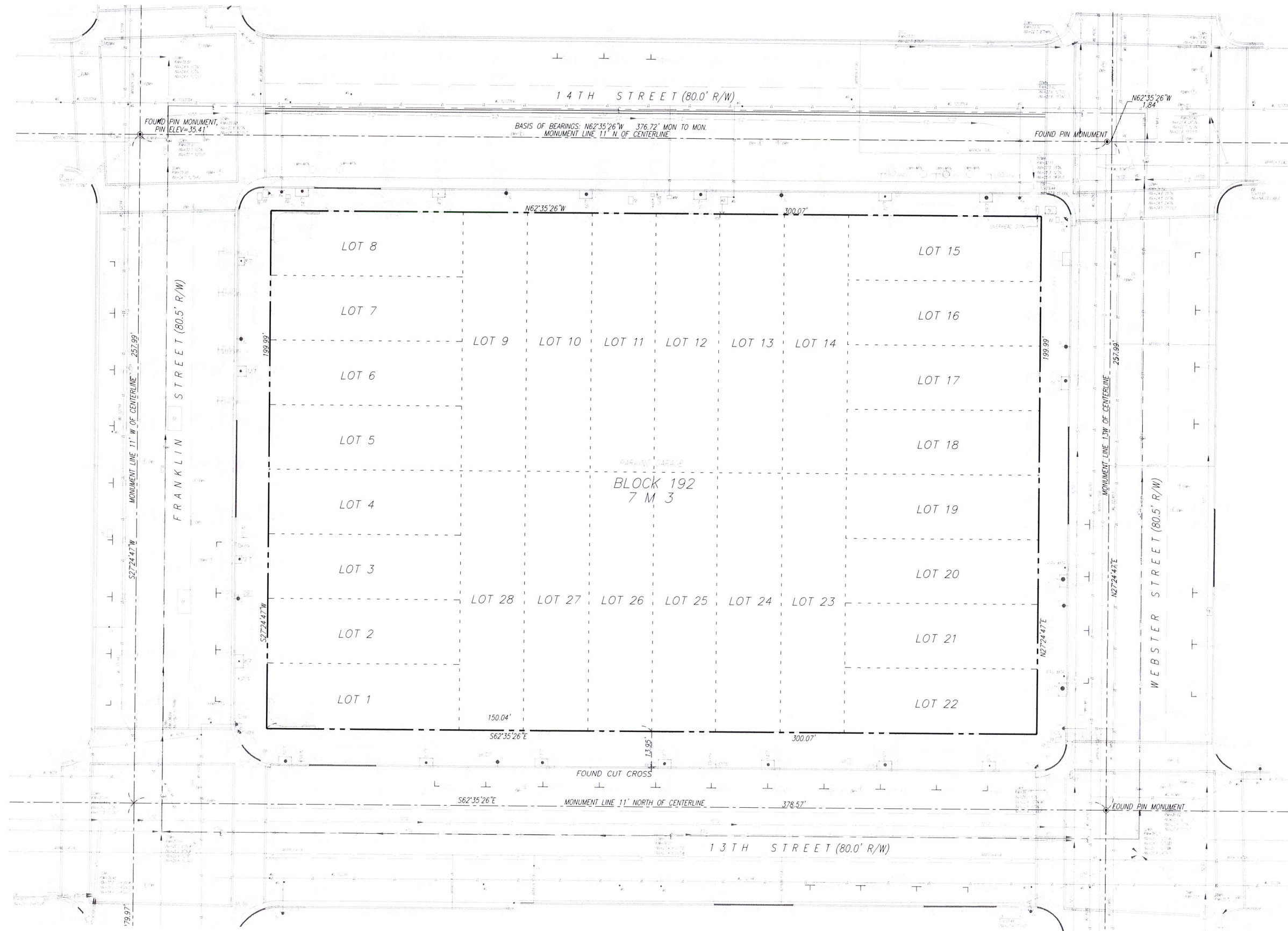


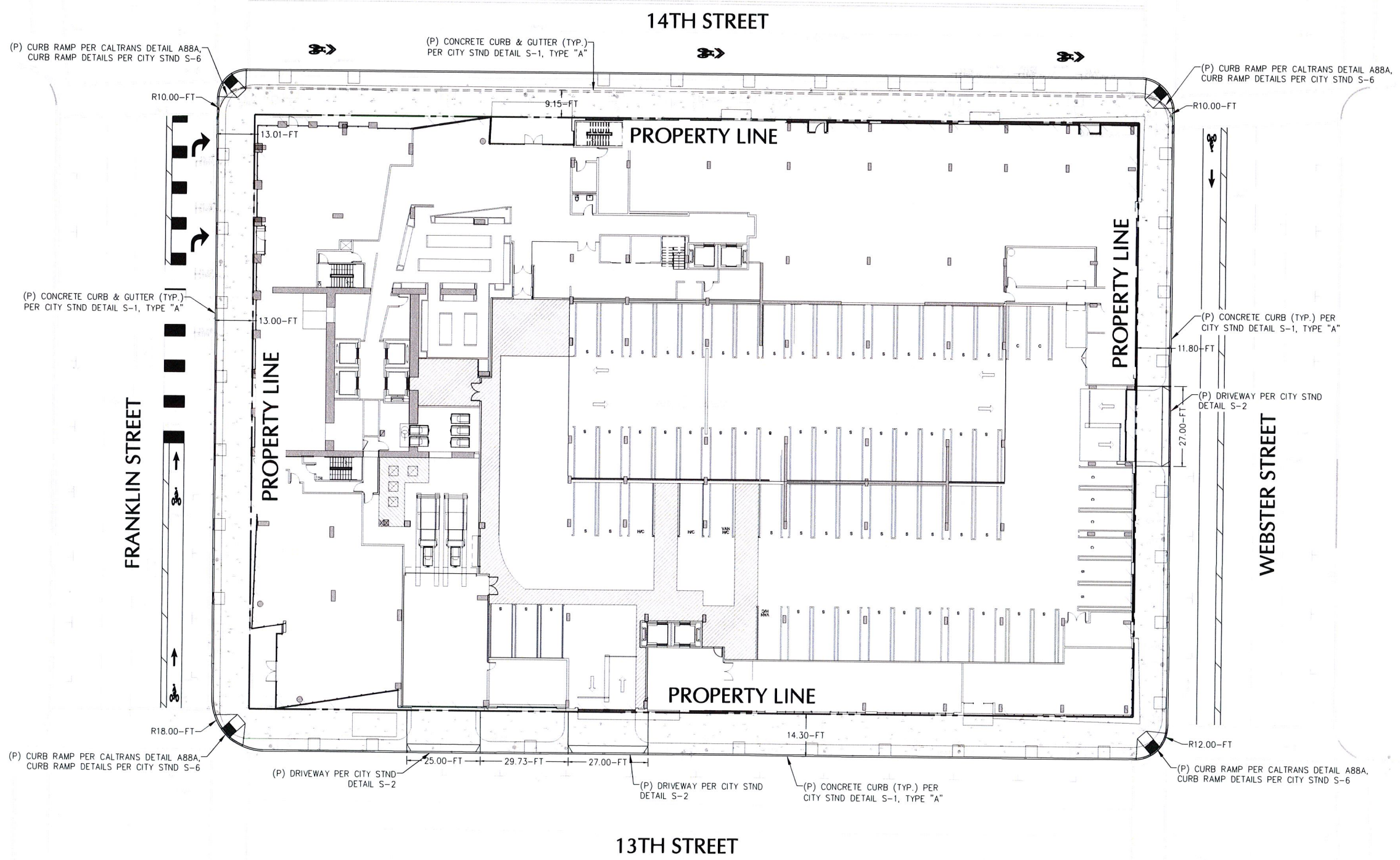
SITE SURVEY Planning Commission Approval Package 1314 FRANKLIN STREET Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

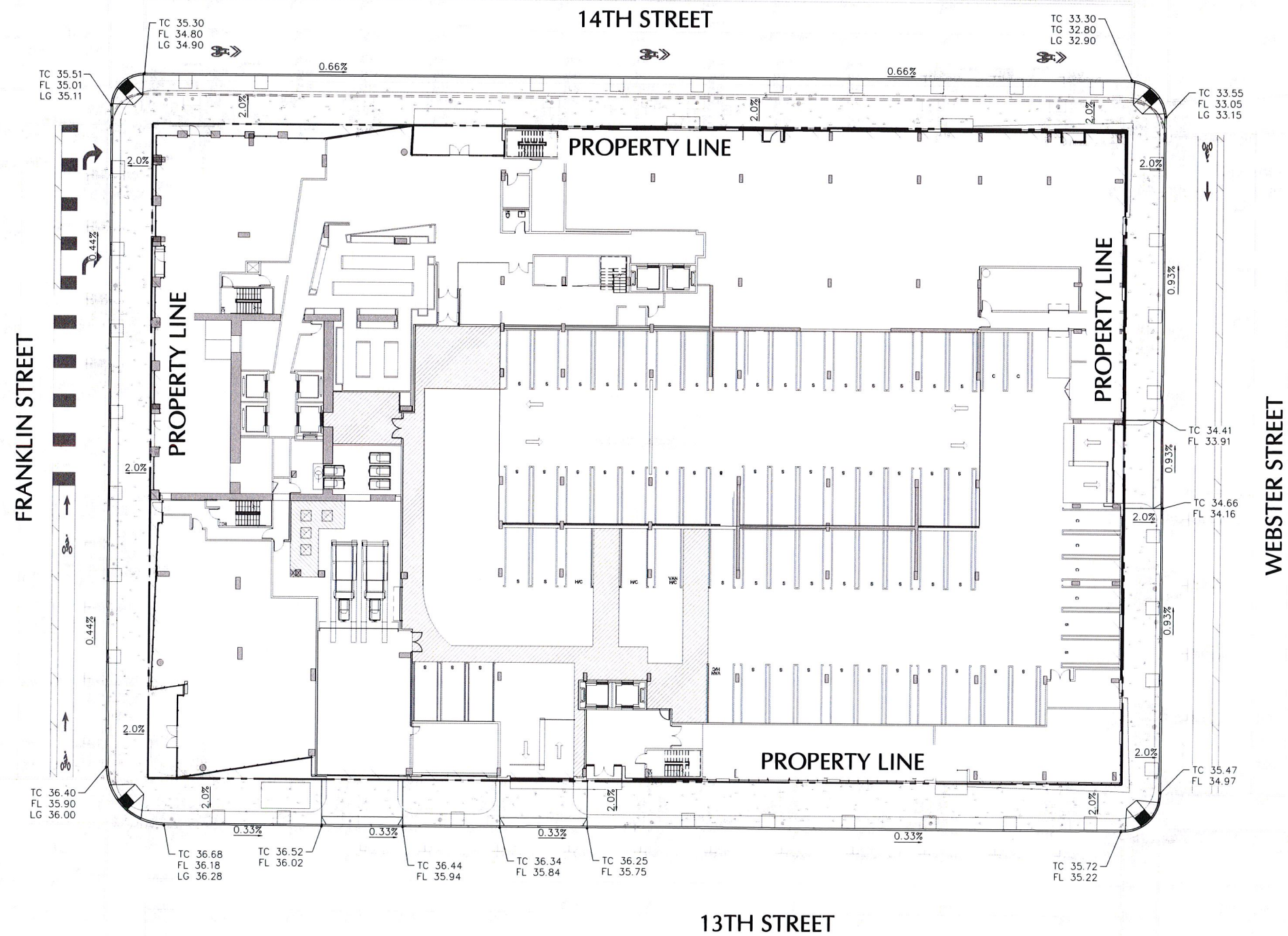
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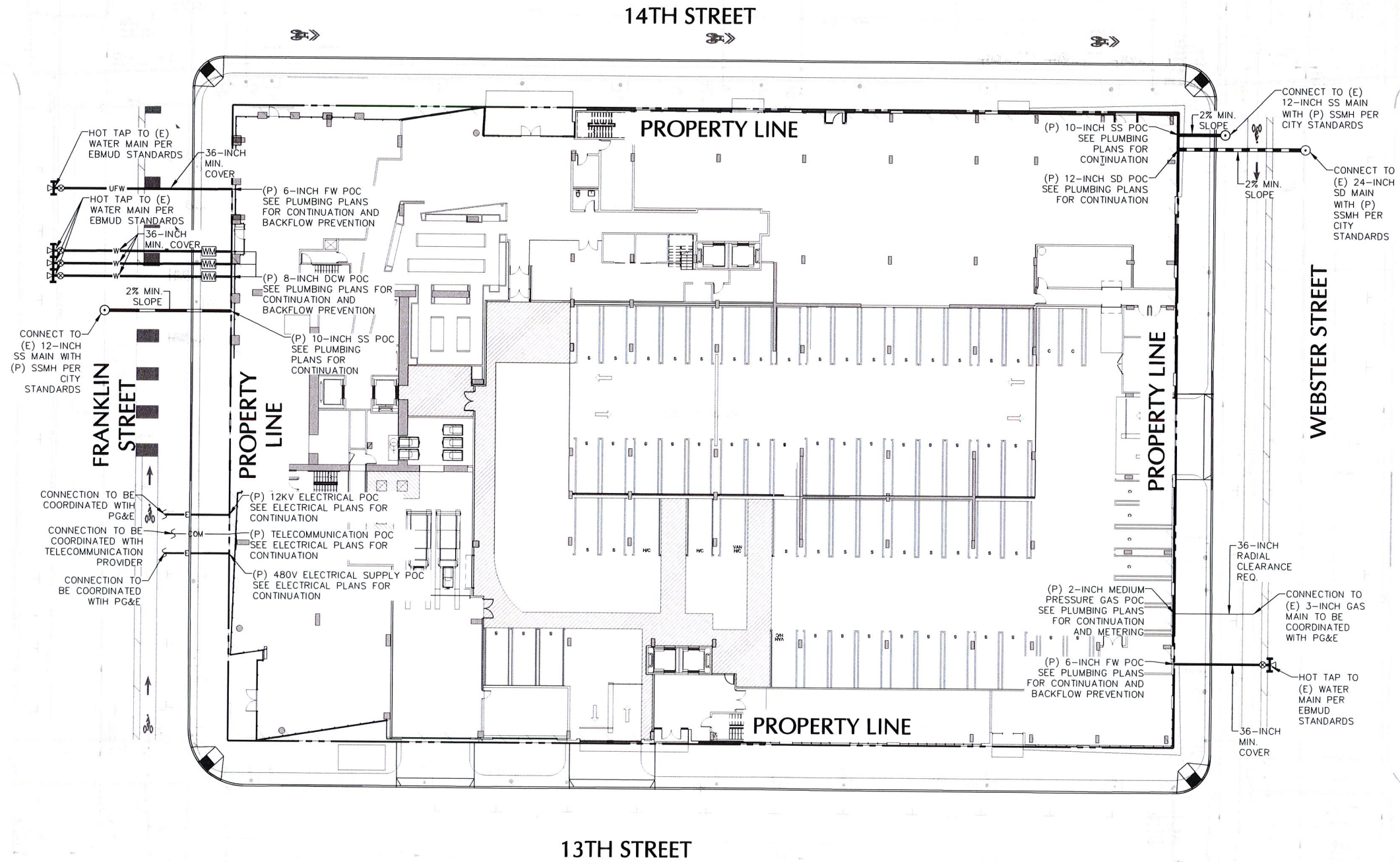
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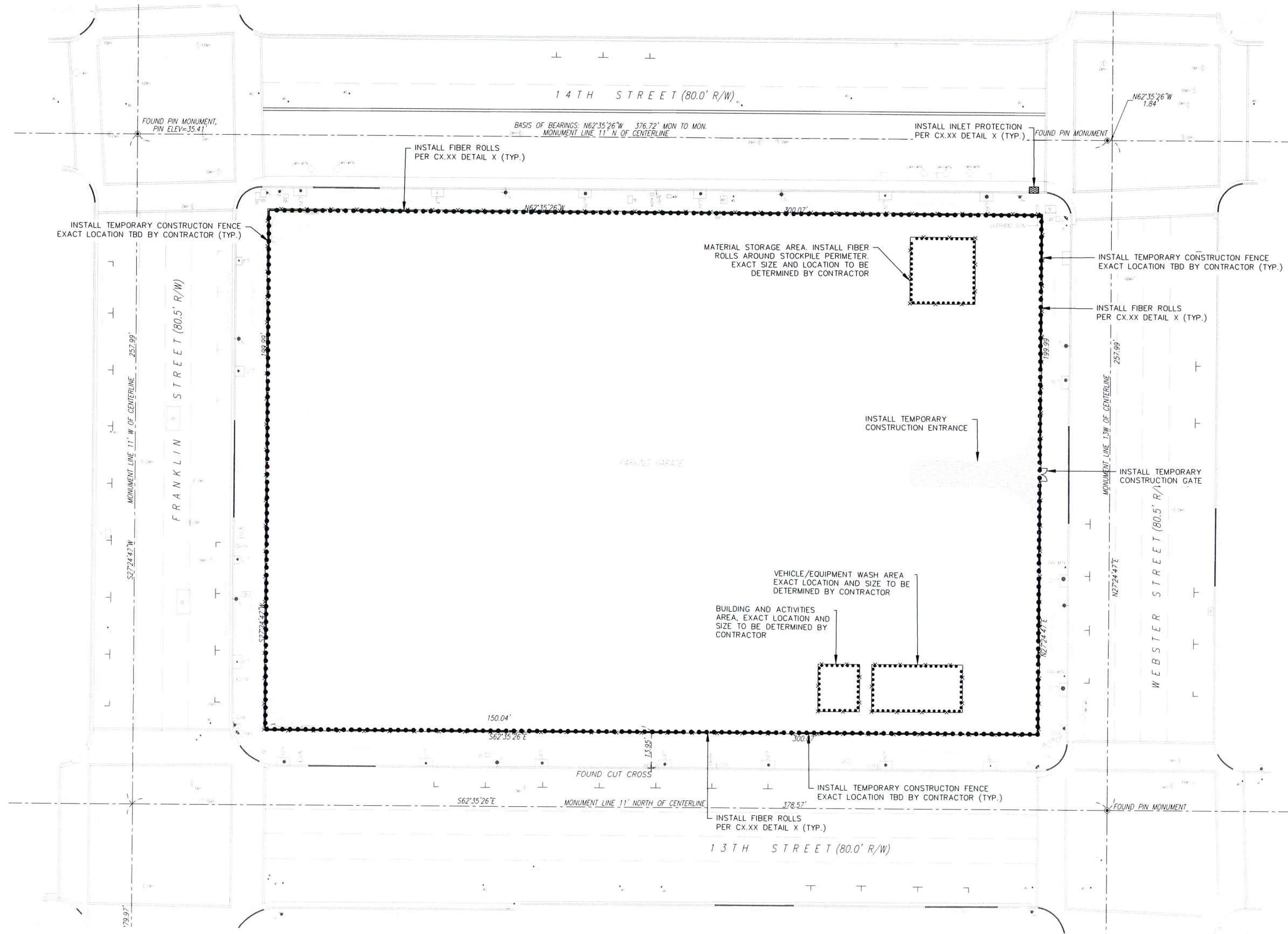





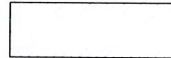

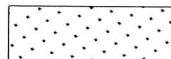










**LEGEND:**

- ROOF 
- HARDSCAPE 
- STORMWATER TREATMENT ROOM 
- PLANTING AREA 
- PROPERTY LINE 
- SCHEMATIC ONSITE STORM DRAIN PIPING 

IMPERVIOUS/PERVIOUS SUMMARY TABLE		
	EXISTING CONDITIONS	PROPOSED CONDITIONS
IMPERVIOUS AREA (SF)	60,012	55,869
PERVIOUS AREA (SF)	0	4,143
TOTAL AREA (SF)	60,012	60,012

**NPDES C.3 COMPLIANCE:**

THE PROJECT CREATES AND/OR REPLACES 10,000 SQUARE FEET OR MORE OF IMPERVIOUS SURFACE AND THEREFORE IS CONSIDERED A REGULATED PROJECT UNDER PROVISION C.3 OF THE MUNICIPAL REGIONAL STORMWATER PERMIT. REGULATED PROJECTS ARE REQUIRED TO INCORPORATE POST-CONSTRUCTION STORMWATER MANAGEMENT MEASURES (SITE DESIGN MEASURES, SOURCE CONTROL MEASURES AND STORMWATER TREATMENT MEASURES) TO REDUCE STORMWATER POLLUTION FROM ALL NEW AND REPLACED IMPERVIOUS SURFACES POST-CONSTRUCTION.

THE PROJECT IS NOT SUBJECT TO HYDROMODIFICATION.

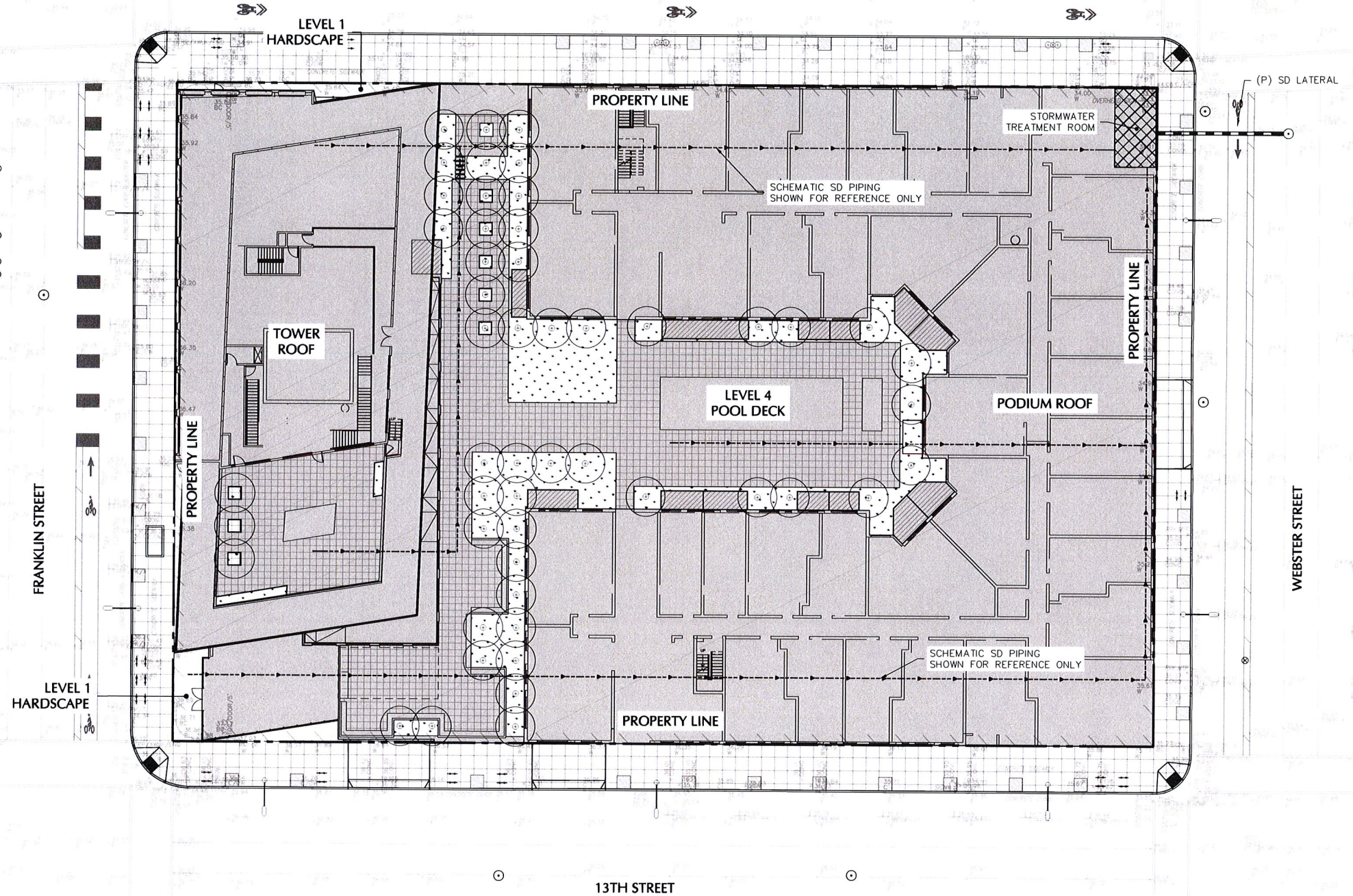
THE PROJECT QUALIFIES AS A SPECIAL PROJECT (CATEGORY B) AND IS ELIGIBLE FOR 100% TREATMENT REDUCTION CREDITS BASED ON THE FOLLOWING CRITERIA:

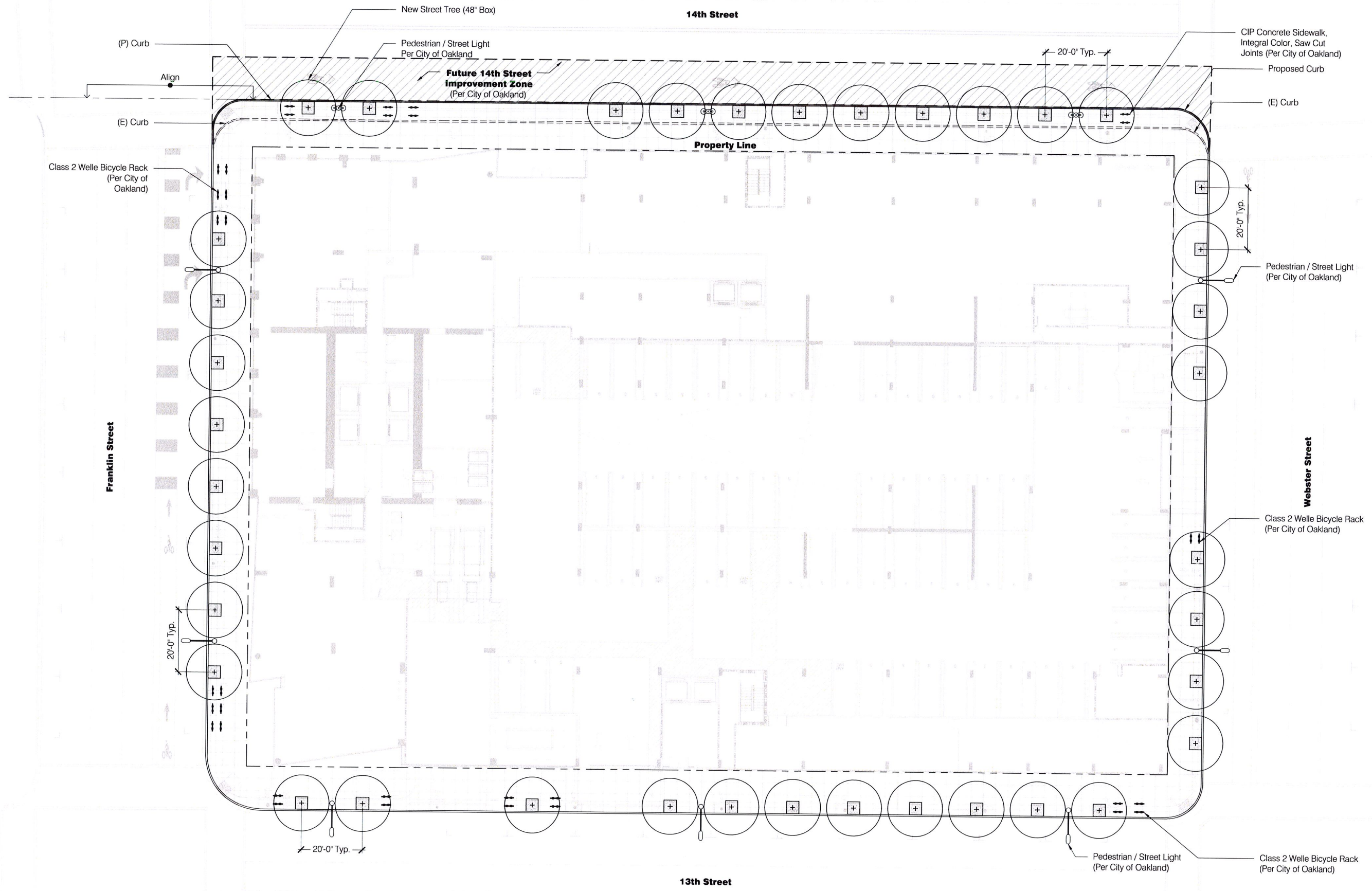
1. THE PROJECT IS PROPOSING 497 DWELLING UNITS PER UNIT
2. THE PROJECT HAS A FLOOR AREA RATIO OF 13.1

THE PROJECT INTENDS TO TREAT THE REQUIRED STORMWATER RUNOFF FROM ALL NEW REPLACED IMPERVIOUS SURFACES TO THE MAXIMUM EXTENT FEASIBLE.

THE PROJECT WILL COMPLY WITH NPDES C.3 REQUIREMENTS BY TREATING AND COLLECTING STORMWATER RUNOFF FROM ALL EXPOSED LEVELS TO THE MAXIMUM EXTENT FEASIBLE.

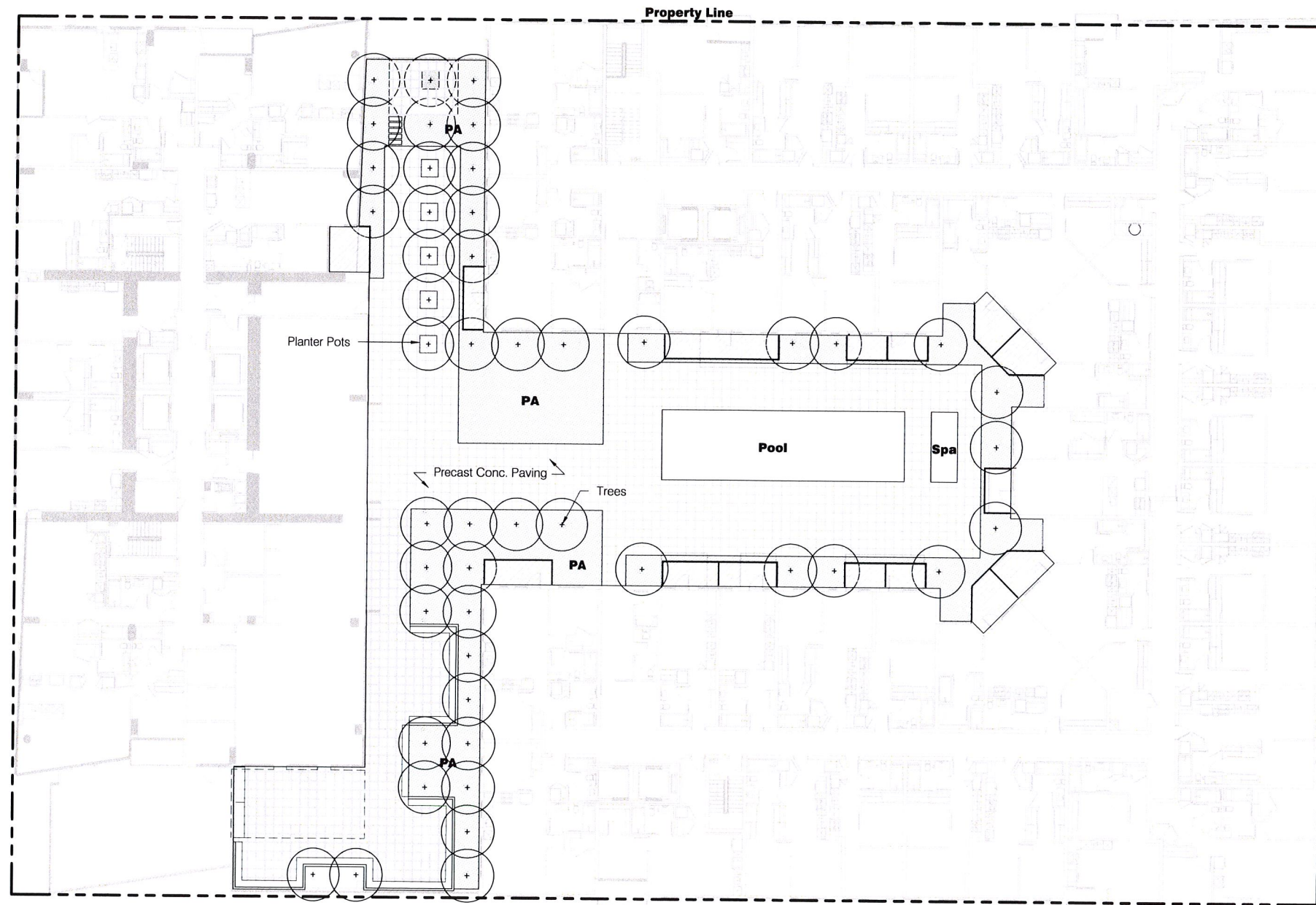
NON-LID TREATMENT MEASURES SHALL BE CERTIFIED FOR "BASIC" GENERAL USE LEVEL DESIGNATION (GULF) BY THE WASHINGTON STATE DEPARTMENT OF ECOLOGY'S TECHNICAL ASSESSMENT PROTOCOL - ECOLOGY (TAPE).





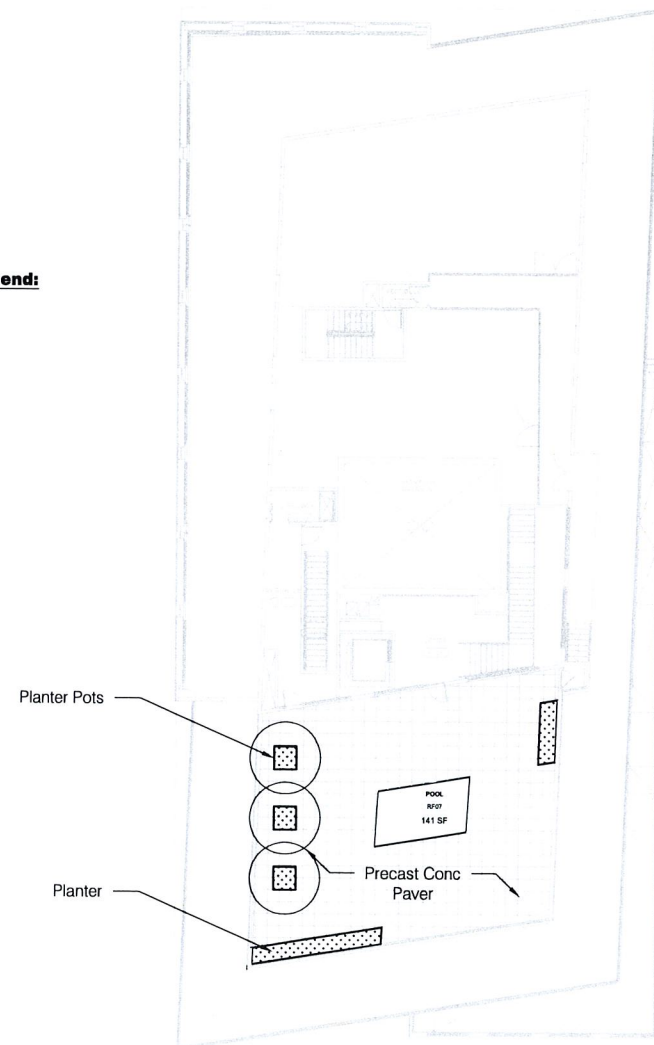
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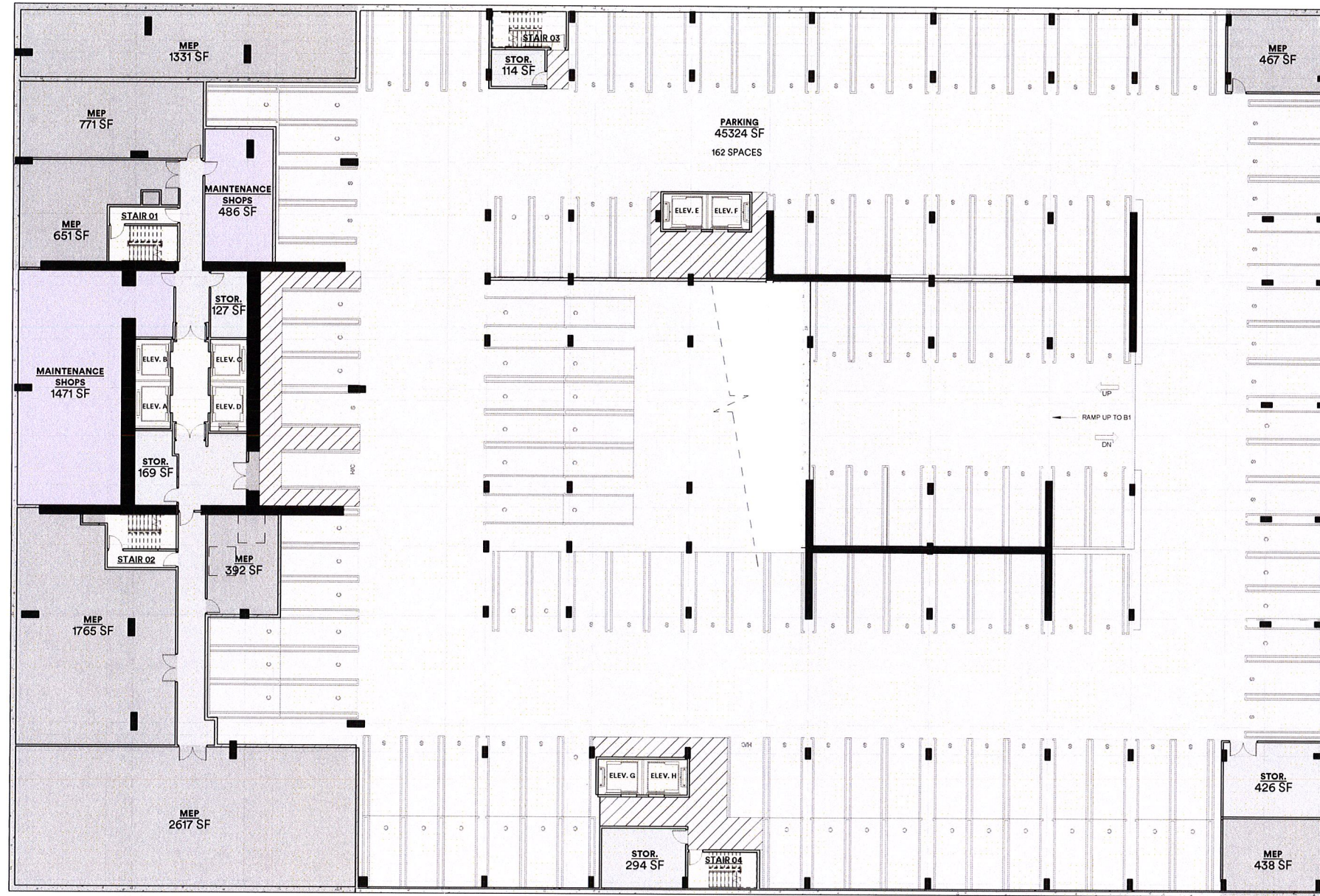
- Property Line
- - - Structure Above
- Planting Area
- ▭ Private Terrace
- + Proposed Tree

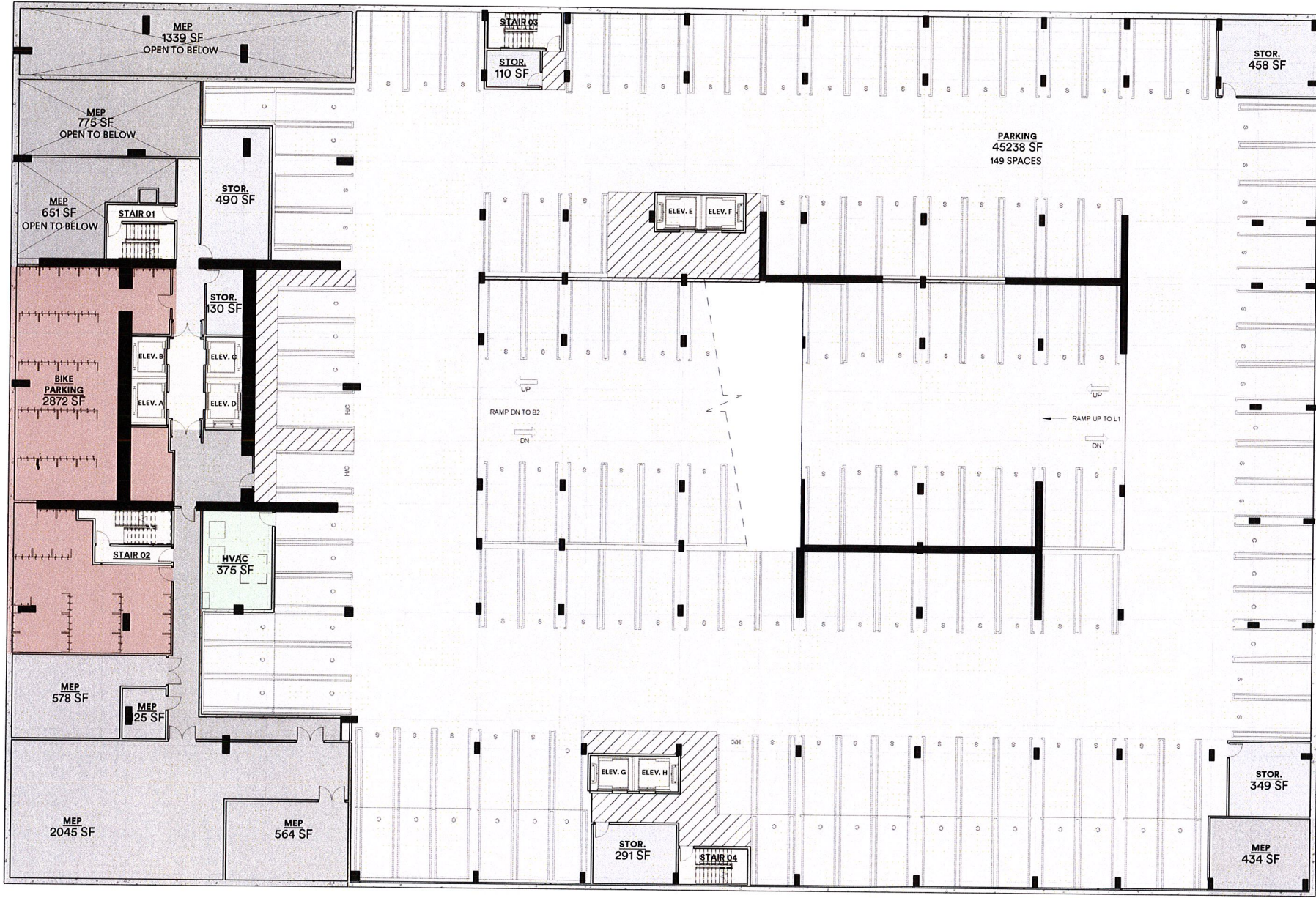


**Landscape Architectural Legend:**

- Property Line
- - - Structure Above
- ▨ Planting Area
- + Proposed Tree



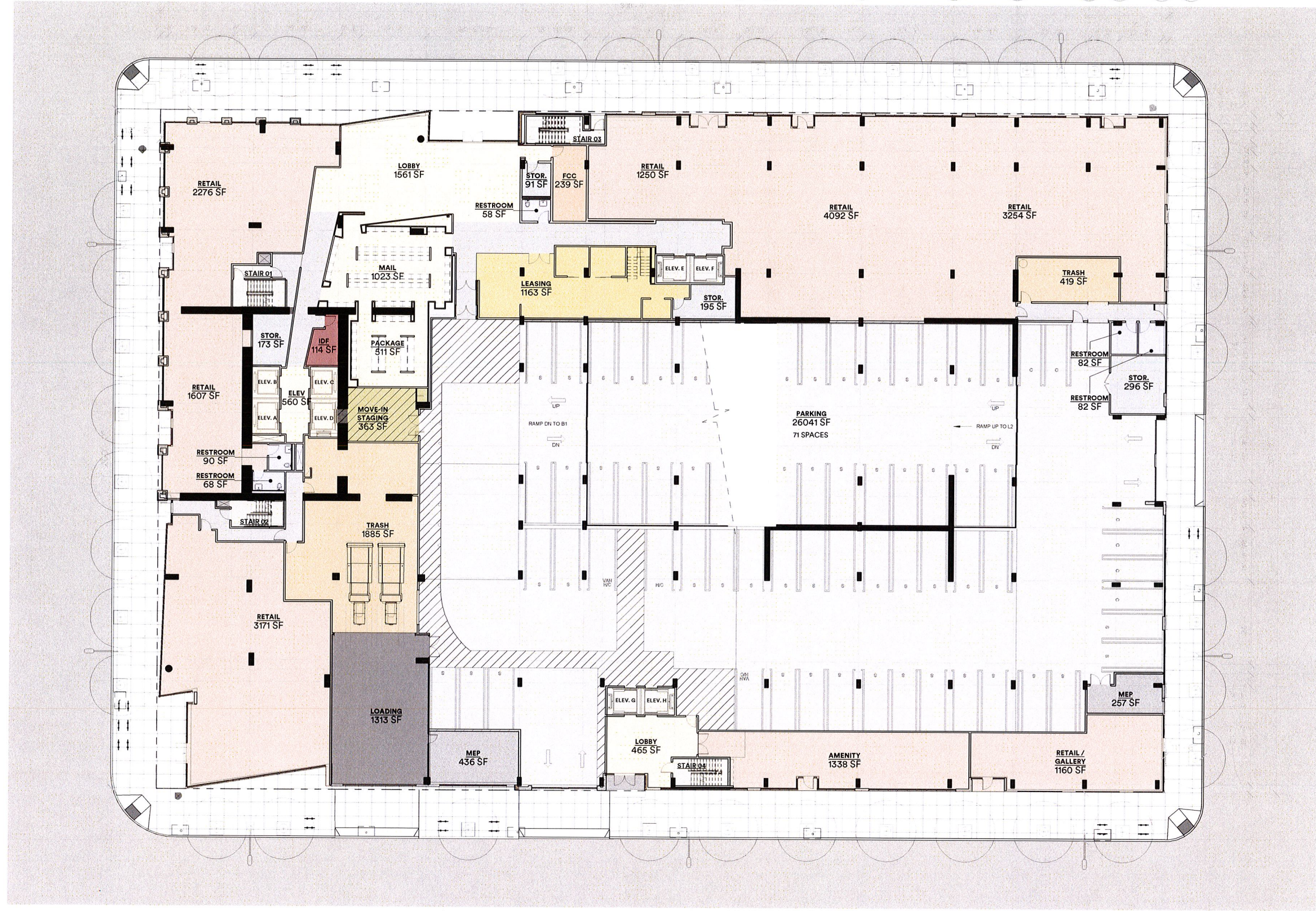




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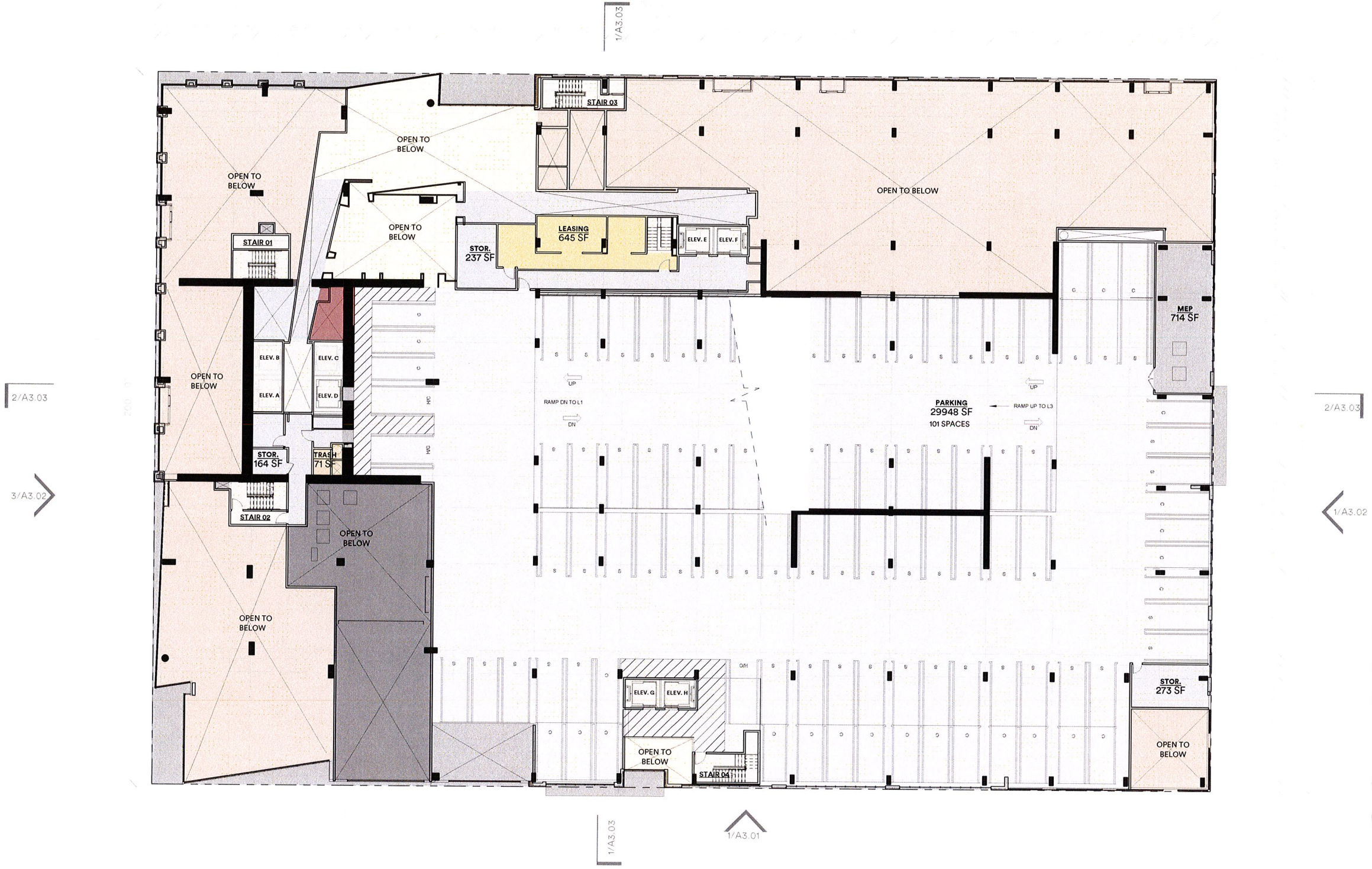
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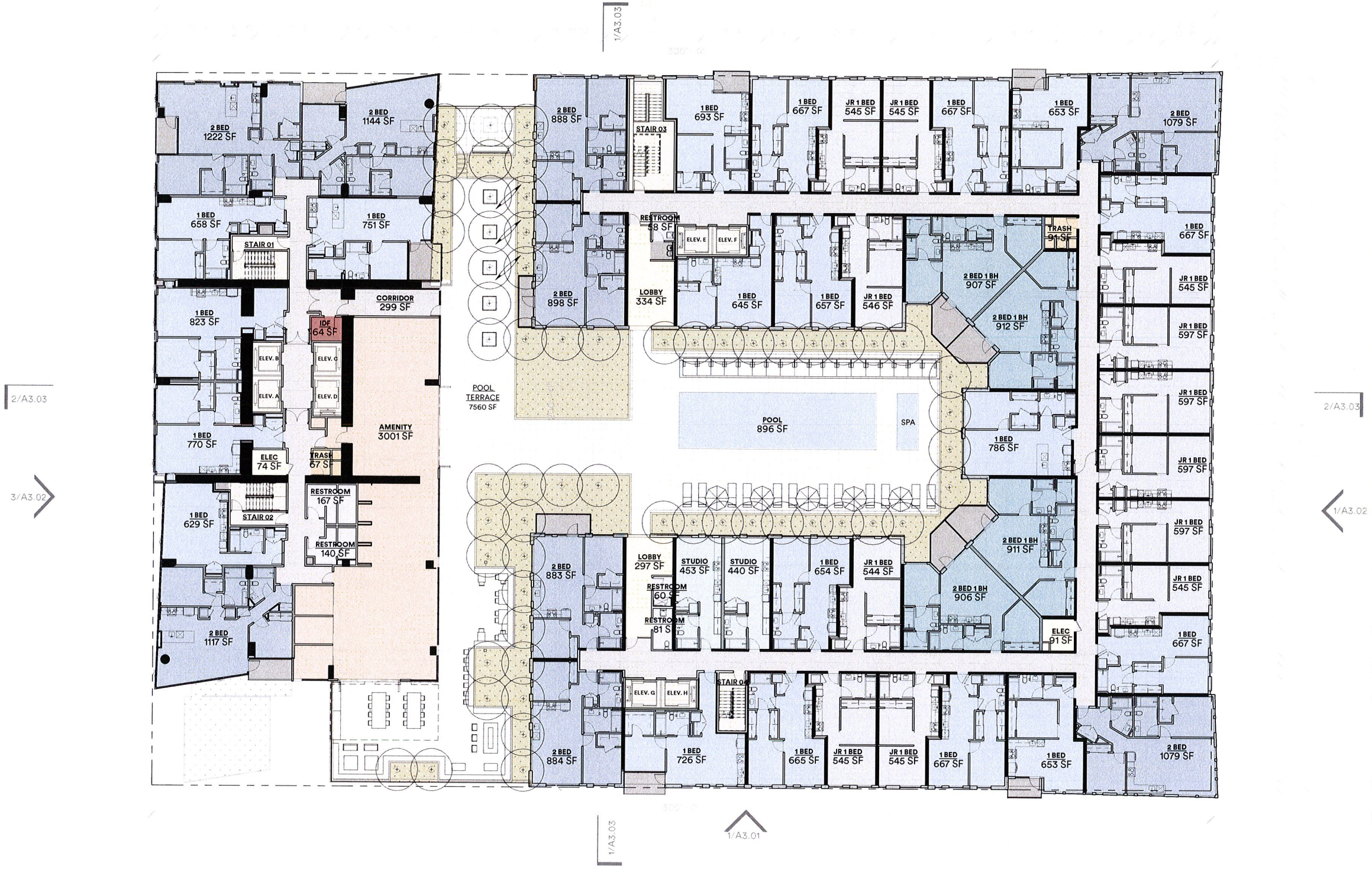


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**CP VI Franklin, LLC**



LEVEL 05 TYP TOWER / PODIUM

Planning Commission Approval Package

1314 FRANKLIN STREET  
Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

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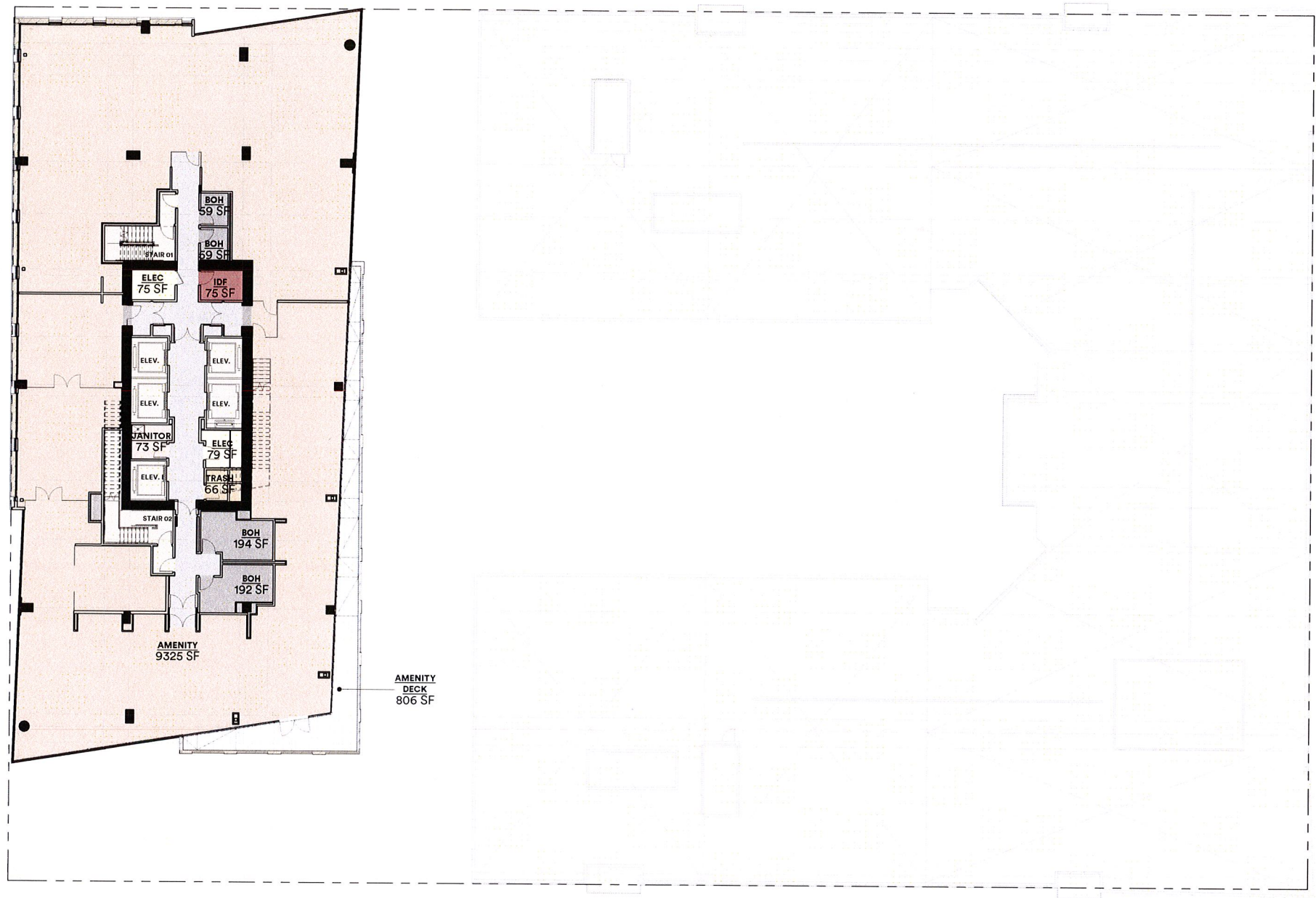
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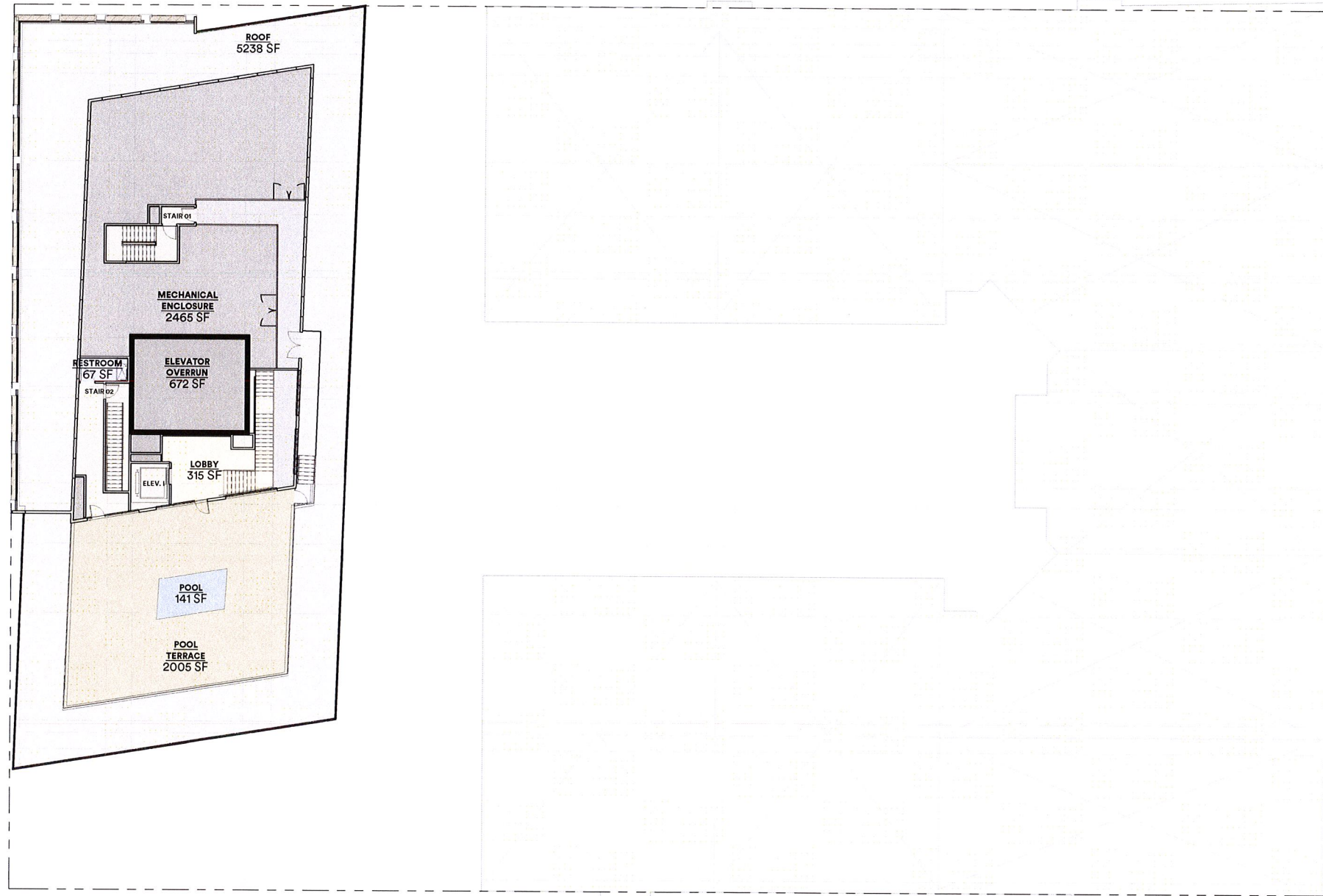
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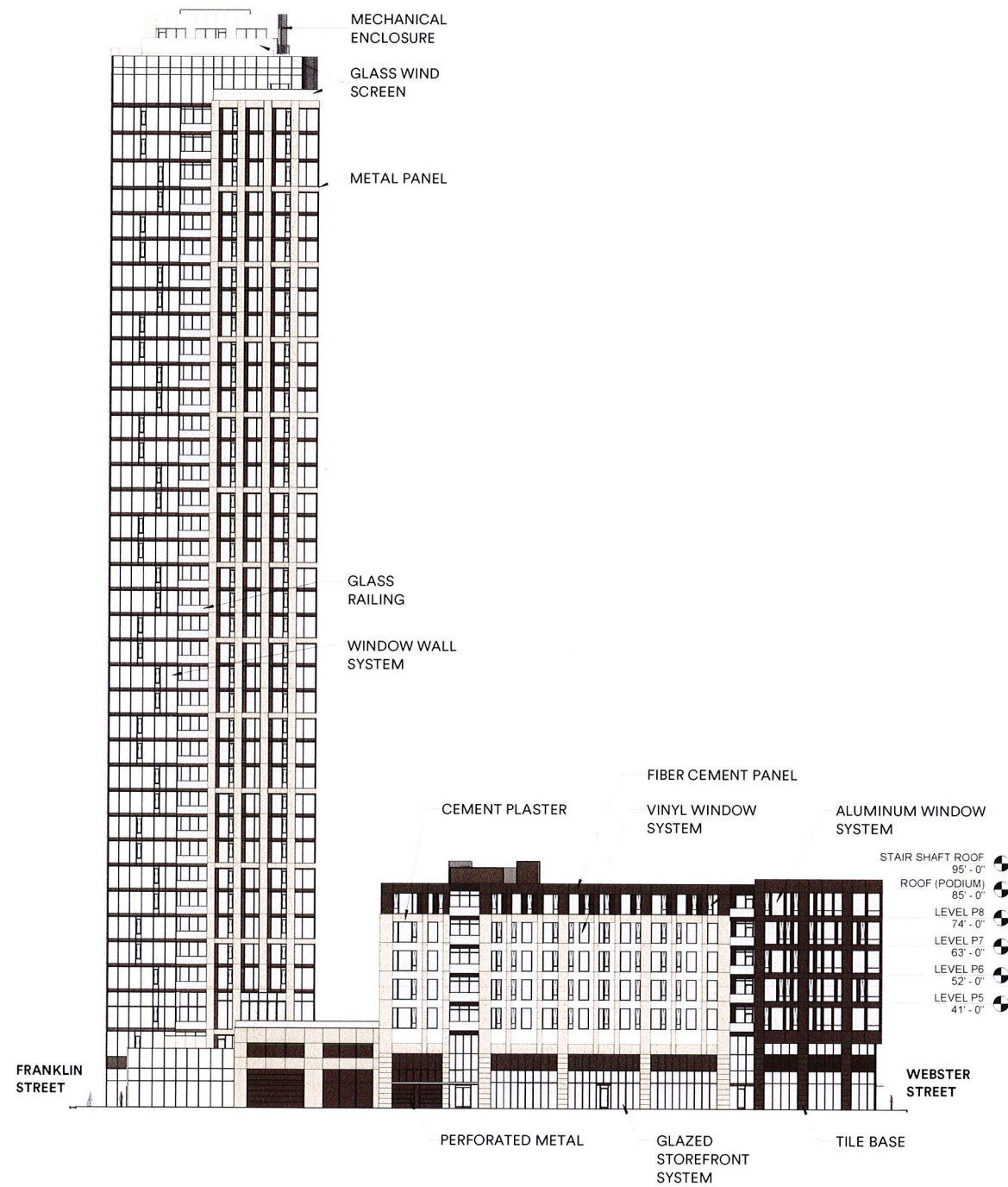
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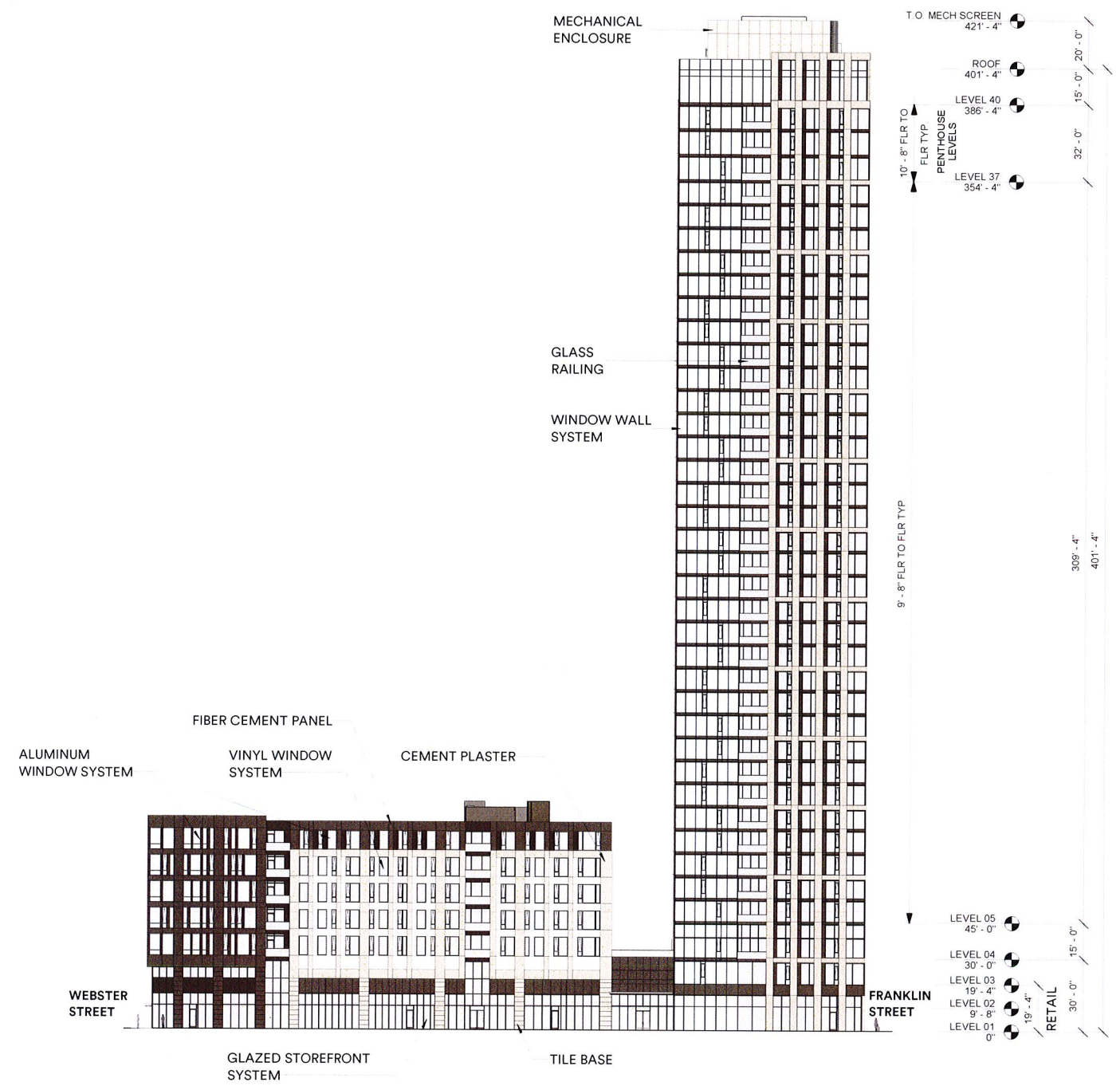
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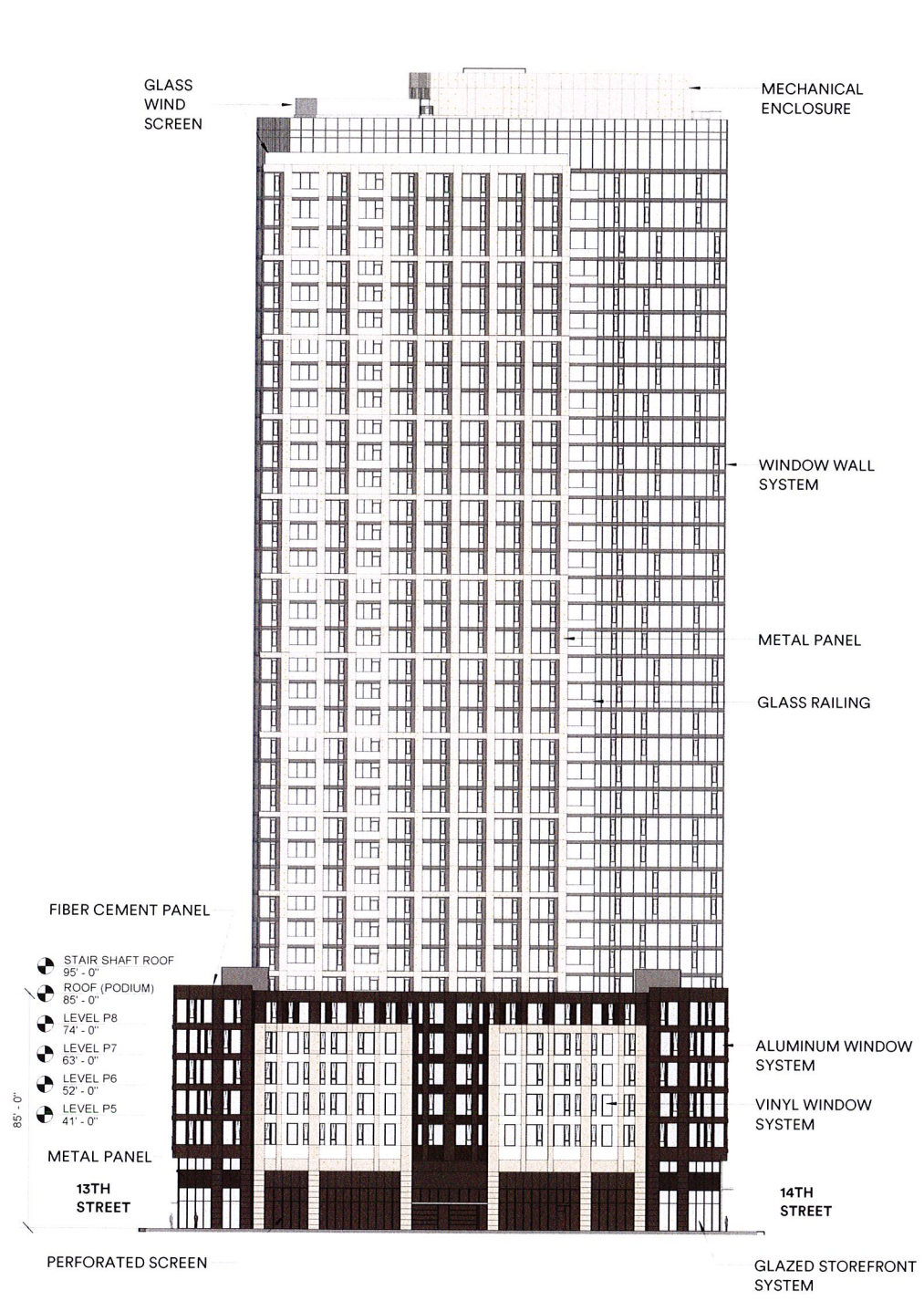




SOUTH ELEVATION / 13TH STREET



NORTH ELEVATION / 14TH STREET

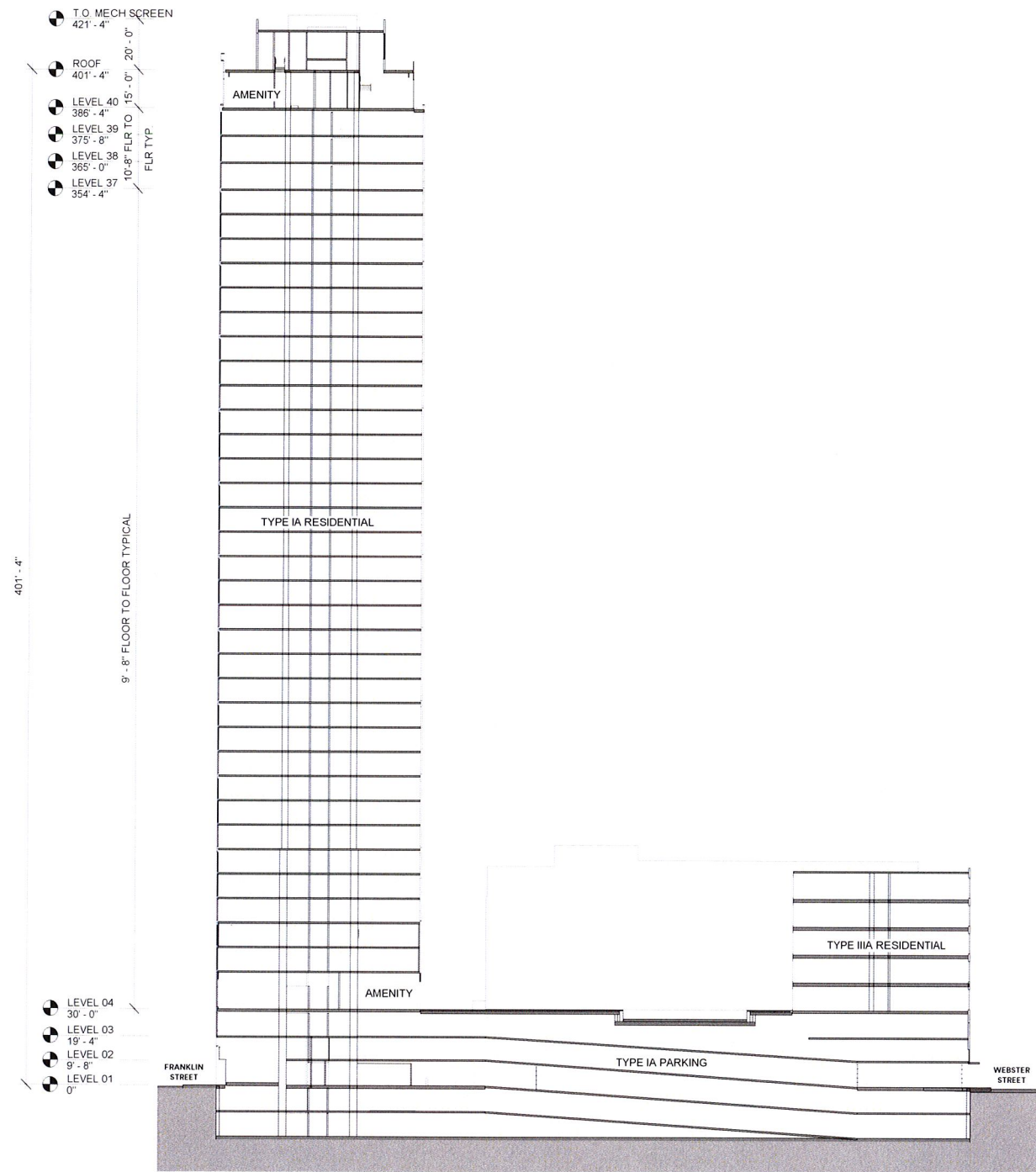


EAST ELEVATION / WEBSTER STREET

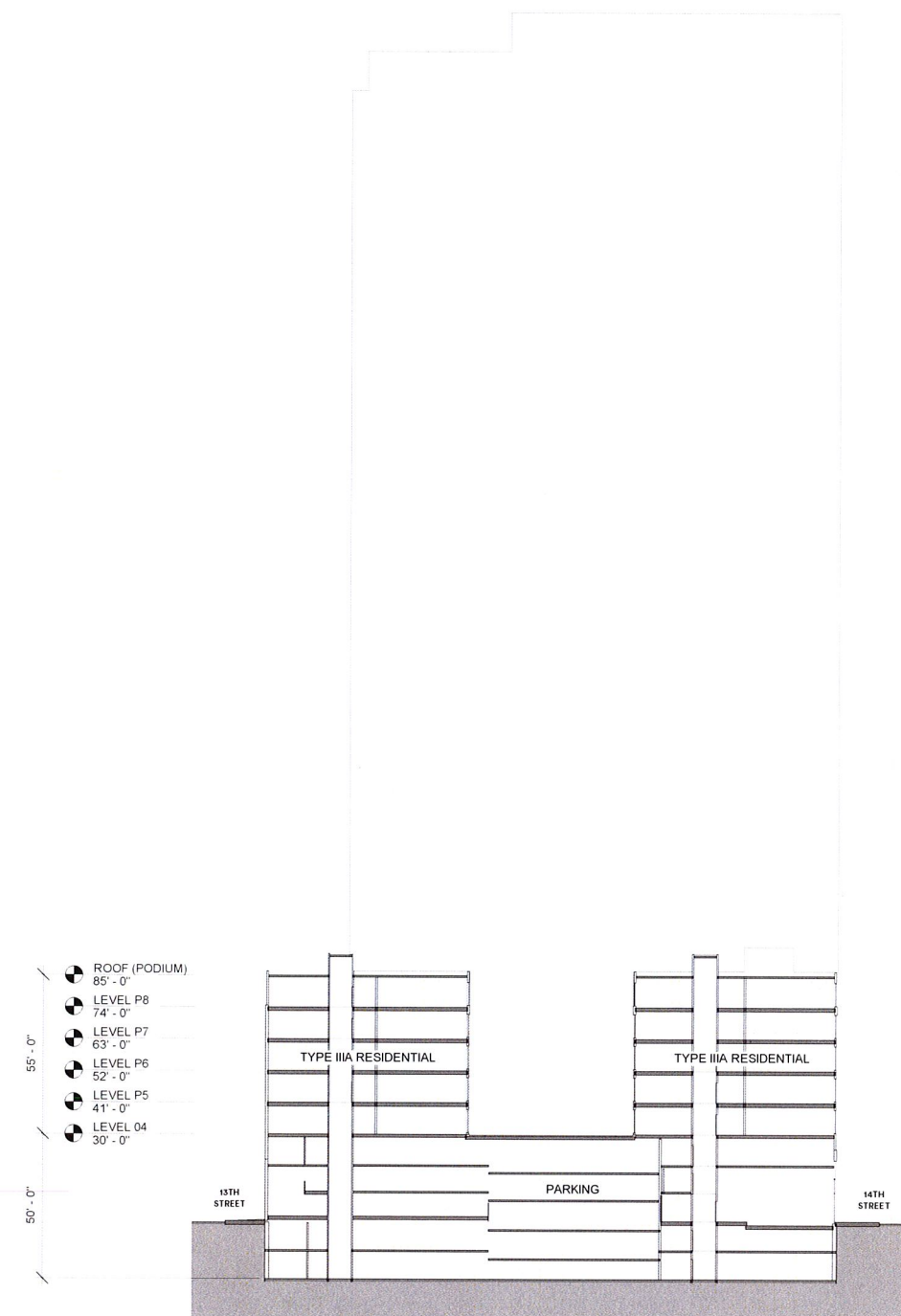


WEST ELEVATION / FRANKLIN STREET





EAST / WEST BUILDING SECTION



NORTH / SOUTH BUILDING SECTION