

Case File Number PLN15395

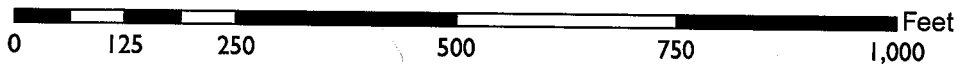
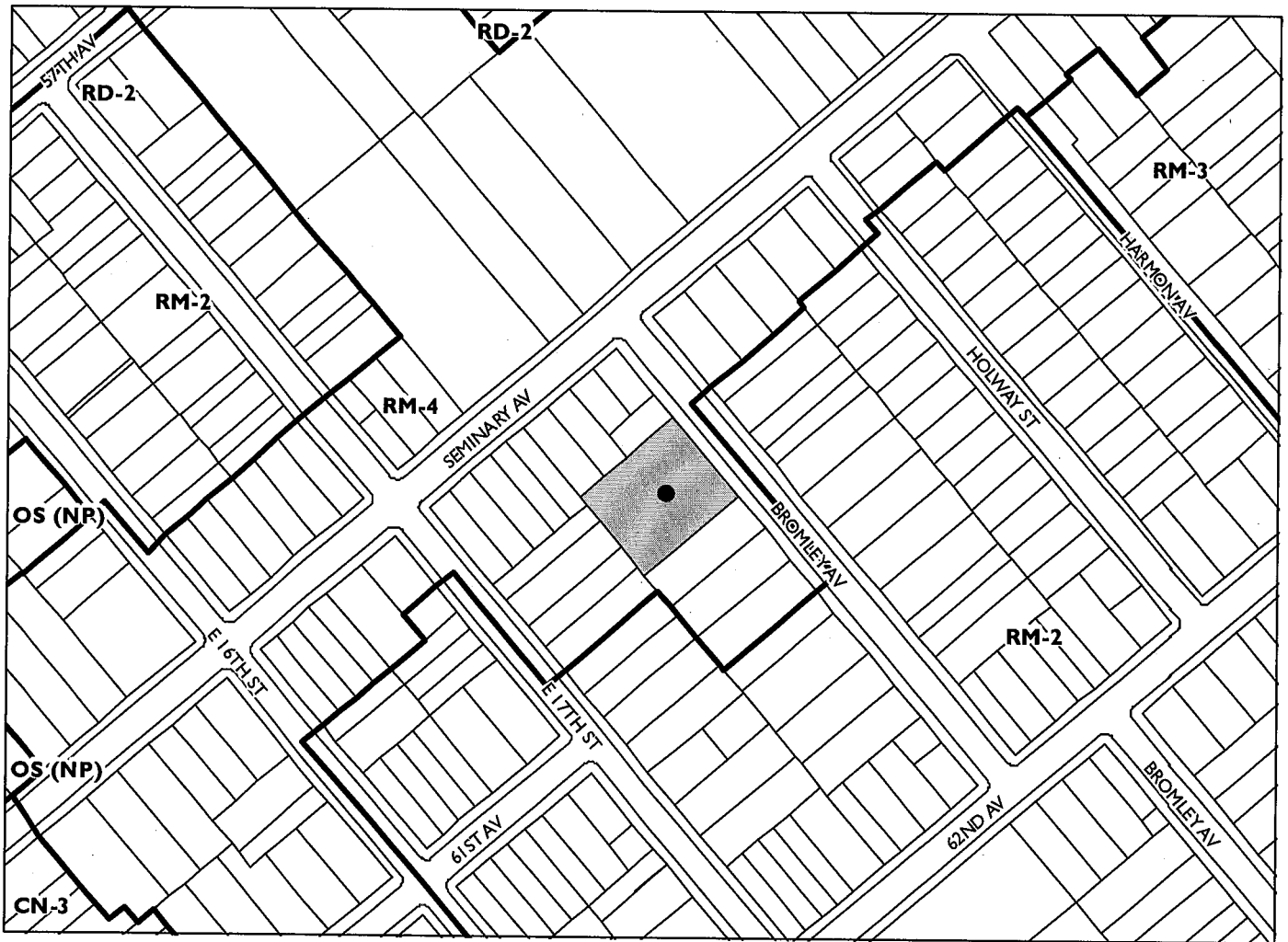
August 3, 2016

|                                     |   |
|-------------------------------------|---|
| <b>Location:</b>                    | 5917 Bromley Avenue (See map on reverse)  |
| <b>Assessors Parcel Number:</b>     | 038-3215-011-01   |
| <b>Proposal:</b>                    | Proposal for a new three story 13-unit townhome style development.  |
| <b>Applicant:</b>                   | Mark Snow and Kent Lau / (435)275-6900 and (510) 816-1381   |
| <b>Owner:</b>                       | Community First Development Fund III, LLC   |
| <b>Planning Permits Required:</b>   | Major Conditional Use permit for a more than 7 dwelling units in the RM-4 Zone, Minor Variance for substandard open space (private open space provided in-lieu of group open space) and Regular Design Review for new construction. |
| <b>General Plan:</b>                | Mixed Housing Type Residential  |
| <b>Zoning:</b>                      | RM-4  |
| <b>Environmental Determination:</b> | Exempt, Section 15332 of the State CEQA Guidelines; in-fill development projects; and Section 15183 of the CEQA Guidelines, projects consistent with a community plan, general plan, or zoning.                                     |
| <b>Historic Status:</b>             | Vacant Lot  |
| <b>Service Delivery District:</b>   | 4   |
| <b>City Council District:</b>       | 6   |
| <b>Date Filed:</b>                  | 12/10/15  |
| <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>Moe Hackett</b> at 510-238-3973 or by e-mail at <a href="mailto:mhackett@oaklandnet.com">mhackett@oaklandnet.com</a> .  |

## PROJECT DESCRIPTION

The proposal is to develop an existing 18,729 square foot vacant lot at 5917 Bromley Avenue into a thirteen unit townhome style development with an access driveway, and other common areas. The homes would be developed as a trio of three story buildings divided into single-family townhouses with common walls. The site's development pattern consists of two buildings facing onto Bromley Street and a third building spanning the rear portion of the lot facing the interior driveway and maneuvering area. Open space would be located in the front and rear of the lot as individual private yards, and the garage doors would face onto the internal driveway.

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN15395  
Applicant: Mark H. Snow and Kent Lau  
Address: 5917 Bromley Avenue  
Zone: RM-4

**PROPERTY DESCRIPTION**

The subject site is an 18,729 square foot site on the north side of Bromley Avenue between Seminary Avenue and 62<sup>nd</sup> avenue in the Seminary / Havenscourt area of East Oakland. The site is currently vacant and has been vacant for many years. The subject lot is surrounded by a mix of older single-family homes and a few newer multi-family buildings constructed in the 60's-70's era.

**GENERAL PLAN ANALYSIS**

The subject property is located within the Mixed Housing Type Residential General Plan Land Use classification. This land use classification is intended to create, maintain, and enhance residential areas that are characterized by a mix of single family, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate. This General Plan land use classification allows for 30 principal units per gross acre.

The creation of 13 new single-family townhomes is consistent with the Mixed Housing Type Residential General Plan classification.

**ZONING ANALYSIS**

The subject property is located within the RM-4, Mixed Housing Type Residential Zone -4. The RM-4 Zone is intended to create, preserve, and enhance areas that are characterized by a mix of single family homes, townhouses, small multi-unit buildings at somewhat higher densities than RM-3.

**Density**

The RM-4 zoning allows a maximum of 1 dwelling unit per 1,100 square feet of lot area upon the granting of a Conditional Use Permit. Pursuant to Planning Code Section 17.134 and proposal within an RM-4 Zone that includes seven or more dwelling units must be approved by the Planning Commission. Given the site area of 18,729 square feet the maximum of 17 dwelling units would be allowed. The proposed 13 units is well within the maximum number of units allowed.

Staff feels that the granting of the Major Conditional Use Permit is warranted given that the project would introduce a new residential use on a large parcel that currently creates a visual void in the neighborhood block. The proposed townhouse development was encouraged to try to best retain the character of the neighborhood which consists of many single-family dwellings in addition to a few multi-family buildings. In addition, the proposed lot is much larger than other lots in the area and a multi-family development is appropriate on a site of this type and is still below the maximum density allowed on the property.

**Open Space Variances**

The RM-4 Zone requires 175 square feet of open space per unit. This requirement is far exceeded by providing for individual private yards for each townhouse unit. However, the Zone still requires that a minimum group open space be provided in the amount of 70 square feet per dwelling. The project site does not provide any group open space and thus a Minor Variance is being requested. Staff feels that the granting of the Minor Variance is warranted given that the rear and front portions of the lot would on their own qualify as the required group open space, but as part of the townhouse design of the project the space is being allocated as private open space to function as individual yards. This approach provides for a superior design solution improving the livability of the units and fulfills the intent of the open space regulations.

**KEY ISSUES**

The proposed development, while containing a differing architectural style than the surrounding multi-family buildings in area that were built in the 60's-70's, will contain design elements similar to the older housing stock seen around the area. The buildings will have a mix of horizontal painted Hardie board and stucco siding, with evenly spaced windows and a consolidated roof line. The buildings will be three stories tall at approximately 34 feet 2 inches to the top of the roof pitch. The ground floor of the buildings will contain at-grade entry porches. While the majority of the units will face in towards the interior automotive maneuvering court, the six front facing units will add to the street-scape by providing a deep landscaped front yard with prominent entry ways. The front facing fences will have at minimum of 60% transparency and will have landscaping incorporated in front of the fence at the sidewalk.

**ENVIRONMENTAL DETERMINATION**

For purposes of environmental review under the California Environmental Quality Act (CEQA), the project meets the criteria for a Categorical Exemption under Section 15183 of the CEQA Guidelines, and Section 15332 of the CEQA Guidelines. The subject property is vacant and does not contain any historic resources and is not a hazardous materials site listed on the Cortese List. The criteria for a Categorical Exemption under Section 15332 of the CEQA guidelines are as follows:

- 1) The project is consistent with the applicable general plan designation and all general plan policies as well as with applicable zoning designation and regulations.**

The proposed project is consistent with the Mixed Housing Type General Plan designation by creating 13 new single family homes, and by meeting the required findings of the zoning regulations.

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

The development site is located within the Oakland City limits, is less than five acres and is completely surrounded by urban uses.

- 3) The project site has no value as habitat for endangered, rare, or threatened species.**

The project site has been previously developed and does not contain any habitat for endangered, rare, or threatened species.

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

The proposed project is located on Bromley Street, which is a secondary arterial road, and the 13 proposed homes would not create a trip generation so high that it would reduce the existing level of service (LOS) for the surrounding streets as it would result in less than 20 peak hour trips. With implementation of standard conditions of approval related to construction management and noise reduction measures, the project would not result in any significant impacts on traffic, noise, air quality, or water quality.

- 5) The site can be adequately served by all required utilities and public services.**

All required utilities are readily accessible on the surrounding streets, and the site will be adequately served by public services in the area.

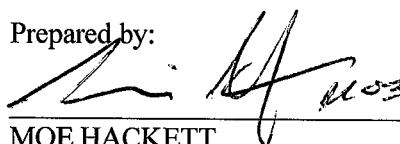
**CONCLUSION**

Staff feels that the proposed project is a good reuse of the long time vacant site that currently creates a visual void in the neighborhood pattern. The proposal will create a uniform town home development that differentiates the site from the original neighborhood subdivision, but uses materials and a building style that is consistent with the neighborhood character.

**RECOMMENDATIONS:**

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

Prepared by:



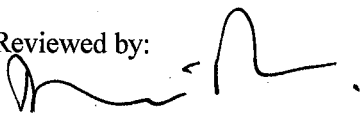
MOE HACKETT  
Planner II

Reviewed by:



SCOTT MILLER  
Zoning Manager  
Bureau of Planning

Reviewed by:



DARIN RANELETTI  
Deputy Director  
Bureau of Planning

Approved for Forwarding to the  
City Planning Commission:



RACHEL FLYNN, Director  
Department of Planning and Building

**ATTACHMENTS:**

- A. Findings for Approval
- B. Conditions of Approval
- C. Project Plans

**ATTACHMENT A****FINDINGS FOR APPROVAL**

This proposal meets all the required Use Permit criteria (Section 17.134.050), Variance Findings (Section 17.148.050) and Design Review Criteria (Section 17.136.050) as set forth below and which are required to approve your application. Required findings are shown in **bold type**; reasons your proposal satisfies them are shown in normal type.

**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 mini-lot development will fill in a long standing vacant parcel in the middle of the neighborhood. The proposed project would develop 13 new single-family townhomes that would be an integrated project, and would also help to tie the neighborhood back together on the south western side of the street by filling in the vacant site with a residential development. While architecturally different from the older homes and 60's and 70's era multi-unit buildings on the block, this development contains similar exterior materials and is of a scale that is generally consistent with the surrounding residential neighborhood. The scale and site coverage of the project would not be that different from the newer elements of existing neighborhood character. The proposal will also allow for one driveway access point for an internal driveway with interior facing garage doors which will help to improve the setting of the project as seen from the street frontage. The 13 proposed units would not generate traffic to a level that would degrade any nearby Level of Service of any intersection as the site would generate less than 20 peak hour trips, and all required utilities are readily available in the area.

- 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 proposed development will be an attractive and functional living environment by providing the majority of the units with more than adequate open space in a private yards, as well as providing interior facing private decks for additional open space. The development will fill in a long standing vacant parcel, and will become part of the residential fabric of the community.

- 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 enhance the area as a residential neighborhood by adding dwelling units to an existing vacant lot and will also provide new home ownership opportunities.

- 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.**

***FINDINGS***

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.**

The construction of 13 new single-family townhome dwellings on the parcel is consistent with the Mixed Housing Type Residential General Plan Area.

**17.148.050A VARIANCE FINDINGS**

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

The strict compliance with the requirement for group open space would preclude an effective design solution improving livability given that the design of the buildings includes that of a townhouse design rather than an apartment building, therefore with the proposed layout each dwelling unit contain their own individual yards that far exceed the minimum requirement.

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

The requirement for a group open space is to require minimum dimensional standards for an open space that all tenants of a building may enjoy. By allowing the substitution of group space for individual yards, the project is allowing for a greater amount of open space and making the open spaces more accessible to each unit.

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

The granting of the variances will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area as it is helping to facilitate a new townhouse development that improves the visual character of the street while promoting an active street front with the pedestrian oriented stoops, maximizing open space for the units as well as on-street parking.

***FINDINGS***

- 4. That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the zoning regulations.**

The granting of the variance would not constitute a grant of special privilege, as often minor variances are granted when it can be shown that it is a superior design solution that still allows the intent of the Planning Code to be met without creating any negative impacts to the neighborhood.

- 5. That the elements of the proposal requiring the variance (e.g., elements such as buildings, walls, fences, driveways, garages and carports, etc.) conform with the regular design review criteria set forth in the design review procedure at Section 17.136.050.**

See Design Review findings below.

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

The construction of 13 new townhome style dwellings on an individual parcel is consistent with the Mixed Housing Type Residential General Plan Area. The proposed homes are consistent with the Design Guidelines and are not in conflict with any development control maps adopted by the City Council or Planning Commission.

**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 design will create a series of three story townhouse style single-family dwellings that while differing from the style of other multi-family developments in the area, contains design elements that are more related to the older housing stock in the neighborhood. The proposed building will contain similar exterior materials, such as horizontal siding and stucco and will contain vertically oriented front facing windows. Seven of the proposed homes will face onto an internal driveway that will remove garage doors from the public view while six will face out towards Bromley Avenue containing front porches with landscaped yards and fencing separating the homes from the sidewalk similar to the lower density homes 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 filling in an existing vacant lot with a multi-family townhome style development which contains a design that, while different, is compatible with other homes in the neighborhood.

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

The subject site is flat.



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

The subject 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 construction of 13 new townhome style dwellings on an individual parcel is consistent with the Mixed Housing Type Residential General Plan Area. The proposed homes are consistent with the Design Guidelines and are not in conflict with any development control maps adopted by the City Council or Planning Commission.

**ATTACHMENT B**

**1. Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, and the approved plans **received July 20, 2016**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

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

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

**3. Compliance with Other Requirements**

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

**4. Minor and Major Changes**

- a. Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning such as landscaping details / revisions, fence design, final building fenestration and details (such as windows, doors, trim & moldings, etc.), and the hardscape /drive way treatments.
- 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**

***CONDITIONS OF APPROVAL***

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

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

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

**7. Blight/Nuisances**

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

**8. Indemnification**

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called “City”) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys’ fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called “Action”) against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys’ fees.
- b. Within ten (10) calendar days of the filing of any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of

Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

**9. Severability**

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

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

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

**11. Public Improvements**

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

**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.

**AESTHETICS**

**14. Graffiti Control**

**Requirement:**

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

**When Required:** Ongoing

**Initial Approval:** N/A

**Monitoring/Inspection:** Bureau of Building

**15. Landscape Plan**

**a. *Landscape Plan Required***

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

**When Required:** Prior to approval of construction-related permit

**Initial Approval:** Bureau of Planning

**Monitoring/Inspection:** N/A

**b. *Landscape Installation***

**Requirement:** The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of

City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.

When Required: Prior to building permit final

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**c. *Landscape Maintenance***

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**16. Lighting**

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

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

***AIR QUALITY***

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

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

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

***CONDITIONS OF APPROVAL***

- g. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.
- h. 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”).
- 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.
- 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.

**CULTURAL RESOURCES**

**18. Archaeological and Paleontological Resources – Discovery During Construction**

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

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

In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All

significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**19. Human Remains – Discovery During Construction**

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

***GEOLOGY AND SOILS***

**20. Construction-Related Permit(s)**

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

***HAZARDS AND HAZARDOUS MATERIALS***

**21. Hazardous Materials Related to Construction**

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

- a. Follow manufacture’s recommendations for use, storage, and disposal of chemical products used in construction;
- b. Avoid overtopping construction equipment fuel gas tanks;



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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## ***HYDROLOGY AND WATER QUALITY***

### **22. Erosion and Sedimentation Control Measures for Construction**

Requirement: The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### **23. Site Design Measures to Reduce Stormwater Runoff**

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

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

**NOISE**

**24. Construction Days/Hours**

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

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

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**25. Construction Noise**

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

- a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.
- b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use

of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.

- c. Applicant shall use temporary power poles instead of generators where feasible.
- d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.
- e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **26. Extreme Construction Noise**

### ***a. Construction Noise Management Plan Required***

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

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

### ***b. Public Notification Required***

Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the

***CONDITIONS OF APPROVAL***

proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.

When Required: During construction (if applicable)

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

**27. Operational Noise**

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

***TRANSPORTATION/TRAFFIC***

**28. Construction Activity in the Public Right-of-Way**

**a. *Obstruction Permit Required***

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

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

Requirement: In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Transportation Services Division

Monitoring/Inspection: Bureau of Building

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

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

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**29. Bicycle Parking**

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**UTILITY AND SERVICE SYSTEMS**

**30. Construction and Demolition Waste Reduction and Recycling**

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

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Environmental Services Division

Monitoring/Inspection: Public Works Department, Environmental Services Division

**31. Underground Utilities**

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**32. Recycling Collection and Storage Space**

Requirement: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings

submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**33. Green Building Requirements**

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

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

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

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

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

- CALGreen mandatory measures.
- All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.
- 71 points minimum per the appropriate checklist approved during the Planning entitlement process.
- All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.
- The required green building point minimums in the appropriate credit categories.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

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

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

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

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

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

When Required: After project completion as specified

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

**Project Specific Conditions:**

**34. Driveway Pavement, Open Space, and fencing**

***Prior to issuance of a building permit***

The front portion of the driveway entry from Bromley Street shall contain a decorative form of paving such as brick, stone pavers, or other decorative materials. Detailed landscape plans including the location of all hard-scape and fencing shall be presented to the planning department for review and approval. Final details of these plans and revision shall be indicated on the building permit plan set, and is subject to final approval by the Zoning Manager.

**35. Trash Enclosure**

***Prior to issuance of a building permit***

Details of the proposed trash enclosure shall be submitted as part of the required building permit plan set. The final design shall be subject to approval by the Zoning Manager.

**36. Final Color and Material Selections, and Fenestrations**

***CONDITIONS OF APPROVAL***

***Prior to issuance of a building permit***

A material and color board shall be presented to the zoning manager for final review and approval. The final fenestration (including windows) shall be approved by the Zoning Manager.

**Applicant Statement**

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

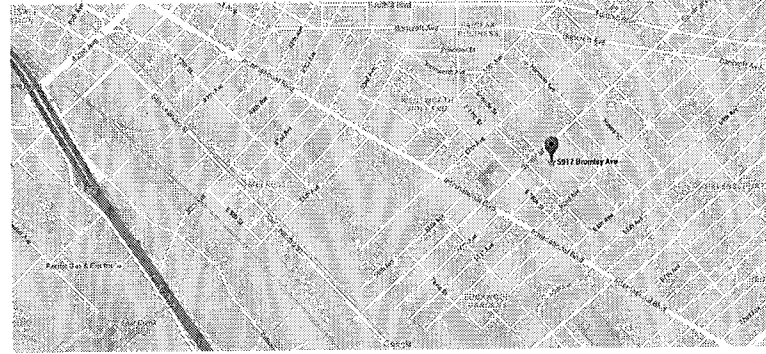
\_\_\_\_\_  
Name of Project Applicant

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

\_\_\_\_\_  
Date

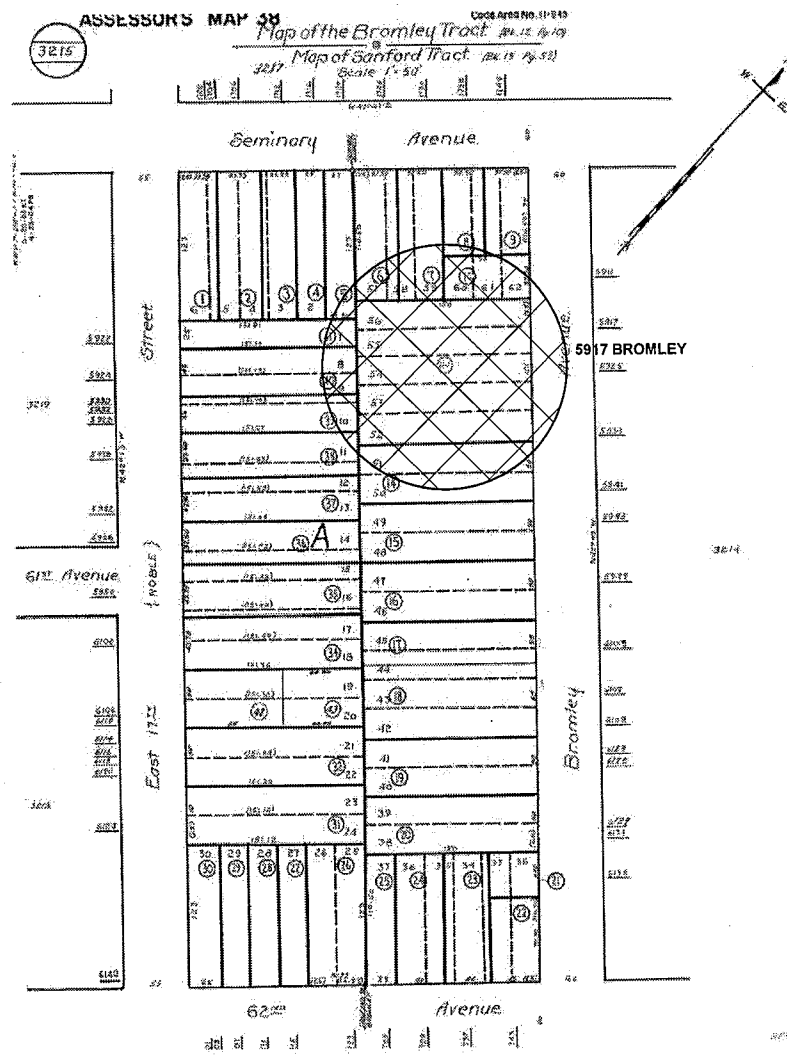


# ATTACHMENT C

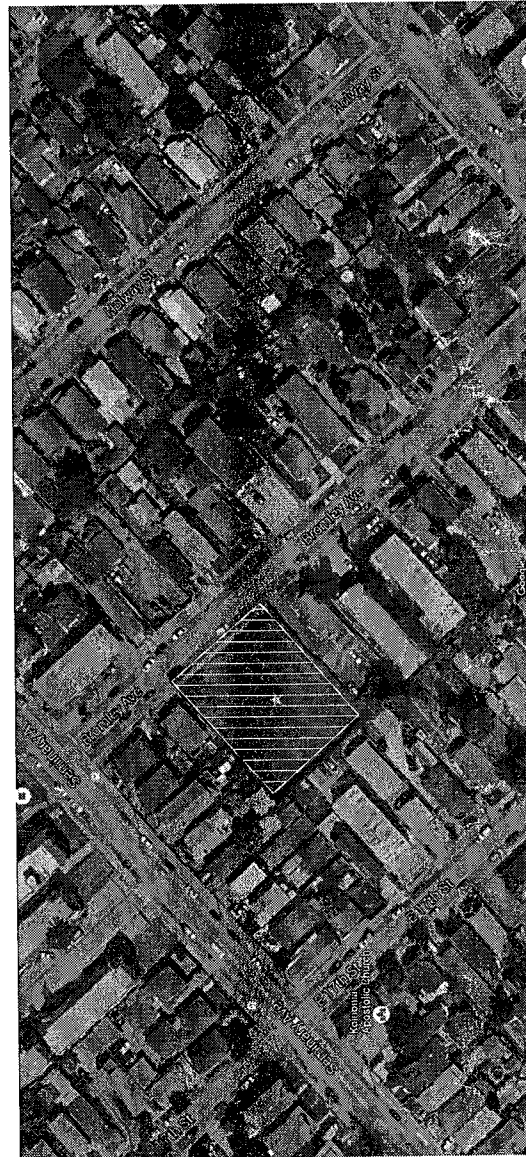


## 5917 BROMLEY AVENUE

### VICINITY MAP



### PARCEL MAP



### AERIAL VIEW

| SCOPE OF WORK |  |
|---------------|--|
| 1.            | 13 UNIT TOWNHOUSE PROJECT WITH INDIVIDUAL MINI LOTS. THE CURRENT ZONE DESIGNATION IS RM-4 AND THE PERMITTED DENSITY IS ONE UNIT PER 1,100 SQ. FT. OF LAND. |
| 2.            | THE PROJECT DENSITY IS 1 UNIT PER 1,442 SQ. FT. AND IS A MAXIMUM OF 35 FEET IN HEIGHT.   |
| 3.            | EACH DWELLING UNIT AND GARAGE SHALL BE PROTECTED WITH AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH NFPA 13 D.                                |

| PROJECT INFORMATION:        |   |
|-----------------------------|---|
| <b>PROPERTY OWNER:</b>      | COMMUNITY FIRST DEVELOPMENT FUND III, LLC<br>36341 MISSION BLVD. FREMONT CA. 94536<br>CONTACT PERSON: PAUL LEJOY<br>lejoy@lejoy.net |
| <b>PROJECT DESIGNER:</b>    | MARK H. SNOW ASSOCIATES<br>191 WEST 685 SOUTH IVINS, UTAH 84138<br>CONTACT PERSON: MARK SNOW<br>mhsnow@gmail.com                    |
| <b>STRUCTURAL ENGINEER:</b> | T.B.D.  |
| <b>CIVIL ENGINEER:</b>      | T.B.D.  |
| <b>SURVEYOR:</b>            | THE BRONSON COMPANY<br>6206 EPPS DRIVE WINTON, CA. 95368<br>CONTACT PERSON: KEVIN BRONSON<br>kevin@bransonco.com                    |
| <b>SOILS ENGINEER:</b>      | T.B.D.  |
| <b>LANDSCAPE ARCHITECT:</b> | T.B.D.  |

| PROJECT DESCRIPTION (APN: 439-55-070)   |   |
|---|---|
| LOT SIZE  | 18,729 sq. ft. (0.43 AC)                    |
| ZONING  | RM-4  |
| PLAN ONE PRIVATE SPACE (4 UNITS)  | 1,433 SQ. FT. (200 SQ. FT. (5,732 SQ. FT.)) |
| PLAN TWO PRIVATE SPACE (2 UNITS)  | 1,450 SQ. FT. (200 SQ. FT. (2,900 SQ. FT.)) |
| PLAN THREE PRIVATE SPACE (2 UNITS)  | 1,571 SQ. FT. (200 SQ. FT. (3,412 SQ. FT.)) |
| PLAN FOUR PRIVATE SPACE (5 UNITS)   | 1,507 SQ. FT. (200 SQ. FT. (7,535 SQ. FT.)) |
| COMMON AREA LANDSCAPE PRIVATE LANDSCAPE AREA  | 3,891 SQ. FT. (21%)                         |
| PAVING (IMPERVIOUS HARDSCAPE)   | 884 SQ. FT. (5%)                            |
| BUILDING FOOT PRINT (IMPERVIOUS) (TIED TO STORM DRAIN SYSTEM)   | 5,932 SQ. FT. (32%)<br>7,843 SQ. FT. (42%)  |
| CONSTRUCTION TYPE   | VN  |
| BUILDING OCCUPANCY  | R-3   |
| FIRE CODE   | 2013 CBC (CALIFORNIA AMMENDMENTS)           |
| MECHANICAL CODE   | 2013 CPC                                    |
| PLUMBING CODE   | 2013 CMC                                    |
| ELECTRICAL CODE   | 2013 CPC                                    |
| TITLE 24 ENERGY CODE  | 2013 CEC                                    |
| CITY OF OAKLAND LOCAL CODES AND ORDINANCES  |   |
| ENTIRE DWELLING AND GARAGE SHALL BE PROTECTED WITH AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH NFPA 13 D |   |

| SHEET INDEX                       |   |
|-----------------------------------|---|
| <b>ARCHITECTURAL SHEET INDEX:</b> |   |
| T1                                | TITLE SHEET                                     |
| A1                                | SITE PLAN                                       |
| A1.1                              | ENLARGED SITE - LANDSCAPE - LIGHTING PLAN       |
| A2                                | FLOOR PLAN - PLAN ONE                           |
| A3                                | FLOOR PLAN - PLAN TWO                           |
| A4                                | PLAN ONE & TWO EXTERIOR ELEVATIONS              |
| A5                                | PLAN ONE & TWO EXTERIOR ELEVATION - STREET VIEW |
| A6                                | FLOOR PLAN - PLAN THREE                         |
| A7                                | FLOOR PLAN - PLAN FOUR                          |
| A8                                | PLAN THREE & FOUR EXTERIOR ELEVATIONS           |
| B1                                | TOPOGRAPHIC SURVEY                              |

| REVISIONS |            |
|-----------|------------|
| PLANNING  | 20 JULY 16 |
| SUBMITTAL |            |
|           |            |
|           |            |
|           |            |

**GENERAL NOTES:**

THESE DRAWINGS ARE PROPRIETARY WORK PRODUCT AND PROPERTY OF MARK H. SNOW, DEVELOPED FOR THE EXCLUSIVE USE OF MARK H. SNOW. USE OF THESE DRAWINGS AND CONCEPTS CONTAINED THEREIN WITHOUT THE WRITTEN PERMISSION OF MARK H. SNOW IS PROHIBITED AND MAY SUBJECT YOU TO A CLAIM FOR DAMAGES FROM MARK H. SNOW.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

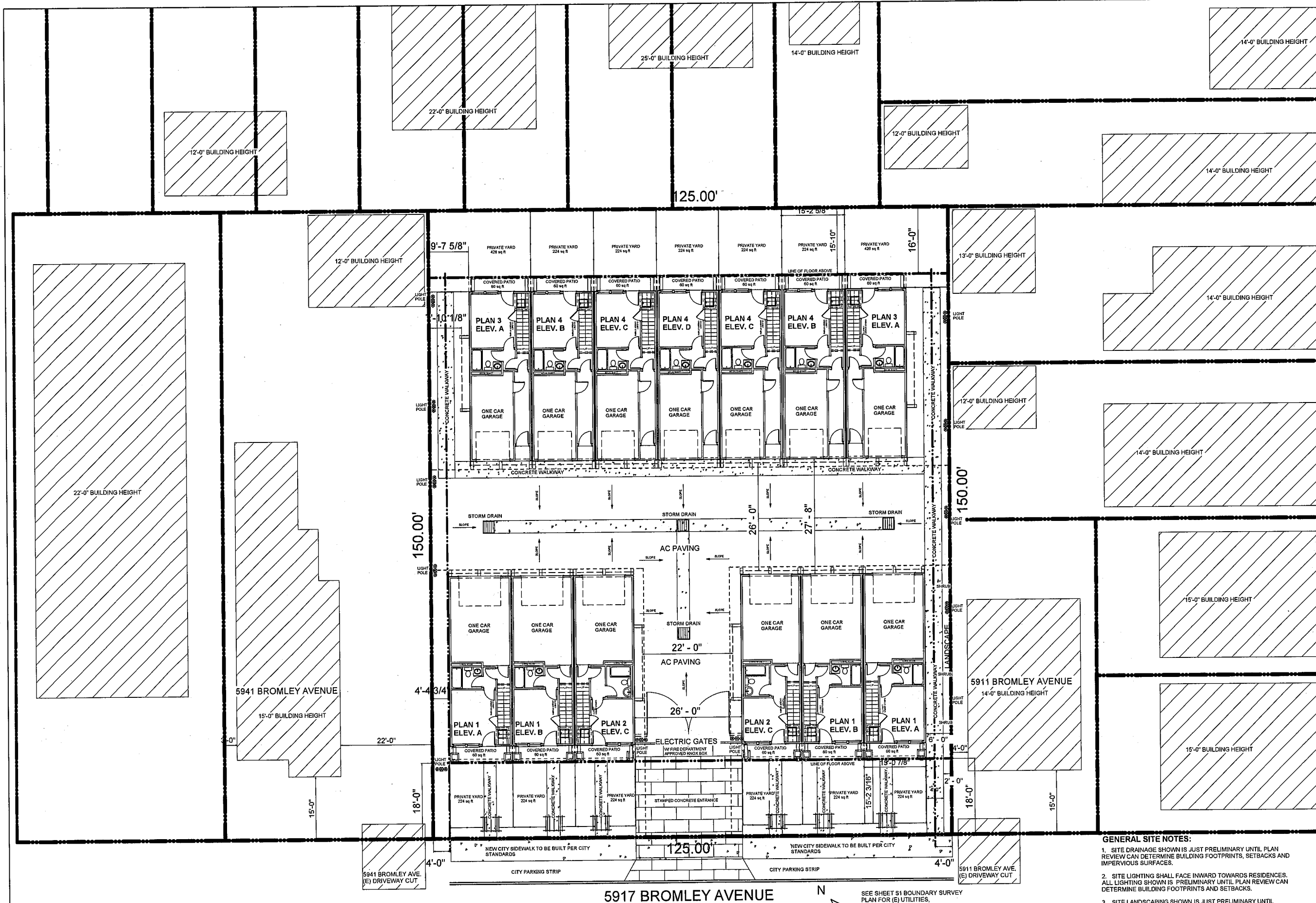
**COMMUNITY FIRST DEVELOPMENT**  
 5917 BROMLEY AVENUE, OAKLAND CALIFORNIA 94621

**TITLE SHEET**

*Mark H. Snow & Associates*

191 W 685 S IVINS, UTAH 84138  
 Phone (435) 275-6900 Fax (888) 771-9948 Email: mhsnow@gmail.com

|            |            |
|------------|------------|
| DATE:      | July 20-16 |
| SCALE:     | NOTED      |
| DRAWN BY:  | MHS        |
| JOB NO.    |            |
| <b>T-1</b> |            |
| SHEET NO.  |            |



| REVISIONS |            |
|-----------|------------|
| PLANNING  | 20 JULY 16 |
| SUBMITTAL |            |
|           |            |
|           |            |

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**COMMUNITY FIRST DEVELOPMENT**  
 5911 BROMLEY AVENUE, OAKLAND CALIFORNIA 94621

**SITE PLAN**

*Mark H. Snow & ASSOCIATES*

191 W 685 S VINIS, UTAH 84738  
 Phone (435) 275-6900 Fax (801) 771-8948 Email: mhsnau@gmail.com

|            |            |
|------------|------------|
| DATE:      | July 20-16 |
| SCALE:     | NOTED      |
| DRAWN BY:  | MHS        |
| JOB NO.    |            |
| <b>A-1</b> |            |
| SHEET NO.  |            |

- GENERAL SITE NOTES:**
- SITE DRAINAGE SHOWN IS JUST PRELIMINARY UNTIL PLAN REVIEW CAN DETERMINE BUILDING FOOTPRINTS, SETBACKS AND IMPERVIOUS SURFACES.
  - SITE LIGHTING SHALL FACE INWARD TOWARDS RESIDENCES. ALL LIGHTING SHOWN IS PRELIMINARY UNTIL PLAN REVIEW CAN DETERMINE BUILDING FOOTPRINTS AND SETBACKS.
  - SITE LANDSCAPING SHOWN IS JUST PRELIMINARY UNTIL PLAN REVIEW CAN DETERMINE BUILDING FOOTPRINTS, SETBACKS AND IMPERVIOUS SURFACES.

**SITE PLAN**      1" = 10'-0"

| REVISIONS |            |
|-----------|------------|
| PLANNING  | 20 JULY 16 |
| SUBMITTAL |            |
|           |            |
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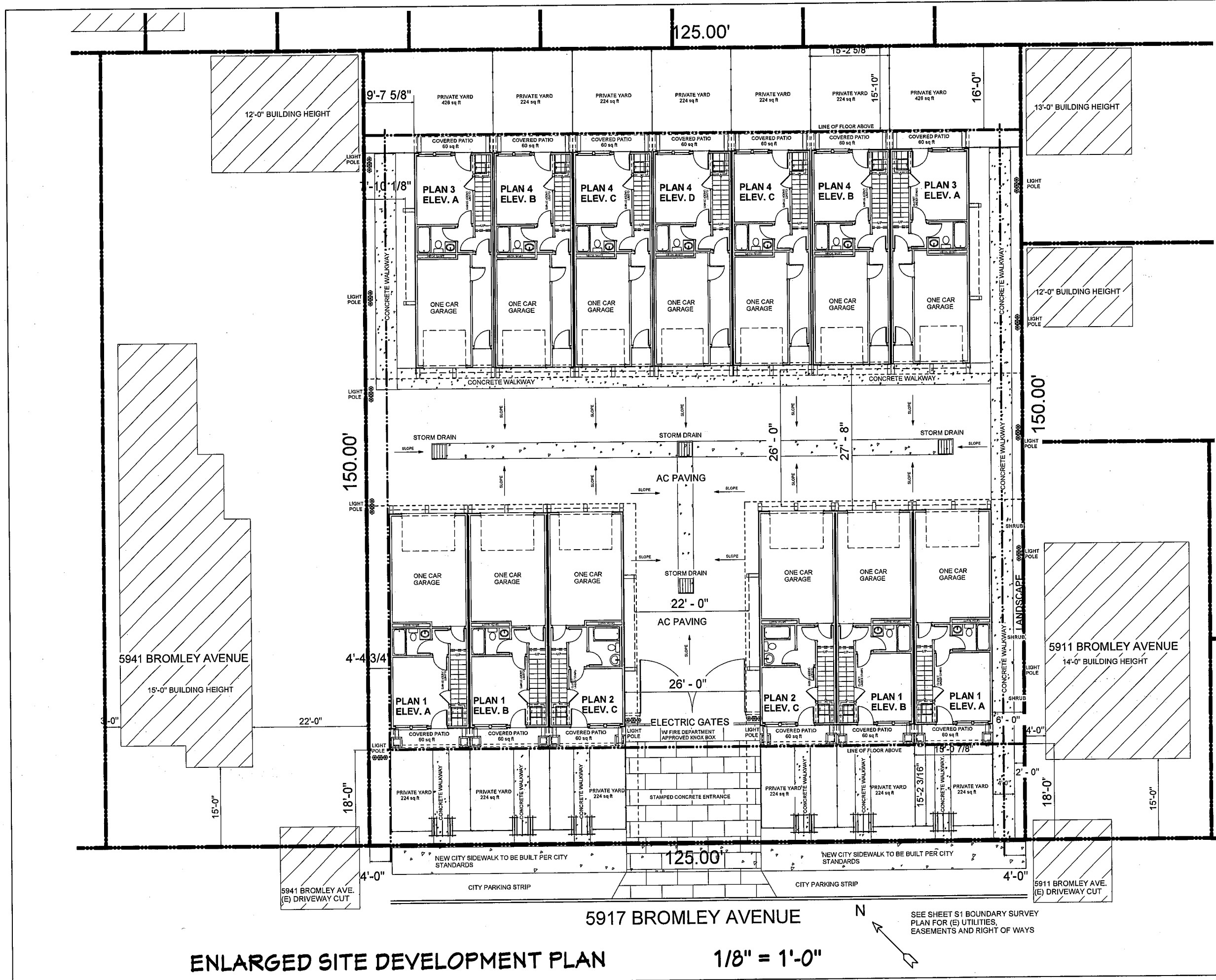
**ENLARGED SITE PLAN**

*Mark H. Snow & ASSOCIATES*

191 W 695 S IVINS, UTAH 84739  
Phone (435) 215-6400 Fax (888) 777-9346 Email: mhsnow@gmail.com

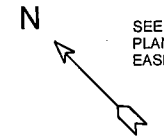
DATE: July 20-16  
SCALE: NOTED  
DRAWN BY: MHS  
JOB NO.

**A-1.1**  
SHEET NO.



**ENLARGED SITE DEVELOPMENT PLAN**

1/8" = 1'-0"



SEE SHEET S1 BOUNDARY SURVEY PLAN FOR (E) UTILITIES, EASEMENTS AND RIGHT OF WAYS

| REVISIONS |            |
|-----------|------------|
| PLANNING  | 20 JULY 16 |
| SUBMITTAL |            |
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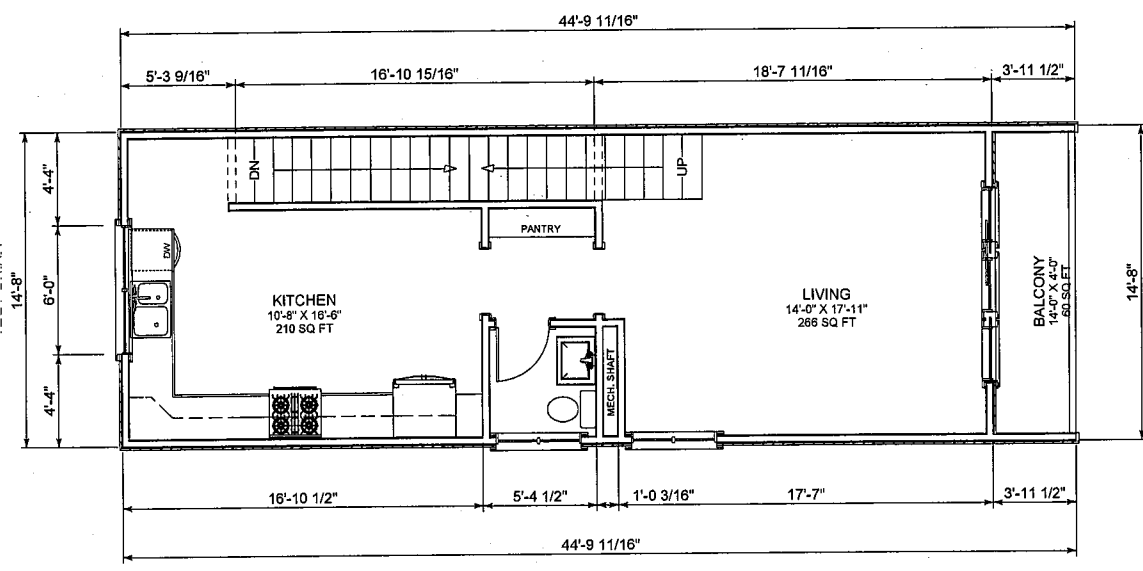
**COMMUNITY FIRST DEVELOPMENT**  
 5117 BROMLEY AVENUE, OAKLAND CALIFORNIA 94621

**PLAN ONE**

*Mark H. Snow*  
**ASSOCIATES**  
 191 W 695 S IVINS, UTAH 84138  
 Phone (435) 215-6400 Fax (833) 111-4343 Email: mhsnow@gmail.com

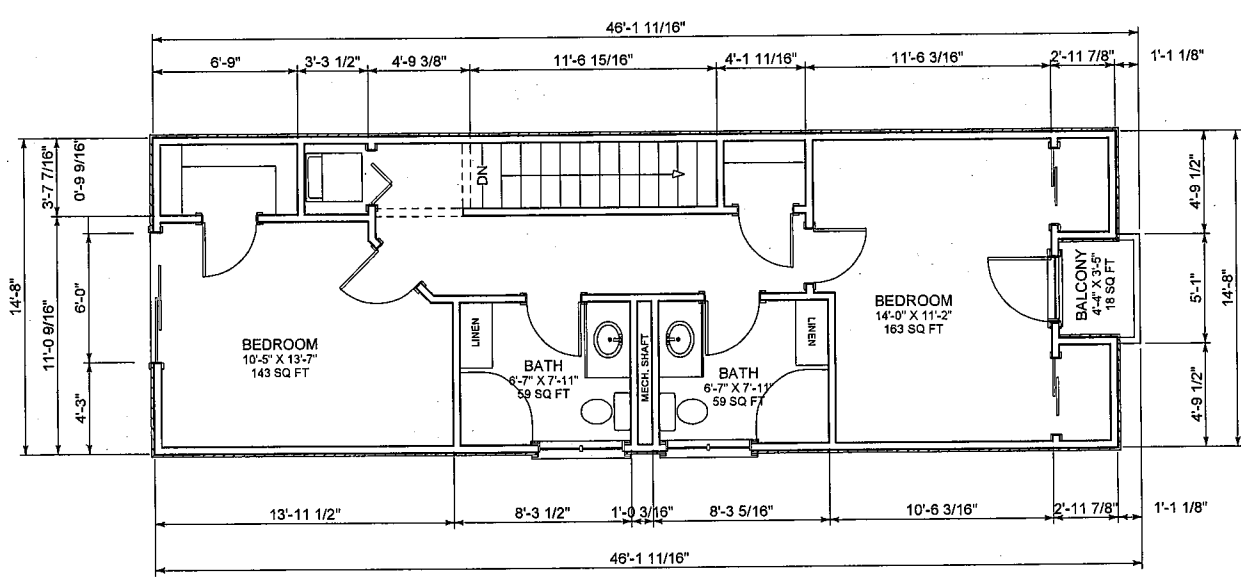
DATE: July 20-16  
 SCALE: NOTED  
 DRAWN BY: MHS  
 JOB NO.

**A-2**  
 SHEET NO.

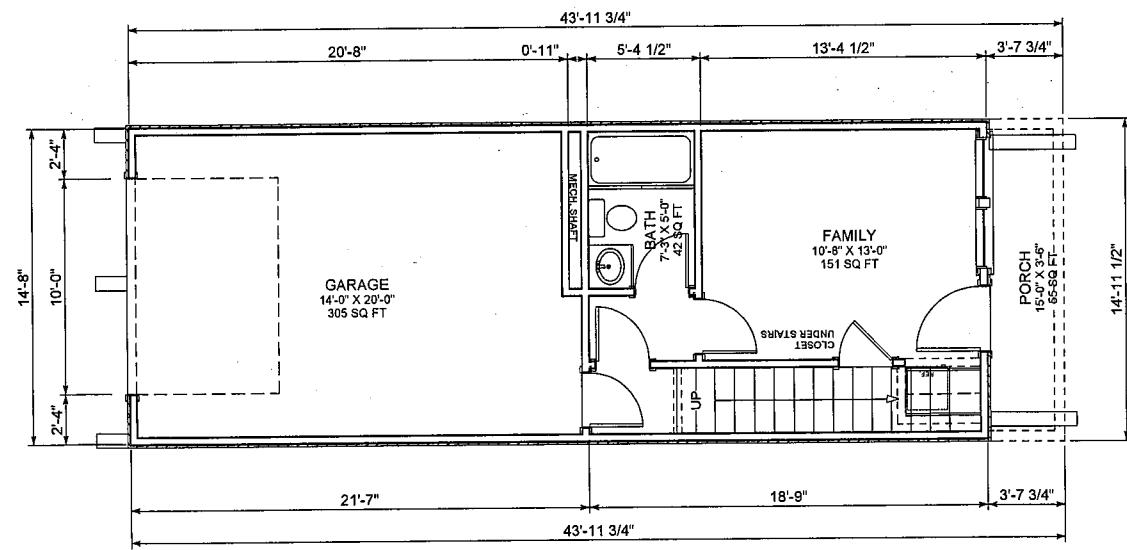


**SECOND FLOOR PLAN** 1/4" = 1'-0"

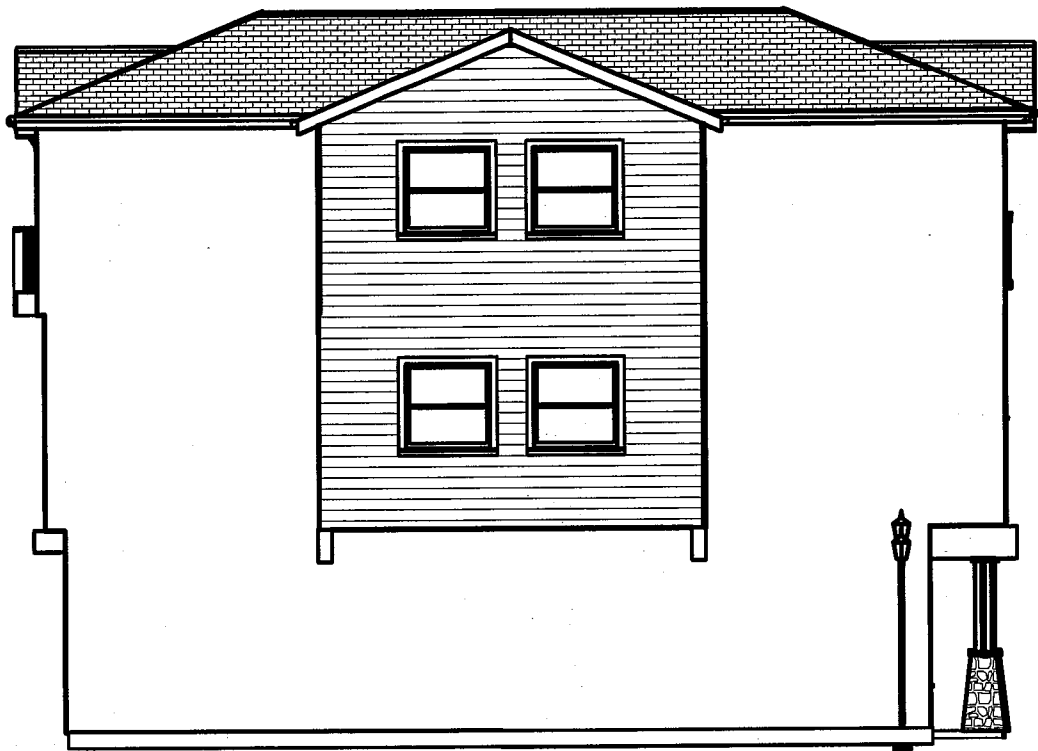
**FRONT ELEVATION-NORTH (FRONT BUILDING) A-B-C** 1/4" = 1'-0"



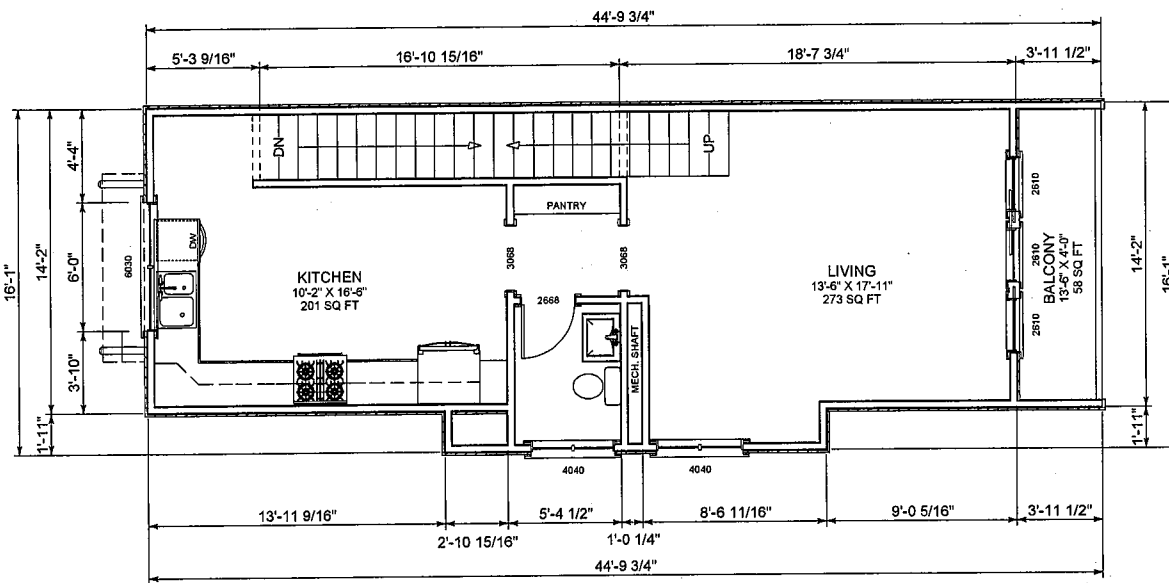
**THIRD FLOOR PLAN** 1/4" = 1'-0"



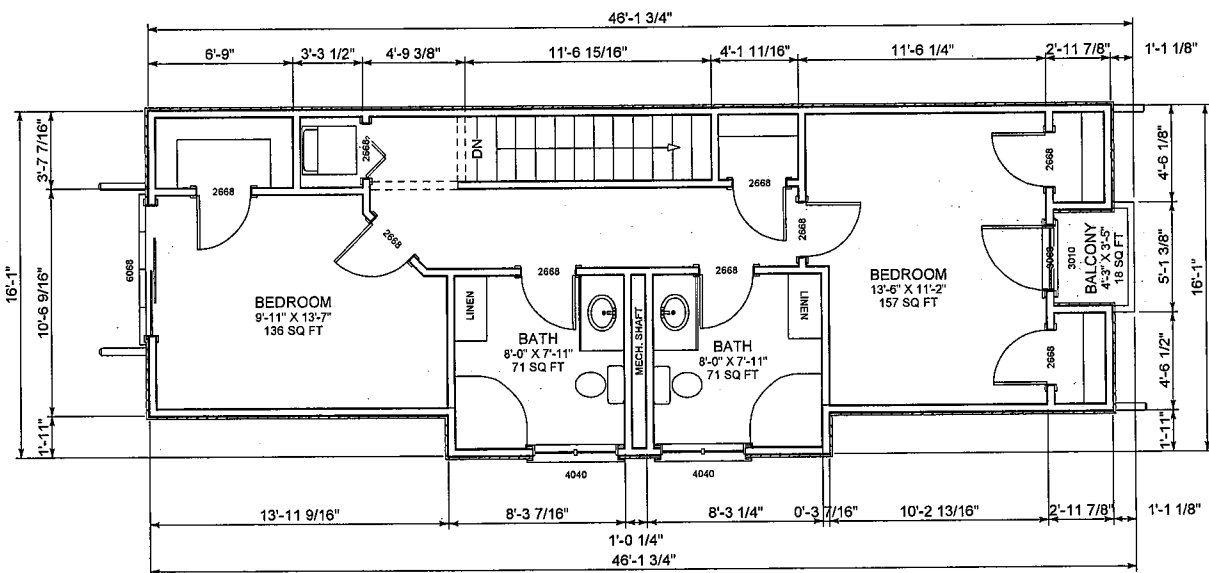
**FIRST FLOOR PLAN** 1/4" = 1'-0"  
**PLAN 1: (4 units)**



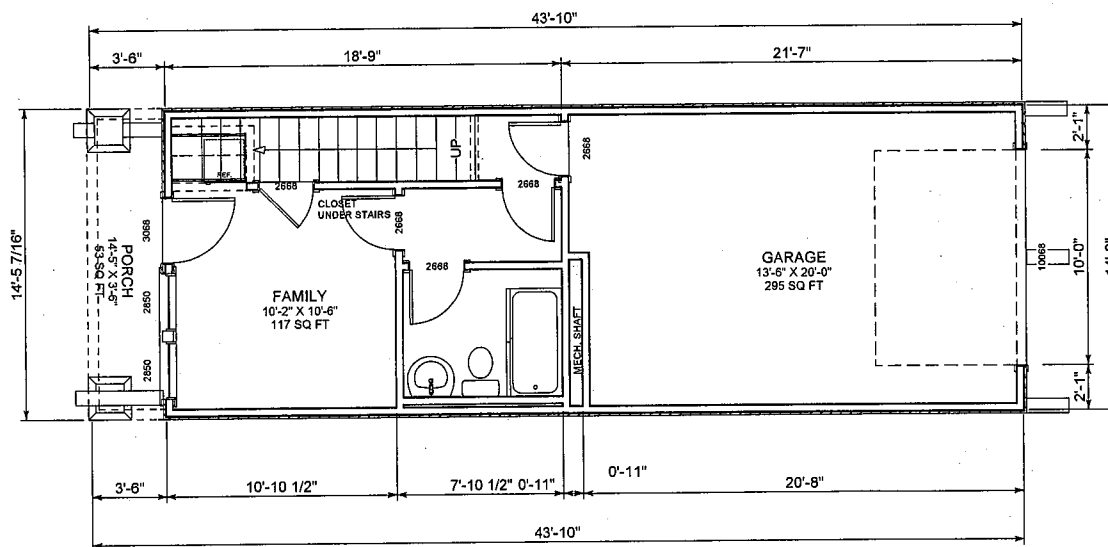
SIDE ELEVATION C FRONT BUILDING



SECOND FLOOR PLAN 1/4" = 1'-0"



THIRD FLOOR PLAN 1/4" = 1'-0"



FIRST FLOOR PLAN 1/4" = 1'-0"

PLAN 2 (ELEVATION C): (2 units)

| REVISIONS |            |
|-----------|------------|
| PLANNING  | 20 JULY 16 |
| SUBMITTAL |            |
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PLAN TWO

*Mark H. Snow & ASSOCIATES*  
 191 W.685 S IVINS, UTAH 84138  
 Phone (435) 275-6900 Fax (435) 777-9349 Email: mhsnow@gmail.com

|            |            |
|------------|------------|
| DATE:      | July 20-16 |
| SCALE:     | NOTED      |
| DRAWN BY:  | MHS        |
| JOB NO.    |            |
| <b>A-3</b> |            |
| SHEET NO.  |            |



| REVISIONS |            |
|-----------|------------|
| PLANNING  | 20 JULY 16 |
| SUBMITTAL |            |
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**PLAN 1&2 ELEVATIONS**

*Mark H. Snow & ASSOCIATES*  
 191 N 635 S IVINS, UTAH 84739 Email: mhsnow@gmail.com  
 Phone (435) 275-6400 Fax (888) 771-6946

DATE: July 20-16  
 SCALE: NOTED  
 DRAWN BY: MHS  
 JOB NO.

**A-4**  
 SHEET NO.



PLAN ONE ELEV. A    PLAN ONE ELEV. B    PLAN TWO ELEV. C

ELEV. A    ELEV. B    ELEV. C

REAR ELEVATION-NORTH (FRONT BUILDING) A -B-C



PLAN TWO ELEV. C    PLAN ONE ELEV. B    PLAN ONE ELEV. A

ELEV. C    ELEV. B    ELEV. A

PLAN ONE & TWO



| REVISIONS |            |
|-----------|------------|
| PLANNING  | 09 FEB. 15 |
| SUBMITTAL |            |
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5417 BROMLEY AVENUE, OAKLAND CALIFORNIA 94621

**PLAN 1&2 ELEVATIONS**

*Mark H. Snow & ASSOCIATES*  
141 N 685 S IVINS, UTAH 84738  
Phone (435) 275-6900 Fax (888) 771-4948 Email: mhsnow@gmail.com

DATE: NOTED  
SCALE: NOTED  
DRAWN BY: MHS  
JOB NO.

**A-5**  
SHEET NO.



PLAN ONE ELEV. A PLAN ONE ELEV. B PLAN TWO ELEV. C

PLAN TWO ELEV. C PLAN ONE ELEV. B PLAN ONE ELEV. A

**FRONT VIEW ELEVATION (FRONT BUILDING) 1/4" = 1'-0"**



PLAN ONE ELEV. A PLAN ONE ELEV. B PLAN TWO ELEV. C PLAN FOUR ELEV. D PLAN TWO ELEV. C PLAN ONE ELEV. B PLAN ONE ELEV. A

**STREET VIEW ELEVATION (FRONT BUILDING) 1/4" = 1'-0"**

| REVISIONS |            |
|-----------|------------|
| PLANNING  | 20 JULY 16 |
| SUBMITTAL |            |
|           |            |
|           |            |
|           |            |

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**PLAN THREE**

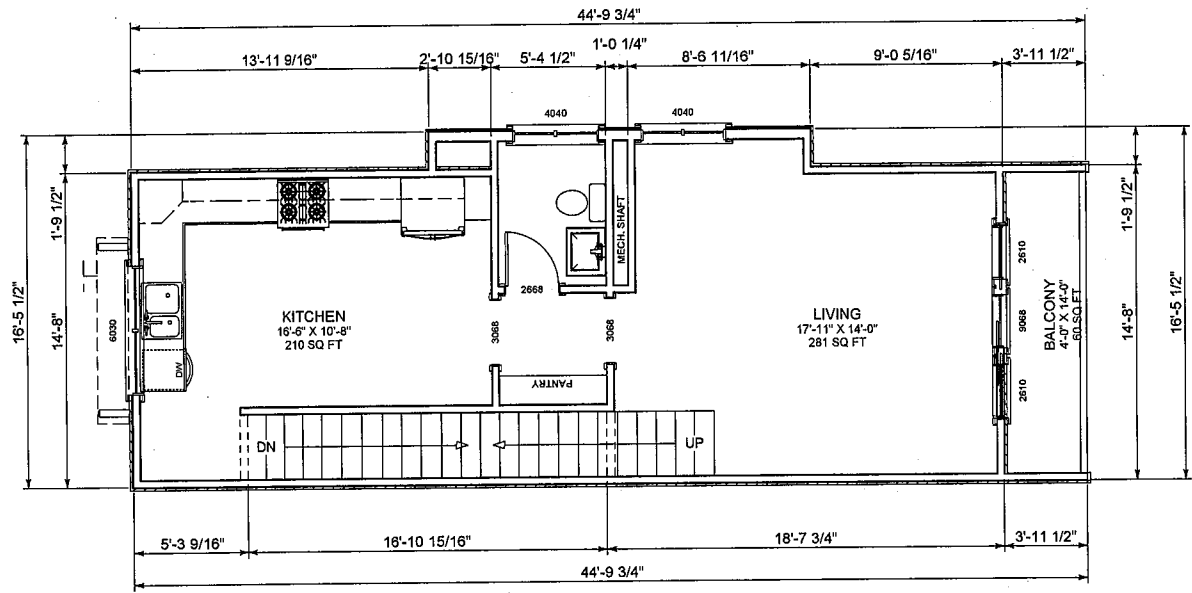
*Mark II Snow & Associates*

191 N 685 S VINNS, UTAH 84138  
Phone (435) 275-6900 Fax (801) 771-4349 Email: msnau@gmail.com

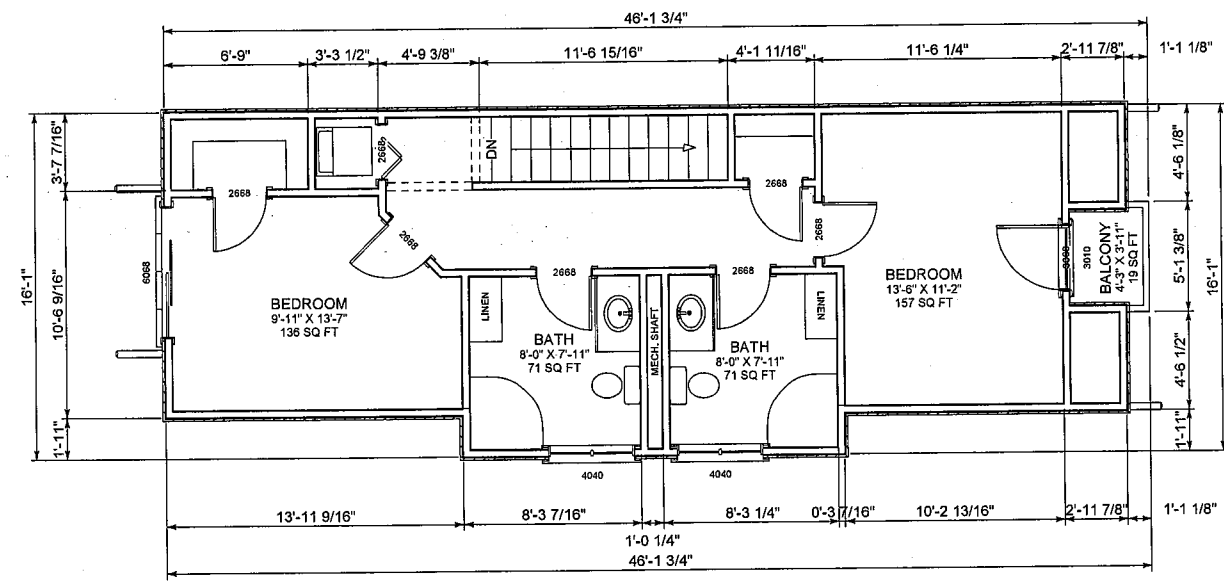
DATE: July 20-16  
SCALE: NOTED  
DRAWN BY: MHS  
JOB NO.  
**A-6**  
SHEET NO.



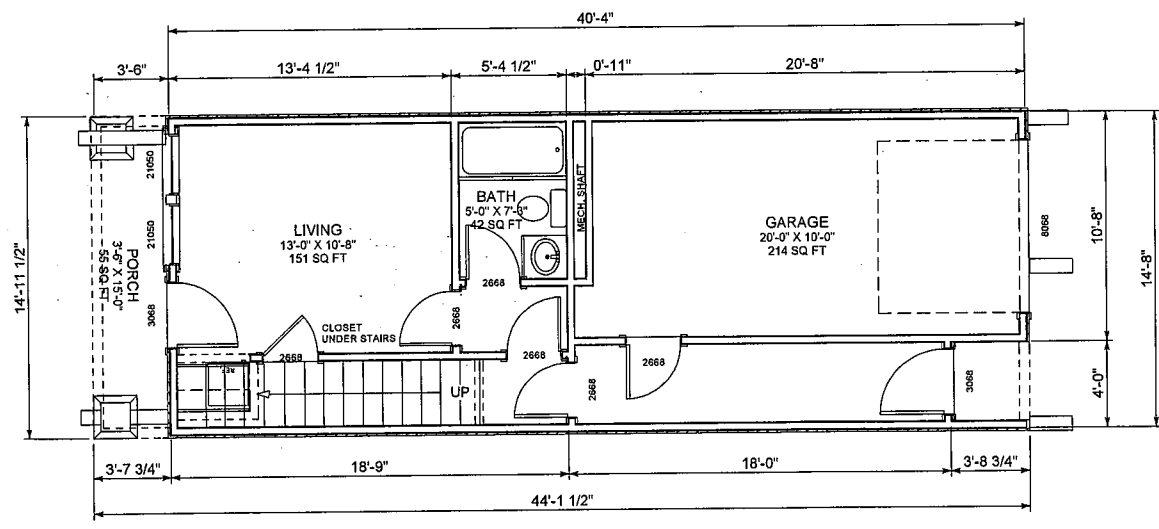
**SIDE ELEVATION EAST-WEST (REAR BUILDING) 1/4" = 1'-0"**



**SECOND FLOOR PLAN 1/4" = 1'-0"**



**THIRD FLOOR PLAN 1/4" = 1'-0"**



**FIRST FLOOR PLAN 1/4" = 1'-0"**

**PLAN 3 ELEVATION A: (2 units)**



| REVISIONS |            |
|-----------|------------|
| PLANNING  | 20 JULY 16 |
| SUBMITTAL |            |
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|           |            |

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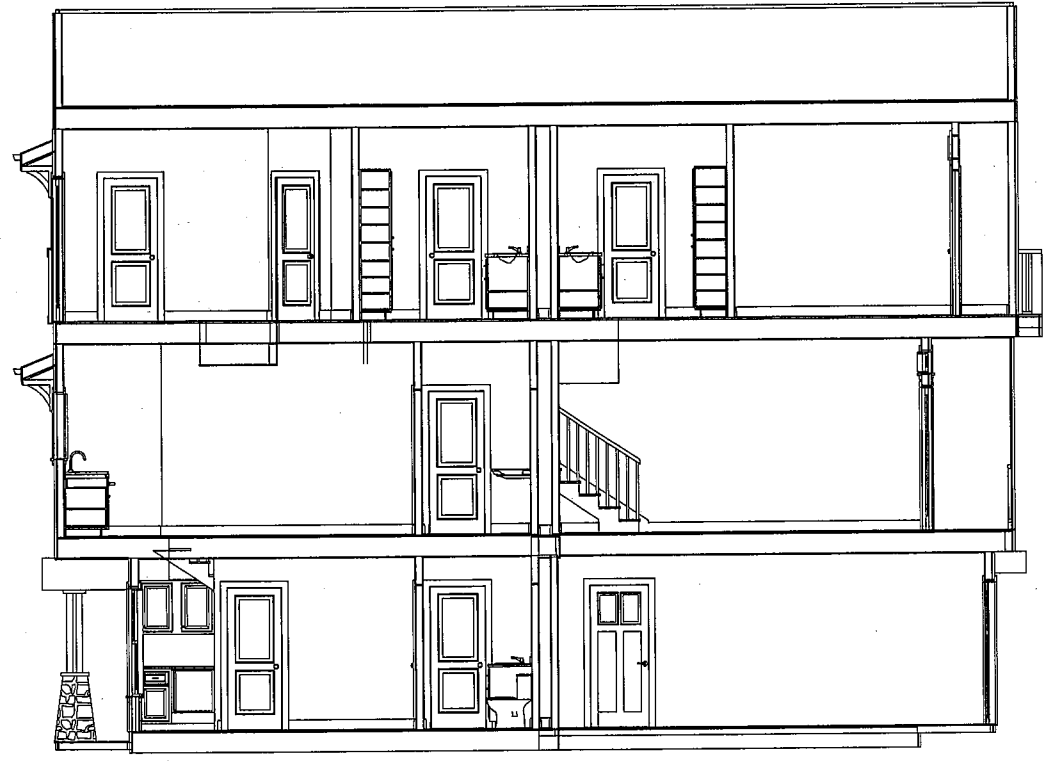
**COMMUNITY FIRST DEVELOPMENT**  
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**PLAN FOUR**

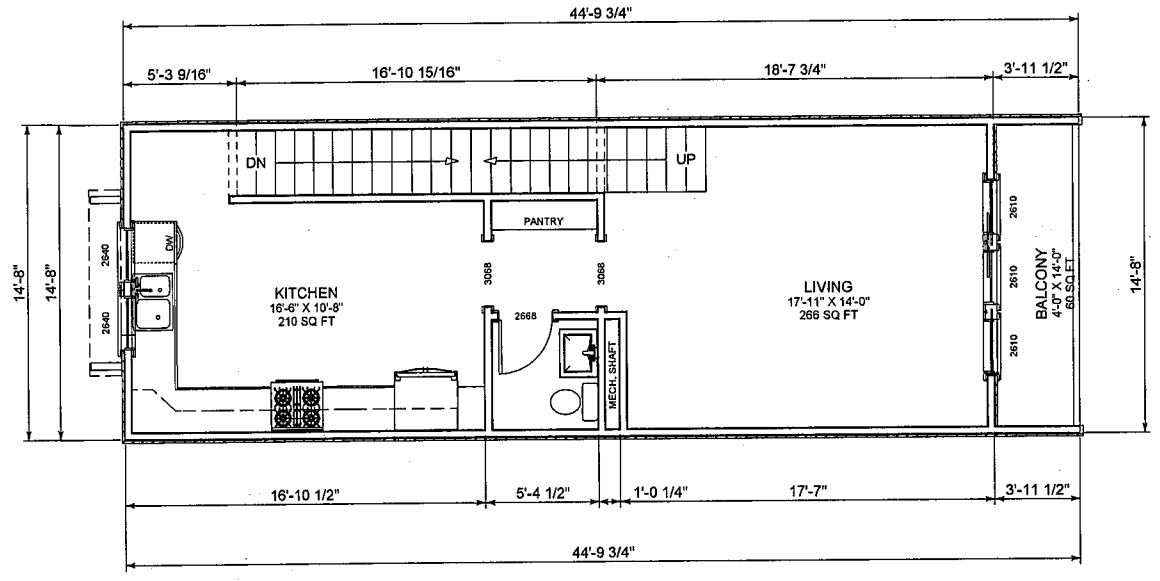
*Mark H. Snow & ASSOCIATES*  
 191 W 685 S, WINS, UTAH 84138  
 Phone (435) 215-6900 Fax (888) 771-9348 Email: mhsnow@gmail.com

DATE: July 20-16  
 SCALE: NOTED  
 DRAWN BY: MHS  
 JOB NO.

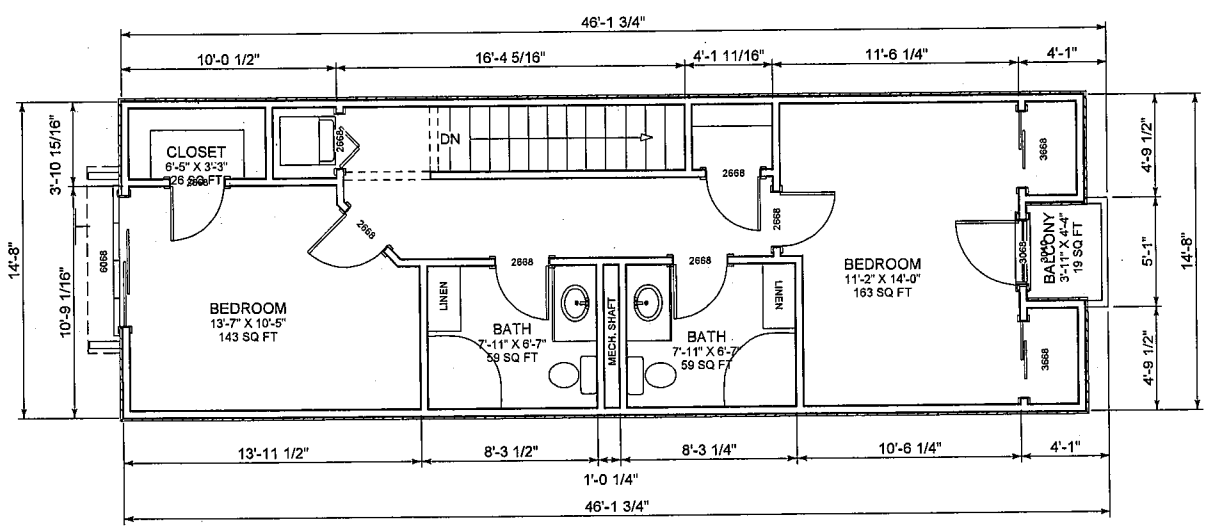
**A-7**  
 SHEET NO.



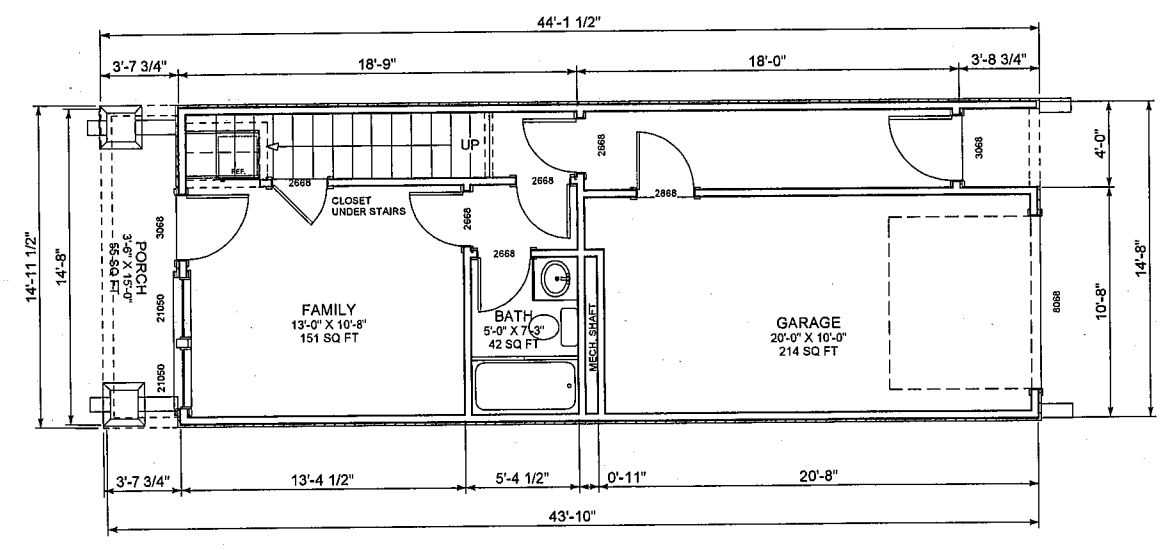
**ARCHITECTURAL CROSS SECTION** 1/4" = 1'-0"



**SECOND FLOOR PLAN** 1/4" = 1'-0"



**THIRD FLOOR PLAN** 1/4" = 1'-0"



**FIRST FLOOR PLAN** 1/4" = 1'-0"

**PLAN 4 ELEVATION B-C-D: (5 units)**



PLAN THREE  
ELEV. A

PLAN FOUR  
ELEV. B

PLAN FOUR  
ELEV. C

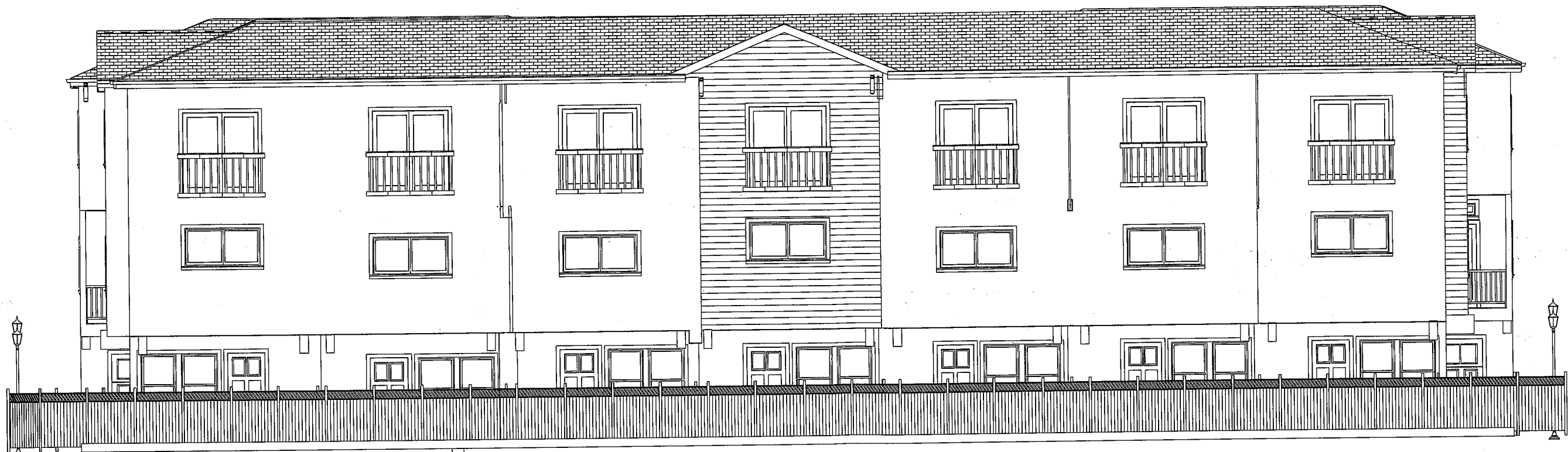
PLAN FOUR  
ELEV. D

PLAN FOUR  
ELEV. C

PLAN FOUR  
ELEV. B

PLAN THREE  
ELEV. A

FRONT ELEVATION- NORTH (REAR BUILDING) A -B-C-D



PLAN THREE  
ELEV. A

PLAN FOUR  
ELEV. B

PLAN FOUR  
ELEV. C

PLAN FOUR  
ELEV. D

PLAN FOUR  
ELEV. C

PLAN FOUR  
ELEV. B

PLAN THREE  
ELEV. A

REAR ELEVATION-SOUTH (REAR BUILDING) A -B-C-D

PLAN THREE & FOUR

| REVISIONS |            |
|-----------|------------|
| PLANNING  | 20 JULY 16 |
| SUBMITTAL |            |
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PLAN 3&4  
ELEVATIONS

*Mark H. Snow*  
**ASSOCIATES**

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DATE: July 20-16  
SCALE: NOTED  
DRAWN BY: MHS  
JOB NO.

**A-8**  
SHEET NO.