Case File Number PUD02217

STAFF REPORT November 16, 2022

	Siena Hill (on Siena Drive between Greenridge Drive and Rilea Way)					
Location:	(see attached map)					
Assessor's Parcel Number:	040A384800100 through 040A384803200					
Proposal:						
	family dwellings on 32 lots, 103 off-street parking spaces, and a private					
	road. Phase 1, which includes 10 of the 32 units, the associated parking spaces and the private road, has been constructed.					
Applicant:	Keven Kwok					
Phone Number:						
Owner:	Oakland Siena LLC					
Case File Number:	PUD02217					
Planning Permits	Extension of the Planned Unit Development Permit; Minor Variances for height					
Required:	and minimum separation of retaining walls, maximum percentage of front yard paving, and length of buildings alongside lot lines; and Design Review.					
General Plan:	Previously: Detached Unit Residential					
	Currently: Mixed Housing Type Residential					
Zoning:	Previously: R-50 Medium Density Residential Zone					
	Currently: RM-3, Mixed Housing Type -3 Zone					
Environmental	Final Environmental Impact Report certified on March 2, 2005 (Case					
Determination:	File ER020012).					
Historic Status:	N/A					
City Council District:	6					
Status:	Decision pending; Current planning entitlements expire December 31, 2022					
Staff Recommendation:	Decision based on staff report					
Finality of Decision:	Appealable to City Council within 10 days					
For further	Contact case planner Heather Klein at 510 238-3659 or by e-mail at					
information:	hklein@oaklandca.gov					

SUMMARY

On October 18, 2022, the applicant for the residential project at Siena Hill located along Siena Drive submitted a request for an extension (*Attachment A*) of the entitlements originally approved by the Planning Commission in 2005 (*Attachment B*). The Project applicant has taken advantage of all ministerial options for extensions; however, Condition of Approval #2 allows the Project applicant to request, without limit, further entitlement extensions from the Planning Commission if an application is submitted prior to the expiration date. The Project applicant filed extension applications in 2008 and $2015-2019^1$ which the Planning Commission approved. In addition, the Project Applicant also filed an extension application under the City Administrator's Order #3 in 2020 which allowed a two-year administrative extension. Without an additional extension, the entitlements will now expire on December 31, 2022.

¹ An administrative extension was granted in 2008, A Planning Commission extension was granted in 2008. The Project was extended from 2008-2016 via City Council resolutions due to the recession.

The Project applicant has not moved forward with the project for several reasons, including:

- The 2008 recession;
- Uncertainty regarding the Oakland Area Geologic Hazard Abatement District (GHAD) acceptance of the Siena Hill project and negotiation regarding a reduction in the assessments which did not conclude until 2016;
- Potential changes to the design for Phase 2 and Phase 3;
- Increases in constructions costs and fees since 2005;
- Difficulty in securing funding;
- COVID-19 pandemic; and
- Potential acquisition by a new owner.

BACKGROUND

Below is a list of the approved actions for this project.

- Planning Commission approval of a Preliminary Planned Unit Development Permit, a Final Development Permit for Phase 1, and a Vesting Tentative Tract Map on March 2, 2005.
- Planning Commission approval of a two-year extension in 2008 until June 18, 2010.
- Building permits finalized for 10 buildings in 2009.
- Pre-application submittal in October 2015 for the remaining 22 units and minor design changes.
- Planning Commission approval on February 17, 2016 extending the planning entitlements per Condition of Approval #2 until December 31, 2016 and amending the Conditions of Approval related to extensions, improvements, and impact fees (*Attachment C*).
- City Council approval of a Resolution amending the Oakland Area Plan of Control to include the Siena Hill development and reduce the Geologic Hazard Abatement District (GHAD) assessments on July 19, 2016.
- Owners withdraw of the 2013 planning application to amend the Conditions of Approval to remove the GHAD-related conditions on May 13, 2016.
- Planning Commission approval on January 11, 2017, December 20, 2017, and January 16, 2019, extending the planning entitlements per Condition of Approval #2.
- A two-year administrative extension of the planning entitlements per the City Administrator's Order #3 on October 29, 2020 (*Attachment D*).

PROJECT DESCRIPTION

The proposed project consists of 32 attached, single-family townhomes that step down the slope to Keller Avenue (*Attachment D*), 10 of which have been constructed. As discussed in the previous Planning Commission staff reports requesting extensions, the project is still consistent with the new General Plan land use designation and related zoning district.

CONCLUSION AND RECOMMENDATION

The project is a continuation of a larger phased development which has only been partially completed. The project has challenges that are unique to the site, including the GHAD requirement, involvement of the 10 existing owners in any design changes, and the fact that the PUD is partially vested as a land use entitlement. Staff believes that a two-year extension would allow the applicant to successfully complete the approved, desirable project without remaining underutilized for an extensive amount of time.

Therefore, staff recommends that the Planning Commission:

- 1. Approve a two-year extension of Project approvals until December 31, 2024, subject to the previously approved Findings and Conditions of Approval, including the additional Condition of Approval regarding the imposition of impact fees per the previous Planning Commission extensions.
- 2. Adopt the environmental determination that the approved extension is consistent with, and within the scope of, the previous EIR for the project pursuant to the requirements of the California Environmental Quality Act ("CEQA") under Public Resources Code Section 21166 and CEQA Guidelines Section 15162.

Prepared by:

Heather Klein Planner IV

Reviewed by:

Robert Merkamp, Zoning Manager Bureau of Planning

Approved for forwarding to the Planning Commission:

for

Edward Manasse, Deputy Director Bureau of Planning

ATTACHMENTS:

- Applicant's extension letter of request, dated October 17, 2022 A.
- Staff Report (Excerpt), dated June 18, 2005 В.
- Conditions of Approval 2005 and 2016 C.
- Extension Letter per the City Administrator's Order, October 29, 2020 D.
- Approved Project Plans E.

FINDINGS FOR APPROVAL

See Attachment B

ADDITIONAL CONDITION OF APPROVAL

See Attachment C

Findings and Additional Condition of Approval

Oakland Siena LLC 4481 Belmont Way Castro Valley, CA 94546

October 17, 2022

City of Oakland Attn: Heather Klein 250 Frank H Ogawa Plaza, Suite 2114 Oakland, CA 94612

Re: Siena Hill Entitlement Extension

Dear Heather:

This letter is a request for entitlement extension for Phase 2 and 3 of the Siena Hill project.

We are requesting an extension due to the following reasons:

There was uncertainty with the Oakland Area Geological Hazard Abatement District (GHAD) and the assessment on the Siena Hill properties. After years of discussion and negotiations, the assessment was finally lowered at the end of 2016. The uncertainty of the GHAD should be now behind us going forward.

Design revisions have been considered with Phases 2 and 3. There has been a change in designers in 2017. Various meetings with the new designer and planning department were held from 2017 to 2019. Meetings with the Siena Hill HOA have been held to review various changes in design.

Construction of phases 2 and 3 did not start immediately in 2008, when Oakland Siena LLC purchased the properties, due to financial reasons. Market price did not justify starting construction at the time. Cost of construction has significantly increased over the last several years, especially after the COVID-19 pandemic and a development impact fee have also been introduced since purchase of project in 2008. The design changes are also driven to increase selling price and reduce construction costs. Construction costs and fees continue to increase. Ownership is currently working on securing funding for phase 2 and 3 construction activities.

The projected phasing schedule is as follows: Phase 2 Final Submittal – Q3 2023 Phase 2 Construction – Q2 2024 – 2026 Phase 3 Final Submittal – Q3 2024 Phase 3 Construction – Q2 2025 – 2027

Sincerely,

Keven Kwok President Oakland Siena LLC

Case File Numbers: PUD02-217, PUDF05-081, ER02-0012, TTM7396 March 2, 2005

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Location:	Siena Hill (off of Keller Avenue, between Greenridge Drive and Rilea Way); APN: 040A-3457-033-01		
	(See Map on the reverse)		
Proposal:	The applicant proposes construction of 32 attached single-family		
	dwellings on 32 lots, 103 off-street parking spaces, and a private		
	road. The project would also include the removal of a portion of the		
	median strip on Keller in order to create a left turn lane onto		
	proposed Siena Drive.		
Project Sponsor:			
	Hillside Homes Group Inc.		
Planning Permits Required:	Planned Unit Development (Preliminary Development Plan and Final		
0 1	Development Plan); Minor Variances for height and minimum		
	separation of retaining walls, maximum percentage of front yard		
	paving, and length of building along side lot lines; Design Review;		
	and a Subdivision Map.		
General Plan:	Detached Unit Residential		
Zoning:			
Environmental Determination:	Final EIR published on February 18, 2005		
Historic Status:	The project site is vacant.		
Service Delivery District:	IV-Fruitvale		
City Council District:	6		
Date Filed:	May 24, 2002		
Staff Recommendation	Decision based on staff report		
Finality of Decision:	Appealable to City Council within 10 days		
For further information:	Contact case planner Heather Klein at 510 238-3659 or by e-mail at		
	hklein@oaklandnet.com.		

SUMMARY

The purpose of this report is to provide a summary of the potential environmental impacts of the proposed project, as identified in the Environmental Impact Report, provide analysis of the project and recommend approval. The project site is located on a vacant parcel off of Keller Avenue, between Greenridge Drive and Rilea Way. The applicant proposes the construction of 32 attached single-family dwellings on 32 lots, 103 off-street parking spaces, and a private road. The project would also include the removal of a portion of the median strip on Keller Avenue in order to create a left turn lane onto proposed Siena Drive.

A Draft EIR was published on November 22, 2004 and the public review and comment period ended on January 5, 2005. A Final EIR, responding to the comments received on the Draft EIR, was published on February 18, 2005.

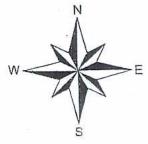
Staff recommends approval of the project subject to the conditions, requirements, and findings contained in this staff report.

#2

CITY OF OAKLAND PLANNING COMMISSION



Case File: Applicant: Address: Zone: ER02-0012 Edward Patmont Siena Hill R-50



PROJECT SITE AND SURROUNDING AREA

The 3.86 acre project site is located on the east side of Keller Avenue, between Greenridge Drive and Rilea Way. The surrounding neighborhood includes a variety of land uses and activities. Located to the north are multi-family housing and undeveloped hillsides. Multi-family housing is to the east; single-family homes, convenience stores, auto facilities, and churches are located to the west. Farther west is Interstate 580. To the south of the project site, below Keller Avenue are single-family homes; further south is the former Oak Knoll Naval Hospital.

PROJECT DESCRIPTION

The proposed project consists of 32 attached single-family homes on 32 parcels. The project would include the removal of a portion of the median strip along Keller Avenue in order to create a left turn lane. The homes would be accessed via a private, one-way road, entering off of Keller Avenue and exiting onto Greenridge Drive. The development would also include 103 off-street parking spaces. Each unit would be provided 3 parking spaces, 1 space in the garage, 1 space in the driveway, and 1 space between a landscaped buffer and the driveway. Seven guest spaces are located throughout the development. In addition, the applicant proposes to request that the City create 22 new on-street parking spaces along Keller Avenue. This action must be taken by City Council. Two pedestrian stairways through the project would provide access to Keller Avenue and the new on-street parking spaces if this was approved.

Plans show 18 downslope homes and 14 upslope homes, with one home per lot. The homes would range in size from 1,800 to 1,960 S.F. on an average lot size of 5,300 S.F. The front setbacks range from 0-20'. Each home has one 0' setback along the side property line, while the other side setback ranges from 6-275'. The rear yards range from 15'-95'.

The buildings are designed in an Italian hillside architectural style. The building materials include stucco in warm terracotta, ochre, and beige colors with clay tile roofs. The building clusters are used as catalysts for variety in the facades. These facade treatments include tower elements, trellises, wrought-iron balconies and railings, and wood window trim. The buildings will step down the slope to Keller, which will reduce the mass and bulk of the buildings while keeping with the "Italian hill town" theme of the project.

The project proposes extensive hardscape and softscape elements throughout the development. Hardscape elements include a monument sign, private stairs, decorative paving, fencing, and retaining walls. A 5' wide landscape buffer is proposed in front of a 5' tall wall for the length of the project site along Keller Avenue. In addition, 2 pedestrian stairways from Keller link to a walkway that runs behind each downhill home. A walkway also runs along the rear of the upslope homes and connects to Siena Drive by two stairways at the east and west end. Open space is provided through front, side, and rear yards, as well as decks and balconies. The landscaping plans show native trees, shrubs, vines, and groundcovers.

The project is proposing low-level street and pedestrian-scale light fixtures along the proposed Siena Drive. The outdoor lighting is subject to review by the Planning Department and the Public Works Agency, Electrical Services in accordance with the City's outdoor lighting standards. These fixtures will include timing devices that would limit the amount of time the lighting would be in use and would be downcast to prevent glare and reduce light pollution.

GENERAL PLAN ANALYSIS

The General Plan designation for the project site is Detached Unit Residential (DU). The General Plan states the *intent* of the DU designation is "intended to create, maintain, and enhance residential areas characterized by detached single unit structures." The *desired character* of "future development within this classification should remain residential in character with appropriate allowances for schools and other small-scale civic institutions."

Although the project is proposing attached single family homes with a 0' setback along one side lot line, staff determined early on that this type of project is consistent with General Plan policies and the DU designation. The DU designation states that the maximum allowable density is 11 units per gross acre, which equates to 14.6 units per net acre. Accordingly, a maximum of 43 units would be permitted on the 3.86 acre project site. The proposed 32-unit project is well under the maximum density by 11 units. The applicant has worked with staff during the past 3 years to propose a density fitting the project's topographic and access constraints. Also, the project is representative of the typical form and character of single family development within this classification. The average lot size for the project is 5,300 S.F. and consistent with the typical lot size for the DU designation which ranges from 4,000 to 8,000 S.F. The project is proposing a front, rear, and side yard setback; amount of open space; building footprint, and floor area that is consistent with the single family detached structures.

In addition, several policies in the General Plan encourage cluster development as shown on the project plans. Land Use and Transportation Element (LUTE) Policy N7.6 states that development on subdivided parcels should be allowed where the site and building design minimize environmental impacts, building intensity and activity can be accommodated by available and planned infrastructure, and site and building designs are compatible with neighborhood character. Open Space, Conservation, and Recreation Element Policy OS-1.3 states that creative architecture and site planning which minimizes grading should be encouraged.

By clustering development, an integrated site plan with a lower residential density and reduced visual and grading impacts is achieved. The applicant is requesting a Planned Unit Development (PUD) per the zoning regulations for the project. A PUD is intended to encourage the appropriate development of parcels large enough to allow comprehensive site planning. This approval provides flexibility in the regulations or exceptions to promote an integrated development and create an attractive living environment. One of the exceptions requested for this project is the waiver of one side yard setback. For these reasons the proposed project is consistent with the General Plan objectives and the intent and character of the Detached Unit designation. In short, this project should be viewed as a clustered single-family development with a 0' lot line on one side. Each cluster, although only separated by inches, is composed of two completely independent units, thereby consistent with the Detached Unit Residential designation and objective of an integrated site plan.

The proposed project is within the allowable residential density and the uses are consistent with the General Plan designations. In addition, the project implements several General Plan Land Use and Transportation Element policies related to the construction of new, high quality housing units on infill sites (including Objective N3 and Policies N3.1, N3.2, N3.8, N3.10, N6.2, N7.1, N7.4, and N7.8). Therefore, the project is consistent with the intensity and uses allowed by the General Plan land use designations, as well as with several General Plan policies.

ZONING ANALYSIS

The zoning of the site is R-50 or Medium Density Residential. However, due to the residential density in the surrounding neighborhood and the site's environmental constraints staff has applied a "best fit" zone of R-30 One Family Residential to the site. The R-30 regulations are more restrictive than the R-50 and more consistent with the DU General Plan land use designation. The R-50 conditionally permits 1 unit per 1,500 S.F. for project sites over 10,000 S.F. while the R-30 allows 1 unit per lot with a minimum lot area of 5,000 S.F. The maximum allowable density under the R-30 zoning regulations for the 3.86 acre project site is 33 units. The 32 unit project is 1 unit under the allowable zoning density.

The proposed project will require the following planning approvals: a Planned Unit Development (PUD) (including both a Preliminary Development Plan (PDP) and Final Development Plans (FDP) for three phases); Design Review; Minor Variances for front yard paving, the minimum height and separation of retaining walls, and length of building along side lot lines; and a Tentative Tract Map. All applicable criteria for these entitlements have been analyzed and appropriate findings have been made as part of this staff report.

Criteria	R-50	R-30 "Best Fit"	Proposed	Comment/ Degree of Variance
Lot Area	4,000 S.F.	5,000 S.F.	2,963 S.F. – 19,671 S.F.	Requirement waived with a PUD.*
Yard – Front	15'	20'	0-20'	Requirement waived with a PUD.*
Yard – Street Side of Corner Lot	4'	5'	115'-170'	Meets both R-50 and R-30 requirements.
Yard – Interior Side Lot Line	4'	5'	0'-275'	Requirement waived with a PUD.*
Yard – Rear	15'	20'	15'-95'	Requirement waived with a PUD.*
Height	30'	25' or 30' with a pitched roof	30	Meets both R-50 and R-30 requirements.
Open Space	200 S.F. / unit = 6,400 S.F.	200 S.F. group space / unit and 100 S.F. private space / unit = 9,600 S.F.	139,922 S.F. private open space***	Meets the R-50, R-30, and the PUD requirements. **
Parking	1 space / unit = 32 spaces	2 / spaces unit = 64 spaces	103 spaces total	Meets both the R-50 and R- 30 requirements.
Density	Lots > 10,000 S.F.: 1 unit / 1,500 S.F.	1 single family dwelling per lot	1 single family dwelling per lot	Meets both the R-50 and R- 30 requirements.

Zoning Regulation Comparison Table

Oakland City Planning Commission

Case File Numbers PUD02-217, PUDF05-081, ER02-0012, TTM7396

Table Notes:

* For qualifying Planned Unit Developments, yards and other dimensional requirements may be waived or modified for the purpose of promoting an integrated site plan.

** In the R-30 zone, 200 square feet of group usable open space per dwelling unit and 100 square feet of private usable open space shall be provided per unit.

*** Private usable open space may be substituted for required group space in the ratio prescribed in said chapter.

**** Does not include on-street guest parking along Keller Avenue.

Planned Unit Development (PUD).

A PUD is required in order to accommodate the phasing of the proposed residential project. The project sponsor has submitted both Preliminary Development Plan (PDP) application for the whole site and a Final Development Plan (FDP) application for the first phase. The first phase of construction would entail clearing for the entire site; all earthwork bench cuts; grading; construction of 4 upslope units, 6 downslope units, the proposed Siena Drive, and median work in Keller Avenue. Phase 1 would also entail utility mains for the entire project, some of the retaining walls for the later phases, the entire retaining wall along Keller Avenue, and landscaping for the first phase. The project sponsor anticipates that construction of Phase 1 will be completed in 12-13 months. The second phase of construction would entail grading and the construction of 6 upslope units and 6 downslope units, the pedestrian entrance along Keller and pedestrian stairs, half of the remaining retaining walls. Landscaping will also be included. The anticipated schedule for the second phase is for construction of 4 upslope units and 6 downslope units, all remaining earthwork, retaining walls, and landscaping. Phase 3 will begin in spring of 2007 and will take 12-13 months. The applicant shall submit a Final PUD application for Phases 2 and 3, which are required to be consistent with the Preliminary PUD.

As part of the Planned Unit Development, several zoning regulations were waived pursuant to Section 17.122.100(G) of the Planning Code in order to create a comprehensive design and promote an integrated site plan. These regulations include lot area, lot width, and yard requirements as described in the table above.

Design Review

According to the R-50 and the R-30 zoning regulations Special Residential Design Review is required for residential projects with one or two units on a lot. The project design breaks up the building massing by stepping the buildings down the slope and incorporating different materials, styles, and colors. The proposed exterior building materials include stucco, clay tile roofs, metal and wood railings, and wood windows and garage doors. Proposed colors include a range of warm terracotta, ochre, and beige shades with accent colors.

The project design was reviewed by the Design Review Committee on April 14, 2004 and two community meetings. The project sponsor has revised the project design several times in order to address comments received throughout the review process. Design changes made include: altering the transitions between the different portions of the buildings, varying the roof projections on the units, and refining the architectural details for each structure for increased visual interest. Staff believes that the current design is attractive and appropriate for the area, which includes buildings with a variety of architectural detailing in keeping with the Italian hill town style.

Page 7

Minor Variances are required for the height and minimum separation of retaining walls, maximum percentage of front yard paving, and length of building along side lot lines. Per Section 17.102.400(E) of the Planning Code, no retaining wall shall exceed six feet in height and the minimum separation distance between retaining walls shall be at least four feet between the exposed faces of each wall. Due to the steep slope of the site, the project would include construction of retaining walls. Many of these are over 6' in height, but none would be taller than 10'. In a couple of insistences, the minimum separation between retaining walls is approximately 3'. These retaining walls are necessary for slope stability and would be incorporated into the foundations of the homes. Staff believes that a minor variance for the height and separation of the walls is necessary given the amount of grading needed to implement the project and the desire to keep the walls as low as possible. The walls will be of a material and finish that is consistent with the overall design of the project and the "hill town" theme. The wall height and separation will not pose a sight distance issue for vehicles and will be screened through extensive landscaping, including shrubs at the base and in between the walls and trailing plants along the top.

Per Section 17.102.400(A), paved surfaces within required street-fronting yards shall be limited to 50% maximum paved surface for all lots other than corner and through lots. Plans depict a colored concrete driveway and walkway, an eco-stone parking area, and a planting area within the front yard of each unit. This amounts to more than 50% of a paved front yard. Staff believes that a minor variance for the amount of front yard parking is warranted since Traffic Engineering and Fire Services have required that there be no off-street parking on the street due to the reduced road width. In response, the applicant has provided 3 parking spaces per unit, 1 space in the garage, 1 space in the driveway, and 1 space in a parking area between the planting area and the driveway. Seven guest spaces are located off-street throughout the development. This approach has increased the amount of front yard paving. Since the proposed project is requesting a PUD, each unit will have the same front yard design and therefore an integrated site plan is achieved. Staff has worked with the applicant to vary the paving materials of street, sidewalk, driveway, and parking area to provide visual interest and texture within the development. Furthermore, staff has worked with the applicant to come up with a pervious material for a portion of these surfaces to decrease water run-off on the project site.

Per Section 17.16.040 of the Planning Code, when the site area to be covered by the principal building exceeds a slope of 20% the building length facing a side lot line shall be limited to 35' if within 10' of the side lot line. The downslope units exceed the required building length by 23'. Staff believes that a variance for building length is warranted due to the varied projections and recesses shown on the side elevations. Staff has worked with the applicant to provide architectural details such as turrets, windows, chimneys and balconies that will provide visual interest. Furthermore extensive landscaping will screen the building length as surrounding residents drive along Keller Avenue.

Tentative Tract Map

Tentative Tract Map is required in order to subdivide a parcel of land into 5 or more lots. The proposed tract map (TTM 7396) is not included in this approval. The applicant will need to return to the Planning Commission for approval of the Tentative Tract Map and to will need City Council approval of the Final Map.

ENVIRONMENTAL REVIEW

The project has undergone review to assess its potential environmental impacts. Based on the results of an Initial Study, a staff determination was made to prepare an Environmental Impact Report (EIR).

March 2, 2005

Page 8

Topics excluded from further review as part of the Initial Study checklist include: agricultural resources, hazardous materials issues, mineral resources, population and housing, public services, and recreation. A NOP was issued on January 21, 2004 and several comments were received on the scope of the EIR. The following issues were identified as of concern: slope stability and geotechnical concerns due to the existing steep slopes and the proposed amount of grading; the potential increase in groundwater run-off and flooding; visual impacts; and finally traffic and safety impacts of the project. The DEIR analysis focused on the project's potential impacts on aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology, land use and planning, noise, traffic and transportation, and utilities and service systems. The Draft EIR comment period began on November 22, 2004 and ended on January 5, 2005.

A Final EIR was prepared that responded to all the comments received on the Draft EIR. The Final EIR, published on February 18, 2005, was provided under separate cover for review and consideration by the Planning Commission, and is available to the public at the Planning Department office. The Final EIR included some minor revisions to the project description, land use and policy section, and the utilities and service systems section of the Draft EIR. Significant but mitigable impacts identified in the Final EIR are discussed in detail below.

Significant and Unavoidable Impacts

The project would not result in any significant and unavoidable impacts.

Potentially Significant Impacts that Can Be Mitigated to Less-Than-Significant-Levels

The Draft EIR analysis identified potentially significant impacts that could be mitigated to less-thansignificant levels on air quality, biological resources, cultural resources, hydrology, geology and soils, noise, traffic and transportation, utilities. These impacts and proposed mitigation measures are briefly summarized below:

Air Quality: Construction activities would contribute to increased criteria pollutants and exposure of these pollutants to sensitive receptors. Under mitigation measure AQ-2 and AQ-5, the project sponsor shall be required to implement a dust abatement program in accordance with the Bay Area Air Quality Management District's (BAAQMD) best management practices to reduce construction dust impacts on neighboring residents to less than significant levels.

Biological Resources: Grading and construction activities would harm special status plant species if located on the project site. Pursuant to mitigation measure BIO-1, the project sponsor shall be required to retain a qualified biologist to conduct pre-construction surveys. These surveys will be conducted between March and May to confirm the absence of the 12 special-status plant species listed in Table 4 of the DEIR. If any special-status plant species are found, a qualified biologist shall develop and implement a Mitigation Plan (MP). The MP will be prepared in consultation with the California Department of Fish and Game and shall be approved by the City prior to any ground disturbing activities. The MP could include the complete or partial avoidance of any special-status plant population and/or options for mitigation.

The project would require the removal of one mature redwood tree in the median of Keller Avenue and the possible mortality of six native oak saplings at the upper elevation of the site. All of these trees are protected under the City's Tree Preservation Ordinance. In regards to the six native oak saplings, mitigation measure BIO-3 states that the project sponsor will consult with a qualified arborist and the

March 2, 2005

Public Works Agency, Tree Division to develop and implement a tree protection plan to protect these trees during grading and construction. If mortality is unavoidable the project sponsor shall apply for a tree removal permit. The proposed tree removal permit must also be reviewed and approved by the Tree Division. Pursuant to BIO-4, the project applicant shall be required to apply for a tree removal permit for the redwood tree as required by the ordinance. The proposed tree removal permit must be reviewed and approved and approved by the Public Works Agency, Tree Division.

Grading activities would create suitable growing conditions for French broom, a non-native plant species already located on the project site. Pursuant to mitigation measure BIO-5, the project sponsor shall be required to retain a qualified landscape architect to develop a final landscape plan. The landscape plan will include a program to eliminate this species and prevent its reestablishment on the site. The landscape plan will also incorporate a native, drought-tolerant, and fire-resistant plant palette.

Cultural Resources: Archaeological artifacts or paleontological resources may be encountered during project construction activities. Mitigation measure CUL-1a and CUL-1b states that the project sponsor shall be required to halt work immediately if artifacts or fossils are encountered and retain a qualified archeologist or paleontologist. These consultants shall evaluate the find, assess their significance, and offer proposals for further investigation or mitigate any adverse impacts resulting from the proposed project.

Human remains may also be encountered during project construction activities. Mitigation measure CULlc states that the project sponsor shall be required to halt work immediately if human remains are found and contact the County Coroner and the appropriate representative of the Native American Heritage Commission.

Geology, Soils, and Seismicity: The project site would likely be subject to strong seismic ground shaking. The project sponsor shall be required to design the buildings and infrastructure in compliance with current building codes. In addition, the proposed project would be placed on moderately expansive soils and these soils would become less stable in the event of an earthquake. To reduce these geologic impacts to a less than significant level, mitigation measures GEO-1, GEO-2, and GEO-4 require the project sponsor to implement the following: design the retaining walls and building foundations in compliance with current building codes and follow the criteria in the Geotechnical Investigation for the DEIR; prepare a grading plan that limits the grades to a maximum 2-to-1 slope ratio with retaining walls; submit detailed grading plans and construction drawings to the City of Oakland Building Services for review and approval; and design building foundations to bear on rock and be drilled piers and grade beams. The project sponsor shall also insure that drainage on the site be designed and maintained , following the criteria in the Geotechnical Investigation of soils.

Grading and construction on the project site would increase the risk of wind and water erosion. Mitigation measure GEO-3 states that the project sponsor shall prepare a plan that minimizes short-term construction related erosion. The erosion control plan shall incorporate the associated hydrology mitigation measures, including HYDRO-1, HYDRO2a, and HYDRO-2b. Long-term erosion shall be addressed through landscaping and the installation of storm drainage facilities.

Geologic Hazard Abatement District (GHAD). GHADs are governmental districts formed in specific geographic areas to address potential geologic hazards. The purpose of a GHAD (pronounced "GAD") is to prevent, mitigate, control or abate defined geologic hazards through maintenance, improvements, or other means. Financing of a GHAD is accomplished through an assessment of the property owners who live within the boundaries. Issuing and servicing of bonds, notes or other debentures is also authorized

Oakland City Planning Commission

Case File Numbers PUD02-217, PUDF05-081, ER02-0012, TTM7396

March 2, 2005

Page 10

under a GHAD. A GHAD will be required as condition of approval # 24 to address ongoing maintenance of the retaining walls, drainage system, street sweeping, inlet cleaning, and landscaping.

Hydrology: Grading and construction of the project would increase erosion and result in changes to drainage patterns that could degrade downstream waterways. The proposed project would also result in water quality impacts from an increase in pollutants, erosion, and siltation. Pursuant to HYDRO-1, HYDRO-2 and HYDRO-4, the project sponsor shall be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit the plan to the Regional Water Quality Control Board (RWQCB) prior to construction. The sponsor shall apply for a Phase II National Pollutant Discharge Elimination System (NPDES) permit and comply with the Construction Activities Storm Water Permit Requirements of the Clean Water Act. Filter mechanisms must also be installed at all drop inlets.

Storm water from the project site would not be adequately contained by the on-site drainage system in a manner that would result in a controlled release downstream. In response, mitigation measure HYDRO-3 is included that requires the project sponsor to submit final hydrology calculations based on the final drainage and design plans for review and approval by the City Engineer. These calculations shall demonstrate that the existing drainage infrastructure is capable of handling the flows from the proposed development.

Noise: The project would result in long-term construction activities adjacent to residential uses for most phases of construction. Mitigation measure Noise-3 states that the project sponsor shall require its construction contractor to limit the time of construction activities, to implement noise control techniques as required by the City Council, to prepare site-specific noise attenuation measures, and to submit measures to respond to and track complaints about construction noise.

Mitigation measure Noise-4 addresses the potentially impacts of noise from I-580 and Keller Avenue on the proposed residential project. The project shall be constructed using sound-rated building techniques and materials in order to achieve an acceptable indoor noise level.

Traffic and Transportation: Increased traffic generated by the project would affect levels of service at the Keller Avenue/Mountain Boulevard intersection under existing and year 2020 cumulative conditions. In response, the mitigation measure TRAF-1 is included that requires the project sponsor to contribute the project's fair share towards the installation of a traffic signal and other improvements already approved as part of the Leona Quarry project and as outlined in the Leona Quarry Traffic Improvement Program and Traffic Improvement Fee (TIP/TIF). Finally, mitigation measure TRAF-2 states that the project sponsor shall prepare a construction management plan for review and approval by the Public Works Agency, Transportation Services to reduce the impacts of construction-period traffic and parking.

Utilities and Service Systems: The project would create localized flooding since the existing drainage inlets do not have enough capacity to accommodate run-off from the proposed project during a 100-year storm. To reduce this impact to a less than significant level, mitigation measure UTIL-2 is included. This mitigation measure requires that the project sponsor install additional drainage inlets along the Siena Drive.

Under the existing and proposed conditions, pipe capacity for Sub-basin 1, located on the eastern portion of the site, is inadequate to convey drainage flows from a 100-year storm. This impact is mitigated to a less than significant level through implementation of hydrology mitigation measure HYDRO-3 that requires the project sponsor to submit final hydrology calculations based on the final drainage and design plans for review and approval by the City Engineer.

Project Alternatives

As required by the California Environmental Quality Act (CEQA), several alternatives that would avoid or substantially lessen the significant impacts of the project were analyzed in the Draft EIR. These included a No Project Alternative, a 16-Unit Alternative, and a Mitigated Project Alternative. Under the No Project Alternative, the project would not be undertaken and none of the impacts of the project would occur. This alternative would neither meet the project sponsor's objectives nor the City's objective in facilitating the need for new housing units on infill sites that is compatible with the density, scale and desired character of surrounding development. Under the 16-unit Alternative, 16 "detached" single family units would be constructed using the same site configuration as the 32-unit proposal. The lot area and unit size would double and each lot would have two considerable side setback dimensions. This alternative would represent a 50% decrease in the number of vehicular trips compared to the proposed project. The reduced trip generation would minimize the levels of service traffic impact at the Keller Ave./Mountain Blvd. intersection and therefore the 16-unit alternative would be considered slightly less traffic impacts than the proposed project in this regard. However, both this alternative and the proposed project would have less than significant traffic impacts. Under the mitigated project alternative, 32 attached single family units would be constructed using the same site plan as the proposed project. However, this alternative would implement all the measures recommended in the DEIR. The Mitigated Project alternative would meet the both the projects sponsor's and the City's objectives and is considered the environmentally superior alternative.

The DEIR also discusses other project alternatives that were not further analyzed. The applicant originally submitted a proposal to construct 44 attached single family homes on the project site with a different access configuration. This site plan was rejected by Planning and Zoning, Building Services, and the Public Works Agency, Transportation Services due to an increase in visual impacts associated with the amount and height of the retaining walls, grading impacts, and traffic design hazards. The applicant voluntarily reduced the number of units from 44 to 32 in response to the impacts and also comments from the various City departments. Accordingly, the proposed project reviewed in the DEIR represents an alternative that was already substantially mitigated from the original 44-unit submittal. In addition, a 32-unit "detached" alternative with the same road alignment as the 44-unit proposal was considered but rejected. Since the proposal resulted in more extensive grading impacts, an increase in the height of the required retaining walls, and the increased visual impact of housing dispersed over a greater area of the site, this option was not studied further.

CONCLUSION

The proposal seeks to develop an underutilized parcel into an attractive residential community that will enhance the surrounding residential neighborhood while maximizing the efficient use of the parcel. The project meets the primary goal of providing new high quality housing units on an infill site. Furthermore, the project is clearly in conformance with many General Plan goals and policies including orienting units toward the street, providing adequate parking, and creating an attractive streetscape. The planned unit development permit and variances for the minimum height and separation of retaining walls, minimum amount of front yard paving, and building length along side lot lines are warranted and are not anticipated to create adverse impacts, pursuant to the attached Findings and Conditions of Approval.

Therefore, staff recommends that the Planning Commission:

1) Adopt the CEQA findings, including Certifing the Final EIR; and

- 2) Adopt the attached conditions of approval for the mitigated project alternative including the Mitigation Monitoring and Reporting Program; and
- 3) Approve the applications for the Planned Unit Development (Preliminary Development Plan and Final Development Plan for the first phase only), Design Review, and Variances subject to the attached findings and conditions of approval.

Respectfully submitted:

CLAUDIA CAPPIO Director of Development

Prepared by:

All

Heather Klein Planner II, Major Development Projects

Attachments:

- A. Project Architectural, Engineering, and Landscape Plans
- B. Public Comments
- C. Final EIR (Delivered under separate cover)

Page 12

Page 13

CEQA FINDINGS A. Certification of EIR Findings (CEQA Guidelines § 15090)

- 1. That the Draft EIR was prepared by the City of Oakland as the Lead Agency, was properly circulated for public review and comment for 45 days (November 22, 2004 through January 5, 2005), was independently reviewed and analyzed by the City Planning Commission, and reflects the independent judgment of the Planning Commission.
- 2. That the Final EIR was properly circulated, independently reviewed and analyzed by the City Planning Commission and reflects the independent judgment of the Planning Commission. That such independent judgment is based on review and consideration of the information contained in the Final EIR and on substantial evidence in the record (even though there may be differences between or among the different sources of information and opinions offered in the documents, testimony, public comments and such responses that make up the Final EIR and the administrative record as a whole). The Final EIR included some minor revisions to the project description, land use and policy section, and the utilities and service systems section of the Draft EIR. That the Planning Commission recognizes that the Final EIR contains certain additions, clarifications, modifications or other revisions (as the result of the public review and comments on the Draft EIR, public agency responses to those comments, and refinements to the project description), but that such work does not present significant new information requiring re-circulation of the Draft EIR. That such information, revisions and additional data do not include any new significant environmental impacts that would result from the project or from a new mitigation measure and that they do not reflect any substantial increase in the severity of any environmental impact, nor do they propose any additional feasible project alternative or mitigation measure that is materially different from others previously analyzed that would clearly lessen the significant environmental impacts of the project that has not been adopted. Thus, no recirculation of the Draft EIR is required. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR.
- **3.** The Final EIR and its findings and conclusions are adopted by the City Planning Commission as its source of environmental information, except where otherwise expressly stated; and that the Final EIR is legally adequate and was completed in compliance with CEQA and the City's Environmental Review Regulations.

CEQA Findings for Project Approval)(CEQA Guidelines § 15091-15093)

Environmental Impacts

1. That the Final EIR identifies all potential significant adverse environmental impacts and feasible mitigation measures that would reduce these impacts to a less-than-significant level. All of the mitigation measures identified in the Draft and Final EIR, as they may have been modified, and again in the Mitigation Monitoring and Reporting Program, will be adopted and implemented as condition of approval # 13 for the Project.

2. That the approval of project complies with CEQA; and that the Final EIR was presented to the City Planning Commission, which reviewed and considered the information contained therein prior to acting on any of the development approvals for the project.

3. That the Initial Study included as Appendix A in the Draft EIR evaluated the proposed project and found, after an initial review, the impacts listed in the *Environmental Review Section* of the March 2, 2005 staff report to be less than significant: All the reasons stated in the DEIR, as well as the responses to comments in the FEIR, as to why the foregoing impacts are less than significant are hereby adopted and incorporated by reference as if fully set forth herein.

4. The EIR evaluated the proposed project and identified significant potential adverse impacts in the following environmental categories *Environmental Review Section* of the March 2, 2005 staff report]. The EIR found that there would be less than significant environmental impacts associated with many of these categories. All the reasons stated in the DEIR, as well as the responses to comments in the FEIR, as to why many of the foregoing impacts are less than significant are hereby adopted and incorporated by reference as if fully set forth herein.

5. As detailed previously in this report, the EIR also recommends mitigation measures that, if implemented, would avoid or reduce some of the identified significant effects to less-than-significant levels. These measures are included within the attached Mitigation Monitoring and Reporting Program, and these measures are incorporated into the Conditions of Approval #13 for the Project.

FINDINGS FOR APPROVAL

This proposal meets the required findings under Oakland Municipal Code Sections 17.140.080 (Planned Unit Development Criteria), 17.140.060 (Planning Commission Action for a Final Planned Unit Development for Phase 1), 17.148.050 (Variance Criteria), 17.136.070 (Design Review Criteria), and Government Code Section 65589.5(j) (Reducing Density for Housing Developments) as set forth below. Required findings are shown in **bold** type; explanations as to why these findings can be made are in normal type. The project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record.

Section 17.140.080 Preliminary Planned Unit Development Permit

A. That the location, design, size, and uses are consistent with the Oakland Comprehensive Plan and with any other applicable plan, development control map, or ordinance adopted by the City Council.

The proposed residential project is located within the Detached Unit Residential General Plan land use designation. Although the project is proposing attached single family homes with a 0' setback along one side lot line, the project is under the maximum allowable density for the DU designation. The applicant has worked with staff during the past 3 years to propose a density fitting the project's topographic and access constraints.

Several policies in the General Plan encourage cluster development as shown on the project plans. Land Use and Transportation Element (LUTE) Policy N7.6 states that development on subdivided parcels should be allowed where the site and building design minimize environmental impacts, building intensity and activity can be accommodated by available and planned infrastructure, and site and building designs are compatible with neighborhood character. Open Space, Conservation, and Recreation Element Policy OS-1.3 states that creative architecture and site planning which minimizes grading should be encouraged. By clustering development, an integrated site plan with a lower residential density and reduced visual and grading impacts is achieved.

In addition, the project implements several General Plan Land Use and Transportation Element policies related to the construction of new, high quality housing units on infill sites (including Objective N3 and Policies N3.1, N3.2, N3.8, N3.10, N6.2, N7.1, N7.4, and N7.8). Therefore, the project is consistent with the intensity and uses allowed by the General Plan land use designations, as well as with several General Plan policies.

B. That the location, design, and size are such that the development can be well integrated with its surroundings, and, in the case of a departure in character from surrounding uses, that the location and design will adequately reduce the impact of the development.

The "Italian hilltown" theme of the proposed project represents a clear difference to the surrounding single and multifamily homes that were built in a 1950-1950's boxlike style. Since the proposed project is located at the edge of this development and because the existing homes are not visible from Keller Avenue, staff believes that the style difference is not an issue. The location of the homes with a 20' setback from Keller Avenue and a 15-95' setback from the rear property line, along with a muted earthtone color scheme will reduce any visual impacts from the proposed project. Currently, the project site is mostly void of vegetation. The applicant is proposing an extensive landscape plan that will visually improve the aesthetic of the parcel. The elevations, with distinct architectural details in the facades and roof forms will also provide visual interest.

C. That the location, design, size, and uses are such that traffic generated by the development can be accommodated safely and without congestion on major streets and will avoid traversing other local streets.

Plans for Siena Drive show a reduced width and a small portion divided by a median. One-way signage is required as a condition of approval. This street is designed for project traffic and does not support high speed or large volumes of traffic. The proposed project will generate some additional traffic at a few intersections. However, the EIR determined that with implementation of the required mitigation measures the cumulative traffic impacts of the project will be less than significant.

D. That the location, design, size, and uses are such that the residents or establishments to be accommodated will be adequately served by existing or proposed facilities and services.

The proposed project site is located in a developed area that is adequately served by existing utilities and service systems including water supply, wastewater treatment, storm water drainage, and solid waste disposal as documented in the Initial Study and the EIR. The proposed project will also provide additional services for the area and improvements to the existing infrastructure.

Oakland City Planning Commission

Case File Numbers PUD02-217, PUDF05-081, ER02-0012, TTM7396

- Page 16
- E. That the location, design, size, and uses will result in an attractive, healthful, efficient, and stable environment for living, shopping, or working, the beneficial effects of which environment could not otherwise be achieved under the zoning regulations.
- The proposed project could not otherwise be achieved under the zoning regulations due to the site's topographic and access constraints. Construction of a private road on the parcel required that a planned unit development permit be requested. This PUD permit allowed the applicant the flexibility to achieve an appropriate density and design for the project site off the proposed road. The proposed project is an attractive, high quality residential development that will benefit the surrounding area by developing a barren infill parcel. The project's interior private drive is designed to create an attractive and intimate neighborhood setting. The applicant has successfully designed the rear facades of the downslope units so they appear to be oriented to Keller Avenue. The design is attractive and appropriate for the location.
- F. That the development will be well integrated into its setting, will not require excessive earth moving or destroy desirable natural features, will not be visually obtrusive and will harmonize with surrounding areas and facilities, will not substantially harm major views for surrounding residents, and will provide sufficient buffering in the form of spatial separation, vegetation, topographic features, or other devices.

Although the project will require earthmoving, the project was designed to respect and follow the existing 2:1 slope. Since the slope was created as a result of the construction of Keller Avenue and the site is mostly void of vegetation, no desirable natural features will be destroyed. The structures' bulk and mass step down the hill in response to the steep grade and retaining walls are used to stabilize the slope. Extensive landscaping, as shown on the plans, will soften the structures and increase the visual aesthetic of the hillside. The proposed earthtone colors for the walls and roofs will reduce visual impacts and allow the structures to "blend" into the hillside background. Varied roof forms and distinct elevations, including projections and recesses, provide shadow lines, depth, and texture to the structures. The height of the structures will not impact views across Interstate 880 from the upslope units. As demonstrated in the project EIR, all visual impacts can be reduced to a less than significant level.

Section 17.140.060 (Planning Commission Action for Final Planned Unit Development for Phase 1 only):

The proposal conforms to all applicable criteria and standards and conforms in all substantial respects to the preliminary development plan, or, in the case of the design and arrangement of those portions of the plan shown in generalized, schematic fashion, it conforms to applicable design review criteria.

The proposed Final Development Plan for Phase 1 conforms to all applicable criteria and standards and is consistent with the Preliminary Development Plan for the project. The design is attractive and appropriate for the location.

Section 17.136.070A (Residential Facilities Design Review Findings)

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

As stated above, the Italian "hilltown" theme of the proposed project represents a clear style difference from the surrounding single and multi-family buildings built in the 1950-1960's. Since the project is located along the edge of this existing development, staff does not believe that the style is an issue. However, the project is well related to the surrounding area in terms of materials and textures. Many of the buildings are stucco, have pitched roofs over the entrances, wood windows and shutters and metal balconies and railings. The existing buildings range in height from 1-2 stories for single-family homes and 2-3 stories for multi-family buildings located on a slope. The building height for the proposed project is consistent with the height of these multi-family buildings.

2. That the proposed design will protect, preserve, or enhance desirable neighborhood characteristics;

The project is located on a barren hillside that is already surrounded by a significant amount of residential development. The proposed project is consistent to those homes in many respects, including materials, height, and roof forms. The proposed project protects desirable neighborhood characteristics such as preserving the top of the ridgeline and protecting views from the existing upslope homes. The high quality design and building articulation will enhance the neighborhood. The project has an appropriate site layout with typical setbacks, large open areas at the project's entrance and exit, and new landscaping.

3. That the proposed design will be sensitive to the topography and landscape;

The proposed project is located on a 2:1 slope as a result of the construction of Keller Avenue. Construction of the units and the private road will require a significant amount of grading. A final grading plan will be prepared that will limit and retain the 2:1 slope proportion. In addition, the units have been designed to step down the slope. The variations in the structure's elevations and roof forms provide visual interest, reduce the bulk and mass of the project, and decrease the "wall-like" effect that is often noticeable on hillside homes. The project's earthtone colors will blend into the hillside and minimize visual impacts. Although the site is mostly void of vegetation, the applicant is proposing extensive landscaping for the parcel, including trees, shrubs, groundcovers and vines. Staff has included as a condition of approval that the infill and theme trees (as described on the landscape plans) be of a boxed size to soften the structures and produce an immediate landscape effect that would otherwise take years to achieve.

4. That, if situated on a hill, the design and massing of the proposed building relates to the grade of the hill;

As stated above, the project site is located on a steep hillside. The unit's bulk and massing have been designed to step down the slope in relation to the grade. The bulk and massing is typical of hillside development and the "Italian hilltown" theme of the project. The front, side, and rear elevations provide visual interest using variety in materials, roof forms, projections, recesses, and architectural details. Staff has included as a condition of approval that the lower floor's skirt walls on the downslope units provide a deep recess to add a shadow line and further reduce the mass of the structures. The buildings' height will follow the topography and preserve views from the existing homes above the project site.

5. That the proposed design conforms in all significant respects with the Oakland Comprehensive Plan and with any applicable district plan or development control map which has been adopted by City Council.

Page 18

As stated above in the PUD findings, the project is consistent with the General Plan land use designation of Detached Unit Residential. The project supports many of the objectives and policies of the Land Use and Transportation Element (LUTE) for this area including the construction of high quality residential units on infill or orphaned lots, orienting residential development toward the streets, adequately locating off-street parking to avoid visual prominence, and the creation of intimately designed streets. This use and density is permitted under the Planning Code and appropriate to the area.

Section 17.148.050 (Minor Variance Criteria for a) the minimum height and separation between retaining walls, b) the minimum amount of front yard paving, and c) the building length along side lot lines):

- 1. That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning regulations, due to unique physical or topographic circumstances or conditions of design; or, as an alternative in the case of a minor variance that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance.
 - a) Per Section 17.102.400(E) of the Planning Code, no retaining wall shall exceed six feet in height and provide less than a four foot separation distance between retaining walls. Due to the steep slope of the site, the project will include construction of retaining walls. Many of these are over 6' in height, but none would be taller than 10'. In a couple of insistences, the minimum separation between retaining walls is approximately 3'. These retaining walls are necessary for slope stability and would be incorporated into the foundations of the homes. Strict compliance with this regulation would preclude an effective design solution and require additional retaining walls or a steeper grade between them. A steeper grade between the retaining walls would be in direct conflict with Mitigation Measure Geo-2a of the EIR. The addition of more retaining walls that adhere to the minimum separation distance would limit the amount of tree planting and landscaping. This extensive landscaping is necessary to screen the walls, provide additional slope stability, prevent the establishment of non-native French broom, and improve the visual aesthetic for the project.
 - b) Both Traffic Engineering and Fire Services have required that there be no off-street parking on Siena Drive due to the reduced road width for a private drive. In order to accommodate unit and guest parking, the applicant provided 3 parking spaces per unit, 1 space in the garage, 1 space in the driveway, and 1 space in a parking area between the planting area and the driveway. This amounts to more than 50% of a paved front yard, which would require a variance per Section 17.102.400(A) of the Planning Code. Strict compliance with this regulation would preclude an effective design solution to providing parking for the units. Approximately 32 unit or guest parking throughout the design, buffered by planting areas, provides a more effective design solution than essentially creating large parking lots at the entrance and exit of the development. Since the proposed project is requesting a PUD, each unit will have the same front yard design and therefore an integrated site plan is achieved.
 - c) Per Section 17.16.040 of the Planning Code, when the site area to be covered by the principal building exceeds a slope of 20%, the building length facing a side lot line shall be limited to 35' if within 10' of the side lot line. The downslope units exceed the required building length by 23'. The unit sizes are typical for hillside development. Strict compliance with this

Page 19

regulation would require shorter units with an increased height or larger setbacks and reduction in the number of units. The additional height to accommodate the shorter building length would require a variance and be inconsistent with the heights for the surrounding homes. Providing increased setbacks would reduce the number of units which is otherwise permitted by the zoning density. Staff believes that a variance for building length is warranted due to the varied projections and recesses shown on the side elevations. Architectural details such as turrets, windows, chimneys and balconies provide visual interest and extensive landscaping will screen the further building length. In addition, the planned unit development regulations allow for reduced yards to create an integrated site plan.

- 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.
 - a) The basic intent of the minimum height and separation of the retaining walls regulations is to provide hillside stability, planting areas to screen walls, and ensure that the slope respects the existing topography of the site. The retaining walls will be installed at the same slope ratio as the existing topography. Strict compliance with the minimum height would preclude an effective design solution that would require additional retaining walls thereby decreasing the amount of landscaping. This would reduce the visual aesthetic of the development.
 - b) The basic intent of the minimum paved front yard area is to create an intimate and well-designed residential streetscape. Since the project is creating a new street and only units within the PUD will front onto the street, this is an internal issue to the project. Strict compliance would require the creation of parking lots at either end of the development to accommodate 32 parking spaces. Scattering parking spaces throughout the development, buffering them with planting areas and lawns, and using visually distinct materials for each paved area are more appropriate design solutions that fulfill the intent of the regulations.
 - c) The basic intent of the maximum building length regulation is to reduce blank facades that are visible from adjacent units and the street and to protect unit privacy. The project elevations show visually interesting side elevations which include turrets, windows, balconies, and varied building and roof projections and recesses. In addition, the building length will be appropriately screened with extensive landscaping. These design solutions fulfill the basic intent of the regulations.
- 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.
 - a) Granting a variance for the height and separation of retaining walls will not adversely affect the character, livability, or appropriate development of the abutting properties since the development will occur on a parcel already surrounded by residential development. The retaining walls will help to stabilize the homes upslope from the development at the existing 2:1 slope ratio. In addition, the retaining walls will be designed of an appropriate material and finish for residential properties as recommended in the conditions of approval. Furthermore, they will be appropriately screened with extensive tree and shrub planting and the tops planted with trailing vines.

- b) Granting a variance for the amount of front yard paving will not adversely affect the character, livability, or appropriate development of the abutting properties since the development will occur on a parcel already surrounded by residential development. The project will also include the construction of a new private road for the units, so this is an internal issue to the development. The landscape plans show that these paved areas are buffering by lawns, planting areas, and landscaped strips. Staff has included as a condition of approval that the driveways, walkways, and parking areas be constructed with different materials to provide visual interest and that a portion of the hardscape be of a pervious material to provide increased water absorption on the site.
- c) Granting a variance for the building length along side lot lines will not adversely affect the character, livability, or appropriate development of the abutting properties or the surrounding area since the development will occur on a parcel already surrounded by residential development. The side facades of each structure provide visual interest through projections, recesses, and architectural details. Extensive landscaping will also screen the building length as surrounding residents drive along Keller Avenue.

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.

a, b, and c) The variances, in conjunction with the PUD permit, are necessary to create a welldesigned and integrated site plan and will not constitute a granting of special privilege inconsistent with limitations imposed on other similarly zoned properties. As stated above the variances are consistent with the basic intent of the zoning regulations and are internal issues to the project. In addition, similar variances have been granted for other hillside properties that were not associated with a PUD permit.

Findings Pursuant to State Government Code Section 65589.5 (j)

Pursuant to Government Code section 65589.5(j), the Planning Commission finds that the proposed housing development cannot have its density reduced because:

(a) The project is consistent with the general plan and zoning regulations; and

(b) There is no specific, adverse impact upon the public health or safety as a result of the project.

According to Government Code section 65589.5 (j), if a "housing" project is consistent with a City's General Plan and zoning ordinance, and does not present a threat to public health and safety at its current density, a lower density project cannot be considered as a feasible alternative. Thus, it is not legally feasible to reduce the density of a "housing" project that meets the requirements of Government Code section 65589.5 (j). Under the statute, a "housing" project is defined as residential units only or mixed use developments in which nonresidential uses are limited to neighborhood serving commercial uses on the first floor of buildings. As described elsewhere in this report, the proposed residential project is consistent with the City General Plan and zoning regulations (pursuant to the granting of the planned unit development permit and the variances relating to the minimum height and separation of retaining walls, the amount of front yard paving, and the building length along side lot lines) and there is no specific, adverse impact on the public's health and safety as a result of the project. As defined by the statute, a

Page 21

"specific, adverse impact" means a significant, quantifiable, direct and unavoidable impact, based upon objective, identified written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete." Thus, the proposed housing project cannot have its density reduced.

CONDITIONS OF APPROVAL

STANDARD CONDITIONS

1. Approved Use.

a. Ongoing.

The project shall be constructed and operated in accordance with the authorized use as described in this staff report and the engineering plans dated January 24, 2005, the architectural plans dated May 6, 2004, and the landscape plans dated January 31, 2005 and as amended by the following conditions. Any additional uses other than those approved with this permit, as described in the project description, will require a separate application and approval.

2. Effective Date, Expiration, and Extensions and Phasing Requirements

a. Ongoing through project completion.

These approvals shall become effective upon satisfactory compliance with these conditions. These approvals for the project site shall expire on March 2, 2006 unless actual construction of the first phase of the project has begun under necessary permits by this date. Upon written request and payment of appropriate fees prior to the expiration of the approvals, the Zoning Administrator may grant a one-year extension of these dates, with additional extensions subject to approval by the Planning Commission.

b. Within two (2) years of this approval.

Failure of the applicant to obtain a Final PUD approval for the second phase within two (2) years of the effective date of this Preliminary PUD approval shall invalidate this approval. Failure of the applicant to obtain a Final PUD approval for the third phase within two (2) years of a certificate of occupancy being issued for the second phase shall invalidate this approval. Provided further, that upon written request, the Planning and Zoning Division may grant a one year extension of the deadline, with additional extensions subject to approval by the City Planning Commission.

c. Prior to issuance of building permit

The project sponsor shall submit a Construction Phasing and Management Plan, incorporating all applicable conditions of approval. The plan shall also include the following additional measures and standards:

- a. A site security and safety plan to assure that grading and construction activities are adequately secured during off-work hours.
- b. A fire safety management plan for all phases of work, including provisions for access, water, and other protection measures during grading and construction activities.
- c. A construction period litter/debris control plan to ensure the site and surrounding area is kept free of litter and debris.

d. Prior to issuance of certificate of occupancy.

Final inspection and a certificate of occupancy for any unit or other structure within a phase, as set forth above, shall not be issued until (a) all landscaping and on and off-site improvements for that phase are completed in accordance with this Approval, or (b) until cash, an acceptably rated bond, a certificate of deposit, an irrevocable standby letter of credit

Page 23

or other form of security (collectively "security"), acceptable to the City Attorney, has been posted to cover all costs of any unfinished work related to landscaping and public improvements plus 25 percent within that phase, unless already secured by a subdivision improvement agreement approved by the City. For purposes of these Conditions of Approval, a certificate of occupancy shall mean a final certificate of occupancy, not temporary or conditional, except as the City determines may be necessary to test utilities and services prior to issuance of the final certificate of occupancy.

3. Scope of This Approval

a. Ongoing.

The project is approved pursuant to the Planning Code only and shall comply with all other applicable codes and requirements imposed by other affected departments, including but not limited to the Building Services Division and the Fire Marshal. Minor changes to the approvals may be approved administratively by the Planning Director; major changes to the approvals, shall be subject to review and approval by the City Planning Commission.

4. Modification of Conditions or Revocation

a. Ongoing.

The City reserves the right, after notice and public hearing, to alter Conditions of Approval or revoke this conditional use permit if it is found that the approved use or facility is violating any of the Conditions of Approval, any applicable codes, requirements, regulation, guideline or causing a public nuisance.

5. Recording of Conditions of Approval

a. Prior to issuance of building permit or commencement of activity.

The applicant shall execute and record with the Alameda County Recorder's Office a copy of these conditions of approval on a form approved by the Zoning Administrator. Proof of recordation shall be provided to the Zoning Administrator.

6. Reproduction of Conditions on Building Plans

a. Prior to issuance of building permit.

These conditions of approval shall be reproduced on page one of any plans submitted for a building permit for this project.

7. Indemnification

a. Ongoing.

The applicant shall defend, indemnify, and hold harmless the City of Oakland, its agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Oakland, its agents, officers or employees to attack, set aside, void or annul, an approval by the City of Oakland, the Office of Planning and Zoning Division, Planning Commission, or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

8. Waste Reduction and Recycling

a. Prior to issuance of a building or demolition permit.

Prior to issuance of any building permits including the grading and/or demolition permit the project applicant will submit a demolition/construction waste diversion plan and operational

waste reduction plan for review and approval by the Public Works Agency. The plan will specify the methods by which the development will make a good faith effort to divert 50% of the demolition/construction waste generated by the proposed project from landfill disposal. After approval of the plan, the project applicant will implement the plan. The operational diversion plan will specify the methods by which the development will make a good faith effort to divert 50% of the solid waste generated by operation of the proposed project from landfill disposal. After approval of the solid waste generated by operation of the proposed project from landfill disposal. After approval of the plan, the project applicant will implement the plan.

9. Subsequent Conditions or Requirements.

a. Ongoing.

This approval shall be subject to the conditions of approval contained in any subsequent Tentative Tract Map, Tentative Parcel Map or mitigation measures contained in the approved environmental document for this project.

10. Electrical Facilities

a. Prior to installation.

All new electric and telephone facilities, fire alarm conduits, streetlight wiring, and similar facilities shall be placed underground. Electric and telephone facilities shall be installed in accordance with standard specifications of the servicing utilities. Street lighting and fire alarm facilities shall be installed in accordance with the standard specifications of the Building Services Department.

11. Improvements in the Public Right-of-Way

a. Prior to issuance of building permit for work in the public right-of-way

The applicant shall submit Public Improvement Plans for adjacent public rights-of-way showing all proposed improvements and compliance with conditions of approval and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications locations of facilities required by the East Bay Municipal Utility District (EBMUD), and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this approval, including the approved landscape plans, the design of the pedestrian paths, and the street tree locations and planting specifications. In addition, the plans shall also include how the public improvements will be phased concurrent with the proposed project phasing, in order to assure that units can be occupied and meet access, life safety and other requirements. This plan shall be reviewed and approved by the City Engineer and used as the confirmation of compliance with all phases of the project. Encroachment permits shall be obtained as necessary for any applicable improvements.

12. Phased Public Improvement Plan

a Prior to issuance of building permit for work in the public right-of-way The applicant shall submit Public Improvement Plans for improvements to be installed with each phase of the development.

SPECIFIC PROJECT CONDITIONS

- 13. Mitigation Monitoring and Reporting Program
 - a. Ongoing.

Page 25

The following mitigation measures shall be incorporated into the project. The measures are taken directly from the environmental impact report for the Siena Hill Project. For each measure, this Mitigation Monitoring and Reporting Program (MMRP) indicates the entity (generally, an agency or department within the City of Oakland) that is responsible for carrying out the measure ("Responsible Implementing Entity"); the actions necessary to ensure compliance with the applicable measure ("Monitoring Action(s)") and the entity responsible for monitoring this compliance ("Monitoring Responsibility"); and the time frame during which monitoring must occur ("Monitoring Timeframe").

AIR QUALITY

<u>A. Impact AQ-2</u>: Project construction would contribute to an increase in levels of ROG, NOx and/or PM10.

<u>Mitigation Measure AQ-2</u>: The applicant shall implement a construction dust abatement program. BAAQMD suggests a range of best management practices (BMPs) for minimizing construction dust. The project shall incorporate the following BMPs:

- a. Water all active construction areas at least twice daily and more often during windy periods. Active construction areas would be considered to be those under excavation at a given time, storage piles and internal roadways. Watering methods may include water trucks for roadways and hoses or sprinklers for storage piles and active excavation.
- b. Cover all trucks hauling soil, sand, and other loose materials offsite, or require all trucks to maintain at least 2 feet of freeboard.
- c. Pave, apply water three times daily, or apply non toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites;
- d. Sweep daily with water sweepers all paved access roads, parking areas, and staging areas at construction sites;
- e. Sweep streets daily with water sweepers if visible soil material is carried onto adjacent public streets;
- f. Hydroseed or apply non toxic soil stabilizers to inactive construction areas;
- g. Enclose, cover, water twice daily, or apply non toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- h. Limit traffic speeds on unpaved roads to 15 mph;
- i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- j. Replant vegetation in disturbed areas as quickly as possible.
- k. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site; and
- 1. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph

Responsible Implementing Entity: CEDA, Building Services Division

Monitoring Action(s): CEDA, Building Services Division shall review and approve the construction dust abatement program and conduct spot-checks as deemed necessary throughout construction period.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Prior to the issuance of a grading permit and throughout construction.

B. Impact AQ-5: The project would expose sensitive receptors to increased concentrations of PM10 during construction.

<u>Mitigation Measure AQ-5</u>: This impact would be reduced to a less-than-significant level by implementation of Mitigation Measure AQ-2.

Responsible Implementing Entity: CEDA, Building Services Division

Monitoring Action(s): CEDA, Building Services Division shall conduct spot-checks as deemed necessary throughout construction period.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Prior to the issuance of a grading permit and throughout construction.

BIOLOGICAL RESOURCES

<u>C. Impact BIO-1</u>: Grading and construction activities on the site would have the potential to harm special-status species or habitat for special-status species.

Mitigation Measure BIO-1a: A project applicant shall retain a qualified botanist as approved by the City to conduct detailed preconstruction surveys in spring (March and May) to confirm absence of any special-status plant species on the site. The survey shall focus on the twelve special-status plant species listed in Table 4 of the Draft EIR considered to have a remote (highly unlikely) probability of occurrence on the site. The surveys shall be completed and a report of findings shall be submitted to the City before the onset of any initial ground-disturbing activity or construction.

Responsible Implementing Entity: Project Sponsor, CEDA, Planning Division

Monitoring Action(s): CEDA, Planning and Zoning shall review the preconstruction surveys and findings taken in both March and May to confirm the absence of any special status-plant species listed in table 4 of the Draft EIR.

Monitoring Responsibility: CEDA, Planning Division

Monitoring Timeframe: Prior to issuance of grading permit or ground disturbing activities.

<u>Mitigation Measure BIO-1b</u>: If populations of any special-status plant species are encountered, the project applicant shall ensure that construction-related impacts are avoided or adequately mitigated by retaining a qualified botanist to develop and implement a Special-Status Plant Species Mitigation and Monitoring Plan. A Mitigation and Monitoring Plan shall only be required if a listed species, or those maintained on Lists 1B or 2 of the CNPS Inventory are encountered during the preconstruction survey. Potential impacts on any species maintained on Lists 3 and 4 of the CNPS Inventory would not be considered significant and no additional mitigation would be required for these species if encountered during the preconstruction survey.

The Mitigation and Monitoring Plan shall be prepared in consultation with the CDFG and shall be approved by the City prior to any initial ground-disturbing activity or construction. The Mitigation and Monitoring Plan shall be based on the status and vulnerability of the species present with avoidance of all or a majority of any populations on the site the preferred method of mitigation. Where complete or even partial avoidance of any special-status plant populations on the site is considered infeasible, options for mitigation may include a program to salvage and reestablish the population at an alternative, suitable location. Details of any salvage and habitat recreation effort shall include the following criteria and performance standards:

- a. Collection of seeds during the appropriate developmental stage of the plant.
- b. Procedures for sowing techniques appropriate to the life cycle of the plant.
- c. Development of a maintenance and monitoring plan specific to the environmental conditions necessary for survival of the new population. Maintenance and monitoring shall be provided for a minimum of five years to determine success of re-seeding and habitat creation, and need for additional preservation.
- d. Identification of funding sources by the applicant to provide implementation of the plan in consultation with the qualified plant ecologist, landscape architect, and civil engineer.
- e. In addition, preservation of another existing occurrence of the affected special-status plant species shall be required if monitoring indicates that the re-establishment efforts have not been successful after five years. The preservation program shall provide for permanent protection of a different existing population in Alameda County, which is equal or larger in size than that encountered on the site (minimum 1:1 replacement), through land acquisition or use of a conservation easement. Any off-site mitigation lands shall include establishment of a management endowment as necessary to provide for long-term management of the preserved population.

Responsible Implementing Entity: Project Sponsor, CEDA, Planning Division

Monitoring Action(s): If special-status plant species are found, the CEDA, Planning Division shall review the mitigation and monitoring plan in consultation with the CDFG to determine appropriate mitigation measures.

Monitoring Responsibility: CEDA, Planning Division

Monitoring Timeframe: Prior to issuance of grading permit or ground disturbing activities.

D. Impact BIO-3: Although no native live oak saplings on the site would be removed as part of the project, they could be harmed by construction.

<u>Mitigation Measure BIO-3</u>: The six native sapling live oaks along the upper elevations of the site shall be preserved to the extent possible and adequate measures taken to prevent removal or damage as part of grading. The applicant shall work with a consulting arborist as approved by the City and with the Tree Services Division of the Public Works Agency to create a tree protection plan. This plan shall include measures such as surveying and mapping the trunk locations and elevations of individual trees and adjusting the grading plan where feasible to preserve individual trees. Trees to be preserved shall be clearly flagged prior to any grading, and temporary construction restriction fencing shall be installed to prevent inadvertent removal, entrance of construction equipment or storage of construction materials.

Where tree removal is unavoidable, the project applicant must apply for a tree removal permit, as required by the Tree Removal/Preservation Ordinance. This application process includes a detailed review of site plans and tree surveys by the Office of Planning and Zoning, the Office of Parks and Recreation, and the Public Works Agency. The proposed tree removal must be reviewed and approved by all relevant City offices. Any trees that are removed shall be replaced at

a 3:1 ratio and incorporated into the Landscape Plan recommended in Mitigation Measure BIO-5b.

Responsible Implementing Entity: Project Sponsor; CEDA, Planning Division; Public Works Agency, Tree Division

Monitoring Action(s): Public Works Agency, Tree Division shall review the tree protection plan and provide mitigation measures to prevent the mortality of these trees.

Monitoring Responsibility: CEDA, Planning Division; Public Works Agency, Tree Division

Monitoring Timeframe: Prior to issuance of grading permit or ground disturbing activities.

E. Impact BIO-4: The proposed project would necessitate the removal of one redwood in the median of Keller Avenue which is protected under the City's Tree Protection/Removal Ordinance.

<u>Mitigation Measure BIO-4</u>: The project applicant must apply for a tree removal permit for the removal of the redwood, as required by the Tree Protection/Removal Ordinance. This application process includes a detailed review of site plans and tree surveys by the City Planning Department, the Office of Parks and Recreation and the Office of Public Works. The proposed tree removal must be reviewed and approved by all relevant City offices.

Responsible Implementing Entity: Project Sponsor; CEDA, Planning Division; Public Works Agency, Tree Division

Monitoring Action(s): The Public Works Agency, Tree Division shall review and approve the application for a tree removal permit.

Monitoring Responsibility: CEDA, Planning Division; Public Works Agency, Tree Division

Monitoring Timeframe: Prior to issuance of grading permit or ground disturbing activities.

F. Impact BIO-5: Grading would create suitable growing conditions for further establishment of invasive French broom on the site, which would limit habitat values unless carefully controlled.

Mitigation Measure BIO-5a: A program to remove French broom shall be incorporated into the Final Landscape Plan for the project to eliminate this species from the site and prevent its reestablishment. Graded slopes and areas disturbed as part of the project shall be monitored to prevent reestablishment and spread of broom. The removal and monitoring program shall include annual late winter removal of any rooted plants when soils are saturated, and cutting back of any remaining flowering plants in the spring before seed begins to set in late April. Monitoring and routine removal shall be provided on an annual basis for a minimum of five years to prevent reestablishment.

Responsible Implementing Entity: Project Applicant, CEDA, Planning Division

Monitoring Action(s): The applicant shall retain a qualified botanist, as approved by the City, who will monitor the site at the appropriate time for the reappearance of this species and will submit a report to the City, either confirming the absence of the plant or detailing measures for removal.

Monitoring Responsibility: CEDA, Planning Division

Page 29

Monitoring Timeframe: The Final Landscape Plan shall be submitted prior to issuance of a grading permit; monitoring for French Broom shall be conducted on an annual basis for a minimum of five years.

<u>Mitigation Measure BIO-5b</u>: A Final Landscape Plan shall be prepared by a qualified landscape architect which emphasizes the use of native, drought tolerant and fire resistant tree, shrub, and groundcover species in landscape plantings, and recognizes the difficult growing conditions created by proposed cut slopes on the site. The following requirements and restrictions shall be incorporated into the Plan.

- a. Unsuitable species include: blue gum (Eucalyptus globulus), acacia (Acacia spp.), pampus grass (Cortaderia selloana), broom (Cytisus spp. and Genista spp.), gorse (Ulex europaeus), bamboo (Bambusa spp.), giant reed (Arundo donax), English ivy (Hedera helix), German ivy (Senecio milanioides), and periwinkle (Vinca sp.).
- b. Suitable species include: coast live oak, California bay (Umbellularia californica), big leaf maple (Acer macrophyllum), California buckeye (Aesculus californica), toyon (Heteromeles arbutifolia), California fuchsia (Epilobium canum), sticky monkeyflower (Mimulus aurantiacus), California sagebrush (Artemisia californica), purple needlegrass (Nasella pulchra), and buckwheat (Eriogonum fasciculatum).
- c. Plantings in the vicinity of the coast live oak saplings shall follow the recommendations of the California Oak Society's Compatible Plants Under and Around Oaks booklet.

Responsible Implementing Entity: CEDA, Planning Division and Fire Services; Public Works Agency, Environmental Services Division

Monitoring Action(s): The CEDA, Planning Division, Fire Services, and the Public Works Agency, Environmental Services Division shall review the final landscape plan to ensure compliance with applicable standards and regulations.

Monitoring Responsibility: CEDA, Planning Division and Fire Services; Public Works Agency, Environmental Services Division

Monitoring Timeframe: The Final Landscape Plan shall be submitted prior to issuance of a grading permit.

CULTURAL RESOURCES

<u>G. Impact CUL-1</u>: Although no evidence of cultural resources or human remains has been discovered on the site, it is possible that construction activities could disturb undiscovered buried cultural resources or human remains.

<u>Mitigation Measure CUL-1a:</u> If previously-undetected cultural resources of significance are encountered during the course of any construction, all earthmoving activity in the area of impact shall stop until the applicant retains the services of a qualified archaeological consultant. The archaeological consultant shall examine the findings, assess their significance and offer proposals for any procedures deemed appropriate to further investigate and/or mitigate adverse impacts to those cultural resources which have been encountered.

Responsible Implementing Entity: CEDA, Planning Division

Monitoring Action(s): CEDA, Planning Division shall receive notice that an archeologist has been retained and verify that construction work has been suspended if significant resources are found. CEDA, Planning Division shall review the archaeological resources report.

Monitoring Responsibility: CEDA, Planning Division and Building Services Division

Monitoring Timeframe: Throughout grading and construction.

<u>Mitigation Measure CUL-1b</u>: If previously undetected paleontological resources of significance are encountered during the course of any construction, all earthmoving activity in the area of impact shall stop until the applicant retains the services of a qualified paleontologist. The paleontologist shall examine the findings, assess their significance and offer proposals for any procedures deemed appropriate to further investigate and/or mitigate adverse impacts to those cultural resources which have been encountered

Responsible Implementing Entity: CEDA, Planning Division

Monitoring Action(s): CEDA, Planning Division shall receive notice that a paleontologist has been retained and verify that construction work has been suspended if significant resources are found. CEDA, Planning Division shall review the paleontological resources report.

Monitoring Responsibility: CEDA, Planning Division, Paleontologist Consultant

Monitoring Timeframe: Throughout grading and construction.

<u>Mitigation Measure CUL-1c:</u> If previously unknown human remains are encountered during construction, the County Coroner and an appropriate representative of the Native American Heritage Commission shall be informed and consulted, as required by State law.

Responsible Implementing Entity: Project Sponsor; Oakland Community and Economic Development Agency (CEDA), Planning Division; Alameda County Coroner; Native American Heritage Commission

Monitoring Action(s): The project sponsor shall contact the coroner in the event that human remains are encountered. Agencies shall respond to any such discovery as applicable.

Monitoring Responsibility: CEDA, Planning Division; Alameda County Coroner; Native American Heritage Commission

Monitoring Timeframe: Throughout the construction period.

GEOLOGY AND SOILS

<u>H. Impact GEO-1</u>: The proposed project site is within a seismically-active region, and the proposed project site will likely be subject to strong seismic ground shaking during its design life.

<u>Mitigation Measure GEO-1</u>: Structures shall be designed in compliance with current building codes related to seismic safety.

Responsible Implementing Entity: CEDA, Building Services Division

Monitoring Action(s): The Building Services Division shall review and approve the final building plans to demonstrate compliance with current building codes.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Prior to issuance of first building permit.

<u>I. Impact GEO-2</u>: As the soils on the site become saturated in an earthquake event, the slopes become less stable.

<u>Mitigation Measure GEO-2a</u>: The grading plan for the proposed project shall limit slope grades to a maximum 2-to-1 horizontal to vertical ratio with retaining walls to support this slope.

Page 31

Responsible Implementing Entity: CEDA, Building Services Division

Monitoring Action(s): CEDA, Building Services shall review and approve the final grading plan including the locations, dimensions, and slope ratio of all retaining walls.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Prior to issuance of first grading permit.

<u>Mitigation Measure GEO-2b</u>: New retaining walls and foundations shall be designed following the detailed criteria set forth in the Geotechnical Investigation completed for the proposed project.

Responsible Implementing Entity: CEDA, Building Services Division

Monitoring Action(s): CEDA, Building Services shall review and approve the final grading plan and retaining wall design in consultation with the Geotechnical Investigation completed for the proposed project.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Prior to issuance of first grading permit.

<u>Mitigation Measure GEO-2c</u>: Detailed grading plans and construction drawings shall be submitted to the City of Oakland Building Services Department for approval prior to excavation to ensure that the buildings and retaining walls conform to Uniform Building Code requirements.

Responsible Implementing Entity: CEDA, Building Services Division

Monitoring Action(s): The CEDA, Building Services Division shall review and approve the final grading and construction plans for conformance with the Uniform Building Codes.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Prior to issuance of first grading permit.

Mitigation Measure GEO-2d: Foundations of the buildings shall bear on rock.

Responsible Implementing Entity: CEDA, Building Services Division

Monitoring Action(s): The CEDA, Building Services Division shall review and approve the final grading and construction plans to ensure that the foundations bear on rock.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Prior to issuance of first grading permit.

<u>Mitigation Measure GEO-2e</u>: In addition to the requirements contained in Mitigation Measure HYDRO-3, drainage on the site shall be designed and maintained to minimize ponding of surface water and/or saturation of the soils, following the detailed criteria in the geotechnical investigation completed for the project.

Responsible Implementing Entity: CEDA, Building Services Division; Public Works Agency, Engineering Design Services

Monitoring Action(s): The CEDA, Building Services Division and the Public Works Agency, Engineering Design Services shall review the final drainage plans to minimize ponding of surface water.

Monitoring Responsibility: CEDA, Building Services Division; Public Works Agency, Engineering Design Services

Monitoring Timeframe: Prior to issuance of first grading permit.

J. Impact GEO-3: Soils on the site above the fill layer are at risk of erosion.

<u>Mitigation Measure GEO-3a</u>: An erosion control plan to minimize wind and water erosion during the construction period shall be prepared, as is standard during the grading and building permit approval process. This erosion control plan shall incorporate appropriate measures in accordance with the mitigation measures outlined in Mitigation Measure HYDRO-1, HYDRO-2a and HYDRO-2b.

Responsible Implementing Entity: CEDA, Building Services Division; Public Works Agency, Engineering Design Services

Monitoring Action(s): The CEDA, Building Services Division and the Public Works Agency, Engineering Design Services shall review the erosion control plan.

Monitoring Responsibility: CEDA, Building Services Division; Public Works Agency, Engineering Design Services

Monitoring Timeframe: Prior to issuance of the first grading permit.

<u>Mitigation Measure GEO-3b:</u> Long-term erosion shall be addressed through installation of landscaping and storm drainage facilities.

Responsible Implementing Entity: CEDA, Building Services Division and Planning Division; Public Works Agency, Engineering Design Services

Monitoring Action(s): The CEDA, Building Services Division, Planning Division, and the Public Works Agency, Engineering Design Services shall review the erosion control plan.

Monitoring Responsibility: CEDA, Building Services Division; Public Works Agency, Engineering Design Services

Monitoring Timeframe: Prior to issuance of the first grading permit.

<u>K. Impact GEO-4</u>: The proposed project would be placed on slightly to moderately expansive soil and non-expansive bedrock and on steep slopes.

Mitigation Measure GEO-4: Foundations shall be drilled piers and grade beams.

Responsible Implementing Entity: CEDA, Building Services Division

Monitoring Action(s): The CEDA, Building Services Division shall review and approve the final grading and construction plans to ensure that the foundations are drilled piers and beams.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: The geotechnical recommendations shall be incorporated into the final construction drawings to be reviewed and approved prior to issuance of first building permit.

HYDROLOGY AND WATER QUALITY

L. Impact HYDRO-1: Increased erosion caused by the grading of the project site during construction of the project could result in the degradation of downstream waterways.

Mitigation Measure HYDRO-1: The project applicant shall prepare a storm water pollution prevention plan (SWPPP) prior to construction activities, as required by the statewide General Permit for Construction Activities. Implementation of the plan shall start with the commencement of construction and shall continue though the completion of the project. Upon completion of the project, the sponsor must submit a Notice of Termination to the San Francisco RWQCB to indicate that construction is completed. At a minimum, the SWPPP shall include the following requirements:

- a. Excavation and grading activities will be scheduled for the dry season only (April 15 to October 15), to the extent possible. This will reduce the chance of severe erosion from intense rainfall and surface runoff, as well as the potential for soil saturation in swale areas.
- b. If excavation occurs during the rainy season, storm runoff from the construction area will be regulated through a storm water management/erosion control plan that may include temporary onsite silt traps and/or basins with multiple discharge points to natural drainages and energy dissipaters. Stockpiles of loose material will be covered and runoff diverted away from exposed soil material. If work is stopped due to rain, a positive grading away from slopes will be provided to carry the surface runoff to areas where flow can be controlled, such as the temporary silt basins. Sediment basin/traps will be located and operated to minimize the amount of off site sediment transport. Any trapped sediment will be removed from the basin or trap and placed at a suitable location onsite, away from concentrated flows, or removed to an approved disposal site.
- c. Temporary erosion control measures will be provided until perennial revegetation or landscaping is established and can minimize discharge of sediment into nearby waterways. For construction within 500 feet of a water body, straw bales will be placed upstream adjacent to the water body.
- d. After completion of grading, erosion protection will be provided on all cut-and-fill slopes. Revegetation will be facilitated by mulching, hydroseeding, or other methods and should be initiated as soon as possible after completion of grading and prior to the onset of the rainy season (by November 1).
- e. Permanent revegetation/ landscaping will emphasize drought-tolerant perennial ground coverings, shrubs, and trees to improve the probability of slope and soil stabilization without adverse impacts to slope stability due to irrigation infiltration and long-term root development.
- f. BMPs selected and implemented for the project will be in place and operational prior to the onset of major earthwork on the site. The construction-phase facilities will be maintained regularly and cleared of accumulated sediment as necessary.
- g. Hazardous materials such as fuels and solvents used on the construction sites will be stored in covered containers and protected from rainfall, runoff, and vandalism. A stockpile of spill cleanup materials will be readily available at all construction sites. Employees will be trained in spill prevention and cleanup, and individuals will be designated as responsible for prevention and cleanup activities.

Responsible Implementing Entity: RWQCB, CEDA, Building Division Public Works Agency, Environmental Services Division

Monitoring Action(s): The RWQCB and Public Works Agency, Environmental Services Division shall review the SWPPP for completeness and the Environmental Services Division shall conducted regular spot checks to ensure compliance with the SWPPP.

Monitoring Responsibility: RWQCB, CEDA, Building Division Public Works Agency, Environmental Services Division

Monitoring Timeframe: The final grading plan and drainage plan shall be reviewed prior to issuance of the first grading permit. Compliance with the SWPPP shall be monitored during grading and construction.

<u>M. Impact HYDRO-3</u>: If storm water runoff from the project is not adequately contained by the on-site drainage system, and exceeds existing subbasin or conveyance system capacity, a significant impact would result.

Mitigation Measure HYDRO-3: Prior to final approval of the project, the applicant shall submit final hydrology/ hydraulics calculations for the project based on final design plans. These calculations shall be reviewed and approved by a City Engineer. The calculations shall demonstrate that the existing drainage infrastructure along Keller Avenue and Greenridge Drive are capable of handling flows from the proposed development. If remedial actions must be taken to ensure that the project would not impact downstream drainage infrastructure, these actions shall be completed prior to construction of the proposed project at the sole cost and expense of the applicant, subject to City review and approval.

Responsible Implementing Entity: Public Works Agency, Engineering Design Services

Monitoring Action(s): The Public Works Agency, Engineering Design Services shall review and approve the final hydrology/ hydraulics calculations for the project based on final design plans.

Monitoring Responsibility: Public Works Agency, Engineering Design Services

Monitoring Timeframe: The applicant has submitted final hydrology calculations and therefore prior to the approval of the public improvement plans for the project, PWA shall confirm the applicant's final hydrology calculations in relation to the design and specifications of the site drainage system.

N. Impact HYDRO-4: The proposed project could result in water-quality impacts including an increase in NPS pollutants and on- or off-site erosion and/or siltation.

<u>Mitigation Measure HYDRO-4a</u>: Filter mechanisms shall be installed at all drop inlets receiving runoff from the project site.

Responsible Implementing Entity: Public Works Agency, Engineering Design Services

Monitoring Action(s): The Public Works Agency, Engineering Design Services shall review and approve the final grading plan and drainage plan prior to issuance of first grading permit.

Monitoring Responsibility: Public Works Agency, Engineering Design Services

Monitoring Timeframe: Public Works Agency, Engineering Design Services

<u>Mitigation Measure HYDRO-4b</u>: The project applicant shall develop a long-term storm water pollution prevention plan (SWPPP) to protect storm water quality after the construction period. The SWPPP shall include the following additional BMPs to protect storm water quality:

a. Proper maintenance of parking lots and other paved areas can eliminate the majority of litter and debris washing into storm drains and thus, entering local waterways. Regular sweeping

is a simple and effective BMP aimed at reducing the amount of litter in storm drain inlets (to prevent clogging) and public waterways (for water quality). The project applicant shall enter into an agreement with the City of Oakland to ensure this maintenance is completed.

- b. Proper maintenance of filter mechanisms at drop inlets is essential to maintain functionality. The maintenance of filter mechanisms will be the responsibility of the City of Oakland's Public Works Department. The project applicant shall enter into an agreement with the City of Oakland to ensure this maintenance is completed.
- c. The applicant shall prepare informational literature and guidance on residential BMPs to minimize pollutant contributions from the proposed development. This information shall be distributed to all residences at the project site. At a minimum the information should cover:
 (1) Proper disposal of household and commercial chemicals; (2) Proper use of landscaping chemicals; (3) Clean-up and appropriate disposal of yard cuttings and leaf litter; and (4) Prohibition of any washing and dumping of materials and chemicals into storm drains.

Responsible Implementing Entity: RWQCB; Public Works Agency, Engineering Design Services

Monitoring Action(s): The RWQCB and Public Works Agency, Environmental Services Division shall review the SWPPP for completeness and the Environmental Services Division shall conducted regular spot checks to ensure compliance with the SWPPP.

Monitoring Responsibility: RWQCB; Public Works Agency, Engineering Design Services

Monitoring Timeframe: Final grading plan and drainage plan shall be reviewed prior to issuance of first grading permit. Compliance with the SWPPP shall be monitored during grading and construction.

NOISE

O. Impact NOISE-3: Construction noise would impact nearby existing residential land uses. It is likely that construction noise would exceed the City's quantitative standards for long-term construction noise at nearby residences during most phases of construction.

Mitigation Measure NOISE-3a: The project sponsor shall require construction contractors to limit standard construction activities as required by the City Building Department. Such activities are generally limited to between 7:00a.m.and 7:00 p.m. Monday through Friday, with extreme noise generating activities greater than 90 dBA limited to between 8:00a.m.and 4:00 p.m. Monday through Friday, with no extreme noise generating activity permitted between 12:30 p.m. and 1:30 p.m. No construction activities shall be allowed on weekends until after the building is enclosed, without prior authorization of the Building Services Division, and no extreme noise generating activities shall be allowed on weekends and holidays.

Responsible Implementing Entity: CEDA, Building Services

Monitoring Action(s): The CEDA, Building Services Division shall make regular checks to the project site to ensure that construction hours are restricted to between 7:00a.m.and 7:00 p.m. Monday through Friday.

Monitoring Responsibility: CEDA, Building Services

Monitoring Timeframe: Throughout grading and construction.

<u>Mitigation Measure NOISE-3b:</u> To reduce daytime noise impacts due to construction, the project sponsor shall require construction contractors to implement the following measures:

- 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. Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible 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, such as drills rather than impact equipment, whenever feasible.
- c. Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.

Responsible Implementing Entity: CEDA, Building Services Division and Planning Division

Monitoring Action(s): The CEDA, Building Services Division shall make regular checks to the project site to that all the methods above are in place to reduce daytime noise impacts.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Prior to issuance of a grading or building permit and ongoing throughout construction.

<u>Mitigation Measure NOISE-3c:</u> To further mitigate potential extreme noise generating construction impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the City to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible: Erect temporary plywood noise barriers around the construction site, to shield adjacent uses; Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings. Monitor the effectiveness of noise attenuation measures by taking noise measurements.

Responsible Implementing Entity: CEDA, Building Services Division and Planning Division

Monitoring Action(s): The CEDA, Building Services Division and Planning Division shall review and approve the site specific noise reduction program.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Prior to issuance of a grading or building permit and ongoing throughout construction.

<u>Mitigation Measure NOISE-3d</u>: Prior to the issuance of each building permit, along with the submission of construction documents, the project sponsor shall submit to the City Building Department a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:

a. A procedure for notifying the City Building Division staff and Oakland Police Department;

Page 37

- b. A plan for posting signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem;
- c. A listing of telephone numbers (during regular construction hours and off-hours);
- d. The designation of an on-site construction complaint manager for the project;
- e. Notification of neighbors within 300 feet of the project construction area at least 30 days in advance of pile-driving and/or other extreme noise-generating activities about the estimated duration of the activity; and
- f. A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

Responsible Implementing Entity: CEDA, Building Services Division and Planning Division

Monitoring Action(s): The CEDA, Building Services Division and Planning Division shall review and approve the site specific noise reduction program.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Prior to issuance of a grading or building permit and ongoing throughout construction.

<u>P. Impact NOISE-4</u>: Future noise from I-580 and Keller Ave will exceed the State's "normally acceptable" noise level goal of a CNEL of 60 dBA at the residential buildings along these roadways. The noise level will also exceed the State Building Code threshold of a DNL of 60 dBA for new construction.

<u>Mitigation Measure NOISE-4</u>: Sound-rated building construction shall be used to achieve acceptable indoor noise levels as per the State Building Code and City's Noise Element.

Responsible Implementing Entity: CEDA, Building Services Division

Monitoring Action(s): The CEDA, Building Services Division shall review the building plans and verify that noise reduction features have been incorporated.

Monitoring Responsibility: CEDA, Building Services Division

Monitoring Timeframe: Measures shall be incorporated into final construction drawings for approval prior to issuance of first building permit.

TRAFFIC AND CIRCULATION

<u>O. Impact TRAF-1</u>: With the addition of project-related traffic, the Keller Avenue/Mountain Boulevard intersection, currently controlled by four-way stop signs, would operate at LOS E.

<u>Mitigation Measure TRAF-1</u>: The project applicant shall pay a proportional share towards installation of the previously approved set of improvements at the intersection of Mountain Boulevard and Keller Avenue to improve the level of service ratio to the City of Oakland standard of LOS D. Such payment shall be determined based on the approved cost estimate and a formula as derived from the Leona Quarry Traffic Improvement Program and Traffic Improvement Fee (TIP/TIF). If the TIP/TIF is not approved, the fair share payment shall be based on the adopted cost estimate for the Mountain Boulevard/Keller Avenue intersection as set forth in the Leona Quarry City Council Resolution # 78358.

Responsible Implementing Entity: CEDA, Planning Division

Monitoring Action(s): The project applicant's traffic consultant shall verify the proportional share based on the Leona Quarry Traffic Improvement Program and Traffic Improvement Fee (TIP/TIF). The traffic consultant shall submit the estimated proportional share cost to the CEDA, Planning Division for review and approval.

Monitoring Responsibility: CEDA, Planning Division

Monitoring Timeframe: Payment of a proportional share shall be due when the City issues a certificate of occupancy for each phase of the project.

Q. Impact TRAF-2: Truck traffic during construction of the proposed project could have a significant impact on local roadways.

Mitigation Measure TRAF-2: Prior to construction activity, the project applicant shall submit a construction management plan for review and approval by the City's Traffic Engineering Division. This plan shall include, but is not limited to, the following items:

- a. Identification of routes (in a Haul Route Plan) for the movements of construction vehicles that would minimize the impacts on vehicular traffic circulation and safety in the area.
- b. Staging of the movements of construction materials and equipment so as not to hinder the general flow of traffic in the immediate vicinity of the project site.
- c. Identification of areas required for encroachment within the public right-of-way.
- d. Accommodation of on-site placement of construction equipment, construction vehicles, and construction worker vehicles.
- e. Provision of adequate notification procedures for any road closures. Designation of an onsite complaint and enforcement manager to respond to and track complaints, as well as posting of signs at the construction site that include permitted construction days and hours, a day and evening contact number for the designated complaint manager, and a day and evening contact number for the City of Oakland in the event of problems.

Responsible Implementing Entity: CEDA, Building Services and Planning Division; Public Works Agency, Traffic Engineering Division

Monitoring Action(s): The CEDA, Building Services, Planning Division and the Public Works Agency, Traffic Engineering Division shall review and approval the construction management plan for the project.

Monitoring Responsibility: CEDA, Building Services and Planning Division; Public Works Agency, Traffic Engineering Division

Monitoring Timeframe: Plans shall be submitted, reviewed and approved prior to issuance of a grading permit. Compliance with plan requirements shall be continuous throughout grading and construction.

UTILITIES AND SERVICE SYSTEMS

<u>R. Impact UTIL-2</u>: Existing inlets at Keller Avenue and Greenridge Drive may not have adequate capacity to accommodate runoff from the proposed project site from a 100-year storm

Page 39

event. This could create localized flooding in the area immediately surrounding the existing inlets.

<u>Mitigation Measure UTIL-2</u>: The proposed project shall provide additional drop inlets along the new Siena Drive.

Responsible Implementing Entity: Public Works Agency, Engineering Design Services

Monitoring Action(s): The Public Works Agency, Engineering Design Services shall review the final drainage plan to ensure that additional drop inlets along Siena Drive are proposed.

Monitoring Responsibility: Public Works Agency, Engineering Design Services

Monitoring Timeframe: Prior to issuance of first building permit.

S. Impact UTIL-3: The existing pipe capacity in subbasin 1 would be inadequate to convey flows from the 100-year storm event under both existing and proposed conditions.

<u>Mitigation Measure UTIL-3</u>: Potential impacts to subbasin 1 would be mitigated to a less-than-significant level by the implementation of Mitigation Measure HYDRO-3.

Responsible Implementing Entity: Public Works Agency, Engineering Design Services

Monitoring Action(s): The Public Works Agency, Engineering Design Services shall review and approve the final hydrology/ hydraulics calculations for the project based on final design plans.

Monitoring Responsibility: Public Works Agency, Engineering Design Services

Monitoring Timeframe: The applicant has submitted final hydrology calculations and therefore prior to the approval of the public improvement plans for the project, PWA shall confirm the applicant's final hydrology calculations in relation to the design and specifications of the site drainage system.

14. Design Review Requirements

a. Prior to issuance of building permit

The final design elements listed below shall be submitted for review and approval by the Planning Director prior to issuance of the building permit. The Planning Director may exercise his/her standard authority to refer the final design to the Design Review Committee or to the Planning Commission.

- a. The materials and installation methods shall be detailed to provide a high-quality, durable, and attractive building façades. Final material selections and installation details shall be submitted for review and approval.
- b. Windows shall be of wood or similar material and articulated to provide a two-inch minimum recess from the building façade and projecting mullions in order to create a sufficient shadow line and articulation. The final window details shall be submitted for review and approval.
- c. Garage doors shall be of wood or similar material and articulated to provide a two-inch minimum recess from the building façade.
- d. Provide colored renderings of all facades for each unit.
- e. Provide larger window proportions on the rear façade of the upslope units.
- f. Recess the skirt wall on the lower floor of downslope structure (3a and 4) a minimum 8" and add a cornice element to eliminate a blank façade and to create a sufficient shadow line and articulation.

- g. Due to the reduced front setback and theamount of impervious surface on the site, the mailboxes should not be located on individual columns but in the front entry porch of each unit.
- h. Provide details of the ornamental iron guardrails and handrails. Wait till CO of 2 model unit
- i. Install a separate paving material at the entrance of Siena Drive to delineate the road as a private drive. Wait till CO of first phase
- j. Provide a pervious surface for a portion of each unit's driveway or parking area. Use different materials for the driveways, walkways, and parking areas to provide visual interest. Building Permit
- k. Materials and finishes shall be submitted for all retaining walls and fences. Fences wait until CO of each building.
- 1. If required by the Traffic Engineering Division, the applicant shall fully fund the installation of a one-way street sign at the intersection of Siena Drive and Greenridge Drive and a No-U Turn sign at the proposed left turn lane into Siena Drive from Keller Ave.
- m. The final colors must be submitted for review and approval. Any new colors must be submitted for review. The colors on the board acceptable, staff will be most likely be invited to a mock up.
- n.

15. Covenants, Conditions and Restrictions & Homeowner's Association.

a. Within one year after issuance of the first certificate of occupancy.

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

16. Building Address Signs.

a. Prior to issuance of first certificate of occupancy.

The applicant shall submit for review and approval of the Planning and Zoning Division, plans showing the design and location of the building address signs of each dwelling unit, structure. All address signs shall be clearly posted, lighted and permanently maintained.

17. Meter Shielding.

a. Prior to issuance of building permits.

The applicant shall submit for review and approval by the Planning and Zoning Division, plans showing the location of any and all utility meters, transformers, and the like located within a box set within the building, located on a non-street facing elevation, or screened from view from any public right of way.

18. Recycling Space Allocation Requirements

a. Prior to issuance of building permit

The design, location and maintenance of recycling collection and storage areas shall comply with the provision of the Oakland City Planning Commission "Guidelines for the Development and Evaluation of Recycling Collection and Storage Areas", Policy 100-28 and with the recycling space requirements of the Planning Code. The recycling location and area shall be clearly delineated on the building permit plans.

19. Lighting Plan

a. Prior to issuance of building permit

A lighting plan for the exterior of the project shall be submitted for review and approval by the Planning Director. The lighting plan shall include the appearance and location of all exterior and lighting fixtures or standards. The plan shall indicate lighting fixtures that are adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. All lighting shall be architecturally integrated into the site. The project applicant shall install pedestrian-scale light fixtures along the proposed Siena Drive. The outdoor lighting is subject to review by the Public Works Agency, Electrical Services in accordance with the City's outdoor lighting standards.

20. Landscape and Streetscape Plans

a. Prior to issuance of building permit.

The project sponsor shall submit a detailed landscaping plan to the Planning Director for review and approval prior to the issuance of any building permits. This plan shall include:

- a. Street tree planting specifications. Consistent street tree species must be provided on the street frontages with the species to be approved by the Office of Parks and Recreation.
- b. All infill and theme trees as noted on the final landscape plan shall be a minimum of 24" boxed. The applicant shall install additional trees in front of the retaining walls on the downslope units. The landscape plan shall indicate the installation of 5 gallon shrubs minimum along the skirt wall of each downslope unit. Characteristics of the selected species shall be that it grows to a sufficient size within five (5) years of planting to screen the lower 5-8 feet of the structure above grade.
- c. All landscaping areas and related irrigation shown on the approved plans shall be permanently maintained in neat and safe conditions, and all plants shall be maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with all applicable landscaping requirements. All landscaping shall be served by an automatic irrigation system. All paving or other impervious surfaces shall occur only on approved areas.

21. Signage Plan

a. Prior to issuance of building permit

The project sponsor shall submit a revised monument sign where the base on the upslope side is no more than 8" above grade and the sign is no more than 11' in length. The actual name of the development on the sign can remain 8' in length.

22. Water, Wastewater and Storm Sewer Service

a. Prior to issuance of building permit

The project sponsor shall provide the necessary information to the Public Works Agency, Design and Construction Services Division to confirm the existing capacity of the water, wastewater and storm service systems that serve the project site and the projected project demand. The project sponsor shall be responsible for payment of the required installation or hookup fees to the affected service providers. The project sponsor shall also be responsible for payment of sewer and/or storm water improvement fees as required by the Public Works Agency.

23. Special Inspector

a. Throughout construction

At the discretion, of PWA and Building Services, the project sponsor may be required to pay for an on-call special inspector(s) as needed during the times of most intense grading or construction. Prior to issuance of a grading permit, and the project sponsor may be required to

establish a deposit with the Building Services Division to fund a special inspector who shall be available as needed, as determined by the Building Official or the Planning Director.

24. Geologic Hazards Assessment District

a. Prior to the approval of the final map

Prior to approval of the final map for the project, a Geologic Hazard Abatement District (GHAD) shall be fully operational, and all assessments, reserve funding and/or other long-term financing and other requirements necessary to fully fund the GHAD shall be established and authorized.

APPROVED BY:

City Planning Commission:		(date)	(vote)
City Council:	(date)		(vote)

FINDINGS FOR APPROVAL

See Attachment B and Attachment C

REVISED CONDITION OF APPROVAL #2A

2. Effective Date, Expiration, and Extensions

a. Ongoing.

This extension shall expire on June 18, 2010 December 31, 2016, unless actual construction or alteration, or actual commencement of the authorized activities (phases 2 and 3) in the case of a permit not involving construction or alteration, has begun under necessary permits by this date. Upon written request and payment of appropriate fees submitted no later than the expiration date the City Planning Commission may grant an additional one-year extension of this date. Of this Approval, additional extensions subject to approval by the approving body.

b. Within two (2) years of this approval.

Failure of the applicant to obtain a Final PUD approval for the second phase within two (2) years of the effective date of this Preliminary PUD approval shall invalidate this approval. Failure of the applicant to obtain a Final PUD approval for the third phase within two (2) years of a certificate of occupancy being issued for the second phase shall invalidate this approval. Provided further, that upon written request, the Planning and Zoning Division may grant a one year extension of the deadline, with additional extensions subject to approval by the City Planning Commission.

c. Prior to issuance of building permit

The project sponsor shall submit a Construction Phasing and Management Plan, incorporating all applicable conditions of approval. The plan shall also include the following additional measures and standards:

- a. A site security and safety plan to assure that grading and construction activities are adequately secured during off-work hours.
- b. A fire safety management plan for all phases of work, including provisions for access, water, and other protection measures during grading and construction activities.
- c. A construction period litter/debris control plan to ensure the site and surrounding area is kept free of litter and debris.

d. Prior to issuance of certificate of occupancy.

Final inspection and a certificate of occupancy for any unit or other structure within a phase, as set forth above, shall not be issued until (a) all landscaping and on and off-site improvements for that phase are completed in accordance with this Approval, or (b) until cash, an acceptably rated bond, a certificate of deposit, an irrevocable standby letter of credit or other form of security (collectively "security"), acceptable to the City Attorney, has been posted to cover all costs of any unfinished work related to landscaping and public improvements plus 25 percent within that phase, unless already secured by a subdivision improvement agreement approved by the City. For purposes of these Conditions of Approval, a certificate of occupancy shall mean a final

Findings and Additional Condition of Approval

certificate of occupancy, not temporary or conditional, except as the City determines may be necessary to test utilities and services prior to issuance of the final certificate of occupancy.

ADDITIONAL CONDITION OF APPROVAL

The following condition of approval shall be added to the adopted conditions of approval for case file PUD02-217 upon extension of applicable entitlements beyond December 31, 2015:

The project approved under case file PUD02-217 shall be subject to, and Applicant shall agree to pay, any development impact fees that are eventually adopted by the City Council unless a vested right is obtained prior to the impact fee adoption date and such project is diligently pursued toward completion, as reasonably determined by the Planning Director or designee.



CITY OF OAKLAND BUREAU OF PLANNING - ZONING DIVISION 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031 Phone: 510-238-3911 Fax: 510-238-4730

PLANNING APPROVAL EXTENSION LETTER

October 29, 2020

Keven Kwok Oakland Siena, LLC 4481 Belmont Way Castro Valley, CA 94546

RE: Extension of Planning Permit Approval

Case No.: PUD02-217/ER02-0012 Project Address: Siena Hill (off of Keller Avenue, between Greenridge Drive and Rilea Way) Assessor Parcel Number: (APN: 040A-3848-001-00 through 040A-3848-032-00) Original Planning Approval Date: March 2, 2005

Dear Applicant:

Pursuant to City Administrator Emergency Order No. 6, City Staff has the authority to ministerially extend by two years local Planning Entitlements that had not expired as of March 9^{th,} 2020 and are set to expire on or before August 1^{st,} 2022. (*See* CAO Order No. 6, at *Attachment 1*).

City Staff grants such two-year extension as long as the applicant files an application for extension, pays the Application Fee, and demonstrates that the subject entitlement was active during the required time period. Planning Entitlement extensions covered by City Administrator Order No. 6 do not include parcel maps or tentative maps obtained pursuant to the Subdivision Map Act or O.M.C. Title 16. The extensions also do not apply to the payment of impact fees.

The above referenced permit(s) currently has (have) an expiration date of **December 31, 2020**. Pursuant to your recent request, the Planning Permit(s) referenced above are hereby extended to **December 31, 2022** per the aforementioned City Administrator Emergency Order.

In order to maintain the validity of planning permits, projects should receive building permits or a license to operate, as applicable, by **December 31, 2022**, unless further extensions are available and granted prior to that date.

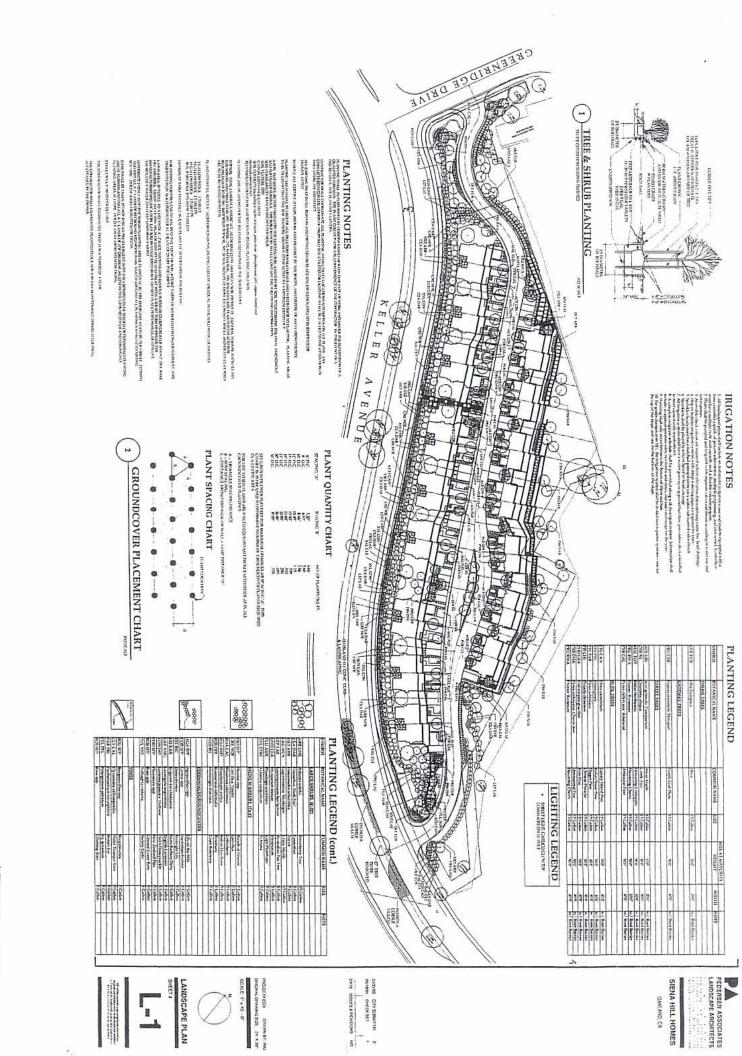
In addition, extended projects shall be subject to, and pursuant to your request you (as owner/developer) agree to and pay applicable development impact fees that were adopted by the City Council unless a vested right is obtained prior to the impact fee adoption date and such project is diligently pursued toward completion, as reasonably determined by the Planning Director or designee.

Please do not hesitate to contact the zoning **Heather Klein** by email at <u>hklein@oaklandca.gov</u> or by phone at (510) 238-3659 should you have any questions.

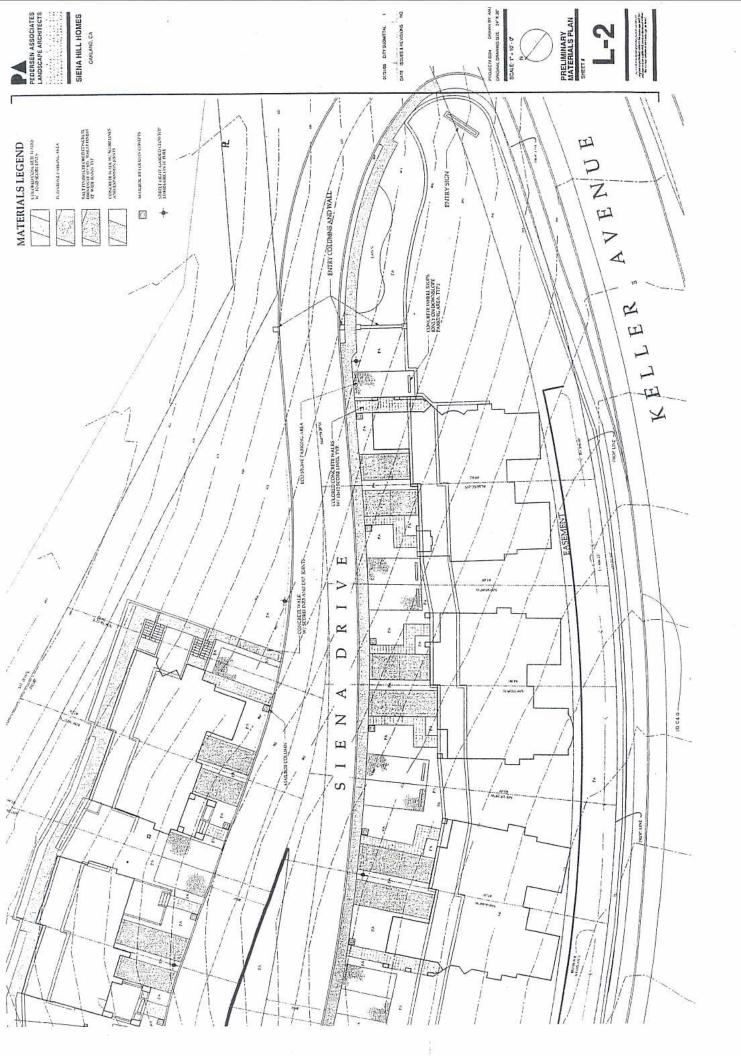
Sincerely,

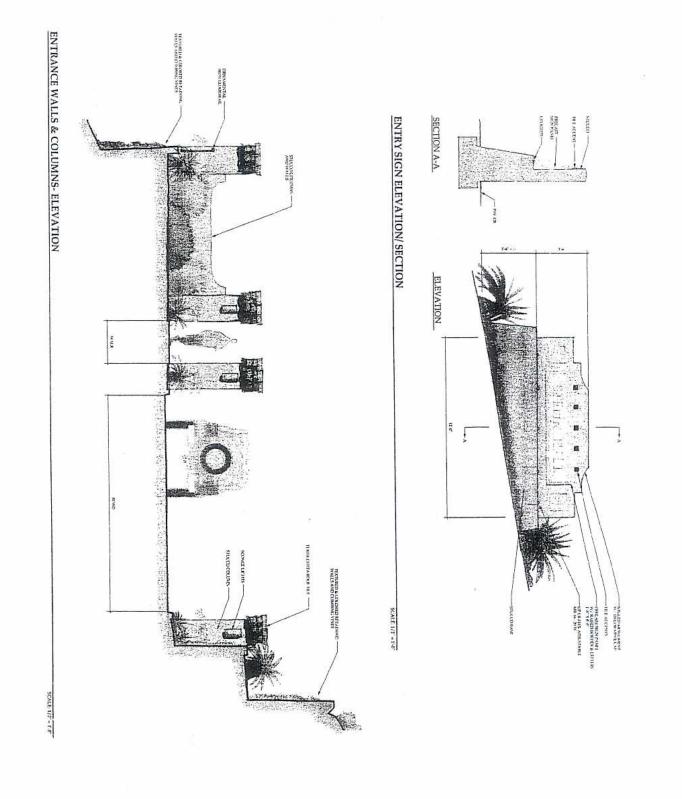
Robert D. Merkamp Zoning Manager

Attachment 1: City Administrator Emergency Order No 6



ATTACHMENT A



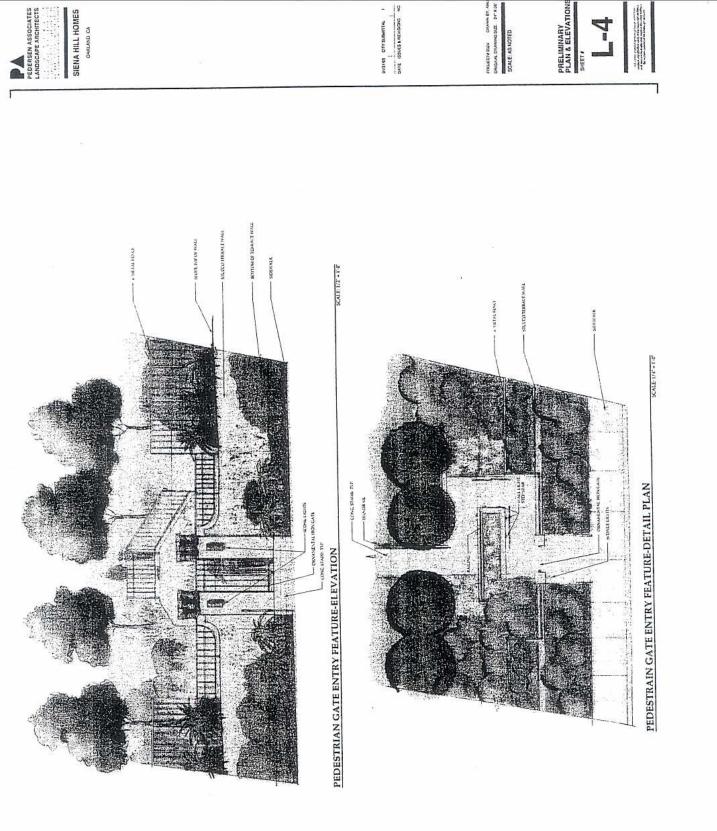


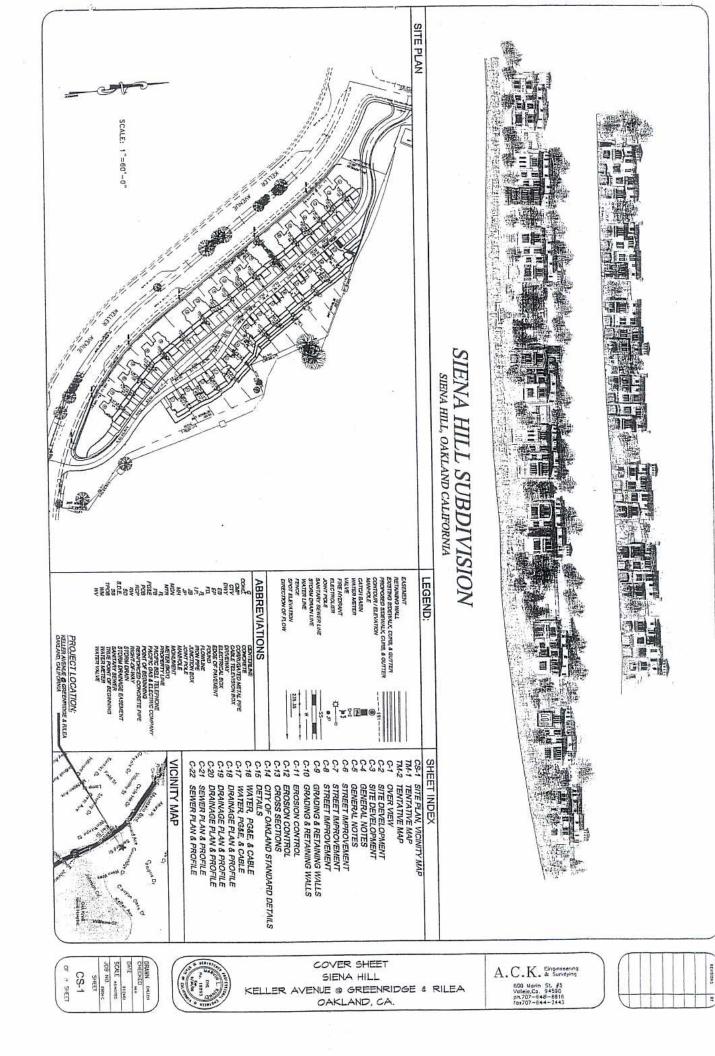
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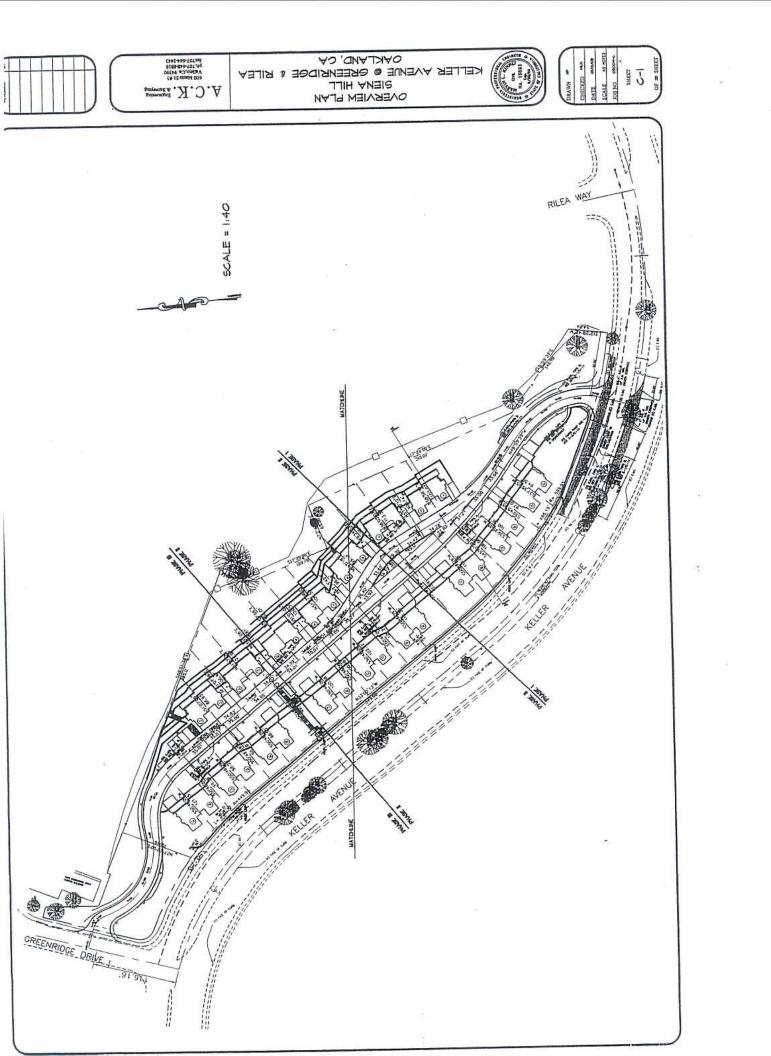
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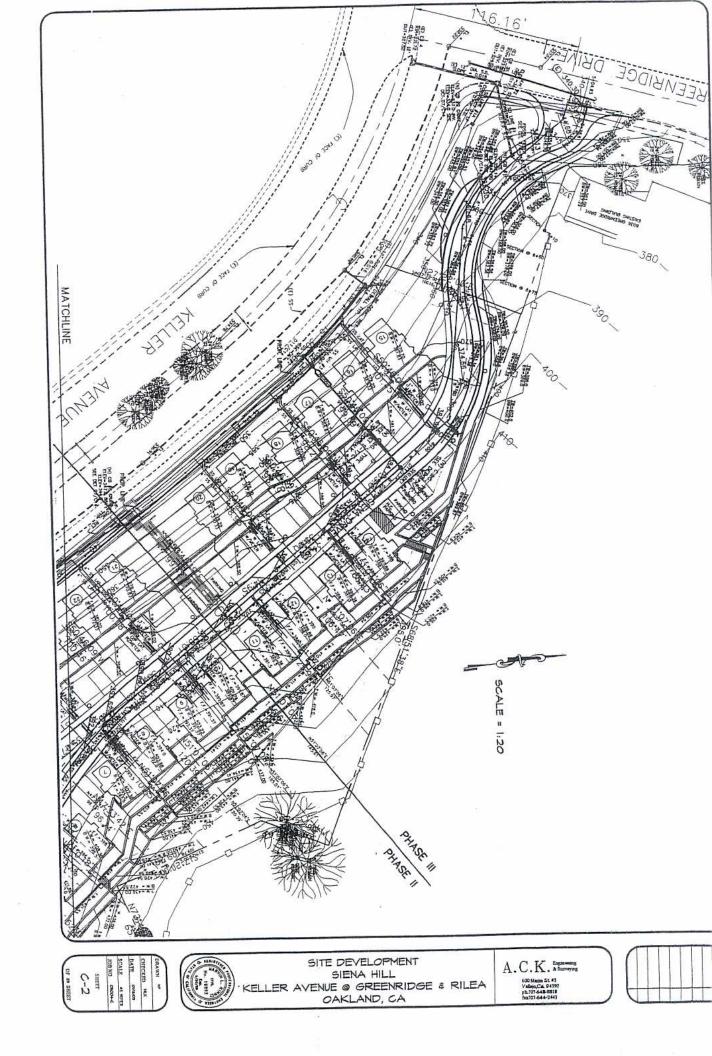
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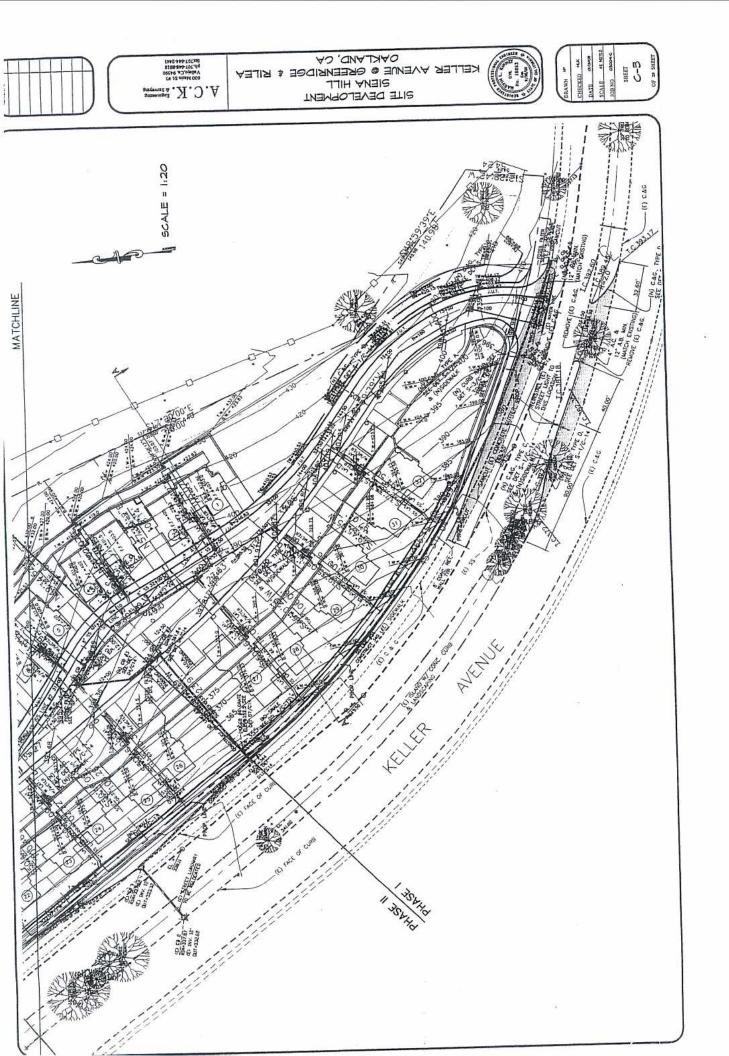












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4. ALL MORE SHALL BE DORE BETWEEN THE MORE MADE ALL MORE AND ALL MO	 דוב כאודאנינד אינון דינדער גראין באינער איני בעיטער גראינד. אואפיר דאר און דינדער גראינד גראיניער גראינד גראינדער גראינד גראינדערגערגעראינדער גראינדערגעראינדער גראינדער גראינדער גראינדער גראינדער גראינדער גראינדער גראינדער גראינדער גראינדערגעראינדער גראינדער ג	 THE OWNER WILL FURNERIA THE COST DUE SET OF GRAVUE STARTS FOR PADS AND PROBLETER FANCES, NOT DUE STOP CHEM, NO GUTTER STARTS, THE COST ANY RESTANDING OR ADDITIONAL GUTTER STARTS ONDERED THE CARTINACTOR WILL BE CHARGED TO GRAVE STARTS ONDERED THE CARTING. 	4. ALL TRAFFIC SIGNS AND STREET NAME SIGNS SAULT OF HOH REFLECTIVE. SIGNE AND CONFORM TO THE CALIFINAN SPECIFICATIONS AND CITY STANDARD T-4 (T-5).
 ALL EVISITIES VID INFROMEMENTS THAT BECOME DAVIDED DRIVE CONTINUENDS SAVLE DE COMPLETELY RESTORED TO THE SATISFACTOR OF THE LOCAL AGENCY DISINEER, AT THE CONTRACTOR'S SOLE ENTERIES. 	 THE CAVE EMANGENESS DESIGN SUCCESS IN A STREET IN ACCREDING METH SERVICE'S ACCREDING SUCCESSION AND A SURVEYING PRACTICES APPLICATE ON THE INFORMATION SUCCESSION THE EMANDESIS IN CONFERENCE WITHIN EACH TWOTTED FROM THE DATE INFERENCESSION FOR CONFERENCE WITHIN EACH TWOTTED FROM THE DATE INFERENCESSION FOR CONFERENCE WITHIN EACH TWOTTED FROM THE DATE INFERENCESSION FOR CONFERENCE WITHIN EACH TWOTTED FROM THE DATE. 	א הוב כאהאכרסה אועב עפורי הב ובכאחסים מי אב באזוויש עספנשאבאים עוווחד. ובכאחסים צופא איז איז איז איז איז איז איז איז איז אי	 APPROVAL OF THESE PLANS BY THE CITY BIGHERE DOES NOT RELIEVE THE DESUGTINGS OR INS BIGHERE FROM THE REPORTED FOR THE DESUGH OF THE NYRO/CHERTS AND ANY DEFICIENCES RESULTING FROM THE DESIGN THEREOF.
6. ANY RELOCATION OF PUPLIC UTILITIES SMALL BE CORRECTED IN ACCORDANCE WITH ANY AND ALL RECORRECTING OF DEVELOR CONFANT, AND INCLUDE TERES, BORDS, PLANTIB ADD INFORMATION CONFIDINAL ETC., THIS MORE SMALL BE DORE AT NO EXPENSE CONFIDING ETC., THIS MORE SMALL BE DORE AT NO EXPENSE CONFIDENCE AT	of sommer by the eveness, the uncertain disingents charger constructes the decault accented by the densets Aunor survering fractices and re-1942d by the densets refore to any work dense performent.	עדעוועבוינים אין	 אנו בורי גראטאנט מביעני אמדיניטינט וו ארפני דעאט אינע אינע אינע אינע אינע אינע אינע אינע
 THE CONTRACTOR SHALL PROVIDE FOR INGRESS AND EXERCISE FOR THE CONTRACTOR SHALL FOR THE INGRESS AND EXERCISE OF CONSTRUCTION 	RESPONDENT FOR JOS JEN RELIGIÓS AVETTO OF AL PERSON CONTRECTOR OF THE IS ACCOUNTED AVETTO OF AL PERSON AN INTERVENT DE L'ACCOUNTE AVETA AVETA DE LA TRE ANTINE L'ALLE DE L'ALLE AL DESCRIS AVETA AVETA ANTINE AVETA AVETA AVETA AL DESCRIS AVETA CONTRACTOR AVETAS TREM AVE ALLURELLY, REAL OR THE DEVINE AVETAS TREM AVE AVE ALLURELLY, REAL OR INFE DEVINE AVETAS TREM AVETAS AVETAS TREM AVETAS	אנגרים אינטא אינטא אינגר אינגרים אינער אינגרים אינער אינגרים אינער אינגרים אינטא אינטא אינגרים אינער אינגרים אינג	4. THE CONTRACTOR SHALL PERFORM THE RECEIVANT TENDS IN ACCORDANCE INTO THE CITY STAND RECEIVED STORM DRAIDS. SETER, WOND NETWER DRAFT REVICED STORM DRAIDS. SETER, WOND NETWER DRAFT DRAFT REVICED ARE DRAFT FOR ASSAULT PANDE.
 TRAFFIC CONTROL MAINTENANCE AND GEREARING SHALL CONFER- MINI THE FOLLOWING STATE STANDARD STREAMED SHELLING HILD WITHING ANTERTY, THOSE WERE CONVENENCE AND SECTION 12 "CONSTRUCTION AREA. TRAFFIC CONTROL DEVICES." 	קיים ענקד באבשיקא הסג וואנוויז אינוויא היה היה היה אינו אינוויא אינוויא אינוויא אינוויא אינוויא אינוויא אינוויא אינוויאניער אינוויאניער אינוויאנייער אינוויאנייער אינוויאנייער אינוויאניער אינוויאניער אינוויאניער אינוויאנייער אינוויאנייער אינוויאנייער אינוויאנייער אינוויאנייער אינוויאניי	THE CONTRACTOR SHALL SEAL ANT EXISTING WELLS IN ACCORDANCE	אל אדע באדערגעדע איזער אסטוויד דס דוער פאטער איזערטיבא עוניער איזער איזער באיזער אסטוויד דס דוער אינער אינער איזער איזער איזער איזער איזער איזער איזער איזער איזער איז אווידט טווידשאינג
MANDLES, WATER VALVE BOXES, CLEAN OUT FRAMES AND CONTES SMALL DE DROUGHT TO FINEH SRADE DY THE CONTRACTOR AFTER PAVING IS CONFLETE.	DRAWNES HIGH INVE HOT BEAM SIGNAL YOU AND SPECIFICALLY BOARDER, APPROVED FOR CONSTRUCTION BY THE BEAM TO INVERTIGATION AND FOR CONSTRUCTION BY THE BEAM TO INVERTIGATION AND ACTIVATE AND THE CONTRACTOR APPLICATION OF CORRECTION AND/OR CHANGE HAD THE CONTRACTOR APPLICATION OF RES.	REGAREDERTS, NOTESCOND STRUCTMED AND CONFACTED, ANY THE RESUME SPECIAL OF CONFILED AND CONFACTED, ANY COSTS INVOLVED IN THE NORE SINGL CONSIDERED INCLUDED IN THE CONTRACT PRICE FOR THE BRADING ITEMS.	47. THE CONTRACTOR SHALL PLACE A 'S' FROM SEMED AND A 'N' FROM NATERI IN THE YET CONCRETE CARD TOP AT ALL NEW LATERA LOCATORS IN THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTRACTING
וס, אס אסאר איזען בפטא ערבים הביבי היאס אס איזע בייני בייניין אס אסאר איזען באזער איזען באזער איזען באזער איזע אסאר אויער פובא האסיוטבס זס זהב כווזי. רעבים איזער איזער אסר איז אס ערפען דס א דעאדון געאב איזע	13. COSTRUCTORS INDICATED ARE FOR INFORMATION OF Y. IT IS THE CONTRACTORS REPORTED AT TO YEARIN' THE LOCATION AND DEPTH CONTRACTORS REPORTED FROM TO CONSTRUCTION OR	21. ALL CUT AND FILL SLOTES ON REAR AND SIDE PROFERENT LIVES WALL BE CONSTRUCTED IN SUCH A WANGE THAT ADJACENT FEACES WILL NOT BEE DAWAGED. NO CONSTRUCTION WILL BE FERNITED WITHIN OF FOOT OF FERCES.	
In tage is a framework off, direct of the state of the	CONTRACTON STANDARD AND THE CONTRACTING EXCANTERED SHALL BE READINED A A REALT OF DESTINATIONS EXCANTERED SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. NETTERE THE OPEN WAT THE DESTINATION ASSANCE SENDORSELLTY THAT THE CONTRACTORS INDUCATED WILL BE THE ODSTRUCTIONS ENCONTRACTO. ALL EXISTING INDUCATED WILL BE THE ODSTRUCTIONS ENCONTRACTO. ALL EXISTENCES INDUCATED WILL BE THE ODSTRUCTIONS ENCONTRACTOR INTO AND ALL EXISTENCES INTO AND AND ALL BE THE ODSTRUCTIONS ENCONTRACTOR INTO AND	 ALL SLOPED ON REAR AND SIZE PROPERTY LIVES SHALL BE CONSTRUCTED WITH THE TOP OF SLOPE OLSO-FOOT WITO THE LOWER LOT. SLOPED SHALL BE COMPACTED FINALY AND GRADED WATLY. GRADED SHALL BE COMPACTED FINALY AND GRADED WATLY. 	 ALL CAT NOT THE SAC READY IN WITH THE INATISAL GROUND CONDER TO BUDGE IN WITH THE INATISAL GROUND CONDER AND HERING SMALL DE HELD AT THE SHITE FORTH EIGHT A met GRADE HERING SMALL DE HELD AT THE SHITE FORTH EIGHT
GENERAL NOTES FOR GRADING	NOTED. 14. THE CONTRACTOR IS RESPONSIBLE FOR MATCHING EXISTING STREETS, SURGADDING LANDSCATE, NO OTHER INFRO-THERITS WITH SHOOTING SURGADDING LANDSCATE, NO OTHER INFRO-THERITS WITH SHOOTING, ETC.	30. THE CONTRACTOR SMUL INFEDIATELY NOTIFY ACK, ENSINEERING I SURVEYING AS SOON AS HE HAS THE FAD REMAY FOR A GRADE CHECK, MAY REQUIRED RECHEAS MILL BE CANAGED TO THE CHECK, MAY REQUIRED RECHEASE MILL BE CANAGED TO THE	HONGE FRANK V. I. W. DAWER, BOADNIG CONTRACTORS, BIOINEEDS, FOLTE BEISBORT, ONNER, BOADNIG CONTRACTORS, BIOINEEDS, SOLS BEISINGER, CITY NOPECITOR OR THEIR REPRESENTATION HUNTES OF MAY NEETING SHALL DE PARISHED TO THE CITY INSPECTOR FOR REVER
SHALL BE DORE WORK THE PRECISIENTSWINGOTHE SOLD DENIETE SUPERADIT TO THE CONFILTION OF WORK THE SOLD DENIETE SUPERADIT TO THE CITY OF AVENUE PRELIC WORK IN DENIETE SUPERADITY A DEPORT STATUSE THAT ALL WORK WAS BEEN COME TO DENIETE SUPERADITY A DEPORT STATUSE THAT ALL WORK WAS BEEN COME TO	AND TO AVIDE ANY ABRUPT OR APPARENT CHARGES IN SERVICE OF CROSS SLOPES, LON SPOTS OR INJARDODS CONDITIONS	31. THE FRISH GRADE CONTRACTOR SHALL PROVIDE DRAINAGE SYMLES HAVING WIRINAM SLOTE OF I-PERCENT.	32. IF IS THE RESPONSIBILITY OF THE DAVE OF ENGLAND ALL OF SOLS INFORM THE OFF ENGINEER IF THE OFFL. DESINETING THE OFFL. INFORM THE OFFL ENGLISHER IF THE OFFL. OFFLICTUATION OF A INFORMATION FROM THE SERVICE AND ADDRESS AND ADDRE
ND ATTERATION, RELOWNINGATIONS OF THE SOLIS REPORT SHALL BE STRUCTY APHERED TO	13. THE CANTRACTOR SHALL BEFORE AND CLECK INVERTS ON BUSING SUBJECT STORY FAVOR AND CLEARANCE OF KNOW CASCINGS OF THE UTLITES BEFORE CONTRACTING MOR FIELDING. IF THE CANTRACTOR DETERMINES THE EXCEPTION INVERTS AND AND AND CANTRACTOR DETERMINES THE EXCEPTION INVERTS AND AND AND	12. NOTIFY THE CITY OF OAKLAND 45-HOURS PRIOR TO COMMENCEMENT OF GRADINE OFBATIONS.	Service of the servic
UNS TH	S ANY NORK	31. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE STANDARD IN PLANS AND SPECIFICATIONS OF THE CITY OF OAKLAND, WHICH ARE IN PLANS AND SPECIFICATION INTO INSEE FLANS.	13 A FRE-CONTRUCTION FRETING SUML DE HELD AT THE SHE AB
 PRICE TO COMPENSION ANY GRADING ON THE STEE THE EXTERIOR BOSTONEDS SHALL BE MARKED. BOMOARY MARKEDS SHALL BE MAINTAINED THROUGHOUT THE GRADING OPERATION. 	16. THE CONTRACTOR IS REPORTINE FOR CONDUMNING HIS NEWS TO ANOTE CONFLICTS BETWEEN SEVER LATERALS, STORY DRANS AND NATER HAIRS.	34. ALL REVISIONS TO THESE PLANS MIST BE APPROVED BY THE CITY EVALUATER FROM TO THEIR CONSTRUCTION, AND SHALL BE EVALUATELY SHOWN ON RECORD DRAWINGS FROM TO THE	FOLOWING FRUME FRUME TO THE START OF MONA THE THE FOLOWING FRUME FRUME FRUME FOLOWING HAVE CONTRACTORS, BORDERS, FOLOWING, OR THER REFRESENTATIVE, MINUTES OF THAT CITY INSPECTOR FOR REVIEW MEETING SHALL BE FURNISHED TO THE CITY INSPECTOR FOR REVIEW.
 PROTECTION FEACING AND/OR BARDIERS SHALL BE FRO/VDED WEN NECESSARY TO PROTECT ADJACENT PROPERTED DURING GRACING OPERATION. 	17. EMANETER ASSAMED NO REFORMEDITE FOR THAT ANY POWENS. CONCRETE INLESS FORMS ARE CIECKED PROFITS NAT POWENS.		

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Necessaart Tests In 75 on Never Installed YTENS ONLY AFTER TRENCIES IN PLACE, CONPACTED AND LOPERLICHTRACTOR TO INFER APPROVIL OF THE SPORESTLE CIVIL AND/OR IN MRITING THAT HE HAS R FLANG AND THAT HE HAS R FLANG AND THAT HE HAS R FLANG AND THAT HE HAS P AT ALL NOVA THE POR P AT ALL NOVLATEAL LE FOR CONTACTING & VERIFICATION OF SERVICE CM STE DEPTING TO SERVICE CM STE DEPTING TO SERVICE ANTE MORK SCHEDULES. AND ARE NOT COMPLETED LOSION COMPACT, FACULTIES OWNAN SILT DEPOSITS AND OF STORM MATERS INTO DESIGN OF THE SILT AND DESIGN OF THE SILT AND PEROVED PRIOR TO THEIR AT THE SHE FORTY-EIGHT SO MAN THE FOLLOWING MARACTORS, ENGINEERS, HEIR REFRESENTATIVE, RNISHED TO THE CITY אניזיז אם-אטאים ויועס דבא איבאבאר הבסגואואט דובא ON THESE FLANS SHALL NLESS SHOWN OTHERWISE. SRADE ALL MANNOLES, CHECKED HVX DATE OLIZIONI SCALE AS NOTED JOB NO DIROCHIC GENERAL NOTES A.C.K. Adam DRAWN BALLEN SIENA HILL SIENA HILL KELLER AVENUE @ GREENRIDGE & RILEA OAKLAND, CA 600 Mana St.#5 Valaja,Ca. 94590 ph.707-649-8818 fmr.707-644-2443

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KELLER AVENUE @ GREENRIDGE & RILEA, CA

GENERAL NOTES FOR PIPES

1. HEHDERHTY FOLY ETHIL FUE

RETAINING WALL NOTES

- I RETAINING MALLS, NO MATTER HEAVT THE FEER FOLL BE TO RETAINING MALLS, NO MATTER HEAVT ROSES, STREET LIGHTS AND PINE, MITCHARKAE, RAWING STREET REAFTCAE WAYS AND PINE, MITCHARKAE, SWALL BE CONSTREET WAYS POUNDED IN PLACE CONCETT OR MACONY BLOCK.
 - ALL RETAINED WALLS WITHIN THE CLIT GARGE-GF-WAY AND DELOCATED EXCEPTS SAVALE REPECTED BY THE RELIC MORGI DE MATHEUT. BLOCKWATIONS SHALL BE MORGI DE MATHEUT IN CONTRUCTORS STARTS CONSTRUCTION OF THE RETAINED MALL WITHIN 45 HOURS.

STORM DRAIN NOTES

- MATERIAL CONSTRUCTION OF STORM DRAVING SMULL CONFORM TO OAKLAND SANITATION AND FLOOD DISTRICT STANDARD SPECIFICATIONS AND DRAVINGS. ...
- RLP: STORM DRAINS SHALL BE CLASS III OR EQUAL CITT 5 AN ACCENTRIE ALTERANTE POR REC. PANK LIPE SUES 3AN ACCENTRIE ALTERORY CORRENTED FOLTERING REC. HELP ADALAND SHATTAT POLITICIAL REC. THE ALLAND SHATTAT POLITICIA II S NATACAREA RECIRCATION AND WHICH IS NATACAREA WITH RELANDAS AND WHICH IS NATACAREA ALTERANTOR TO CLASS III REC.
 - Backfill for story drains shall be fer oakland Santation and Plood control district standard Specification.
- דום פרמוב פרסמא מצעא גרצובא צאעון כובאג און סיויפא עתווזונט פיר ם ואכיניט.
- HANGLE SHALL HAY 24'X4' CARE, 34' REE'S AN SIMUARD 24' HANELE CATE RAN BAN RANGES SHALL HAYE REE'S A' DIVETER AN SHALLER, HANGLE SHALL HAYE BANG CARE, SA REES AND STADARD 56' HANGLE CAST RANG LARE, SA REES AND STADARD 56' HANGLE CAST RANG CARE, SA REES AND STADARD 56' HANGLE CAST RANG FROM SA REES AND SA REES AND STADARD 56' HANGLE CAST RANG FROM SA REES AND SA REES AND SA REAL FROM SA REES AND SA REAL FROM SA R
 - plans, and is the "D' wiss onervise noted on the
 - STORM WATER POLLUTION PREADMINON PLAN (SWEPP) SWALL DE PROVIDED TO THE DISTRUCT PRIOR TO THE START OF CONSTRUCTION FOR AL PLACES.
- Instal Therustatic Story drain marches fer omland Smithton and Plood Control Regired-Ryts on all Story dran nletidal

SANITARY SEWER NOTES

- 4
- Hatenal and cartrettan of santary series shall cororn to oal and santatan and flood control district standard specifications and dravids
 - serer Mains and laterals shall be ether vitremed clay pife or follynan. Chlorefe confositie semer pife. Laterals shall be of the same materal, as that of the Main Line.
 - EURIE LATERALE, ULIESS OTBRASE SHOW OF PLANS, SHALL BE INSTALLED AS SHOW BY THE TOPICAL STANDARD DETALS AND CONSTRUCTED INDRAL TO THE SEVER MAIN.
 - BACK FILL FOR SANTARY SEVER AND STORY DRAIN SHALL BE FUR OKUMO SMITARN AND FLOOD CONTROL DISTRICT STANDARD SPECIFICATIONS.
- THE EXTIRE SAVITARY SYSTEM SMALL CLEAR ALL OTHER UTILITIES BY THELVE DITILITIES BY
- Hannoles shall have 34%40° cores, 24° risers. And standard 24° hannole cast iron frances and coners.
- אד מאודאר בפיפר ואאיטרבי פאינו זיפ ואביאבובא אוו אפין-פאובוסי גבען ואנאי שוות צבאן ווינונטואס כתבידג כטובאיב אוו אפין-פאובוסי
- all developed to the source super name of the more and source be sourced at the course represented for source and the source of the course represented of sources of the source of the course of the course of sources of sources.

CONCRETE

- I. CONCRETT SMALL DEVELOP FOLLOWING MINIMA COMPRESSIVE STREMGTH AT 25 DATS: FIERS, GAUGE BEANS, INTERIOR STADS ON GRADE AND FOOTINGS. FC. 2500 PSI
 - 2 concrette small de flanced in continuous operation unit. The section is contenting determinationaling de lossification long. concrette small de of a constituct to fermit plantely locade reference days and against forme.
- - 9. EXPOSED SUFFACES OF CONSECTE SWILL BE REFT HORST OF CURED BY FUGTICITIVE CONTENDS, AS NOTED IN SPECIFICATIONS.
 - א. הסמיים מאאון מי דומיה אים כובאו מבייסמים היאכוואט כסאכמבום.
- 5. CHANFER EDGES OF CONCRETE ENPOSED 5/4', INLESS OTHERVISE NOTED.

542332445484818 573074484818 ValleyCa 94590 660 Mann SL #5

A.C.K.

REINFORCEMENT

- reinforligent skall er in accordance nith reanenting of Asth abis frage 60 for 95 bars and larger grade 40 for 44 bars and shaller
 - 2. REIFORCING DAYS SHULL BE FREE FROM LOOSE RUST AND OF ANY OTHER COATING WHICH WILL DESTROY OR REDUCE DOND.
- REMORGING BARS SMALL NOT BE BOIT OR STRAIGHTERED IN A MANNER MICH MILL MURE THE MATERIAL, AND SMALL RE ACCURATELY PLACED AND POSITIVELY SECURED.
- THE CLEAR DISTANCE BETWEEN PARALLEL. BARS IN A LATER SHALL NOT BE LEGS THAN I IZ THES THE NOMINAL DIAVETER OF THE BARS, OR I ITS THES THE MAXIMM SIZE AGGREGATE NON LEGS THAN 1-1/2".

PAVING

- IF AVAINS TO BE AGAINLING CONCRETE "THTE BY FER SECTION 303-6 OF OREGENON: STANDARD STELINGATIONS FOR FIBLIC MORES CONSTICUTION OF STATE TO AND AVAINT TO BE CONSTICUTED OF 3 LIFTS OF 3 THECK AGAINLING CONCRETE.
 - 2. Aggersate and to be lived II, o' hack Indialled for section 200-2 of the "reededor" standard specifications for platic norks construction 2003 edition.

GENERAL NOTES SIENA HILL OAKLAND, CA OAKLAND, CA

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CONSTRUCTION TRAFFIC CONTROL

- LITY WILL REPORT ALL CITY -ONED SIGNE, NOTIFY THE TRAFFIC ENGARES THE ADVISES DATA IN ADVARE OF REPORTAL THE CONTRACTOR ALL REPLACE ALL DAVAGED SIGNE, FOUTS, FIC, IN RIDG F DAVAGED THOUGH HIS RESLADDCE.
 - אס כסאפדוגילווסא אמאג איוד כסאיפאכים ואוון אד כסאפדוגילווטא פופא נא ד-אכיני

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- CONTRUTION SIGNING SHALL BE IN ACCORDANCE WITH THE STATE OF CALIFORMA MANUL OF MANING SIGNEL IFOR AND DEVICES THE CALIFORMA MANUL OF MANING SIGNEL IFOR AND LCONSTRUCTION SIGN AND DEVICES TO BE USED ON THIS PROJECT. m
 - 4
- ALL CONTRACTION SUMB AND DEVICES SHALL BE REFLECTORIZED ADD PROVIDED BY THE CONTRACTOR AND, DEVICE AND PROVIDED DY SUMMER TO THE LENGTH OF THE ALL SUMB TO BE TOWITED OF THE LENGTH OF THE ALL SUMMER TO POLITICE THAT AND THE ALL DATA THE ACCORTED A SHALL NOT REPLETED THAT AND AND SHALL BE THEIT ADDREE CONTENTING THAT AND AND SHALL BE THEIT ADDREE CONTENTING ON BALOF.
 - כסול בנובות גוריפאבא אינס אבכבפסיענג פופאואס פאירד בה הפבט איבאי A THO-WAY TRAFFIC MUST BE LEE A SHOLE LAVE, OR

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- el equipment is morking on or inverintly adjacent to traveled roadmany.
- at least one-way transfic must be murtaned during all non-horking hores, froter signing small be placed to accomplish this

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SCALE AS NOTE 108 NO 0800+ C-2

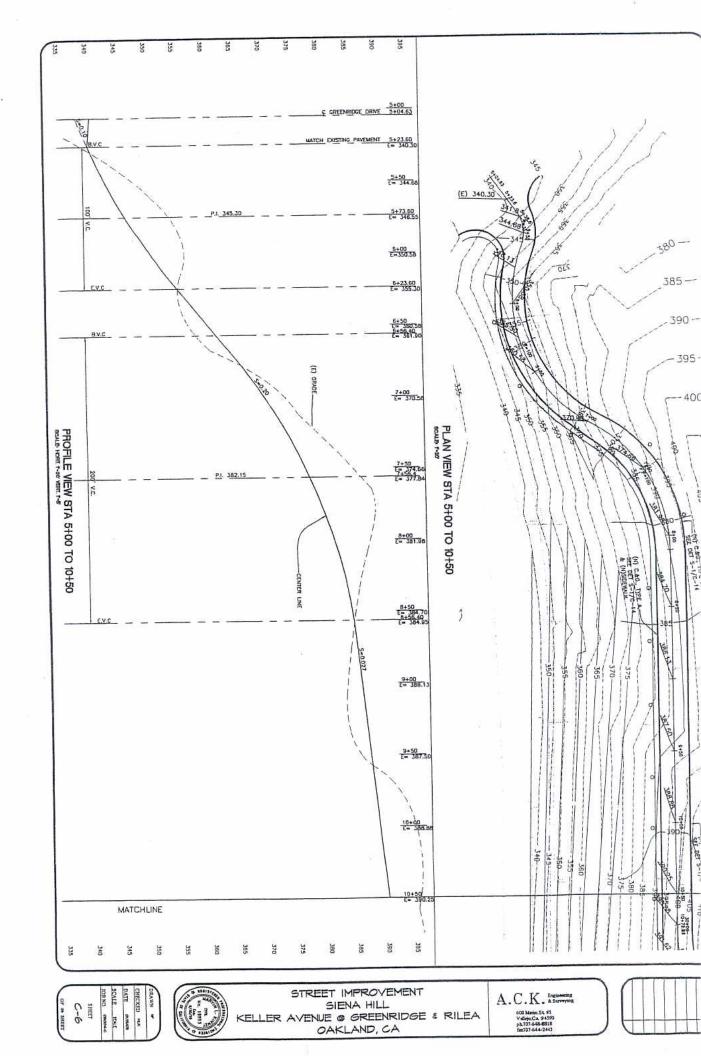
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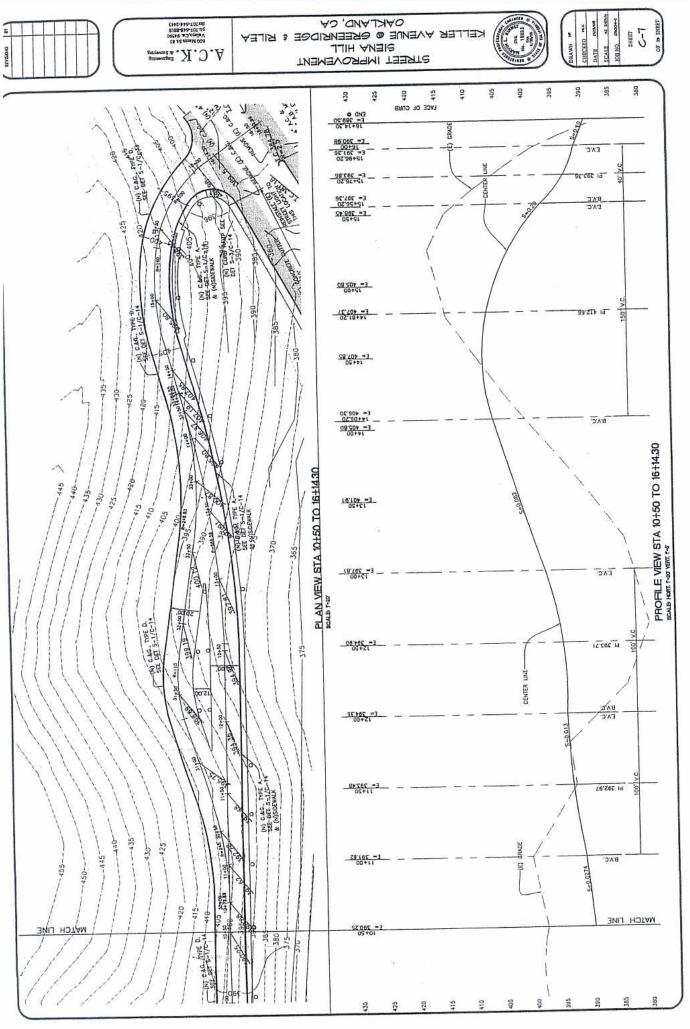
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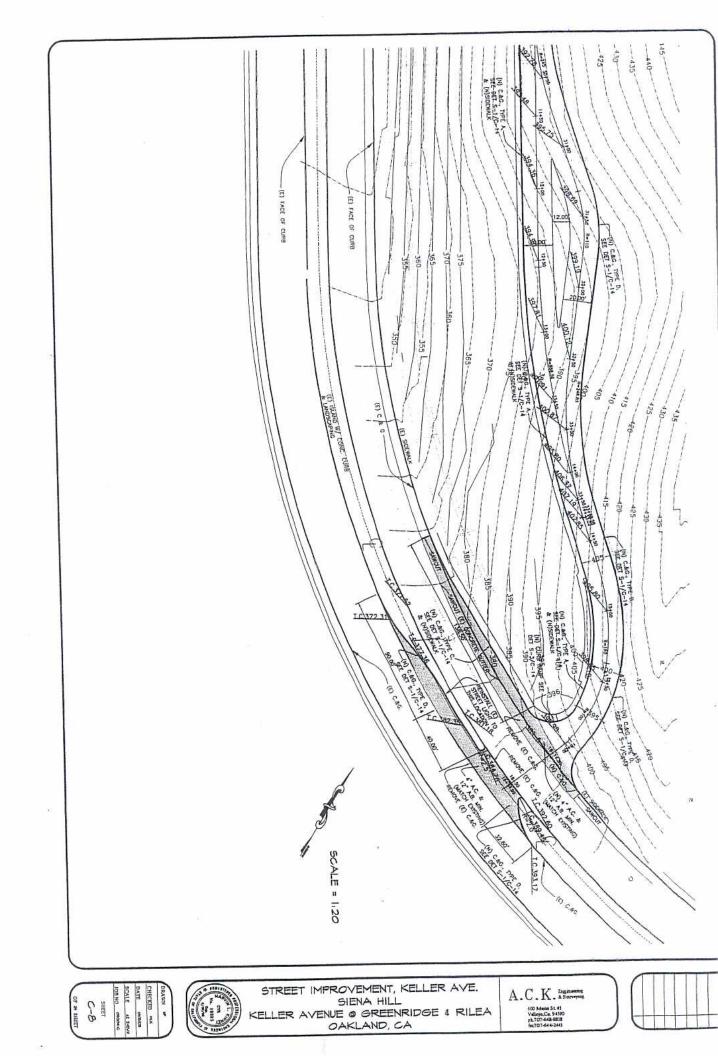
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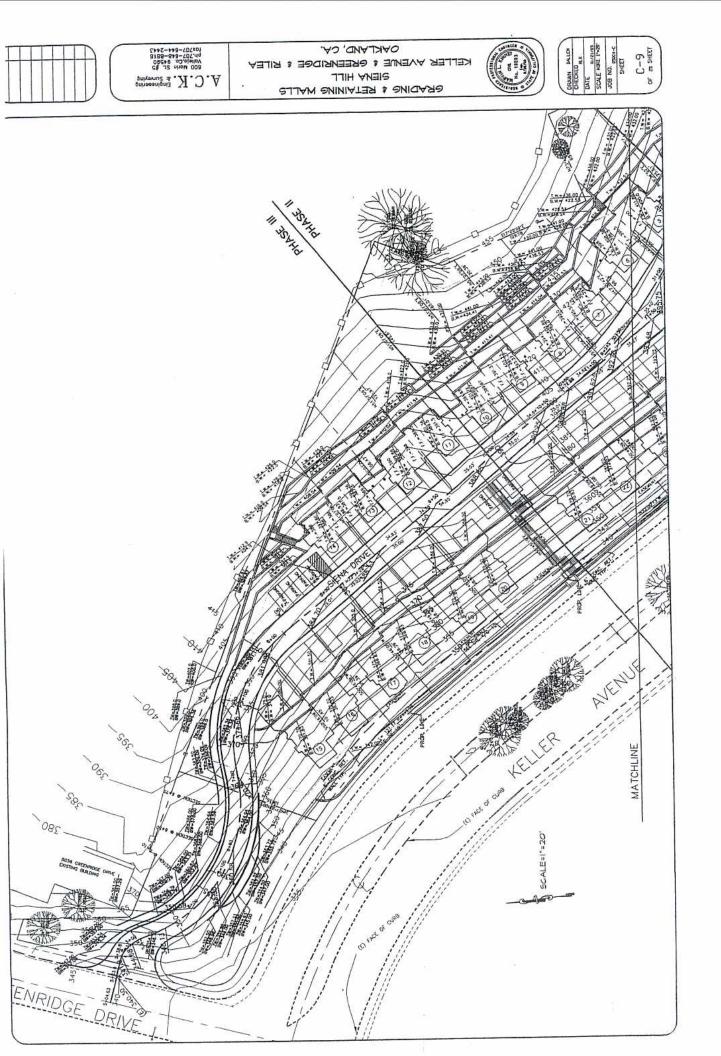
- THE NOTIFICATION TO LOCAL AGENCES SHALL INCLUDE THE PROPOSED TRAFFIC CONTROL PLANG. r.
- ALL STRIPHS SPALL CONFORM TO STATE STANDARDS AS SHOW IN THE TRAFFIC HAVAN.

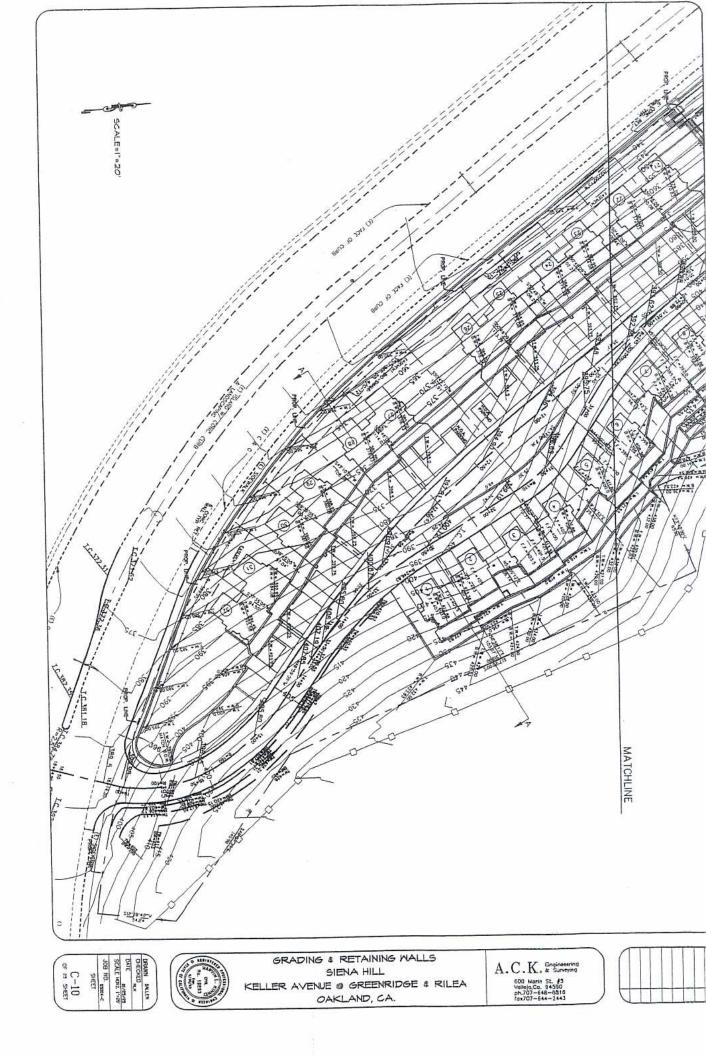


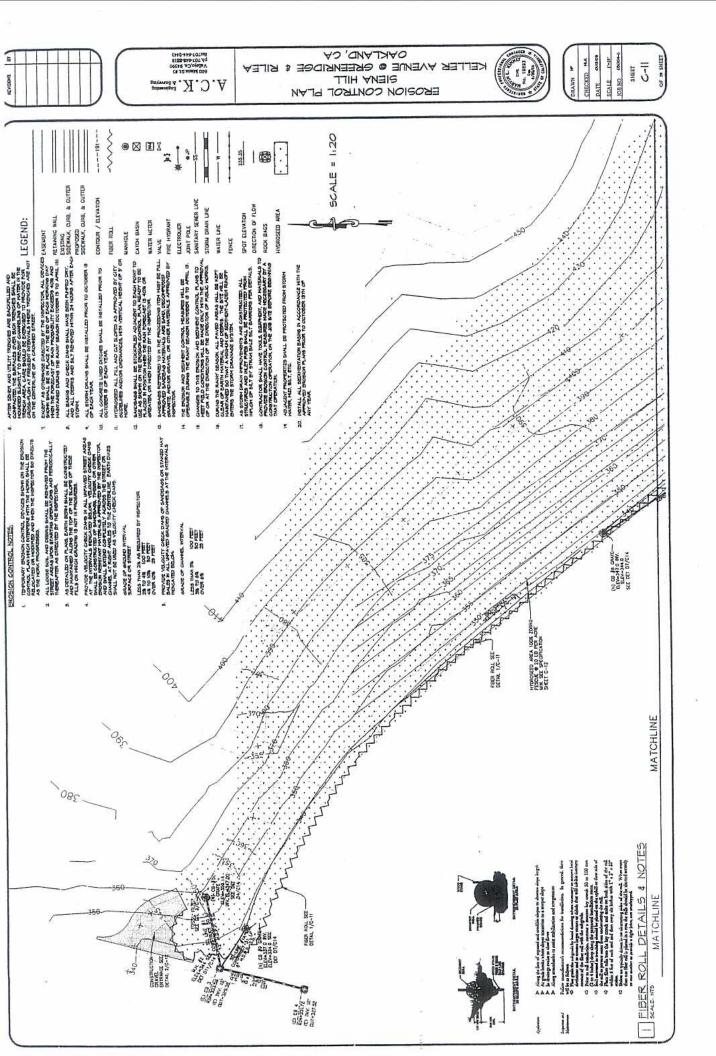


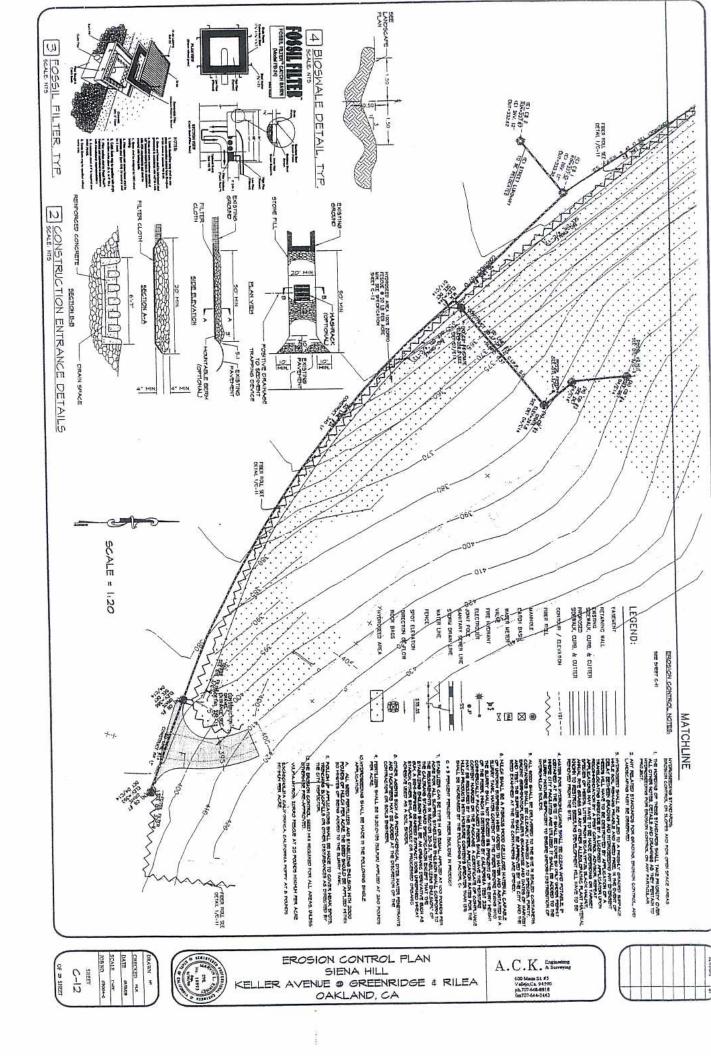
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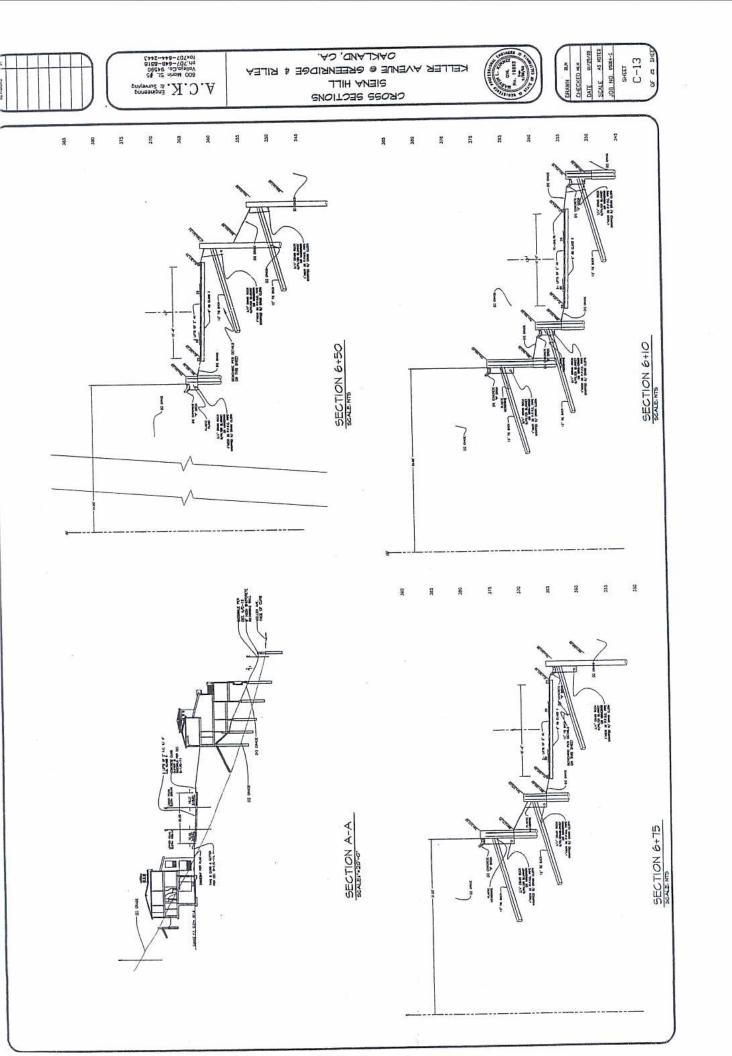


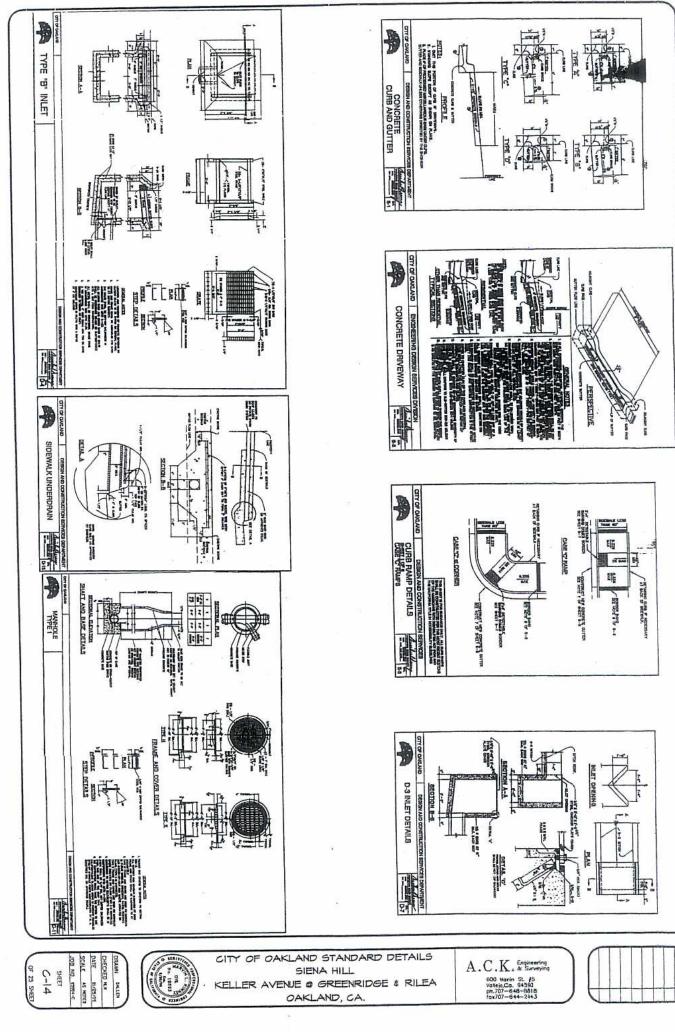


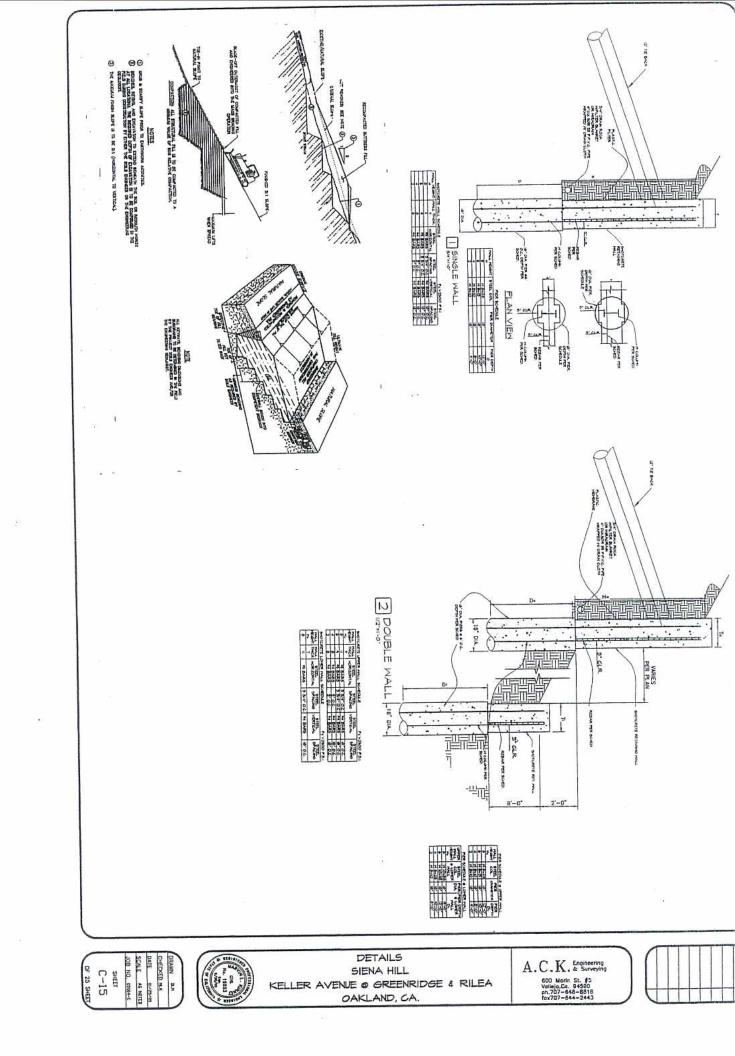


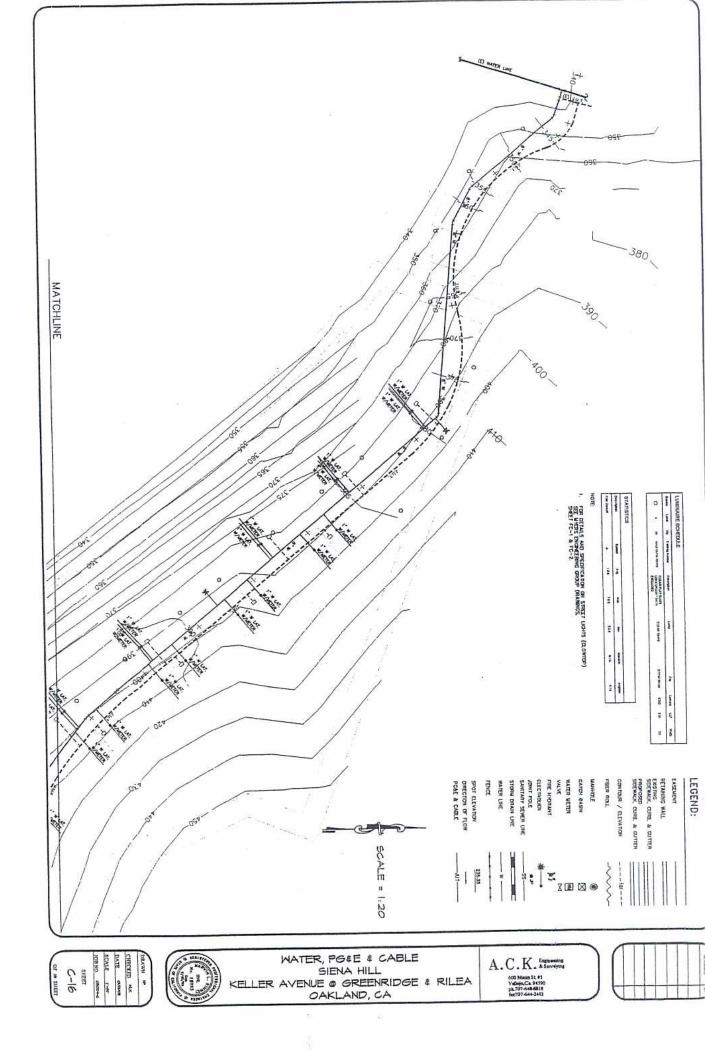


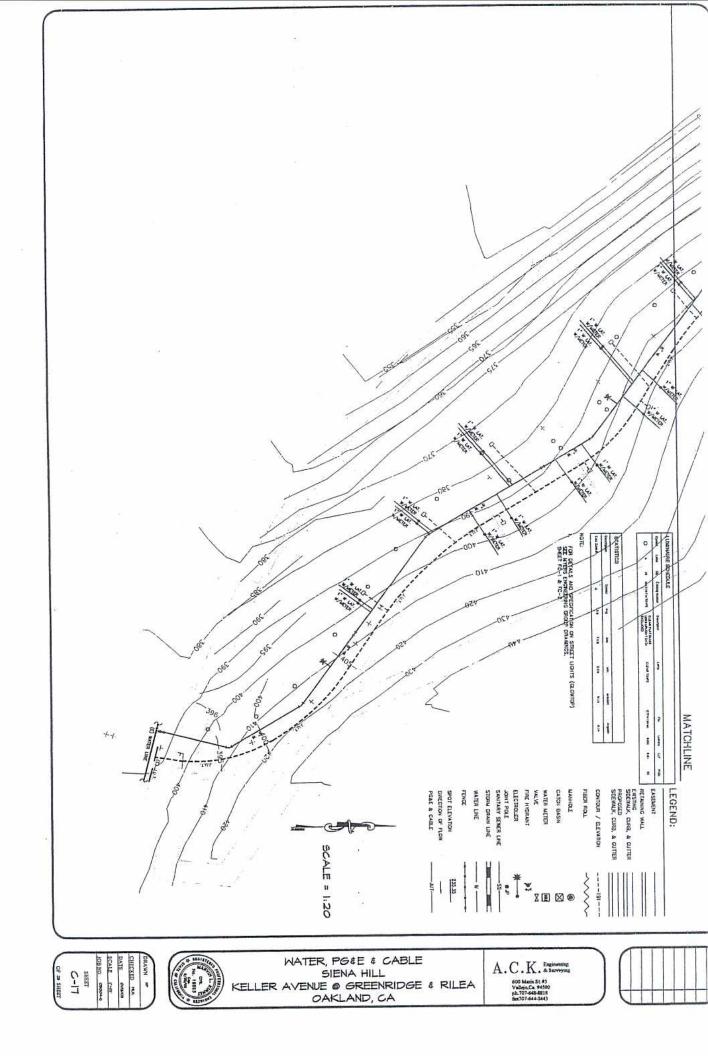


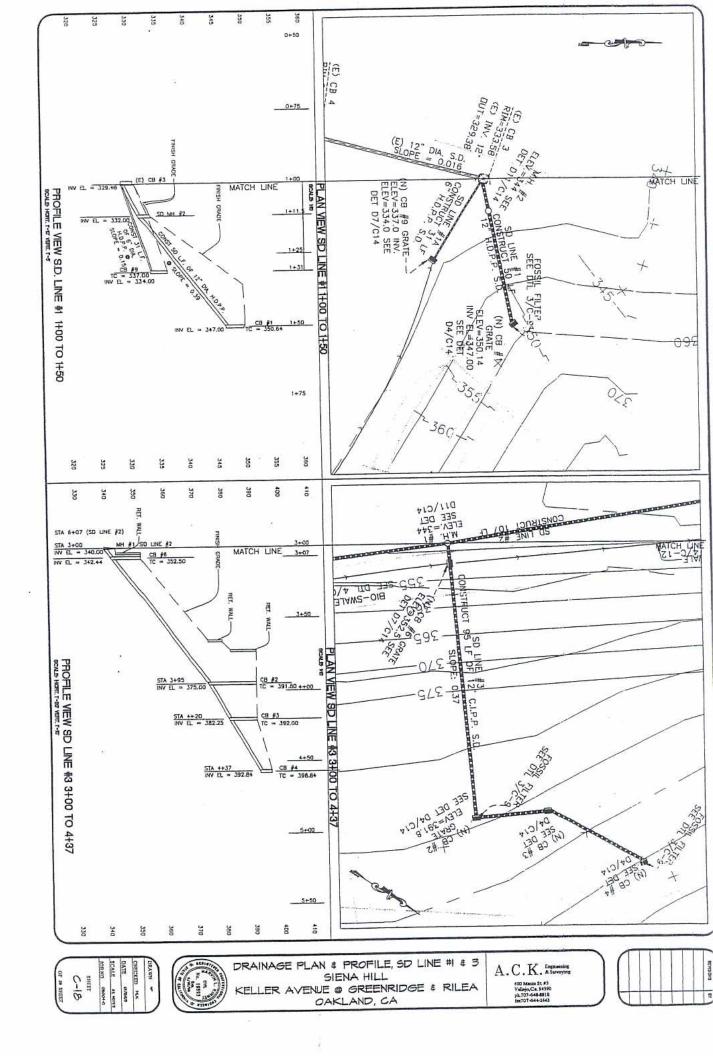


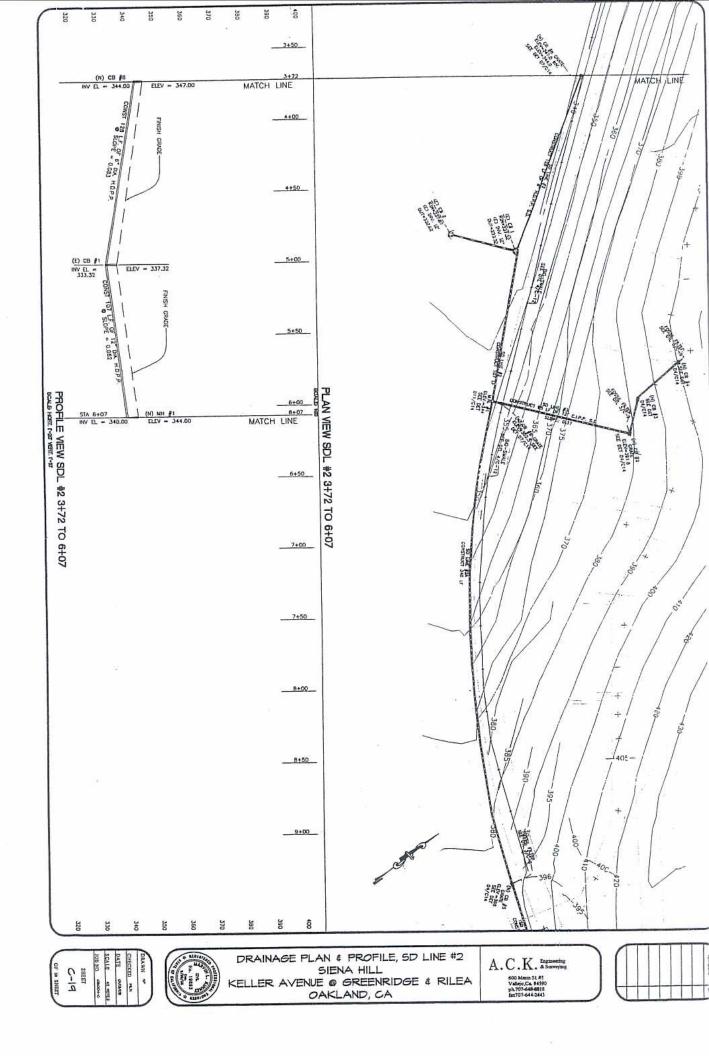


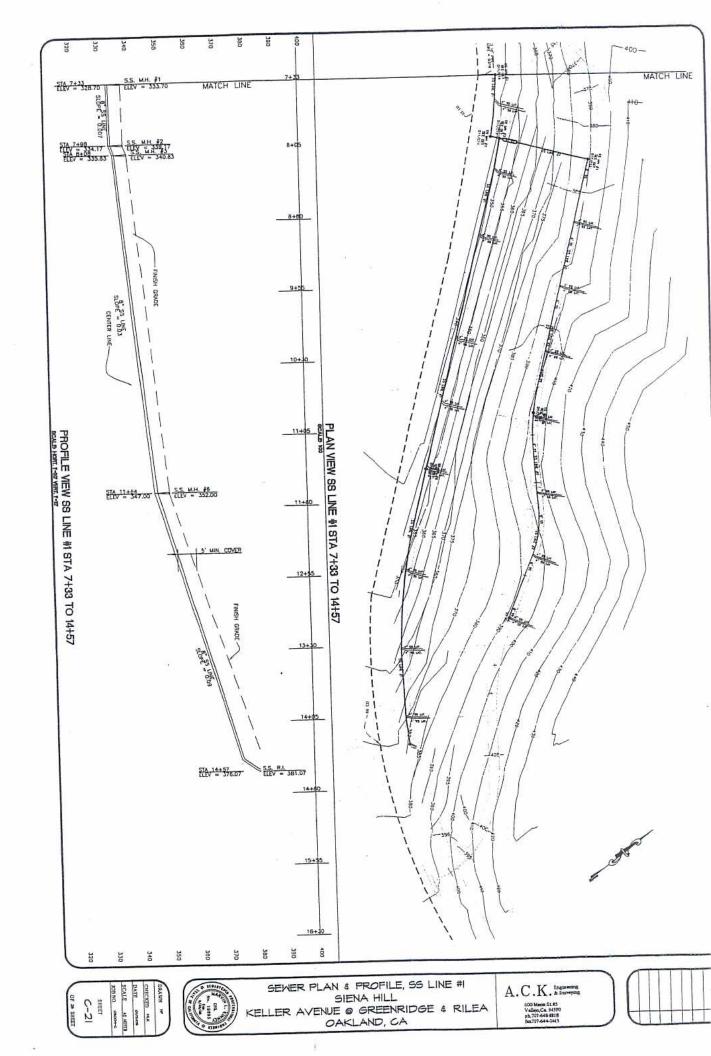


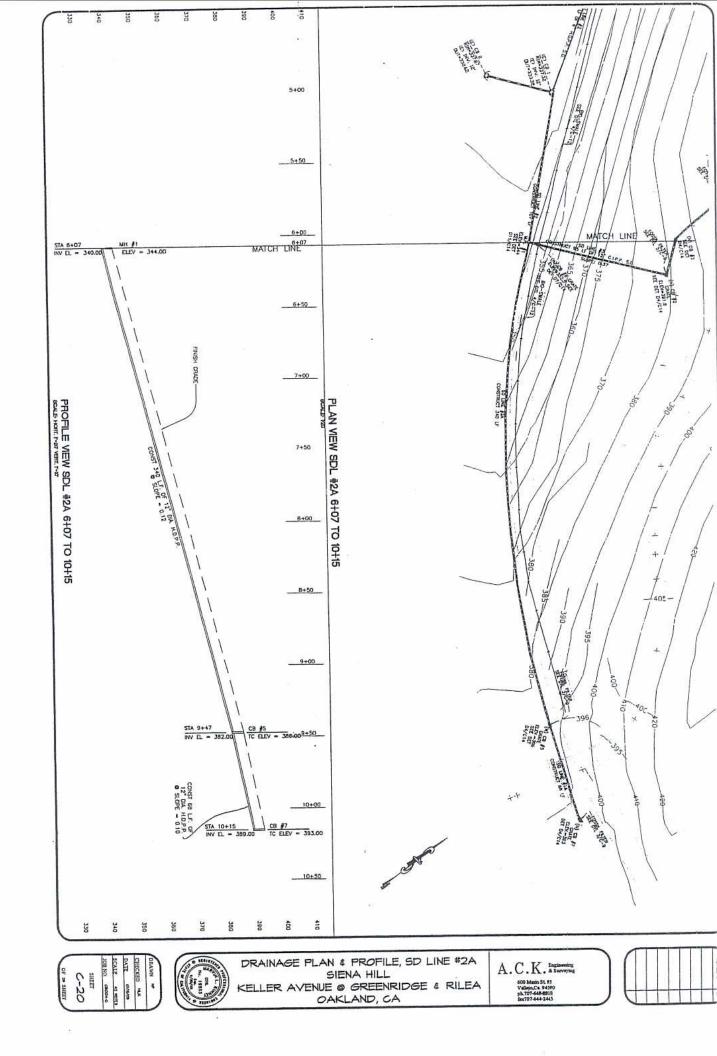


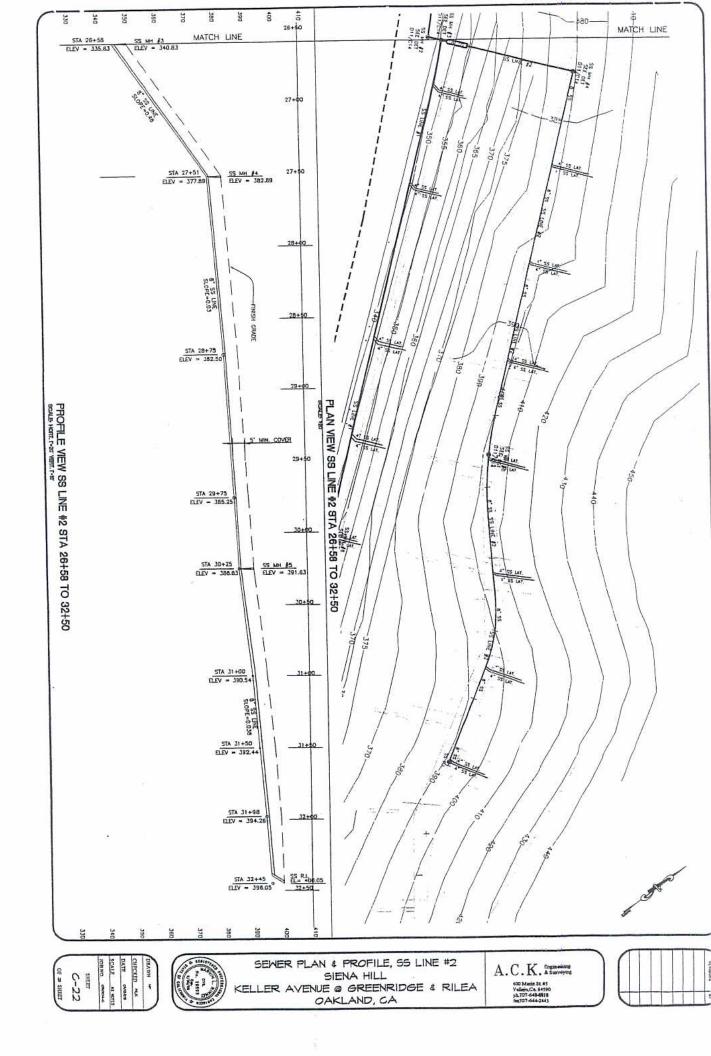






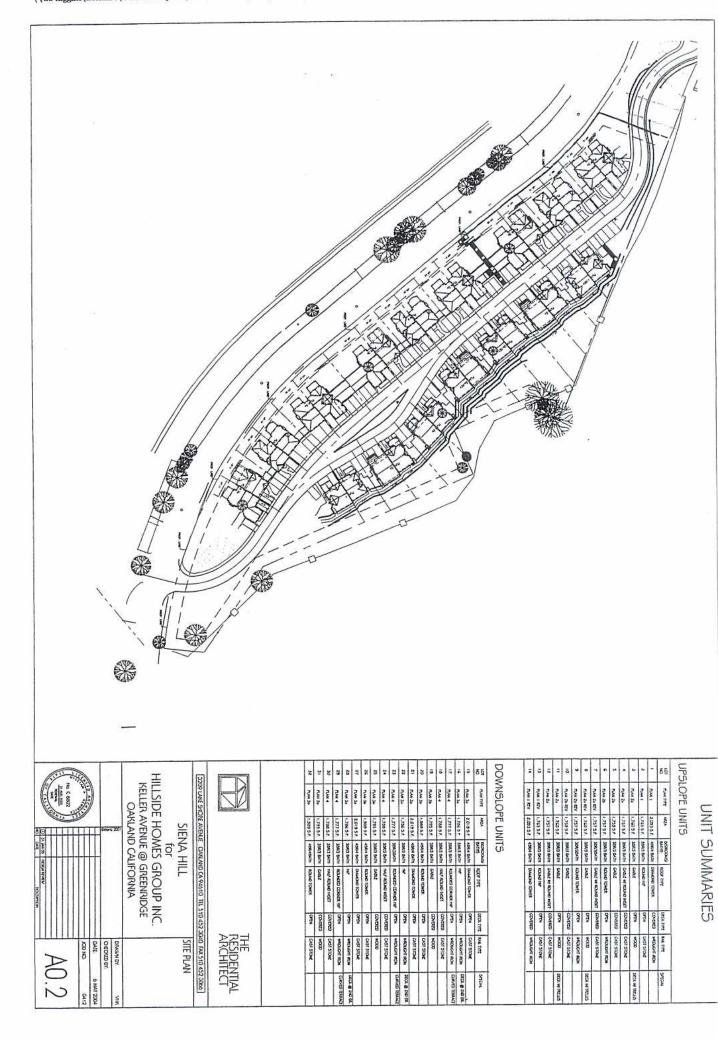


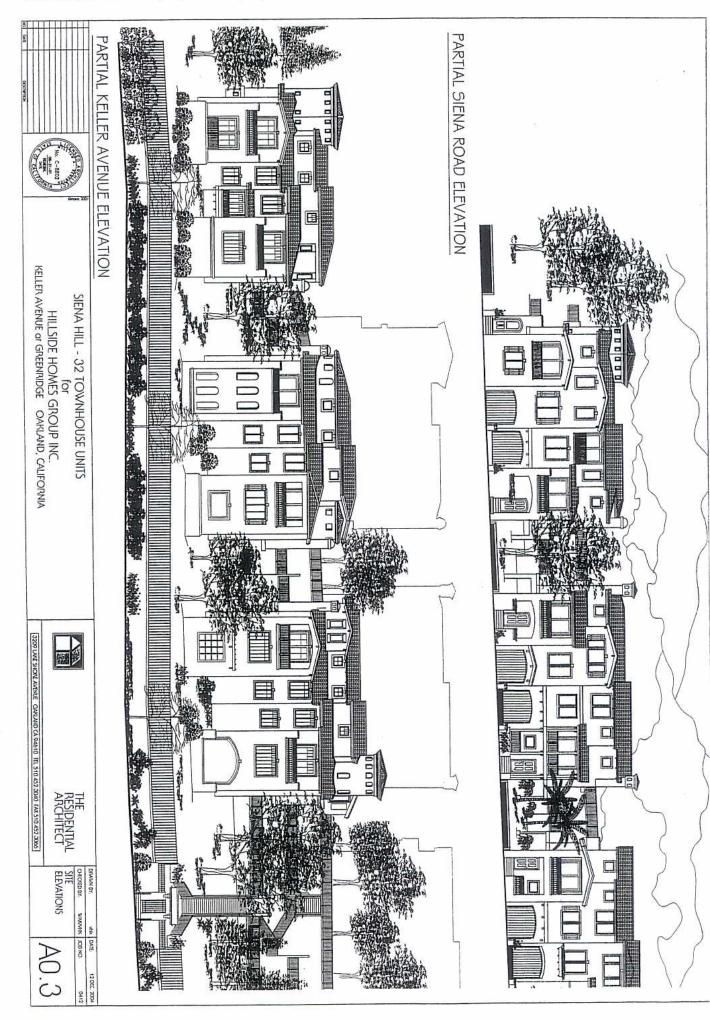




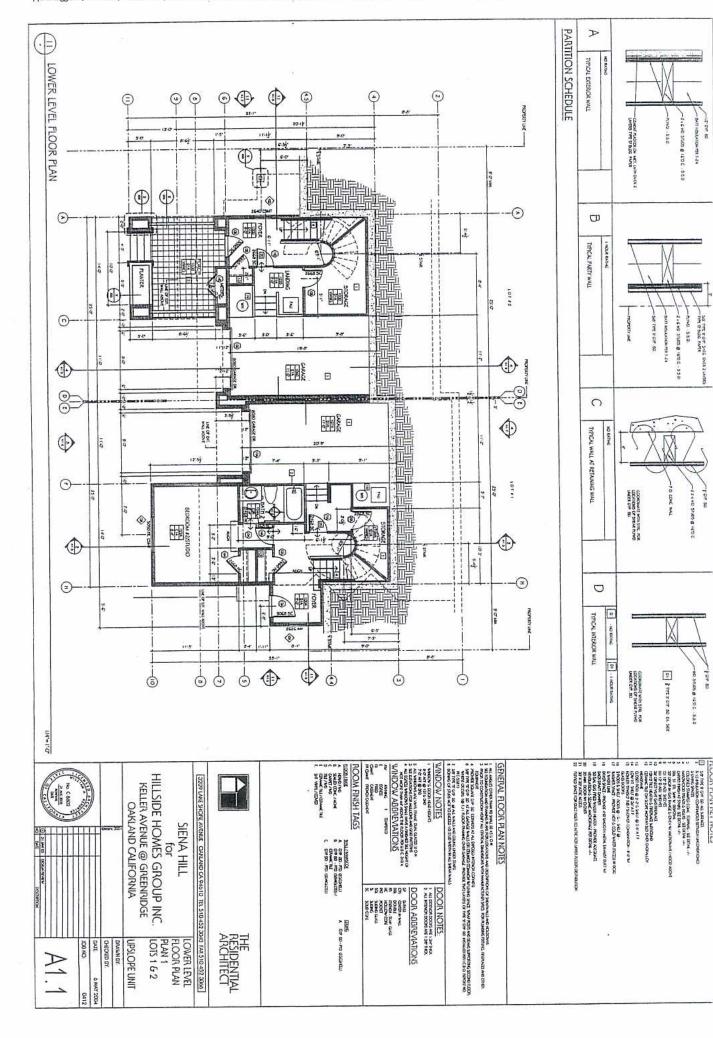
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VICINITY MAP	1. NEW CONSTRUCTION	Siena Hill for Hillside Homes Group, Inc. Keller avenue @ Greenridge Oakland California
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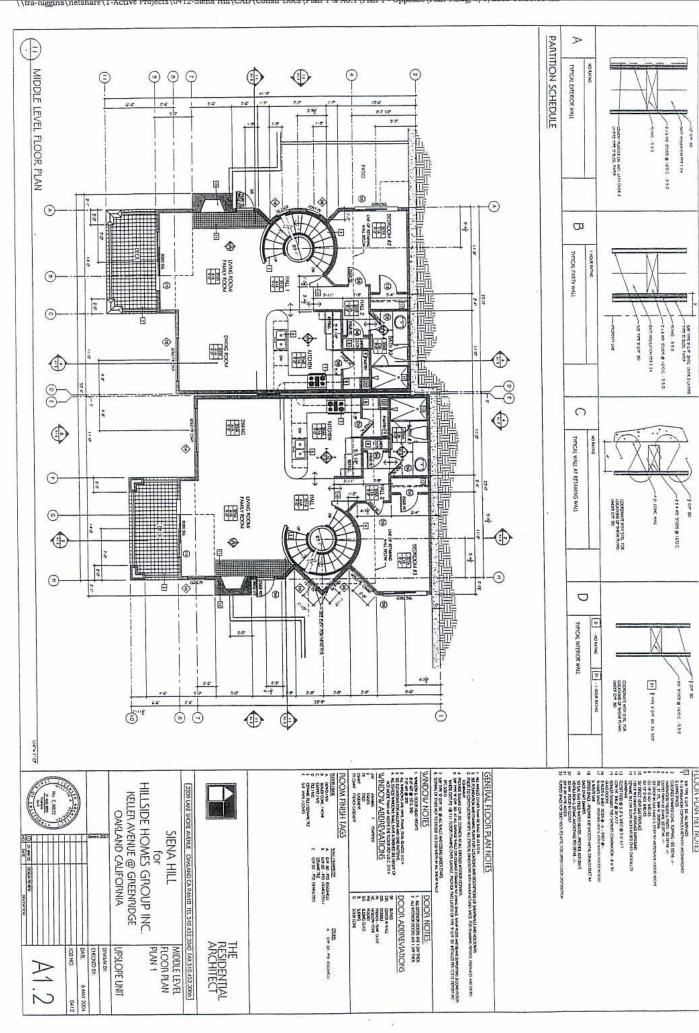


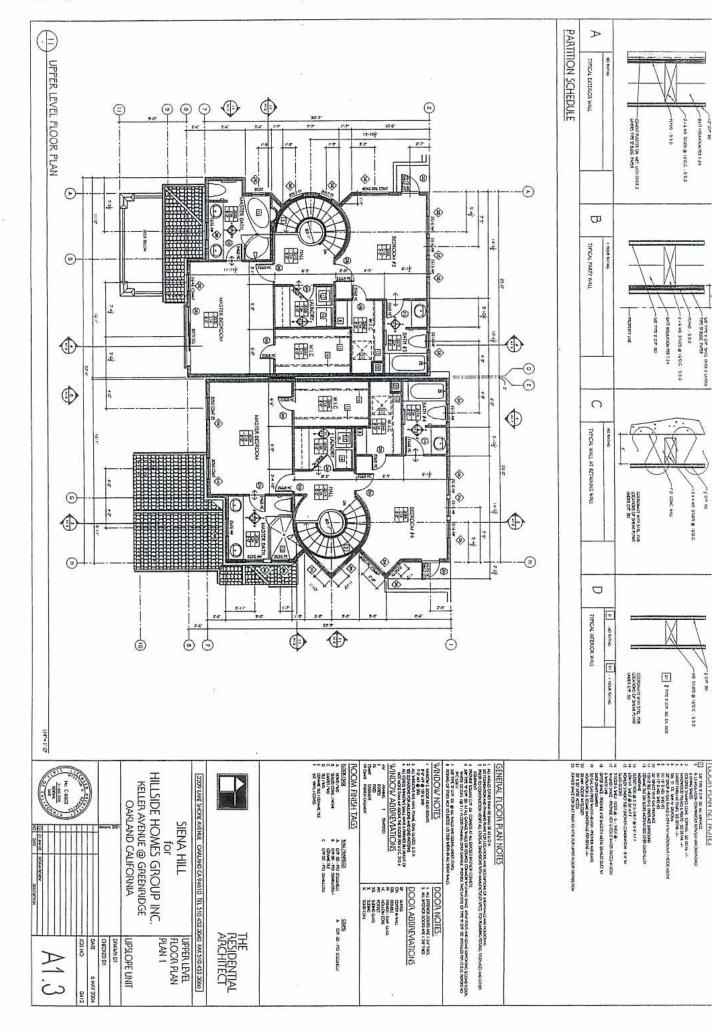


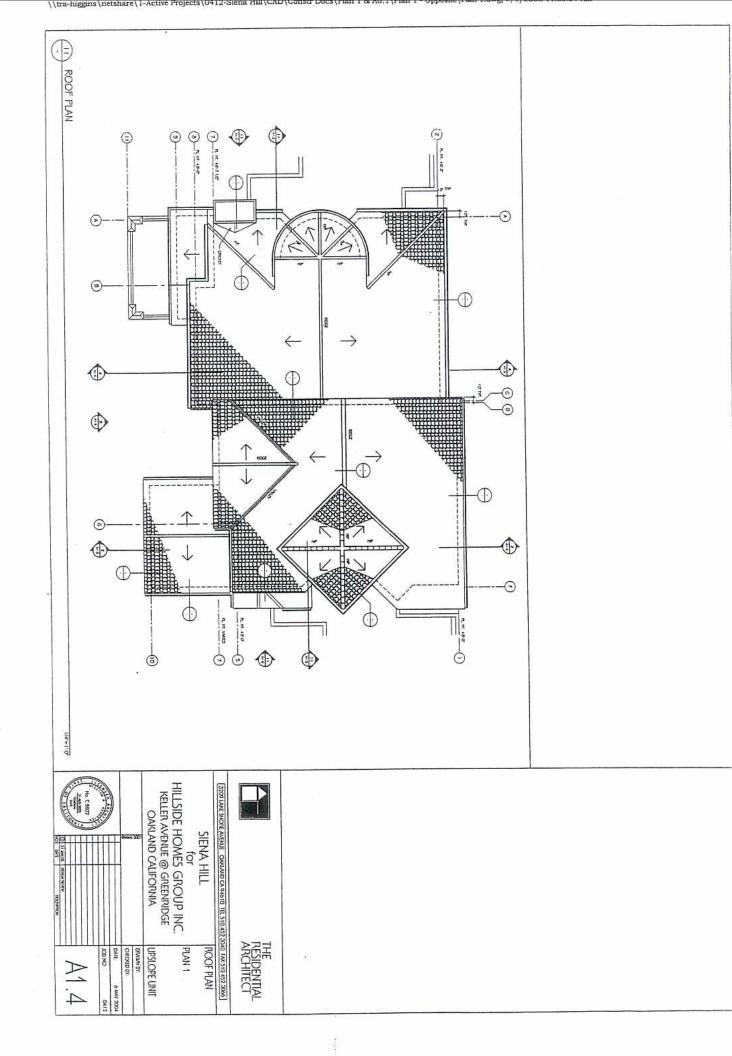
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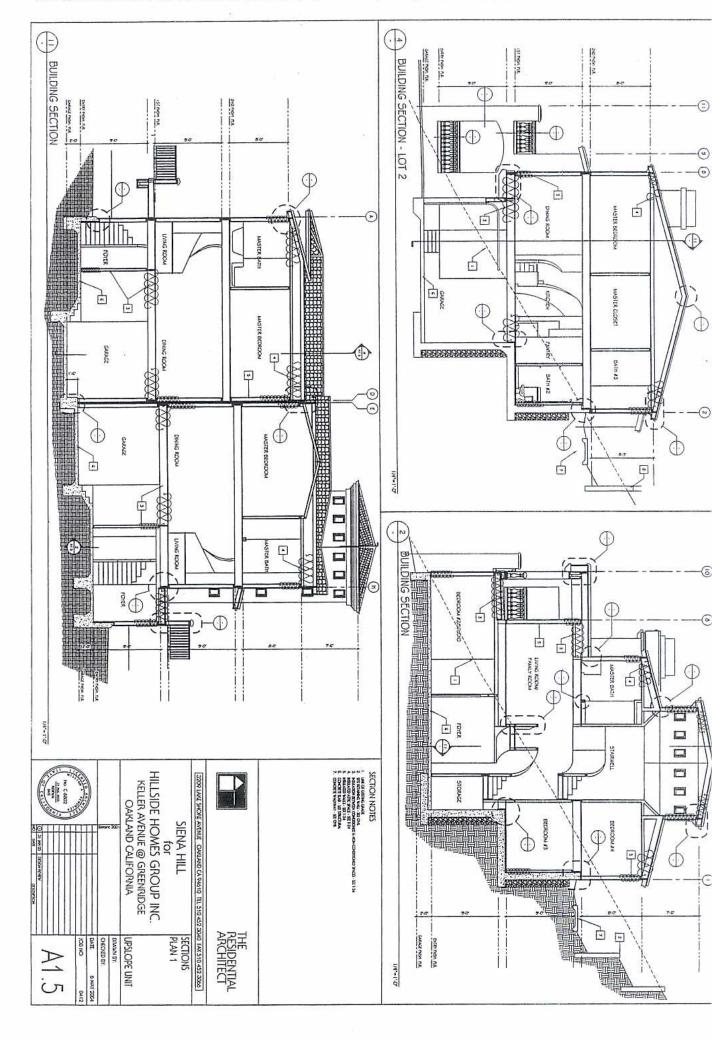


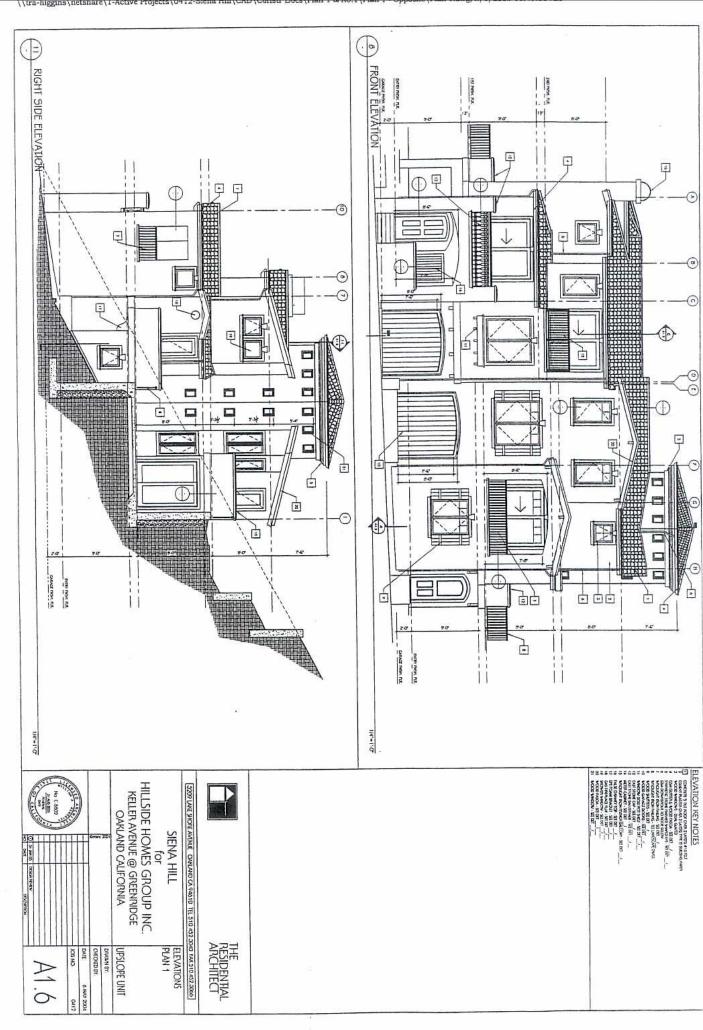
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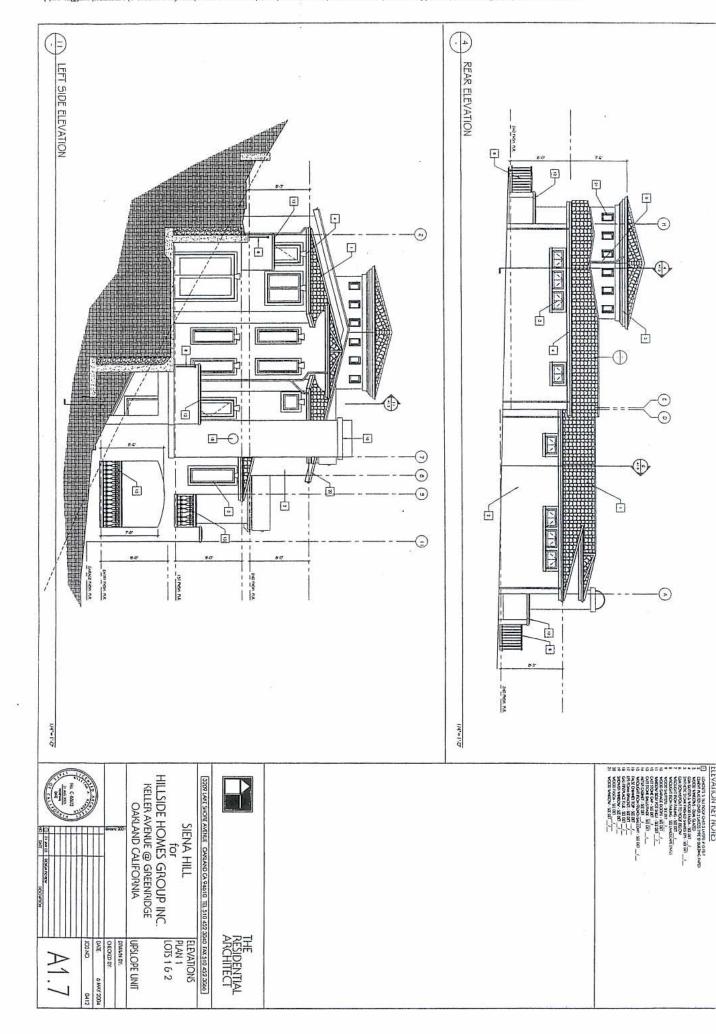












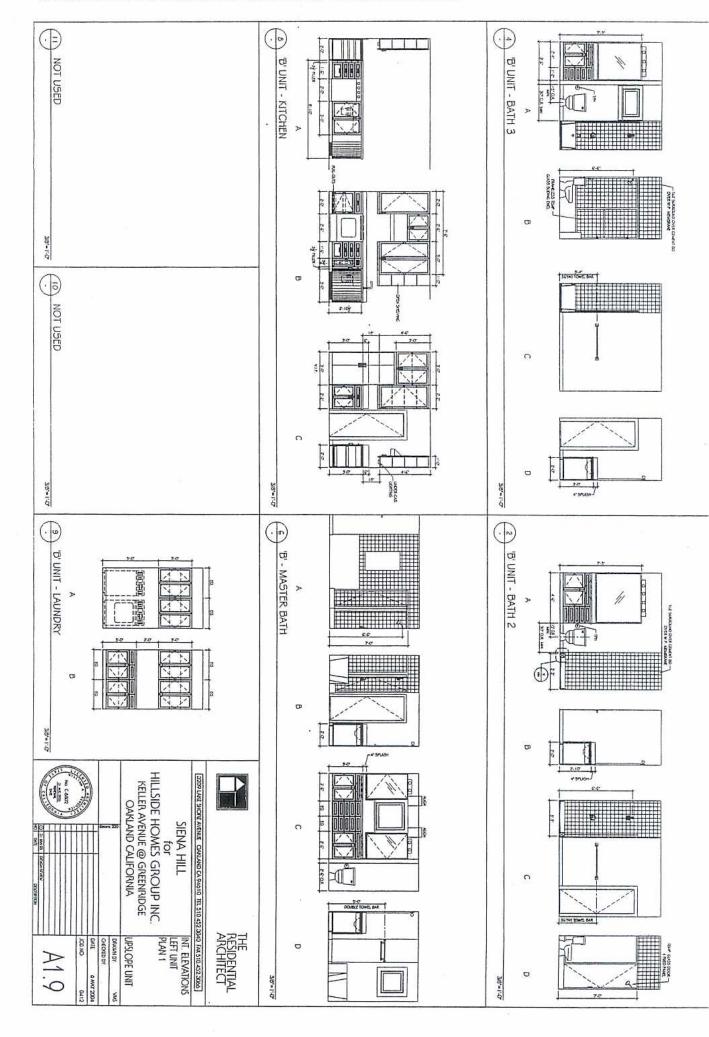
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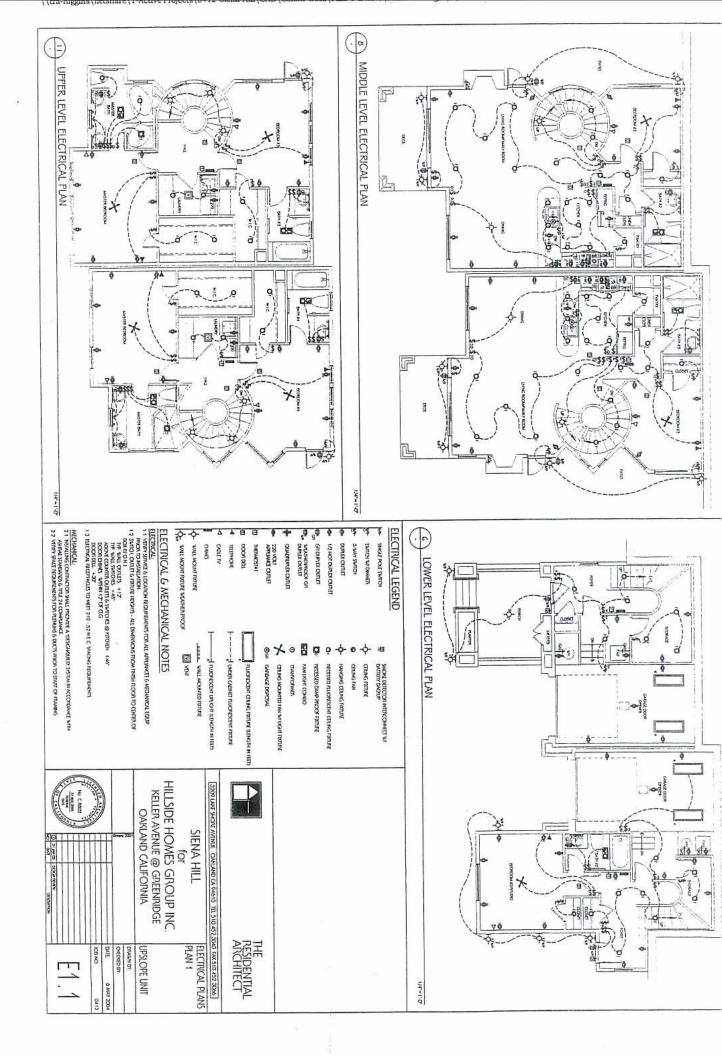
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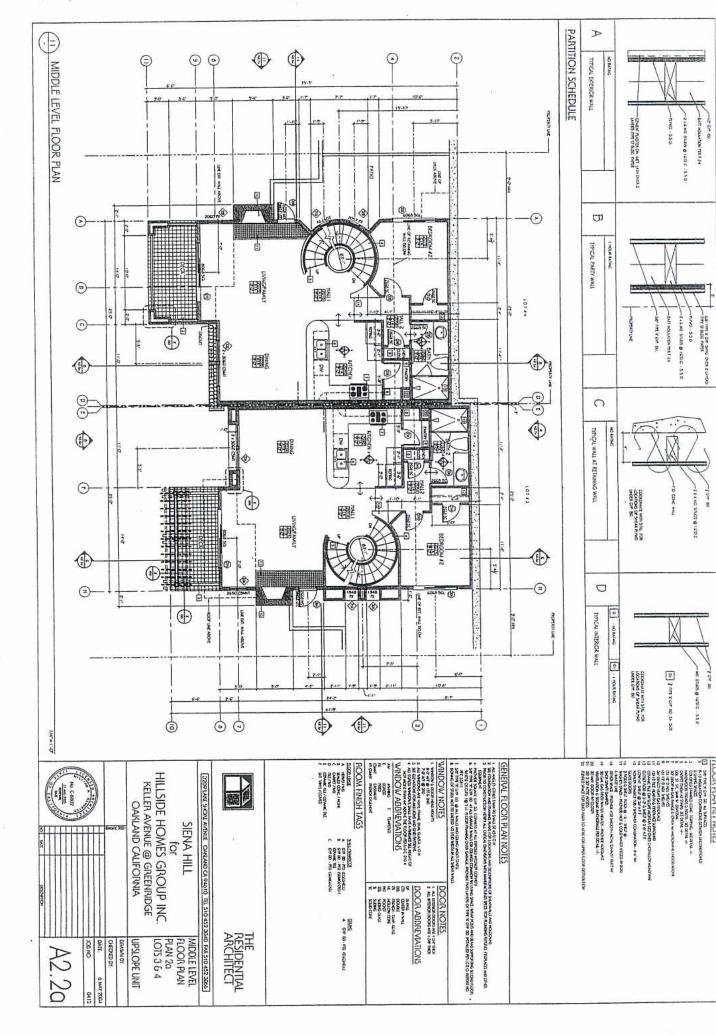
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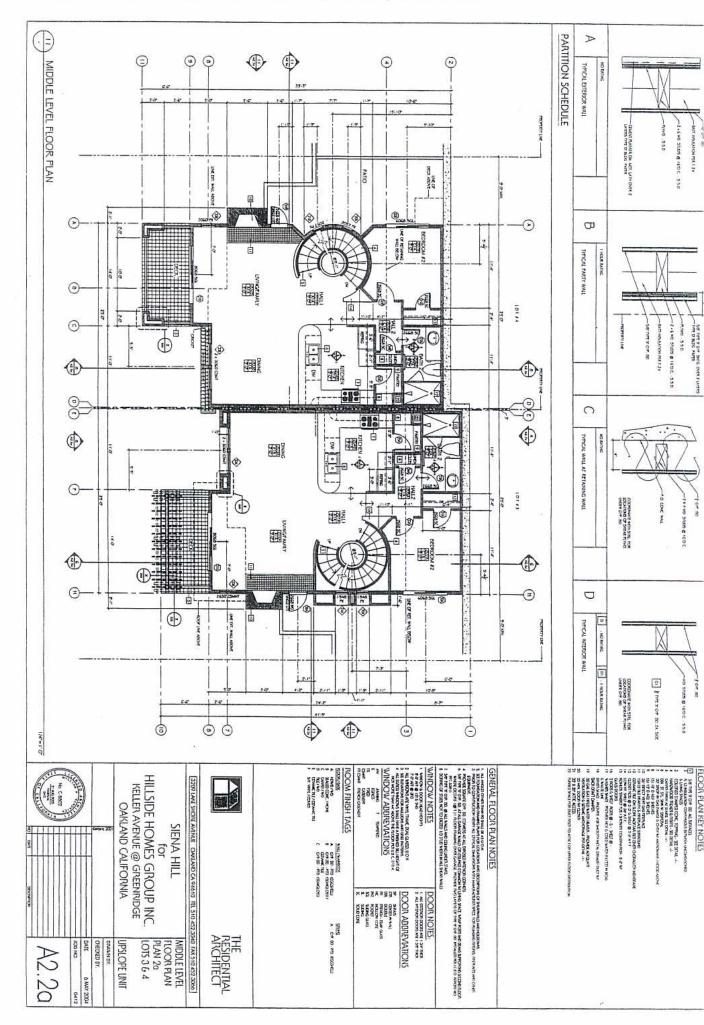


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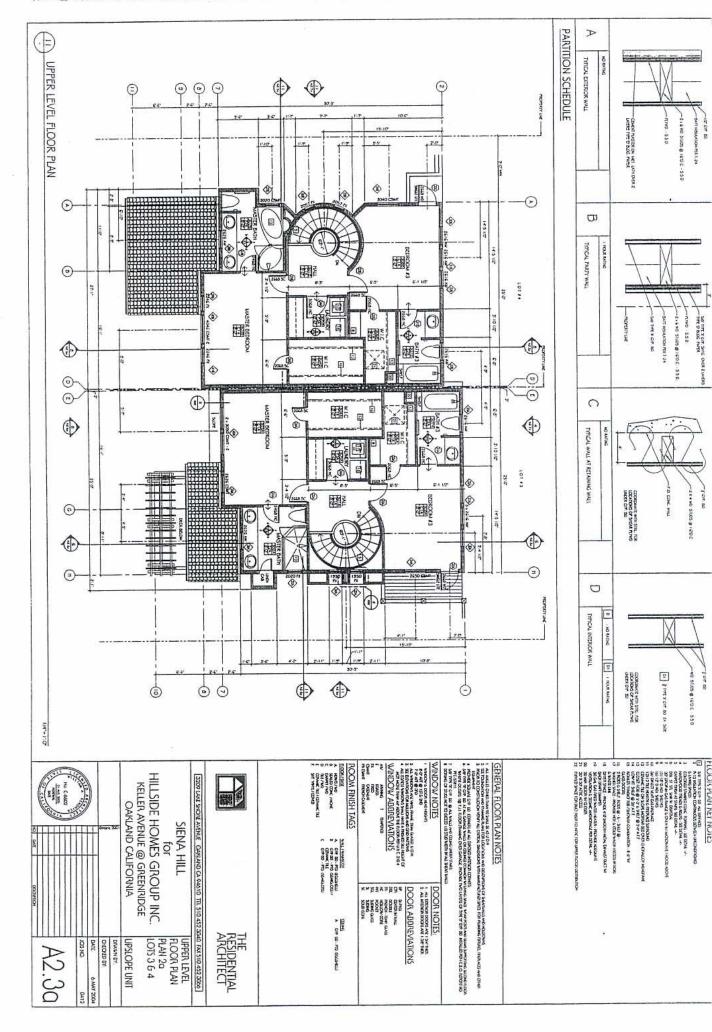


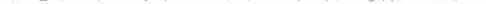


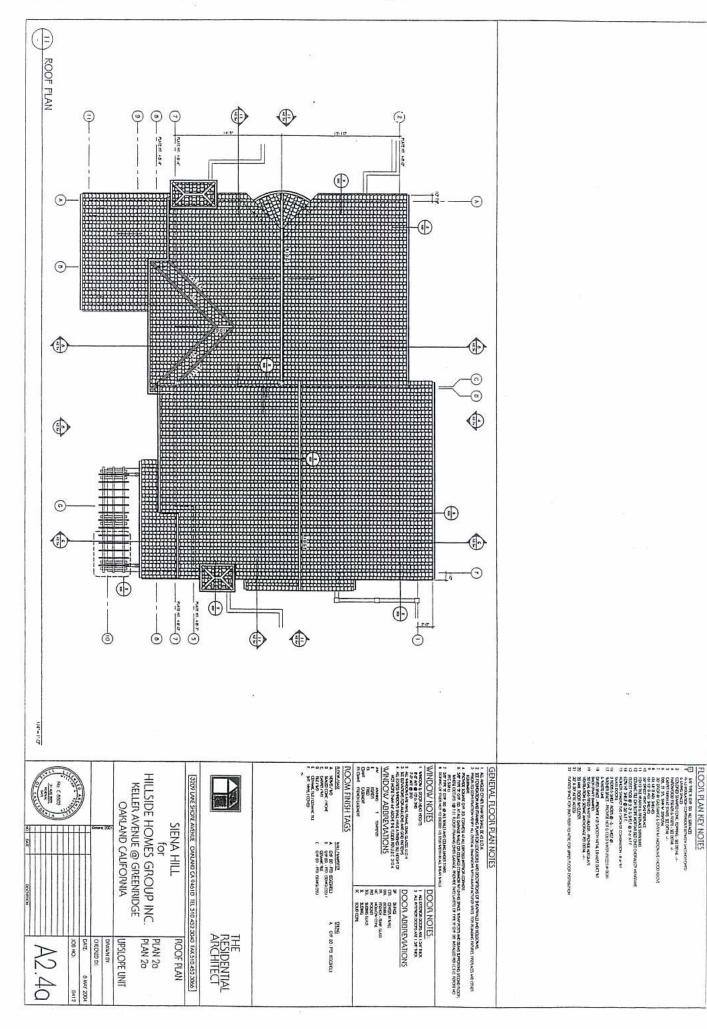
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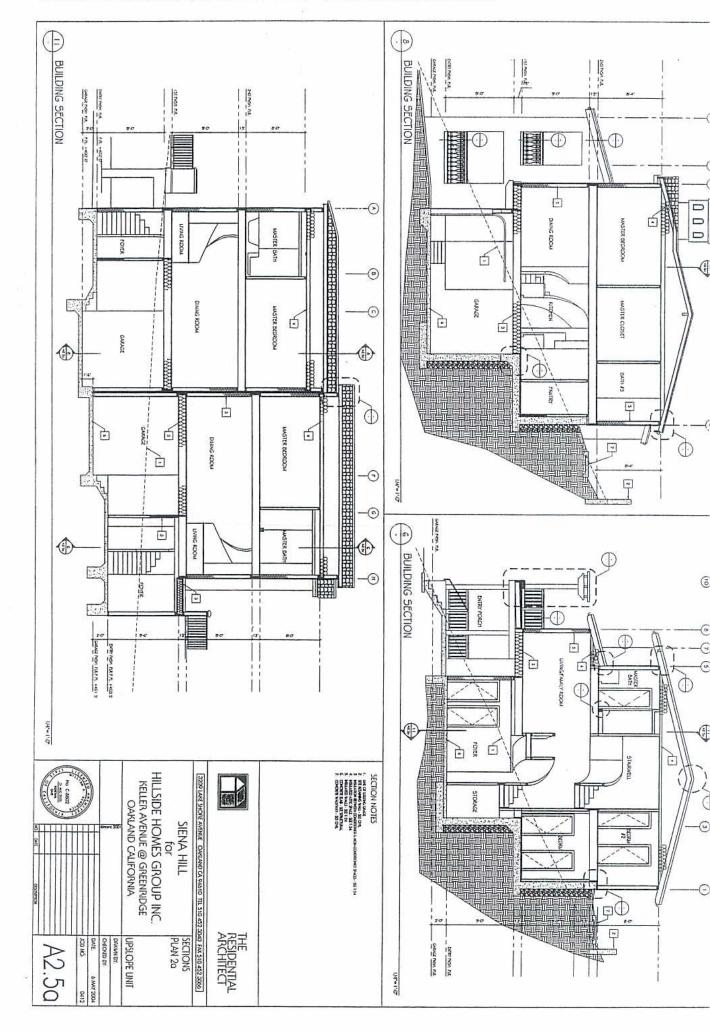


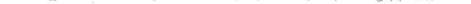
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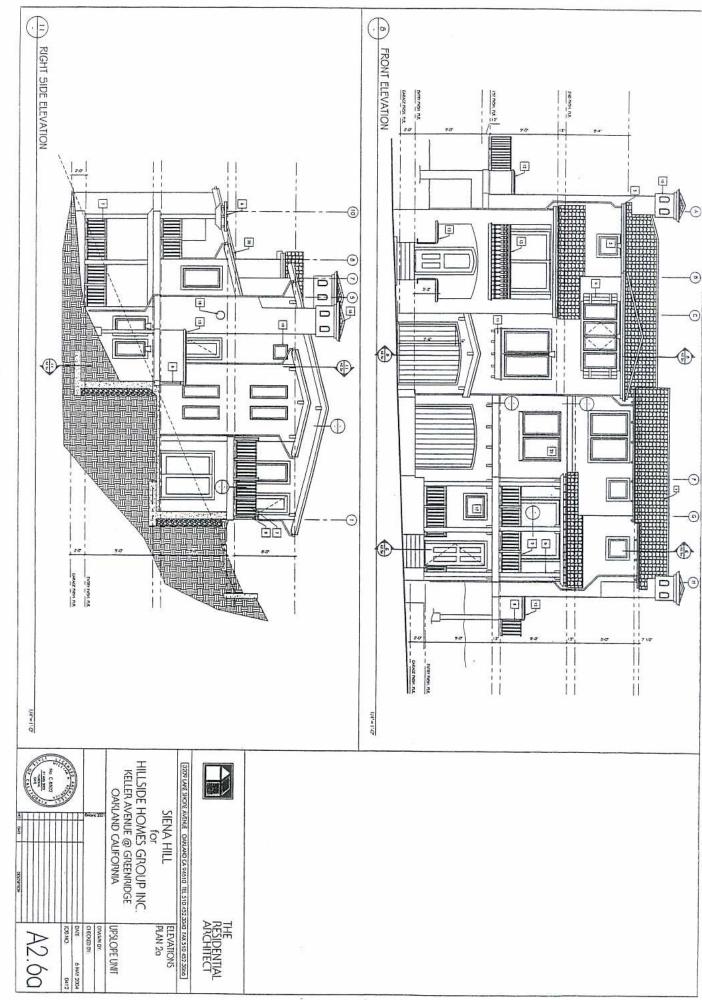


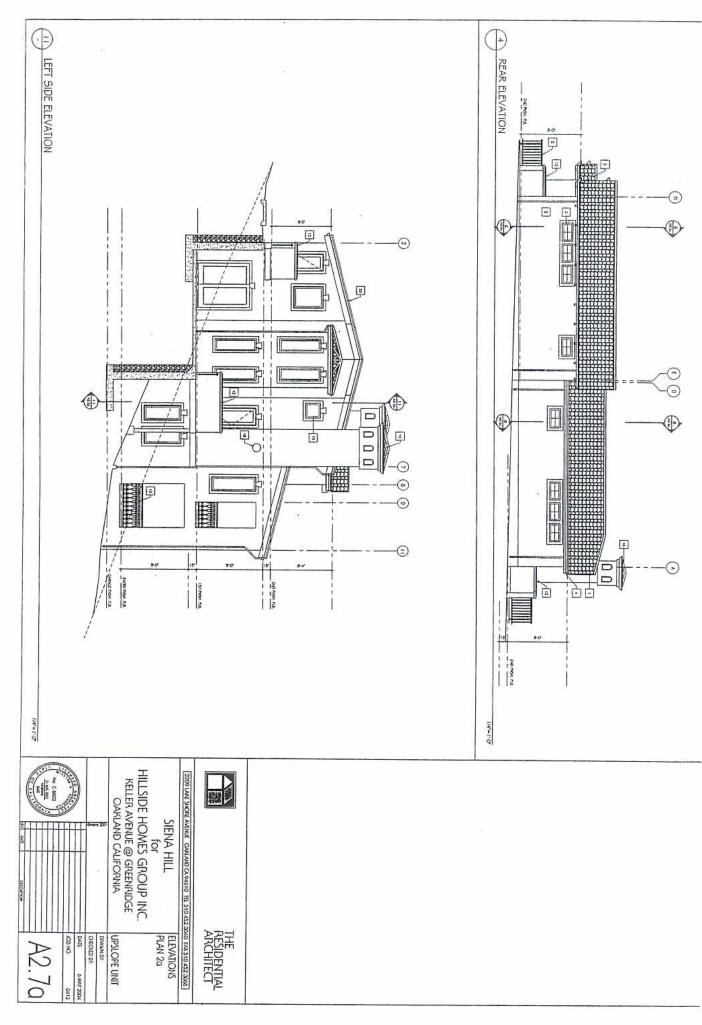


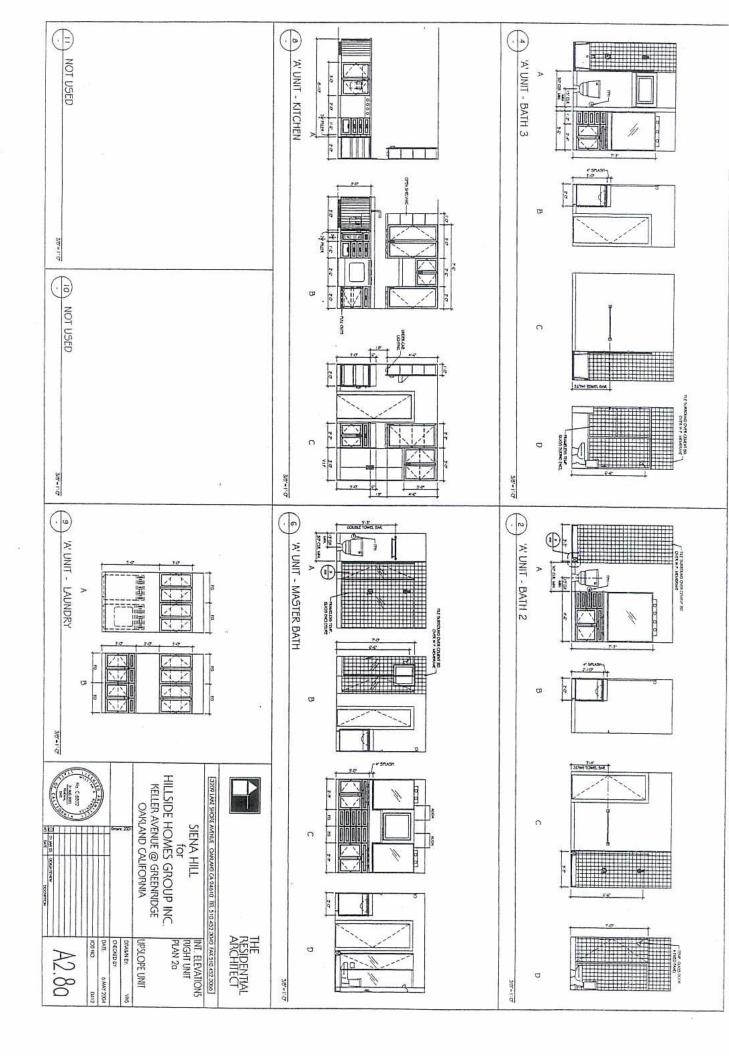


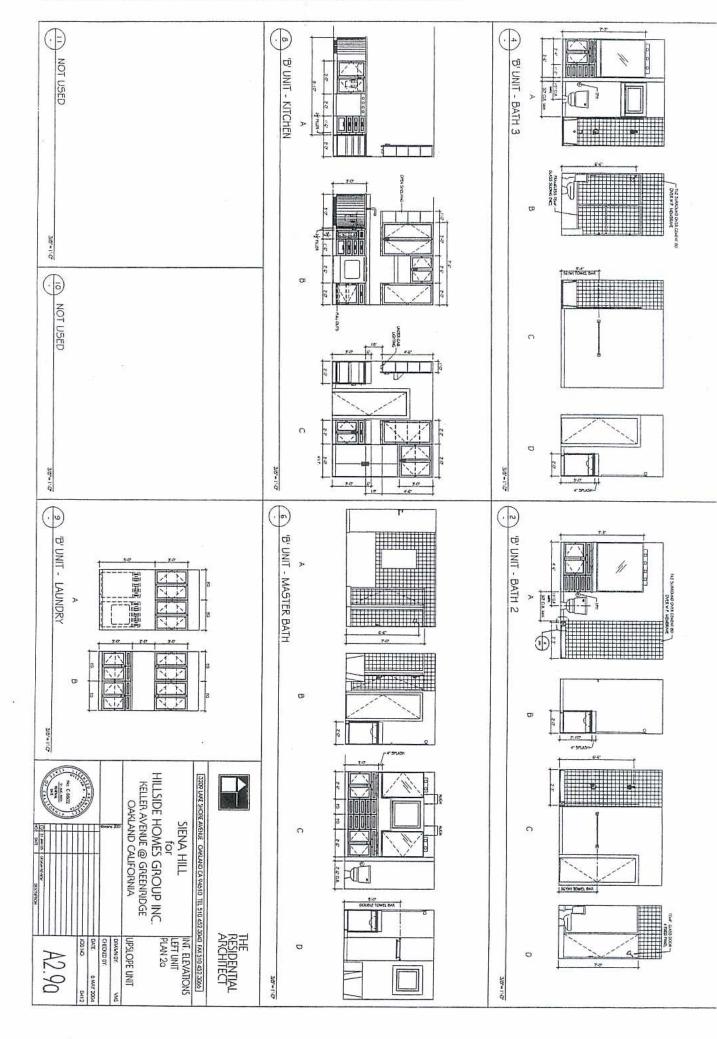




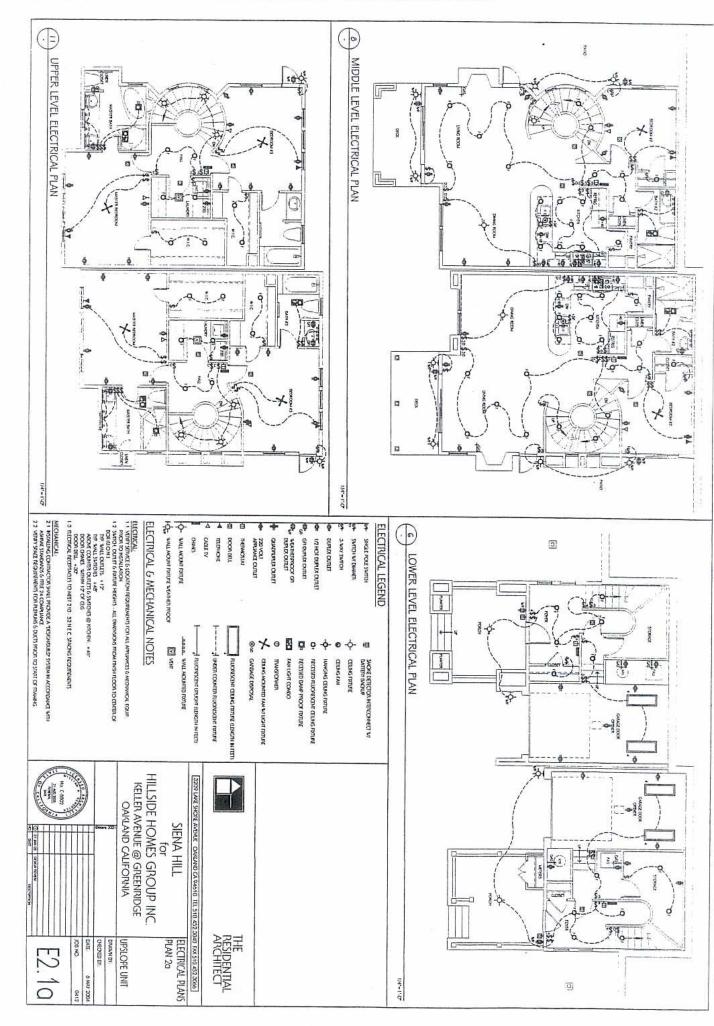


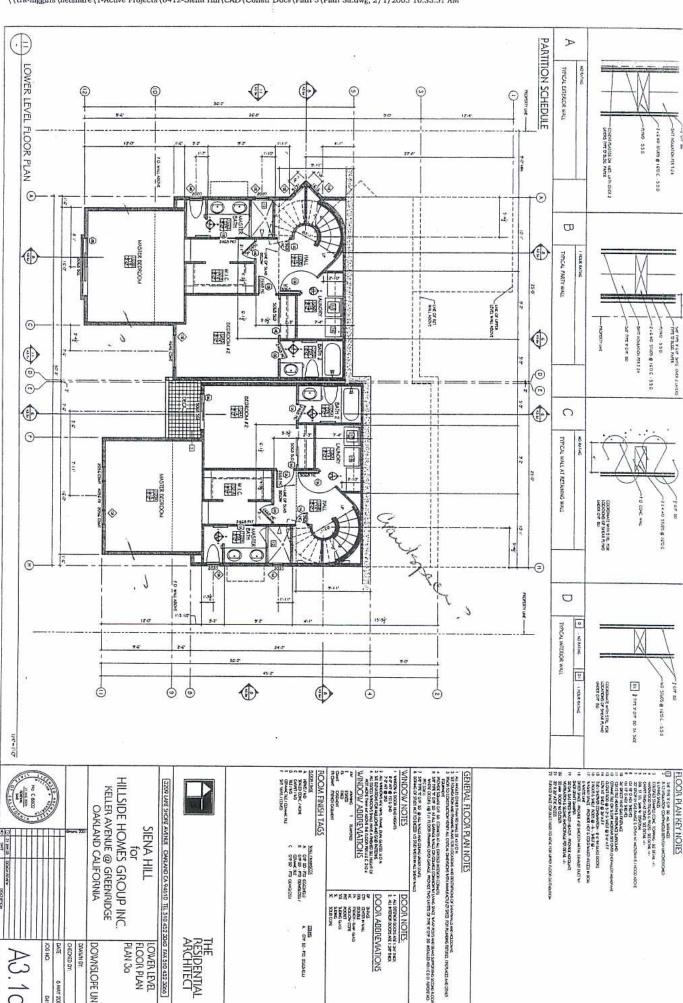












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SIENA HILL

THE RESIDENTIAL ARCHITECT

for

LOWER LEVEL FLOOR PLAN PLAN 3a

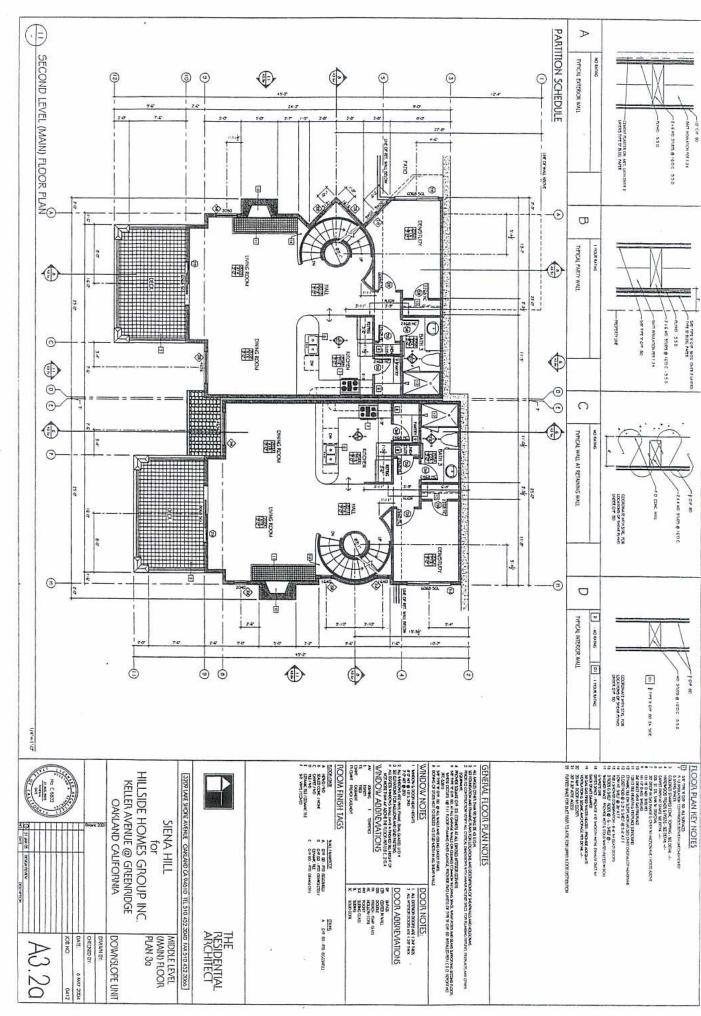
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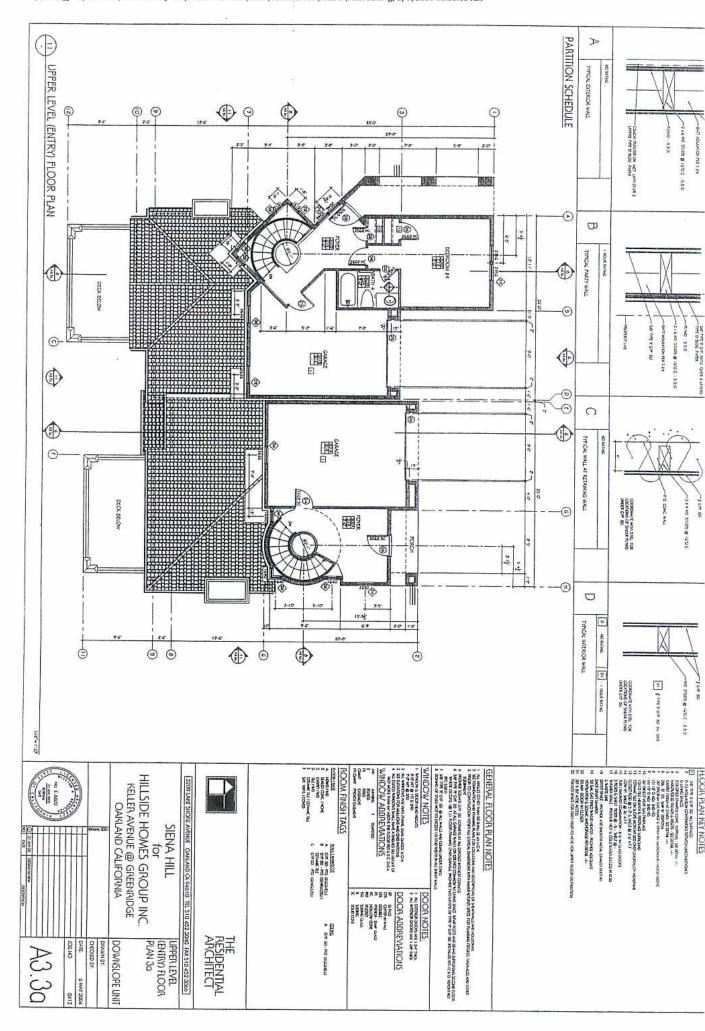
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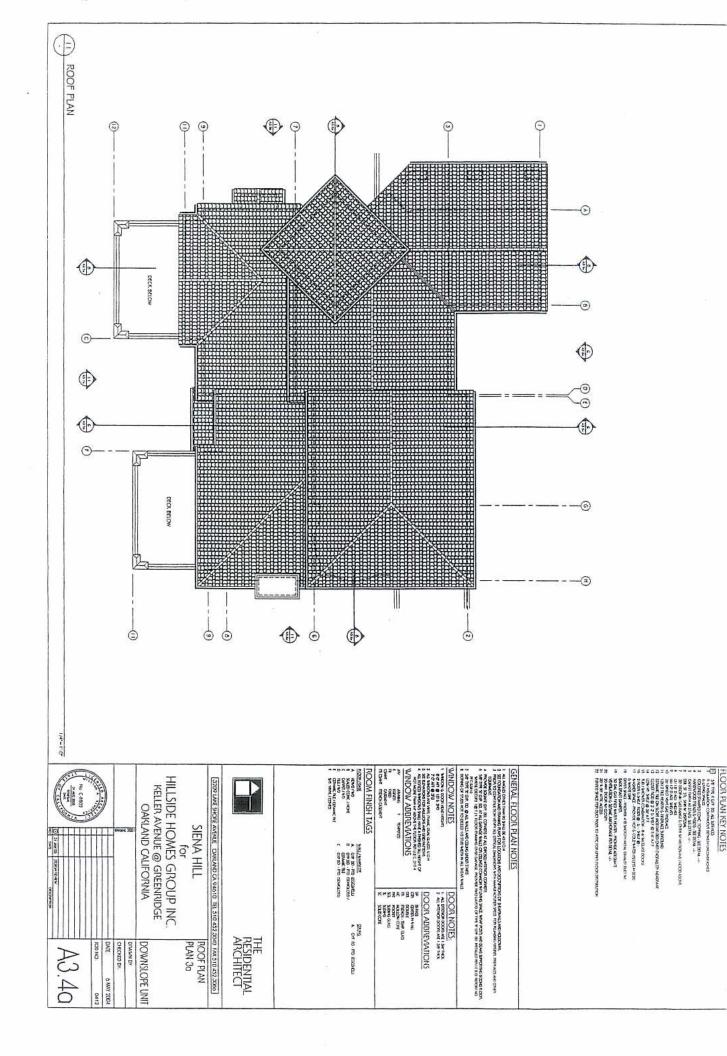
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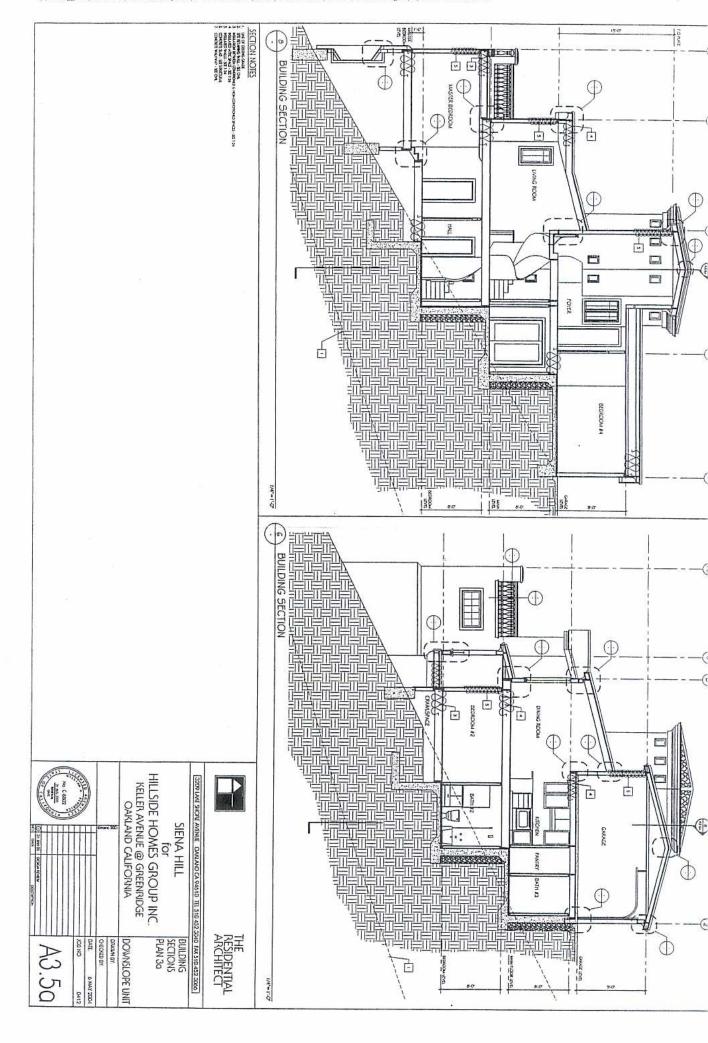
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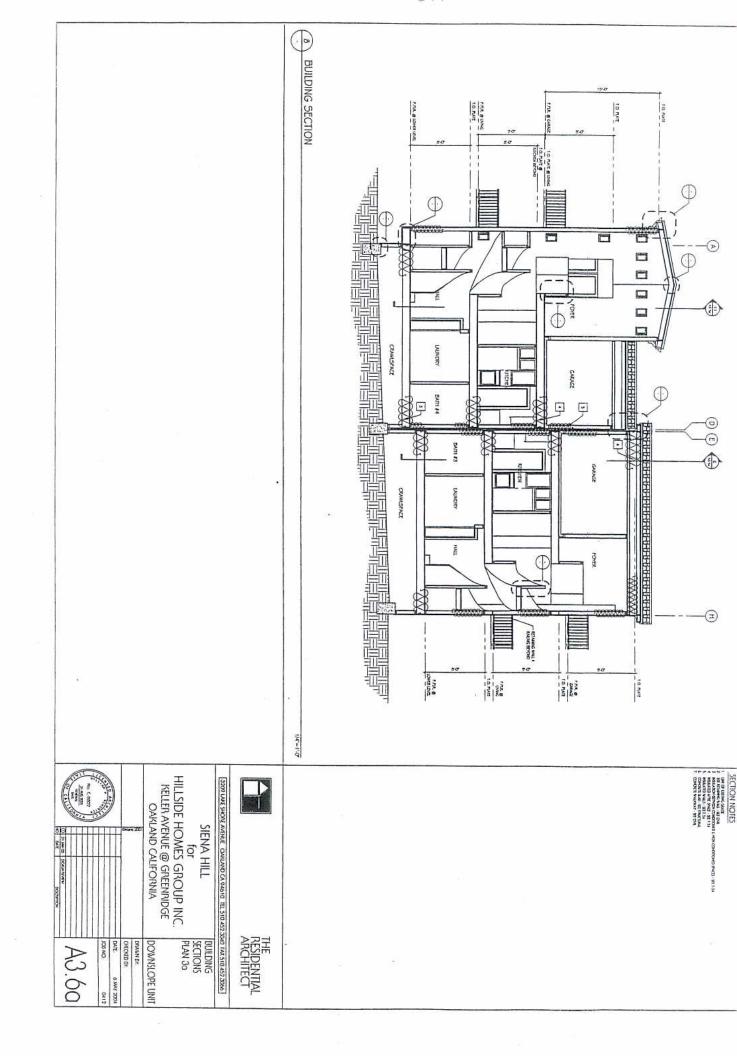


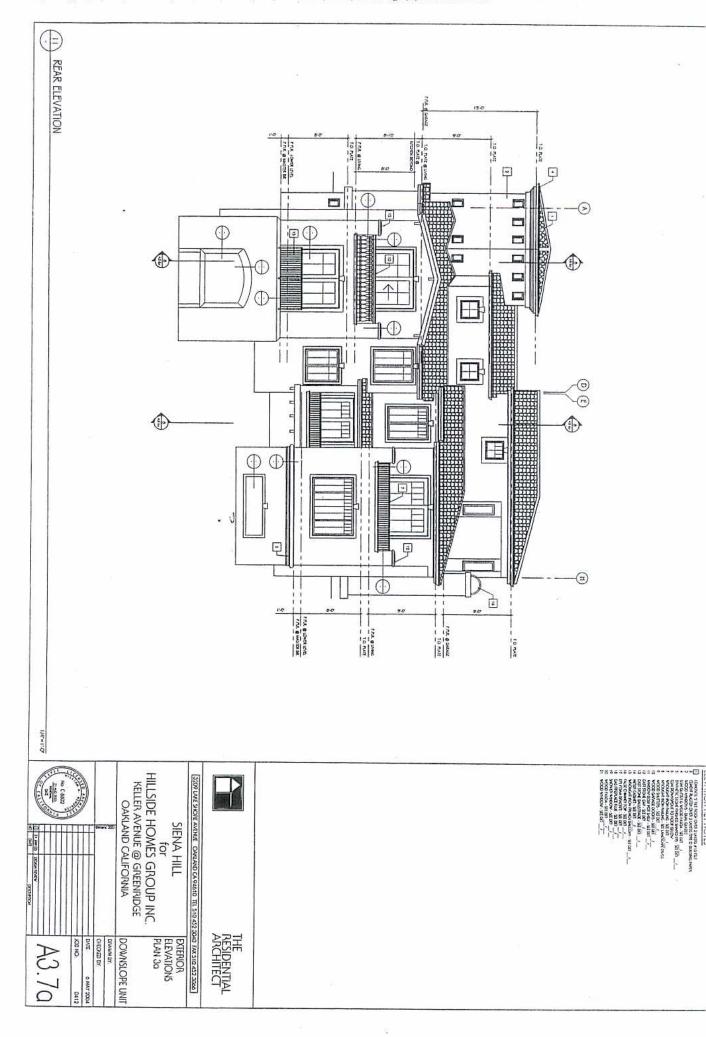






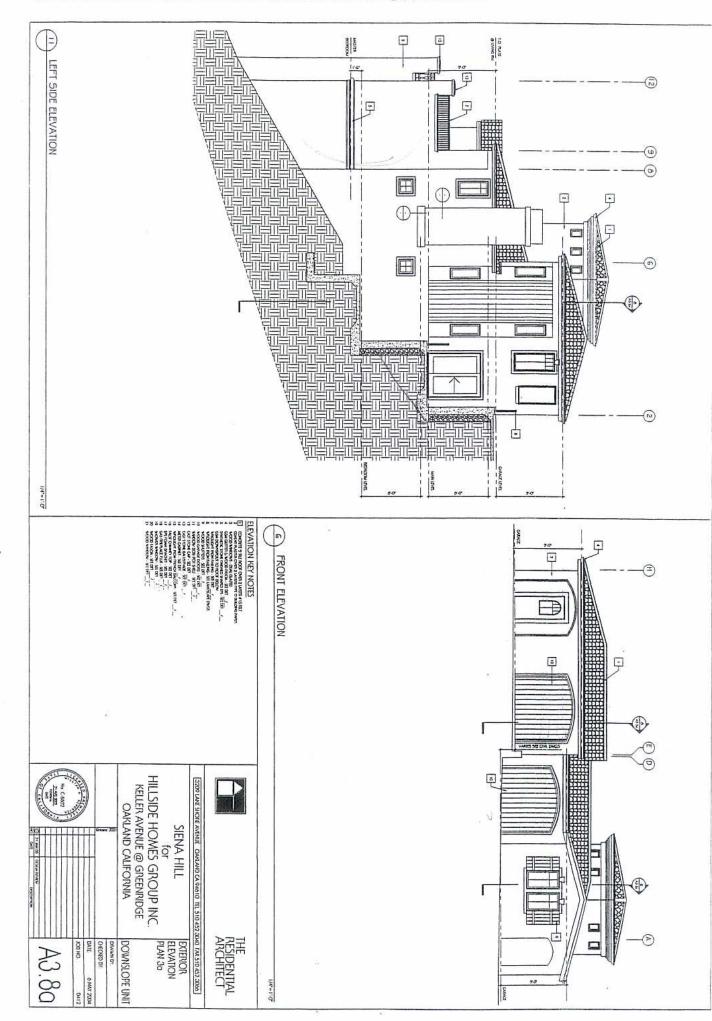


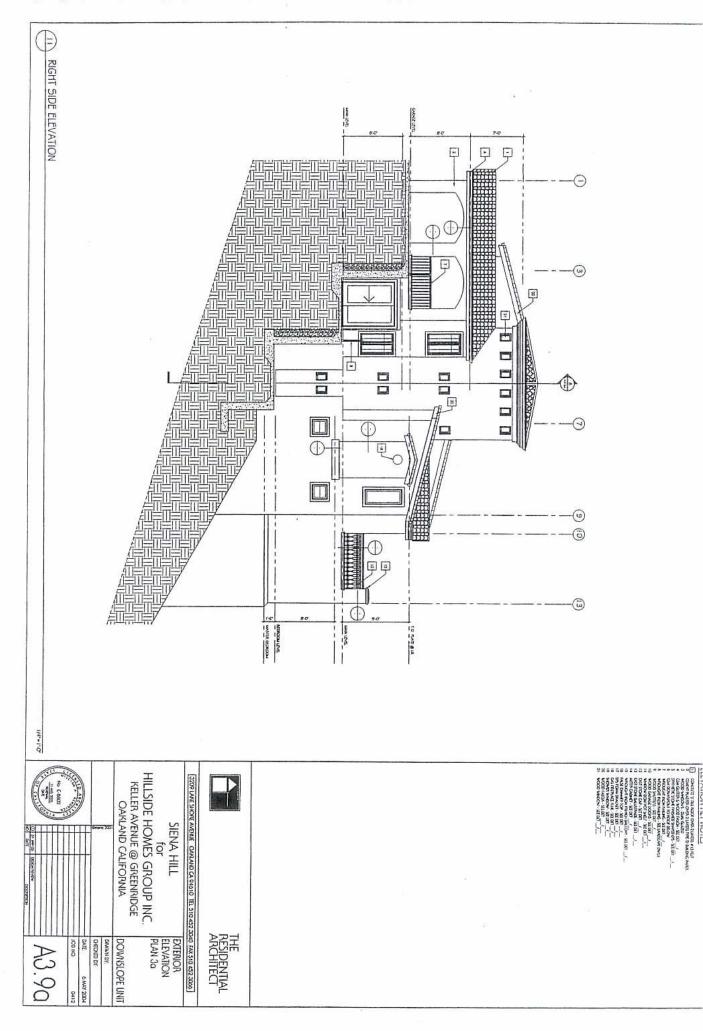


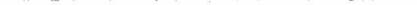


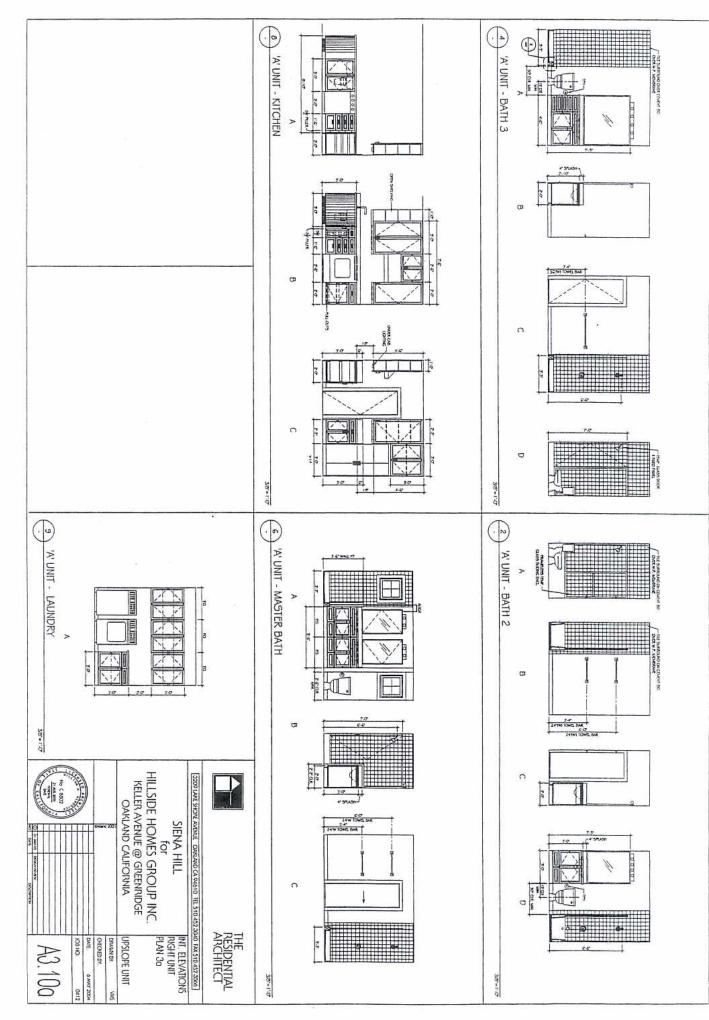
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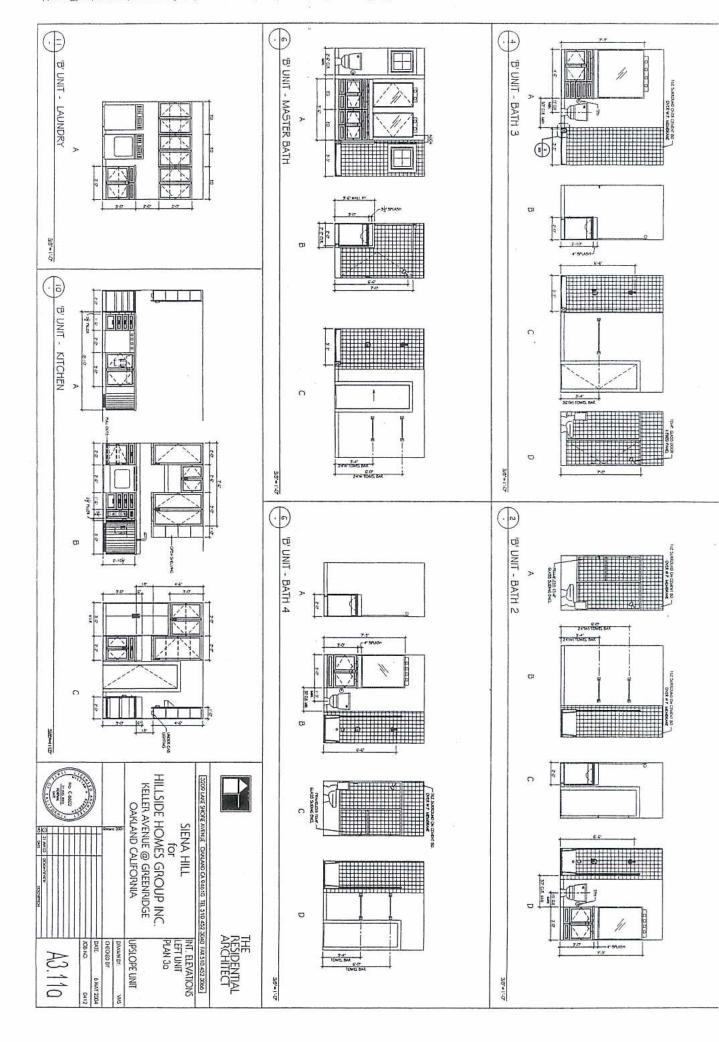




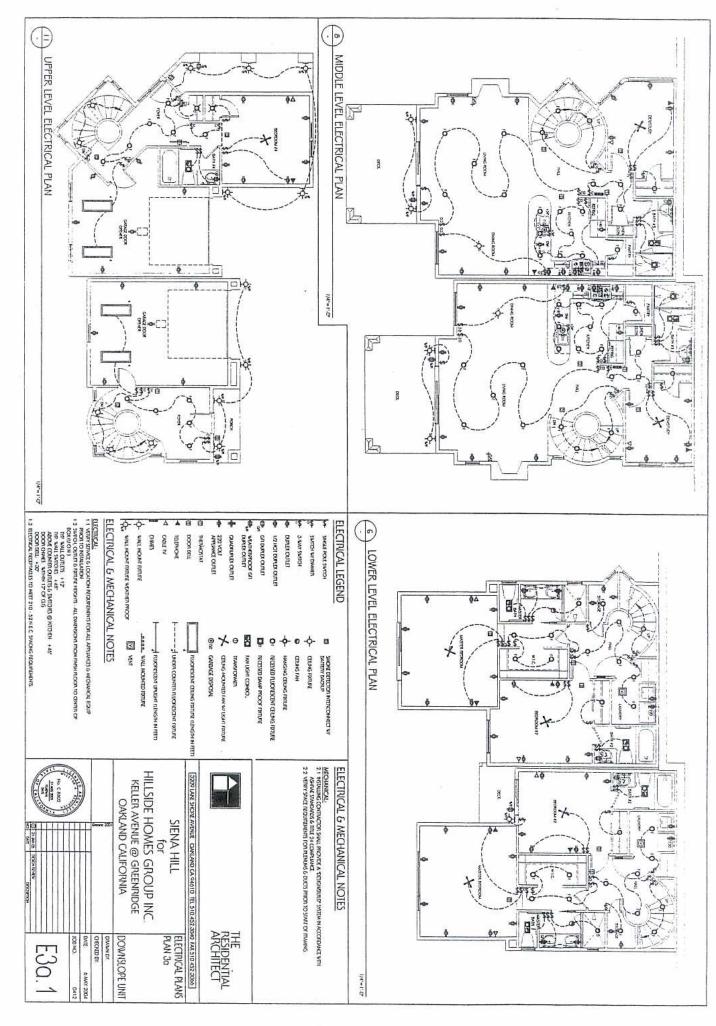




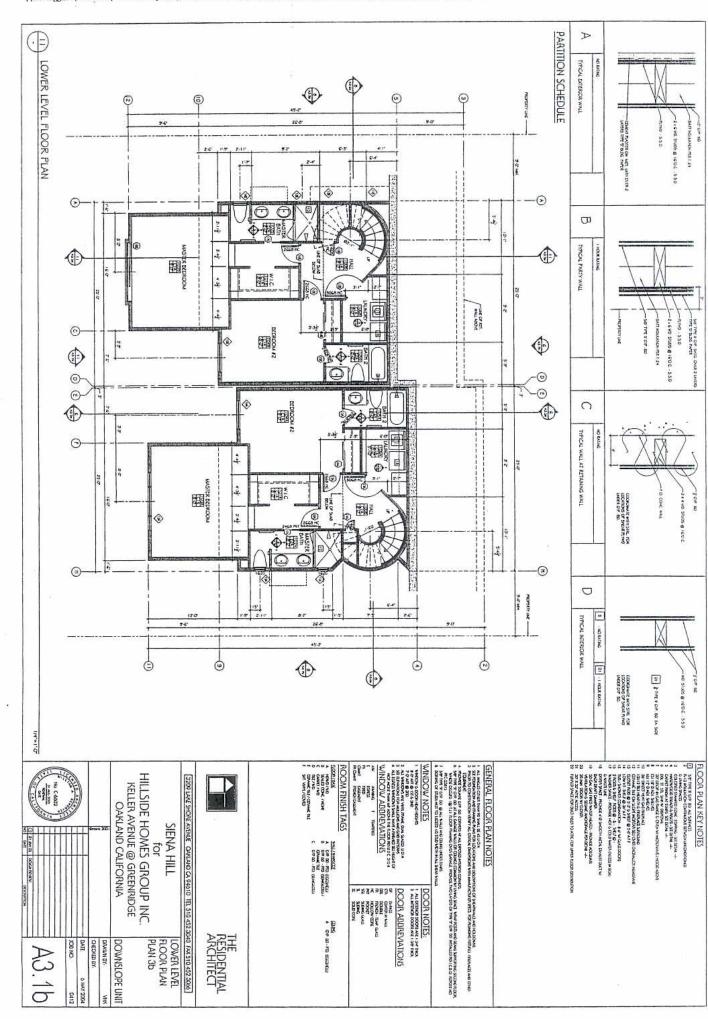




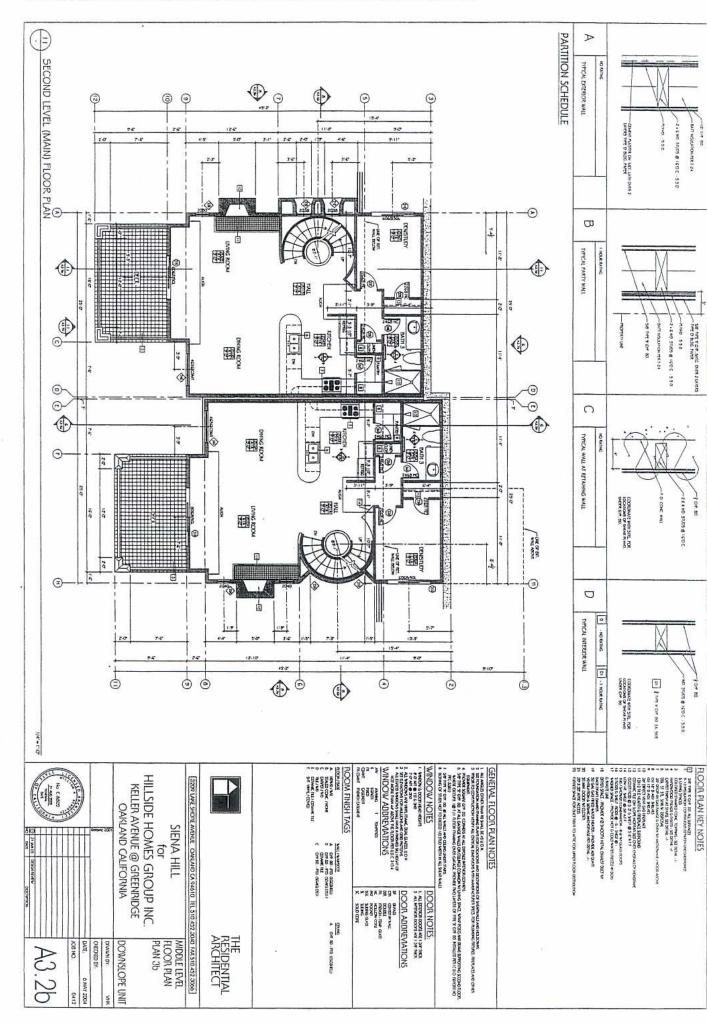
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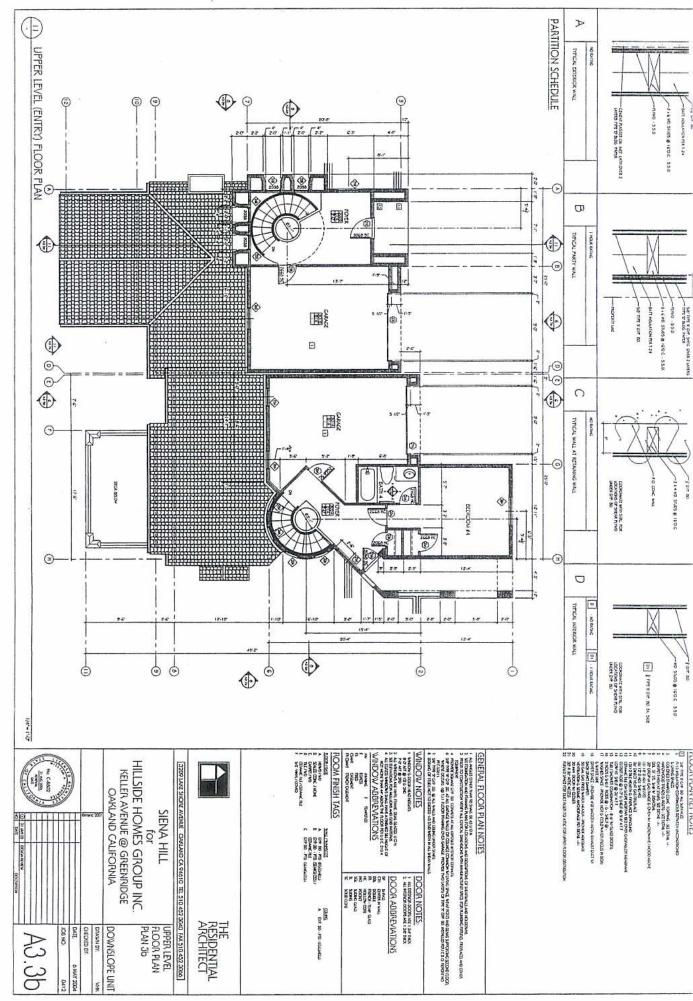


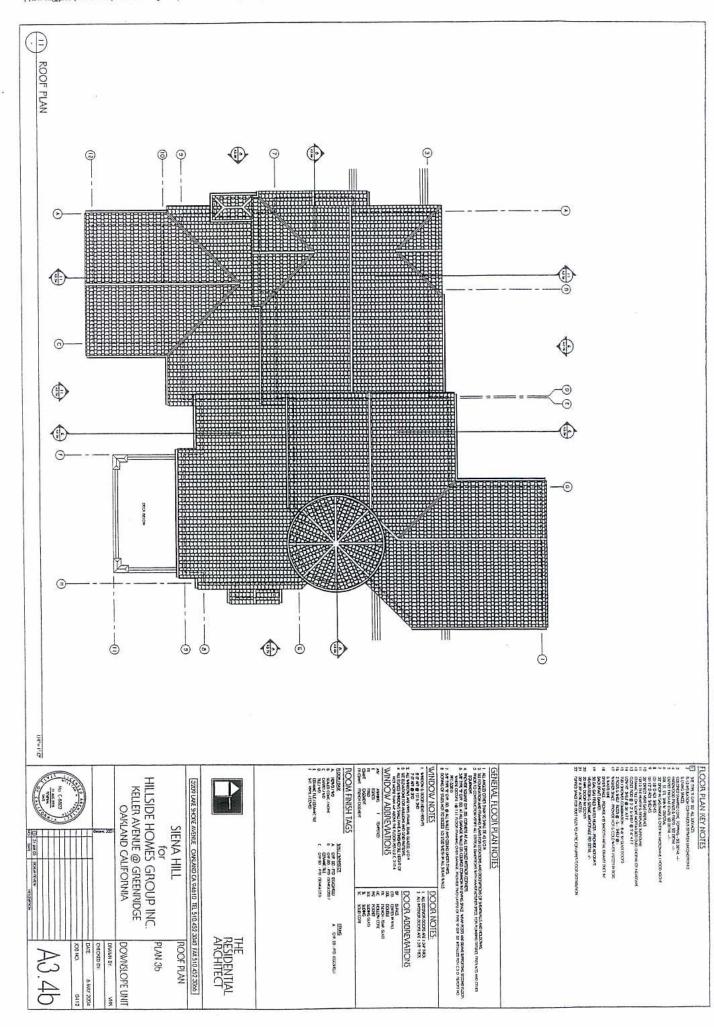




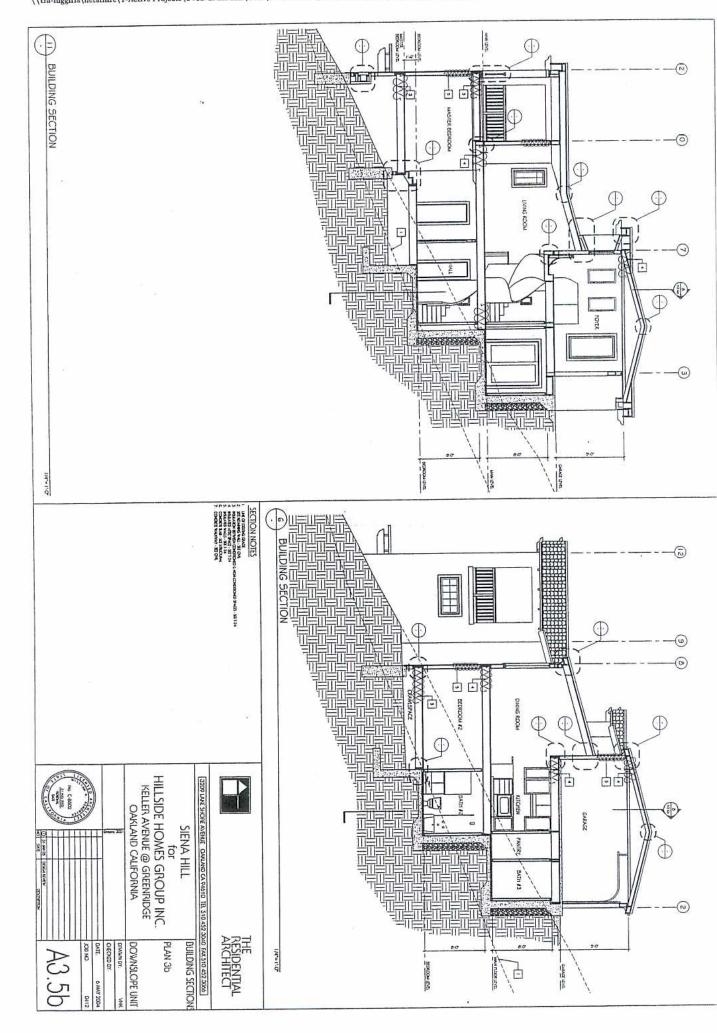
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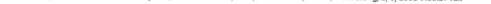


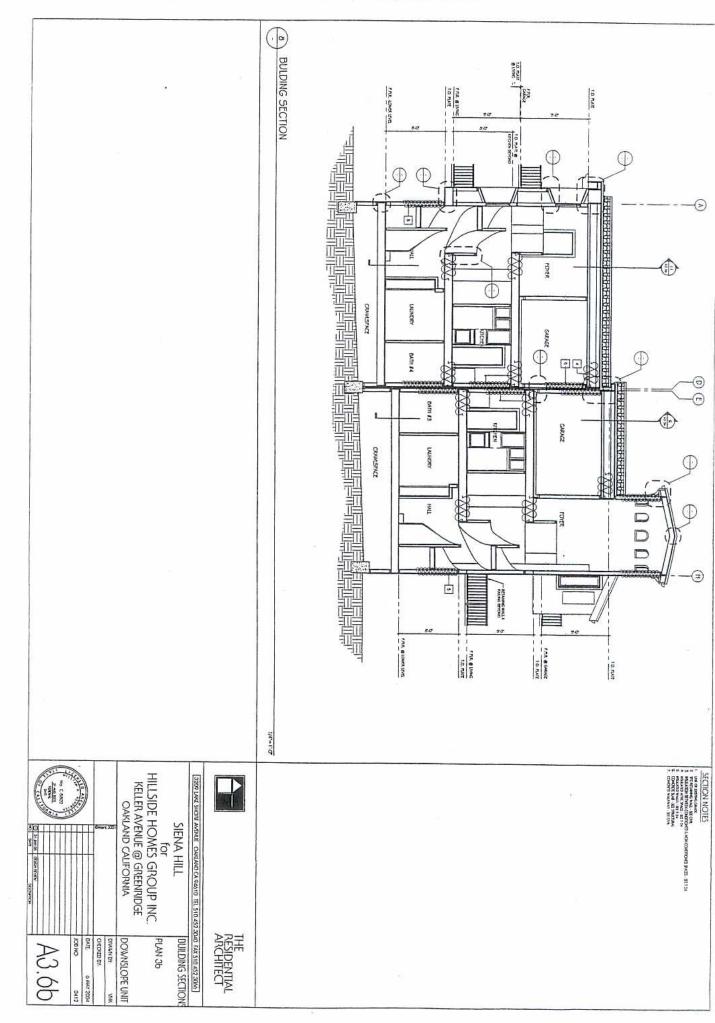


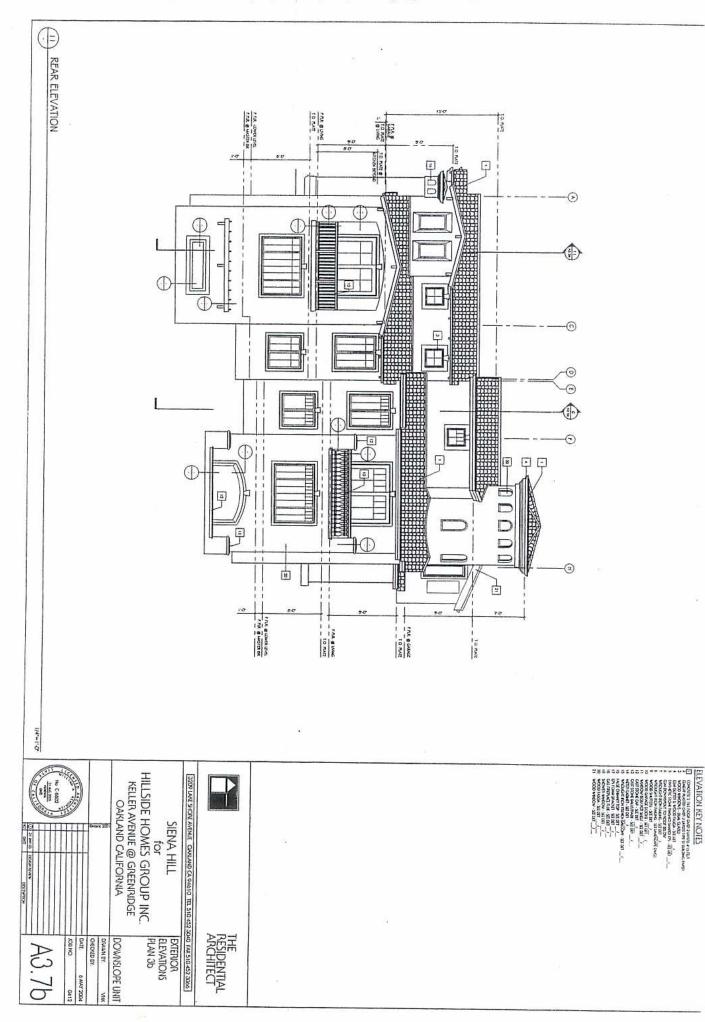


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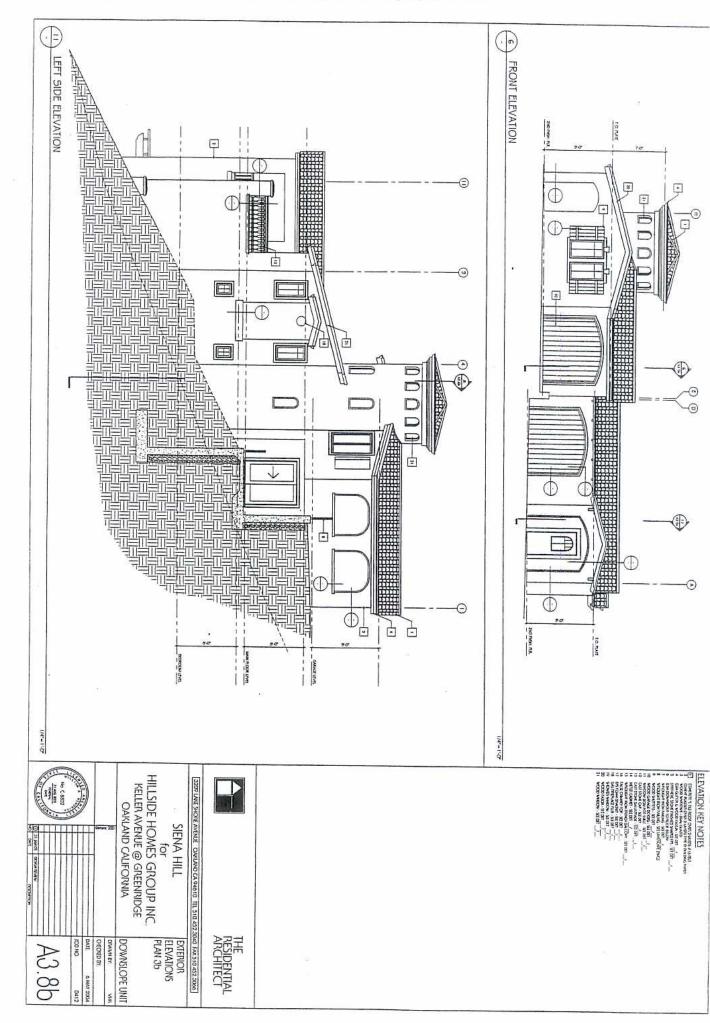


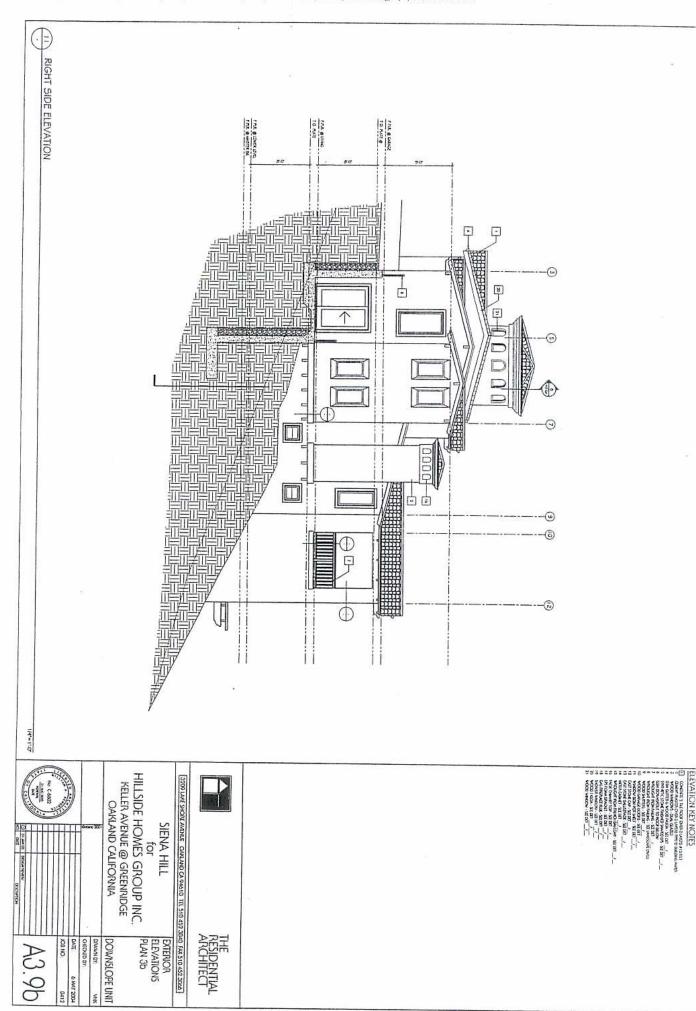




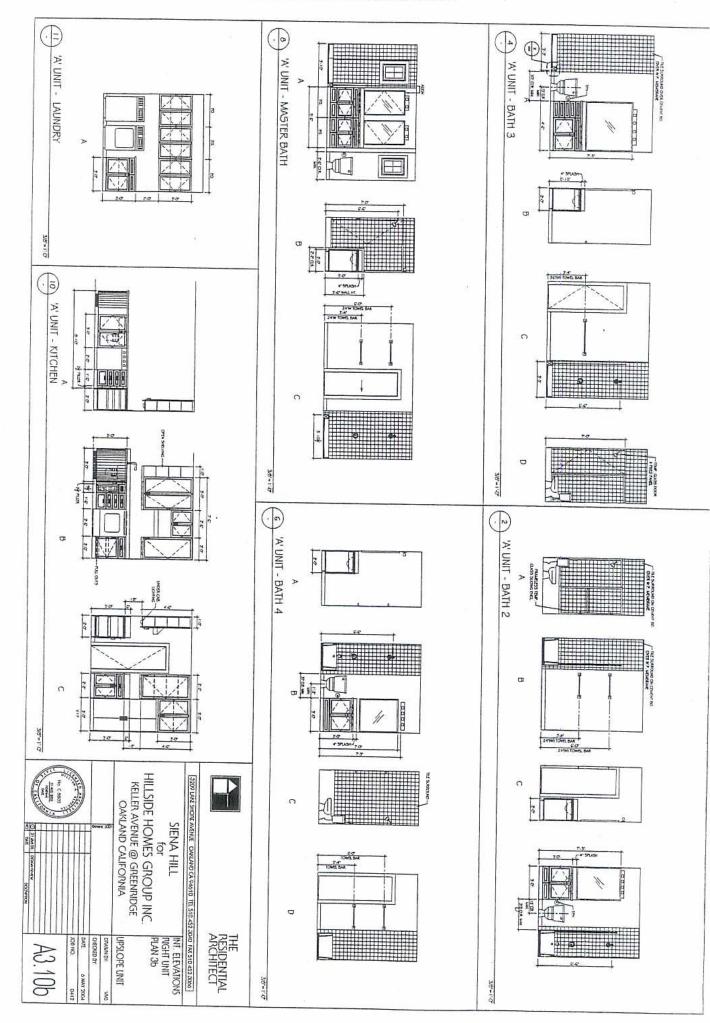
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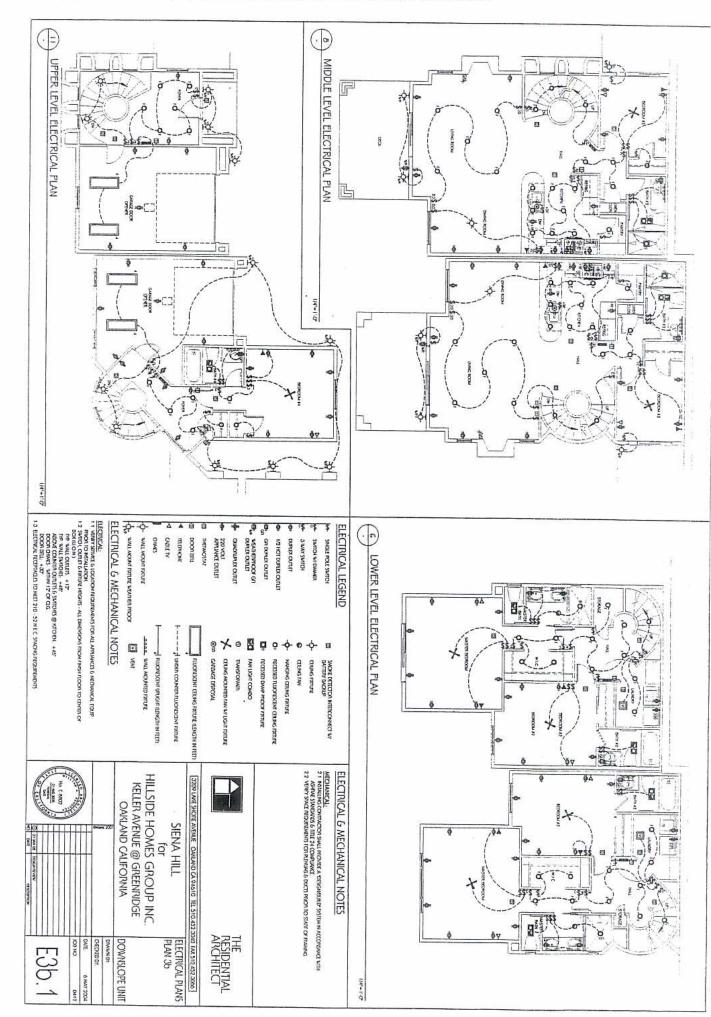


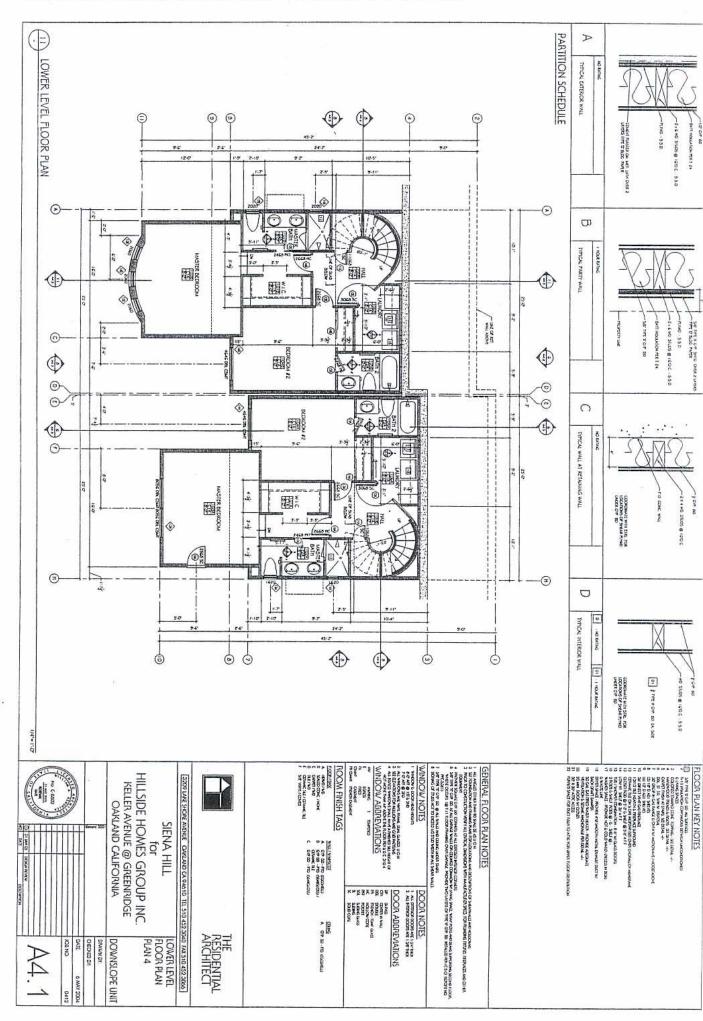




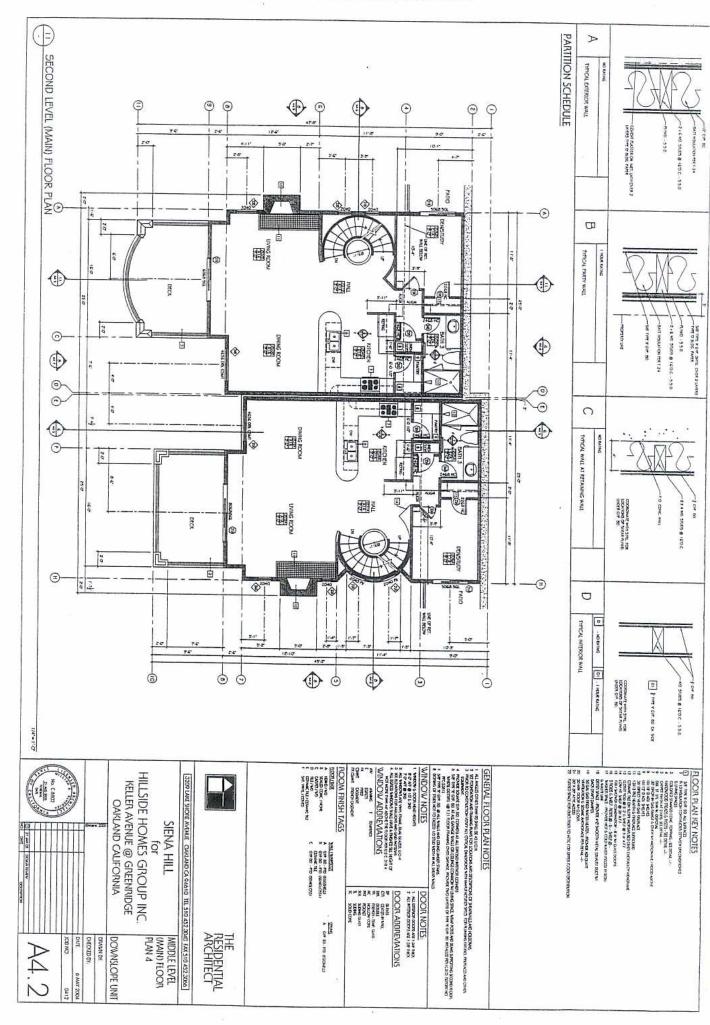
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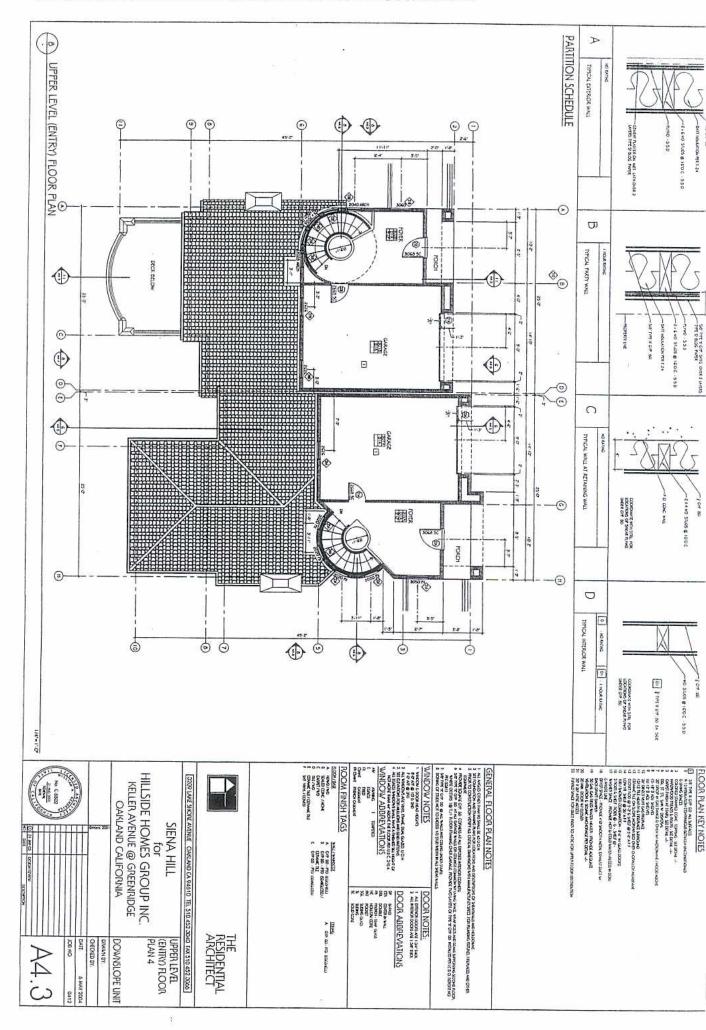




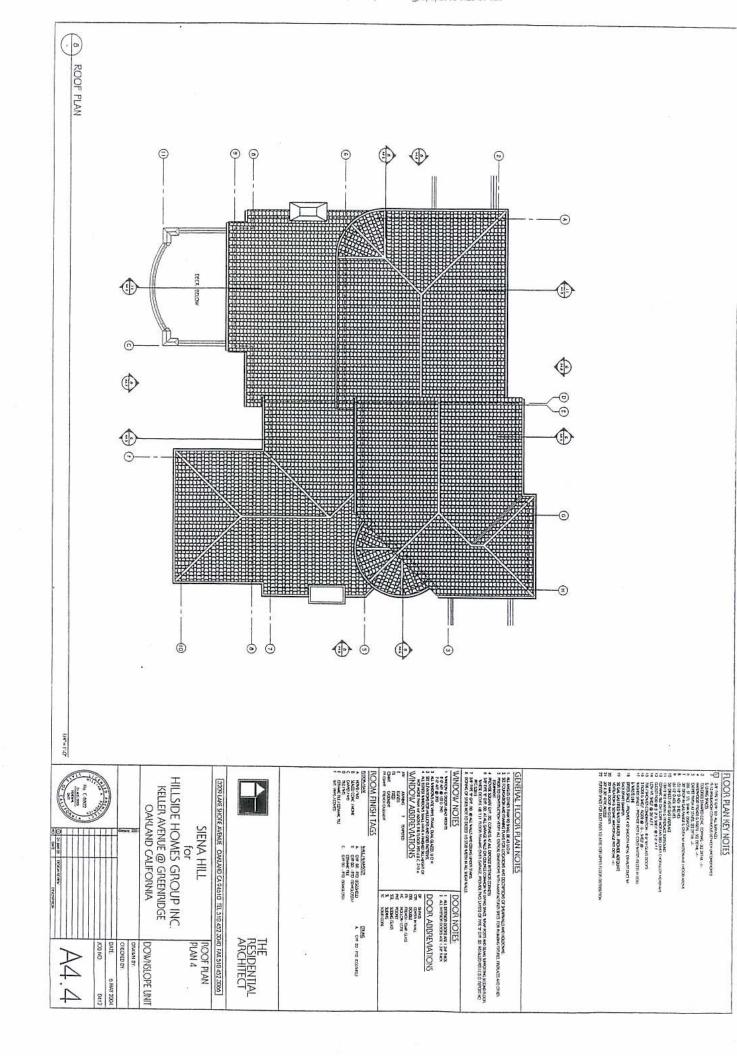


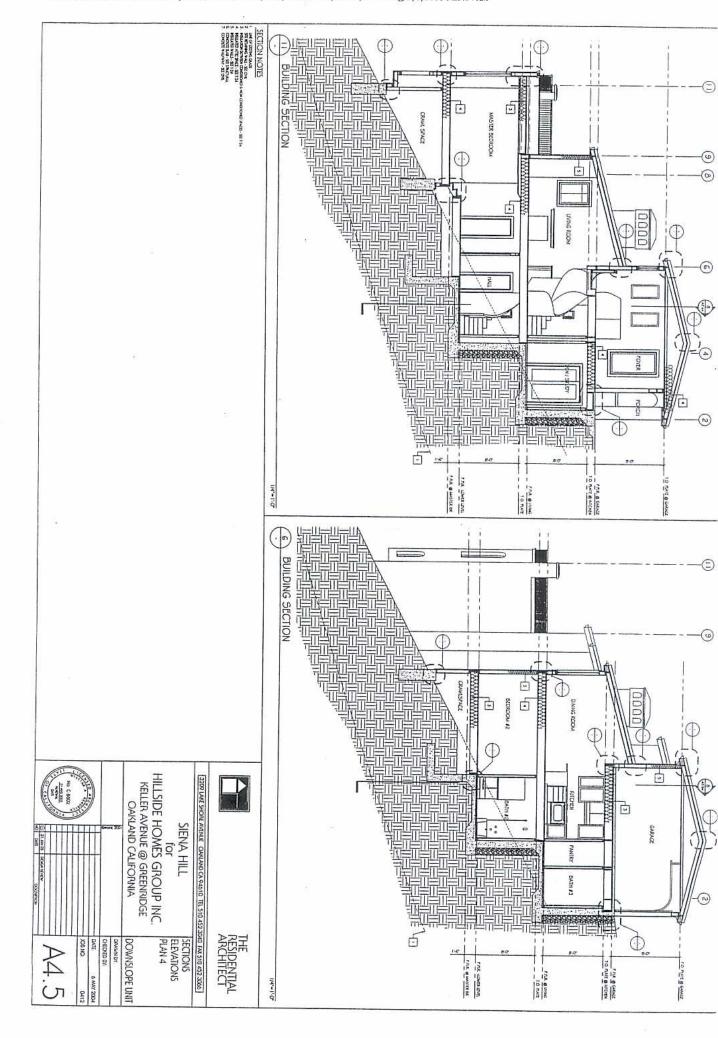
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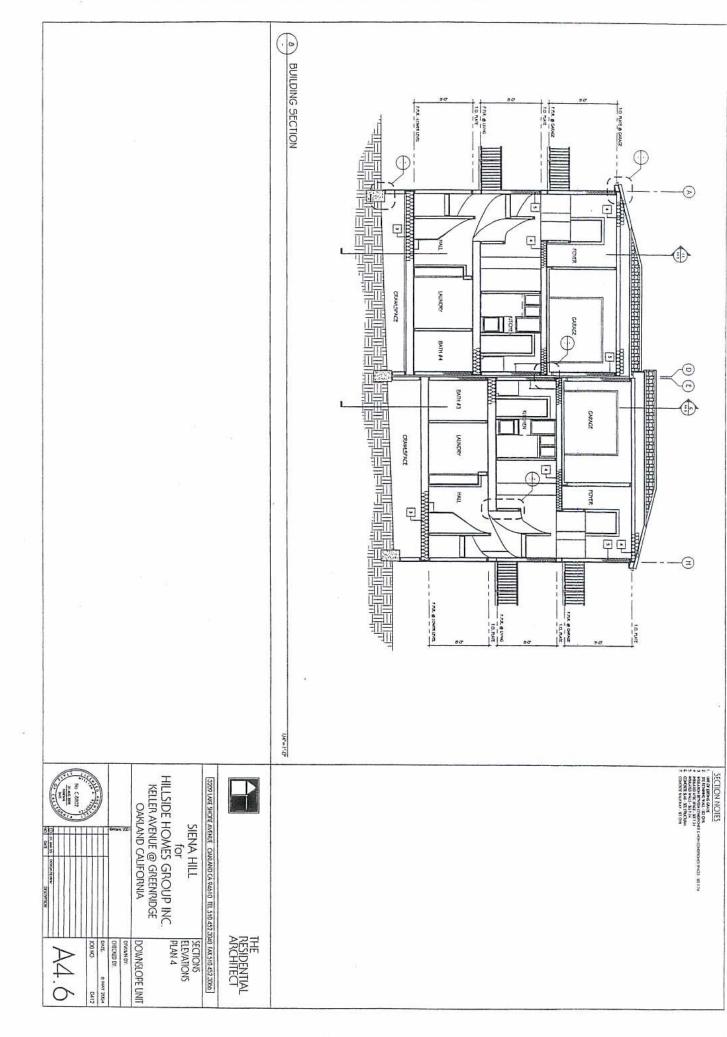


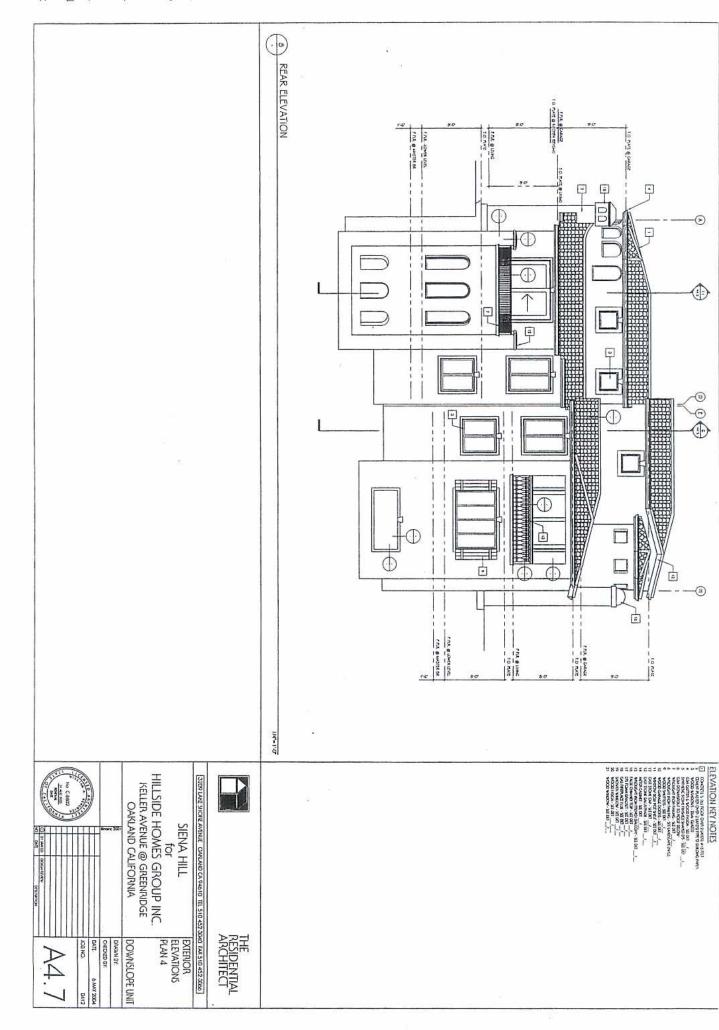
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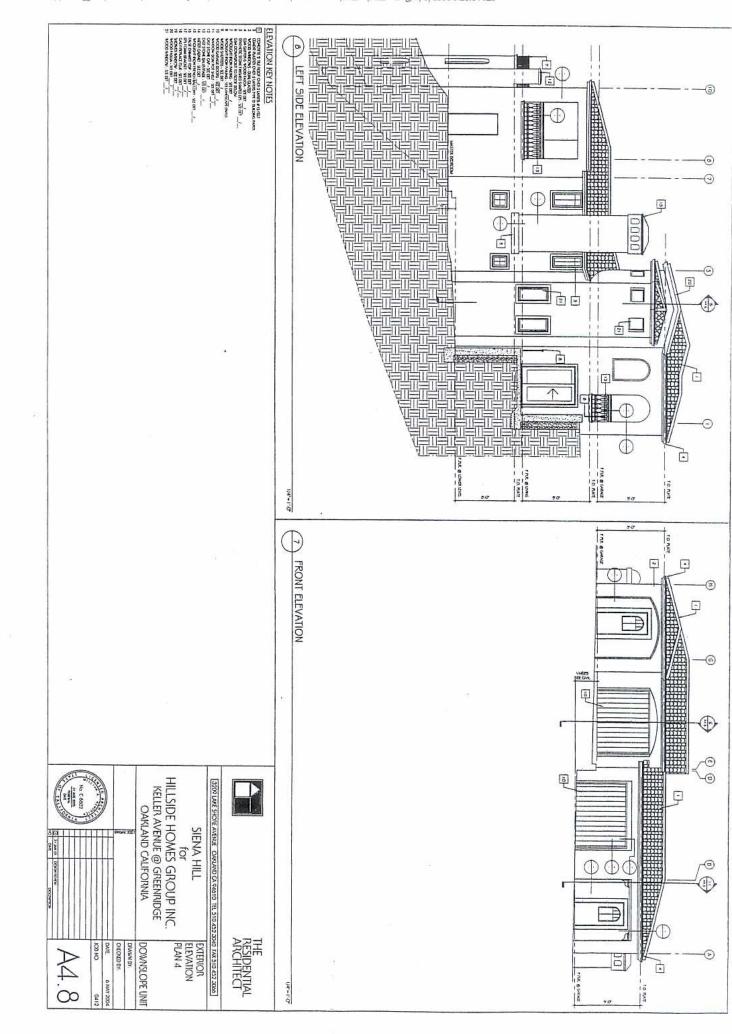


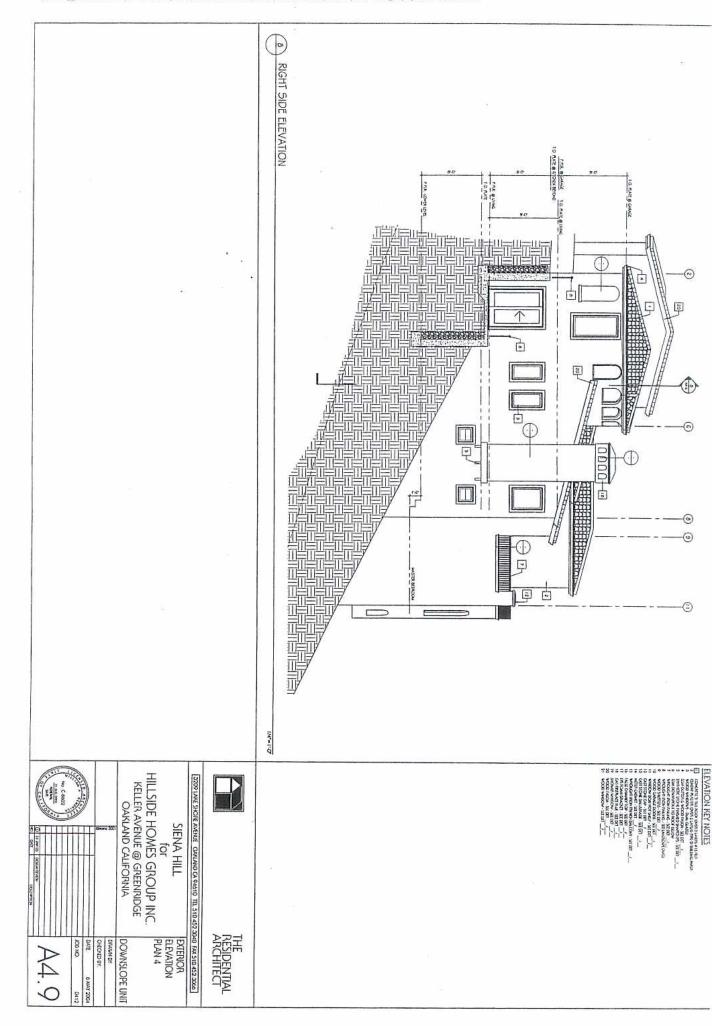


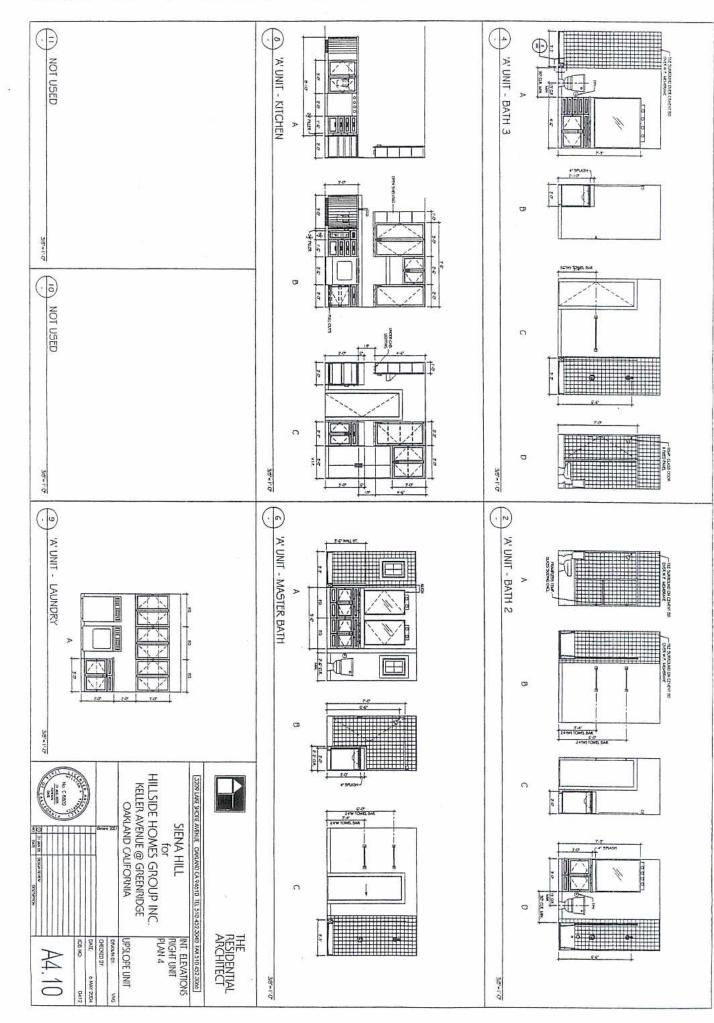
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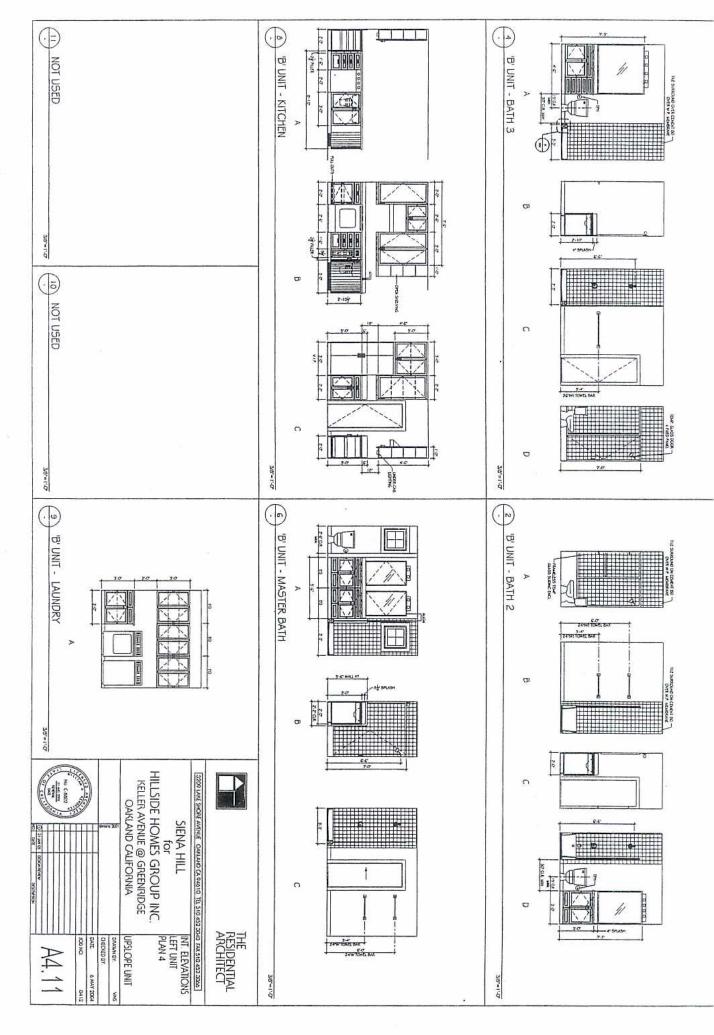




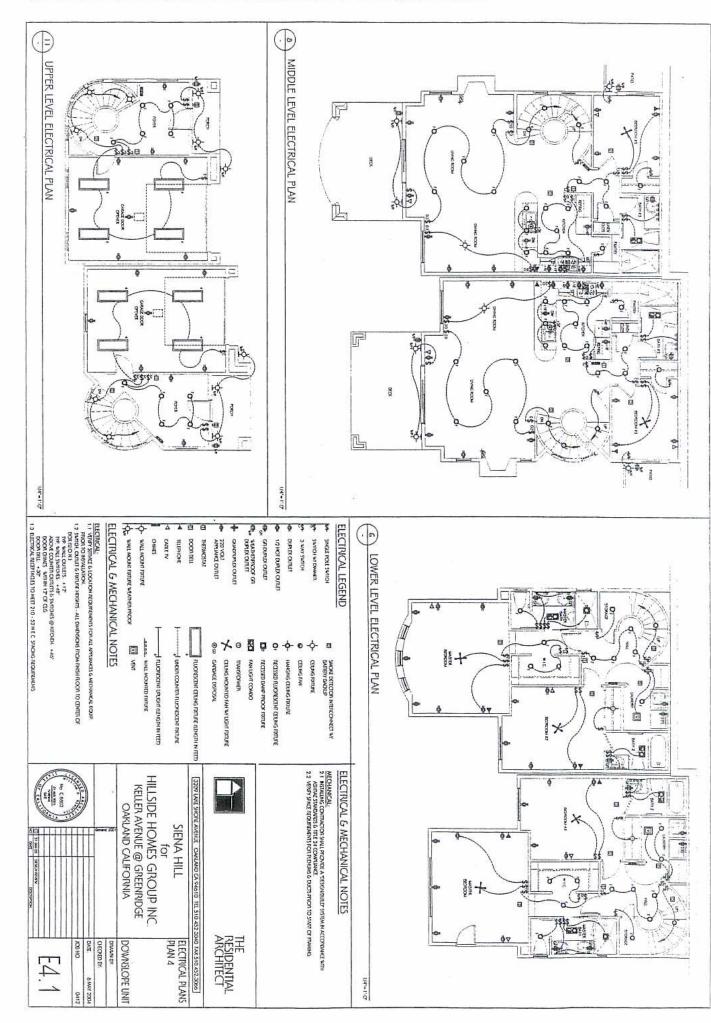


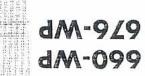






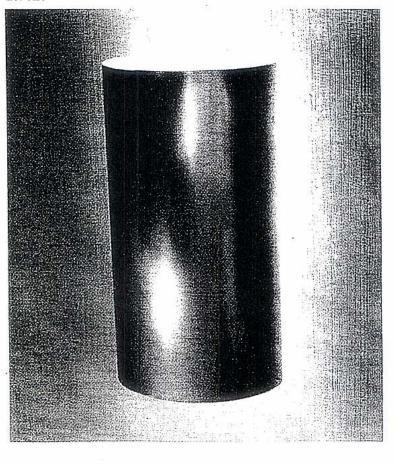




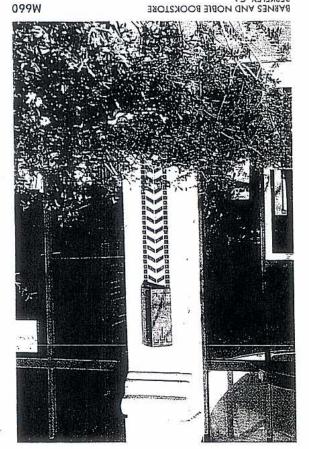


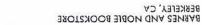
Shield Wall Brackets

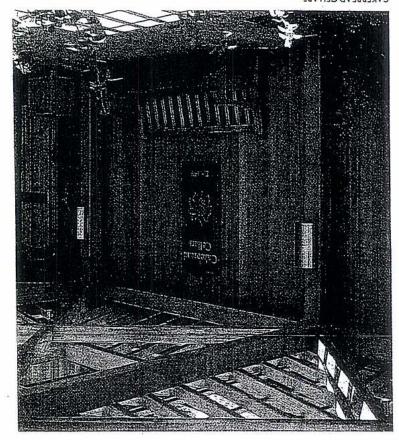
- provide a halo of decorative light. For use in wet locations, both of these shields
- incandescent or fluorescent lamping. E Fully enclosed lamp compartment for
- Solid bronze construction ensures long life.



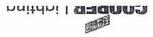
dM-929







CAKEBREAD CELLARS NAPA, CA ARCH: BRANDENBURGER ASSOC. LTG DESIGN: IVAN HAWTTOF





6660-WP & 676-WP

LAMPS / BALLASTS

Incandescent: 1 - 60W max (A-19), electronic ballast only. Fluorescent: 1 compact 26W (F26DTT), electronic ballast only.

Specify voltage. Incandescent available J20V only. Standard Ballasts are Electronic (SSB). 4-pin lamps required. See "Ballasts" and "Lamps" in Section G. Lamps not included. See "User Guide" for information on starting temperatures of fluorescent fixtures.

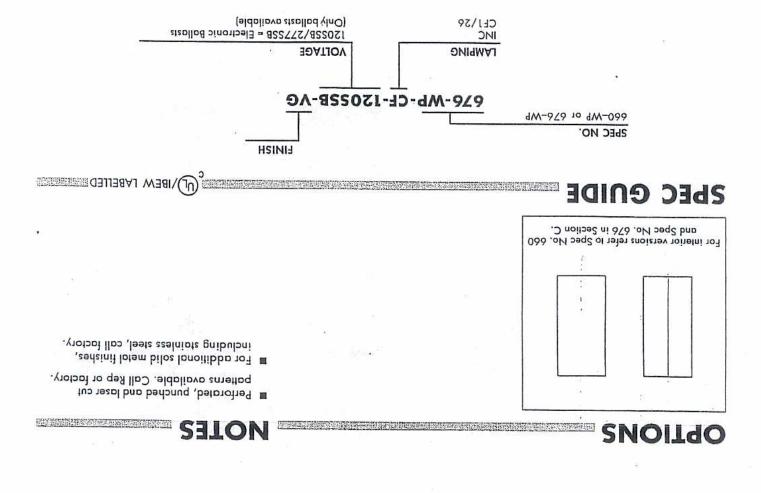
MOITADOL SAUTURE LOCATION

U.L. listed for wet and damp exterior locations. Solid bronze construction for all finishes, For interior version and smaller size damp version, refer to Spec No. 660 and Spec No. 676 in Section C.

SHSINI

- NBZ Matural Finish Solid Bronze
- (weathers to a dark bronze patina.)
- SGB Semi-Gloss Black
- stinW 22010-imag WD2
- CC Custom Color, Sami-Gloss
- VG Verdi-Gris SZ - Verdi-Gris
- **ONITING**

Standard - 4° J-Box or stucco ring.



0

1/2"

16 cm

(39 cm)

5

dM-099

(m) (20 cm)

...8

Shaper Lighting



dM-929

4

(50 cm)

..8

6

3

1/2"

(39 cm)

5



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installation sheets (Jbq) Jeeds Code photometry (IES) **snoisn**9mib ordering matrix specifications

Glowtops

CAG

DMW

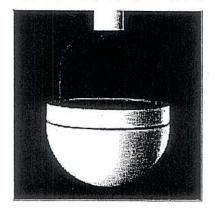
WbC

DAM

CMC

CbC

or extremely wide pole spacings. The random or precision application with short allow, at the discretion of the designer, osle yedT. Jeeqqe si ot yilidisiv bne yter sphere with glare-free performance, adding luminaires enhance the popular glowing efficient and economical. Gardco Glowtop decorative lighting product that is also the lighting designer to select a more The concept of the Glowtop luminaire allows



environments that call for lighting on a human scale. white dome. Gardco Glowtops bring a new nighttime appeal to all lamp lumens are directed up and uniformly diffused through a translucent appreciated, being almost moonlike in appearance. A small percentage of lighting effect of Gardco Glowtop luminaires must be seen to be

MPG Post Top

.pnisuod gha the uplight from the top housing. appearance from all viewing angles. Ballastry is enclosed within the pole, light. And the yoke gives the luminaire a symmetrical, balanced luminaire from confining supports and presenting minimum restriction to and optically motivated. It provides strength without mass, freeing the state-of-the-art, patented dual yoke design. This yoke is both structurally As with the hardtop series, the post top Glowtops incorporate a

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8805.725.012 XA7 0060.725.012 8270.725.008 2661 Alvarado Street, San Leandro, CA 94577 Gardco Lighting

Genlyte Thomas Group LLC C copyright 1996 - 2001 Gardco Lighting. All rights reserved. International copyright secured.

UIGHTING CODERAD

CPG/MPG/MPGL POST TOP MOUNT GLOWTOP

SPECIFICATIONS

OPTICAL SYSTEMS: The segmented Form Ten optical system is homogeneous sheet aluminum, electrochemically brightened, anodized and sealed. The segmented reflectors are set in faceted arc tube image duplicator patterns to achieve IES Types I, III, IV and V distributions. The mogul base lampholder is glazed porcelain with a nickel plated screw shell—all securely attached to the reflector assembly. 50MH, 70MH and 100MH units have medium base.

ELECTRICAL: Each high power factor ballsat is the separate component type, capable of providing reliable tamp starting down to -20° F. The ballast is mounted on a unitized tray and is housed within the 4½" pole shaft. Component-to-component wiring within the luminaire will carry no more than 80% of rated current and is listed by UL for use at 600 VAC at 150°C or higher. Plug disconnects are listed by UL for use at 600 VAC, 150°C or higher.

FINISH: Housings are rotationally burnished before painting so spinning lines or grooves created by multiple forming passes are not evident. Internal welds will not distort or discolor external surfaces. Paint is hatdcoat, fade resistant, electrostatically applied polyurethane.

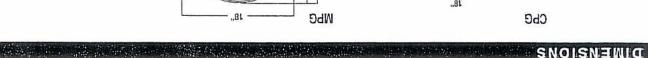
LABELS: All fixtures bear UL or CUL (where applicable) Wet Location Isbels.

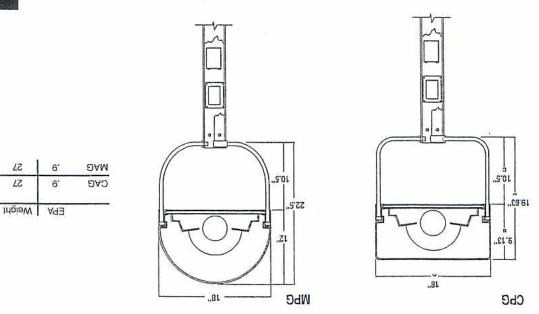
GENERAL DESCRIPTION: Each Gardco Form 10 yoke mounted Glowtop is an 18" diameter cylindrical (CPG) or semi-spherical (MPG) performance aharp cutoff luminaire with translucent top section providing a soft uplight glow. Lantern style (MPGL) unit includes a cast crown, which creates a classic architectural form. All luminaires utilize high intensity discharge imps rated to 250 watts, internal components are totally enclosed, rainfight. dust-tight and corrosion resistant. No venting of optical system or electrical components is required or permitted. Lamping requires no lifting or hinging the luminaire housing, disturbing wiring or exposing uninsulated live parts.

HOUSING: Upper section is high impact resistant, while molded seamless acrylic providing a uniform uplight glow. Lower component is one piece, seamless spun aluminum incorporating a returned flange stiffener to protect against housing edge deformation.

YOKE: The 9/16" diameter parallel yokes of high strength, low mass schedule 40 steel are precision contoured to match the CPG or MPG housing silhouette. Yoke assembly is designed for mounting compatibility with Thomas PRA 4.5" style pole and welds or tasteners are not visible at the luminaire or pole attachment. Yoke is electrogalvanized and coated with satin black polyurethane.

LENS: One piece, diecast aluminum door frame retains the optically clear, heat and impact resistant tempered flat glass in a sealed manner using hollow section, high compliance, memory retentive extruded silicone rubber. Conceated staintess steel hinge and two (2) flush 1/4 turn fasteners secure lens assembly to luminatre.





San Leandro, CA 94577



moo.gniirdgileiie.www

510/357-6900 in California

Fax: 510/357-3088

800/227-0758

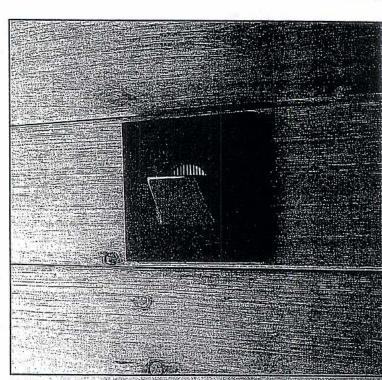
Gardco Lighting reserves the right to change materials or modify the design of its product without Gardco Lighting conficulton as part of the company's configuration as part of the company of the configuration as part of the configurat

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A Geniyte Company

Square Step Star

Square Step Star^{**} is another unique design concept in the Step Star family of fixtures. Square Step Star can be recessed into the side walls of steps, retaining walls or most other architectural elements. The advanced optical design allows for mounting heights well below usual visual glare angles. The Square Step Star face plate is available in four polyester powder coat finishes.

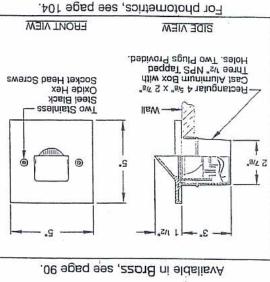


· Cast aluminum back box, suitable for concrete

- pour applications. ه ه. العنوط with MR16 lamps to 50 watts.
- For use with remote transformers, see pages 92, 94, and 97.

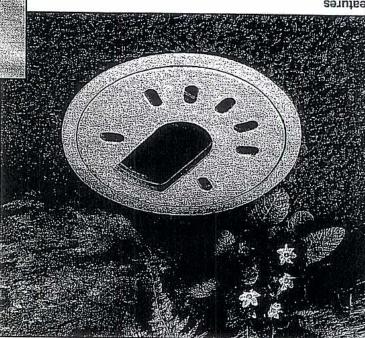
- Features
- Tamper proof design.
 Copper free cast aluminum face p
- Copper free-cast aluminum face plate with stainless steel hardware.
- Lighting pattern provides wide lateral distribution
- VER Verde munimula. AA2 MHM **HHP** (Scole))etinW BLW BLP BIRCK WZ8 **BZP** Bronze Wrinkle Powder Coat Color | Satin - usiul -3 - FRB(35W), 12° Spot 15 - EXR(42W), 12° Spot 6 - EXT(50W), 13° Spot 1 - ESX(20W), 12° Spot Lamp Type Series Example: MZ8 - 9 - 05 CATALOG NUMBER LOGIC

SNILH9I7 X-8



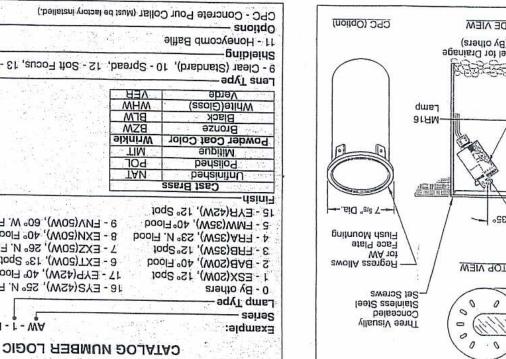


installation can be achieved. concrete pour collar, a completely flush aiming angle. When specified with the less steel bracket that allows for a full 35° fixture is held securely in place by a staintamperproof. A black anodized Nite Star^{1m} makes the Adjustable Well Star virtually steel set screws, for well cover attachment, tions. Three concealed, recessed, stainless used in drive-over or walk-over applicalens allows the Adjustable Well Star to be cast brass well cover and tempered glass most rugged applications. The heavy-duty, Adjustable Well Star Scan be used in the



Features

- Tamper proof design.
- Cast splice compartment with gasketed cover. Clear, tempered glass lens on cover and fixture.
- Cast brass concrete pour collar accessory available.
- 6 5/8" diameter, heavy wall composite housing.
- Weather-light cable connector with 5', 12 ga., 2 wire,
- Fixlure adjustable to 35° from vertical and 360° rotatable. iow voltage cable.
- Cast brass well cover with stainless steel hardware.
- Utilizes machined aluminum black anodized Nite Star".
- .elise 02 of sqms1 81 AM Aliw belsi 2 3 🕲 &
- For use with remote transformers, see pages 92, 94, and 97.

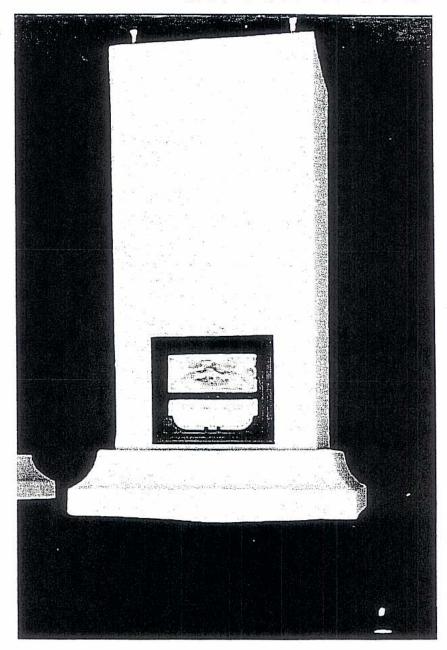


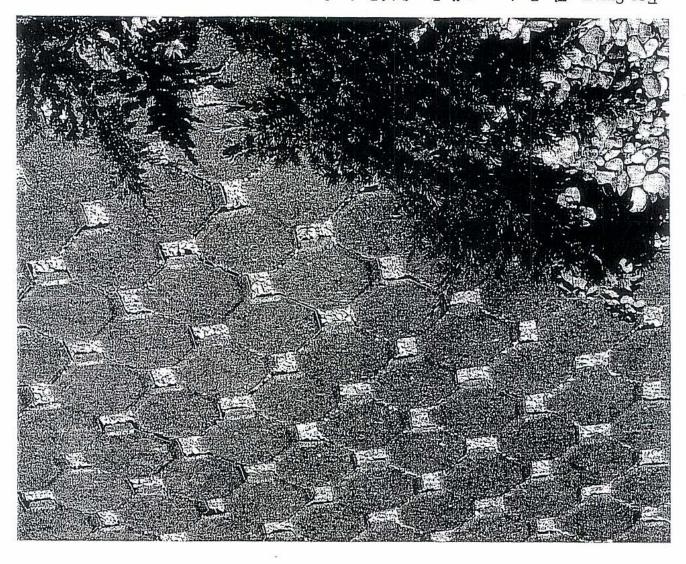
CPC - Concrete Pour Collar (Must be lactory installed.) 9 - Clear (Standard), 10 - Spread, 12 - Soft Focus, 13 - Rectilinear 9 - FNV(50W), 60° W. Flood 7 - EXZ(50W), 26° N. Flood 6 - EXT(50W), 13° Spot 17 - EYP(42W), 40° Flood 16 - EYS(42W), 25° N. Flood

SNLHON X-8

090 - 11 - 8 - TAN - 1 - WA

SIDE VIEW (By others) Gravel for Drainage 200000 15. °SE TOP VIEW 6 5/8" Dia. Single Residential Series Mailbox By Column Concepts





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