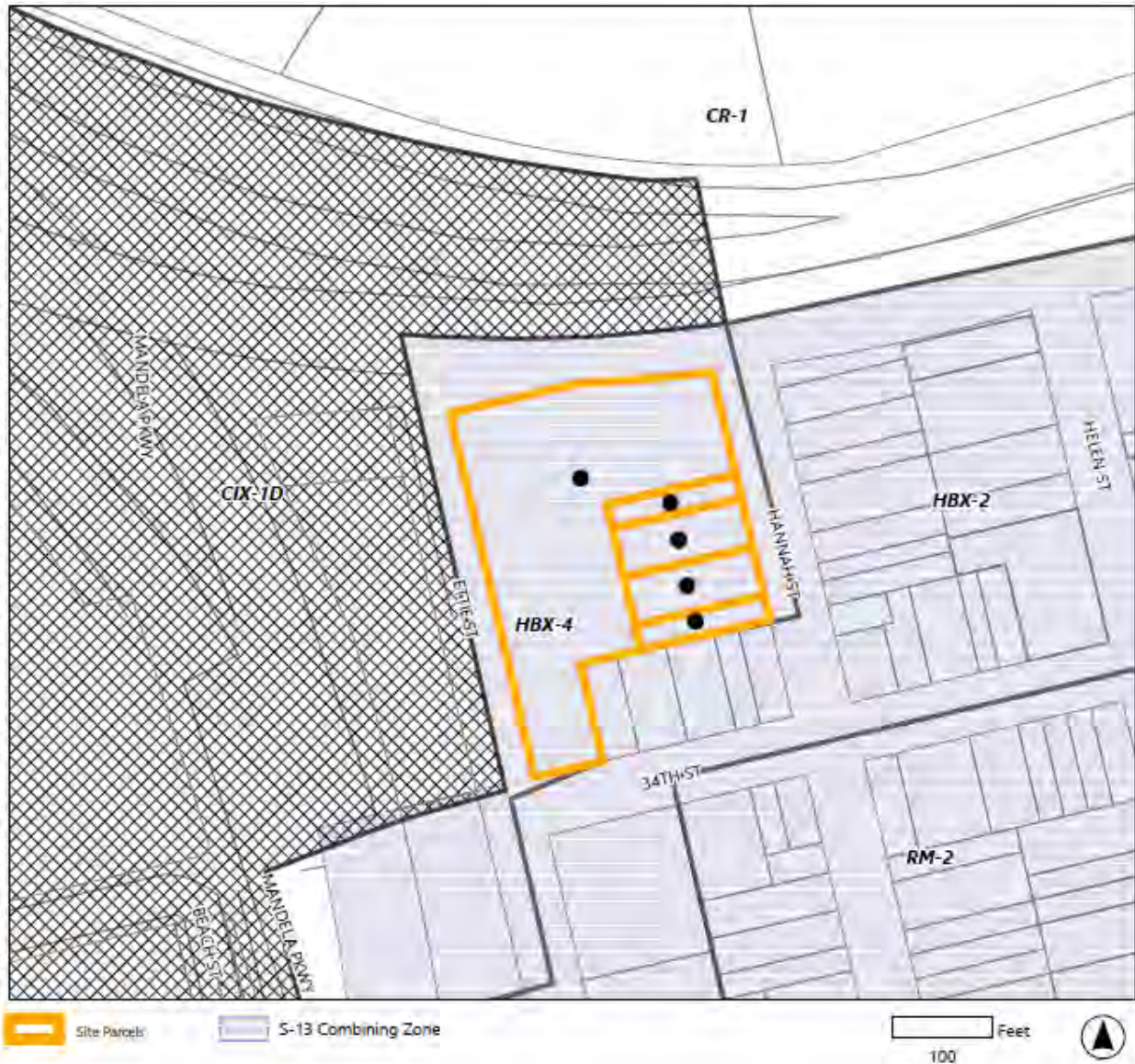


Location:	3400 Ettie Street
Assessor's Parcel Number(s):	007 060701902, 007 060700400, 007 060700500, 007 060700600, 007 060700700
Proposal:	Request for Major Variance and Conditional Use Permit, Regular Design Review, and Tentative Parcel Map (TPM) to allow for the alteration and extension of an existing non-conforming Trucking and Truck-Related Industrial Activity with related off-street parking in the HBX-4 zone; to facilitate the upgrading and expansion of an existing AAA towing operation. Development will include the voluntary merging of twelve (12) legal lots, the demolition of four (4) existing buildings, the construction of a new 15,294 sq. ft. commercial building and redesigned surface parking lot, and sitewide landscaping improvements.
Applicant:	MSA Architecture + Design
Contact Person/ Phone Number:	Shawn Anderson, (415) 852-4915
Owner:	Tulloch John F Corp.
Case File Number:	PLN24042, TPM11446
Planning Permits Required:	Tentative Parcel Map (TPM), Regular Design Review (DR), Major Variance and Major Conditional Use Permit (CUP)
General Plan:	Housing and Business Mix
Zoning:	Housing and Business Mix-4 (HBX-4), S-13
Proposed Environmental Determination:	A detailed CEQA Analysis was prepared for this project which concluded that the project is exempt from further review under CEQA Guidelines Section 15302 – Replacement or Reconstruction and CEQA Guidelines Section 15183 – Project Consistent with Existing Community Plan or Zoning. The CEQA Analysis may be reviewed on the City's website at: https://www.oaklandca.gov/resources/environmental-review-docs .
Historic Status:	N/A
City Council District:	3
Staff Recommendation:	Approve the development application subject to conditions.
Finality of Decision:	Appealable to City Council
For Further Information:	Contact Case Planner: Alexia Rotberg, Phone: (510) 418-8534, Email: arotberg@oaklandca.gov

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN24042
Applicant: Shawn Anderson
Address: 3400 Ettie Street
Base Zone(s): HBX-4
Combining Zone(s): S-13

SUMMARY

The applicant proposes to demolish and renovate the entire project site into an updated AAA facility to improve efficiency of existing operations. The project involves a Tentative Parcel Map to merge five (5) parcels into one, the demolition of four (4) existing buildings, the construction of a new 15,294 sq. ft. commercial building and redesigned surface parking lot, and sitewide landscaping improvements. There is no change in the existing use of the site proposed. The Major Variance and Conditional Use Permit request are to continue the existing activities on the site. The site is accessible from Ettie Street and 34th Street.

As detailed below, staff finds that the project meets all the required Findings. Therefore, staff recommends approval of the project subject to the Conditions of Approval (**Attachment B**).

BACKGROUND

The AAA emergency roadside service operations facility has been serving the community from its current location as an allowed use since 2012. The facility includes light service vehicle maintenance facilities, parts storage, and offices. Due to the aging structures, the applicant wishes to renovate the facility by demolishing the four (4) existing structures on the project site and construct a smaller dispatch center, maintenance building, and parking lot to improve the efficiency of existing operations and incorporate current building, development, and landscaping standards.

On October 19, 2012, a Zoning Determination under DET12-110 was issued. The Planning Department determined that the land use of vehicle, fleet, and equipment storage, minor vehicle maintenance, and administrative functions associated with roadside assistance fell under the umbrella of the “Taxi and Light Fleet-Based Service Commercial Activity” which is an outright permitted activity under the Housing Business Mix-2 zone.

PROJECT DESCRIPTION

The project involves the demolition of four (4) existing buildings totaling 25,842 square feet and Design Review for the construction of a singular building of 15,295 square feet, a Tentative Parcel Map for the merger of five (5) contiguous parcels, a Conditional Use Permit (CUP) for accessory off-street parking serving prohibited activities (tow truck parking), and a Major Variance for the continued use of tow truck maintenance and repair which is a prohibited use within the Housing and Business Mix - 4 (HBX-4) Commercial Zone.

The facility will be comprised of offices, storage, and a repair shop to provide routine maintenance for fleet vehicles. A new parking lot, landscaping, light poles, and perimeter fencing will also be constructed as part of the proposed project. The facility would operate 24 hours daily, accommodating a maximum of 35 employees

PROJECT SITE

The project site consists of five (5) contiguous parcels totaling approximately 1.8 acres. The subject property is bounded by Hannah Street to the north, 34th Street to the east, Ettie Street to the south, and I-580 to the west. The project site is relatively flat and is surrounded by residential development to the east, mixed commercial and residential development to the south, and commercial development to the west. I-580 runs perpendicular and north of the project site.

GENERAL PLAN ANALYSIS

The Project site is in the Housing and Business Mix land use classification. The Housing and Business Mix classification recognizes the equal importance of both housing and business. This classification is intended to guide a transition from heavy industry to low impact light industrial and other businesses that can co-exist compatibly with residential development. Respect for environmental quality, coupled with opportunities for additional housing and neighborhood-friendly businesses is desired, as well as the transition from industry that generates impacts detrimental to residences.

The Land Use Element further describes the Desired Character and Use in this designation to be compatible with housing, and development should recognize the mixed business nature of the area. Development of site-specific buffers are essential as are specific conditions under which business and housing will coexist. This classification allows housing, "live-work", low-impact light industrial, commercial, and service businesses, and compatible community facilities.

The maximum residential density is 50 principal units per gross acre. Efficiency Units and Rooming Units are allowed at up to twice the generally applicable maximum density. Residential projects satisfying the affordability thresholds in an affordable housing overlay can exceed this maximum residential density so long as they are otherwise consistent with zoning requirements. The maximum non-residential FAR is 3.0.

The required Findings for the Design Review, Major Variance, and Conditional Use Permit are attached and included in staff's evaluation as part of this report. The following is an analysis of how the proposed project meets applicable General Plan policies (staff analysis is the italicized text below each policies):

- LUTE Policy N1.1 Concentrating Commercial Development: Commercial development in the neighborhoods should be concentrated in areas that are economically viable and provide opportunities for smaller scale, neighborhood-oriented retail.

The AAA facility will remain in the same location but with an upgraded facility to better able serve the community. The overall building square footage has been reduced by over 10,000 square feet.

- LUTE Policy N1.5 Designing Commercial Development: Commercial development should be designed in a manner that is sensitive to surrounding residential uses.

The building and site design were created with consideration to the adjacent residential uses nearby to enhance the visual impact of the project site. The rear of the building which faces residential homes on Hannah Street, was designed similarly to the front of the

building and the tall metal and concrete perimeter wall will be replaced with wrought iron fencing to be less intrusive. The project will continue with the existing uses on the site and does not propose any new extensive uses. All activities will be contained within the site. The roll-up garage doors of the repair shop face Ettie Street to reduce noise and visual impacts to the residential homes on Hannah Street.

The administrative activity of the Project would be consistent with this General Plan Classification.

Race and Equity General Plan Compliance

In September 2023, the City of Oakland adopted an Environmental Justice element as part of Phase 1 of the General Plan update (EJ Element), which constitutes the baseline against which the Race and Equity Impact Assessment for this project is determined. The EJ Element “serves as the foundation for achieving equity and environmental justice when planning for future growth and development in Oakland.” The EJ Element identifies communities that are disproportionately impacted by environmental justice issues and proposes goals, policies, and objectives to reduce the unique or compounded health risks in these communities. It also contains a comprehensive table of actions to achieve those goals and objectives, many of which have already been implemented.

The project would be consistent with goals and policies outlined in the EJ Element including, but not limited to, the following:

- EJ-1.12 Construction Site Impacts. Through standard conditions of project approval, code enforcement, and other regulatory mechanisms, require new development to minimize disturbances of natural water bodies and natural drainage systems caused during construction and to implement measures to protect areas from road dust, erosion, and sediment loss.

Several standard conditions of approval were included for project approval in order to minimize impacts related to noise, lighting, dust, and drainage to neighboring properties.

- SF-8.2 Emergency Services Review. Continue to engage the police and fire departments in the development review process to ensure that projects are designed and operated in a manner that minimizes the potential for public safety and fire hazards and maximizes the potential for responsive police and fire services.

The project was reviewed by the Oakland Fire Department to ensure that the project as designed complies with applicable City and State standards.

ZONING ANALYSIS

The Project site is zoned as Housing and Business Mix - 4 (HBX-4) Commercial Zone and the intent of this zone is to provide development standards for Live/Work, Work/Live, and housing in areas with a strong presence of industrial and heavy commercial activities. The project site is also within the Affordable Housing Combining Zone (S-13); no housing is proposed as part of this project.

Continued use of trucking and truck related activities requires a Major Variance and accessory off-street parking serving prohibited activities for tow truck parking require a Conditional Use Permit (CUP) within the HBX-4 zone. Additional discussion pertaining to these are below in the Variance and CUP section of this report.

Development Standards for HBX-4 Zones			
17.65.060 – Minimum lot area width and frontage	Required	Proposed	Analysis
Minimum Lot Frontage	35 ft.	146 ft. 7.5 in.	Complies
Minimum Lot Width Mean	35 ft.	314.5 ft.	Complies
Minimum Lot Area	4,000 sf.	78,805 sf.	Complies
17.65.070 – Maximum density.			
N/A (Pertinent to dwelling units which in not part of project scope)			
17.65.080 – Maximum Floor-Area Ratio.			
Maximum Floor Area Ratio (FAR)	2.5 permitted	0.194	Complies
17.65.100 – Maximum height			
Maximum Height	55 ft.	28 ft.	Complies

Design

The building has an industrial and mechanical design due to the use of stand-in seam metal paneling for the roof, mini-rib metal paneling and stucco for the walls of the building, roll-up mechanical garage doors, and use of white, gray, and black tones throughout the building. The structure will be split into three different sections: office, storage, and the repair shop.

The main entry faces Ettie Street and the rear of the building faces residential homes on Hannah Street. The design of the rear elevation is similar to the front elevation with the exception of the roll-up doors. Landscaping and updated site lighting will be provided throughout the site and around the perimeter, helping to enhance the overall view of the site.

Access, Parking, and Circulation

The site is not accessible to the public. Entrance onto the site will be accessible from the entrance off Ettie Street. There are two exits: the main exit is on Ettie Street and the secondary exit will be provided off 34th Street. All on-site automobile parking will be available for those with permitted access to the site. The project would provide 34 type-A standard parking spaces, two (2) accessible type-A parking spaces, 17 type-B parking spaces for service vans, six (6) type-C parking spaces for smaller (10x30) flatbed trucks, and 16 type-D parking spaces for larger (10x40) flatbed trucks on-site. Street parking along Ettie Street will also be available.

Major Conditional Use Permit

Oakland Planning Code Table 17.65.030 Permitted and Conditionally Permitted Activities lists which activities are permitted, would require to be conditionally permitted, or prohibited activities

within the Housing and Business Mix Zones. As listed, accessory off-street parking serving prohibited activities (for tow truck parking) requires a CUP.

Accessory Off-Street Parking Serving Prohibited Activity (Tow Truck Parking)

This activity is an existing use for the site since the establishment of the facility in 2012 and essential to the overall operations for AAA. The applicant does not propose to increase the intensity of this activity. As such, the granting of this CUP is appropriate to meet the intent of the General Plan Housing and Business Mix land use classification.

Major Variance

Under Oakland Planning Code Section 17.114.080(A)(1), a nonresidential activity that is nonconforming shall have “no open parking, loading, sales, display, service, production, or storage area accommodating or serving such activity shall be relocated or increased in size; and no such building or open area shall be wholly reconstructed.” Due to the demolition of the existing building for the construction of a new, smaller building and the increase in parking to accommodate tow trucks, the project requires a Major Variance to continue the current activities of the site.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Staff has determined that a CEQA Notice of Exemption Memorandum is appropriate because the project involves the reconstruction of the site and does not change the existing use of the site. The project qualifies for an exemption because the following findings can be made:

1. **Replacement or Reconstruction Exemption.** CEQA Guidelines Section 15302 (Class 2 – Replacement or reconstruction). The Class 2 exemption applies to the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity. The project would demolish the existing warehouses and dispatch offices to construct a smaller two-story facility comprised of fleet offices, a repair shop, and yard to provide routine maintenance for service vehicles in the same location; the new building would also have a smaller footprint than the structures currently on site, a reduction of approximately 10,547 square feet. Minor auto maintenance would be limited to fleet vehicles in order to support existing operational activities and not provided to the public. Furthermore, all project activities would occur within the footprint of the existing facility; construction activities are limited to the renovation of the parking lot and the addition of landscaping within the existing parcel. Therefore, the demolition of the existing dispatch facility and construction of the new dispatch facility would meet the criteria for a Class 2 CEQA exemption as the replacement and reconstruction of an existing building and would have substantially the same purpose and capacity as the existing structure.

Note: A detailed CEQA Analysis was prepared for the project and may be viewed online at:
<https://www.oaklandca.gov/documents/aaa-emergency-roadside-service-operations-project>

RECOMMENDATIONS:

Staff finds the proposed project to be well-designed, responsive to comments provided by the interdepartmental review team, and recommends approval. Staff specifically recommends that the Planning Commission:

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

Prepared by:

Malinda Lim

Malinda Lim, Associate Contract Planner

Reviewed by:

Catherine Payne

Catherine Payne
Development Planning Manager

Approved for forwarding to the
City of Oakland Planning Commission:

Catherine Payne Acting for:

Ed Manasse, Deputy Director of Bureau of Planning

ATTACHMENTS:

- A. Findings for Approval
- B. Conditions of Approval
- C. Proposed Plans, dated February 2025

ATTACHMENT A

FINDINGS FOR APPROVAL

This proposal meets all the required Design Review Criteria (17.136.050B), Conditional Use Permit Criteria (Section 17.134.050) and Major Variance Findings (Section 17.148.050) 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 17.136.050.B – NON-RESIDENTIAL DESIGN REVIEW CRITERIA

1. **That the proposal will achieve or maintain a group of facilities which are well related to one another, and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered, except as otherwise provided in section 17.136.060;**

The proposed project will demolish five (5) existing dilapidated structures and replace them with one new single-story structure including enclosed trash and auto wash to improve the harmony, scale, bulk, coverage and density of the neighborhood. There is no change to the existing use and no impact to existing traffic patterns.

2. **That the proposed design will of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area;**

The proposed design will improve the landscape, grading and drainage of the site providing an improvement to the neighborhood infrastructure including public and private investment.

3. **That 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 have been adopted by the Planning Commission or City Council.**

The updated AAA facility project is consistent with the Housing and Business Mix land use classification as outlined in the staff report and incorporated here by reference.

SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

- A. **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 project will demolish five (5) existing dilapidated structures and replace them with one new single-story structure including enclosed trash and auto wash to improve the harmony, scale, bulk, coverage and density of the neighborhood. There is no change to the existing use and no impact to existing traffic patterns.

- B. 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 main entry faces Ettie Street and the rear of the building faces residential homes on Hannah Street. The design of the rear elevation is similar to the front elevation with the exception of the roll-up doors. Landscaping and updated site lighting will be provided throughout the site and around the perimeter, helping to enhance the overall view of the site. In addition, upgrades to the site grading and drainage are also proposed to improve the neighborhood infrastructure.

- C. 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 proposed project is intended to upgrade the AAA facility to be more efficient and better able to serve the community. The existing activities of the site are proposed to be maintained and will not be intensified. As a result, the development will continue to provide an essential service to the community.

- D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050;**

See compliance with Design Review Criteria above.

- E. 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 has been adopted by the Planning Commission or City Council.**

The proposed project is consistent with the City's General Plan as outlined in the staff report and incorporated here by reference.

SECTION 17.148.050 – VARIANCE FINDINGS:

- A. With the exception of variances for Adult Entertainment Activities or Sign Facilities, a variance may be granted only upon determination that all of the following conditions are present:**

- 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 compliance would preclude an effective design solution improving livability, operational efficiency, or appearance.**

AAA Emergency Roadside Service Operations has been serving the community from this location as an allowed use since 2012 and this location is central to their business model with its proximity to the Bay Area transportation hubs. This variance request is to continue to allow AAA to do minor repair and maintenance to their vehicles in the new proposed operations office facility location.

- 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.**

AAA has been serving the community from this location as an allowed use since 2012 DET 12-110 Zoning Determination, minor vehicle repair and maintenance was approved with this determination. These proposed operations are strictly for the company vehicles, no public vehicles shall be serviced at this location.

- 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.**

This request will not change any operations as they currently exist at this location. AAA has been a good neighbor to the community at this location and will continue to do so.

- 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.**

This variance will not constitute a grant of special privilege because activities are existing for the site and are not proposed for any changes.

- 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](#).

AAA central dispatch shall conform to all Regular Design Review criteria.

- 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 Project site is in the Housing and Business Mix land use classification. The Housing and Business Mix classification recognizes the equal importance of both housing and business. This classification is intended to guide a transition from heavy industry to low impact light industrial and other businesses that can co-exist compatibly with residential development. Respect for environmental quality, coupled with opportunities for additional housing and neighborhood-friendly businesses is desired, as well as the transition from industry that generates impacts detrimental to residences.

The Land Use Element further describes the Desired Character and Use in this designation to be compatible with housing, and development should recognize the mixed business nature of the area. Development of site-specific buffers are essential as are specific conditions under which business and housing will coexist. This classification allows housing, "live-work", low-impact light industrial, commercial, and service businesses, and compatible community facilities.

The Project site is zoned as Housing and Business Mix - 4 (HBX-4) Commercial Zone and the intent of this zone is to provide development standards for Live/Work, Work/Live, and housing in areas with a strong presence of industrial and heavy commercial activities. The project site is also within the Affordable Housing Combining Zone (S-13); no housing is proposed as part of this project. Continued use of trucking and truck related activities requires a Major Variance. With the granting of the Major Variance requested, the proposed project meets the intent of the HBX-4 zone and is consistent with the Housing and Business Mix land use designation.

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

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

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

Oakland's remaining lower income regional housing needs assessment is 8,021 dwelling units while Oakland's current capacity is 9,992 lower income units, a surplus of 1,971 units. ["Lower income" includes very low income (VLI) and low income (LI) units.]

Oakland's remaining moderate income regional housing needs assessment is 4,264 dwelling units, while Oakland's current capacity is 4,993 moderate income units, a surplus of 729 units.

Oakland's remaining above moderate-income regional housing needs assessment is 7,084 dwelling units, while Oakland's current capacity is 16,229 above moderate-income units, a surplus of 9,145 units.

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

- () YES [Skip to Finding 4]
(x) NO [Proceed to Finding 3]

No Net Loss Finding 3: The proposed project meets the following criteria.

(x) The proposed project is a non-residential development located on a site that **was not** identified in the City of Oakland 2023-2031 Housing Element. Therefore, the project has no impact on the City's housing capacity. [Skip Findings 4 and 5]

() The proposed project includes residential development and is located on a site that **was not** identified in the City of Oakland 2023-2031 Housing Element. Therefore, the project results in an increase in the City's housing capacity equal to the total units proposed. [Skip to Finding 5]

No Net Loss Finding 4: The City of Oakland 2023-2031 Housing Element identifies the following realistic capacity for the site.

Lower income units (VLI/LI): _____
Moderate income units: _____
Above moderate-income units: _____
Total units: _____

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

() The proposed project includes residential development.

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

No Net Loss Finding 5: The proposed project includes the following residential unit count:

Lower income units (VLI/LI): _____

Moderate income units: _____

Above moderate-income units: _____

Total units: _____

The project therefore will result in a net increase or net loss of units as compared to the City's Housing Element projections as follows [if there is a net increase in units by income category or total units, the unit numbers are shown with a plus sign (+); if there is a net loss in units by income category or total units, the unit numbers are shown with a negative sign (-)]:

Lower income units (VLI/LI): _____

Moderate income units: _____

Above moderate income units: _____

Total units: _____

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 February 2024** as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

2. Effective Date, Expiration, Extensions and Extinguishment

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

3. Effective Date, Expiration, Extensions and Extinguishment for Tentative Maps

This Tentative Map Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten (10) calendar days unless an appeal is filed. This Approval shall expire **two (2) years** from the Approval date, or from the date of the final decision in the event of an appeal, unless a Final Map is submitted to Engineering Services. The final submittal for the map shall include all common areas, pathways, and dedicated sewer and storm drain easements in a form acceptable to the City Engineer and acceptance language by the City Engineer. The applicant shall record the Final Map and a written legal description of the reconfigured parcels as part of the deed with the Alameda County Recorder’s Office and proof of such recordation shall be provided to the Planning Department prior to issuance of Building Permits. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant up to two, one-calendar year extensions or a one, two-calendar year extension with additional extensions subject to approval by the approving body. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining a Final Map is automatically extended for the duration of the litigation.

4. Compliance with Other Requirements

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City’s Bureau of Building, Fire Marshal, Department of Transportation, and Public Works Department. Compliance with other applicable requirements may require

changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

5. 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.

6. 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.

7. 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.

8. Blight/Nuisances

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

9. 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.

10. 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.

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

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

12. Public Improvements

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

13. Trash and Blight Removal

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

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. Proposed plants shall be predominantly drought-tolerant. Specification of any street trees shall comply with the Master Street Tree List and Tree Planting Guidelines (which can be viewed at <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf> and <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf>, respectively), and with any applicable streetscape plan.

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. Green Building Requirements – Small Projects

d. *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) for projects using the **Small Commercial Checklist**.

- i. The following information shall be submitted to the City for review and approval with 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 green building checklist approved during the review of a 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 (b) below.

- Other documentation to prove compliance.
- ii. The set of plans in subsection (a) shall demonstrate compliance with the following:
 - CALGreen mandatory measures.
 - All applicable green building measures identified on the checklist approved during the review of a Planning and Zoning permit, or submittal of a Request for Revision Plan-check application that shows the previously approved points that will be eliminated or substituted.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

e. Compliance with Green Building Requirements During Construction

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

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

- Completed copy of the green building checklists approved during review of the Planning and Zoning permit and during the review of the Building permit.
- 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

17. 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

18. Dust Controls – Construction Related

Requirement: The project applicant shall implement all of the following applicable dust 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) Limit vehicle speeds on unpaved roads to 15 miles per hour.
- e) All excavation, grading, and/or demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.

- f) All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- g) Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
- h) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

19. Criteria Air Pollutant Controls - Construction and Operation Related

Requirement: The project applicant shall implement all of the following applicable basic and enhanced control measures for criteria air pollutants during construction of the project as applicable:

- a) Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.
- b) Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”).
- c) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Equipment check documentation should be kept at the construction site and be available for review by the City and the Bay Area Air Quality District as needed.
- d) Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand.
- e) Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.
- f) All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

20. Reduce Exposure to Air Pollution (Toxic Air Contaminants)

a. Health Risk Reduction Measures

Requirement: The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose **one** of the following methods:

- 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 and in accordance with Bay Area Air Quality Management District (BAAQMD) CEQA guidance for HRAs to determine the health risk of exposure of project residents/occupants/users to air pollutants and the exposure of existing off-site sensitive receptors to project-generated TAC emissions. The HRA shall be based on project-specific activity data. Estimated project-level health risks shall be compared to the City's health risk significance thresholds for projects. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below the City's health risk significance thresholds for projects, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds the City's health risk significance thresholds for projects, health risk reduction measures shall be identified to reduce the health risk below the City's health risk significance thresholds. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. The approved risk reduction measures shall be implemented during construction and/or operations as applicable.
- or -
- 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:
 - Installation of mechanical ventilation systems to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Mechanical ventilation systems shall be capable of achieving the protection from particulate matter (PM_{2.5}) equivalent to that associated with a MERV-16 filtration (as defined by American Society of Heating, Refrigerating, and Air-Conditioning Engineers standard 52.2). As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.
 - Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).
 - Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
 - The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.
 - Sensitive receptors shall be located on the upper floors of buildings, if feasible.
 - Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (*Pinus nigra* var. *maritima*), Cypress (*X Cupressocyparis*

leylandii), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwood (*Sequoia sempervirens*).

- Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.
- Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.
- Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:
 - Installing electrical hook-ups for diesel trucks at loading docks.
 - Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.
 - Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.
 - Prohibiting trucks from idling for more than two minutes.
 - Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

b. Maintenance of Health Risk Reduction Measures

Requirement: 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.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

21. Truck-Related Risk Reduction Measures (Toxic Air Contaminants)

a. Truck Loading Docks

Requirement: The project applicant shall locate proposed truck loading docks as far from nearby sensitive receptors as feasible.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

b. Truck Fleet Emission Standards

Requirement: The project applicant shall comply with all applicable California Air Resources Board (CARB) requirements to control emissions from diesel engines and demonstrate compliance to the satisfaction of the City. Methods to comply include, but are not limited to, new clean diesel trucks, higher-tier diesel engine trucks with added Particulate Matter (PM) filters, hybrid trucks, alternative energy trucks, or other methods that achieve the applicable CARB emission standard. Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines.

When Required: Prior to building permit final; ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

c. Diesel Truck Emission Reduction Measures

Requirement: The Project sponsor shall incorporate the following health risk reduction measures into the Project design and construction contracts (as applicable) in order to reduce the potential health risk due to exposure to toxic air contaminants. 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. Emissions from Project-related diesel trucks shall be reduced through implementing the following measures, if feasible:

- i. Prohibit TRUs from operating at loading docks for more than 30 minutes by posting signs at each loading dock presenting this TRU limit.
- ii. All newly constructed loading docks that can accommodate trucks with TRUs shall be equipped with electric vehicle (EV) charging equipment for heavy-duty trucks. This measure does not apply to temporary street parking for loading or unloading.
- iii. Require that all future tenants have a plan to convert their vehicle fleet(s) to zero emission vehicles (ZEVs) no later than 2040. This would be a condition of all leases at the project site.
- iv. Requiring truck-intensive tenants to use advanced exhaust technology (e.g., hybrid) or alternative fuels.
- v. Other measures that become available and are shown to effectively reduce criteria air pollutant emissions on site or off site if emission reductions are realized within the air basin. Measures to reduce emissions on site are preferable to off-site emissions reductions.
- vi. The project sponsor shall develop a Truck Route Plan that establishes operational truck routes to avoid sensitive receptors as identified in the environmental review analysis completed for the project. The purpose of the Truck Route Plan is to route trucks on streets that are located as far from offsite sensitive receptors as possible, while still maintaining the operational goals of the project. The Truck Route Plan must include route restrictions, truck calming, truck parking, and truck delivery restrictions to minimize exposure of nearby sensitive receptors to truck exhaust and fugitive particulate emissions. Prior to the commencement of operational activities, the project sponsor shall certify (1) compliance with the Truck Route Plan, and (2) all applicable requirements of the Truck Route Plan have been incorporated into tenant contract specifications.

When Required: Prior to building permit final; ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

22. Asbestos in Structures

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

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

23. 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

24. 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

25. 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

26. Soils Report

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

27. Seismic Hazards Zone (Landslide/Liquefaction)

Requirement: The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant shall implement the recommendations contained in the approved report during project design and construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

28. Greenhouse Gas (GHG) Reduction Plan

a. Greenhouse Gas (GHG) Reduction Plan Required

Requirement: 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 to reduce GHG emissions to at least the amount that would be achieved by committing to all of the emissions reductions strategies identified on the ECAP Consistency Checklist as the City's project-level implementation of its Equitable Climate Action Plan (adopted in 2020), which calls for reducing city-wide GHG emissions by 56 percent below 2005 levels by 2030 and 83 percent by 2050. The

GHG Reduction Plan shall include, at a minimum, (a) a detailed quantified GHG emissions inventory for the project taking into consideration energy efficiencies included as part of the project (including proposed mitigation measures, project design features, those strategies being implemented and other City requirements), (b) for each ECAP Consistency Checklist strategy that the project will not meet, a quantified calculation of the additional GHG emission reductions that would have occurred had it implemented the GHG emissions reduction measure consistent with the ECAP Consistency Checklist, (c) a quantified strategy for achieving an GHG emission reduction equivalent to the reduction that would have resulted from complying with the ECAP Consistency Checklist strategy, and (d) 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.

Potential additional 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.

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.

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; then (4) off-site within the State of California;.

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; then (3) within the State of California. 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 net difference operational emissions estimated in the GHG Reduction Plan for the project as compared to the Checklist baseline.

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.

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

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

b. GHG Reduction Plan Implementation During Construction

Requirement: 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).

When Required: During construction

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

c. GHG Reduction Plan Implementation After Construction

Requirement: 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.

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.

Annual Report. 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.

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 Checklist baseline emissions reported in the GHG Plan.

The GHG Reduction Plan shall be considered fully attained when project emissions are less than the Checklist baseline, as confirmed by the City through an established monitoring program. Monitoring and reporting activities will continue at the City’s discretion, as discussed below.

Corrective Procedure. 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.

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.

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 described in the GHG Reduction Plan.

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.

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 Equitable Climate Action Plan.

Timeline Discretion and Summary. 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.

When Required: Ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

29. 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

30. Hazardous Building Materials and Site Contamination

a. Hazardous Building Materials Assessment

Requirement: The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials

classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.

When Required: Prior to approval of demolition, grading, or building permits

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

b. Environmental Site Assessment Required

Requirement: 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.

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

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

c. Health and Safety Plan Required

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

d. Best Management Practices (BMPs) Required for Contaminated Sites

Requirement: 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:

- i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements.
- ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

31. Erosion and Sedimentation Control Plan for Construction

a. Erosion and Sedimentation Control Plan Required

Requirement: The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

b. Erosion and Sedimentation Control During Construction

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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

32. State Construction General Permit

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: State Water Resources Control Board; evidence of compliance submitted to Bureau of Building

Monitoring/Inspection: State Water Resources Control Board

33. NPDES C.3 Stormwater Requirements for Regulated Projects

a. Post-Construction Stormwater Management Plan Required

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:

- i. Location and size of new and replaced impervious surface;
- ii. Directional surface flow of stormwater runoff;
- iii. Location of proposed on-site storm drain lines;
- iv. Site design measures to reduce the amount of impervious surface area;
- v. Source control measures to limit stormwater pollution;
- vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and
- vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

b. Maintenance Agreement Required

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:

- 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
- 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.

The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.

When Required: Prior to building permit final

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

34. Structures in a Flood Zone

Requirement: The project shall be designed to ensure that new structures within a 100-year flood zone do not interfere with the flow of water or increase flooding. The project applicant shall submit plans and hydrological calculations for City review and approval with the construction-related drawings that show finished site grades and floor elevations elevated above the Base Flood Elevation (BFE).

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

35. 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

36. 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

37. 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 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

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

38. 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

39. Capital Improvements Impact Fee

Requirement: The project applicant shall comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).

When Required: Prior to issuance of building permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

40. Construction Activity in the Public Right-of-Way

a. Obstruction Permit Required

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

When Required: Prior to approval of construction-related permit

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

b. Traffic Control Plan Required

Requirement: In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction.

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

c. Repair of City Streets

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

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Department of Transportation

41. 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

42. Transportation Impact Fee

Requirement: The project applicant shall comply with the requirements of the City of Oakland Transportation Impact Fee Ordinance (chapter 15.74 of the Oakland Municipal Code). The amount of the fee shall be as listed in the City of Oakland Master Fee Schedule. This condition serves as notice that the 90-day approval period in which the applicant may protest applicability of the impact fee has begun pursuant to California Government Code Section 66020(d)(1).

When Required: Prior to issuance of building permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

43. 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 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

44. 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

45. 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 (2) cubic feet of storage and collection space per residential unit is required, with a minimum of ten (10) cubic feet. For nonresidential projects, at least two (2) cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten (10) cubic feet.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

46. Recycled Water

Requirement: 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 feasible recycled water uses 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. Feasible recycled water uses may include, but are not limited to, landscape irrigation, commercial and industrial process use, and toilet and urinal flushing in non-residential buildings. 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

47. Water Efficient Landscape Ordinance (WELo)

Requirement: The project applicant shall comply with California's Water Efficient Landscape Ordinance (WELo) in order to reduce landscape water usage. For the specific ordinance requirements, see the link below:

<http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf>

For any landscape project with an aggregate (total noncontiguous) landscape area equal to 2,500 sq. ft. or less, the project applicant may implement either the Prescriptive Measures or the Performance Measures, of, and in accordance with the California's Model Water Efficient Landscape Ordinance. For any landscape project with an aggregate (total noncontiguous) landscape area over 2,500 sq. ft., the project applicant shall implement the Performance Measures in accordance with the WELo.

Prescriptive Measures: Prior to construction, the project applicant shall submit the Project Information (detailed below) and documentation showing compliance with Appendix D of California's Model Water Efficient Landscape Ordinance (see page 38.14(g) in the link above).

Performance Measures: Prior to construction, the project applicant shall prepare and submit a Landscape Documentation Package for review and approval, which includes the following

a. Project Information:

- i. Date,
- ii. Applicant and property owner name,
- iii. Project address,
- iv. Total landscape area,
- v. Project type (new, rehabilitated, cemetery, or home owner installed),

- vi. Water supply type and water purveyor,
- vii. Checklist of documents in the package, and
- viii. Project contacts
- ix. Applicant signature and date with the statement: “I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package.”
- b. Water Efficient Landscape Worksheet
 - i. Hydrozone Information Table
 - ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use
- c. Soil Management Report
- d. Landscape Design Plan
- e. Irrigation Design Plan, and
- f. Grading Plan

Upon installation of the landscaping and irrigation systems, and prior to the final of a construction-related permit, the Project applicant shall submit a Certificate of Completion (see page 38.6 in the link above) and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of Completion shall also be submitted to the local water purveyor and property owner or his or her designee.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

48. Employee Rights

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

49. Public Art for Private Development

Requirement: The project is subject to the City’s Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. (“Ordinance”). The public art contribution requirements are equivalent to one-half percent (0.5%) for the “residential” building development costs, and one percent (1.0%) for the “non-residential” building development costs.

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

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

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

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

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

50. Hours of Operation

Requirement: The proposed activity shall be permitted to operate 24 hours of the day, 7 days a week, subject to compliance with the performance standards of Chapter 17.120 of the Oakland Planning Code and Chapter 8.18 of the Oakland Municipal Code, as described by Condition No. 38.

When Required: Ongoing

Initial Approval: Bureau of Planning and Building

Monitoring/Inspection: Ongoing

51. Signage

Requirement: The project applicant shall obtain approval for business signage. The permit shall identify, at a minimum, sign sizes, materials, colors, placement, construction, method of lighting, and other related sign requirements.

When Required: Prior to a Final Inspection

Initial Approval: Bureau of Planning and Building

Monitoring/Inspection: N/A

52. Washing of Trucks

Requirement: No washing of trucks shall occur on the property including the property currently owned by the applicant. Truck washing shall occur at commercial truck washing facilities.

When Required: Ongoing

Initial Approval: N/ A

Monitoring/Inspection: Bureau of Building

53. Oakland Fire Department Conditions

Requirement: The project applicant shall comply with the conditions listed in the attachment from the Oakland Fire Department dated 06/17/2024.

When Required: Prior to issuance of a Building Permit

Initial Approval: Oakland Fire Department

Monitoring/Inspection: Oakland Fire Department

54. Oakland Department of Transportation ROW & Engineering Service Conditions

Requirement: The project applicant shall comply with the conditions listed in the attachment from the Oakland Department of Transportation ROW & Engineering Services dated 04/03/2024.

When Required: Prior to issuance of a PX Permit

Initial Approval: Oakland Department of Transportation ROW & Engineering Services

Monitoring/Inspection: Oakland Department of Transportation ROW & Engineering Services

55. Oakland Department of Transportation Survey Conditions

Requirement: The project applicant shall comply with the conditions listed in the attachment from the Oakland Department of Transportation Survey dated 04/29/2024.

When Required: Prior to issuance of a PX Permit

Initial Approval: Oakland Department of Transportation ROW & Engineering Services

Monitoring/Inspection: Oakland Department of Transportation ROW & Engineering Services

ATTACHMENT C

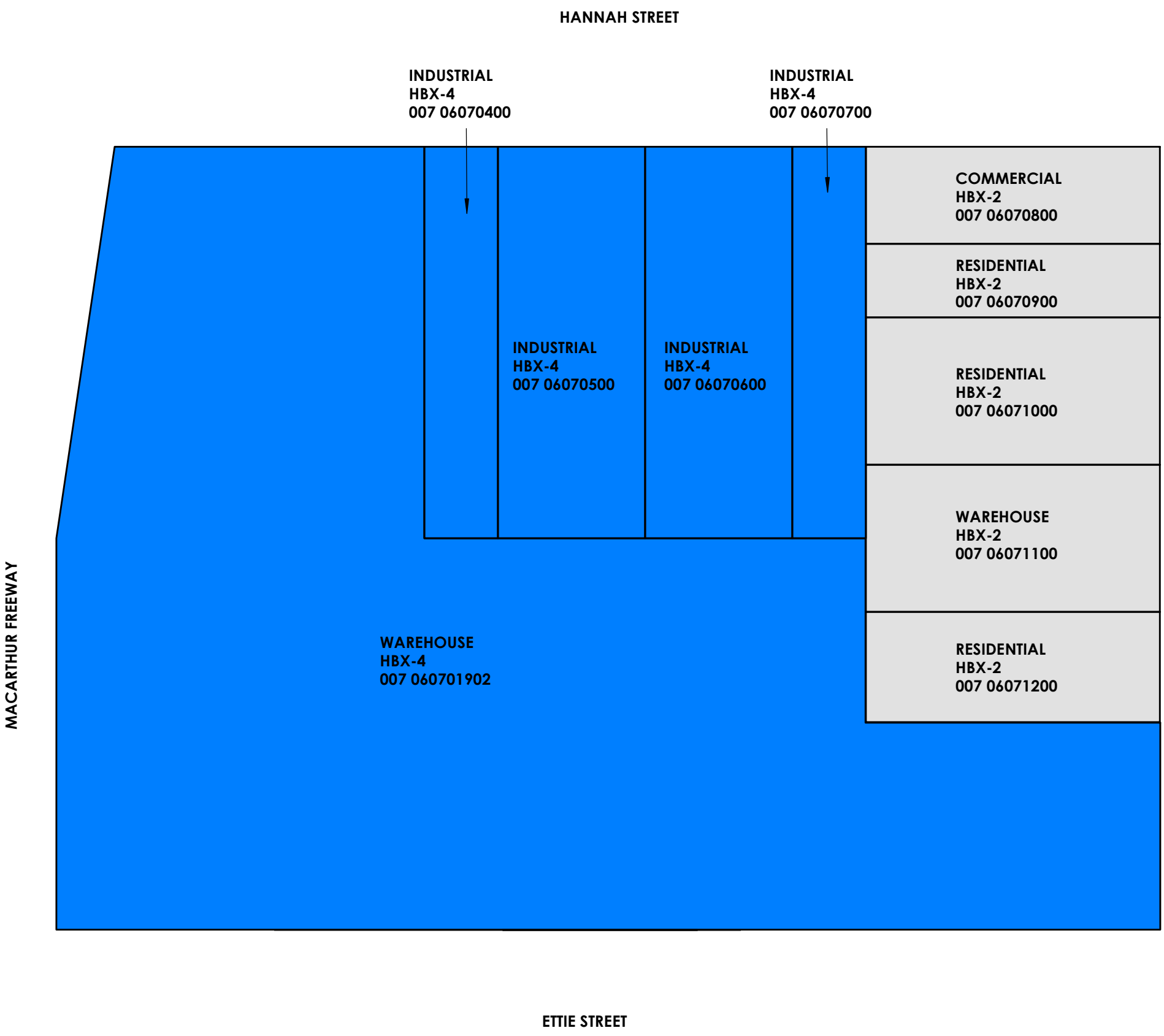
PROPOSED PLANS, DATED FEBRUARY 2025

PLANNING REVIEW PACKAGE

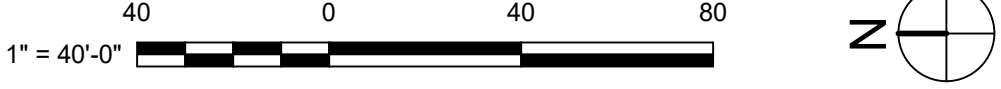
3400 ETTIE STREET, OAKLAND, CA 94608

PROJECT DESCRIPTION	
AAA EMERGENCY ROADSIDE SERVICE OPERATIONS WITH ADMINISTRATIVE OFFICES. 24/7 OPERATION. EXISTING PROPERTY USE, AND 35 EMPLOYEES. BUILDING A NEW 15,000 SQUARE FOOT TO REPLACE EXISTING BUILDINGS INCLUDING LOT MERGER AND MAJOR VARIANCE.	
PROJECT INFORMATION	
CASE NUMBER	PLN24042
BUILDING ADDRESS	3400 ETTIE ST., OAKLAND, CA, 94608
APN OR BLOCK/LOT	007 060701902
CONTACT INFORMATION	SHAWN ANDERSON 360 22ND STREET SUITE 800, OAKLAND CA 94612 SHAWN@MSASF.COM 415-852-4915
ZONING DESIGNATIONS	WAREHOUSE HBX-4
UNDERLYING ZONE SITE REGULATIONS	WAREHOUSE HBX-4
PROPOSED PROJECT COMPLIANCE WITH SITE REGULATIONS	WAREHOUSE HBX-4
EXISTING SITE / BUILDING INFORMATION	
EXISTING USE	HBX-4 (TRUCKING AND TRUCK RELATED ACTIVITIES)
EXISTING LOTS AND LOT AREAS	78,805 SF
EXISTING BUILDING AREAS	25,842 SF
EXISTING MAXIMUM HEIGHT OF BUILDINGS	28'-0"
EXISTING PARKING SPACES	TBD
PROPOSED SITE / BUILDING INFORMATION	
PROPOSED USE	HBX-4 (OFFICE)
PROPOSED USE MAJOR VARIANCE	HBX-4 (TRUCKING AND TRUCK RELATED ACTIVITIES)
PROPOSED LOTS AND LOT AREAS	78,805 SF
PROPOSED BUILDING AREAS	15,295 SF
PROPOSED MAXIMUM HEIGHT OF BUILDINGS	28'-0"
PROPOSED PARKING SPACES	SEE PAGE 04 FOR PARKING ANALYSIS
PROPOSED OCCUPANCY CLASS	BUSINESS GROUP B AND STORAGE GROUP S-1
PROPOSED CONSTRUCTION TYPE	III-B
17.65.060 - MINIMUM LOT AREA WIDTH AND FRONTAGE	
MINIMUM LOT FRONTAGE	35'-0" REQUIRED
PROPOSED LOT FRONTAGE	702'-0"
MINIMUM LOT WIDTH MEAN	35'-0" REQUIRED
PROPOSED LOT WIDTH MEAN	266'-0"
MINIMUM LOT AREA	4,000 SF REQUIRED
PROPOSED LOT AREA	78,805 SF
17.65.070 - MAXIMUM DENSITY	
N/A (PERTINENT TO DWELLING UNITS WHICH IN NOT PART OF PROJECT SCOPE)	
17.65.080 - MAXIMUM FLOOR AREA RATIO	
MAXIMUM FLOOR AREA RATIO (FAR)	2.5 PERMITTED
PROPOSED FLOOR AREA RATIO (FAR)	15,295 SF (BUILDING) / 78,805 SF (LAND) = 0.194

ISSUE #6	ISSUE #5	ISSUE #4	ISSUE #3	ISSUE #2	ISSUE #1	NO.	SHEET NAME
PLANNING							
						PAGE 01	COVER SHEET
						PAGE 02	ACCESSOR PARCEL MAP / ZONING
						PAGE 03	EXISTING SITE PLAN / PHOTO KEY PLAN
						PAGE 04	PROPOSED SITE PLAN / PHOTO KEY PLAN
						PAGE 05	DRAINAGE PLAN
						PAGE 06	PRELIMINARY LANDSCAPE PLAN
						PAGE 07	TREE DISPOSITION PLAN
						PAGE 08	COLOR CODED PLANTING PLAN
						PAGE 09	PLANTING IMAGERY
						PAGE 10	SHADE PLAN
						PAGE 11	CONCEPTUAL LIGHTING PLAN
						PAGE 12	PRELIMINARY IRRIGATION PLAN
						PAGE 13	BUILDING LAYOUT
						PAGE 14	EXTERIOR ELEVATIONS
						PAGE 15	ISOMETRICS / EXTERIOR MATERIALS
						PAGE 16	RENDERINGS
						PAGE 17	RENDERINGS / FENCING MATERIALS

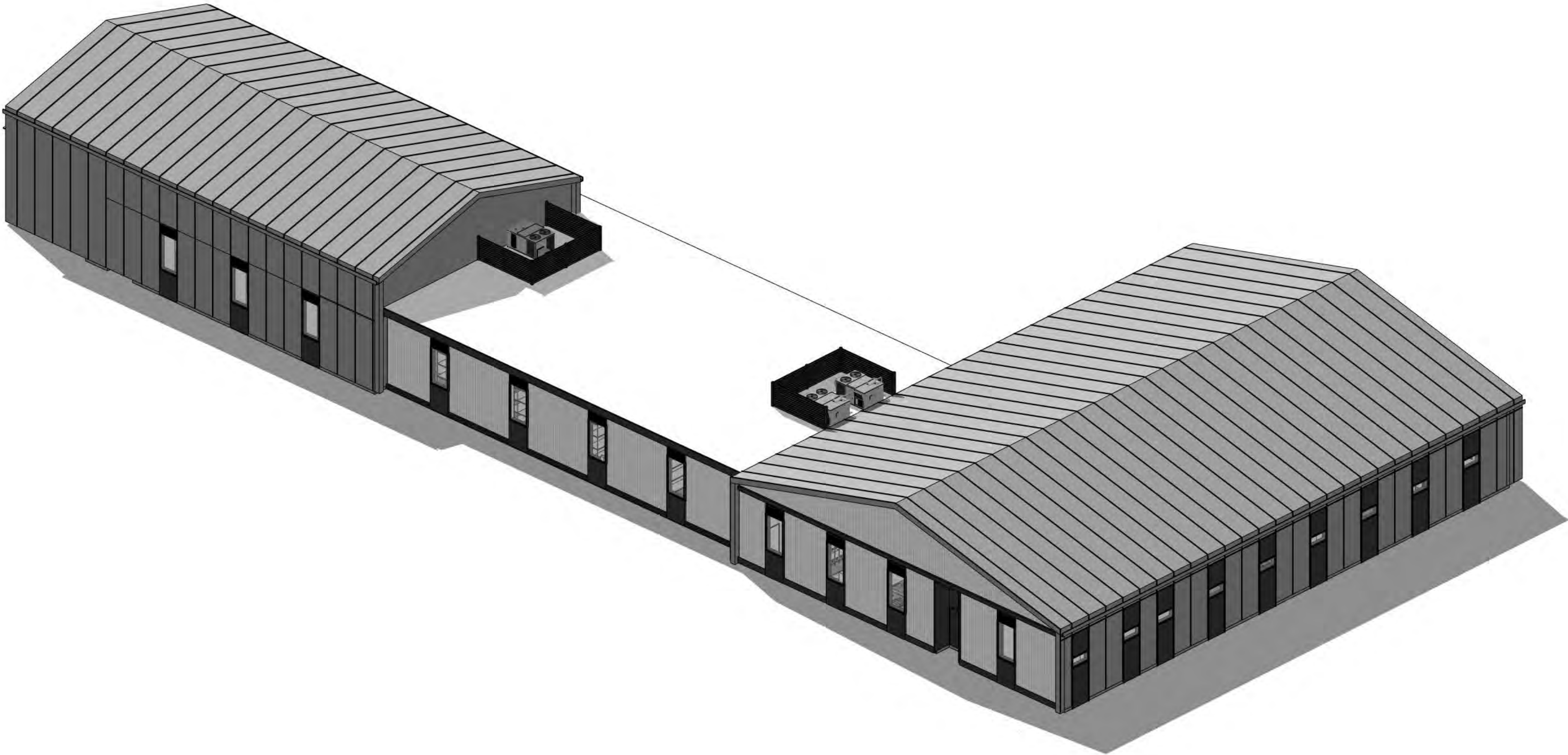
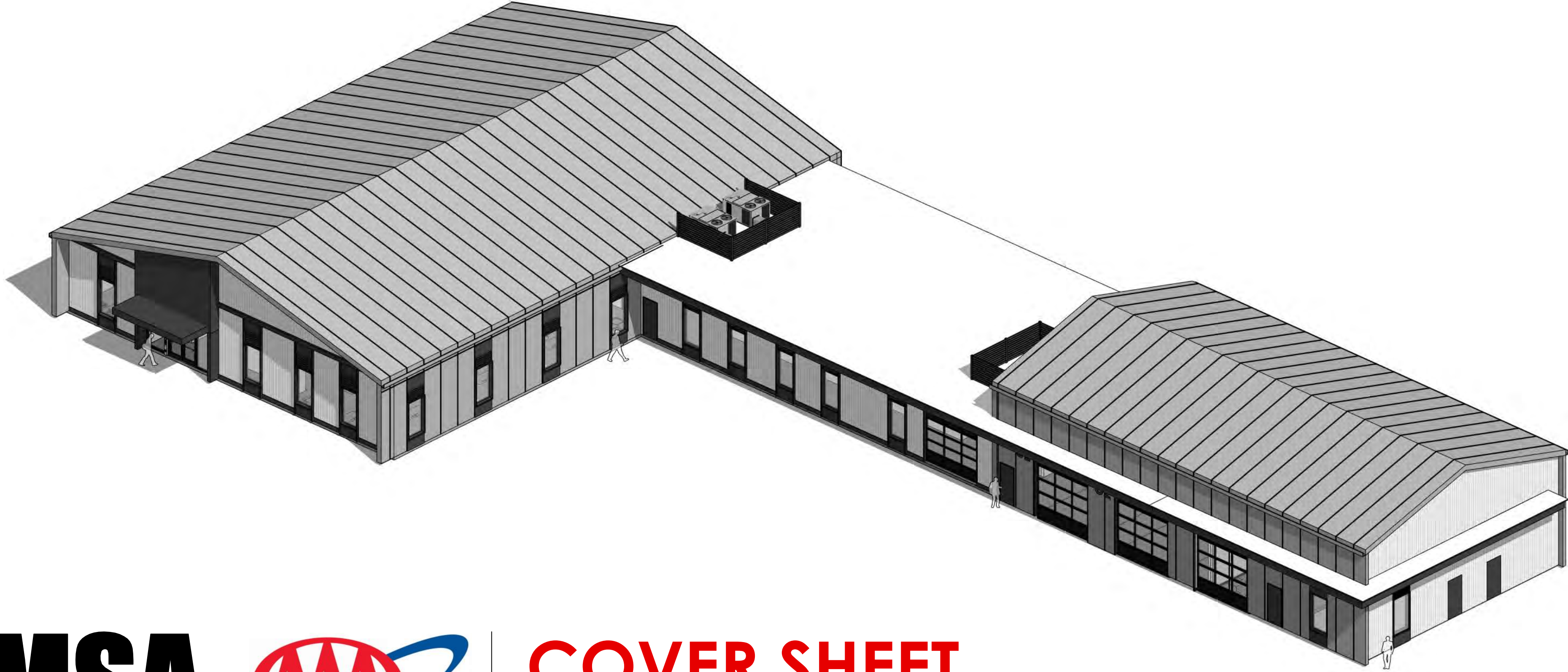


ZONING MAP



LEGEND

- WAREHOUSE/INDUSTRIAL HBX-4 (PER 17.65.010)**
HOUSING AND BUSINESS MIX (HBX-4) COMMERCIAL ZONE. THE HBX-4 COMMERCIAL ZONE IS INTENDED TO PROVIDE DEVELOPMENT STANDARDS FOR LIVE/WORK, AND HOUSING IN AREAS WITH A STRONG PRESENCE OF INDUSTRIAL AND HEAVY COMMERCIAL ACTIVITIES.
- LOT AREA - NOT IN SCOPE**
COMMERCIAL/RESIDENTIAL/WAREHOUSE HBX-2 (PER 17.65.010)
HOUSING AND BUSINESS MIX (HBX-2) COMMERCIAL ZONE. THE HBX-2 COMMERCIAL ZONE IS INTENDED TO PROVIDE DEVELOPMENT STANDARDS FOR AREAS THAT HAVE A MIX OF INDUSTRIAL, CERTAIN COMMERCIAL AND MEDIUM TO HIGH DENSITY RESIDENTIAL DEVELOPMENT. THIS ZONE RECOGNIZES THE EQUAL IMPORTANCE OF HOUSING AND BUSINESS.



MACARTHUR FREEWAY

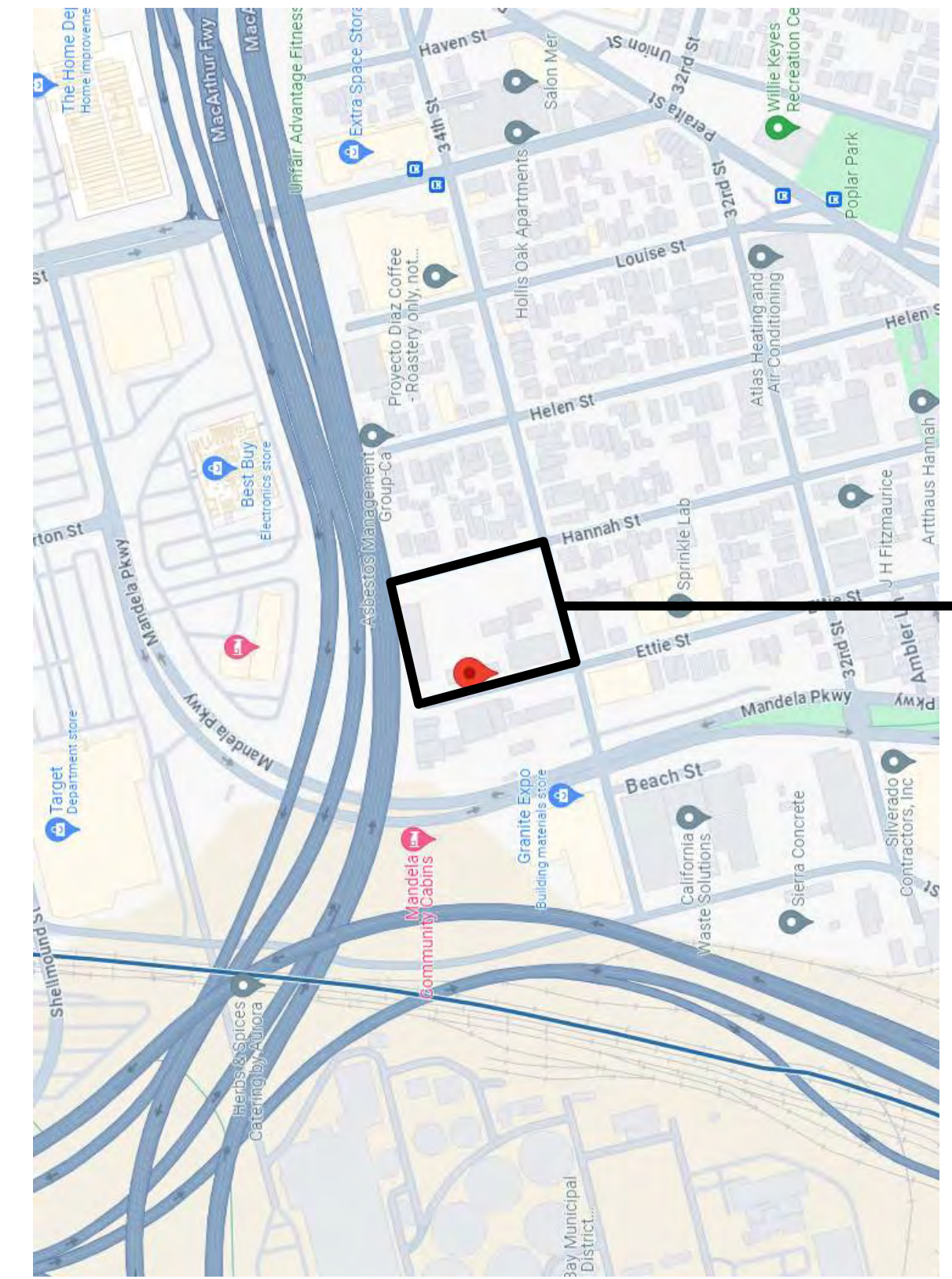


LOTS TO BE MERGED INTO SINGLE LOT

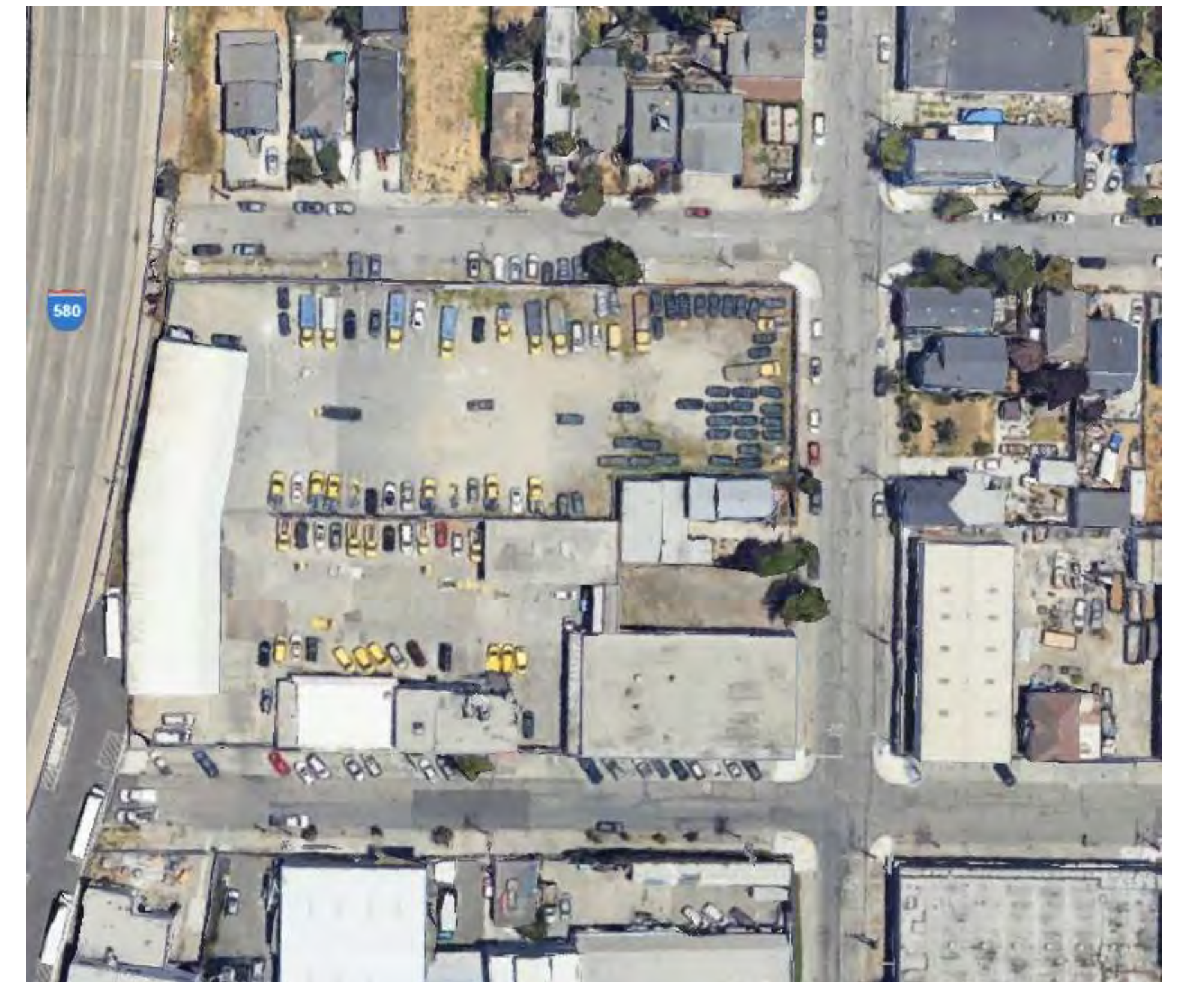
1. 007 060701902 3400 ETTIE STREET
2. 007 06070400 3433 HANNAH STREET
3. 007 06070500 3429 HANNAH STREET
4. 007 06070600 3423 HANNAH STREET
5. 007 06070700 3413 HANNAH STREET

WAREHOUSE/INDUSTRIAL HBX-4 (PER 17.65.010)

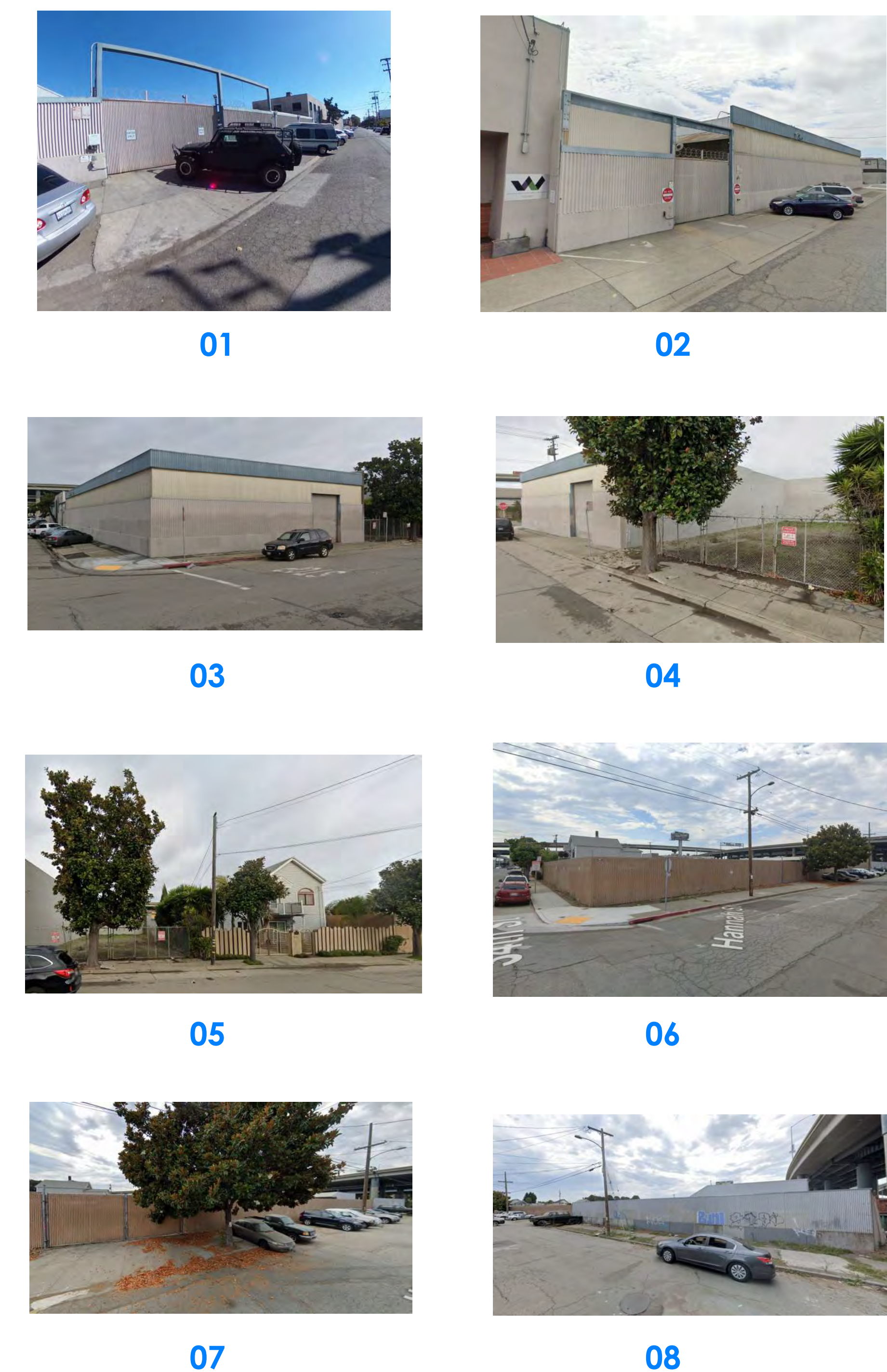
HOUSING AND BUSINESS MIX (HBX-4) COMMERCIAL ZONE. THE HBX-4 COMMERCIAL ZONE IS INTENDED TO PROVIDE DEVELOPMENT STANDARDS FOR LIVE/WORK, AND HOUSING IN AREAS WITH A STRONG PRESENCE OF INDUSTRIAL AND HEAVY COMMERCIAL ACTIVITIES.



PROJECT LOCATION



SITE PLAN - GOOGLE MAPS



SITE PLAN - GOOGLE MAPS

KEYNOTES - PROPOSED SITE PLAN	
1	LANDSCAPE.
2	PROPERTY LINES
3	PARKING STRIPS
4	LIGHT POST
5	BIKE RACKS
6	SIDEWALK
7	RELOCATED DRIVEWAY
8	[E] CHAIN LINK FENCE TO REMAIN.
9	[N] BLACK METAL FENCING.
10	[N] WALL TO MATCH [E] ADJACENT WALL.
11	[E] WALL AND GATE TO REMAIN.
12	[E] GATE TO REMAIN EXISTING.
13	REMOVE TOP PORTION OF WALL AT METAL TRIM. [E] LOWER PORTION OF THE WALL BELOW THE METAL TRIM TO REMAIN.
14	[N] GATE TO MATCH [E] GATE ON ETTIE STREET. SEE KEYNOTE #12.
15	INFILL [E] GARAGE DOOR AND REMOVE TOP PORTION OF THE WALL ABOVE THE METAL TRIM.
16	DEMOLISH TOP PORTION OF THE WALL TO ALIGN WITH THE TOP OF THE METAL TRIM AT ADJACENT WALL.

PARKING ANALYSIS
TOTAL BUILDING SF: 15,295 SF

OFFICE SF:
8,069 SF / 300 = 26.89 (27 PARKING SPACES REQUIRED)

SERVICE / STORAGE SF:
7,226 SF / 1,000 = 7.226 (8 PARKING SPACES REQUIRED)

TOTAL PARKING REQUIRED:
35 PARKING SPACES
(71 PARKING SPACES PROVIDED)

- 27** TYPE A PARKING = 8'-6" X 18' (REGULAR CARS)
14 TYPE B PARKING = 9' X 22' (SERVICE VANS / WHEEL LIFTS)
7 TYPE C PARKING = 8'-6" X 24' (SERVICE VANS / WHEEL LIFTS)
6 TYPE D PARKING = 9' X 18' (SERVICE VANS / WHEEL LIFTS)
15 TYPE E PARKING = 10' X 35' (FLAT BEDS)
2 ADA PARKING



01



02



03



04



05



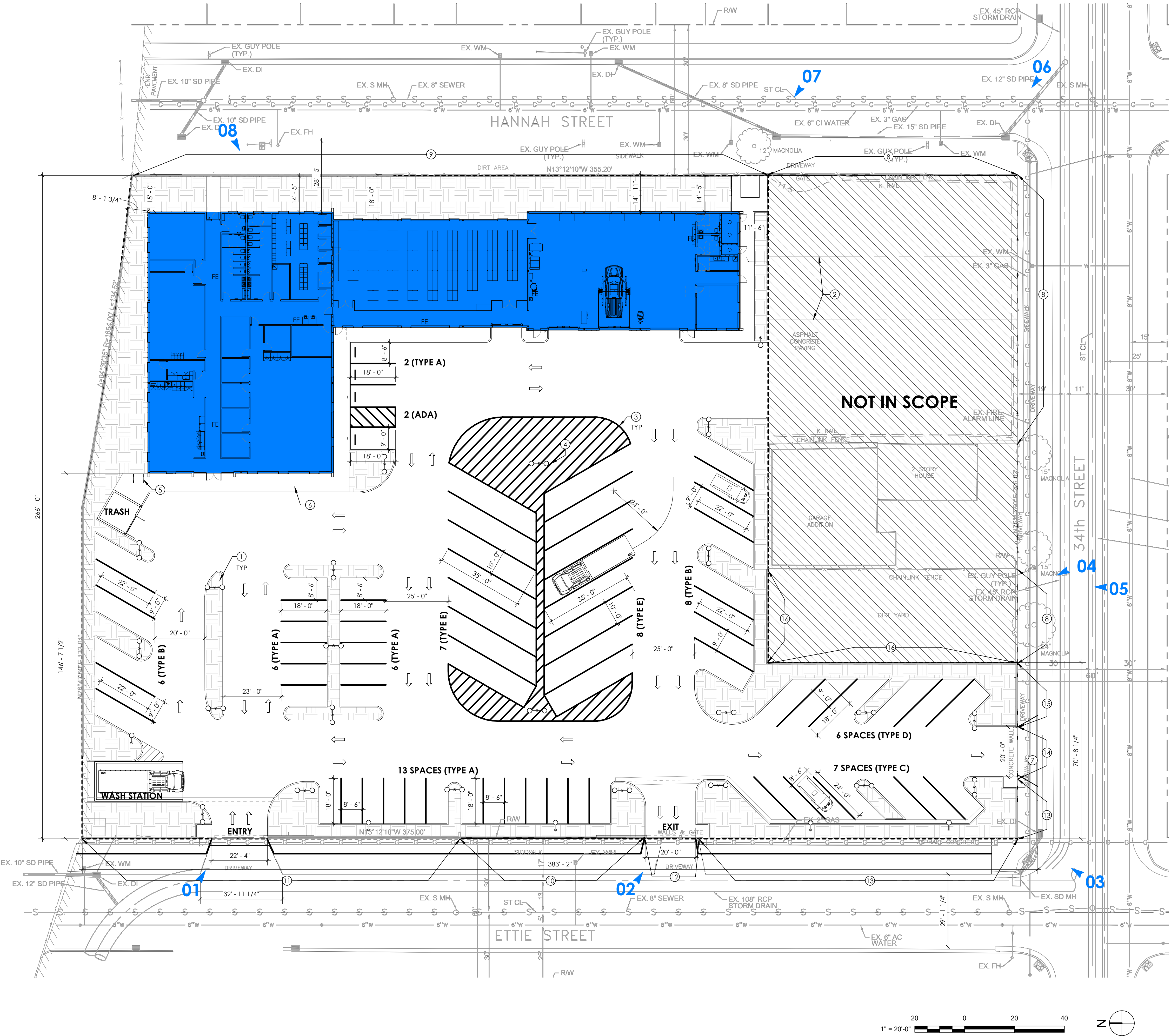
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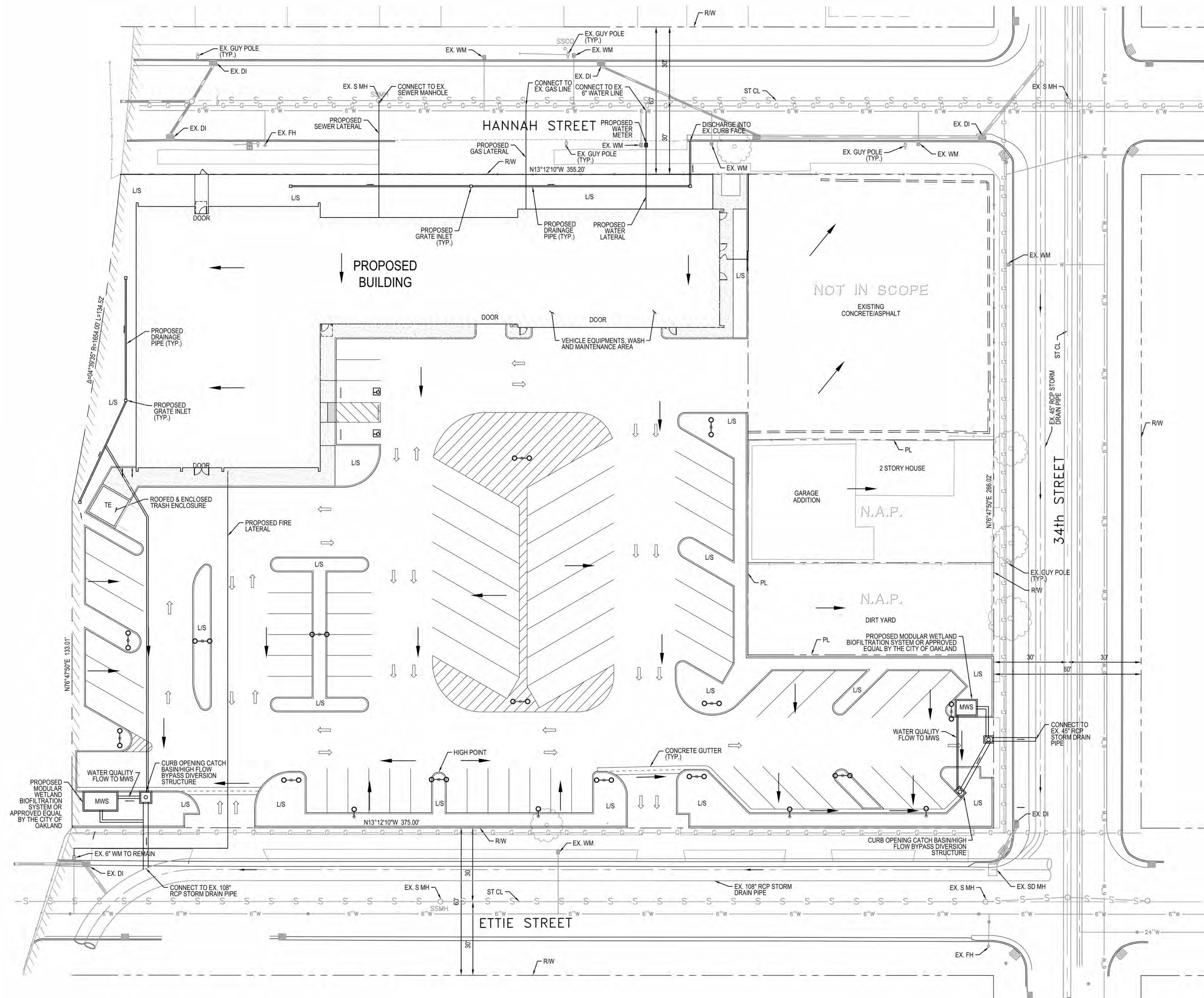


07



08





LEGEND:

- DIRECTION OF SURFACE FLOW OF STORM WATER RUNOFF
- L/S LANDSCAPE AREA

NOTE:

1. INSTALL STENCILING MEDALLIONS AT ALL STORM DRAIN INLETS, SUCH AS "NO DUMP-DRAINS TO BAY"

ABBREVIATIONS:

- AC ASBESTOS CEMENT
- BC BEGIN OF CURVE
- CI CAST IRON
- CLR. CLEAR
- CL CENTERLINE
- CONC. CONCRETE
- DI. DRAINAGE INLET
- DIA. DIAMETER
- EC END OF CURVE
- EG EDGE OF GUTTER
- EP EDGE OF PAVEMENT
- EQ. EQUALLY
- EX. EXISTING
- FF FINISHED FLOOR
- FH FIRE HYDRANT
- FS FINISHED SURFACE
- G GAS
- GB GRADE BREAK
- H. PT. HIGH POINT
- MAX. MAXIMUM
- MH MANHOLE
- MIN. MINIMUM
- NG NATURAL GRADE
- OC ON CENTER
- OD OUTSIDE DIAMETER
- PL PROPERTY LINE
- RCP REINFORCED CONCRETE PIPE
- RW RIGHT-OF-WAY
- SD STORM DRAIN
- S SEWER
- ST STREET
- TC TOP OF CURB
- W WATER
- WM WATER METER





LEGEND

- 1 A/C PARKING LOT
- 2 P.I.P. CONCRETE PAVING AT BUILDING ENTRIES
- 3 TRASH ENCLOSURE
- 4 ADA PARKING
- 5 AUTO PARKING
- 6 TRAILER PARKING
- 7 DROUGHT TOLERANT LANDSCAPE PLANTING AREA

LANDSCAPE CALCULATIONS

PROJECT TYPE : NEW AND REHABILITATED
LANDSCAPE AND IRRIGATION

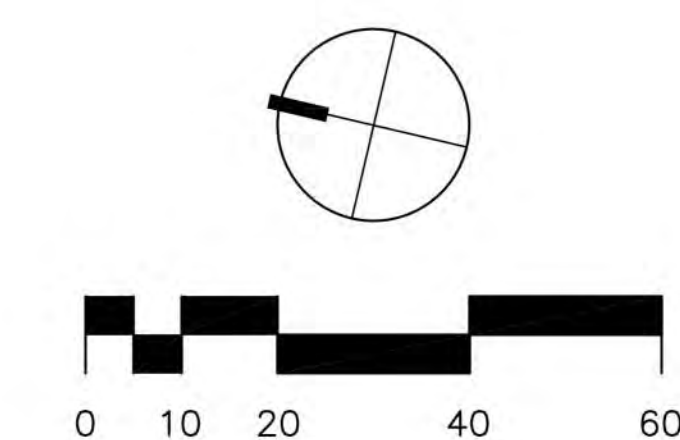
ZONING: INDUSTRIAL

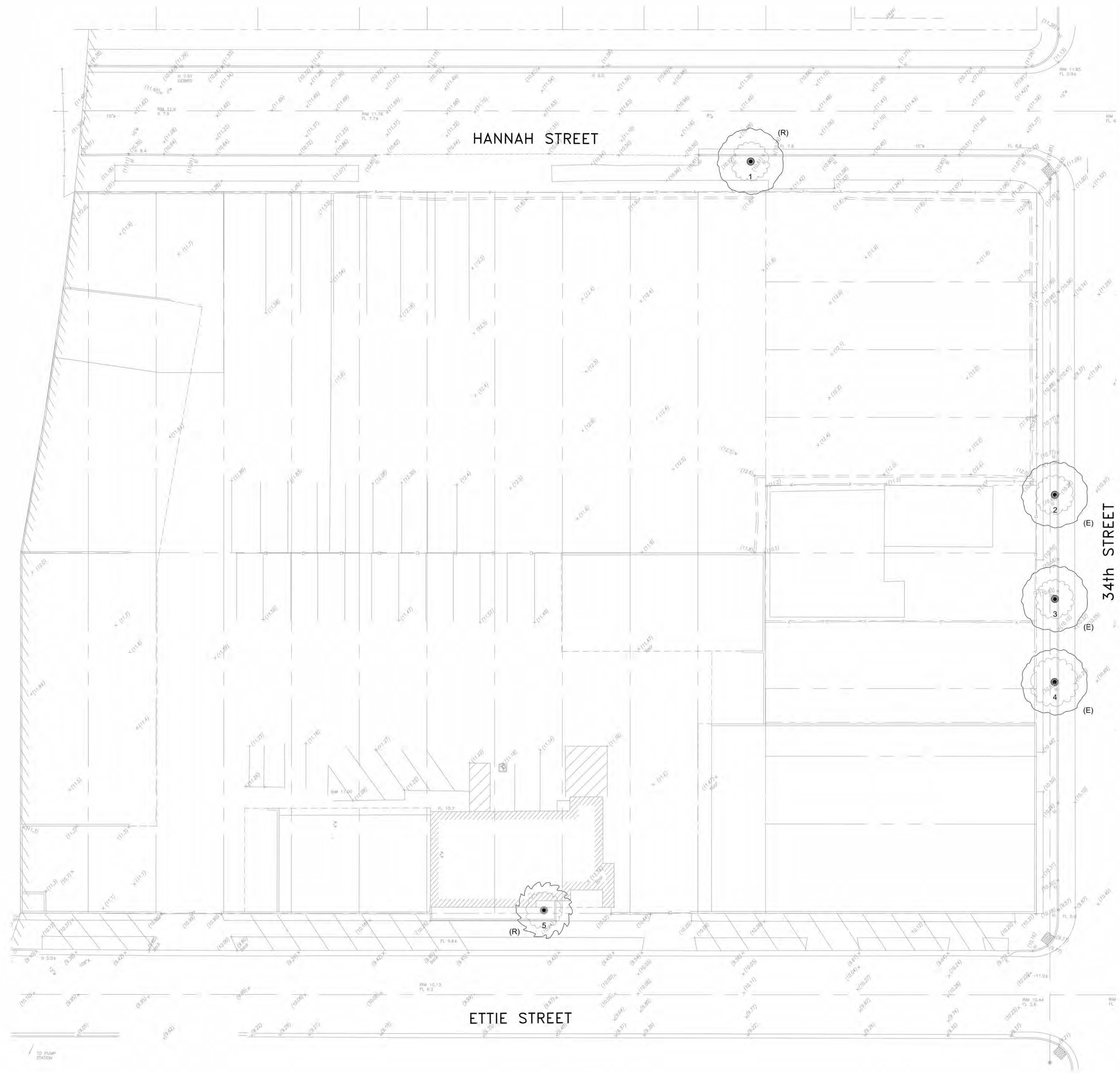
PROJECT AREA:

GROSS AREA: 78,805 SF
BUILDING AREA: 15,295 SF
NEW LANDSCAPE AREA : 13,616 SF
PERCENTAGE OF TURF AREA : 0%
NUMBER OF TREES PROVIDED: 69
NUMBER OF PARKING LOT TREES PROVIDED: 49

LANDSCAPE PERCENTAGE

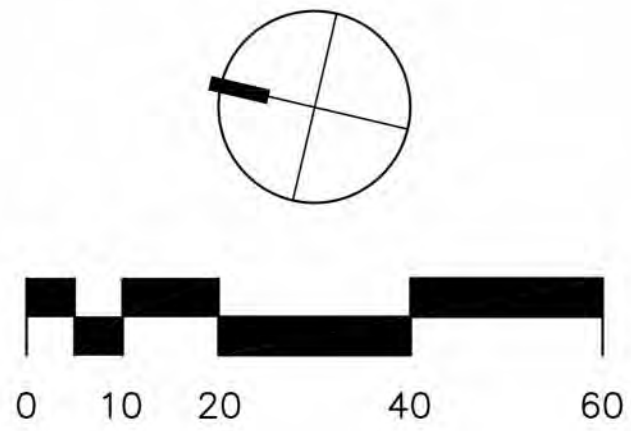
TOTAL: 78,805 SF
LANDSCAPE: 13,616 SF (17.27%)
HARDSCAPE: 65,189 SF

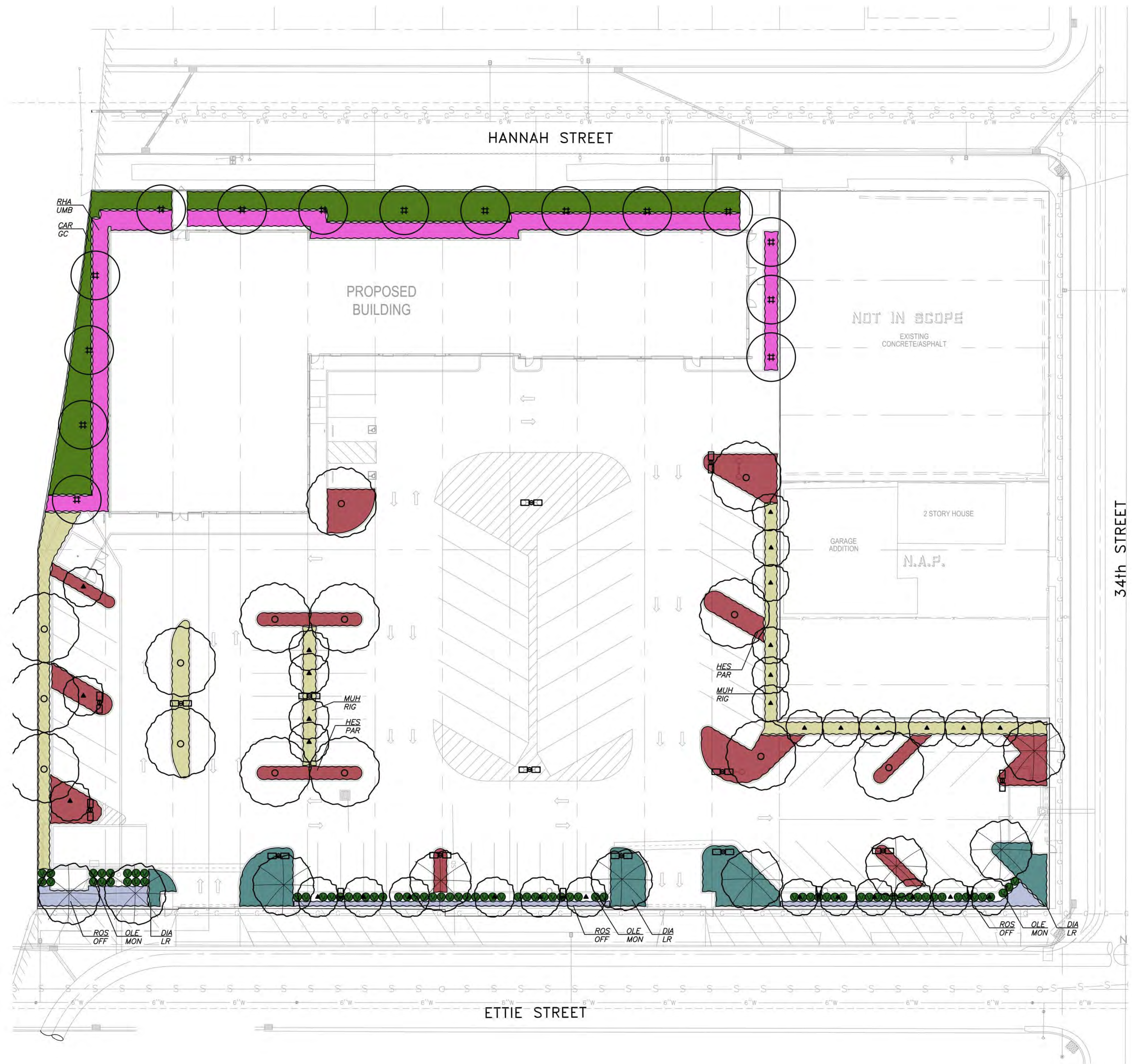



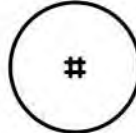
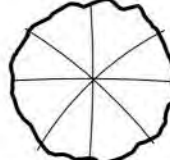
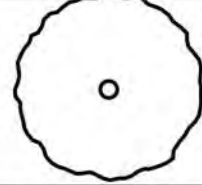









EXISTING TREE SURVEY						
NO.	BOTANICAL NAME	COMMON NAME	HEIGHT	SPREAD	CALIPER	DISPOSITION
1	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	30'	20'	12"	TO BE REMOVED
2	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	20'	10'	12"	PROTECT IN PLACE
3	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	20'	10'	12"	PROTECT IN PLACE
4	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	40'	20'	18"	PROTECT IN PLACE
5	PINUS THUNBERGII	JAPANESE BLACK PINE	25'	15'	24"	TO BE REMOVED

EXISTING PLANT SCHEDULE			
TREES			
SYMBOL	BOTANICAL NAME	COMMON NAME	COMMENTS
	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	---
	PINUS THUNBERGII	JAPANESE BLACK PINE	---
NOTE: THE LETTER (E) NEXT TO A TREE SYMBOL INDICATES AN EXISTING TREE TO BE PROTECTED IN PLACE. THE LETTER (R) INDICATES AN EXISTING TREE TO BE REMOVED FROM SITE.			





PROPOSED PLANT PALETTE						
TREES						
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE / FORM	WATER USE	QTY.	
	LAGERSTROEMIA INDICA X FAUREI 'MUSKOGEE'	MUSKOGEE CRAPE MYRTLE	24" BOX STD.	L	31	
	LOPHOSTEMON CONFERTUS	BRISBANE BOX	36" BOX STD.	M	15	
	PISTACHE CHINENSIS	CHINESE PISTACHE	36" BOX STD.	L	9	
	AGONIS FLEXUOSA	PEPPERMINT TREE (AFRICAN SUMAC TO BE PRUNED YEARLY)	36" BOX STD.	L	14	
SHRUBS, GRASSES, & GROUNDCOVERS						
SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	WATER USE	QTY.
	CAR GC	CARISSA M. 'GREEN CARPET'	DWARF NATAL PLUM	1 GAL.	L	536
	DIA LR	DIANELLA 'LITTLE REV'	LITTLE REV FLAX LILY	1 GAL.	M	427
	HES PAR	HESPERALOE PARVIFOLIA 'BRAKELIGHTS'	BRAKELIGHTS YUCCA	5 GAL.	L	350
	MUH RIG	MUHLENBERGIA RIGENS	DEER GRASS	1 GAL.	L	279
	OLE MON	OLEA EUROPAEA 'MONTRA'	LITTLE OLLIE DWARF OLIVE	5 GAL.	L	75
	RHA UMB	RHAPHIOLEPIS UMBELLATA 'MINOR'	DWARF YEDDO HAWTHORN	5 GAL.	L	320
	ROS OFF	ROSMARINUS OFFICINALIS 'PROSTRATUS'	CREEPING ROSEMARY	1 GAL.	L	98
WATER USE KEY: VL = VERY LOW WATER USE, L = LOW WATER USE, M = MODERATE WATER USE, H = HIGH WATER USE. WATER USE STATED IS PER 'WATER USE CLASSIFICATION OF LANDSCAPE SPECIES' (ALSO REFERRED TO AS WUCOLS IV) FOR THE CITY OF OAKLAND						

TREES



LAGERSTROEMIA INDICA
'MUSKOGEE' /
MUSKOGEE CRAPE MYRTLE



LOPHOSTEMON CONFERTUS /
BRISBANE BOX



PISTACIA CHINENSIS /
CHINESE PISTACHE



AGONIS FLEXUOSA /
PEPPERMINT WILLOW

SHRUBS AND GROUND COVERS



CARISSA M. 'GREEN CARPET' /
GREEN CARPET NATAL PLUM



MUHLENBERGIA RIGENS /
DEER GRASS



ROSMARINUS OFFICINALIS 'PROSTRATUS' /
CREEPING ROSEMARY



DIANELLA 'LITTLE REV' /
LITTLE REV FLAX LILY



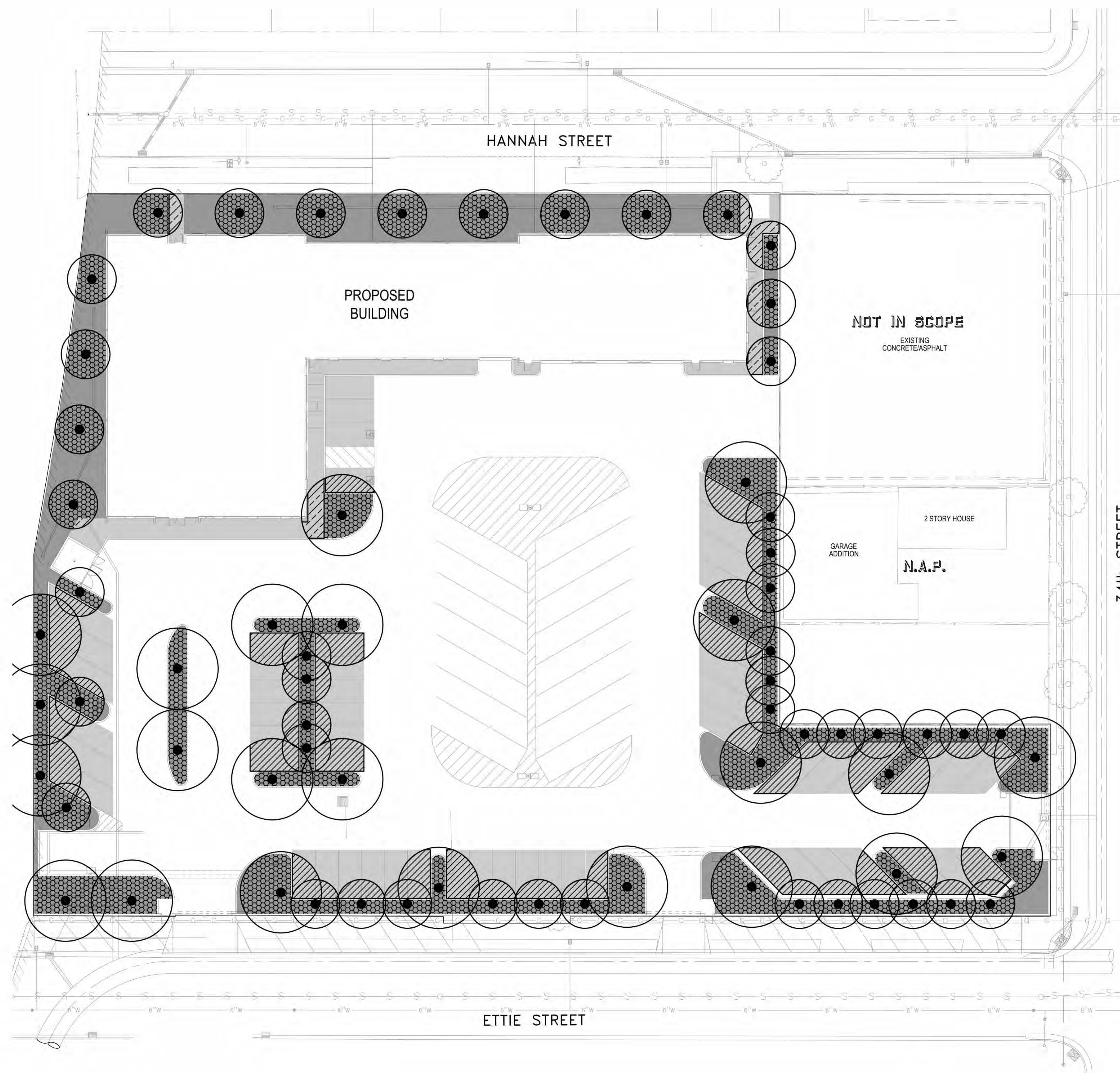
OLEA X MONTRA 'LITTLE OLLIE' /
LITTLE OLLIE DWARF OLIVE



HESPERALOE 'BRAKELIGHTS' /
BRAKELIGHTS YUCCA

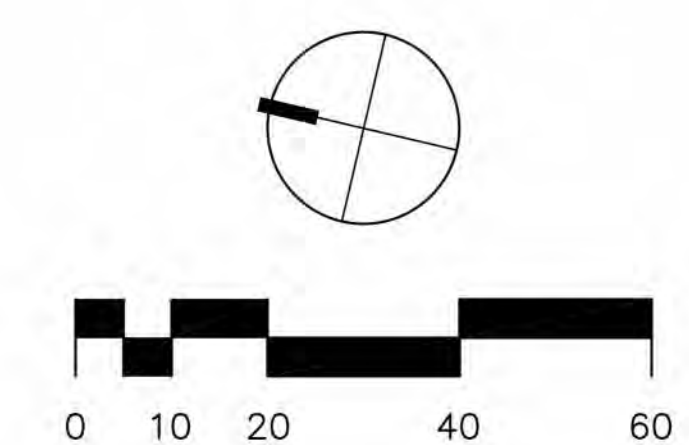


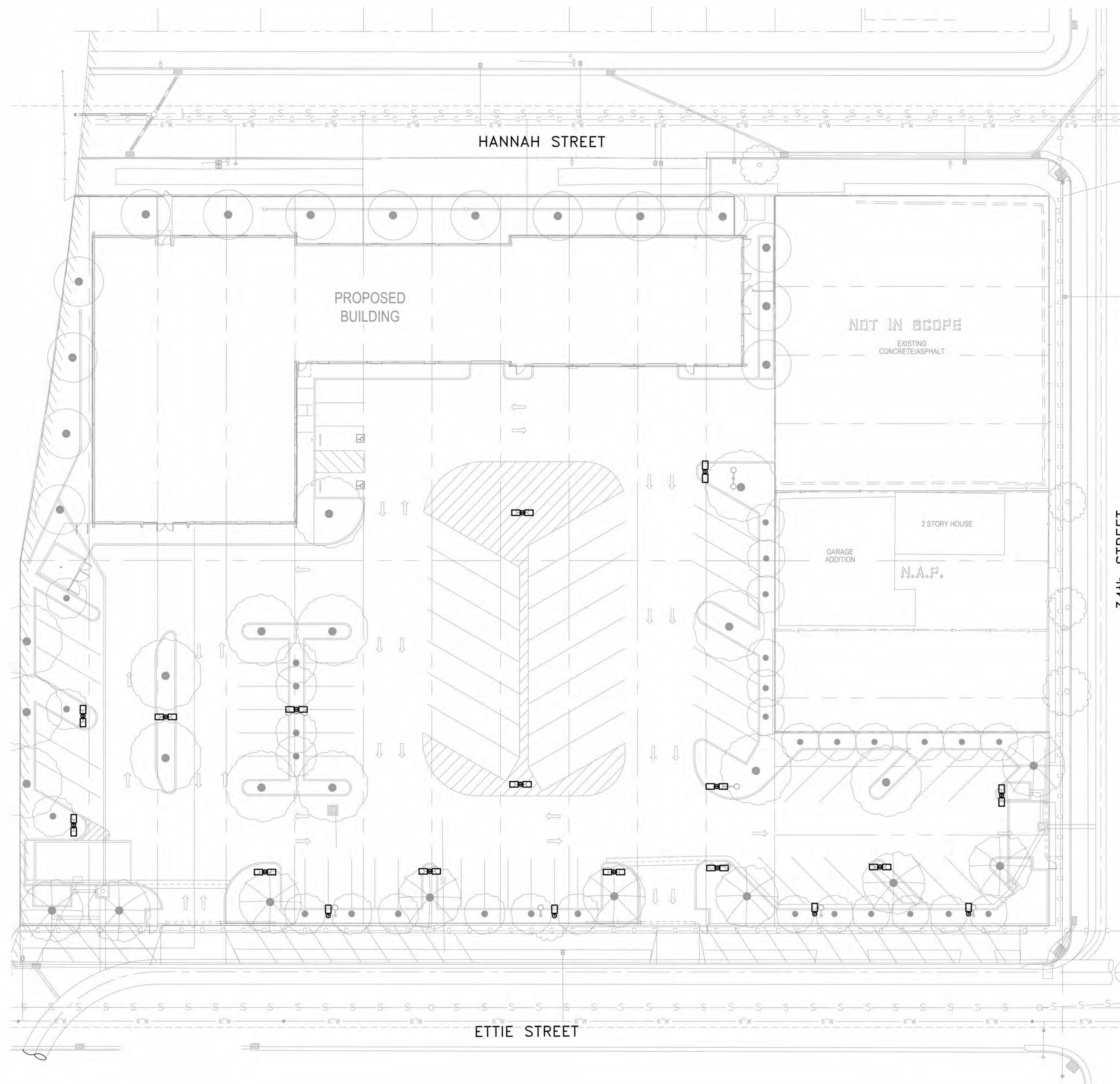
RHAPHIOLEPIS UMBELLATA 'MINOR' /
DWARF YEDDO HAWTHORN



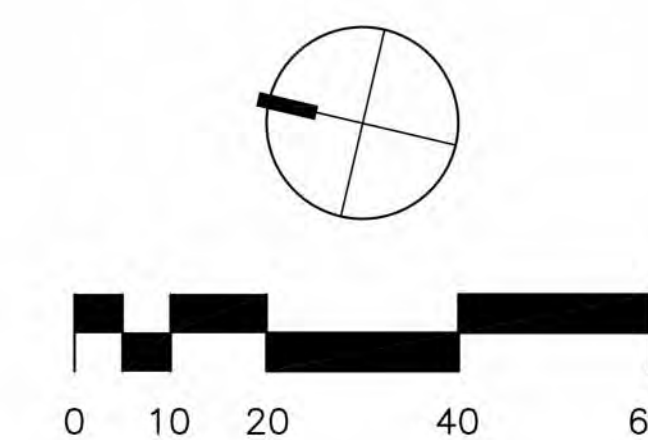
SHADE LEGEND	
	AREA OF PARKING STALLS
	AREA OF HARDSCAPE
	PLANTING AREA
	PARKING SHADE PROVIDED BY TREES AT MATURE GROWTH
	HARDSCAPE SHADE PROVIDED BY TREES AT MATURE GROWTH
	PLANTING SHADE PROVIDED BY TREES AT MATURE GROWTH

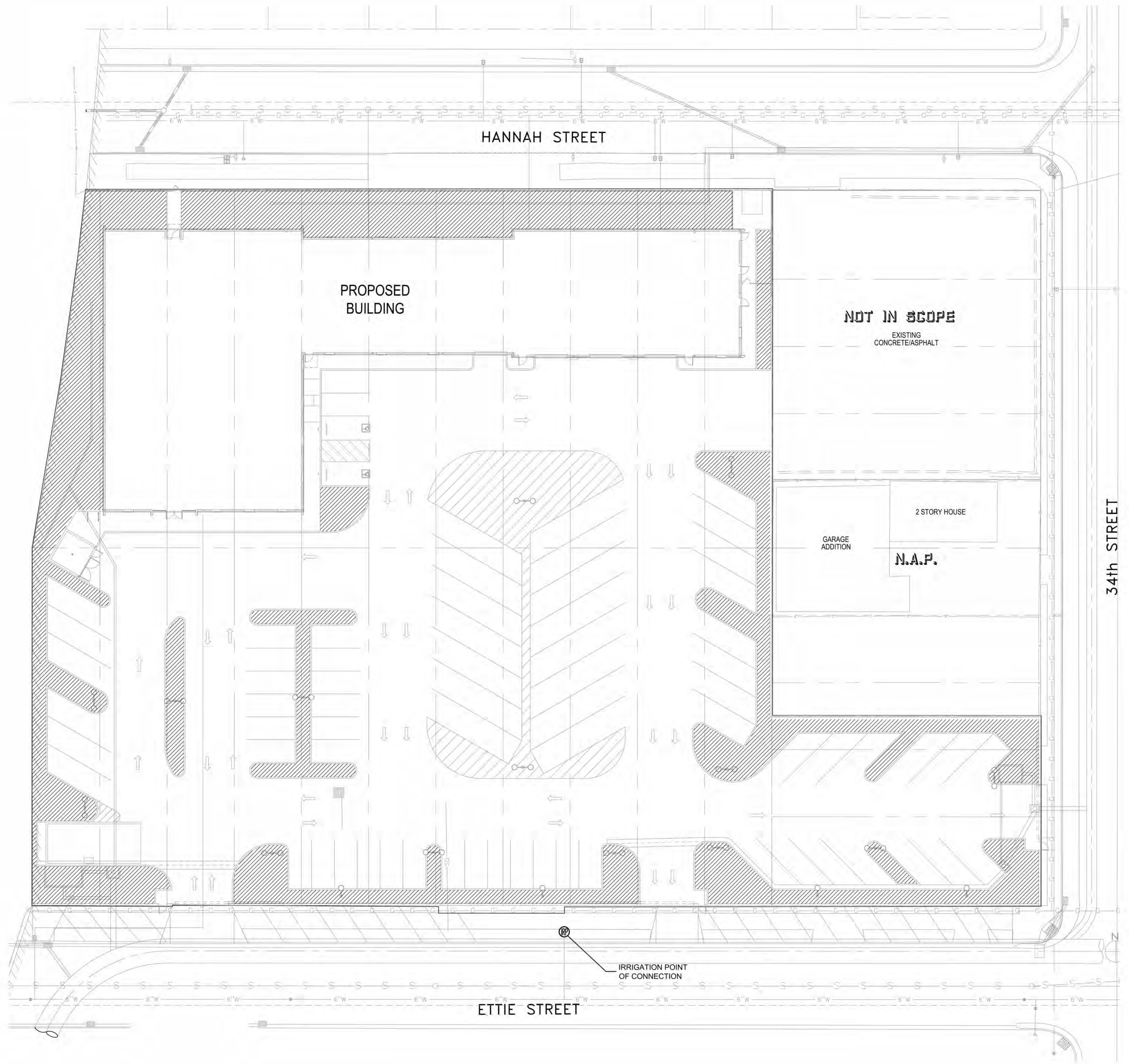
SHADE CALCULATIONS	
PARKING AREA SHADING	
AREA OF PARKING STALLS = 10,660 S.F.	
AREA OF SHADE REQUIRED = 5,330 S.F. (50%)	
AREA OF SHADE PROVIDED BY TREES = 5,500 S.F.	
AREA OF PARKING SHADE PROVIDED = 5,500 S.F. (52%)	
HARDSCAPE AREA SHADING	
AREA OF HARDSCAPE = 2052 S.F.	
AREA OF SHADE REQUIRED = 411 S.F. (20%)	
AREA OF SHADE PROVIDED BY TREES = 478 S.F.	
AREA OF HARDSCAPE SHADE PROVIDED = 478 S.F. (23%)	
LANDSCAPE AREA SHADING	
AREA OF LANDSCAPE = 13,616 S.F.	
AREA OF SHADE REQUIRED = 2,723 S.F. (20%)	
AREA OF SHADE PROVIDED BY TREES = 10,163 S.F.	
AREA OF LANDSCAPE SHADE PROVIDED = 10,163 S.F. (74%)	



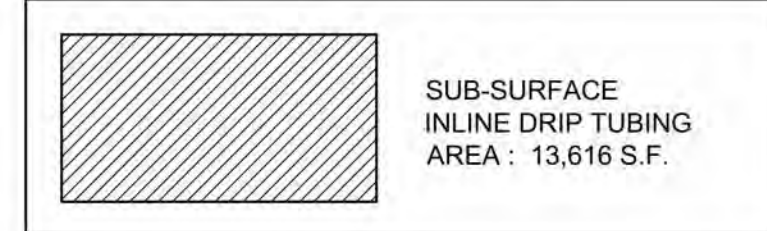


LANDSCAPE LIGHTING SCHEDULE				
SYMBOL	DESCRIPTION	MFR. / SUPPLIER	MODEL NO.	COMMENTS
	PARKING LOT LIGHT	KIM LIGHTING	OURO ARM MOUNT	OR EQUAL
NOTE: REFER TO ELECTRICAL ENGINEER'S SHEETS FOR LIGHT SPECIFICATIONS AND CIRCUITRY. SITE LIGHTING SHOWN HERE FOR DESIGN INTENT ONLY.				





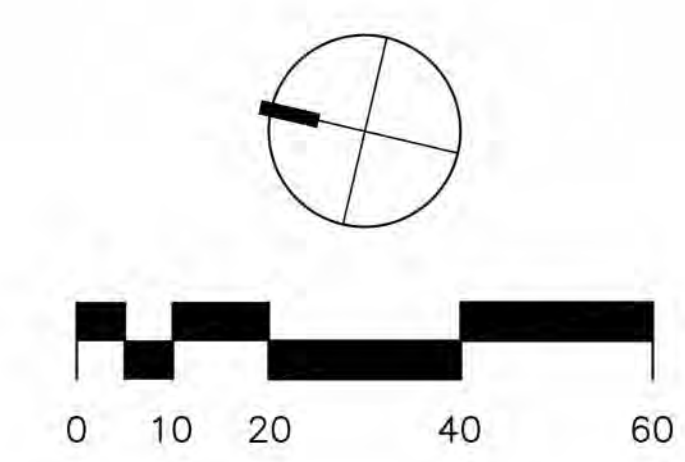
IRRIGATION ZONES

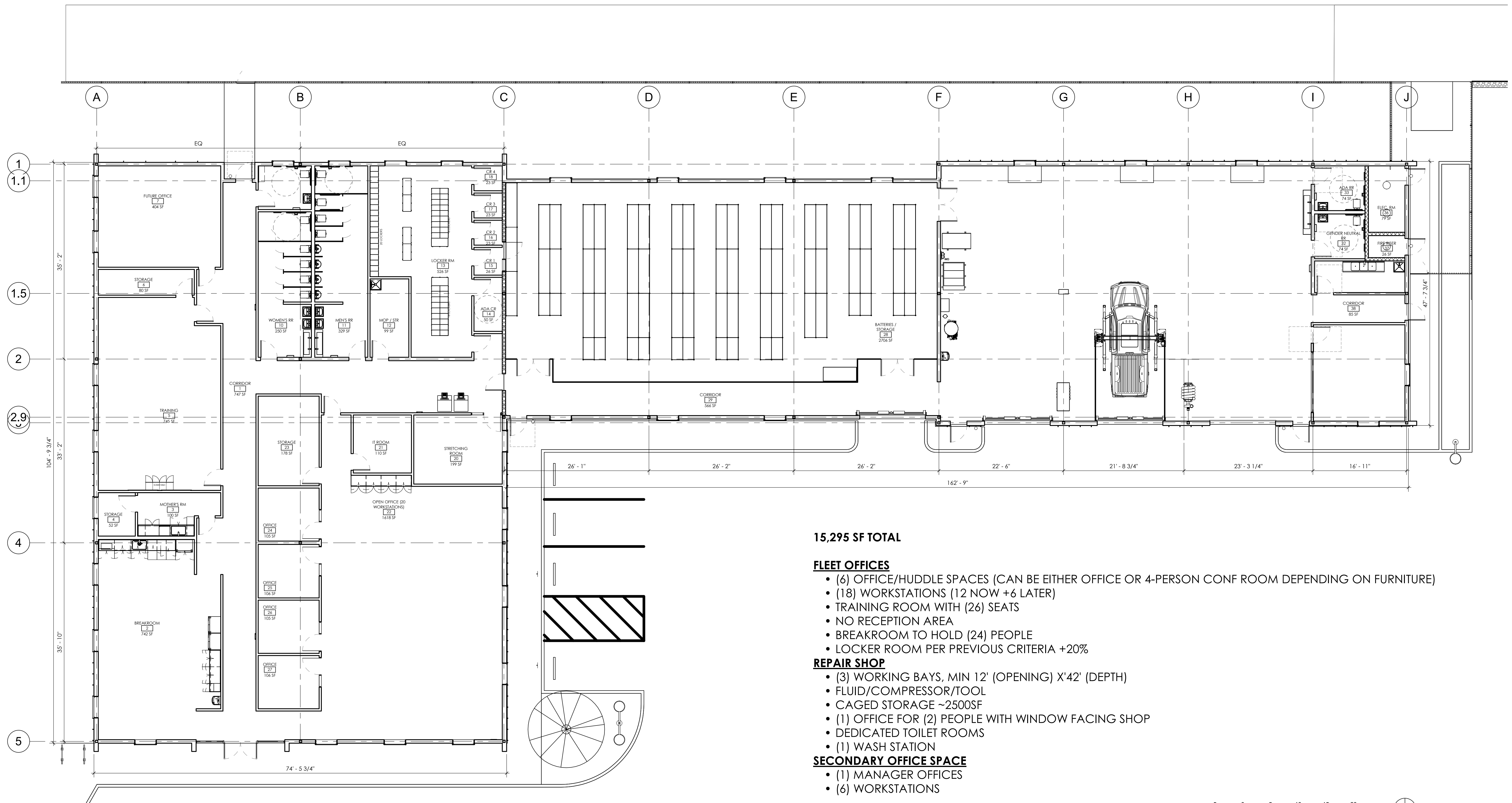


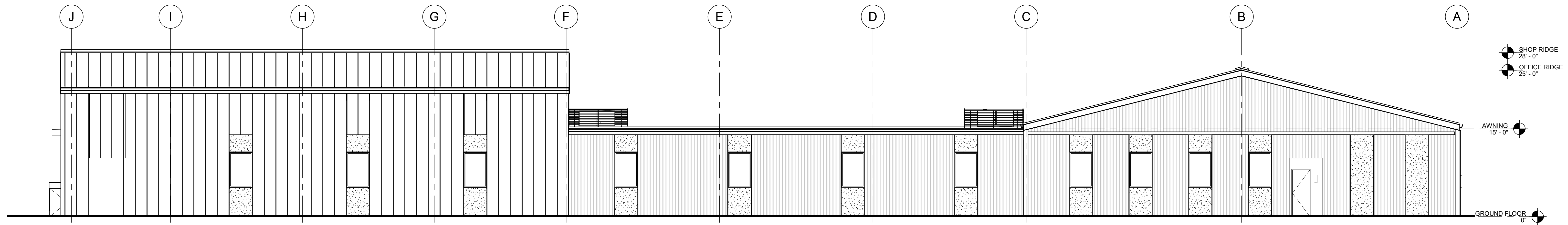
STATEMENT OF WATER CONSERVATION

- PLEASE NOTE THE FOLLOWING PRINCIPLES OF DESIGN UTILIZED ON THIS PROJECT DIRECTED SPECIFICALLY AS CONSERVING WATER AND IMPROVING THE EFFICIENCY OF THE IRRIGATION SYSTEM:
- IRRIGATION DESIGN UTILIZING DRIP IRRIGATION WITH 90% EFFICIENCY AND UP TO 40% REDUCTION IN WATER USAGE.
 - ALL SPRINKLERS SPACED HEAD TO HEAD 100% OF MANUFACTURERS RECOMMENDED RADIUS.
 - ALL SPRAY HEADS UTILIZE MATCHED PRECIPITATION RATE NOZZLES AND CHECK VALVES.
 - ALL SPRAY HEADS UTILIZE PRESSURE REGULATION, CHECK VALVES, AND PRESSURE COMPENSATING SCREENS.
 - RECOMMENDATIONS GIVEN FOR ANNUAL IRRIGATION SCHEDULE.
 - IRRIGATION ZONES SEPARATED BY PLANT MATERIAL TYPES.
 - IRRIGATION ZONES SEPARATED BY EXPOSURE AND ORIENTATION.
 - UTILIZATION OF IRRIGATION SYSTEM MASTER VALVE.
 - UTILIZATION OF IRRIGATION SYSTEM FLOW SENSOR.
 - UTILIZATION OF RAIN SHUT-OFF DEVICE CONNECTED TO IRRIGATION CONTROLLER.
 - UTILIZATION OF (ET) BASED "SMART" IRRIGATION CONTROLLER WITH WATER BUDGETING FEATURE.
 - MULCH 3/4" - 1" SIZE UTILIZED IN THE LANDSCAPE; 3" DEPTH MIN.
 - SOIL AMENDMENTS UTILIZED TO IMPROVE WATER HOLDING CAPACITY OF SOIL.
 - AUTOMATIC IRRIGATION SYSTEM ADJUSTED SEASONALLY AND WITH WATERING HOURS BETWEEN 10:00 P.M. AND 6:00 A.M.

NOTES:
NOTIFY EAST BAY MUNICIPAL WATER DISTRICT, (866) 403-2683
FOR IRRIGATION MAIN LINE PRESSURE TEST AND COVERAGE TEST.
48 HOURS NOTICE REQUIRED.



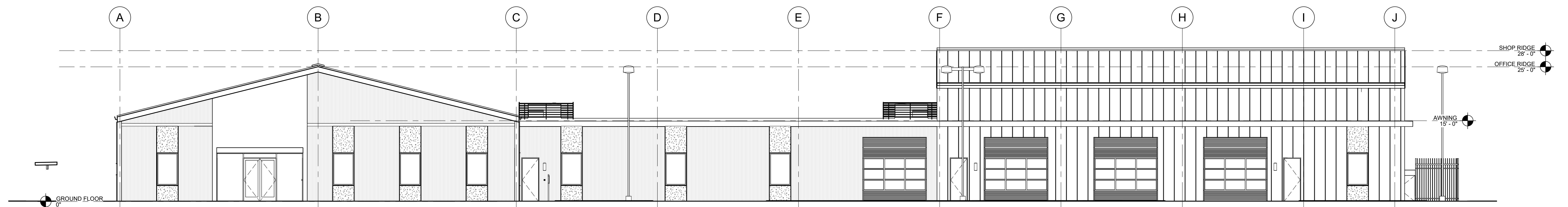




1 | BACK ELEVATION - NORTH CUP

1/8" = 1'-0"

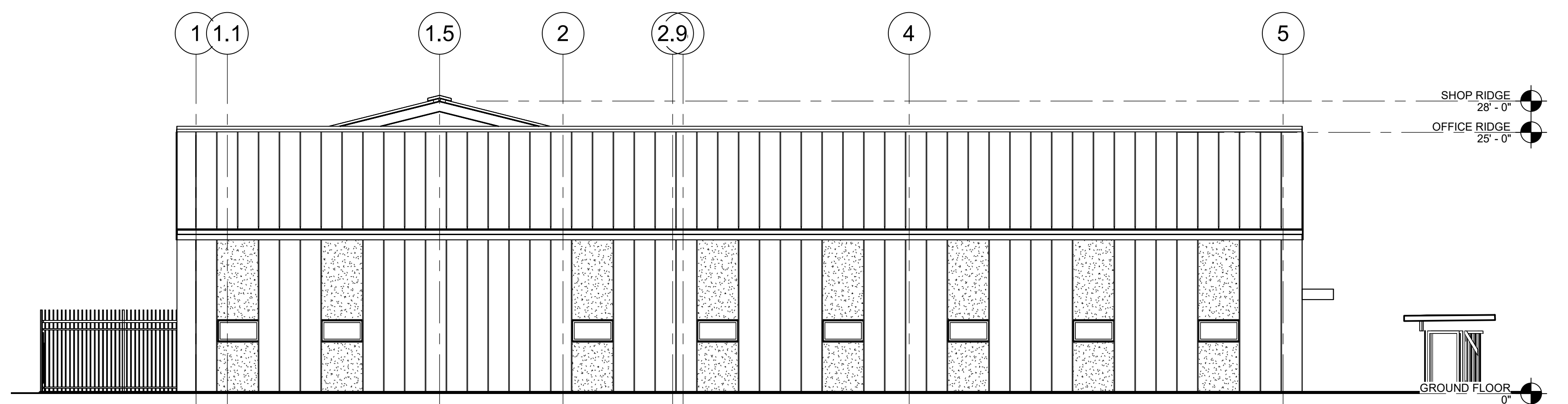
1/8" = 1'-0"



2 | FRONT ELEVATION - SOUTH CUP

1/8" = 1'-0"

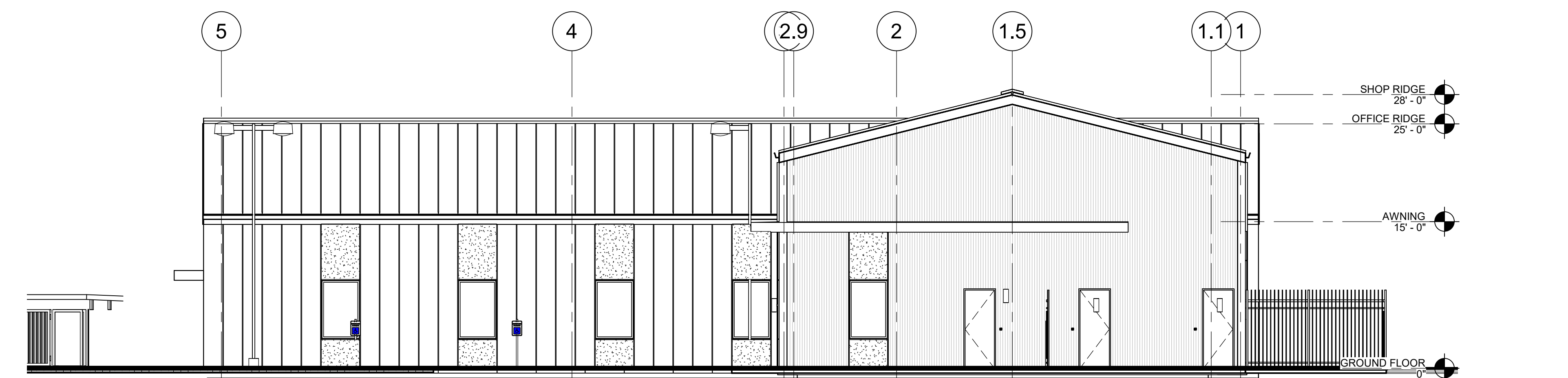
1/8" = 1'-0"



4 | SIDE ELEVATION - WEST CUP

1/8" = 1'-0"

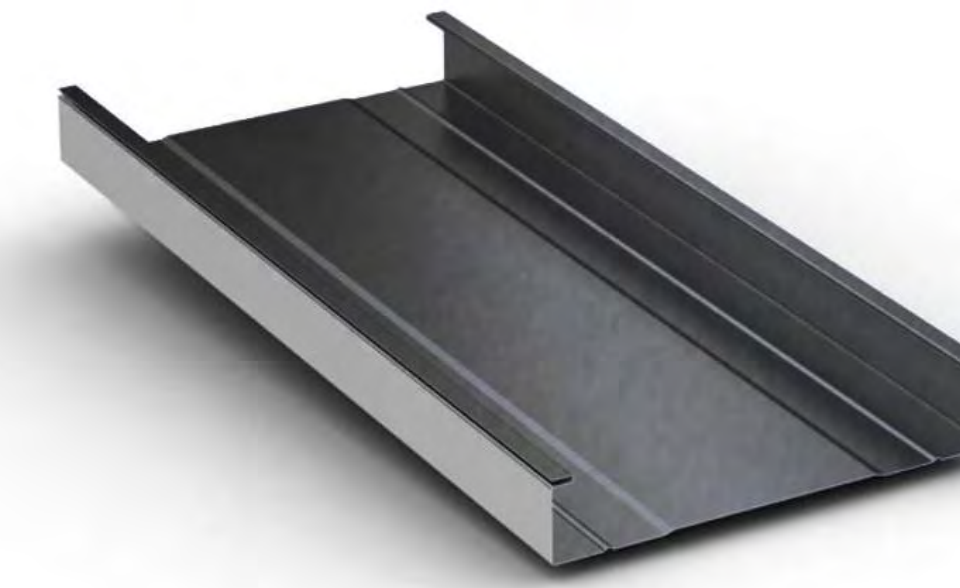
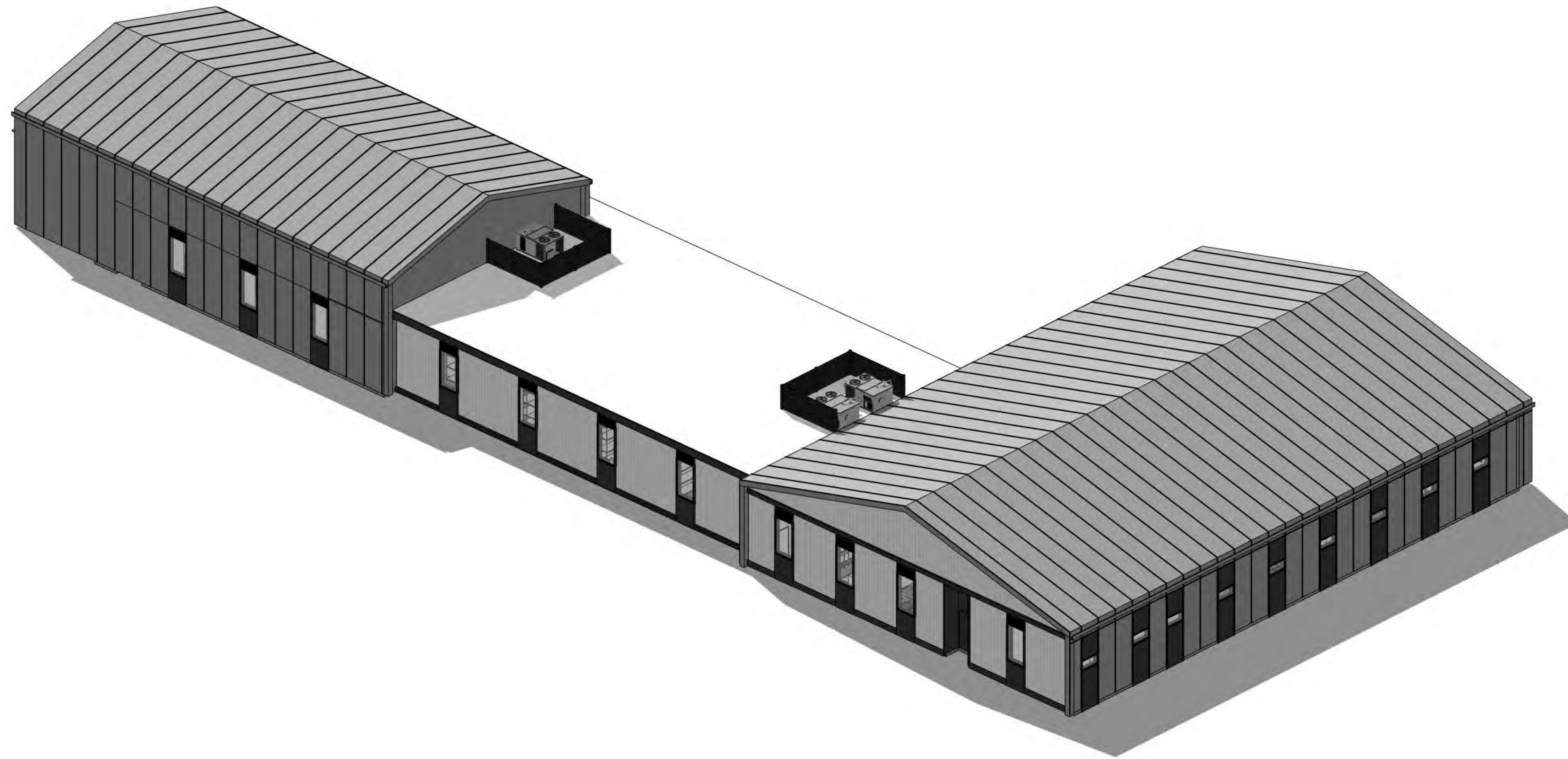
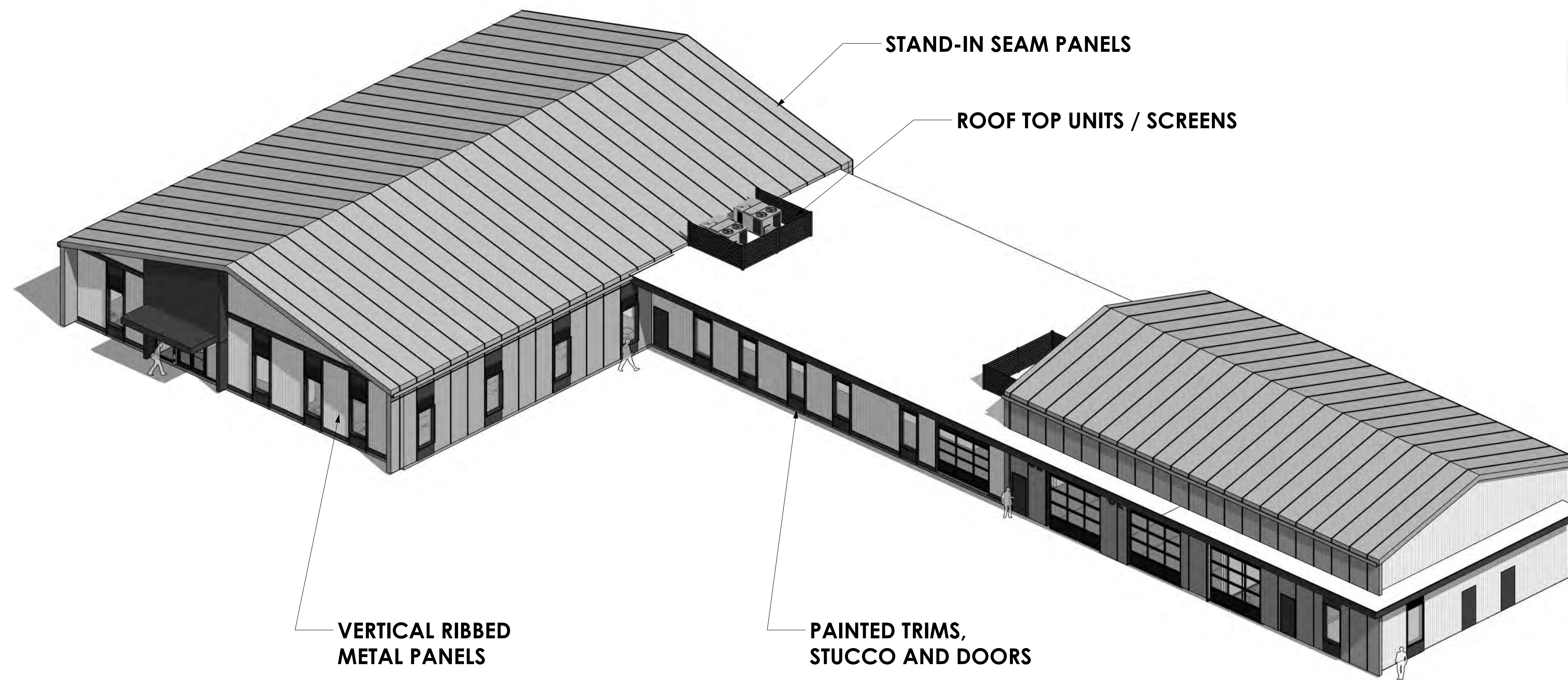
1/8" = 1'-0"



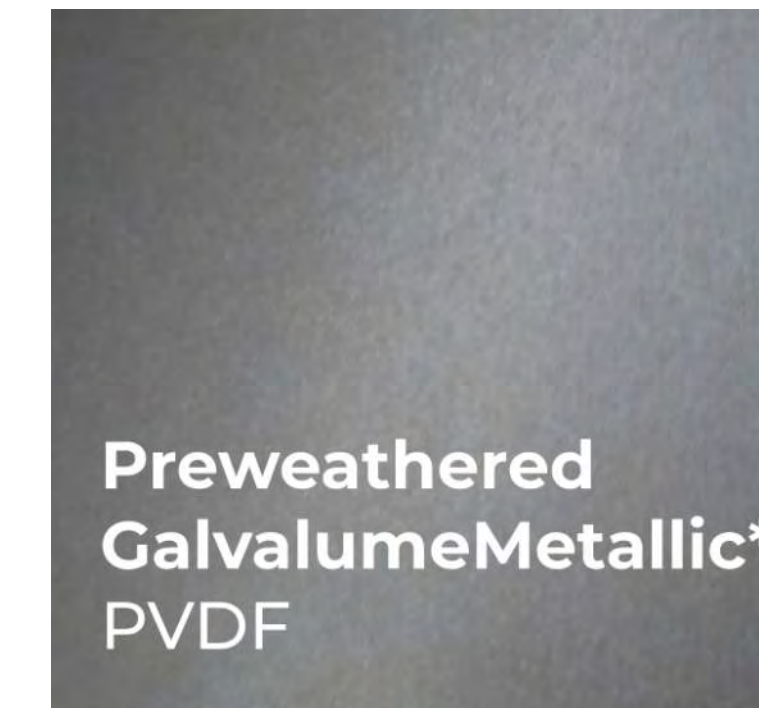
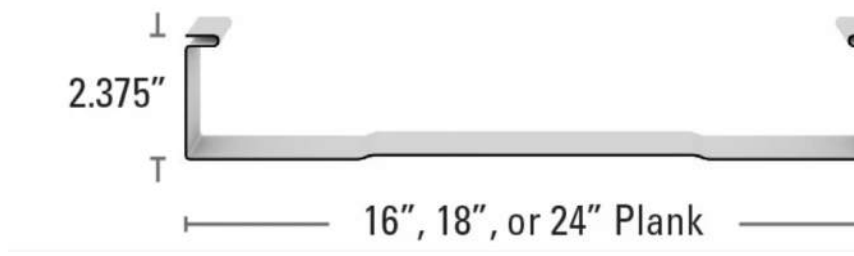
3 | SIDE ELEVATION - EAST CUP

1/8" = 1'-0"

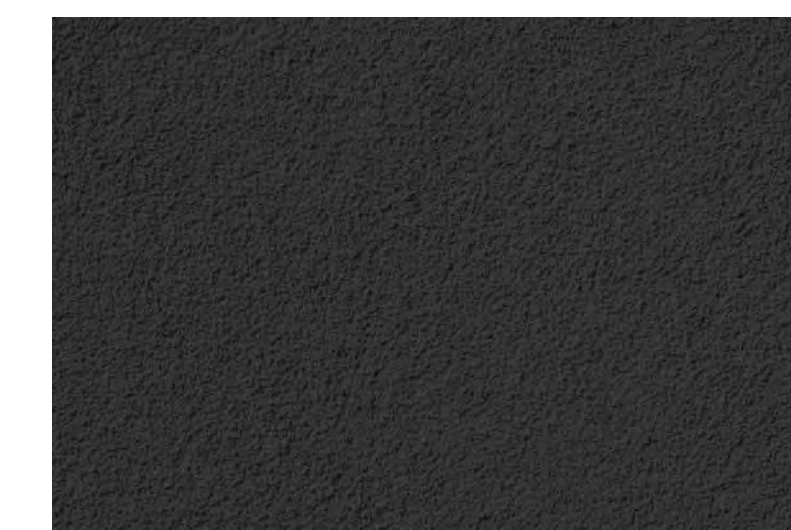
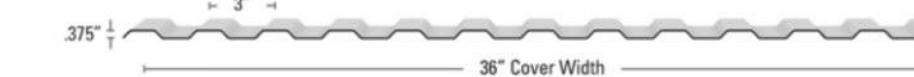
1/8" = 1'-0"



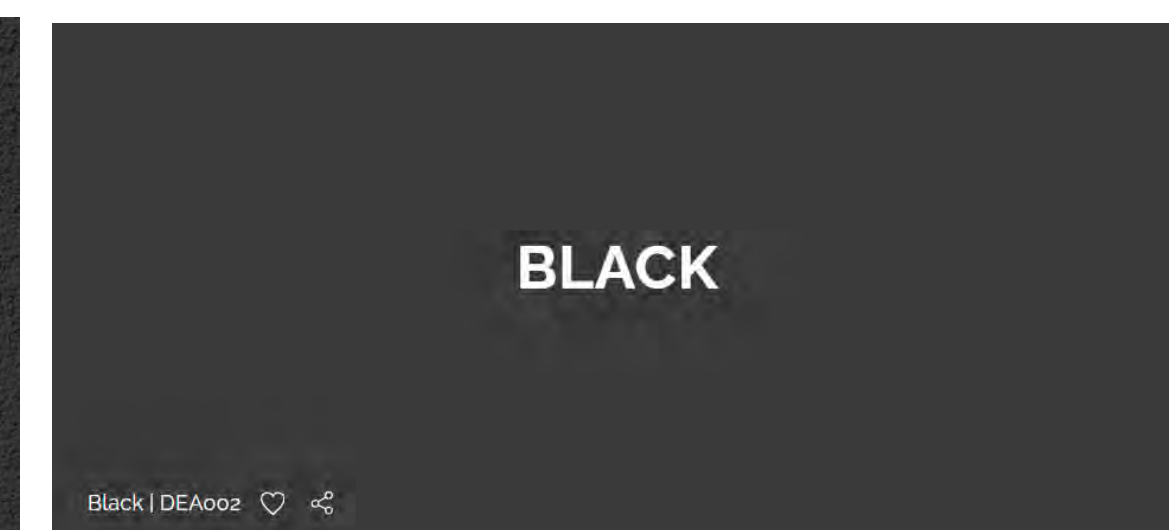
MCELROY METAL - STAND-IN SEAM PANEL
 238T SYSTEM - 24" PLANK
 PREWEATHERED GALVALUMEMETALIC PVDF - METALLIC COLOR



MCELROY METAL - MINI-RIB PANEL
 3" VERTICAL RIBBED METAL PANELS
 REGAL WHITE PVDF - STANDARD COLOR



PAINTED STUCCO
 DUNN EDWARDS BLACK DEA002
 WINDOW PANELS, TRIMS, WALLS, AND DOORS



BLACK METAL
 ROOF AND TRIMS



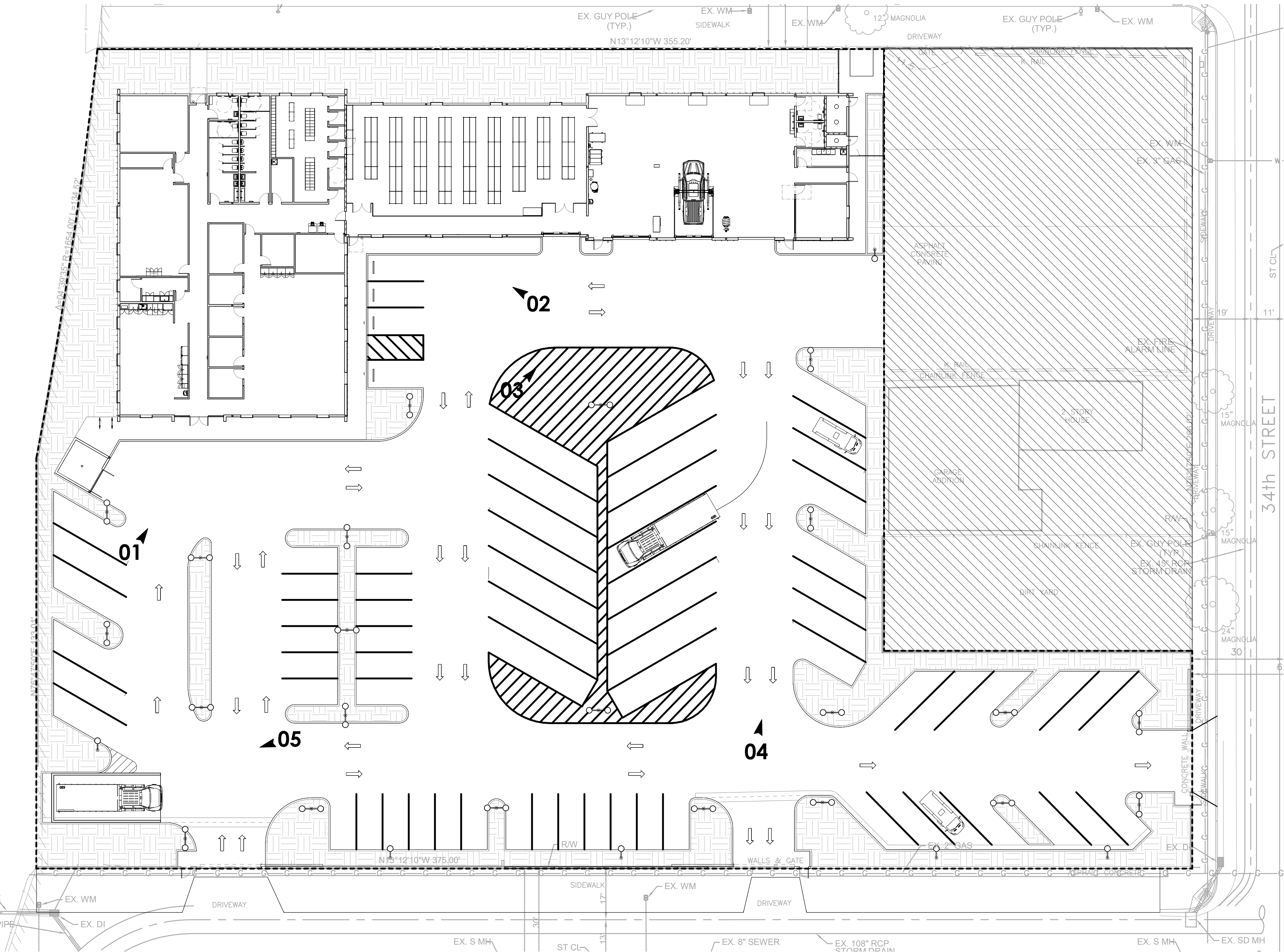
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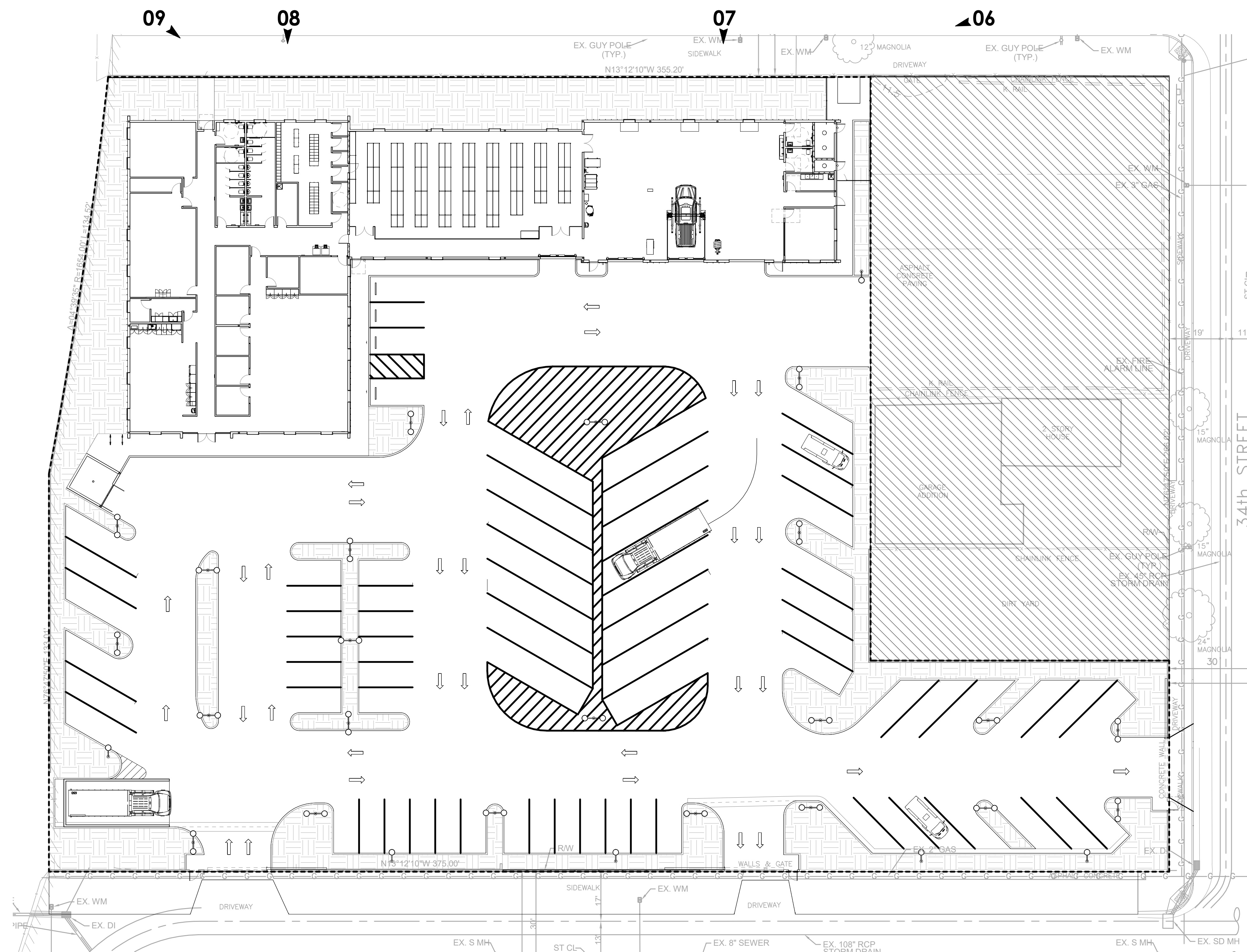
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8'-0" HIGH WROUGHT IRON FENCING



TUBE STEEL
BLACK POWDER COATED FINISH
3/4" SQ 14 GA PREGAL PICKETS
1-1/2" SQ 14 GA CROSS RAILS
3" SQ 11GA POSTS



**BLACK POWDER COAT
FENCING**