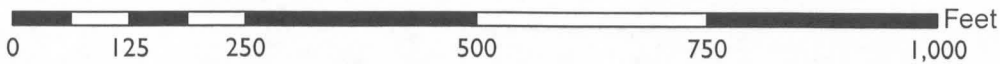


| | |
|-------------------------------------|--|
| Location: | 226 13 th Street (See map on reverse) |
| Assessors Parcel Number: | 002-0077-001-00 |
| Proposal: | Proposal to construct a new six story mixed use building containing 262 units including approximately 13,000 square feet of ground floor retail on 14 th Street, which would replace the existing surface parking lot. |
| Applicant: | Brian Pianca / WP West Acquisitions – (415) 888-8537 |
| Owner: | K.H Associates |
| Planning Permits Required: | Regular Design Review for new construction, Major Conditional Use Permits for a large project in the D-LM Zone, Minor Conditional use Permit to allow a base height of up to 85 feet, Minor Variance to allow two loading berths where three are required, and Vesting Tentative Parcel Map for new condominiums. |
| General Plan: | Central Business District |
| Zoning: | D-LM-2 Zone / D-LM-4 Zone Height Area D-LM 175 |
| Environmental Determination: | A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions: 15183 - Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for in-fill projects; and/or 15164 – Addendum to the 2014 certified Lake Merritt Station Area Plan EIR; Each of which provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 nd Floor or on-line at http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157 |
| Historic Status: | Not a historic property – vacant parking lot |
| Service Delivery District: | Metro |
| City Council District: | 2 |
| Action to be Taken: | Decision on Application |
| Staff Recommendation: | Approve with the attached conditions. |
| Finality of Decision: | Appealable to City Council within 10 days |
| For Further Information: | Contact case planner Peterson Z. Vollmann at 510-238-6167 or by e-mail at pvollmann@oaklandnet.com . |

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN15320
Applicant: WP West Acquisitions
Address: 226 13th Street
Zone: D-LM-2 , D-LM-4

SUMMARY

Brian Pianca on behalf of WP West Acquisitions (Wood Partners) has submitted an application for a development proposal at 226 13th Street consisting of a new building that would accommodate 262 residential units within a new six story building, with approximately 13,000 square feet of retail at the ground floor along 14th Street. The proposal would be built on a site that consists of an entire city block and is currently being used as a surface parking lot.

On January 13, 2016 the proposal appeared before the Design Review Committee, during which the Committee recommended the item proceed to the full commission.

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

PROPERTY DESCRIPTION

The subject property consists of one lot that encompasses an entire city block bounded by 14th, 13th, Jackson, and Alice Streets in Downtown. The site is currently used as an auto fee surface parking lot. The surrounding neighborhood consists of a mix of low and mid-rise commercial and mixed use buildings along 14th Street and high density apartment buildings off of the main 14th Street corridor. The 14th Street corridor contains a strong context of active ground floor retail storefronts.

PROJECT DESCRIPTION

The proposed project would demolish the existing surface parking lot in order to construct a new six story building that would contain 5 stories of residential units above a double height ground floor commercial space consisting of approximately 13,000 square feet fronting onto 14th Street and residential townhouse units on the 13th Street frontage. The residential lobby entrances would be located on Jackson Street near the corner of 14th Street and a second lobby on Alice Street near the corner of 13th Street. Ground floor amenity spaces such as resident lounge and fitness room would be provided along Alice Street, while Jackson Street would contain a large bike parking facility with direct access to the street. The auto parking facilities will be located on the ground and mezzanine level behind the retail and other active uses that line the street frontages of the property. The auto access will be located off of Jackson Street and two loading berths will be provided with one on Alice Street and the other on Jackson Street.

The main five stories of residential will contain double loaded corridors with units facing outward toward the street as well as inward towards the central courtyard. Open space for the residential units will be provided in the central courtyard at the podium level as well as at a rooftop location at the northeast corner of the site.

GENERAL PLAN ANALYSIS

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

a mix of large-scale offices, commercial, urban high rise residential, institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses.

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

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

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

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

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

The proposed Project is consistent/conforms with the above referenced policies and objectives and the general intent of the Central Business District land use designation by constructing a new high density residential building above a commercial ground floor on a major commercial street within the downtown core within walking distance to the 12th Street, 19th Street and Lake Merritt BART stations.

Lake Merritt Station Area Plan

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

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

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

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

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

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

ZONING ANALYSIS

The subject property is split between two zoning districts. The 14th Street side of the property is located within the D-LM-2 Zone while the 13th Street half of the site is located within the D-LM-4 Zone. The intent of the D-LM-2 zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities. The intent of the D-LM-4 zone is to designate areas of the Lake Merritt Station Area Plan District appropriate for a wide range of residential, commercial, and compatible light industrial activities. The entire project site is located within the D-LM 175 height area.

Conditional Use Permits for Base Height

As mentioned above the subject property is located within the D-LM 175 height area. This area allows buildings to be 175 feet tall with an allowed building base of 45 feet. The building base may increase to 85 feet upon the granting of a Conditional use Permit. In addition, the D-LM Zones require that any proposal in excess of 200,000 square feet obtain a Conditional Use approval by the Planning Commission.

Staff believes that the Conditional Use permit request for an 85 foot tall base height is appropriate given the location of the building in an area that contains other buildings taller than the initial base height of 45 feet and the site was designated as an opportunity site within the LMSAP, and the overall height of the site would allow a much taller building at 175 feet.

Off-Street Loading Variance

Pursuant to Planning Code Section 17.116 three off-street loading berths are required for the proposed project. One berth is required for the retail component since the amount of new square feet is between 10,000 and 24,999. Two additional loading berths are required for the Residential use since the building includes in excess of 150,000 square feet of new residential floor area.

The proposed project would provide two off-street loading berths, one accessed off of Alice Street and other accessed off of Jackson Street. Staff feels that the granting of the Minor Variance to allow two berths where three are required is a superior design solution that meets the intent of the regulations. The location of the proposed loading berth on Alice Street would provide direct access to the rear of retail spaces fronting on 14th Street as well as having a second berth located on Jackson Street near the residential lobby that can serve the residential uses. By reducing the requirement to two spaces the loading needs can be accommodated while limiting the presence of loading dock doors along the ground floor of the facades.

Parking

The project meets all of the required auto and bike parking pursuant to Planning Code Chapters 17.116 & 17.117. Auto and Bike parking is required and proposed as set forth in the following tables.

| Auto Parking | | | |
|--|---------------|---------------------------------------|------------------------|
| Use | Amount | Required Auto Parking | Stalls Provided |
| Residential | 262 units | 0.75: unit = 197 stalls | 194 |
| With allowed 5 % reduction for excess bike parking | 262 units | 5% of 197 = 9 197 - 9 = 188 stalls | 194 |
| TOTAL | | 188 | 194 |

| Bike Parking Long Term | | | |
|-------------------------------|---------------|------------------------------|-----------------|
| Use | Amount | Required Bike Parking | Provided |
| Residential | 262 units | 1: 4 units = 66 | 216 |
| Commercial | 12,884 sq.ft. | 1:12,000 sq.ft. = 2 | 3 |
| TOTAL | | 133 | 219 |

| Bike Parking Short Term | | | |
|--------------------------------|---------------|------------------------------|-----------------|
| Use | Amount | Required Bike Parking | Provided |
| Residential | 262 units | 1:20 units = 13 | 22 |
| Commercial | 12,884 sq.ft. | 1:2,000 sq.ft. = 7 | 22 |
| TOTAL | | 20 | 44 |

Design Review

The proposed design occupies an entire City block and includes four block face frontages. In order to try to reduce the visual massiveness of the building the architect has split the building into two distinctly different architectural designs on focused towards 14th Street and the other focused towards 13th Street with the two designs meeting along the side streets of Alice and Jackson Streets at the lobby entrance and stair towers.

Both design types are very modern architectural styles with the façade facing primarily toward 14th Street containing a stucco, metal and glass composition similar to buildings opposite the site along 14th Street. The 14th Street façade adds visual interest through an undulating façade that is broken up with large vertical recesses in the building blockface. The 14th Street façade also contains a defined base middle and top, which is defined with the tall glass ground floor commercial space, and the top contains a double height window recess to differentiate it from the middle of the building.

The 13th Street façade is a more simplified modern design that contains a brick veneer to play off of the masonry Post Office building and the Oakland Hotel. The window pattern on the façade is accented by a projecting metal trim and the massing of the façade is broken down with a few plane changes that contain a recess with a material change to stucco. The base of the building along 13th Street is defined by a tall ground floor with lobby glazing that serves the residential entries as well as amenity spaces. In addition a

portion of the ground floor towards the corner of Jackson Street includes ground floor townhouse units with walk-ups that help provide activity toward the sidewalk.

Design Review Committee

As previously mentioned, this item appeared before the Design Review Committee (DRC) on January 13th, 2016. The main items raised at this meeting were with regard to the limited ground floor height in locations along the 14th Street elevation, which the applicant has modified to meet the minimum height of 15 feet as requested. The other issue that was raised were general comments about working on the 13th Street elevation to refine the rhythm of openings. The applicant has redesigned elements of this façade to wrap the balconies at the corner of Alice & 13th Streets to make it more strongly defined solid element and rearranged some of the window patterns for more uniformity and providing a scaling to represent a base, middle and top to the building. In addition, the applicant has also incorporated some ground floor townhome units that will contains stoops that meet the sidewalk as a means of activating the “non-retail” elevation of the building.

Staff believes the proposed design is consistent with the Lake Merritt Station Area Plan Design Guidelines by creating a mixed use development that establishes a strong pedestrian oriented commercial ground floor along 14th Street as well as along the non-retail facades by using a mix of amenity spaces, lobbies, stoops and other active uses that make for a pleasant experience when walking around the building. The upper levels of the building are also well designed to provide visual interest.

KEY ISSUES

Tree Removal - Heron Rookery

There currently are a number of street trees that are proposed for removal as part of the project. The trees are very large little-leaf fig trees that currently provide nesting habitat (or a rookery) for Black-crowned night herons and snowy egrets, collectively referred to as “herons”. These rookeries provide perennial nesting habitat for the birds and nesting colonies of herons.

A survey performed on October 12, 2015 found evidence of stick platform nests in the canopies of several trees, as well as old white wash on the tree leaves, branches, and sidewalk below the canopy. The composition of species and active nests among the trees can change from year to year; however, as of April 2016, over 50 pairs of Black-crowned night herons were nesting, and dozens of snowy egrets were building nests at the project site.

The presence of this rookery raised issues with regard to the tree removal and the potential impact on the nesting habitat from any potential adjacent development. This rookery is located in a highly disturbed urban setting, above concrete sidewalks, where pedestrian and vehicle activity is high, where development projects are planned, and which do not provide suitable long-term habitat for the herons relative to other nearby habitats (e.g., Lake Merritt).

The CEQA Analysis prepared for the project identified that the City’s Standard Condition of Approval would address any potential harm to the herons by limiting any tree removal to periods outside of the nesting season and requiring special protocols be followed for any tree removal during the nesting season. Therefore, the impact under CEQA would be less than significant. However, the City of Oakland recognizes the ecological and aesthetic value of the herons and their popularity with many of the City’s residents. The City also recognizes that nearby Lake Merritt, home of the oldest designated wildlife refuge (est. 1870) in the United States, offers more appropriate habitat for this species (the herons in

questions previously were nesting at Lake Merritt but recently relocated to the current site – possibly due to construction at Lake Merritt or other changing conditions there). As a result the City’s environmental consultant biologist prepared language that has been included as a Project Specific Condition of Approval that would require that the applicant to obtain a biologist to put together a plan to provide new habitat for the herons that would preferably move them back to their prior habitat at the Lake prior to their displacement. Please see COA #20 for specifics.

ENVIRONMENTAL DETERMINATION

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

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

- 1. Community Plan Exemption.** Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allow streamlined environmental review for projects that are “consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” Section 15183(c) specifies that “if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards..., then an EIR need not be prepared for the project solely on the basis of that impact.”
- 2. Qualified Infill Exemption.** Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 allow streamlining for certain qualified infill projects by limiting the topics subject to review at the project level, if the effects of infill development have been addressed in a planning level decision, or by uniformly applying development policies or standards. Infill projects are eligible if they are located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site’s perimeter; satisfy the performance standards provided in CEQA Guidelines Appendix M; and are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.
- 3. Addendum.** Public Resources Code Section 21166 and CEQA Guidelines Section 15164 state that an addendum to a certified EIR is allowed when minor changes or additions are necessary and none of the conditions for preparation of a subsequent EIR or Negative Declaration pursuant to Section 15162 are satisfied.

Note:

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

CONCLUSION

Staff believes that the proposed project is well designed and helps to implement the vision of the LMSAP by providing a well-designed high density residential development with active ground floor retail on 14th Street. The building is within walking distance (4-7 blocks) of three BART Stations. It is critical that the City develop densely around our valuable BART Stations to maximize the benefits of this regional transportation system. The proposed design is also consistent with the required Conditional Use Permit (CUP) criteria, Minor Variance findings, Design Review criteria and LMSAP Design Guidelines.

RECOMMENDATIONS:

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

Prepared by:



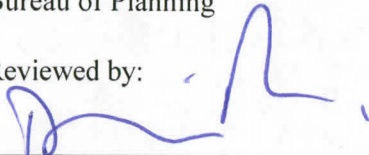
PETERSON Z. VOLLMANN
Planner III

Reviewed by:



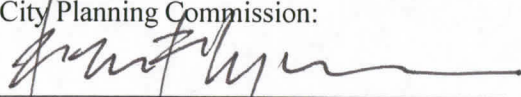
SCOTT MILLER
Zoning Manager
Bureau of Planning

Reviewed by:



DARIN RANELETTI
Deputy Director
Bureau of Planning

Approved for Forwarding to the
City Planning Commission:



RACHEL FLYNN, Director
Department of Planning and Building

ATTACHMENTS:

- A. Findings for Approval
- B. Conditions of Approval
- C. SCA/MMRP from the 226 13th Street CEQA Analysis Checklist
- D. Plans of the Project Site

ATTACHMENT A

FINDINGS FOR APPROVAL

This proposal meets all the required Conditional Use Permit Criteria (Section 17.134.050 & 17.101.G.050B.2), Minor Variance Findings (Section 17.148.050) and Design Review Criteria (Section 17.136.050) as set forth below and which are required to approve your application. This proposal does not contain characteristics that require denial pursuant to the Tentative Map Findings (Section 16.08.030) and is consistent with the Lot Design Standards (Section 16.24.040) of the Oakland Subdivision Regulations. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type. (Note: the Project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record).

SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

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

The proposed residential building and ground floor commercial is appropriate for the site location. The proposed project will provide for a high density development in close proximity to jobs within the downtown core as well as numerous local and regional mass transit options. The project will contain a well-defined facade that unique while still integrating well with the character of other buildings in the vicinity and will contain a ground floor commercial space that will fit in with the commercial setting of the 14th Street corridor.

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

The proposal will provide a functional living environment with ample open space, and close proximity for residents to jobs downtown and multiple mass transit options for transportation. The new ground floor retail will improve the setting of the block by replacing a large surface parking lot.

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

The development will help to enhance the area as a high density residential neighborhood and important shopping street along 14th Street by developing new high density housing in close proximity to downtown and regional and local mass transit and by providing new ground floor

commercial along 14th Street to replace the existing surface parking lot.

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

See Design Review findings below.

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

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

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

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

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

The proposal is consistent with the intent and desired land use character of the site within the LMSAP by developing a high density residential development within close proximity to downtown jobs and local and regional mass transit options as well as providing new pedestrian oriented ground floor commercial to enhance the 14th Street corridor.

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

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

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

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

SECTION 17.148.050 – MINOR VARIANCE FINDINGS:

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

Strict compliance with the required three loading berths would preclude an effective design solution that improves the appearance and operational efficiency of the building. The required three loading berths would take up a large portion of ground floor facades that by their nature are less than desirable components of a building from a pedestrian atmosphere standpoint. By granting the variance to allow only two loading berths where three are required allows a superior design while still allowing for one berth to serve the retail component of the project and with building management, the second berth can also be reserved as needed for residential move-ins. A condition of approval is proposed that requires a loading berth management plan be submitted for City review/approval.

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

The basic intent of the loading berth requirements for retail and residential is to allow for a functional loading area for retail tenant deliveries to occur and, in the case of residential units, to allow for a functional location to accommodate tenants moving into and out of units. The two loading berths being provided can meet this need by arranging times for the loading berth to be used for residential move-ins while not eroding at the pedestrian atmosphere of the street more than necessary.

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

The granting of the variance for reduced loading berths will not affect the character, livability, or appropriate development of the area as the reduced loading berths allows for a better design of the building while still meeting the needs of the proposed uses.

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

The granting of the variance to reduce the loading berths would not constitute a grant of special privilege as many other buildings in the area do not contain loading berths and many other smaller scale local commercial streets do not have commercial buildings with numerous loading berths but rather are serviced by curbside loading zones. Further the proposal will still contain two off-street loading berths that with proper management can meet the needs of the development.

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

See Design Review Findings above. The lack of the additional loading berth doors allows for a superior design to the exterior of the building.

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

The Project is consistent with the goals and policies of the LUTE and BVDSP as indicated in Findings in Sections 17.134.050 above and the City Planning Commission Report, hereby incorporated by reference.

17.136.050(A) - RESIDENTIAL DESIGN REVIEW CRITERIA:

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

The proposed project will construct a mixed use building with 262 units above ground floor commercial fronting on 14th Street. The proposed design occupies an entire City block and includes four block face frontages. In order to try to reduce the visual massiveness of the building the architect has split the building into two distinctly different architectural designs on focused towards 14th Street and the other focused towards 13th Street with the two designs meeting along the side streets of Alice and Jackson Streets at the lobby entrance and stair towers. Both design types are very modern architectural styles with the façade facing primarily toward 14th Street containing a stucco, metal and glass composition similar to buildings opposite the site along 14th Street. The 14th Street façade adds visual interest through an undulating façade that is broken up with large vertical recesses in the building blockface. The 13th Street façade is a more simplified modern design that contains a brick

vener to play off of the masonry Post Office building and the Oakland Hotel. The window pattern on the façade is accented by a projecting metal trim and the massing of the façade is broken down with a few plane changes that contain a recess with a material change to stucco.

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

The proposed design will enhance the desirable neighborhood characteristics by developing an existing surface parking lot with new active ground floor commercial space for the 14th Street frontage, as well as provide for a dense residential environment in close proximity to downtown jobs, local and regional transit and open space.

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

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

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

The project site is flat.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 16.24.040 – LOT DESIGN STANDARDS

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

CEQA COMPLIANCE FINDINGS

I. Introduction These findings are made pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et seq.; “CEQA”) and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.; “CEQA Guidelines”) by the City Planning Commission in connection with the environmental analysis of the effects of implementation of the 250 14th Street project, as more fully described elsewhere in this Staff Report and City Of Oakland (“City”)-prepared CEQA Analysis document entitled “226 13th Street CEQA Analysis” dated May 13, 2016 (“CEQA Analysis”) (the “Project”). The City is the lead agency for purposes of compliance with the requirements of CEQA. These CEQA findings are attached and incorporated by reference into each and every decision associated with approval of the Project and are based on substantial evidence in the entire administrative record.

II. Adoption of LMSAP and Certification of LMSAP EIR: The City finds and determines that (a) the Oakland City Council on November 18, 2014 adopted Resolution No. 85276 C.M.S. which adopted the Lake Merritt Station Area Plan (“LMSAP”), made appropriate CEQA findings, including certification of the LMSAP Environmental Impact Report (“EIR”); and (b) the LMSAP satisfies the description of “Community Plan” set out in Public Resources Code section 21083.3(e) and in CEQA Guidelines section 15183 as well the description of “Planning Level Document” set out in Public Resources Code section 21094.5 and in CEQA Guidelines section 15183.3. The City Council, in adopting the LMSAP following a public hearing, approved as a part thereof Standard Conditions of Approval (“SCAs”) which constitute uniformly applied development policies or standards (together with other City development regulations) and determined that the uniformly applicable development policies or standards, together with the mitigation measures set out in the LMSAP EIR, would substantially mitigate the impacts of the LMSAP and future projects thereunder.

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

The City hereby finds that, as set forth below and in the checklist attached as part of the CEQA Analysis, the Project is exempt from any additional CEQA Analysis under the “Community Plan Exemption” of Public Resources Code section 21083.3 (CEQA Guidelines §15183) and/or the “Qualified Infill Exemption” under Public Resources section 21094.5 (CEQA Guidelines §15183.3) and that the CEQA Analysis also constitutes an Addendum to the LMSAP EIR pursuant to Public Resources Code section 21166 (CEQA Guidelines §15162) and that such Addendum determines that none of the three events requiring subsequent or supplemental environmental analysis as stipulated in Public Resources Code section 21166 have occurred, thus no additional environmental analysis beyond the LMSAP EIR and the CEQA Analysis is

necessary. The specific statutory exemptions and the status of the CEQA Analysis as an Addendum are discussed below in more detail.

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

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

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

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

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

C. CEQA Analysis Constitutes an Addendum; Public Resources Code Section 21166 (CEQA Guidelines §15164): The City finds and determines that the CEQA Analysis constitutes an Addendum to the LMSAP EIR and that no additional environmental analysis of the Project beyond that contained in the LMSAP EIR is necessary. The City further finds that no substantial changes are proposed in the Project that would require major revisions to the LMSAP EIR because of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes occur with respect to the circumstances under which the Project will be undertaken which will require major revisions of the LMSAP EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and there is no new information of substantial importance not known and which could not have been known with the exercise of reasonable diligence as of the time of certification of the LMSAP EIR showing that the Project will have one or more significant effects not discussed in the LMSAP EIR; significant effects previously examined will be substantially more severe than shown in the LMSAP EIR, mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project; or mitigation measures or alternatives which are considerably different from those analyzed in the LMSAP EIR would substantially reduce one or more significant effects on the environment.

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

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

V. Incorporation by Reference of Statement of Overriding Considerations: The LMSAP EIR identified three areas of environmental effects of the LMSAP that presented significant and unavoidable impacts. Because the Project may contribute to some significant and unavoidable impacts identified in the LMSAP EIR, but a Subsequent and/or Supplemental EIR is not required in accordance with CEQA Guidelines sections 15162, 15163, 15164, 15183 and 15183.3, a Statement of Overriding Considerations is not legally required. Nevertheless, in the interest of being conservative, the Statement of Overriding Consideration for the LMSAP EIR, approved as Section XII of the CEQA Findings adopted by the City Council on November 18, 2014, via Resolution No. 85276 C.M.S., is hereby incorporated by reference as if fully set forth herein.

ATTACHMENT B

CONDITIONS OF APPROVAL

STANDARD ADMINISTRATIVE CONDITIONS:

1. **Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **staff report** and the approved plans **dated April 6, 2016**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

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

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

3. **Compliance with Other Requirements**

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

4. **Minor and Major Changes**

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

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

5. Compliance with Conditions of Approval

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

6. Signed Copy of the Approval/Conditions

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

7. Blight/Nuisances

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

8. Indemnification

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called “City”) from any liability, damages, claim,

CONDITIONS OF APPROVAL

judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.

- b. Within ten (10) calendar days of the serving of any Action as specified in subsection (a) above on the City, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. Severability

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

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

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

11. Public Improvements

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

12. Compliance Matrix

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

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

13. Construction Management Plan

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

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

- a. All mitigation measures identified in the 27th & Broadway CEQA Analysis Document are included in the Standard Condition of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP) which is included in these Conditions of Approval and are incorporated herein by reference, as Attachment C, as Conditions of Approval of the project. The Standard Conditions of Approval identified in the 27th & Broadway CEQA Analysis Document are also included in the SCAMMRP, and are, therefore, incorporated into these Conditions by reference but are not repeated in these Conditions. To the extent that there is any inconsistency between the SCAMMRP and these Conditions, the more restrictive Conditions shall govern. In the event a Standard Condition of Approval or mitigation measure recommended in the 27th & Broadway CEQA Analysis Document has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the 27th & Broadway CEQA Analysis Document into the SCAMMRP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable mitigation measures adopted, and with all Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or Condition of Approval, and subject to the review and approval by the City of Oakland. The

SCAMMRP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval and mitigation measure. Monitoring of compliance with the Standard Conditions of Approval and mitigation measures will be the responsibility of the Bureau of Planning and the Bureau of Building, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.

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

PROJECT SPECIFIC CONDITIONS:

15. Exterior Finishes

Requirement: The final building permit plan set shall contain detailed information on all proposed exterior finishes. If requested by the Bureau of Planning sample materials shall be submitted and are subject to final approval by the Zoning Manager. This includes but is not limited to the texture and colors of the proposed GFRC paneling and colored spandrel glass.

When Required: Prior to issuance of a Building Permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

16. Public Art for Private Development Condition of Approval

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

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

Initial Approval: Bureau of Planning

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

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

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

18. Management of Loading Berths

Requirement: The applicant shall submit a loading berth management plan for City review and approval, including requiring residents to reserve the residential loading berth prior to moving in or out of the building.

When Required: Prior to issuance of a building permit

Initial Approval: Bureau of Planning

19. Miscellaneous Transportation Improvement Measures

Requirement: Ensure that the project has adequate sight distance between motorists who are exiting the driveway and pedestrians on adjacent sidewalks. This may require redesigning and/or widening the driveway. If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveway.

When Required: Prior to issuance of a building permit

Initial Approval: Bureau of Planning

20. Rookery - Condition Of Approval

I. Prior to tree removal:

- a. Field Survey: The applicant shall submit the results of a field survey conducted by a qualified biologist to determine if the heron rookery shall be deemed active. An historical heron rookery must be assumed to be active unless a qualified biologist visits the rookery three times between March and July, with at least one month between visits, and does not observe any herons engaging in nesting behavior (e.g., territorial displays, courtship, nest building, food deliveries to the nest) at any time. If the rookery is deemed inactive, no further steps are necessary. If the rookery is deemed active, the applicant shall proceed with steps 1(b) through 1 (f).
- b. Technical Memorandum: The applicant shall submit a Technical Memorandum drafted by a qualified biologist that characterizes the rookery by documenting individual tree size (i.e., diameter at breast height, vertical height); canopy width,

- height and depth (sq ft); distance between tree trunks or canopies, as appropriate; number of nests per tree canopy (sq ft), and overall characteristics of the existing rookery site (such as size, number of trees in rookery, noise level, substrate below trees, adjacent habitat/ building types, observations of predators or prey, etc.). Ideally, the survey is conducted during the breeding season, but it can be conducted during the non-breeding season.
- c. Identification of Replacement Site: The applicant, in coordination with the City of Oakland and a qualified biologist, shall identify a replacement rookery site located as near as possible to the existing rookery (e.g., Lake Merritt, Oakland shoreline, estuary, parks). The applicant must demonstrate how the replacement rookery site meets the following requirements:
 - i. Support an equal or greater number of nests as the existing rookery
 - ii. Be composed of trees/ shrubs that are the same or similar (in foliage cover, canopy density, and branching structure) to those which are documented to have supported a successful rookery for Black Crowned Night Herons (BCNH) and Snowy Egrets (SNEG); or be a site in which such trees/ shrubs (immature or mature) can be planted in order to develop a rookery within the time frame required by the SCA (see item 1(f) below).
 - iii. Be within 3 miles of foraging habitat
 - iv. Be in an area of equal or less human disturbance than the existing rookery
 - v. Not conflict with other uses in that area (e.g., presence of dogs or other domestic animals, human activity that could either cause heron nest abandonment, scheduled redevelopment projects, or nuisance problems associated with heron activity affecting humans).
 - d. Implementation Plan: The applicant, in coordination with the City of Oakland and a qualified biologist, shall submit an Implementation Plan describing any enhancements to the replacement rookery site, including construction plans, landscaping plans or plant lists; detailed methods for using social attractants to attract herons to the site (e.g., number of decoy birds and nests, duration of playback recordings, etc.); and a timeline for implementation.
 - e. Monitoring Program: The applicant, in coordination with a qualified Biologist, shall submit a Monitoring Program for monitoring birds and vegetation in the replacement rookery. The Program shall include a monitoring protocol; performance criteria; and strategies for adaptive management should performance criteria not be met. Colonial nesting birds are known to take several years to reach the point of self-recruitment to a new rookery site (i.e. when social attractants are no longer needed to attract additional birds to the site), so a monitoring period of at least three heron breeding seasons is recommended. The Monitoring Program can include a provision that monitoring may be suspended if performance criteria are met within the first or second breeding season.
 - f. Implementation: The applicant, in coordination with the City of Oakland, and/or other entities, shall complete installation of any enhancements, including

CONDITIONS OF APPROVAL

vegetation is required for rookery enhancement, it must be fully performing by the third year of monitoring.

II. Tree removal:

- a. If the rookery is deemed active, tree removal can only occur during the non-nesting season, defined as October 1 through January 31.

III. Following tree removal:

- a. Following tree removal and prior to the beginning of nesting season (February 1), social attractants will be activated to lure herons to the replacement rookery site.
- b. The Monitoring Plan will be implemented during the first nesting season following tree removal and will be implemented for at least three breeding seasons, unless otherwise stated in the approved Monitoring Plan.

~~ATTACHMENT A~~

Standard Conditions of Approval and Mitigation Monitoring and Reporting Program

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) is based on the CEQA Analysis prepared for the 226 13th Street Project.

This SCAMMRP is in compliance with Section 15097 of the State CEQA Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The SCAMMRP lists mitigation measures recommended in the 2014 LMSAP EIR that apply to the proposed project. The SCAMMRP also lists other SCAs that apply to the proposed project, most of which were identified in the LMSAP EIR and some of which have been subsequently updated or otherwise modified by the City. Specifically, on July 22, 2015, the City of Oakland released a revised set of all City of Oakland SCAs, which largely still include SCAs adopted by the City in 2008, along with supplemental, modified, and new SCAs. The SCAs are measures that would minimize potential adverse effects that could result from implementation of the proposed project, to ensure the conditions are implemented and monitored. The revised set of the City of Oakland SCAs includes new, modified, and reorganized SCAs; however, none of the revisions diminish or negate the ability of the SCAs considered “environmental protection measures” to minimize potential adverse environmental effects. As such, the SCAs identified in the SCAMMRP reflect the current SCAs only. Although the SCA numbers listed below may not correspond to the SCA numbers in the 2014 LMSAP EIR, all of the environmental topics and potential effects addressed by the SCAs in the LMSAP EIR are included in this SCAMMRP (as applicable to the 226 13th Street Project). This SCAMMRP also identifies the mitigation monitoring requirements for each mitigation measure and SCA.

This CEQA Analysis is also based on the analysis in the following Program EIRs that apply to the 226 13th Street Project: Oakland’s 1998 General Plan Land Use and Transportation Element (LUTE) EIR (1998 LUTE EIR), the 2010 General Plan Housing Element Update EIR and 2014 Addendum, and the 2011 Central District Urban Renewal Plan Amendments EIR (or Redevelopment Plan Amendments EIR). None of the mitigation measures or SCAs from these Program EIRs are included in this SCAMMRP because they, or an updated or equally effective mitigation measure or SCA, is identified in the 2014 LMSAP EIR, its addenda, or in this CEQA Analysis for the 226 13th Street Project.

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

- The first column of the SCAMMRP table identifies the mitigation measure or SCA applicable to that topic in the CEQA Analysis. While a mitigation measure or SCA can apply to more than one topic, it is listed in its entirety only under its primary topic (as indicated in the mitigation or SCA designator). The SCAs are numbered to specifically apply to the 226 13th Street Project and this CEQA Analysis;

however, the SCAs as presented in the City's *Standard Conditions of Approval and Uniformly Applied Development Standards* document³¹ are included in parenthesis for cross-reference purposes.

- The second column identifies the monitoring schedule or timing applicable to the proposed project.
- The third column names the party responsible for monitoring the required action for the proposed project.

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

³¹ Dated July 22, 2015, as amended.

| Standard Conditions of Approval/Mitigation Measures | | Mitigation Implementation/Monitoring | |
|---|--|--|--|
| | | Schedule | Responsibility |
| General | | | |
| <p>SCA GEN-1 (Standard Condition Approval 15) Regulatory Permits and Authorizations from Other Agencies The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.</p> | | <p>Prior to activity requiring permit/authorization from regulatory agency.</p> | <p>City of Oakland Bureau of Planning and Building</p> |
| Aesthetics, Shadow, and Wind | | | |
| <p>SCA AES-1 (Standard Condition of Approval 16) Graffiti Control</p> <p>a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:</p> <ul style="list-style-type: none"> i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces. ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces. iii. Use of paint with anti-graffiti coating. iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED). <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:</p> <ul style="list-style-type: none"> i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system. ii. Covering with new paint to match the color of the surrounding surface. iii. Replacing with new surfacing (with City permits if required). | | <p>Ongoing.</p> | <p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p> |
| <p>SCA AES-2 (Standard Condition of Approval 17) Landscape Plan</p> <p>a) Landscape Plan Required The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.</p> <p>b) Landscape Installation The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial</p> | | <ul style="list-style-type: none"> a. Prior to approval of construction-related permit. b. Prior to building permit final. c. Ongoing | <ul style="list-style-type: none"> a. City of Oakland Bureau of Planning and Building b. City of Oakland Bureau of Building Services Division, Zoning Inspections c. City of Oakland Bureau of Building |

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| <p>instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.</p> <p>c) Landscape Maintenance</p> <p>All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.</p> | Prior to building permit final. | City of Oakland Bureau of Building Services Division, Zoning Inspections |
| <p>SCA AES-3 (Standard Condition of Approval 18): Lighting</p> <p>Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.</p> | | |
| <p>Also SCA UTIL-2, Underground Utilities. See <i>Utilities and Service Systems</i>, below.</p> | | |
| <p>Air Quality</p> | | |
| <p>SCA AIR-1 (Standard Condition of Approval 19) Construction-Related Air Pollution Controls (Dust and Equipment Emissions)</p> <p>The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <ol style="list-style-type: none"> Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. Pave all roadways, driveways, sidewalks, etc., as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). Limit vehicle speeds on unpaved roads to 15 miles per hour. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Air Resources Board measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations"). | During construction. | City of Oakland Bureau of Planning and Building |

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| <p>i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.</p> <p>k. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</p> <p>o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</p> <p>p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity.</p> <p>q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.</p> <p>s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <p>t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met.</p> <p>v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).</p> <p>w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.</p> <p>x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard.</p> <p>y. Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.</p> | | |

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| <p>SCA AIR-2 (Standard Condition of Approval 20) Exposure to Air Pollution (Toxic Air Contaminants)</p> <p>a. Health Risk Reduction Measures</p> <p><u>Requirement:</u> The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:</p> <p>i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p>ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ul style="list-style-type: none"> • Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required. • Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph). • Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible. • The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods. • Sensitive receptors shall be located on the upper floors of buildings, if feasible. • Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (<i>Pinus nigra</i> var. <i>maritima</i>), Cypress (<i>X Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids X trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>). • Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. • Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible. | <p>Schedule</p> <p>a. Prior to approval of construction-related permit</p> <p>b. Ongoing</p> | <p>City of Oakland Bureau of Planning and Building</p> |

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| <p>• Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:</p> <ul style="list-style-type: none"> ○ Installing electrical hook-ups for diesel trucks at loading docks. ○ Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards. ○ Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels. ○ Prohibiting trucks from idling for more than two minutes. ○ Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented. <p>b. Maintenance of Health Risk Reduction Measures</p> <p>Requirement: The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p> | <p>SCA AIR-3 (Standard Condition of Approval 21) Stationary Sources of Air Pollution (Toxic Air Contaminants)</p> <p>Requirement: The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose one of the following methods:</p> <p>a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p>b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ul style="list-style-type: none"> i. Installation of non-diesel fueled generators, if feasible, or; ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible. | <p>a. Prior to approval of construction-related permit</p> <p>b. Ongoing</p> | <p>City of Oakland Bureau of Planning and Building</p> |

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| <p>SCA AIR-4 (Standard Condition of Approval 22) <i>Truck-Related Risk Reduction Measures (Toxic Air Contaminants)</i></p> <p>a. <i>Truck Loading Docks</i> Requirement: The project applicant shall locate proposed truck loading docks as far from nearby sensitive receptors as feasible.</p> <p>b. <i>Truck Fleet Emission Standards</i> Requirement: The project applicant shall comply with all applicable California Air Resources Board (CARB) requirements to control emissions from diesel engines and demonstrate compliance to the satisfaction of the City. Methods to comply include, but are not limited to, new clean diesel trucks, lower-tier diesel engine trucks with added Particulate Matter (PM) filters, hybrid trucks, alternative energy trucks, or other methods that achieve the applicable CARB emission standard. Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines.</p> | | <p>a. Prior to approval of construction-related permit</p> <p>b. Prior to building permit final; ongoing</p> | <p>City of Oakland Bureau of Planning and Building</p> |
| <p>Also SCA TRANS-4, Transportation and Parking Demand Management. See <i>Transportation and Circulation</i>, below.</p> | | | |
| Biological Resources | | | |
| <p>SCA BIO-1 (Standard Condition of Approval 26): <i>Tree Removal During Bird Breeding Season</i></p> <p>To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p> | | <p>Prior to removal of trees</p> <p>Bureau of Building</p> | |
| <p>SCA BIO-2 (Standard Condition of Approval 27): <i>Tree Permit</i></p> <p>a. <i>Tree Permit Required</i> Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.</p> <p>b. <i>Tree Protection During Construction</i> Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <p>iii. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established</p> | | <p>a. Prior to approval of construction-related permit</p> <p>b. During construction</p> <p>c. Prior to building permit final</p> <p>a. City of Oakland Public Works Department, Tree Division; Bureau of Building</p> <p>b. City of Oakland Public Works Department, Tree Division; Bureau of Building</p> <p>c. City of Oakland Public Works</p> | |

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| <p>for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.</p> <p>iv. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>v. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>vi. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>vii. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p> <p>viii. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p> <p>c. Tree Replacement Plantings</p> <p>Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:</p> <p>i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.</p> <p>ii. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye), Umbellularia californica (California Bay Laurel), or other tree species acceptable to the Tree Division.</p> <p>iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.</p> | | | <p>Department, Tree Division; Bureau of Building</p> |

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| <p>iv. Minimum planting areas must be available on site as follows:</p> <p>v. For Sequoia sempervirens, three hundred fifteen (315) square feet per tree;</p> <p>vi. For other species listed, seven hundred (700) square feet per tree.</p> <p>vii. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.</p> <p>viii. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.</p> | | | | |
| <p>Cultural Resources</p> <p>SCA CUI-1 (Standard Condition of Approval 29): Archaeological and Paleontological Resources – Discovery During Construction</p> <p>Requirement: Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.</p> <p>In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a</p> | | | During construction | City of Oakland Bureau of Building Services Division, Zoning Inspections |

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| <p>qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p> <p>SCA CUL-2 (Standard Condition of Approval 30): Archaeologically Sensitive Areas – Pre-Construction Measures Requirement: The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources.</p> <p>Provision A: Intensive Pre-Construction Study. The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. At a minimum, the study shall include:</p> <ol style="list-style-type: none"> a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources. b. A report disseminating the results of this research. c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources. <p>If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction.</p> <p>Provision B: Construction ALERT Sheet. The project applicant shall prepare a construction "ALERT" sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil- disturbing activities within the project site.</p> <p>The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass,</p> | | <p>Prior to approval of construction-related permit; during construction</p> | <p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p> |

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| <p>burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in a visible location at the project site.</p> | | During construction | City of Oakland Bureau of Building Services Division, Zoning Inspections |
| <p>SCA CUL-3 (Standard Condition of Approval SCA 31): Human Remains – Discovery During Construction Requirement: Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.</p> | | | |
| Geology, Soils, and Geohazards | | | |
| <p>SCA GEO-1 (Standard Condition of Approval 33): Construction-Related Permit(s) Requirement: The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.</p> | | Prior to approval of construction-related permit | City of Oakland Bureau of Building Services Division, Zoning Inspections |
| <p>SCA GEO-2 (Standard Condition of Approval 34): Soils Report Requirement: The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.</p> | | Prior to approval of construction-related permit | City of Oakland Bureau of Building Services Division, Zoning Inspections |
| Greenhouse Gases and Climate Change | | | |
| <p>See SCA AES-2, Landscape Plan. See <i>Aesthetics, Wind, and Shadow</i>, above.</p> | | | |
| <p>See SCA AIR-1, Construction-Related Air Pollution Controls (Dust and Equipment Emissions). See <i>Air Quality</i>, above.</p> | | | |
| <p>See SCA UTIL-1, Construction and Demolition Waste Reduction and Recycling. See <i>Utilities and Service Systems</i>, below.</p> | | | |
| <p>See SCA UTIL-4, Green Building Requirements. See <i>Utilities and Service Systems</i>, below.</p> | | | |

| Standard Conditions of Approval/Mitigation Measures | | Mitigation Implementation/Monitoring | |
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| Hazards and Hazardous Materials | | | |
| <p>SCA HAZ-1 (Standard Condition of Approval 39): Hazardous Materials Related to Construction <u>Requirement:</u> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> a. Follow manufacturer's recommendations for use, storage, and disposal of chemical products used in construction; b. Avoid overtopping construction equipment fuel gas tanks; c. During routine maintenance of construction equipment, properly contain and remove grease and oils; d. Properly dispose of discarded containers of fuels and other chemicals; e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate. | | <p>During construction</p> | <p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p> |
| <p>SCA HAZ-2 (Standard Condition of Approval 41): Hazardous Materials Business Plan <u>Requirement:</u> The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following:</p> <ul style="list-style-type: none"> a. The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids. b. The location of such hazardous materials. c. An emergency response plan including employee training information. d. A plan that describes the manner in which these materials are handled, transported, and disposed. | | <p>Prior to building permit final</p> | <p>Oakland Fire Department</p> |

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| Hydrology and Water Quality | | Schedule | Responsibility |
| <p>SCA HYD-1 (Standard Condition of Approval 45): Erosion and Sedimentation Control Plan for Construction a. Erosion and Sedimentation Control Plan Required <u>Requirement:</u> The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p> <p>b. Erosion and Sedimentation Control During Construction <u>Requirement:</u> The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.</p> | | <p>a. Prior to approval of construction-related permit b. During construction</p> | <p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p> |
| <p>SCA HYD-2 (Standard Condition of Approval 46): State Construction General Permit <u>Requirement:</u> The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.</p> | | <p>Prior to approval of construction-related permit</p> | <p>State Water Resources Control Board; evidence of compliance submitted to Bureau of Building</p> |
| <p>SCA HYD-3 (Standard Condition of Approval 50): NPDES C.3 Stormwater Requirements for Regulated Projects a. Post-Construction Stormwater Management Plan Required <u>Requirement:</u> The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following: i. Location and size of new and replaced impervious surface; ii. Directional surface flow of stormwater runoff; iii. Location of proposed on-site storm drain lines; iv. Site design measures to reduce the amount of impervious surface area;</p> | | <p>a. Prior to approval of construction-related permit b. Prior to building permit final</p> | <p>a. Bureau of Planning; Bureau of Building b. Bureau of Building</p> |

| Standard Conditions of Approval/Mitigation Measures | Mitigation Implementation/Monitoring | |
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| <p>v. Source control measures to limit stormwater pollution;</p> <p>vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and</p> <p>vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.</p> <p>When Required: Prior to approval of construction-related permit <u>Initial Approval:</u> Bureau of Planning; Bureau of Building <u>Monitoring/Inspection:</u> Bureau of Building</p> <p>b. Maintenance Agreement Required</p> <p>Requirement: The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:</p> <ol style="list-style-type: none"> i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. <p>The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p> | | |
| <p>Also SCA GEO-1, Construction-Related Permit(s). See <i>Geology, Soils, and Geohazards</i>, above.</p> | | |
| <p>Also SCA GEO-2, Soils Report. See <i>Geology, Soils, and Geohazards</i>, above.</p> | | |
| <p>Also SCA UTIL-6, Storm Drain System. See <i>Utilities and Service Systems</i>, below.</p> | | |
| <p>Noise</p> | | |
| <p>SCA NOI-1 (Standard Condition of Approval 58) <i>Construction Days/Hours</i></p> | | |
| <p>Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <ol style="list-style-type: none"> a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday. c. No construction is allowed on Sunday or federal holidays. | <p>During construction.</p> | <p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p> |

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| <p>Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.</p> <p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.</p> | | | |
| <p>SCA NOI-2: (Standard Condition of Approval 59) Construction Noise</p> <p><u>Requirement:</u> The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p> <ol style="list-style-type: none"> a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible. b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c. Applicant shall use temporary power poles instead of generators where feasible. d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. <p>The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.</p> | | <p>During construction.</p> | <p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p> |
| <p>SCA NOI-3 (Standard Condition of Approval 60) Extreme Construction Noise</p> <p>a. Construction Noise Management Plan Required</p> <p><u>Requirement:</u> Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> | | <ol style="list-style-type: none"> a. Prior to approval of construction-related permit. b. During construction. | <p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p> |

| Standard Conditions of Approval/Mitigation Measures | | Mitigation Implementation/Monitoring |
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| <p>i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</p> <p>ii. Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</p> <p>iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</p> <p>iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and</p> <p>v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</p> <p>b. Public Notification Required</p> <p>Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p> | <p>SCA NOI-4 (Standard Condition of Approval 61) Project-Specific Construction Noise Reduction Measures</p> <p>Requirement: The project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction noise impacts. The project applicant shall implement the approved Plan during construction</p> <p>SCA NOI-5 (Standard Condition of Approval 62) Construction Noise Complaints</p> <p>Requirement: The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ul style="list-style-type: none"> a. Designation of an on-site construction complaint and enforcement manager for the project; b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit; c. Protocols for receiving, responding to, and tracking received complaints; and d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City’s request. | <p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p> |

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| SCA NOI-6 (Standard Condition of Approval 64) Operational Noise | | | |
| <p>Requirement: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p> | | Ongoing. | City of Oakland Bureau of Building Services Division, Zoning Inspections |
| Transportation and Circulation | | | |
| SCA TRA-1 (Standard Condition of Approval 68) Construction Activity in the Public Right-of-Way | | | |
| <p>a. Obstruction Permit Required Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.</p> | | a. Prior to approval of construction-related permit. | a. City of Oakland Bureau of Building Services Division, Zoning Inspections |
| <p>b. Traffic Control Plan Required Requirement: In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.</p> | | b. Prior to approval of construction-related permit. | b. Public Works Department, Transportation Services Division |
| <p>c. Repair of City Streets Requirement: The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p> | | c. Prior to building permit final. | c. City of Oakland Bureau of Building Services Division, Zoning Inspections |
| <p>SCA TRA-2 (Standard Condition of Approval 69) Bicycle Parking Requirement: The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p> | | Prior to approval of construction-related permit. | City of Oakland Bureau of Building Services Division, Zoning Inspections |

| Standard Conditions of Approval/Mitigation Measures | Mitigation Implementation/Monitoring |
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| <p>SCA TRA-3 (Standard Condition of Approval 70) Transportation Improvements</p> <p>Requirement: The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Study for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, and pedestrian and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as; but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</p> <ol style="list-style-type: none"> 2070L Type Controller with cabinet accessory GPS communication (clock) Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) Countdown pedestrian head module switch out City Standard ADA wheelchair ramps Video detection on existing (or new, if required) Mast arm poles, full activation (where applicable) Polaris Push buttons (full activation) Bicycle detection (full activation) Pull boxes Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum Conduit replacement contingency Fiber switch PTZ camera (where applicable) Transit Signal Priority (TSP) equipment consistent with other signals along corridor Signal timing plans for the signals in the coordination group | <p>Prior to building permit final or as otherwise specified.</p> <p>City of Oakland Bureau of Building Services Division, Zoning Inspections; Public Works Department Transportation Services Division</p> |

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| <p>SCA TRA-4 (Standard Condition of Approval 71) <i>Transportation and Parking Demand Management</i></p> <ul style="list-style-type: none"> Transportation and Parking Demand Management (TDM) Plan Required Requirement: The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City. <ul style="list-style-type: none"> The goals of the TDM Plan shall be the following: <ol style="list-style-type: none"> Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project. Achieve the following project vehicle trip reductions (VTR): <ol style="list-style-type: none"> Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. Enhance the City's transportation system, consistent with City policies and programs. TDM strategies to consider include, but are not limited to, the following: <ol style="list-style-type: none"> Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping. Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project. Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency). Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes. Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of shuttle service (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3). Guaranteed ride home program for employees, either through 511.org or through separate program. Pre-tax commuter benefits (commuter checks) for employees. | <ol style="list-style-type: none"> Prior to building permit final. Prior to building permit final Ongoing | <ol style="list-style-type: none"> City of Oakland Bureau of Planning and Building City of Oakland Bureau of Building Services Division, Zoning Inspections City of Oakland Bureau of Planning and Building |
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| <p>o. Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.</p> <p>p. On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.</p> <p>q. Distribution of information concerning alternative transportation options.</p> <p>r. Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.</p> <p>s. Parking management strategies including attendant/valet parking and shared parking spaces.</p> <p>t. Requiring tenants to provide opportunities and the ability to work off-site.</p> <p>u. Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).</p> <p>v. Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.</p> <p>The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.</p> <ul style="list-style-type: none"> • TDM Implementation – Physical Improvements Requirement: For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project. • TDM Implementation – Operational Strategies Requirement: For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved. | | |

Utilities and Service Systems

| Standard Conditions of Approval/Mitigation Measures | | Mitigation Implementation/Monitoring | |
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| <p>SCA UTIL-1 (Standard Condition of Approval 74) Construction and Demolition Waste Reduction and Recycling</p> <p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p> | | Prior to approval of construction-related permit | City of Oakland Public Works Department, Environmental Services Division |
| <p>SCA UTIL-2 (Standard Condition of Approval 75) Underground Utilities</p> <p><u>Requirement:</u> The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p> | | During construction. | City of Oakland Bureau of Building Services Division, Zoning Inspections |
| <p>SCA UTIL-3 (Standard Condition of Approval 76) Recycling Collection and Storage Space</p> <p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.</p> | | Prior to approval of construction-related permit. | City of Oakland Bureau of Building Services Division, Zoning Inspections |
| <p>SCA UTIL-4 (Standard Condition of Approval 77) Green Building Requirements</p> <p><i>a. Compliance with Green Building Requirements During Plan-Check</i></p> <p><u>Requirement:</u> The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).</p> <p>i. The following information shall be submitted to the City for review and approval with the application for a building permit:</p> <ul style="list-style-type: none"> • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. | | <p>a. Prior to approval of construction-related permit.</p> <p>b. During construction.</p> <p>c. After project completion as specified.</p> | <p>a. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>c. City of Oakland Bureau of Planning and Building</p> |

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| Standard Conditions of Approval/Mitigation Measures | Schedule |
| <p>Standard Conditions of Approval/Mitigation Measures</p> <ul style="list-style-type: none"> • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. • Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> • CALGreen mandatory measures. • All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit. • Minimum of 23 points per the appropriate checklist approved during the Planning entitlement process. • All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted. • The required green building point minimums in the appropriate credit categories. <p>b. Compliance with Green Building Requirements During Construction</p> <p><u>Requirement:</u> The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ol style="list-style-type: none"> i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p>c. Compliance with Green Building Requirements After Construction</p> <ul style="list-style-type: none"> • <u>Requirement:</u> Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green and attain the minimum required certification/point level. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Bureau of Planning the Certificate from the organization | |

| Standard Conditions of Approval/Mitigation Measures | | Mitigation Implementation/Monitoring | |
|---|---|---|---|
| | | Schedule | Responsibility |
| | listed above demonstrating certification and compliance with the minimum point/certification level noted above. | | |
| SCA UTIL-5 (Standard Condition of Approval 79) Sanitary Sewer System | Requirement: The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system. | Prior to approval of construction-related permit. | City of Oakland Public Works Department, Department of Engineering and Construction |
| SCA UTIL-6 (Standard Condition of Approval 80) Storm Drain System | Requirement: The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition. | Prior to approval of construction-related permit. | City of Oakland Bureau of Building Services Division, Zoning Inspections |
| SCA UTIL-7 (Standard Condition of Approval 81) Recycled Water | Requirement: Pursuant to section 16.08.030 of the Oakland Municipal Code, the project applicant shall provide for the use of recycled water in the project for landscape irrigation purposes unless the City determines that there is a higher and better use for the recycled water, the use of recycled water is not economically justified for the project, or the use of recycled water is not financially or technically feasible for the project. The project applicant shall contact the New Business Office of the East Bay Municipal Utility District (EBMUD) for a recycled water feasibility assessment by the Office of Water Recycling. If recycled water is to be provided in the project, the project drawings submitted for construction-related permits shall include the proposed recycled water system and the project applicant shall install the recycled water system during construction. | Prior to approval of construction-related permit | City of Oakland Bureau of Planning and Building ; City of Oakland Bureau of Building Services Division, Zoning Inspections |
| | Also SCA HYD-1, Erosion and Sedimentation Control Plan for Construction. See <i>Hydrology and Water Quality</i> , above. | | |
| | Also SCA HYD-2, Site Design Measures to Reduce Stormwater Runoff. See <i>Hydrology and Water Quality</i> , above. | | |

14TH + ALICE

14TH AND ALICE
CONDITIONAL USE PERMIT - ENTITLEMENTS RESUBMITTAL

PROJECT DESCRIPTION

THE PROJECT SITE IS BOUND BY ALICE STREET, 14TH STREET, JACKSON STREET AND 13TH STREET AND IS PART OF THE LAKE MERRITT STATION AREA PLAN. THE SITE IS SHIT PARCELS, TO 13TH/14TH STREETS INTO TWO ZONES: D-UMZ (PEDESTRIAN COMMERCIAL) AND D-UMX (MIXED COMMERCIAL). WP WEST ACQUISITIONS, LLC PROPOSE TO REDEVELOP ONE PARCEL WITHIN THE LAKE MERRITT STATION AREA PLAN TO MIXED USE DEVELOPMENT. THE PROJECT IS A FIVE-STORY WOOD FRAME (TYPE IIIA) BUILDING OVER TWO STORES OF CONCRETE FOOTING (TYPE IIA), CONSISTING OF 362 APARTMENTS IN A MIXED-USE DEVELOPMENT WITH COMMERCIAL AND OFFICE SPACE ON THE GROUND FLOOR AND RESIDENTIAL ABOVE. THE PROJECT WILL PURSUE GREEN BUILDING STANDARDS, LEANING WALLS, NATURAL LIGHTING, AND OTHER GREEN BUILDING STANDARDS. THE PROJECT WILL PURSUE GREEN BUILDING STANDARDS, LEANING WALLS, NATURAL LIGHTING, AND OTHER GREEN BUILDING STANDARDS. THE PROJECT WILL PURSUE GREEN BUILDING STANDARDS, LEANING WALLS, NATURAL LIGHTING, AND OTHER GREEN BUILDING STANDARDS. THE PROJECT WILL PURSUE GREEN BUILDING STANDARDS, LEANING WALLS, NATURAL LIGHTING, AND OTHER GREEN BUILDING STANDARDS.

PROJECT TEAM

DEVELOPER: WP WEST ACQUISITIONS, LLC
20 SUNNYSIDE AVE, SUITE B
MILL VALLEY, CA 94541
CONTACT: SA@WPWESTACQUISITIONS.COM

ARCHITECT: BNF ENGINEERS
199 CALIFORNIA STREET, SUITE 650
SAN FRANCISCO, CA 94111
CONTACT: SA@BNFENGINEERS.COM

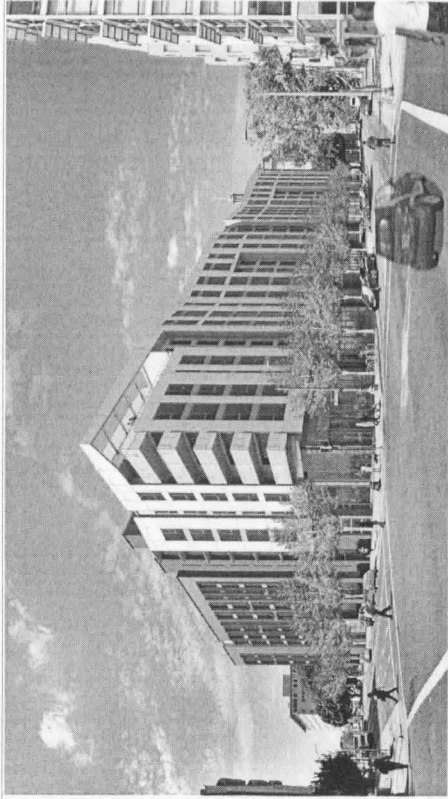
ARCHITECTURAL CONSULTANT: MEYERS + SILBERG
1101 18TH STREET, SUITE 202
BERKELEY, CA 94710
CONTACT: SA@MEYERS-SILBERG.COM

ENVIRONMENTAL CONSULTANT: DAVANAGANS AND ASSOCIATES
CONTACT: SA@DAVANAGANS.COM

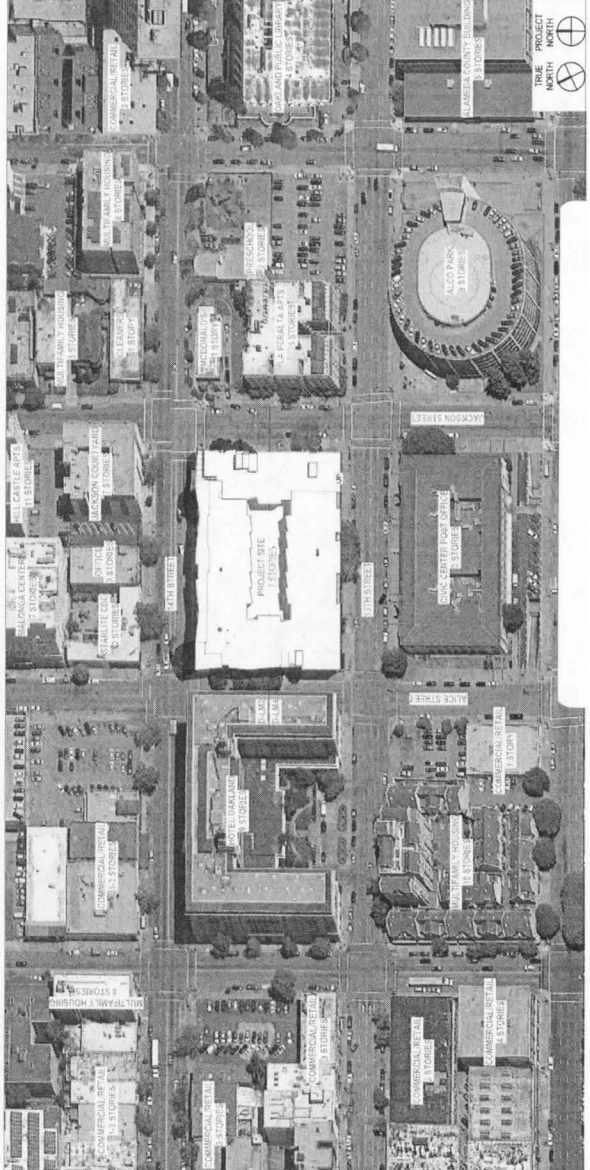
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PERSPECTIVE VIEW



SITE AERIAL PLAN



ZONING CODE SUMMARY

CASE NUMBER: PMS15-206
PROJECT SITE AREA: 41,802.96 SF (1.378 ACRES)
PROJECT TYPE: PERMANENT RESIDENTIAL ACTIVITY, MULTI-FAMILY DWELLING
COMMERCIAL ACTIVITY: ACCESSORY OFF-STREET PARKING

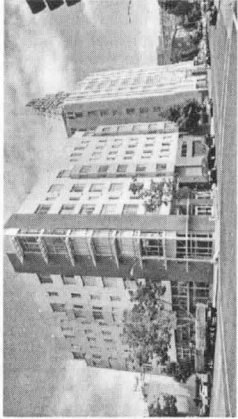
ZONING: D-UMZ
FACILE NO: 226 13TH STREET, 14TH STREET, ALICE STREET, JACKSON STREET
ADDRESS ZONE: D-UMZ (PEDESTRIAN COMMERCIAL)
HEIGHT AREA 2, SPECIA AREA A
LAKE MERRITT STATION AREA PLAN
PRELIMINARY 171.100, 171.101, 171.102, 171.103, 171.104, 171.105, 171.106, 171.107, 171.108, 171.109, 171.110, 171.111, 171.112, 171.113, 171.114, 171.115, 171.116, 171.117, 171.118, 171.119, 171.120, 171.121, 171.122, 171.123, 171.124, 171.125, 171.126, 171.127, 171.128, 171.129, 171.130, 171.131, 171.132, 171.133, 171.134, 171.135, 171.136, 171.137, 171.138, 171.139, 171.140, 171.141, 171.142, 171.143, 171.144, 171.145, 171.146, 171.147, 171.148, 171.149, 171.150, 171.151, 171.152, 171.153, 171.154, 171.155, 171.156, 171.157, 171.158, 171.159, 171.160, 171.161, 171.162, 171.163, 171.164, 171.165, 171.166, 171.167, 171.168, 171.169, 171.170, 171.171, 171.172, 171.173, 171.174, 171.175, 171.176, 171.177, 171.178, 171.179, 171.180, 171.181, 171.182, 171.183, 171.184, 171.185, 171.186, 171.187, 171.188, 171.189, 171.190, 171.191, 171.192, 171.193, 171.194, 171.195, 171.196, 171.197, 171.198, 171.199, 171.200, 171.201, 171.202, 171.203, 171.204, 171.205, 171.206, 171.207, 171.208, 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171.986, 171.987, 171.988, 171.989, 171.990, 171.991, 171.992, 171.993, 171.994, 171.995, 171.996, 171.997, 171.998, 171.999, 172.000, 172.001, 172.002, 172.003, 172.004, 172.005, 172.006, 172.007, 172.008, 172.009, 172.010, 172.011, 172.012, 172.013, 172.014, 172.015, 172.016, 172.017, 172.018, 172.019, 172.020, 172.021, 172.022, 172.023, 172.024, 172.025, 172.026, 172.027, 172.028, 172.029, 172.030, 172.031, 172.032, 172.033, 172.034, 172.035, 172.036, 172.037, 172.038, 172.039, 172.040, 172.041, 172.042, 172.043, 172.044, 172.045, 172.046, 172.047, 172.048, 172.049, 172.050, 172.051, 172.052, 172.053, 172.054, 172.055, 172.056, 172.057, 172.058, 172.059, 172.060, 172.061, 172.062, 172.063, 172.064, 172.065, 172.066, 172.067, 172.068, 172.069, 172.070, 172.071, 172.072, 172.073, 172.074, 172.075, 172.076, 172.077, 172.078, 172.079, 172.080, 172.081, 172.082, 172.083, 172.084, 172.085, 172.086, 172.087, 172.088, 172.089, 172.090, 172.091, 172.092, 172.093, 172.094, 172.095, 172.096, 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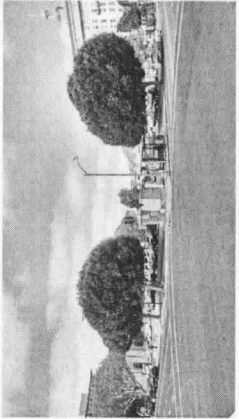
2B - CORNER OF 14TH STREET & JACKSON STREET - LOOKING NORTHEAST



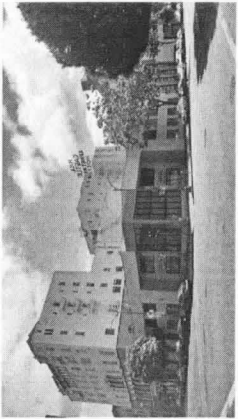
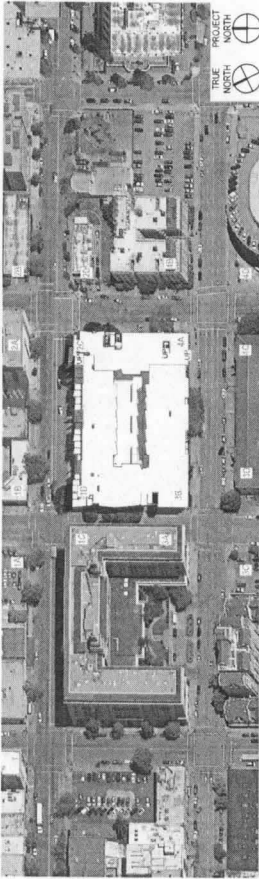
2D - CORNER OF 14TH STREET & JACKSON STREET - LOOKING SOUTHEAST



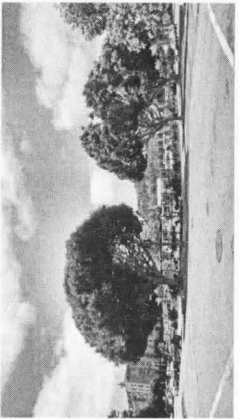
2A - CORNER OF 14TH STREET & JACKSON STREET - LOOKING NORTHWEST



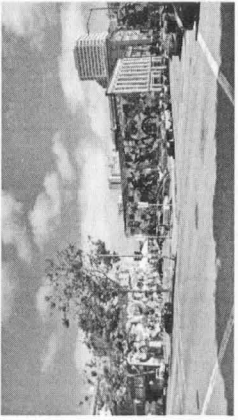
2C - CORNER OF 14TH STREET & JACKSON STREET - LOOKING SOUTHWEST (SITE)



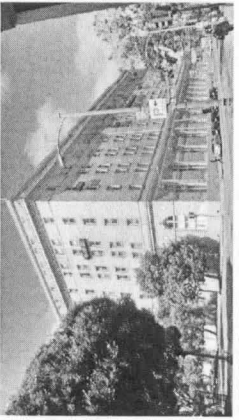
1B - CORNER OF 14TH STREET & ALICE STREET - LOOKING NORTHEAST



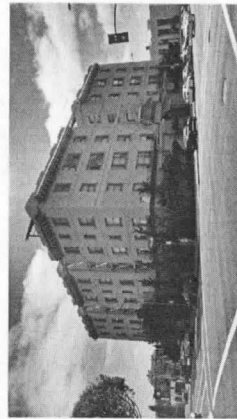
1D - CORNER OF 14TH STREET & ALICE STREET - LOOKING SOUTHEAST (SITE)



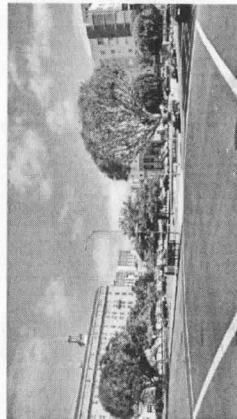
1A - CORNER OF 14TH STREET & ALICE STREET - LOOKING NORTHWEST



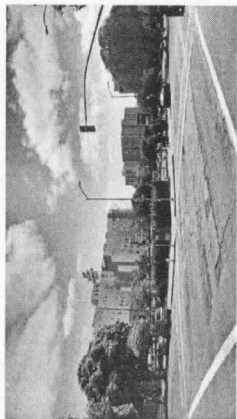
1C - CORNER OF 14TH STREET & ALICE STREET - LOOKING SOUTHWEST



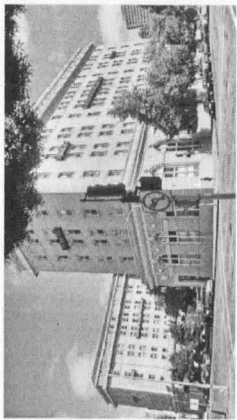
4B - CORNER OF 13TH STREET & JACKSON STREET - LOOKING NORTHEAST



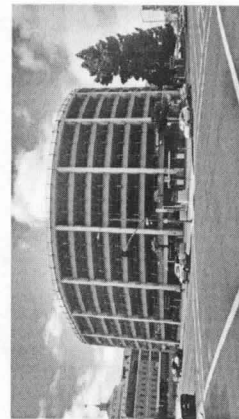
4A - CORNER OF 13TH STREET & JACKSON STREET - LOOKING NORTHWEST (SITE)



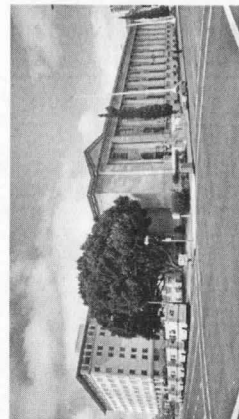
3B - CORNER OF 13TH STREET & ALICE STREET - LOOKING NORTHEAST (SITE)



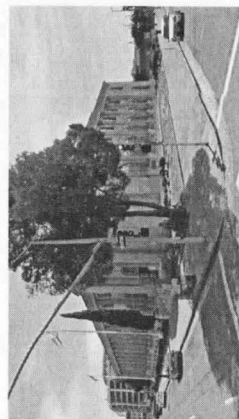
3A - CORNER OF 13TH STREET & ALICE STREET - LOOKING NORTHWEST



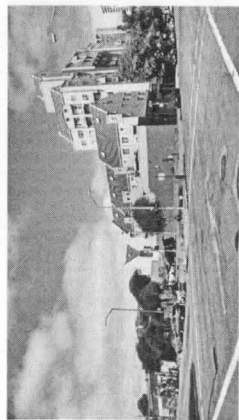
4D - CORNER OF 13TH STREET & JACKSON STREET - LOOKING SOUTHEAST



4C - CORNER OF 13TH STREET & JACKSON STREET - LOOKING SOUTHWEST



3D - CORNER OF 13TH STREET & ALICE STREET - LOOKING SOUTHEAST



3C - CORNER OF 13TH STREET & ALICE STREET - LOOKING SOUTHWEST

SITE PHOTOGRAPHS

| | |
|------------|--------------|
| JOB NUMBER | 14TH + ALICE |
| DATE | 11/11/2017 |
| SCALE | 1" = 100' |

FILE NUMBER: 14TH + ALICE CONSTRUCTION

A002

WP WEST ACQUISITIONS LLC
 20 SUNNYSIDE AVE, SUITE B
 MILL VALLEY, CA 94541
 DEVELOPER
 DEVELOPMENT REVIEW
 APPLICATION
 OR RESUBMITTAL
 PLANNING COMMISSION
 SUBMITTAL
 DATE: 05/10/2018

14TH AND ALICE



226 13TH STREET - SCHEMATIC DESIGN
ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES
262 RESIDENTIAL CONDOMINIUMS AND 6 COMMERCIAL CONDOMINIUMS
CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA

SHEET INDEX

| SHEET NO. | DESCRIPTION |
|-----------|-------------------------------------|
| C1.01 | TITLE SHEET |
| C2.01 | EXISTING SITE AND BOUNDARY PLAN |
| C3.01 | PROPOSED LAYOUT AND GRADING PLAN |
| C4.01 | PRELIMINARY STORMWATER CONTROL PLAN |
| C5.01 | PROPOSED STORMWATER CONTROL PLAN |
| C6.01 | PROPOSED UTILITY PLAN |
| C7.01 | CROSS SECTION |
| C8.01 | EROSION CONTROL PLAN |

ABBREVIATIONS

| | | | |
|-----|----------------------|----|-------------------|
| AG | AGGREGATE BASE | AS | ASPHALT |
| AC | ASPHALT CONCRETE | AW | WATER |
| B/W | BACK OF WALK | CG | CONCRETE |
| B/C | BUILDING CENTER | CH | CHIMNEY |
| B/M | BOTTOM | CL | CONCRETE CURB |
| BV | BEGIN VERTICAL CURVE | CO | CONCRETE |
| CA | CATCH BASIN | CP | CONCRETE PAVEMENT |
| CC | CONCRETE CURB | CR | CONCRETE |
| CD | CONCRETE DETECTOR | CS | CONCRETE |
| CG | CONCRETE | CU | CONCRETE |
| CH | CHIMNEY | CV | CONCRETE |
| CI | CONCRETE | CA | CATCH BASIN |
| CL | CONCRETE CURB | CH | CHIMNEY |
| CO | CONCRETE | CP | CONCRETE PAVEMENT |
| CR | CONCRETE | CS | CONCRETE |
| CU | CONCRETE | CV | CONCRETE |
| CA | CATCH BASIN | CH | CHIMNEY |
| CB | CONCRETE | CC | CONCRETE CURB |
| CC | CONCRETE | CD | CONCRETE DETECTOR |
| CD | CONCRETE DETECTOR | CE | CONCRETE |
| CE | CONCRETE | CF | CONCRETE |
| CF | CONCRETE | CG | CONCRETE |
| CG | CONCRETE | CH | CHIMNEY |
| CH | CHIMNEY | CI | CONCRETE |
| CI | CONCRETE | CJ | CONCRETE |
| CJ | CONCRETE | CK | CONCRETE |
| CK | CONCRETE | CL | CONCRETE CURB |
| CL | CONCRETE CURB | CM | CONCRETE |
| CM | CONCRETE | CN | CONCRETE |
| CN | CONCRETE | CO | CONCRETE |
| CO | CONCRETE | CP | CONCRETE PAVEMENT |
| CP | CONCRETE PAVEMENT | CQ | CONCRETE |
| CQ | CONCRETE | CR | CONCRETE |
| CR | CONCRETE | CS | CONCRETE |
| CS | CONCRETE | CT | CONCRETE |
| CT | CONCRETE | CU | CONCRETE |
| CU | CONCRETE | CV | CONCRETE |
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| DC | CONCRETE | DD | CONCRETE |
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| DO | CONCRETE | DP | CONCRETE PAVEMENT |
| DP | CONCRETE PAVEMENT | DQ | CONCRETE |
| DQ | CONCRETE | DR | CONCRETE |
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| GO | | | |

14TH AND ALICE
226 13TH STREET, OAKLAND, CA 94612

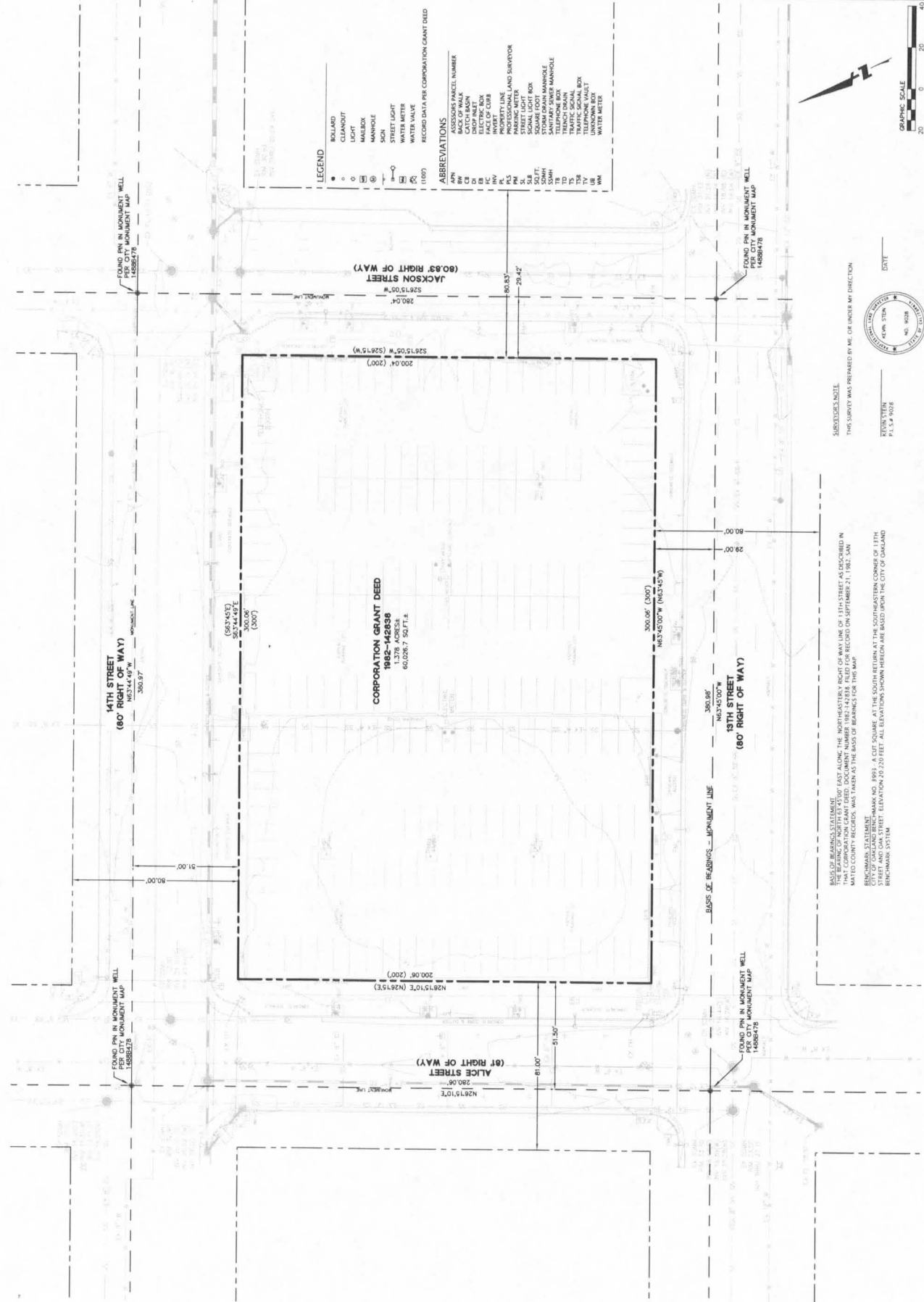
VP WEST ACQUISITIONS LLC
25 SUNNYSIDE AVE SUITE B
MILL VALLEY, CA 94541
ZONING APPLICATION # 170328
PRELIMINARY REVIEW # 170328
DESIGN REVIEW APPLICATION # 170328
CITY COUNCIL # 170328
DATE SUBMITTED # 170328
PREPARED BY # 170328

EXISTING SITE AND BOUNDARY PLAN

PROJECT NUMBER 170328
DATE 08/20/17
SCALE AS SHOWN



C2.01



LEGEND

- BOLLARD
- CLEANOUT
- LIGHT
- MAILBOX
- MANHOLE
- SIGN
- TANK
- WATER METER
- WATER VALVE

RECORD DATA PER CORPORATION GRANT DEED

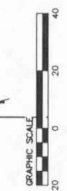
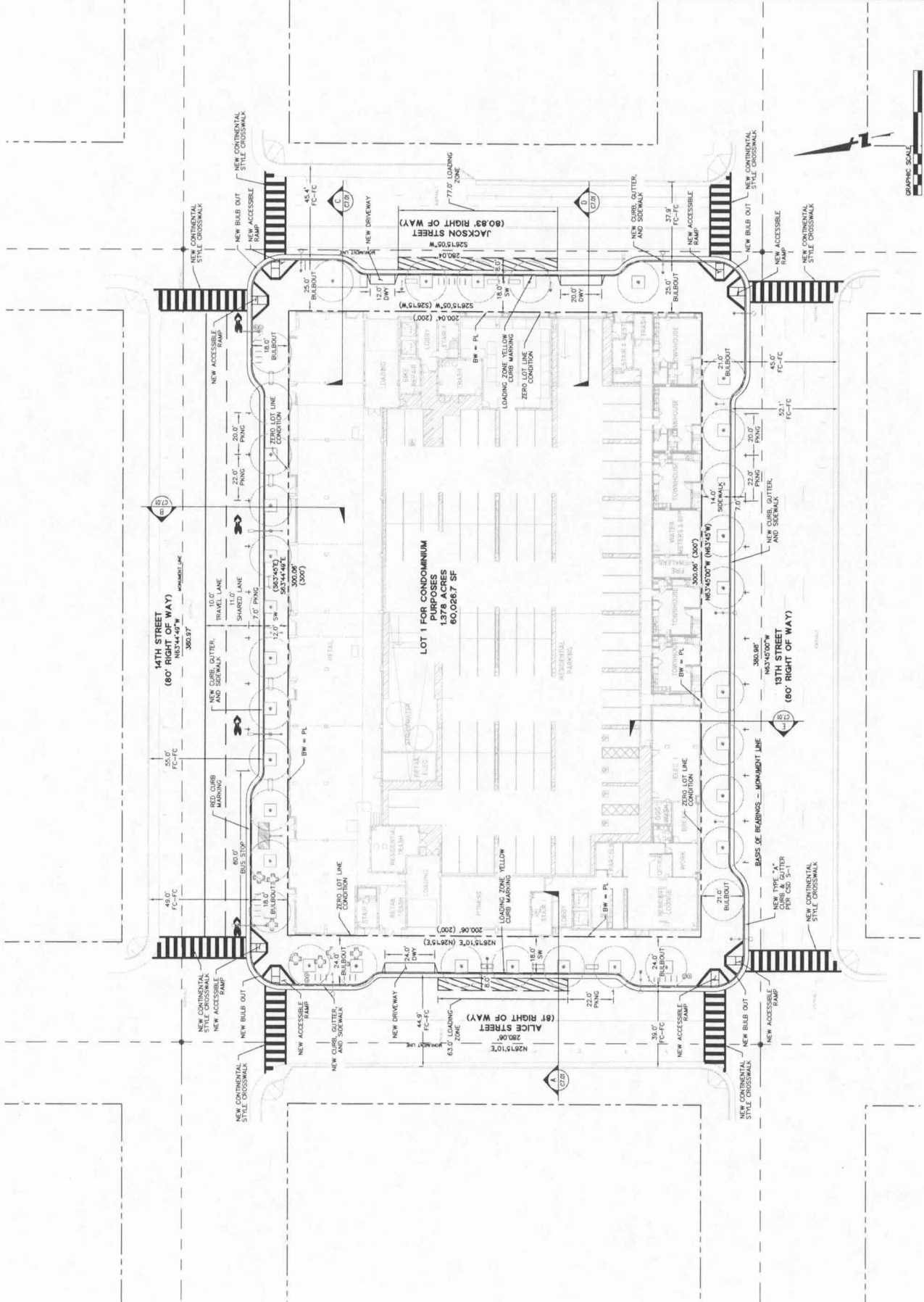
ABBREVIATIONS

| | |
|------|----------------------|
| AW | WATER |
| BE | BEARING |
| CB | CATCH BASIN |
| CR | CURB |
| EB | ELECTRIC BOX |
| EV | ELECTRIC VALVE |
| HC | HYDRANT |
| IL | INTERLOCK |
| PL | PROPERTY LINE |
| PLS | PROPERTY LINE SURVEY |
| PM | PARKING METER |
| PLA | PARKING LIGHT |
| SLA | SIGNAL LIGHT BOX |
| SM | SQUARE FOOT |
| SS | SEWER |
| SSWH | SEWER W/ HUB |
| TD | TRAFFIC SIGNAL |
| TS | TRAFFIC SIGNAL BOX |
| TV | TELEPHONE VALVE |
| UB | UNDERGROUND BOX |
| UM | UNDERGROUND MANHOLE |



THIS SURVEY WAS PREPARED BY ME, OR UNDER MY DIRECTION
MARTY + ELIZABETH
P.E. 13,147,058

STATEMENT OF WORK
THE BEARING OF NORTH 63°45'00" EAST ALONG THE NORTHEASTLY RIGHT OF WAY LINE OF 14TH STREET AS DESCRIBED IN MAP TO COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.
BENCHMARK STATEMENT
A CUT SQUARE AT THE SOUTH RETURN AT THE SOUTHEAST CORNER OF 14TH STREET AND ALICE STREET ELEVATION 90.20 FEET. ALL ELEVATIONS SHOWN HEREON ARE BASED UPON THE CITY OF OAKLAND BENCHMARK SYSTEM.



14TH AND ALICE
 226 13TH STREET, OAKLAND, CA 94612

WP WEST ACQUISITIONS LLC
 20 SUNNYSIDE AVE. SUITE B
 MILL VALLEY, CA 94541
 97112204
 DEVELOPER REVIEW
 APPLICATION
 1/18/2019
 DP RESUBMITTAL
 4/6/2020
 PLANNING COMMISSION
 SUBMITTAL
 6/8/2024

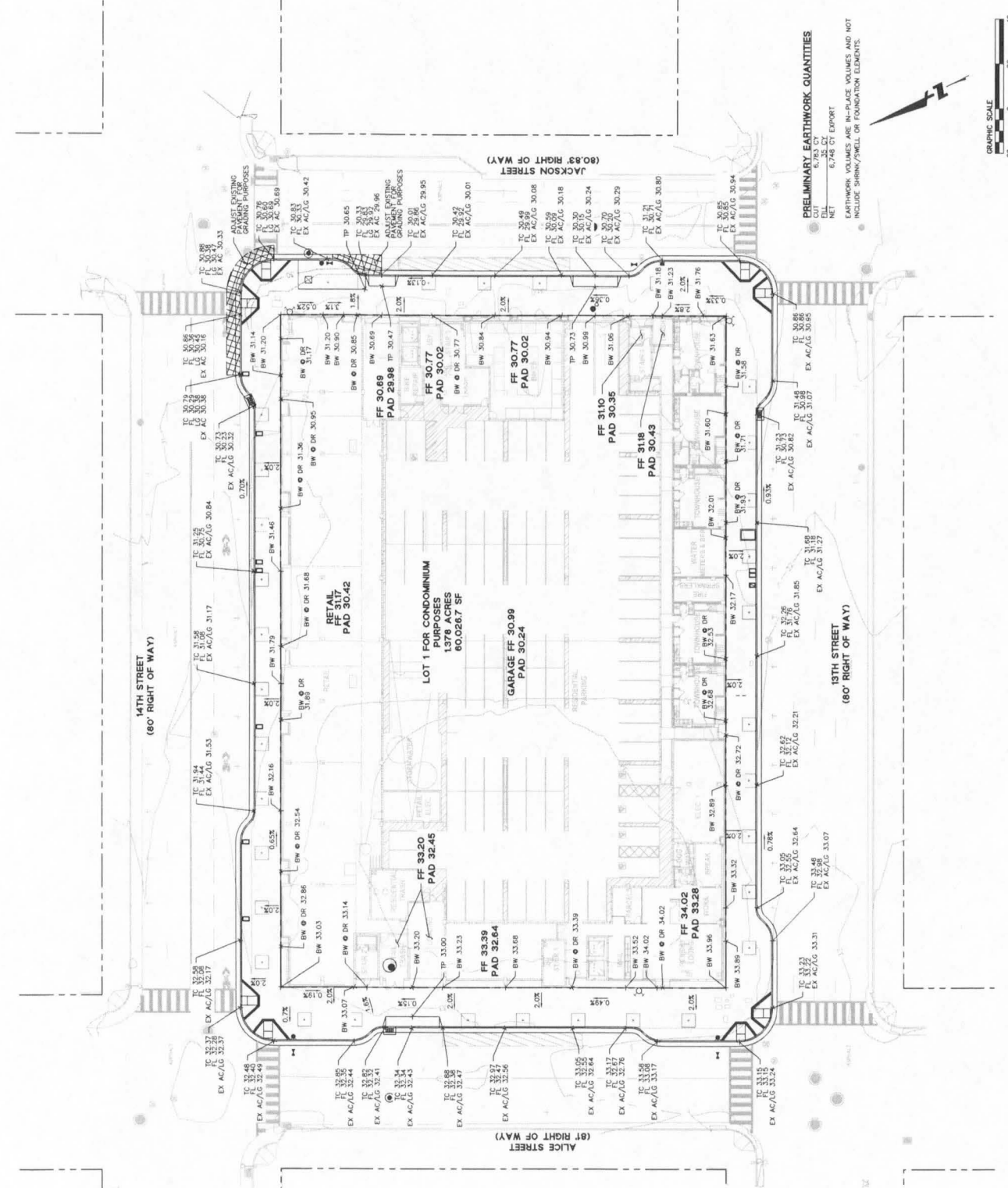
PRELIMINARY GRADING PLAN

DATE: 05/20/24
 SCALE: AS NOTED

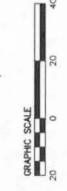


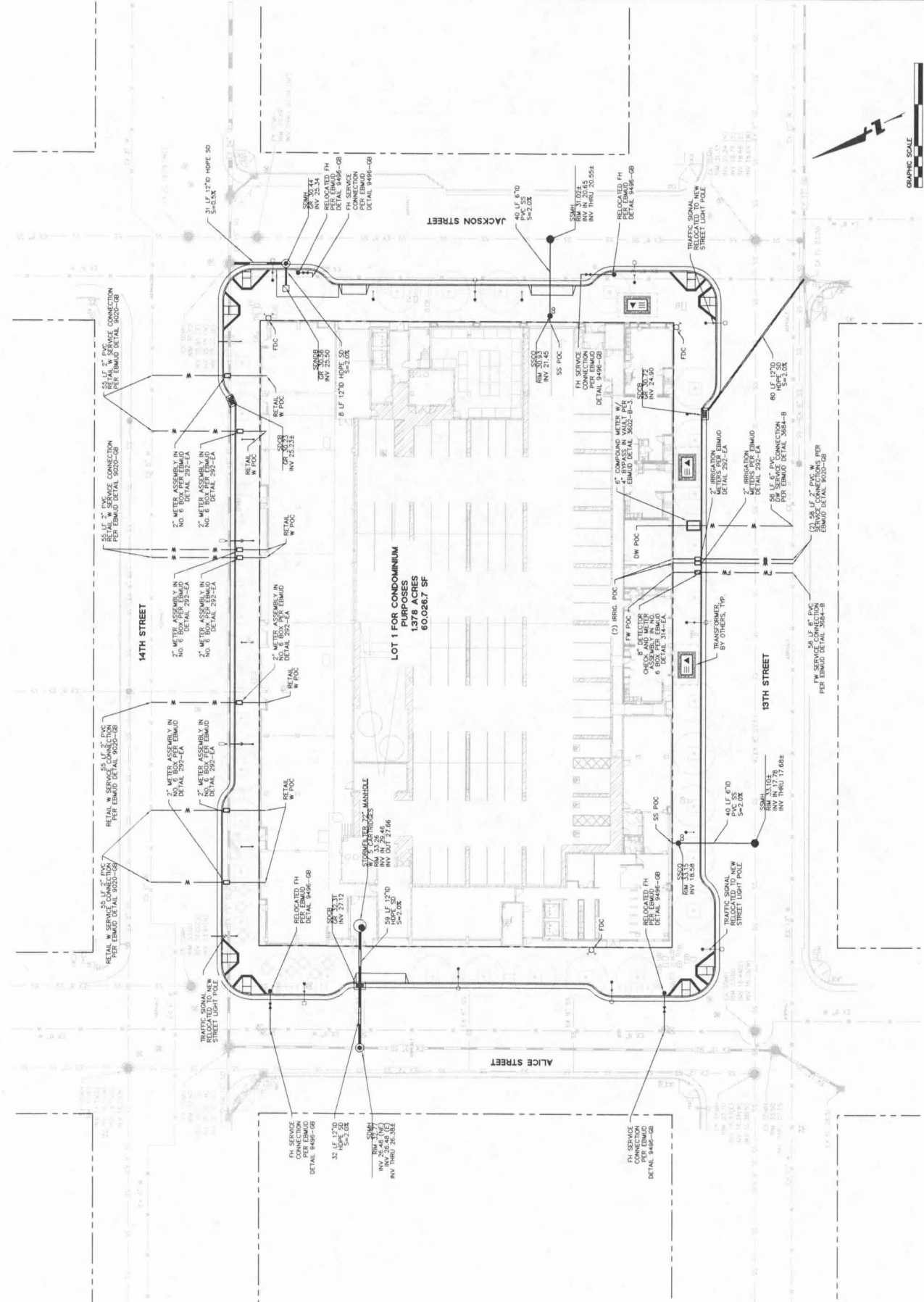
PRELIMINARY - NOT FOR CONSTRUCTION

C4.01



PRELIMINARY EARTHWORK QUANTITIES
 CUT: 5,783 CY
 FILL: 6,748 CY
 NET: 965 CY EXPORT
 EARTHWORK VOLUMES ARE IN-PLACE VOLUMES AND NOT INCLUDE SHRINK/SWELL OR FOUNDATION ELEMENTS.

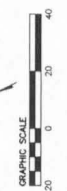




LOT 1 FOR CONDOMINIUM
 1378 ACRES
 60,026.7 SF

STANDARD JZ MANHOLE
 30" DIA. 24" DEPTH
 INV. 27.66

TRANSFORMER
 BY OTHERS, TYP.



14TH AND ALICE
 226 13TH STREET, OAKLAND, CA 94612

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE SUITE B
 MILL VALLEY, CA 94541
 ZONING PRE-APPLICATION 07/11/2018
 SUBMITTAL 08/01/2018
 APPLICATION 08/02/2018
 DESIGN REVIEW 08/02/2018
 APPLICATION 08/02/2018
 DEVELOPMENTAL REVIEW 08/02/2018
 PERMITS COMMISSION 08/02/2018
 PERMITS 08/02/2018

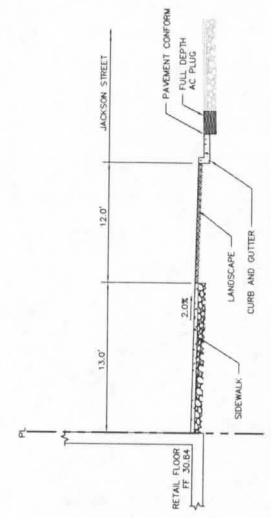
CROSS SECTIONS

JOB NUMBER 2718017
 DATE 04/20/2018
 SCALE 1/4"=1'-0"

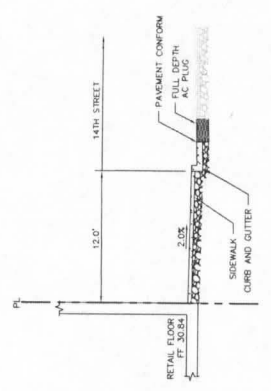


PREPARED FOR CONSTRUCTION

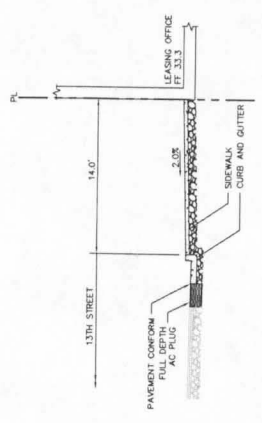
C7.01



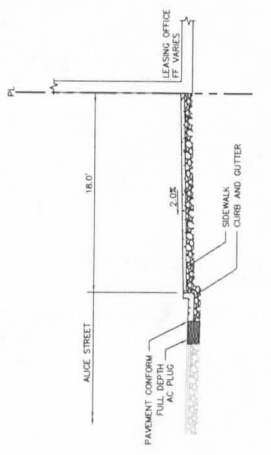
C SECTION AT JACKSON STREET BULB OUT
 1"=5'



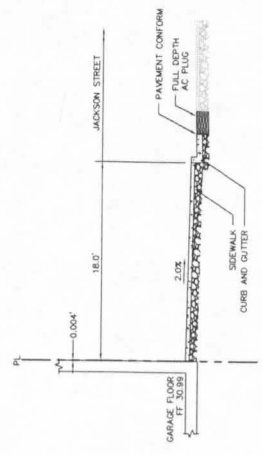
B SECTION AT 14TH STREET
 1"=5'



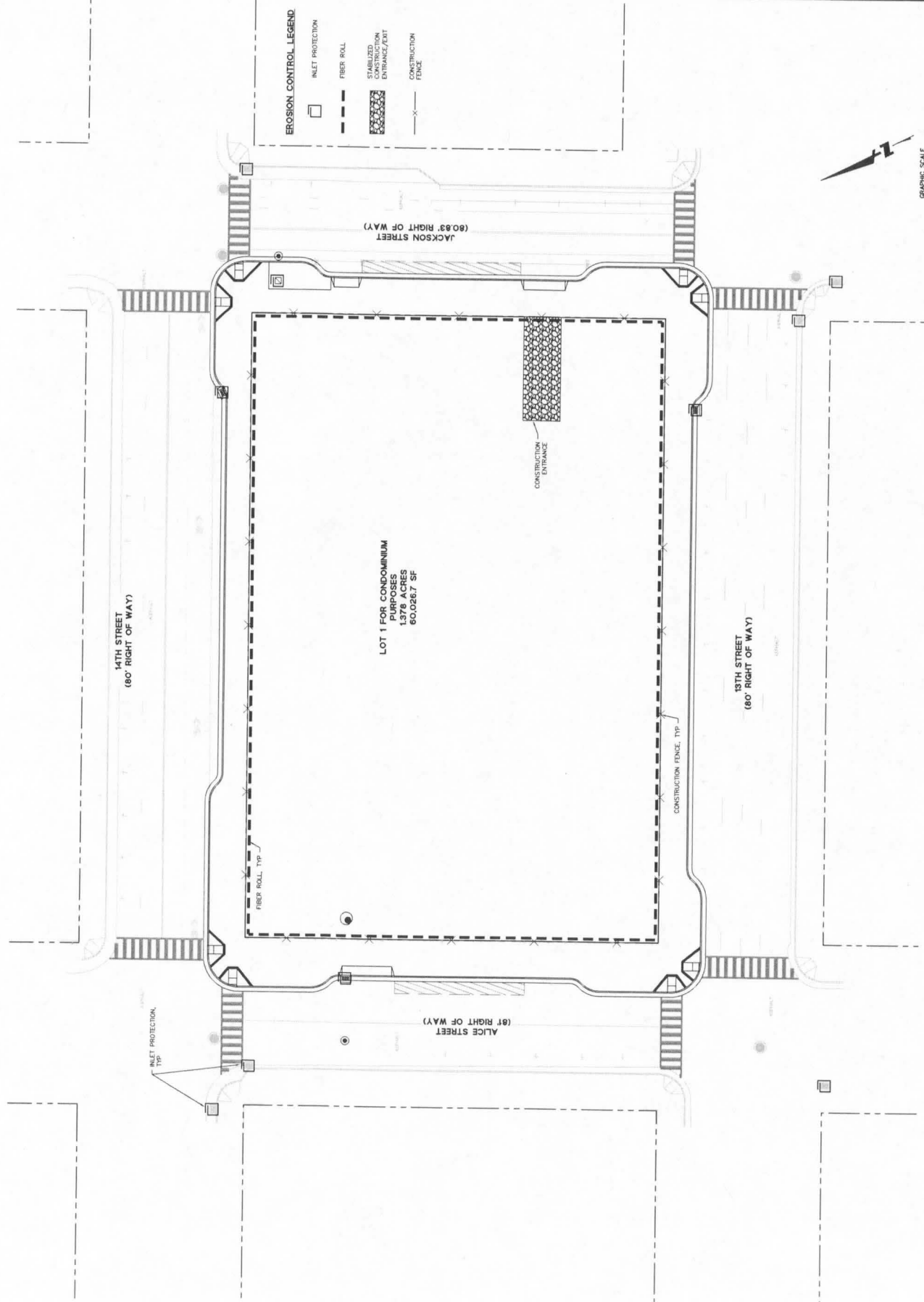
E SECTION AT 13TH STREET
 1"=5'



A SECTION AT ALICE STREET
 1"=5'



D SECTION AT JACKSON STREET
 1"=5'



EROSION CONTROL LEGEND

- INLET PROTECTION
- FIBER ROLL
- STABILIZED CONSTRUCTION ENTRANCE/PORT
- CONSTRUCTION FENCE

LOT 1 FOR CONDOMINIUM
 1378 ACRES
 80,026.7 SF

14TH STREET
 (80' RIGHT OF WAY)

13TH STREET
 (80' RIGHT OF WAY)

ALICE STREET
 (87' RIGHT OF WAY)

JACKSON STREET
 (80.83' RIGHT OF WAY)

INLET PROTECTION, TYP

FIBER ROLL, TYP

CONSTRUCTION ENTRANCE

CONSTRUCTION FENCE, TYP

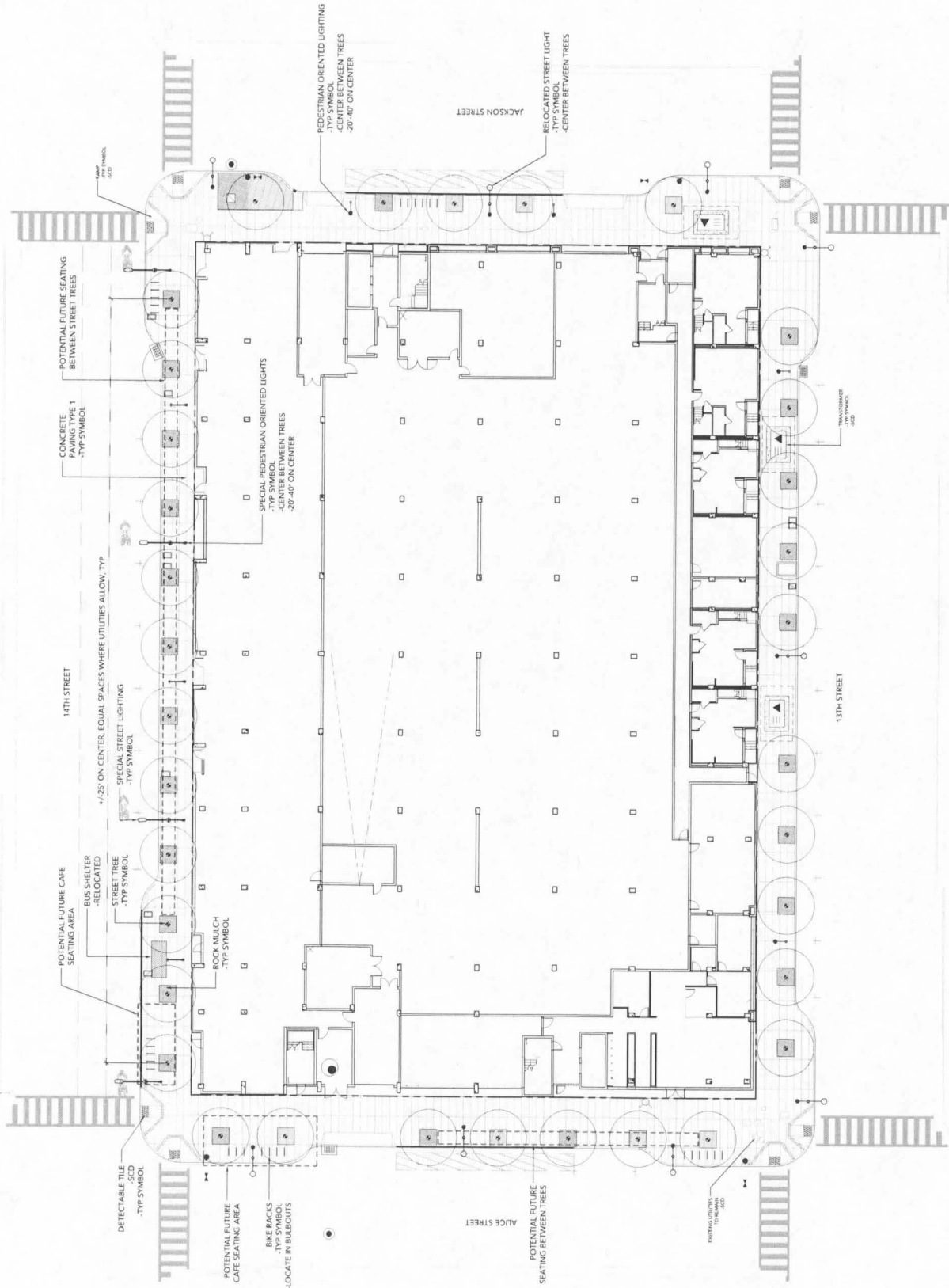
GRAPHIC SCALE
 0 20 40

14TH + ALICE

STREETSCAPE LANDSCAPE MATERIALS + PLANTING PLAN



L1.01



Consultants

BKF Engineers
 150 California Street, Suite 650
 San Francisco, CA 94111

Meyer + Silberberg
 202
 Berkeley, CA 94710

226 13TH STREET, OAKLAND, CA 94612

14TH + ALICE

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE. SUITE B
 MILL VALLEY, CA 94641

ZONING REGISTRATION 8/17/2018

DEVELOPMENT REVIEW 1/22/2019

DESIGN REVIEW 12/18/2018

DP RESUBMITTAL 1/10/2019

PLANNING COMMISSION 1/10/2019

DP RESUBMITTAL 1/10/2019

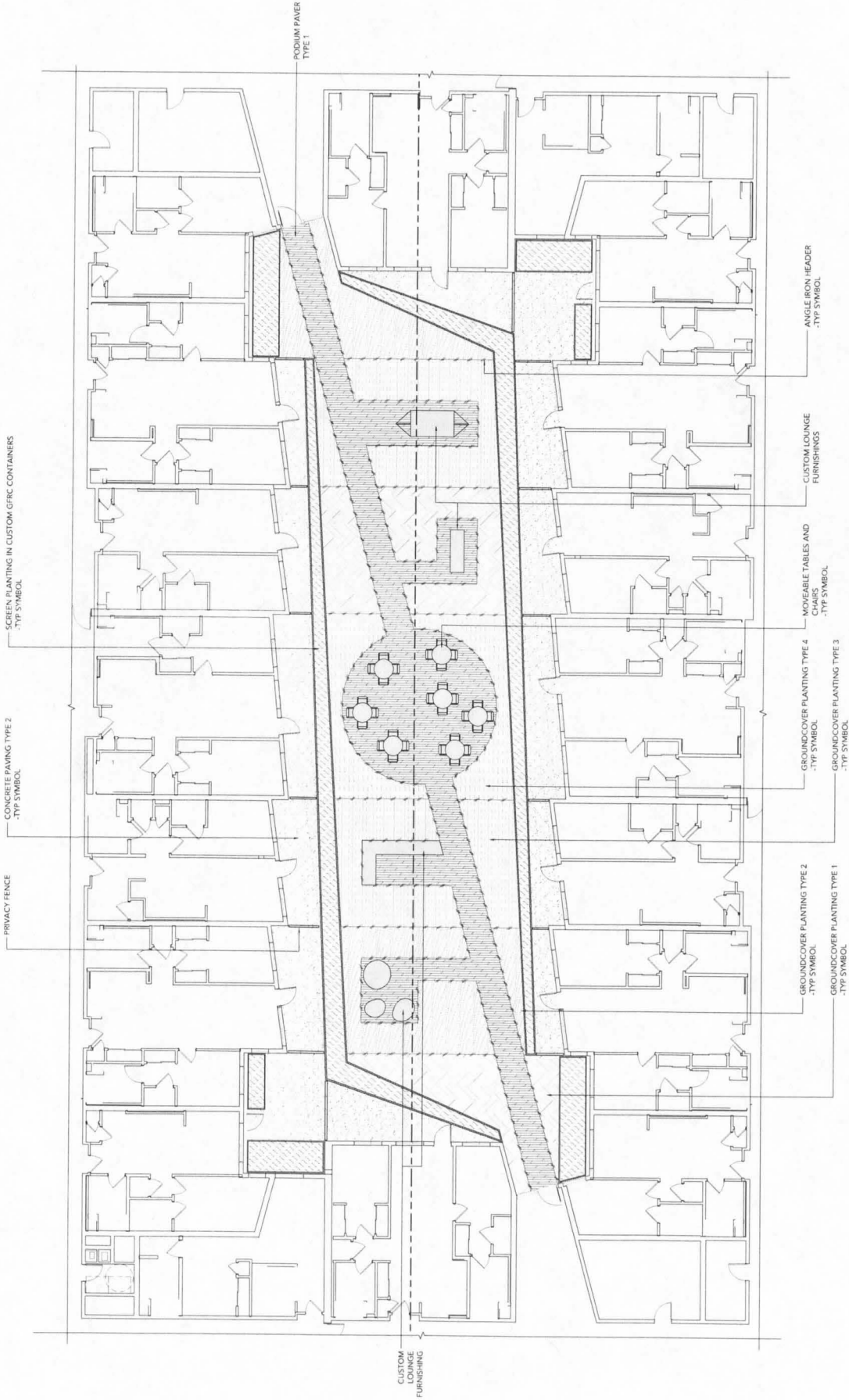
**LEVEL 2
 LANDSCAPE
 MATERIALS +
 PLANTING PLAN**

APP NUMBER: 1530
 DATE: 4/20/18
 SCALE: AS NOTED

PRELIMINARY: NOT FOR CONSTRUCTION



L1.02



Consultants

BKF Engineers
 150 California Street, Suite 650
 San Francisco, CA 94111

Meyer + Sibberberg
 1101 8th Street, Suite 202
 Berkeley, CA 94710

226 13TH STREET, OAKLAND, CA 94612

14TH + ALICE

HO WEST ACQUISITIONS, LLC
 SUITE B
 200 SULLY STREET
 MILL VALLEY, CA 94541

DESIGN APPLICATION: 07/17/2015
 SUBMITTAL: 07/17/2015
 DEVELOPMENT REVIEW: 07/22/2015
 APPLICATION: 07/22/2015
 DESIGN REVIEW: 07/22/2015
 PERMITS: 07/22/2015
 PRELIMINARY: 07/22/2015
 FINANCIAL COMMISSION: 07/22/2015
 SUBMITTAL: 07/22/2015

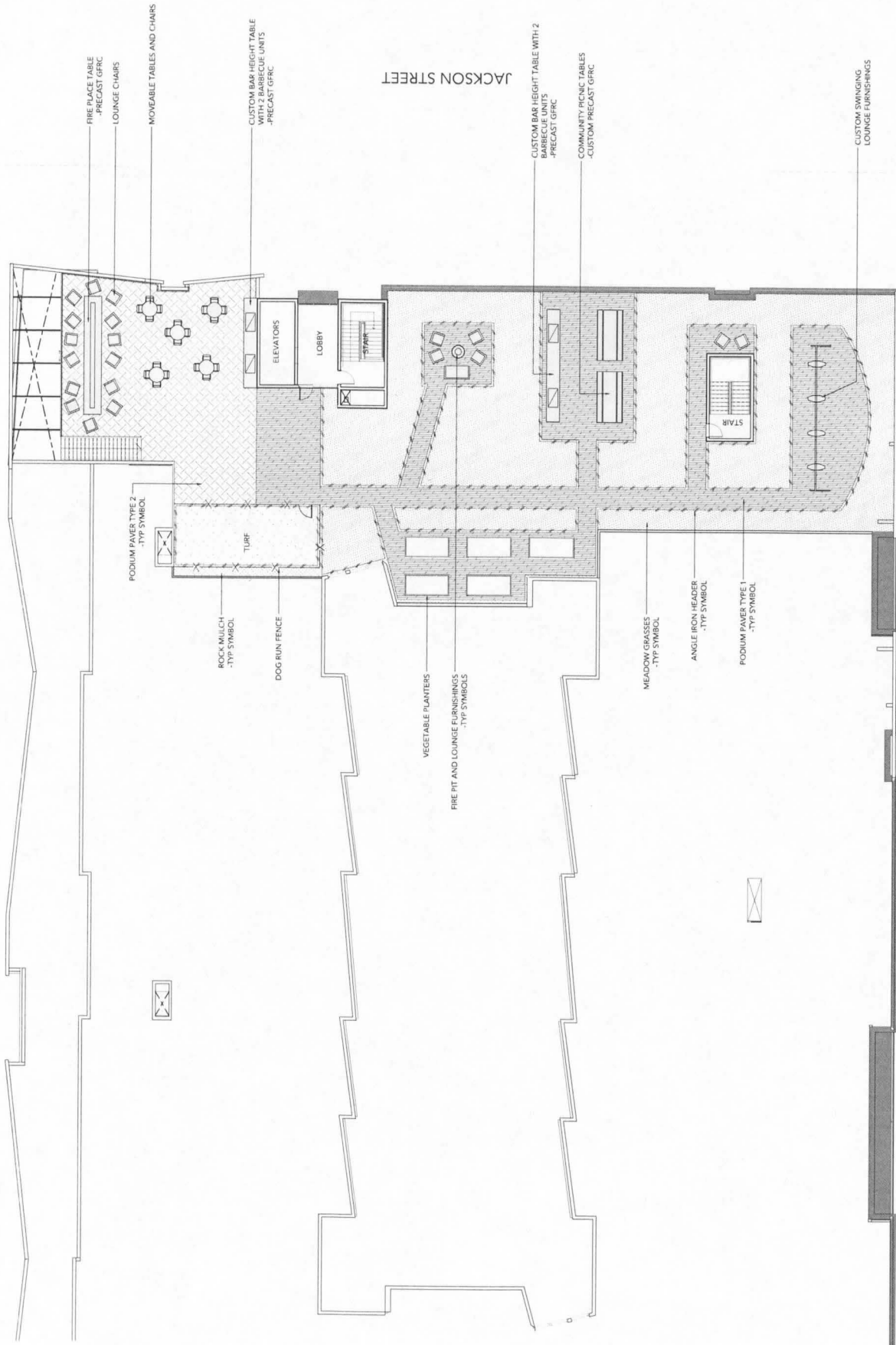
**ROOF
 LANDSCAPE
 MATERIALS +
 PLANTING PLAN**

JOB NUMBER: 1508
 DATE: 04/20/16
 SCALE: AS NOTED

THIS DRAWING IS NOT FOR CONSTRUCTION.



L1.04



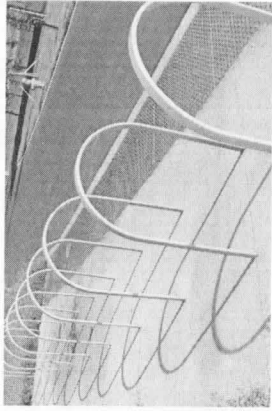
14TH + ALICE

**LANDSCAPE
 REFERENCE
 IMAGES**

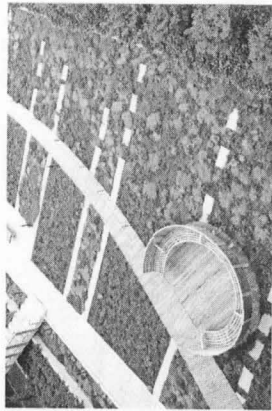
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 DATE: 04/2018
 SCALE:

FILE NAME: HW1508.CONSTRUCTION

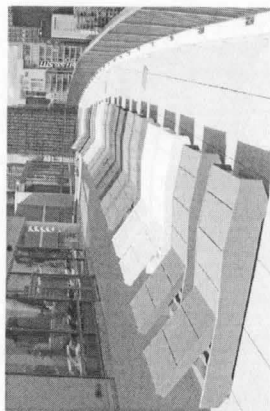
L1.10



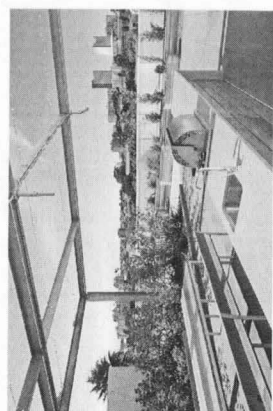
BIKE RACKS



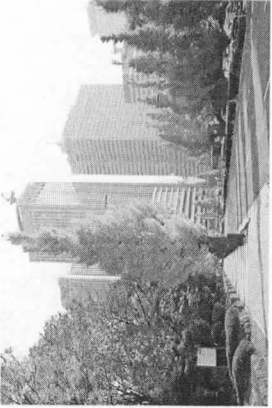
GROUNDCOVER PLANTING
 - SUCCULENT SPECIES



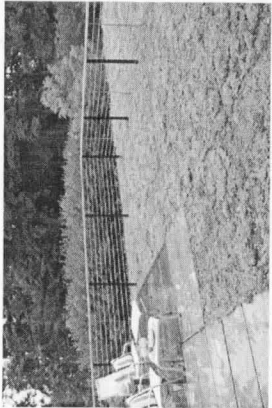
CHASE LOUNGE FURNISHINGS



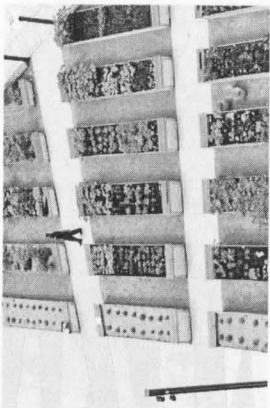
COMMUNITY TABLE + BAR-HEIGHT TABLE WITH BARBEQUE UNITS



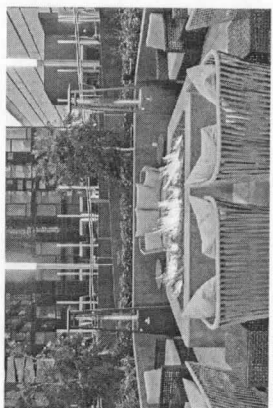
STREET TREE



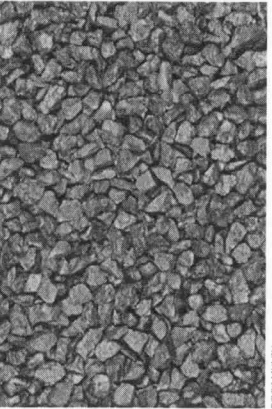
GROUNDCOVER PLANTING
 - SUCCULENT SPECIES



VEGETABLE PLANTERS



FIRE PIT + LOUNGE FURNISHINGS



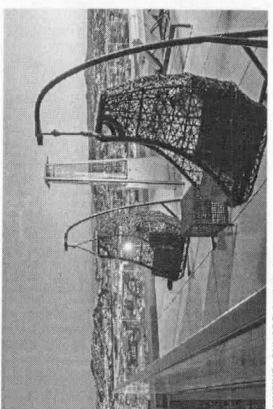
ROCK MULCH



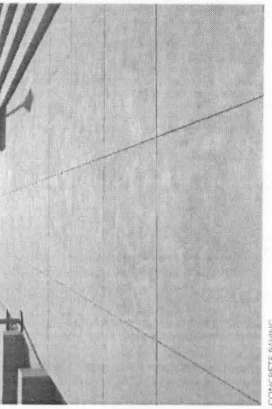
SCREEN PLANTING



OTIC PLANTER



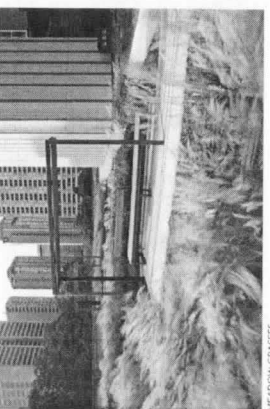
SWINGING LOUNGE FURNISHINGS



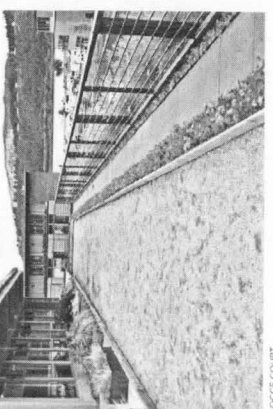
CONCRETE PAVING
 - WITH SANDBLAST FINISH



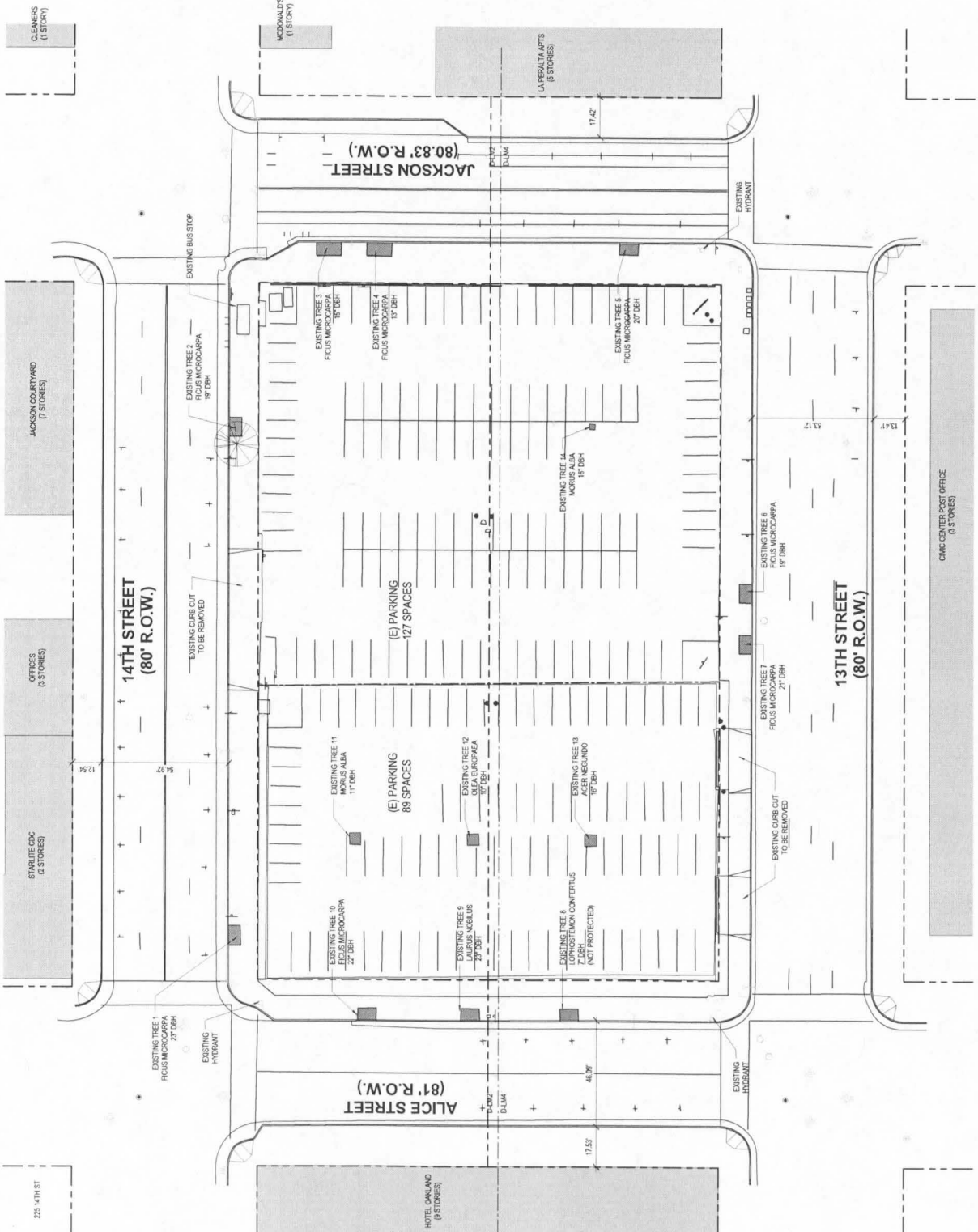
PODIUM PAVING



MEADOW GRASSES



ROCK COURT



EXISTING SITE PLAN
 1" = 20'-0"

14TH + ALICE

WP WEST ACQUISITIONS, LLC
 20 SANTIAGO AVENUE, SUITE B
 HAY VALLEY, CA 94501
 OWNER REPRESENTATION
 8/17/2024
 DATE OF LAST REVIEW
 10/2/2024
 DESIGN REVIEW APPLICATION
 12/29/2024
 DESIGN REVIEW APPLICATION
 1/29/2025
 PRELIMINARY SUBMITTAL
 6/26/2024
 SUBMITTAL

SITE PLAN

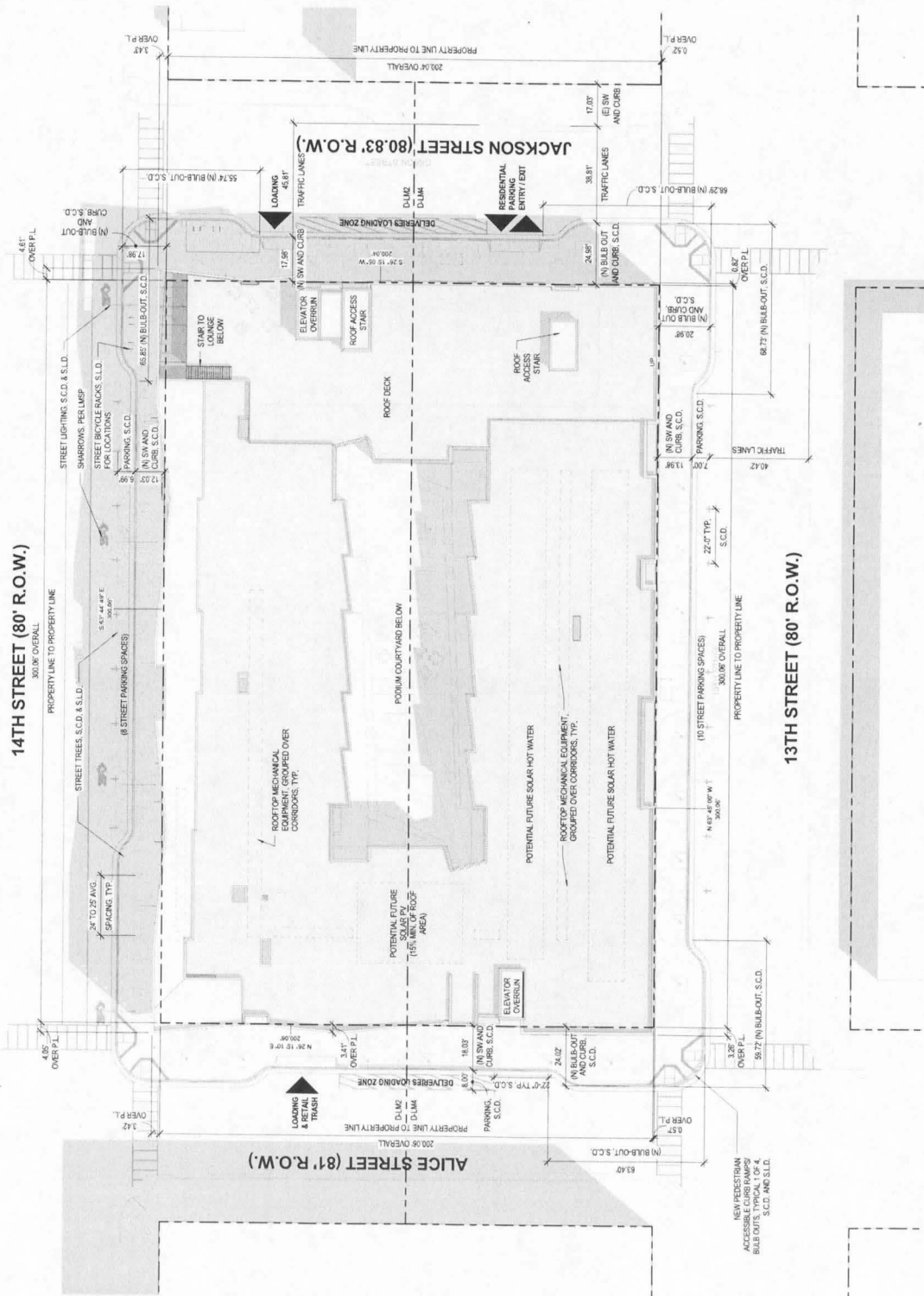
100
 SHEET NUMBER
 DATE
 SCALE
 P=20'0"

PREPARED BY: AUSTIN FOR CONSTRUCTION

A101



SITE PLAN
 1
 1" = 20'-0"



14TH STREET (80' R.O.W.)
 300.06' OVERALL

13TH STREET (80' R.O.W.)
 300.06' OVERALL

ALICE STREET (81' R.O.W.)
 200.00' OVERALL

JACKSON STREET (80.83' R.O.W.)

Consultants

BKF Engineers
150 California Street, Suite 650
San Francisco, CA 94111

Meyer + Shoberg
1101 6th Street, Suite 202
Berkeley, CA 94710

226 13TH STREET, OAKLAND, CA 94612

14TH + ALICE

WP WEST ACQUISITIONS, LLC
20 SUNNYSIDE AVE SUITE B
MIL VALLEY, CA 94541

226 13TH STREET APPLICATION
SUBMITTAL 09/12/2015

226 13TH STREET APPLICATION
EVALUATION REVIEW 10/02/2015

226 13TH STREET APPLICATION
APPROVAL 02/09/2016

226 13TH STREET APPLICATION
FINAL SUBMITTAL 05/07/2016

BUILDING PLAN - LEVEL 1

| | |
|------------|----------|
| JOB NUMBER | 1506 |
| DATE | 05/2016 |
| SCALE | As Noted |

THESE PLANS ARE NOT FOR CONSTRUCTION.

A201

ROOM LEGEND

| | |
|--------------------------|-----------------------|
| RETAL | UNIT STUDIO |
| RESIDENTIAL COMMON AREAS | UNIT 1 BEDROOM |
| RESIDENTIAL PARKING | UNIT 2 BEDROOM |
| SERVICE/UTILITY | UNIT 3 BEDROOM |
| VERTICAL CIRCULATION | UNIT PRIVATE DECK |
| HORIZONTAL CIRCULATION | COMMON AREA ROOF DECK |
| | COURTYARD |

PARKING LEGEND

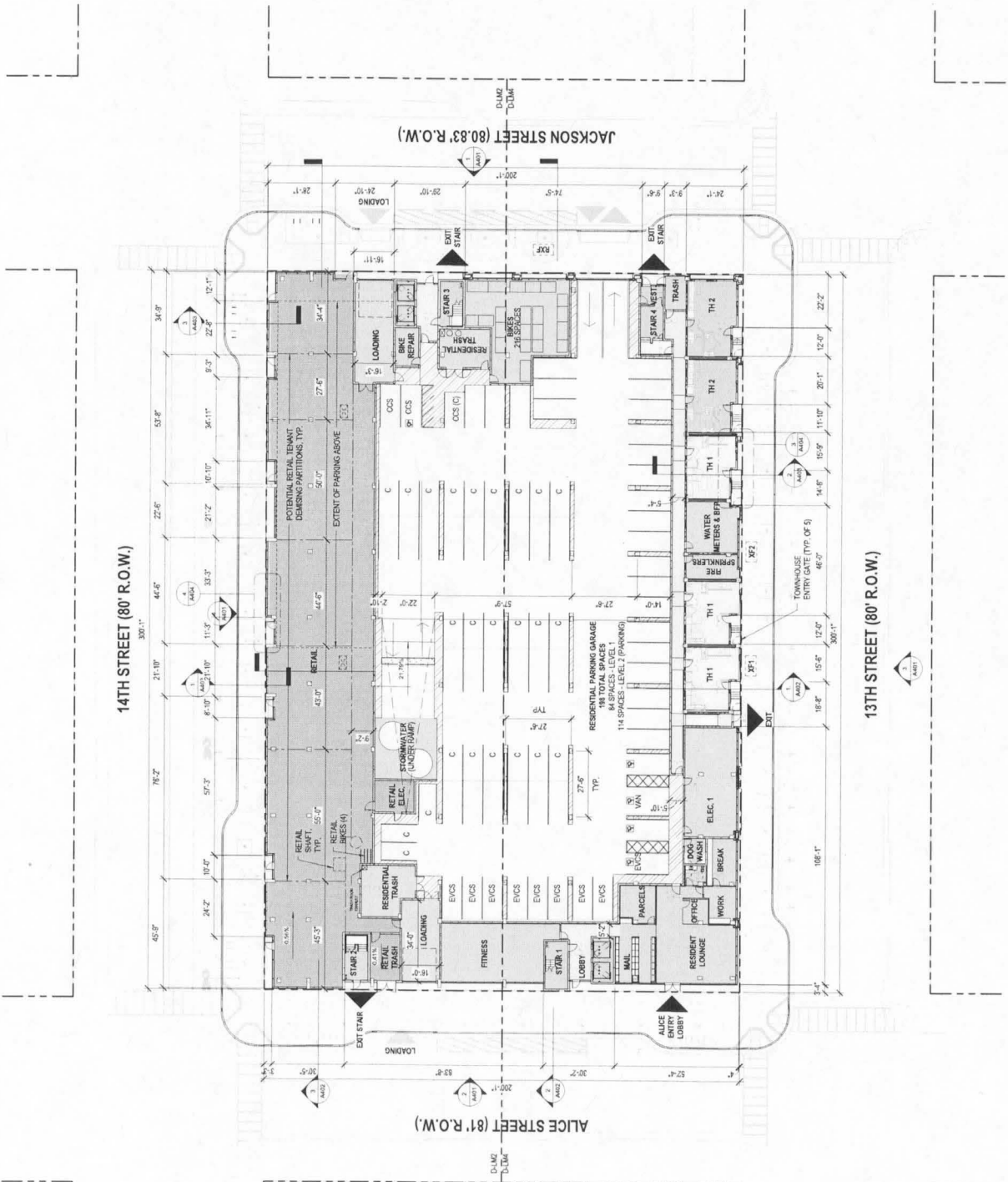
| | |
|------|-----------------------------------|
| C | COMPACT |
| CS | CAR SHARE |
| EVCS | ELECTRIC VEHICLE CHARGING STATION |
| EVCS | ACCESSIBLE PARKING |

Parking Schedule - Bicycles

| Bicycle Rack Type | Qty | Racks | Bicycles |
|---------------------------------------|-----|-------|------------|
| Level 1 | | | |
| BICYCLE DOUBLE DECKER RACK - 4 BIKES | 5 | 5 | 20 |
| BICYCLE DOUBLE DECKER RACK - 10 BIKES | 10 | 10 | 100 |
| BICYCLE DOUBLE DECKER RACK - 12 BIKES | 4 | 4 | 48 |
| BICYCLE DOUBLE DECKER RACK - 14 BIKES | 2 | 2 | 28 |
| Grand Total (RESIDENTIAL) | | | 216 |

Parking Schedule - Cars

| Description | Count |
|-----------------------------------|------------|
| COMPACT - 8'-6" W X 15' L | 22 |
| STANDARD - 8'-6" W X 18' L | 3 |
| STANDARD - 8'-6" W X 18' L | 54 |
| ACCESSIBLE - 8'-0" W X 18' L | 4 |
| VAN ACCESSIBLE - 12'-0" W X 18' L | 1 |
| LEVEL 1 TOTAL | 84 |
| COMPACT - 8'-6" W X 15' L | 33 |
| STANDARD - 8'-6" W X 18' L | 32 |
| LEVEL 2 TOTAL | 65 |
| Grand Total | 149 |



BUILDING PLAN - LEVEL 1
1" = 20'-0"

Consultants

BKF Engineers
150 California Street, Suite 650
San Francisco, CA 94111

Meyer + Silberberg
1101 16th Street, Suite 202
Berkeley, CA 94710

14TH + ALICE
226 13TH STREET, OAKLAND, CA 94612

WP WEST ACQUISITIONS, LLC
20 SUNNYSIDE AVE SUITE B
MILL VALLEY CA 94541

2024 PRE APPLICATION SUBMITTAL 07/23/24
DEVELOPMENT REVIEW APPLICATION 07/23/24
PLANNING COMMISSION SUBMITTAL 07/23/24

BUILDING PLAN - LEVEL 2

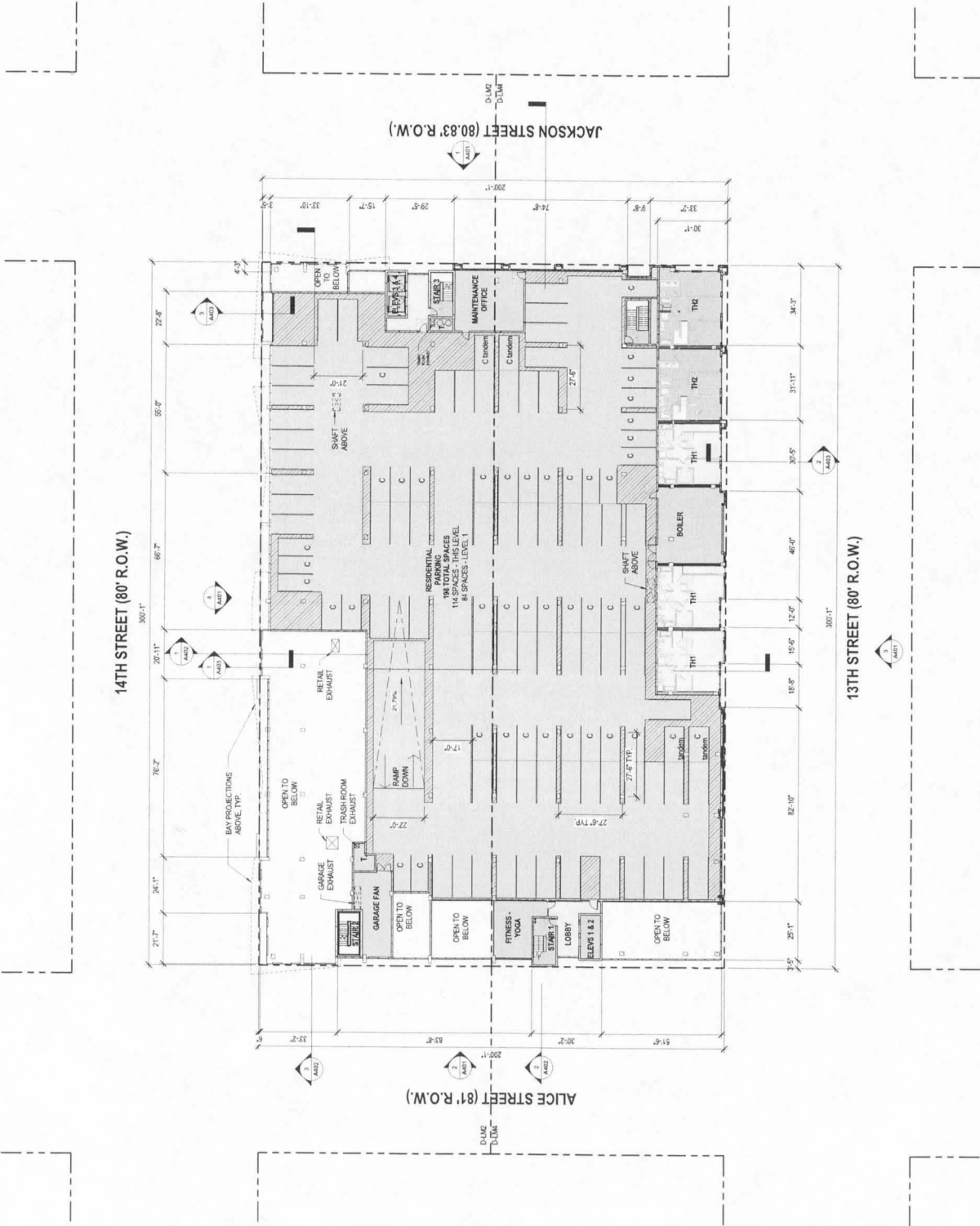
| APP NUMBER | DATE | SCALE | NO. |
|------------|----------|----------|-----|
| 2024-0001 | 07/23/24 | AS SHOWN | 100 |

| Parking Schedule, Cars | Description | Count |
|----------------------------------|-------------|------------|
| COMPACT - 8'-6" W X 15' L | | 22 |
| COMPACT - 7'-6" W X 15' L | | 3 |
| STANDARD - 8'-6" W X 18' L | | 54 |
| ACCESSIBLE - 9'-0" W X 18' L | | 4 |
| VA ACCESSIBLE - 12'-0" W X 18' L | | 1 |
| LEVEL 1 TOTAL | | 84 |
| COMPACT - 8'-6" W X 15' L | | 33 |
| COMPACT - 7'-6" W X 15' L | | 12 |
| STANDARD - 8'-6" W X 18' L | | 66 |
| PARKING LEVEL TOTAL | | 114 |
| Grand Total 198 | | 198 |

A202

PRELIMINARY - NOT FOR CONSTRUCTION.

BUILDING PLAN - LEVEL 2
1" = 20'-0" 1



ROOM LEGEND

| | | | |
|-----------|--------------------------|-----------|-----------------------|
| [Pattern] | RETAIL | [Pattern] | UNIT 3 BEDROOM |
| [Pattern] | RESIDENTIAL COMMON AREAS | [Pattern] | UNIT 2 BEDROOM |
| [Pattern] | RESIDENTIAL PARKING | [Pattern] | UNIT 1 BEDROOM |
| [Pattern] | SERVICE/UTILITY | [Pattern] | UNIT 3 BEDROOM |
| [Pattern] | VERTICAL CIRCULATION | [Pattern] | UNIT PRIVATE DECK |
| [Pattern] | HORIZONTAL CIRCULATION | [Pattern] | COMMON AREA ROOF DECK |
| [Pattern] | | [Pattern] | COURTYARD |

PARKING LEGEND

| | |
|----------|-----------------------------------|
| [Symbol] | COMPACT |
| [Symbol] | CAR SHARE |
| [Symbol] | ELECTRIC VEHICLE CHARGING STATION |
| [Symbol] | EVCS |
| [Symbol] | ACCESSIBLE PARKING |

14TH + ALICE

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE. SUITE B
 MILL VALLEY, CA 94541

DATE: 07/20/18
 DRAWING NO: 18032018
 PROJECT: 14TH + ALICE
 DRAWING TYPE: DEVELOPMENTAL
 DRAWING NO: 18032018
 PROJECT: 14TH + ALICE
 DRAWING TYPE: DEVELOPMENTAL

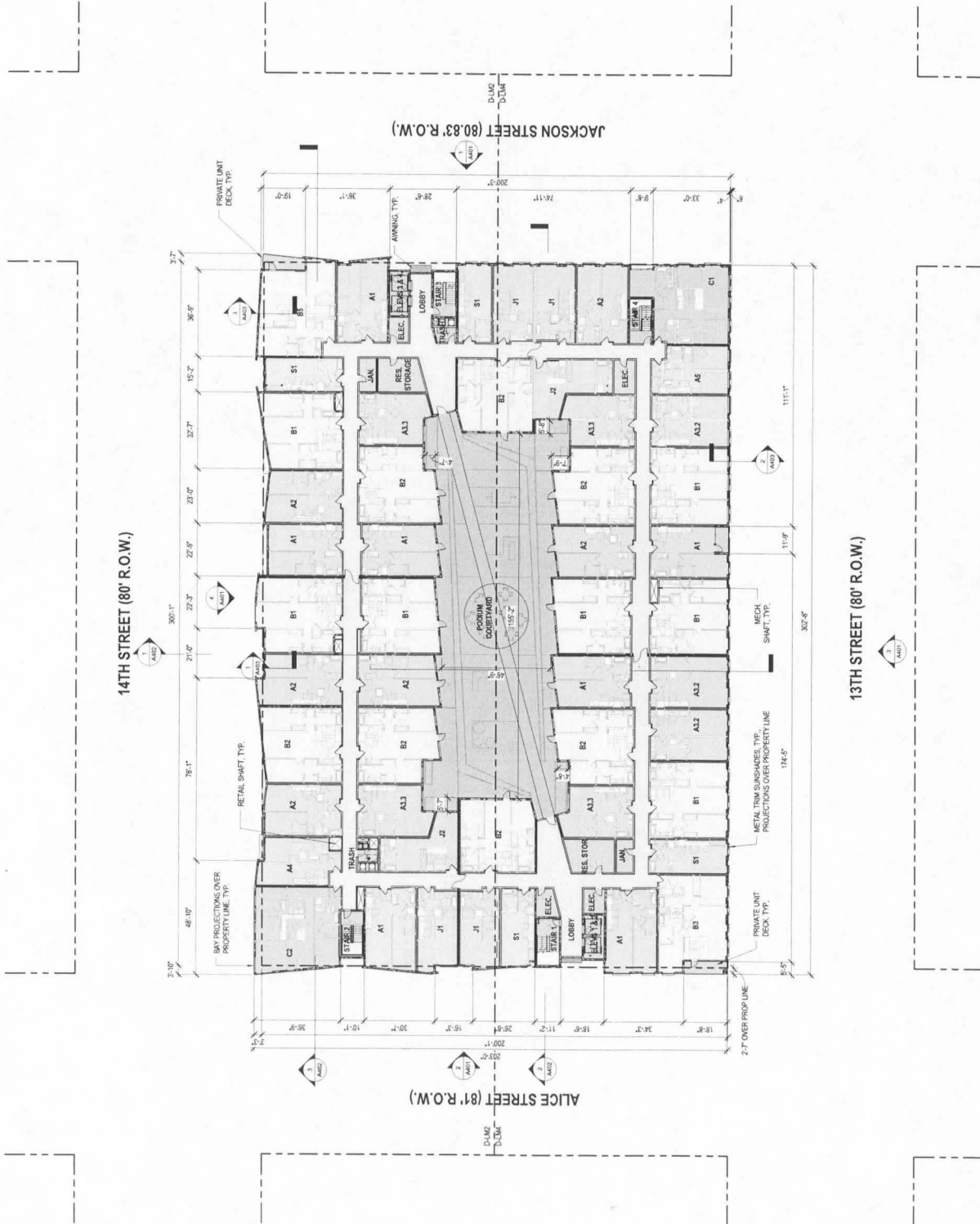
BUILDING PLAN -
LEVEL 3

JOB NUMBER: 18032018
 DATE: 07/20/18
 SCALE: AS SHOWN

PREPARED BY: NOT FOR CONSTRUCTION

A203

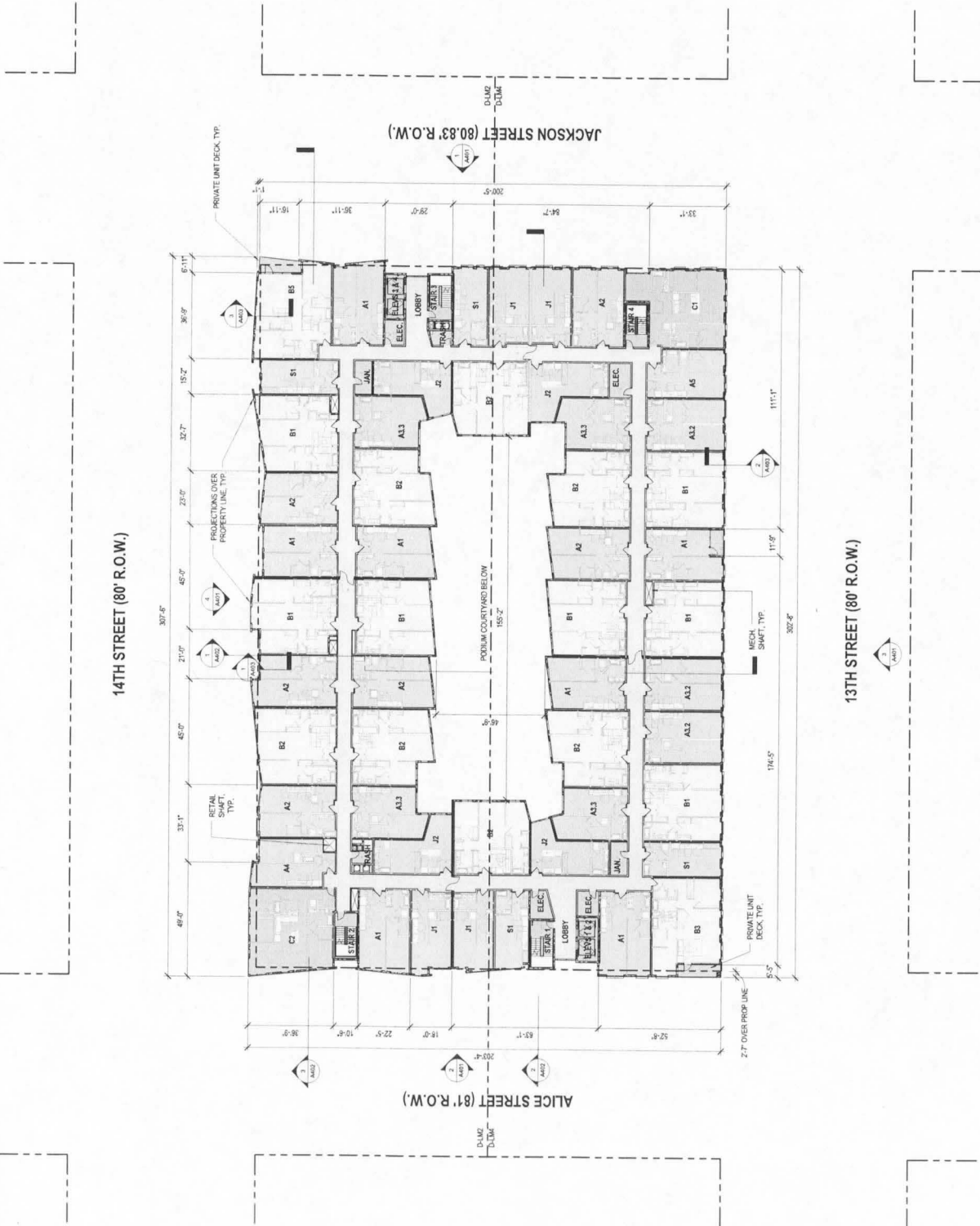
| ROOM LEGEND | |
|--------------------------|-----------------------|
| RETAIL | UNIT |
| RESIDENTIAL COMMON AREAS | UNIT STUDIO |
| RESIDENTIAL PARKING | UNIT JR. 1 BEDROOM |
| SERVICES/UTILITY | UNIT 1 BEDROOM |
| VERTICAL CIRCULATION | UNIT 2 BEDROOM |
| HORIZONTAL CIRCULATION | UNIT 3 BEDROOM |
| | UNIT PRIVATE DECK |
| | COMMON AREA |
| | ROOF DECK / COURTYARD |



BUILDING PLAN - LEVEL 3
 1" = 20'-0"

ROOM LEGEND

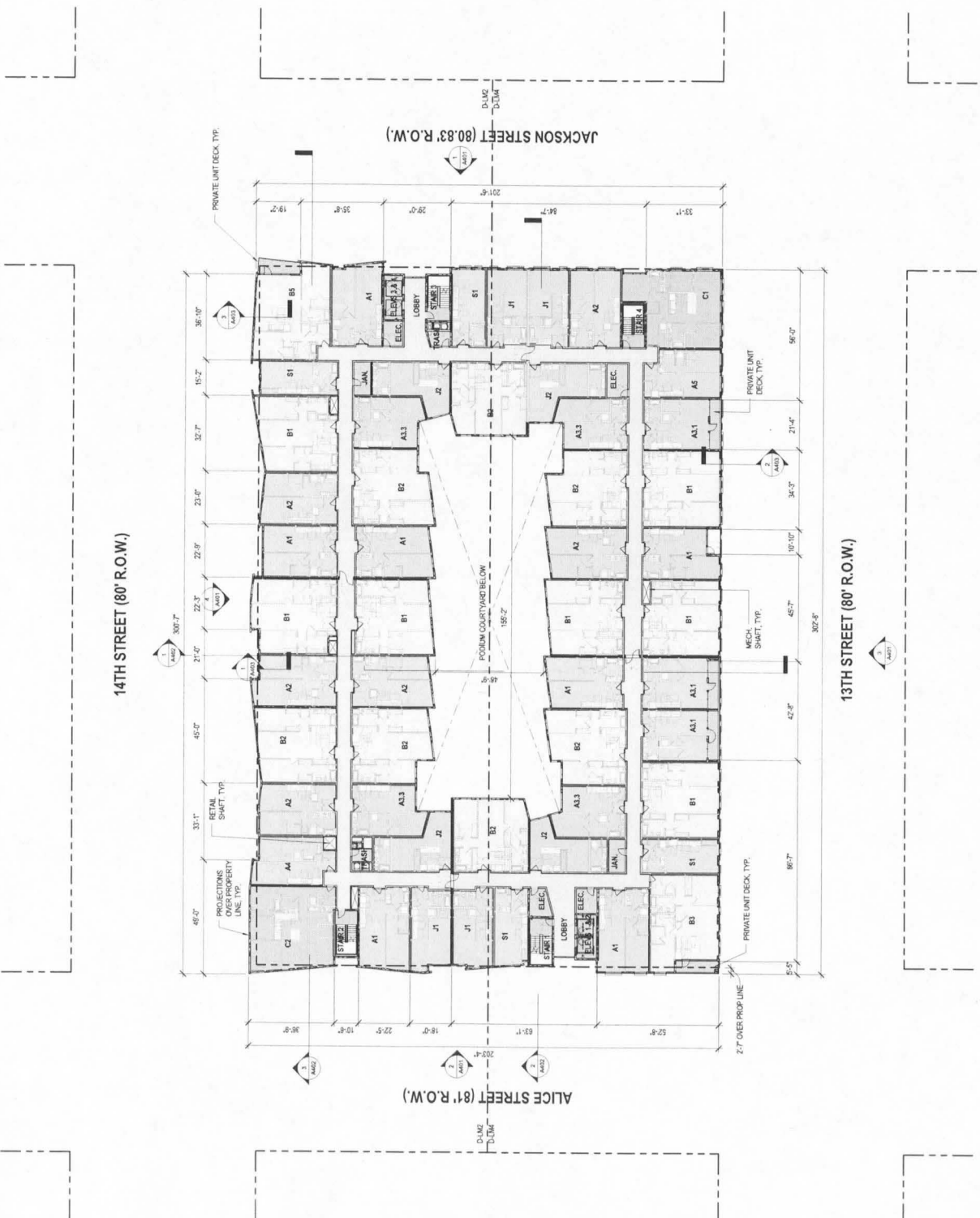
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|----------|--------------------------|----------|-----------------------------------|
| [Symbol] | RETAIL | [Symbol] | UNIT STUDIO |
| [Symbol] | RESIDENTIAL COMMON AREAS | [Symbol] | UNIT 1 BEDROOM |
| [Symbol] | RESIDENTIAL PARKING | [Symbol] | UNIT 2 BEDROOM |
| [Symbol] | SERVICE/UTILITY | [Symbol] | UNIT 3 BEDROOM |
| [Symbol] | VERTICAL CIRCULATION | [Symbol] | PRIVATE DECK |
| [Symbol] | PERSONAL CIRCULATION | [Symbol] | COMMON AREA ROOF DECK / COURTYARD |



BUILDING PLAN - LEVEL 4
1" = 20'-0"

ROOM LEGEND

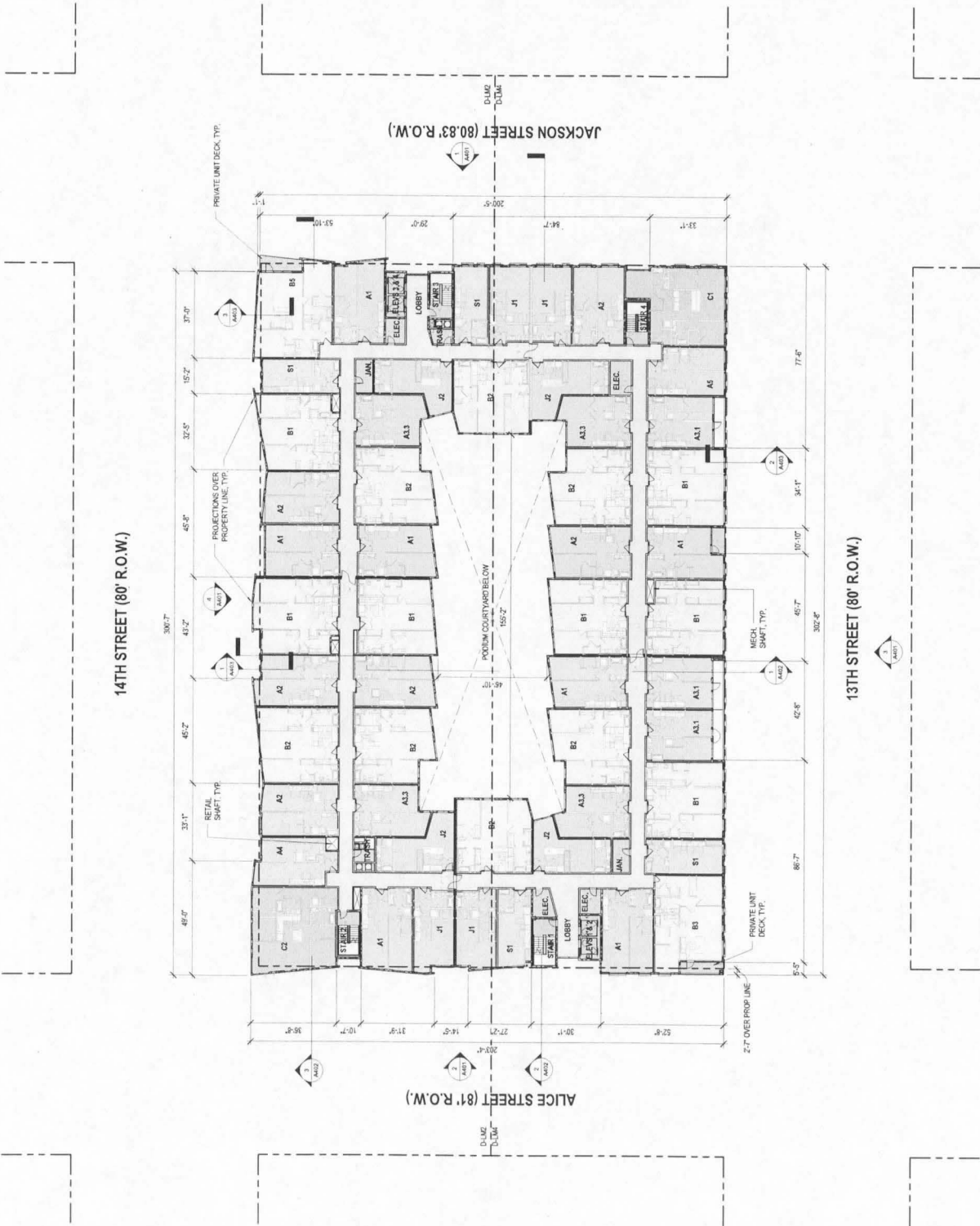
| | |
|--------------------------|-----------------------|
| RETAIL | UNIT STUDIO |
| RESIDENTIAL COMMON AREAS | UNIT 4R 1 BEDROOM |
| RESIDENTIAL PARKING | UNIT 2 BEDROOM |
| SERVICE/UTILITY | UNIT 3 BEDROOM |
| VERTICAL CIRCULATION | UNIT PRIVATE DECK |
| HORIZONTAL CIRCULATION | COMMON AREA ROOF DECK |
| | COURTYARD |



BUILDING PLAN - LEVEL 5
1" = 20'-0"

ROOM LEGEND

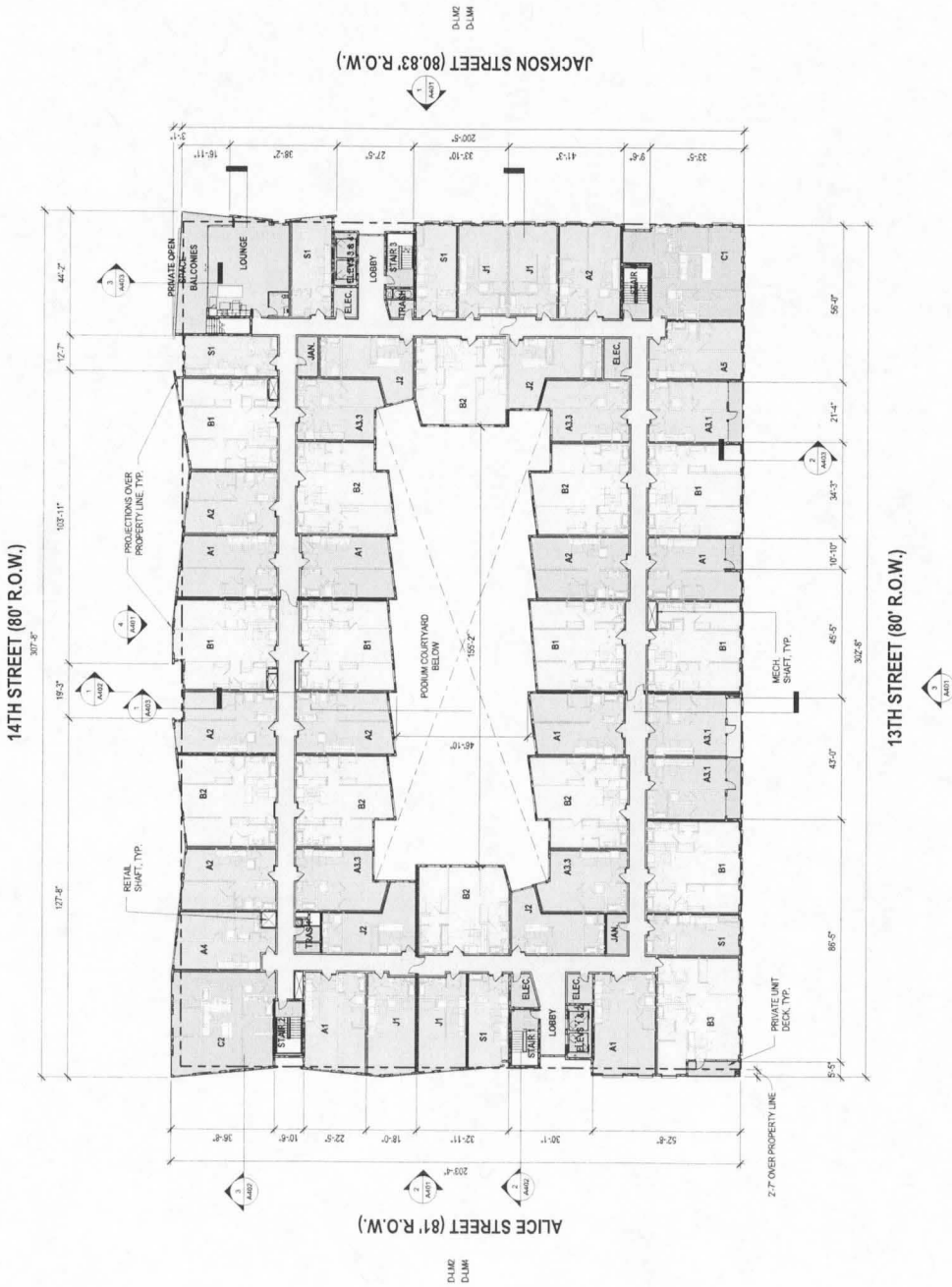
| | | | |
|-----------|--------------------------|-----------|-----------------------|
| [Pattern] | RETAIL | [Pattern] | UNIT STUDIO |
| [Pattern] | RESIDENTIAL COMMON AREAS | [Pattern] | UNIT 1 BEDROOM |
| [Pattern] | RESIDENTIAL PARKING | [Pattern] | UNIT 2 BEDROOM |
| [Pattern] | SERVICE/UTILITY | [Pattern] | UNIT 3 BEDROOM |
| [Pattern] | VERTICAL CIRCULATION | [Pattern] | UNIT PRIVATE DECK |
| [Pattern] | HORIZONTAL CIRCULATION | [Pattern] | COMMON AREA ROOF DECK |
| [Pattern] | | [Pattern] | COURTYARD |



BUILDING PLAN - LEVEL 6
 1" = 20'-0"

ROOM LEGEND

| | | | |
|-----------|--------------------------|-----------|--------------|
| [Pattern] | RETAIL | [Pattern] | UNIT |
| [Pattern] | RESIDENTIAL COMMON AREAS | [Pattern] | STUDIO |
| [Pattern] | RESIDENTIAL PARKING | [Pattern] | 1 BEDROOM |
| [Pattern] | SERVICE/UTILITY | [Pattern] | 2 BEDROOM |
| [Pattern] | VERTICAL CIRCULATION | [Pattern] | 3 BEDROOM |
| [Pattern] | HORIZONTAL CIRCULATION | [Pattern] | UNIT |
| [Pattern] | | [Pattern] | PRIVATE DECK |
| [Pattern] | | [Pattern] | COMMON AREA |
| [Pattern] | | [Pattern] | ROOF DECK |
| [Pattern] | | [Pattern] | COURTYARD |

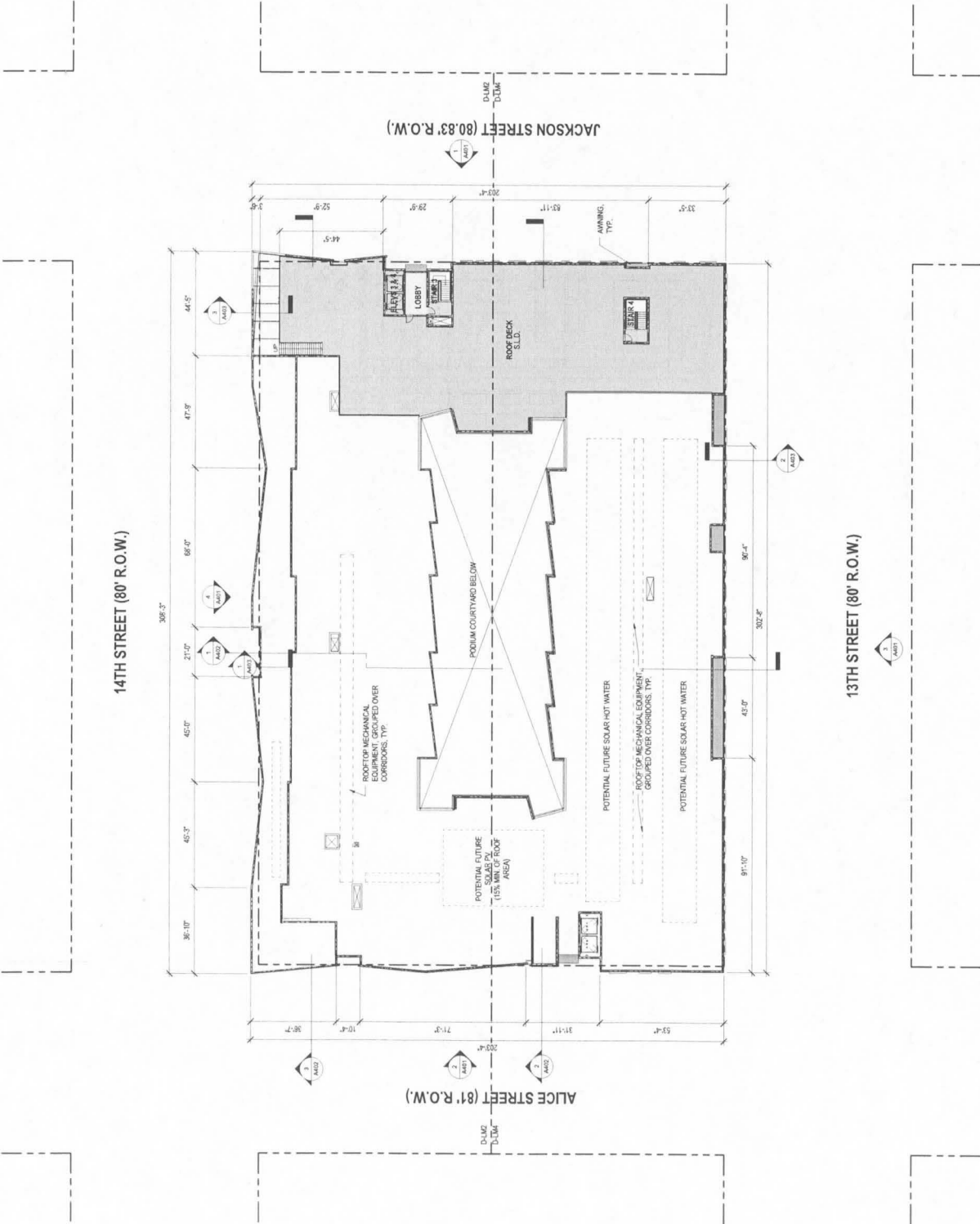


BUILDING PLAN - LEVEL 7
 1" = 20'-0"

14TH + ALICE

BUILDING PLAN - ROOF

| ROOM LEGEND | |
|-------------|--------------------------|
| [Pattern] | RETAIL |
| [Pattern] | RESIDENTIAL COMMON AREAS |
| [Pattern] | RESIDENTIAL PARKING |
| [Pattern] | SERVICE/UTILITY |
| [Pattern] | VERTICAL CIRCULATION |
| [Pattern] | HORIZONTAL CIRCULATION |
| [Pattern] | PRIVATE DECK |
| [Pattern] | COMMON AREA COURTYARD |
| [Pattern] | UNIT STUDIO |
| [Pattern] | UNIT 1 BEDROOM |
| [Pattern] | UNIT 2 BEDROOM |
| [Pattern] | UNIT 3 BEDROOM |



BUILDING PLAN - ROOF PLAN (1)
 1" = 20'-0"

14TH + ALICE

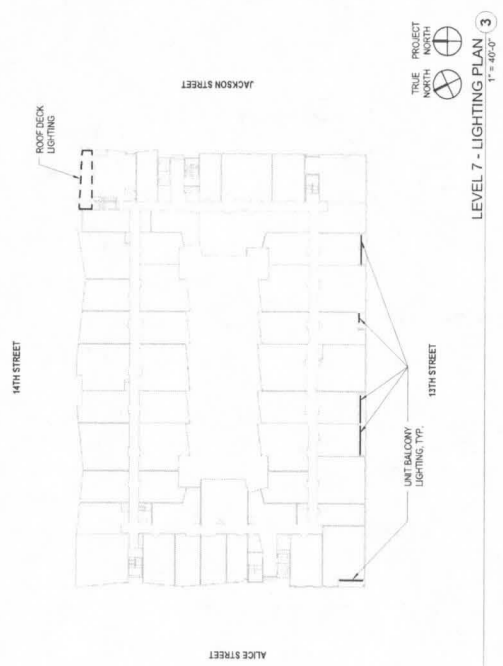
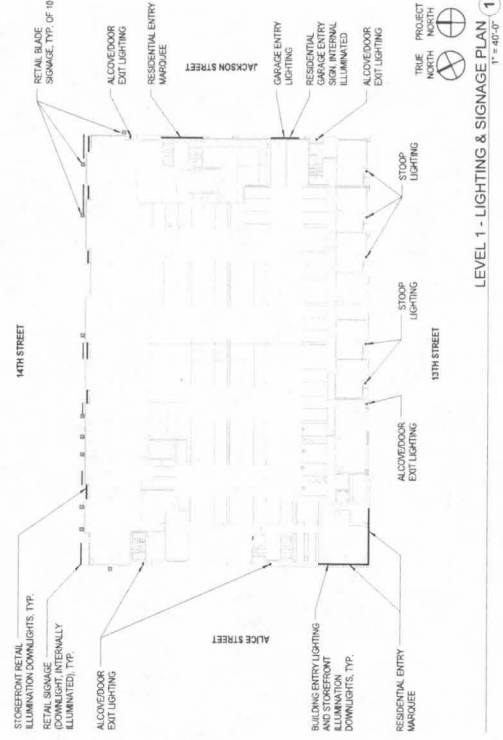
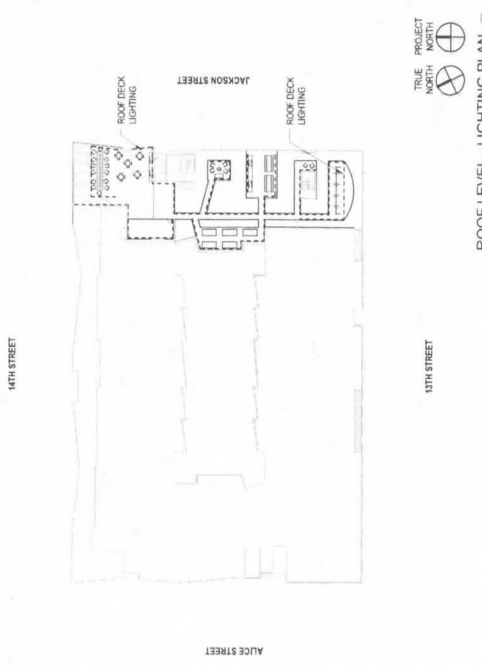
| | |
|---------------------------|---------------------|
| WP WEST ACQUISITIONS, LLC | EST/2023 |
| 20 SUNNYSIDE AVE, SUITE B | ARCH/2023 |
| MILL VALLEY, CA 94641 | UP/ARCH |
| CONTRACT NO. | 14TH+ALICE |
| DATE | 04/2023 |
| PROJECT NO. | 14TH+ALICE |
| PREPARED BY | PLANNING COMMISSION |
| CHECKED BY | 05/2023 |
| DATE | 05/2023 |

LIGHTING & SIGNAGE PLANS

| | |
|------------|-------------|
| JOB NUMBER | 158 |
| DATE | 05/2023 |
| SCALE | 1" = 40'-0" |

THE DRAWING IS NOT FOR CONSTRUCTION

A211



14TH + ALICE

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE. SUITE B
 MILL VALLEY, CA 94641

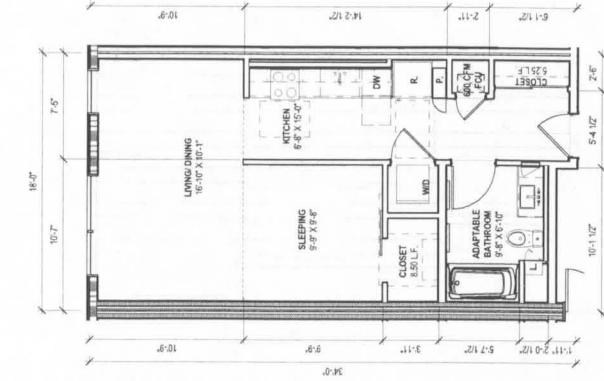
CONTRACT NO. 14-001
 DEVELOPMENT REVIEW NO. 1402016
 APPLICATION NO. 14P0016
 APPROVAL DATE 08/08/16
 DR. RESUBMITTAL NO. 0802016
 SUBMITTAL NO. 0810016

UNIT PLANS - TYPICAL

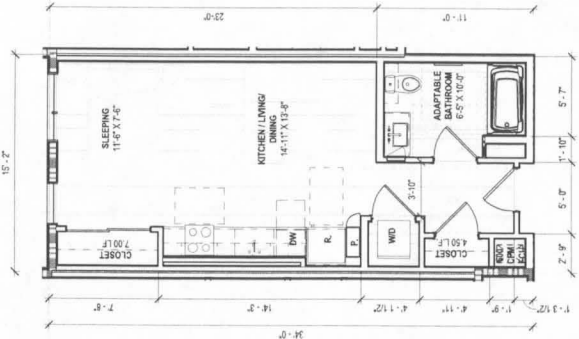
JOB NUMBER: 1508
 DATE: 08/27/16
 SCALE: 1/4" = 1'-0"

FILE NUMBER: 14-0016-CONSTRUCTION

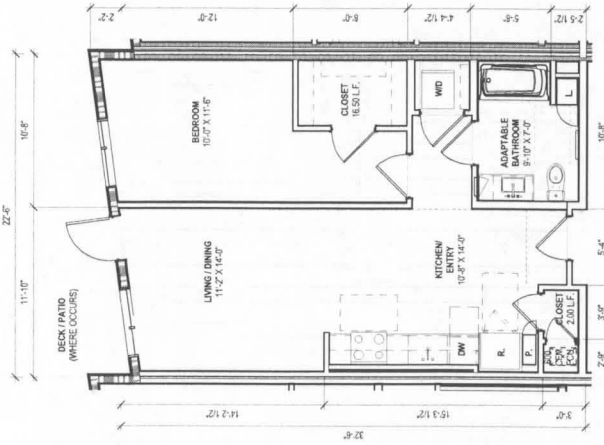
A221



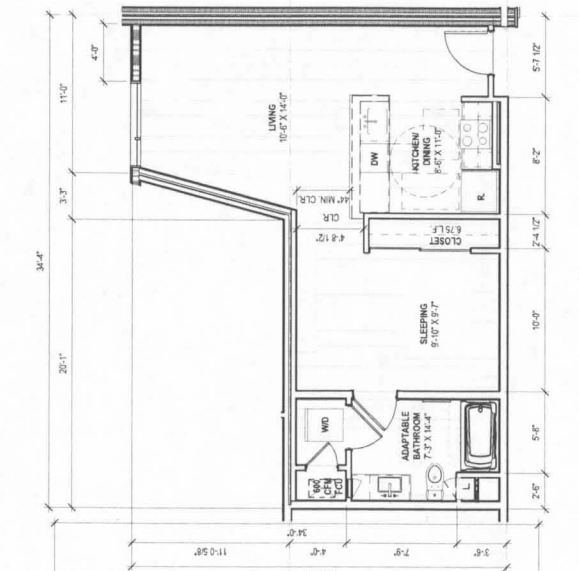
20 TOTAL
 588 - 665 SF
 UNIT J1.2
 1/4" = 1'-0"



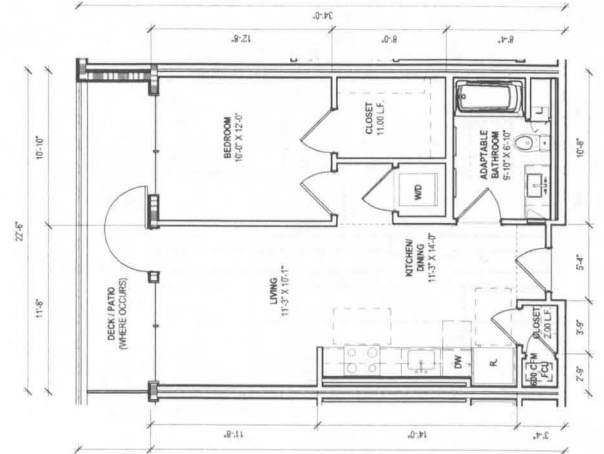
21 TOTAL
 510 - 585 SF
 UNIT S1.1
 1/4" = 1'-0"



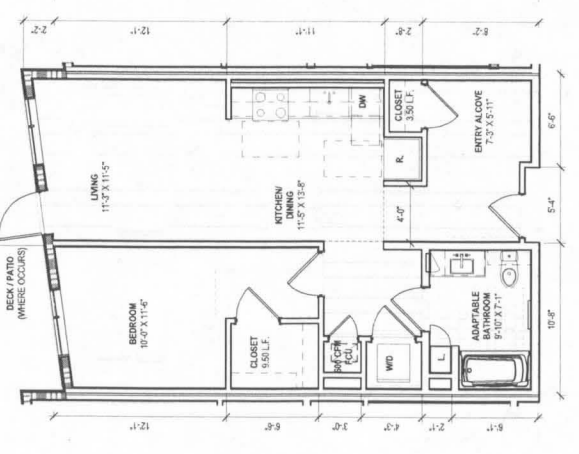
34 TOTAL
 726 - 833 SF
 UNIT A1.4
 1/4" = 1'-0"



18 TOTAL
 865 SF
 UNIT J2.3
 1/4" = 1'-0"



9 TOTAL
 641 SF
 UNIT A3.1
 1/4" = 1'-0"

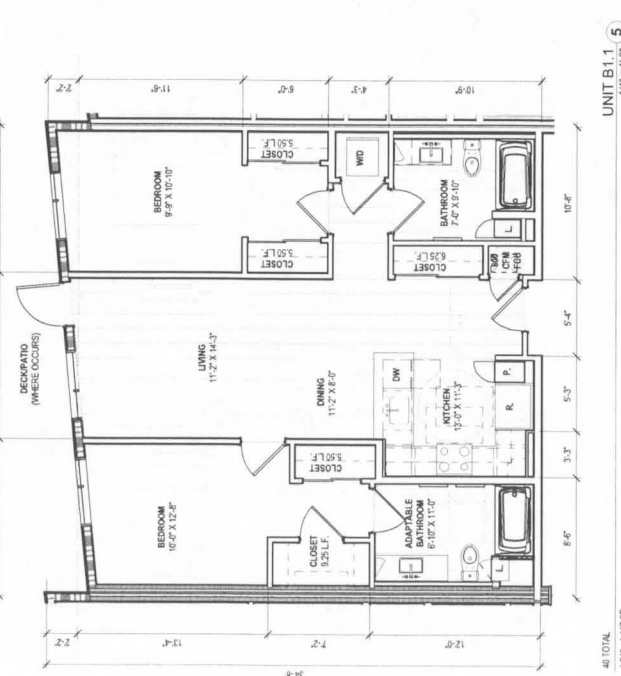
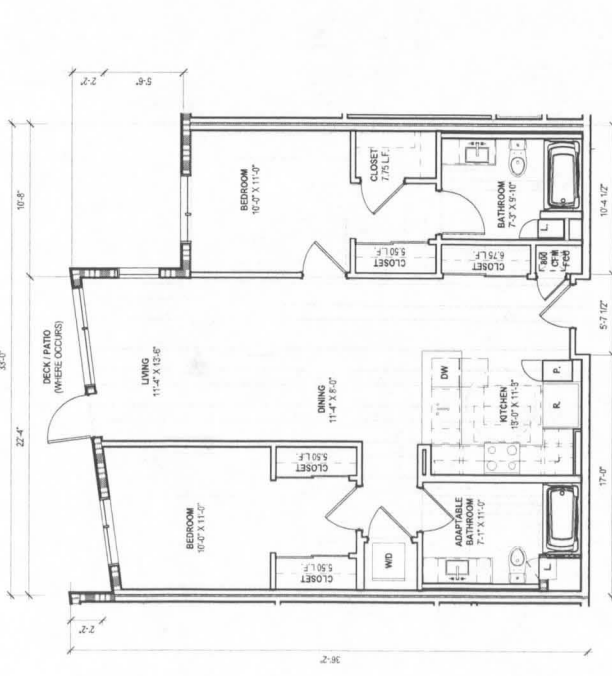
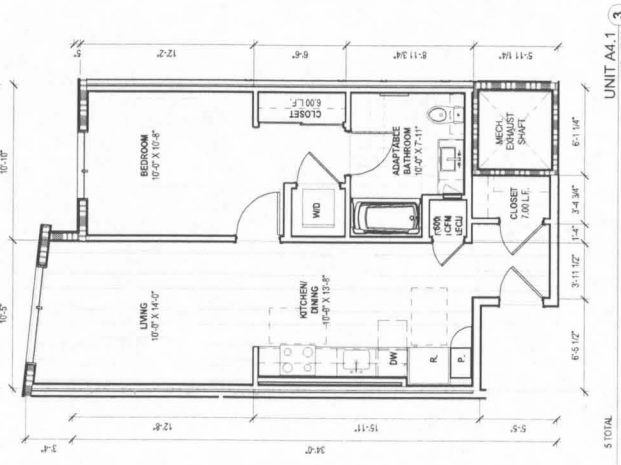
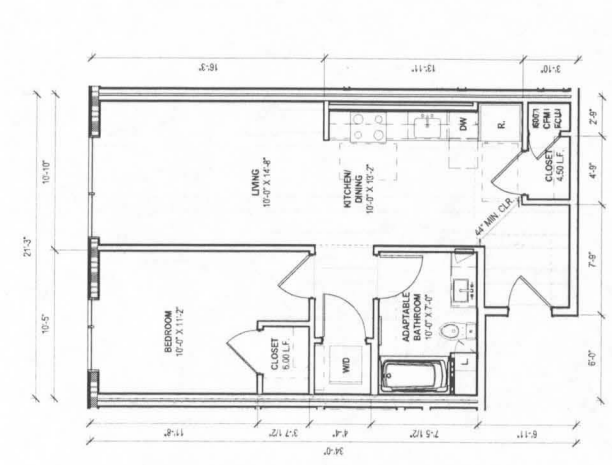
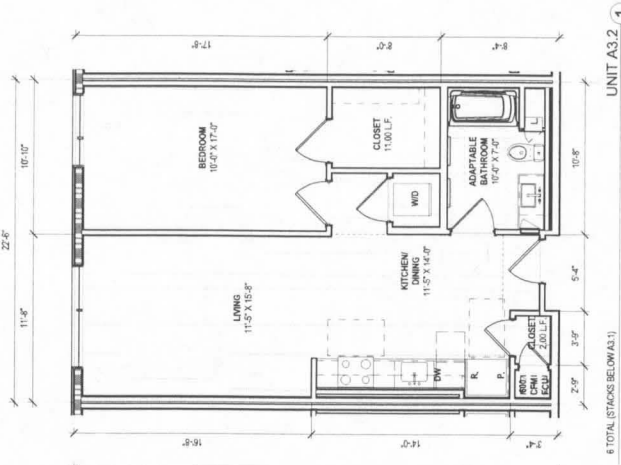
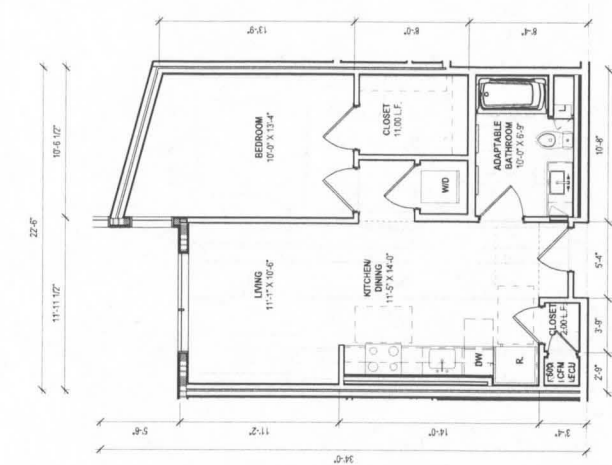


30 TOTAL
 735 - 783 SF
 UNIT A2.5
 1/4" = 1'-0"

14TH + ALICE

UNIT PLANS - TYPICAL

A222



14TH + ALICE

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE, SUITE B
 MILL VALLEY, CA 94541

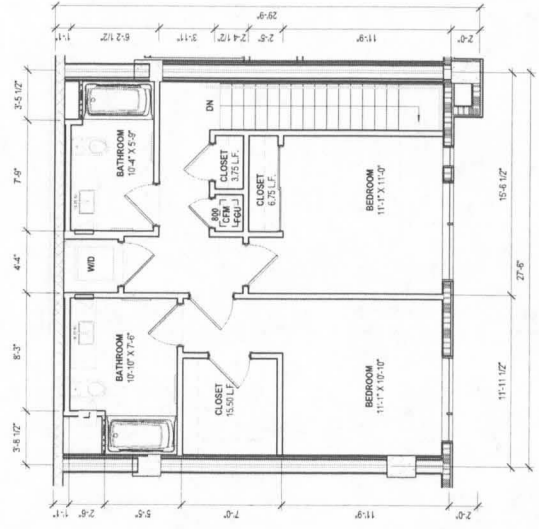
ZONING AND PERMITS LOCATION: EFF/2E/18
 DEVELOPMENT REVIEW: 14/20/18
 APPLICATION: 12/18/18
 APPROVAL: 01/16/19
 DR RESUBMITTAL: 02/14/19
 PLANNING COMMISSION: 02/14/19
 SUBMITTAL: 01/16/19

UNIT PLANS - TYPICAL

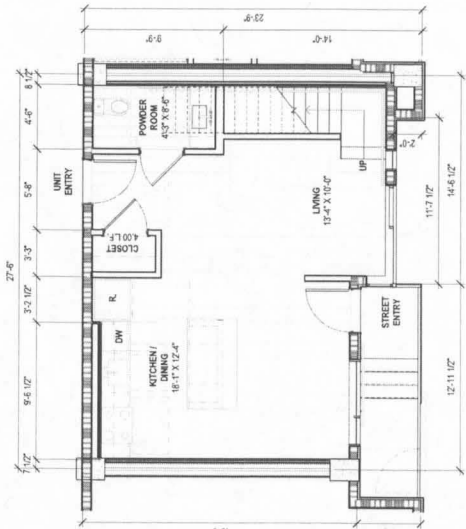
NO. 1008
 DATE: 01/16/19
 SCALE: 1/4" = 1'-0"

PREPARED BY: KUTLER CONSTRUCTION

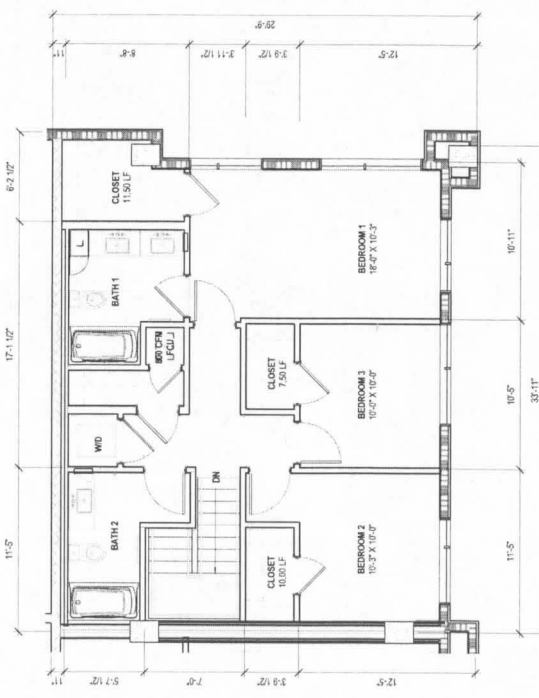
A224



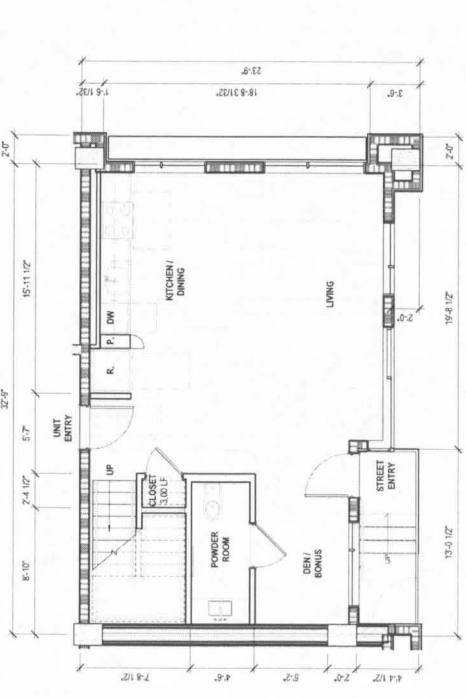
2 BR TOWNHOUSE - UPPER LEVEL ②
 1/4" = 1'-0"
 (693 SF - UPPER)



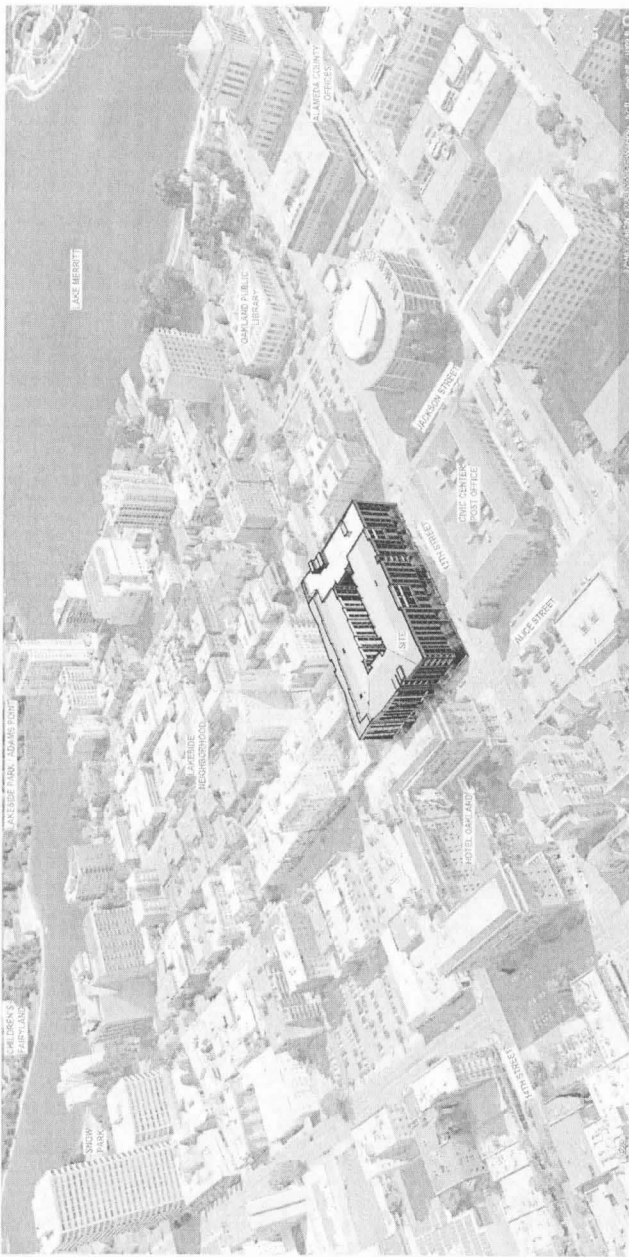
2 BR TOWNHOUSE - LOWER LEVEL ①
 1/4" = 1'-0"
 3 TOTAL
 1,244 SF (966 SF - LOWER)



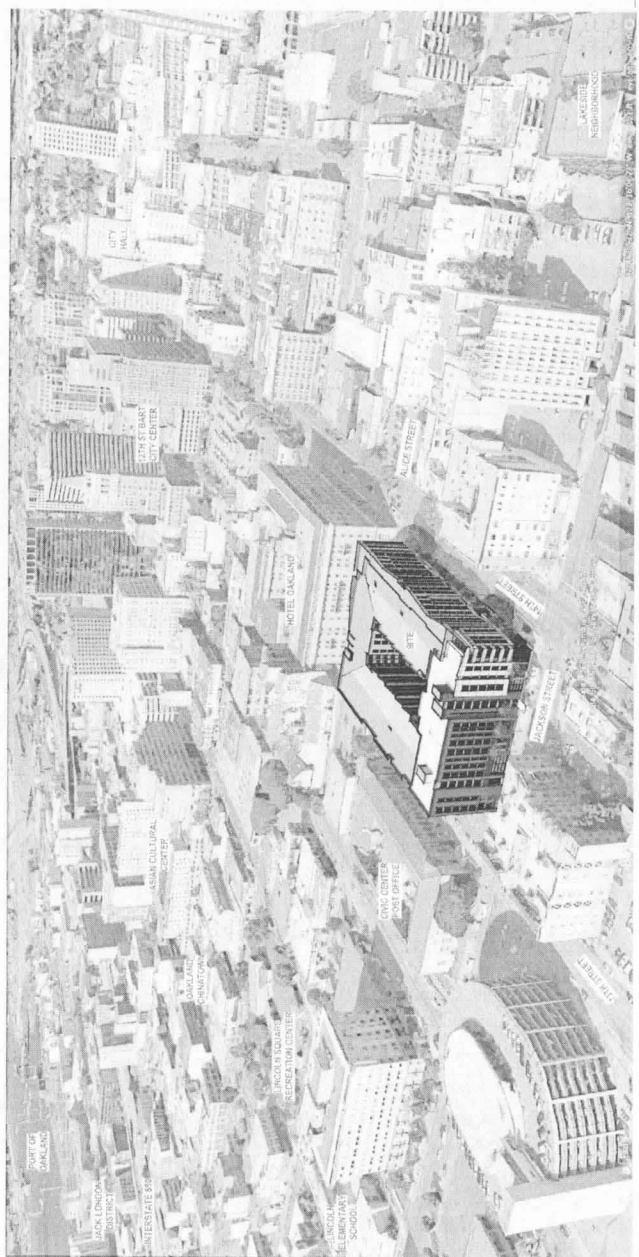
3 BR TOWNHOUSE - UPPER LEVEL ④
 1/4" = 1'-0"
 (845 SF - UPPER)



3 BR TOWNHOUSE - LOWER LEVEL ③
 1/4" = 1'-0"
 2 TOTAL
 1,522 SF (861 SF - LOWER)



Aerial Context - NE Corner 2



Aerial Context - NE Corner 1

PYATOK
 1611 TELEGRAPH AVE. SUITE 200
 OAKLAND, CA 94612
 510.465.7010 | 510.465.8251
 www.pyatok.com

Consultants
BKF Engineers
 150 California Street, Suite 450
 San Francisco, CA 94111
Meyer + Silberg
 1101 8th Street, Suite 202
 Berkeley, CA 94710

14TH + ALICE

226 13TH STREET, OAKLAND, CA 94612

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE. SUITE B
 MILL VALLEY, CA 94541

ZONING PRE-APPLICATION SUBMITTAL 07/2018
 DEVELOPMENT REVIEW 08/2018
 DESIGN REVIEW 07/2018
 APPLICATION 07/2018
 DP RESUBMITTAL 08/2018
 PLANNING COMMISSION SUBMITTAL 08/2018

AERIAL CONTEXT VIEWS

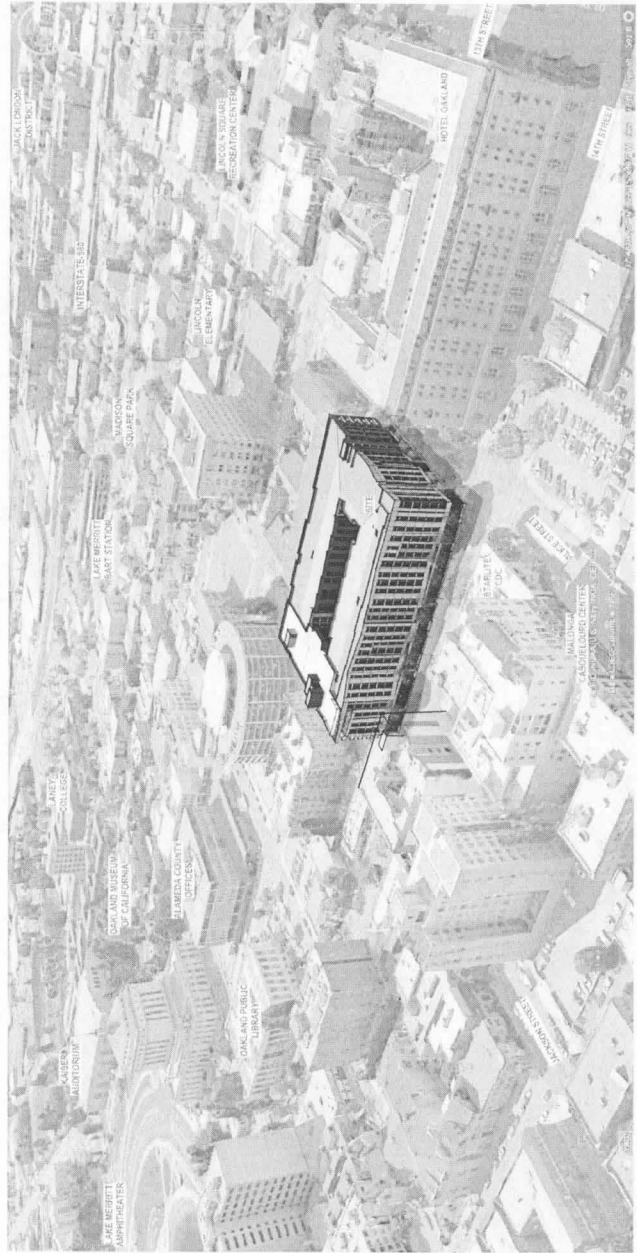
| | |
|------------|---------|
| JOB NUMBER | 1508 |
| DATE | 5/18/18 |
| SCALE | |

PREPARED BY: BKF ENGINEERS

A301



Aerial Context - SE Corner 2



Aerial Context - NW Corner 1

PYATOK
 1611 TELEGRAPH AVE. SUITE 200
 OAKLAND, CA 94612
 510.465.7010 | 510.465.8574
 www.pyatok.com

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 San Francisco, CA 94111
Meyer + Silberg
 1107 6th Street, Suite 202
 Berkeley, CA 94710

226 13TH STREET, OAKLAND, CA 94612

14TH + ALICE

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE SUITE B
 MILL VALLEY, CA 94541

ZONING PRE-APPLICATION SUBMITTAL: 07/20/18
 DEVELOPMENT REVIEW APPLICATION: 07/20/18
 PRELIMINARY PERMITS APPLICATION: 07/20/18
 DR RESUBMITTAL: 08/02/18
 PLANNING COMMISSION SUBMITTAL: 09/10/18

AERIAL CONTEXT VIEWS

JOB NUMBER: 156
 DATE: 07/20/18
 SCALE: 1/8" = 1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION

A302

PYATOK
 1611 TELEGRAPH AVE. SUITE 200
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 510.465.7010 | 510.465.8551
 www.pyatok.com

Consultants

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Meyer + Silberg
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 Berkeley, CA 94710

226 13TH STREET, OAKLAND, CA 94612

14TH + ALICE

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE. SUITE B
 MILL VALLEY, CA 94541
 97/2026
 1/4/2025
 1/27/2025
 1/27/2025
 1/27/2025
 1/27/2025
 1/27/2025

**3D PERSPECTIVE
 VIEW**

JOB NUMBER: 158
 DATE: 1/27/25
 SCALE: 1/2" = 1'-0"

PREPARED BY: NOT FOR CONSTRUCTION

NE CORNER - 14th AND JACKSON
 1/2" = 1'-0"

A303





SW CORNER - 13th AND ALICE
1" = 10'

PYATOK
1811 TELEGRAPH AVE, SUITE 202
OAKLAND, CA 94612
510.465.7010 | 510.465.8251
www.pyatok.com

Consultants

BKF Engineers
150 California Street, Suite 650
San Francisco, CA 94111

Meyer + Silberberg
1101 8th Street, Suite 202
Berkeley, CA 94710

14TH + ALICE
226 13TH STREET, OAKLAND, CA 94612

WP WEST ACQUISITIONS, LLC
20 SUNNYSIDE AVE, SUITE B
MILL VALLEY, CA 94041

ZONING REGULATORY
SUBMITTAL: 07/27/18
DEVELOPMENT REVIEW
APPLICATION: 08/28/18
APPLICATOR: 07/26/18
DR REGULATORY
PLANNING COMMISSION
SUBMITTAL: 08/16/18

**3D PERSPECTIVE
VIEW**

JOB NUMBER: 1506
DATE: 8/1/18
SCALE: 1" = 10'

FILE NUMBER: NOT FOR CONSTRUCTION

A304

Consultants

BKF Engineers
 450 California Street, Suite 650
 San Francisco, CA 94111

Meyer + Silberg
 1101 8th Street, Suite 202
 Berkeley, CA 94710

226 13TH STREET, OAKLAND, CA 94612

14TH + ALICE

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE, SUITE B
 MILL VALLEY, CA 94541

ZONING PRE-APPLICATION
 SUBMITTAL
 PERMITS
 DEVELOPMENT REVIEW
 APPLICATION
 APPLICATION
 DR RELEVANT
 PLANNING COMMISSION
 SUBMITTAL
 05/15/2018

**3D PERSPECTIVE
 VIEW**

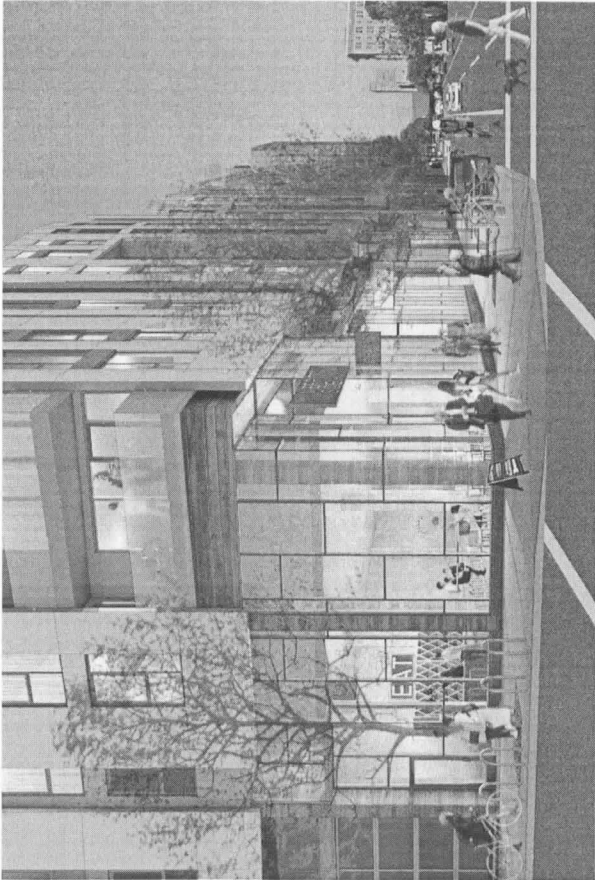
JOB NUMBER
 DATE
 SCALE
 12" = 1'-0"

FILE NAME: 14TH FOR CONSTRUCTION

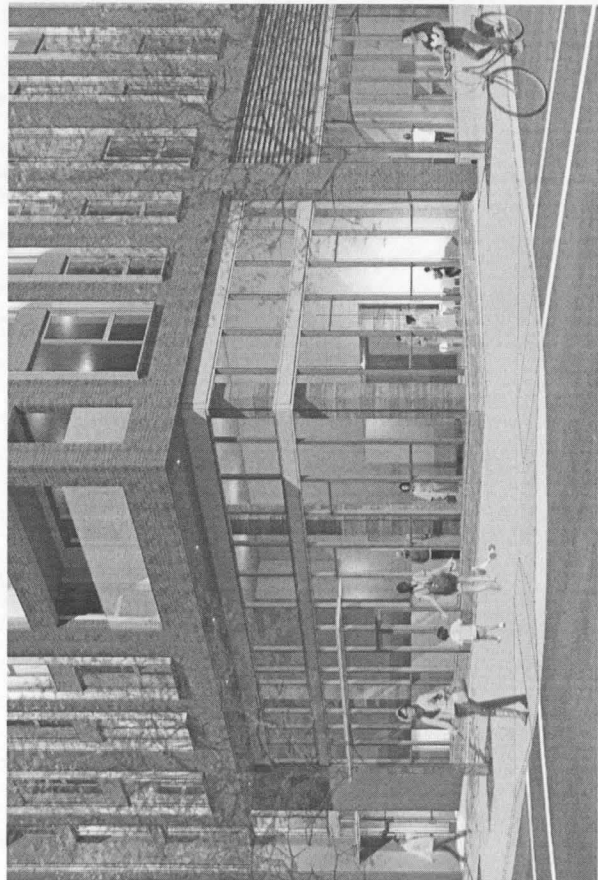
A305



14th Street Retail Entry
 1/2" = 1'-0" 1



Retail Corner - 14th and Jackson
 1/2" = 1'-0" 3



SW Corner Leasing Lobby
 1/2" = 1'-0" 2

Consultants

BKF Engineers
 150 California Street, Suite 650
 San Francisco, CA 94111
Meyer + Silberg
 609 Market Street, Suite 200
 Emeryville, CA 94612

226 13TH STREET, OAKLAND, CA 94612

14TH + ALICE

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE. SUITE B
 MILL VALLEY, CA 94541

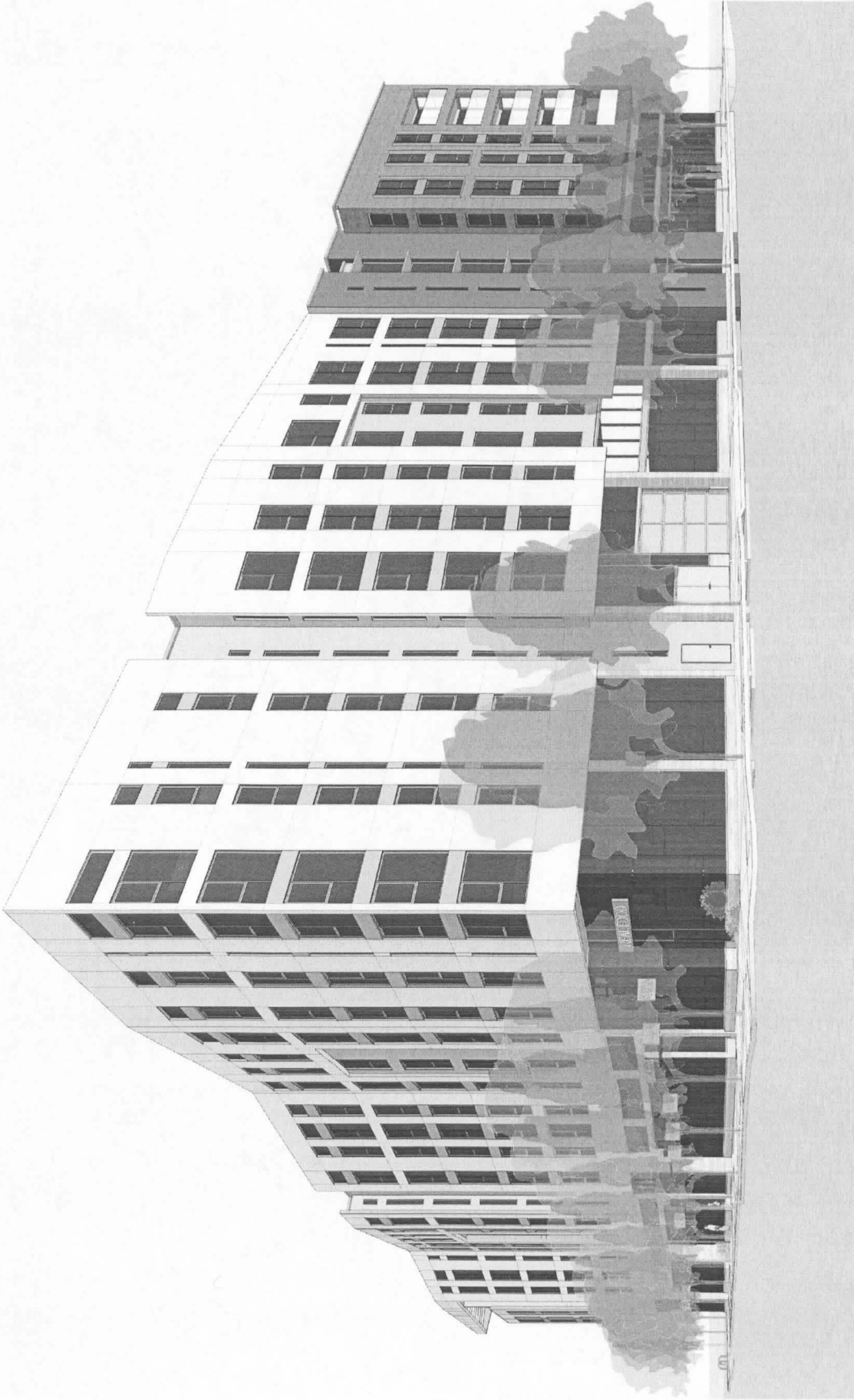
ZONING PRE-APPLICATION SUBMITTAL
 DEVELOPMENT REVIEW SUBMITTAL
 DESIGN REVIEW APPLICATION
 DP RESUBMITTAL
 PLANNING COMMISSION SUBMITTAL

3D PERSPECTIVE VIEWS

JOB NUMBER
 DATE
 SCALE

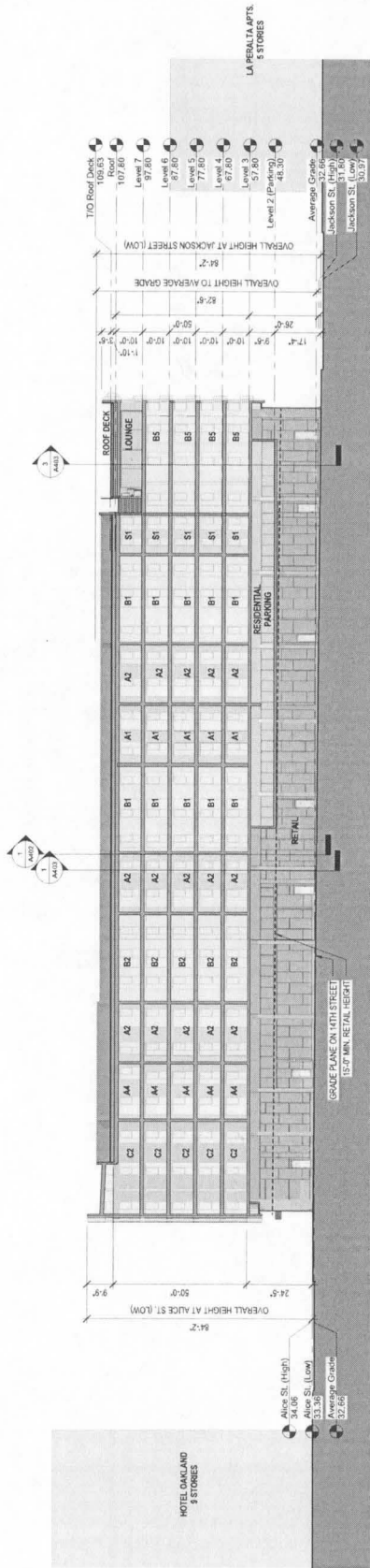
PRELIMINARY - NOT FOR CONSTRUCTION

A306

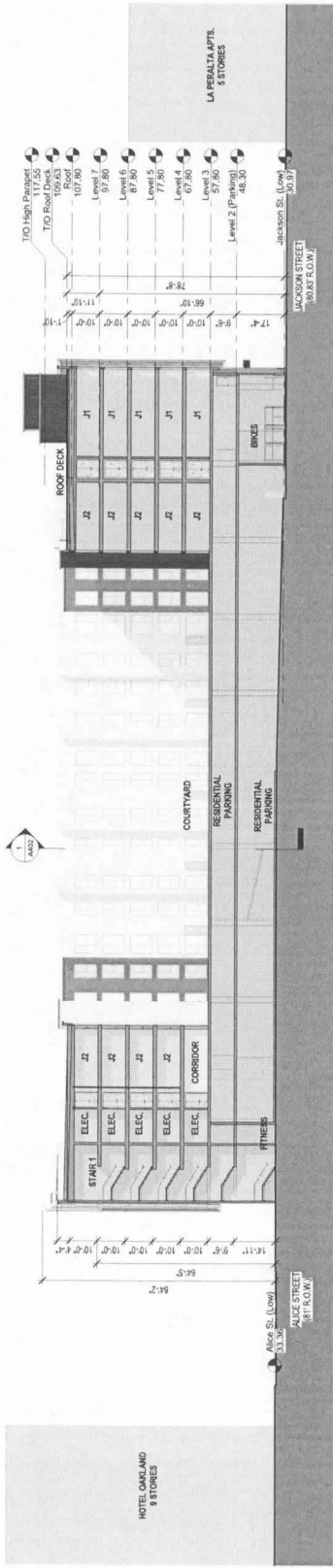


Alice at 14th Street - Building View 1

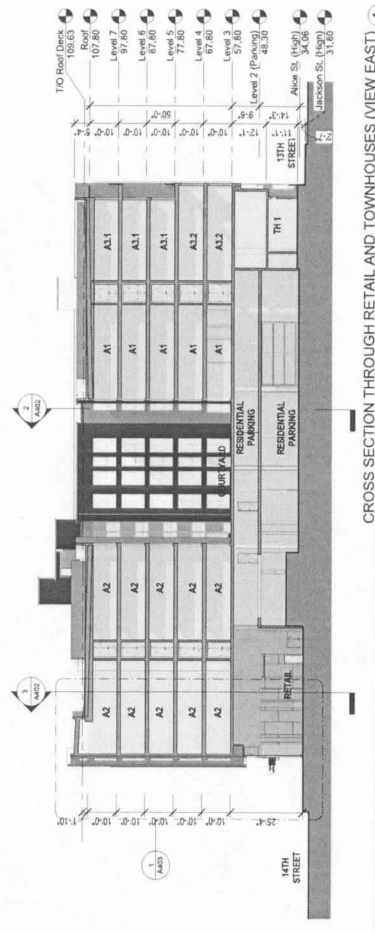
14TH + ALICE



LONGITUDINAL SECTION THROUGH RETAIL, RESIDENTIAL PARKING AND UNITS (VIEW NORTH)
 1" = 20'-0"



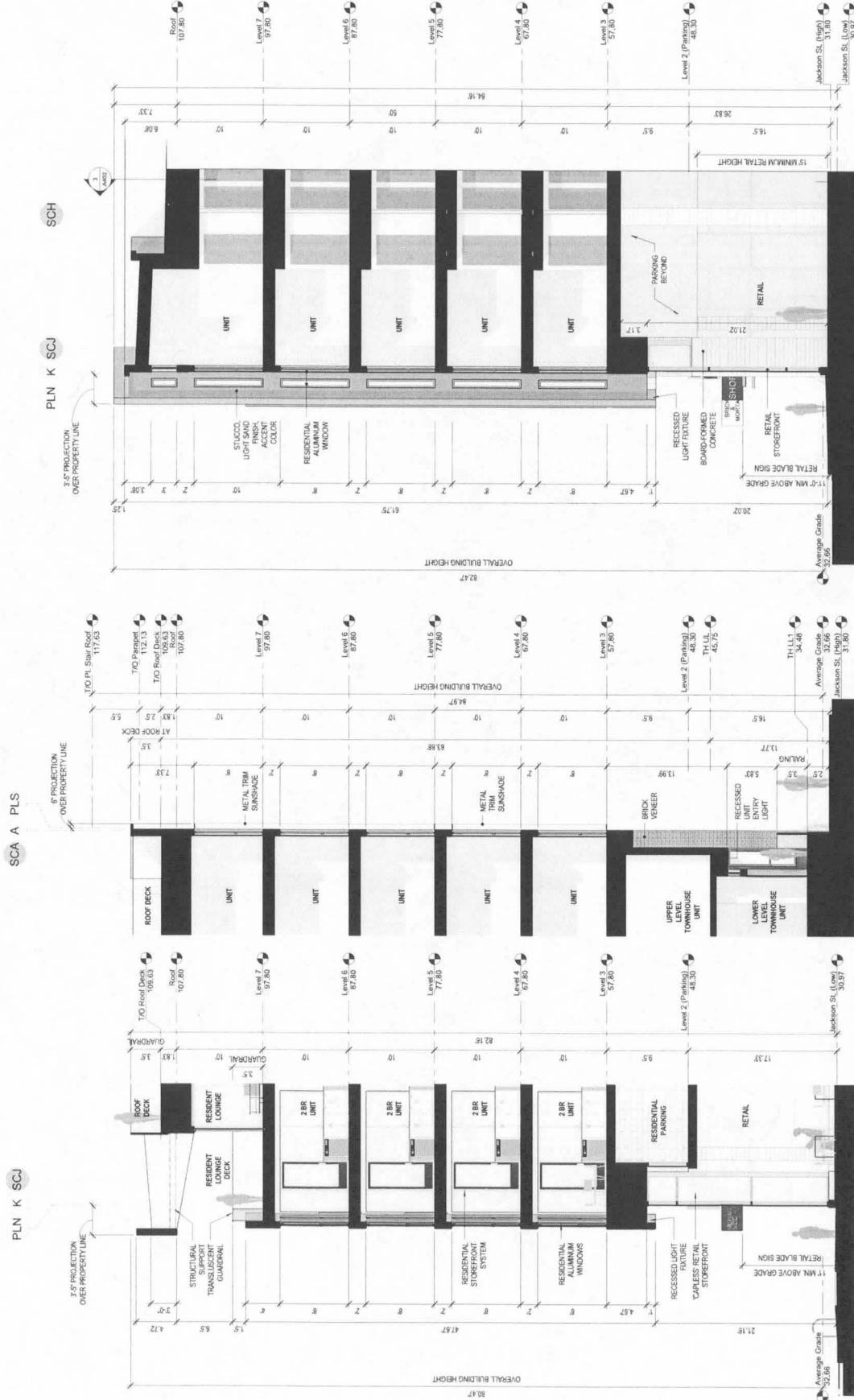
LONGITUDINAL SECTION THROUGH RESIDENTIAL PARKING AND BIKES (VIEW NORTH)
 1" = 20'-0"



CROSS SECTION THROUGH RETAIL AND TOWNHOUSES (VIEW EAST)
 1" = 20'-0"

14TH + ALICE

A403



SECTION AT RETAIL STOREFRONT - 14TH STREET
 3/16" = 1'-0" 1

ENLARGED SECTION AT TOWNHOMES - 13TH STREET
 3/16" = 1'-0" 2

SECTION AT RESIDENT LOUNGE - 14TH STREET
 3/16" = 1'-0" 3

14TH + ALICE

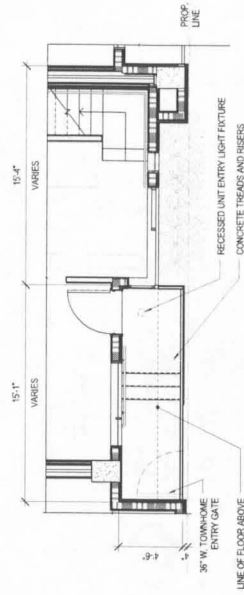
| | |
|--|------------------------|
| WP WEST ACQUISITIONS, LLC 20 SUNNYSIDE AVE SUITE B MILL VALLEY, CA 94541 | PROJECT NO. 1402018 |
| ZONING REGULATIONS SUBMITTAL | DATE 07/20/18 |
| DEVELOPMENT REVIEW APPLICATION | DATE 07/20/18 |
| APPLICATOR PYATOK | DATE 06/02/18 |
| DR. RESIDENTIAL PLANNING COMMISSION | DATE 05/10/18 |
| SUBMITTAL | |

ENLARGED ELEVATIONS

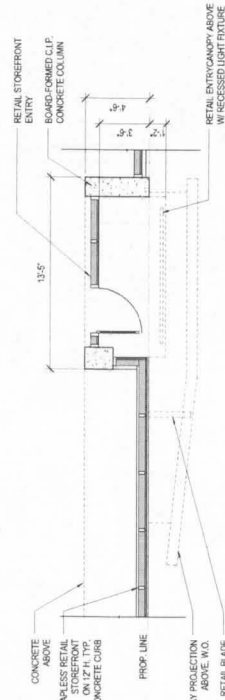
| | |
|-----------------------|------------------|
| JOB NUMBER 1402018 | DATE 07/20/18 |
| SCALE 1/4" = 1'-0" | |

PREPARED FOR THE ARCHITECT

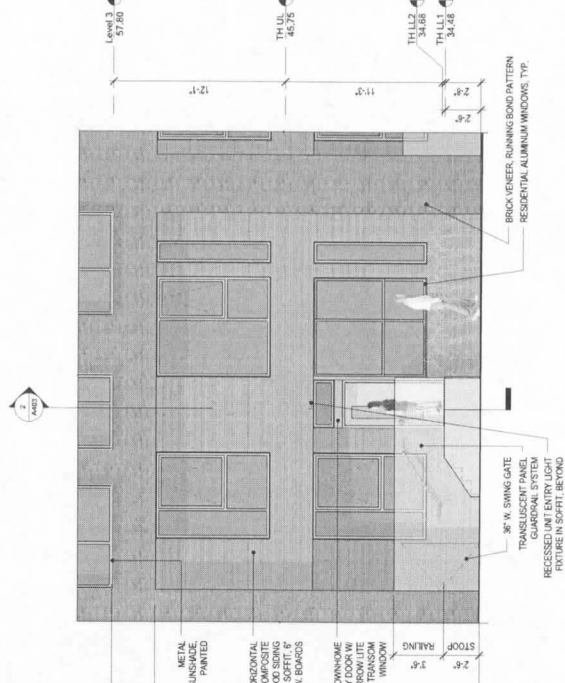
A404



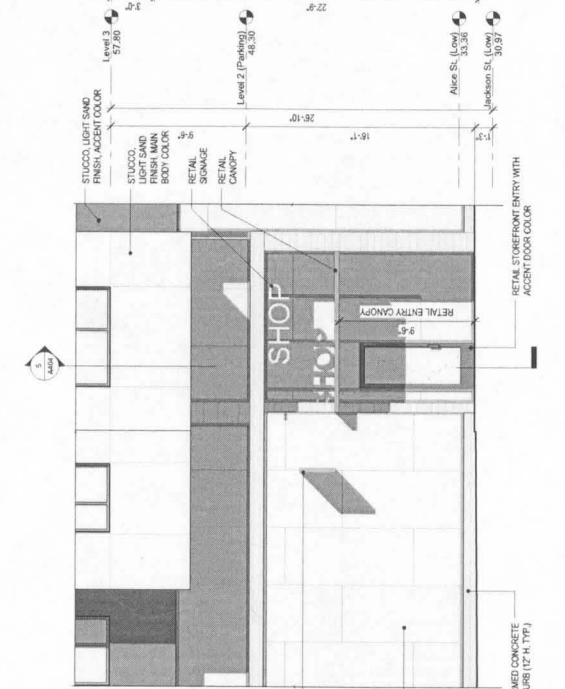
ENLARGED PLAN AT TOWNHOME ENTRY
1/4" = 1'-0"



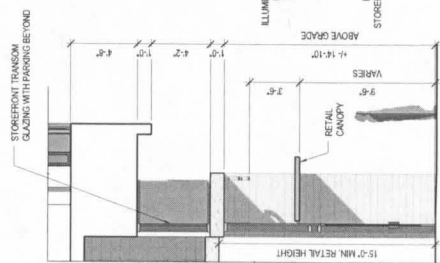
ENLARGED PLAN AT TYPICAL RETAIL ENTRY
1/4" = 1'-0"



ENLARGED ELEVATION AT TYPICAL TOWNHOUSE
1/4" = 1'-0"



ENLARGED ELEVATION AT TYPICAL RETAIL ENTRY
1/4" = 1'-0"



ENLARGED SECTION AT TYP. RETAIL ENTRY
1/4" = 1'-0"

Consultants

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 San Francisco, CA 94111

Meyer + Silberman
 1101 8th Street, Suite 202
 Berkeley, CA 94710

226 13TH STREET, OAKLAND, CA 94612

14TH + ALICE

WP WEST ACQUISITIONS, LLC
 20 SUNNYSIDE AVE, SUITE B
 MILL VALLEY, CA 94541

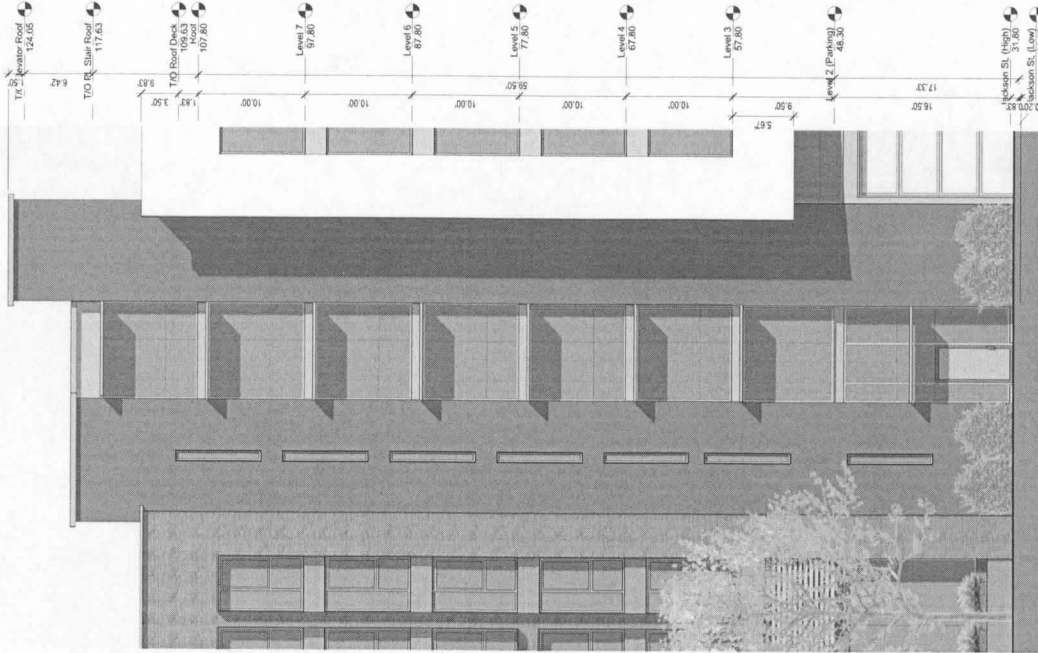
CONCEPT DEVELOPMENT: 08/2018
 DEVELOPMENT REVIEW: 09/2018
 APPLICATION: 12/18/2018
 APPROVAL: 02/14/2019
 PER RESUBMITTAL: 04/02/2019
 PER RESUBMITTAL: 05/15/2019
 PER RESUBMITTAL: 05/15/2019

ENLARGED ELEVATIONS
JACKSON STREET LOBBY

JOB NUMBER: 158
 DATE: 5/15/2018
 SCALE: 3/16" = 1'-0"

THE DRAWING NOT BE CONSTRUCTION.

A405



Enlarged Elevation - Jackson Street Lobby 1
 3/16" = 1'-0"



Jackson Street Lobby 2
 3/16" = 1'-0"

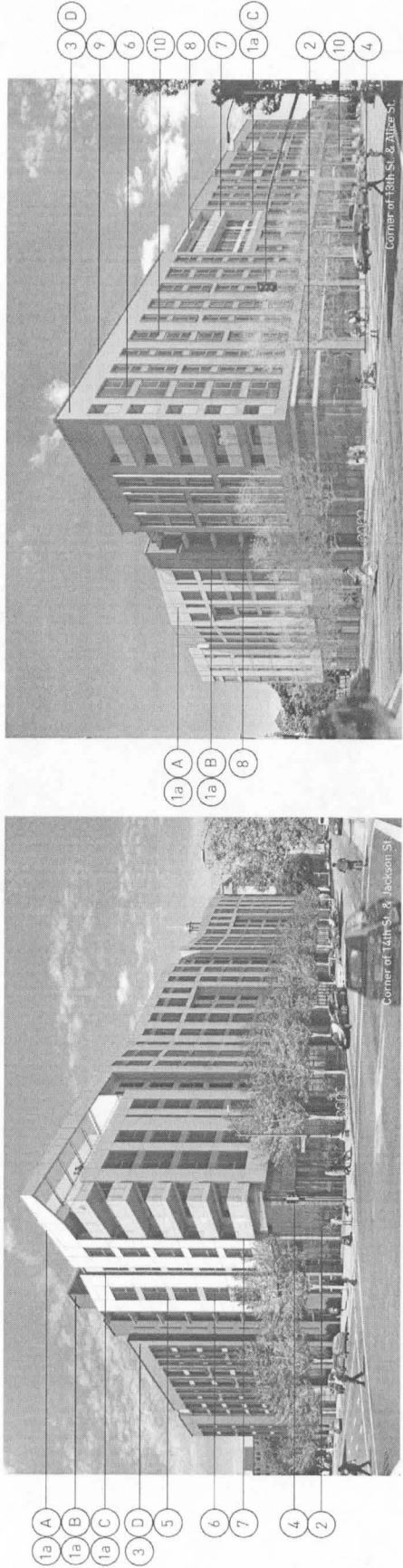
14TH + ALICE

MATERIALS AND COLORS

JOB NAME: 198
 DATE: 05/2014
 SCALE:

A502

EXTERIOR PERSPECTIVES



MATERIALS

- 1 Cement Plaster - Light Sand Finish, Painted
- 2 Capless Aluminum Windows - Clear Anodized w/ Clear Glazing
- 3 Brick Veneer
- 4 Exposed Concrete - Architectural Finish / Board Formed
- 5 Metal Panels - To Match Windows
- 6 Residential Grade Aluminum Window - Clear Anodized
- 7 Balconies

COLORS

- 8 Sunshades - Painted Metal
- 9 Metal Trim
- 10 Horizontal Composite Siding, Painted
- A Main Body 1 - Cement Plaster System
- B Main Body 2 - Cement Plaster System
- C Accent 1 - Cement Plaster System
- D Brick Veneer

Consultants

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 150 California Street, Suite 650
 San Francisco, CA 94111

Moya + Silberberg
 1101 8th Street, Suite 202
 Berkeley, CA 94710

14TH + ALICE
 226 13TH STREET, OAKLAND, CA 94612

WP WEST ACQUISITIONS, LLC
 20 SANNING AVE SUITE B
 MILL VALLEY, CA 94541

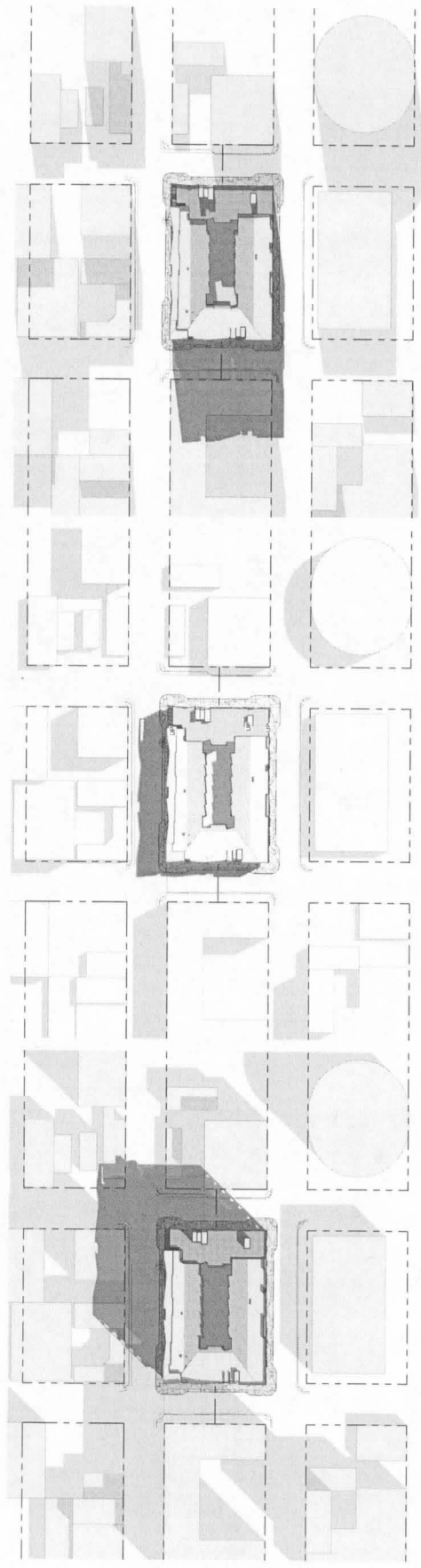
STATE REGISTRATION: 09732813
 DEVELOPMENT REVIEW: 10/22/19
 APPLICATION: 10/22/19
 DATE OF SUBMITTAL: 10/22/19
 PANEL COMMISSION: 09/20/19
 SUBMITTAL: 09/20/19

SHADOW STUDIES

JOB NUMBER: 1008
 DATE: 9/21/19
 SCALE: 1" = 100'-0"

THESE PLANS ARE NOT FOR CONSTRUCTION.

A501



SHADOW STUDY - SEPTEMBER 21, 9AM
 1" = 100'-0" 1

SHADOW STUDY - SEPTEMBER 21, 1PM
 1" = 100'-0" 2

SHADOW STUDY - SEPTEMBER 21, 5PM
 1" = 100'-0" 3

Case Number PLN15-230, 226 13th Street

***Public Comments Received from 5/13/16 to
5/24/16***

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

501 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062

lhorton@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201
FAX: (916) 444-6209

DANIEL L. CARDOZO
CHRISTINA M. CARO
THOMAS A. ENSLOW
TANYA A. GULESSERIAN
LAURA E. HORTON
MARC D. JOSEPH
RACHAEL E. KOSS
JAMIE L. MAULDIN
ELLEN L. WEHR

May 18, 2016

VIA EMAIL AND U.S. MAIL

Rachel Marie Flynn
Director, Planning & Building
City of Oakland
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612
Email: rflynn@oaklandnet.com

LaTonda D. Simmons, City Clerk
City of Oakland
One Frank H. Ogawa Plaza
First and Second Floors
Oakland, CA 94612
Email: lsimmons@oaklandnet.com

VIA EMAIL ONLY

Peterson Vollmann
Email: pvollmann@oaklandnet.com

Re: **Request to Postpone Planning Commission Hearing – 14th and Alice (SE) Project (PLN 14-320)**

Dear Ms. Flynn, Ms. Simmons, and Mr. Vollmann:

We are writing on behalf of Oakland Residents for Responsible Development (“Coalition”) to request that the City postpone the scheduled June 1st Planning Commission hearing on the 226 13th Street Project PLN 14-320 (“Project”). Specifically, the Coalition requests that the City postpone the hearing until at least 30 days after the City provides outstanding records responsive to our April 5th Public Records Act request and records referenced in the City’s CEQA Analysis for the Project, including:

- The complete CalEEMod output files (winter, summer, and annual) for the Project's construction emissions; and
- The complete CalEEMod output files (winter, summer, and annual) for the Project's operational emissions.

On April 5, 2016, we submitted a request to the City of Oakland for “any and all public records” relating to the Project, pursuant to the California Public Records

3506-002rc

May 18, 2016

Page 2

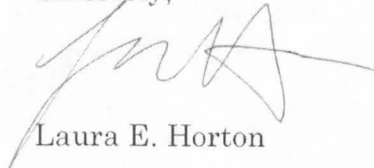
Act ("CPRA").¹ However, as of the date of this letter, the City has failed to fully respond to our request. On May 17, Mr. Vollmann directed us to the City's Planning & Building website containing the CEQA Analysis and some related documents for the Project.² However, those documents do not encompass the entirety of the City's required response to our CPRA request, which should include emails, memoranda, letters, and other such records relating to the Project.

Furthermore, the City's Planning & Building website fails to provide all files necessary for a full public review of the City's CEQA Analysis and the Project. The CEQA Analysis states that the CalEEMod output files used for the City's air quality impact analysis can be found in Appendix A (criteria air pollutants) and in Appendix E (GHG emissions). However, both appendices do not include the full CalEEMod output files for either construction or operation. Instead, the CEQA Analysis and appendices merely include partial summaries of assumptions and emissions. Without the full CalEEMod output files for both construction and operation emissions, the public is unable to verify the accuracy of the City's summary assumptions and emission estimates, thwarting public review of the Project's air quality impacts.

Due to the City's failure to provide public records in response to our April 5th request and the modelling output files referenced in the CEQA Analysis, we respectfully request that the City postpone the June 1 hearing for the Project to 30 days after it provides the responsive records.

Thank you for your attention to this matter.

Sincerely,



Laura E. Horton

LEH:ric

¹ Letter from Janet M. Laurain, Adams Broadwell Joseph & Cardozo to Rachel Marie Flynn, LaTonda D. Simmons, and Peterson Z. Vollmann, City of Oakland, April 5, 2016, **Attachment A**.

² Email from Peterson Z. Vollmann, City of Oakland to Janet M. Laurain, Adams Broadwell Joseph & Cardozo, May 17, **Attachment B**.

ATTACHMENT A

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

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SOUTH SAN FRANCISCO, CA 94080-7037

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FAX (650) 589-5062

laurain@adamsbroadwell.com

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520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL (916) 444-6201
FAX (916) 444-6209

DANIEL L. CARDOZO
CHRISTINA M. CARO
THOMAS A. ENSLOW
TANYA A. GULESSERIAN
LAURA E. HORTON
MARC D. JOSEPH
RACHAEL E. KOSS
JAMIE L. MAULDIN
ELLEN L. WEHR

April 5, 2016

VIA EMAIL AND U.S. MAIL

Rachel Marie Flynn
Director, Planning & Building
City of Oakland
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612
Email: rflynn@oaklandnet.com

LaTonda D. Simmons, City Clerk
City of Oakland
One Frank H. Ogawa Plaza
First and Second Floors
Oakland, CA 94612
Email: lsimmons@oaklandnet.com

VIA EMAIL ONLY

Peterson Vollmann
Email: pvollmann@oaklandnet.com

Re: Public Records Act Request – 14th and Alice (SE) Project,

Dear Ms. Flynn, Ms. Simmons and Mr. Vollmann:

We are writing on behalf of International Brotherhood of Electrical Workers, Local 595, Plumbers & Steamfitters, Local 342 and Sheet Metal Workers, Local 104 to request a copy of any and all public records in the possession of the City of Oakland referring or related to the 14th and Alice SE ("Project"), **since the date of our last public records request dated December 1, 2015.** The project site is located at 226 13th Street (APN 002-0077-001-00).

We are making this request pursuant to the California Public Records Act ("Act"),¹ and request the above documents pursuant to section 6253(a) of the Act. In addition, we request these materials pursuant to Article I, section 3(b) of the California Constitution, which provides a constitutional right of access to information concerning the conduct of the government. Article I, section 3(b) provides that any statutory right to information shall be broadly construed to

¹ Gov. Code, §§ 6250, et seq.

April 5, 2016

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provide the greatest access to government information and further requires that any statute that limits the right of access to information be narrowly construed.

In responding to this request, please bear in mind that any exemptions from disclosure the City may believe to be applicable are to be narrowly construed.² If the City declines to produce any of the requested documents on the grounds of an exemption, please bear in mind that the Public Records Act imposes a duty on the City to distinguish between the exempt and the non-exempt portion of any such records, and to attempt in good faith to redact the exempt portion and to disclose the balance of such documents.³ Please bear in mind further that should the City choose to withhold any document from disclosure, the City has a duty under Government Code section 6255, subd. (a) to “justify withholding any record by demonstrating that the record in question is exempt under express provisions” of the Public Records Act or that “the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.”⁴ The City may not seek recovery of costs for any staff time related to responding to this Public Records Act request.⁵

If any of the requested items are available on the Internet, we request that the City direct us to the appropriate URL web address or other site for accessing the documents. Pursuant to Government Code section 6253.9, if the requested documents are in electronic format and are 10 MB or less (or can be easily broken into chunks of 10 MB or less), please email them as attachments. We request access to the above documents, including any electronic documents, in their original form, as maintained by the City.⁶

² *Marken v. Santa Monica-Malibu Unif. Sch. Dist.* (2012) 202 Cal. App. 4th 1250,1262; *Citizens for Ceres v. Super. Ct.* (2013) 217 Cal.App.4th 889, 913.

the common interest doctrine cannot apply to communications between a developer and a reviewing public agency made before project approval.

³ Gov. Code § 6253(a).

⁴ *Id.*

⁵ *North County Parents v. Dept. of Education* (1994) 23 Cal.App.4th 144; *County of Los Angeles v. Super. Ct.* (2000) 82 Cal.App.4th 819, 826.

⁶ Gov. Code § 6253.9(a)(1); See *Sierra Club v. Super. Ct.* (2013) 57 Cal. 4th 157, 161.

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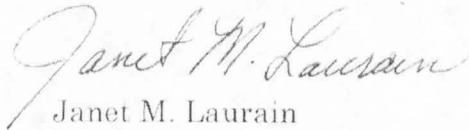
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Please use the following contact information for all correspondence regarding these requests:

Janet Laurain
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Ste. 1000
South San Francisco, CA 94080
jlaurain@adamsbroadwell.com
Phone: (650) 589-1660
Fax: (650) 589-5062

Thank you for your assistance with this matter.

Sincerely,



Janet M. Laurain
Paralegal

JML:ric

ATTACHMENT B

From: Janet M. Laurain
Sent: Tuesday, May 17, 2016 11:35 AM
To: Laura E. Horton
Subject: FW: 14th and Alice (SE) Project

From: Vollmann, Peterson [<mailto:PVollmann@oaklandnet.com>]
Sent: Tuesday, May 17, 2016 11:30 AM
To: Janet M. Laurain
Subject: RE: 14th and Alice (SE) Project

Here is the link to the CEQA document. It's item #41 on the list.

<http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009157>

I will look up any new public records since your last request.

Peterson Z. Vollmann, Planner III | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 | Phone: (510)238-6167 | Fax: (510) 238-4730 | Email: pvollmann@oaklandnet.com | Website: www.oaklandnet.com/planning

From: Janet M. Laurain [<mailto:jlaurain@adamsbroadwell.com>]
Sent: Tuesday, May 17, 2016 11:26 AM
To: Vollmann, Peterson
Subject: RE: 14th and Alice (SE) Project

Pete,

Thanks for the emails, but the PRA request we were following up on is our April 5th PRA (attached). Please note, we would also like all CEQA documents on the project from the date of our last request in December 2015.

Janet

Janet M. Laurain, Paralegal
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
(650) 589-1660
jlaurain@adamsbroadwell.com

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From: Vollmann, Peterson [<mailto:PVollmann@oaklandnet.com>]
Sent: Tuesday, May 17, 2016 11:15 AM
To: Janet M. Laurain
Subject: RE: 14th and Alice (SE) Project

Here are e-mails that I sent you previously regarding your records request for this site.

Peterson Z. Vollmann, Planner III | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114

| Oakland, CA 94612 | Phone: (510)238-6167 | Fax: (510) 238-4730 | Email: pvollmann@oaklandnet.com | Website: www.oaklandnet.com/planning

From: Janet M. Laurain [<mailto:jlaurain@adamsbroadwell.com>]

Sent: Tuesday, May 17, 2016 10:58 AM

To: Vollmann, Peterson

Subject: FW: 14th and Alice (SE) Project

Hi Pete,

Can you please check on the PRA response to our request for the 226 13th Street (14th & Alice SE) project? I don't think we have received anything yet. Please let me know when we can expect the documents as the hearing is coming up on June 1st.

Thank you.

From: Vollmann, Peterson [<mailto:PVollmann@oaklandnet.com>]

Sent: Tuesday, May 03, 2016 3:10 PM

To: Janet M. Laurain

Subject: RE: 14th and Alice (SE) Project

I don't think I saw this one yet. I know I still owe your firm the application materials on 1433 Webster Street since they have now filed the application instead of just the pre-application and new information on 2400 Valdez Street. Are there any other outstanding information requests of projects that I am working on that I should be aware of other than those that I just mentioned?

Peterson Z. Vollmann, Planner III | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114

| Oakland, CA 94612 | Phone: (510)238-6167 | Fax: (510) 238-4730 | Email: pvollmann@oaklandnet.com | Website: www.oaklandnet.com/planning

From: Janet M. Laurain [<mailto:jlaurain@adamsbroadwell.com>]

Sent: Tuesday, May 03, 2016 2:02 PM

To: Vollmann, Peterson

Subject: FW: 14th and Alice (SE) Project

Hi Pete,

We sent in the attached PRA request for public records since the December 1, 2015 (the date of our last request) for the 14th and Alice project, but we haven't received a response. Can you tell me if the city has responsive documents?

Thank you.

Janet Laurain

Janet M. Laurain, Paralegal
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
(650) 589-1660

Vollmann, Peterson

From: Matthew Leber <mattleber75@gmail.com>
Sent: Sunday, May 22, 2016 9:02 PM
To: Vollmann, Peterson
Subject: Mr. Vollmann - 226 13th Street

Hello Mr. Vollmann,

I live just a block away from the proposed 226 13th Street Development. Can you share what community benefits that Woods Partners has offered? Can you also share the estimated rent for the apartments that will be rented in this development? Given the current housing crisis, I am concerned about the tremendous negative impacts that this development will have.

Thank you!

--
Matthew Leber
(615) 414-3788



May 23, 2016

Pete Vollmann, Planner III
City of Oakland | Bureau of Planning
250 Frank H. Ogawa, Suite 2114
Oakland, CA 94612

Dear Pete,

I am writing in support of Wood Partners' proposed mixed-use development project at 226 13th Street, which encompasses the entire block between 13th and 14th Streets and Alice and Jackson Streets. I am the owner of Hotel Oakland at 270 – 13th Street, a 315- unit affordable senior apartment community. Our mission is to help our residents lead healthy independent lives at home. Please visit our website at www.HotelOaklandVillage.com.

After having had an ownership interest in the Hotel Oakland for over 35 years, I am so pleased to see investment in our neighborhood that will bring much needed housing, and more importantly, improve the safety of our streets. With safer streets, our senior residents and their families, and our staff, can feel more comfortable walking in the neighborhood. The site has been vacant for over 40 years and is poorly lit, does not feel safe to walk past, and has been subject to frequent automobile break ins. The proposed development directly supports Hotel Oakland's effort to emphasize a culture of healthy well-being, and encourage participation in community activities.

We strongly urge the Planning Commission to approve the 226 13th Street development application. If you could please distribute this letter of support to commissioners, I would really appreciate it.

Thank you for your consideration.



Bill Langelier
The Langelier Company, Inc.
681 Schofield Road
The Presidio
San Francisco, CA 94123

Vollmann, Peterson

From: Tiffany Eng <teng@groundedsolutions.org>
Sent: Saturday, May 21, 2016 12:39 AM
To: Vollmann, Peterson
Subject: 226 13th St

<http://www2.oaklandnet.com/oakca1/groups/ceda/documents/agenda/oak058657.pdf>

Hi Peter -

Can you please share the unit breakdown for the 262 units at 226 13th Street? I'm wondering if there will be an 2 or 3 bedrooms, and if so, how many? Can you share the link to the design documents?

Given the close proximity to multiple child care centers and schools I am strongly encouraging the city to include more family friendly housing units. We need a lot more three bedroom units and housing for all ages, all incomes, and a range of household sizes. Without larger sized units where households can naturally age in place, neighborhood turnover happens at a faster pace, and it is much harder to build a connected community.

But we don't just need penthouses. We also need to encourage developers to infuse family friendly and flexible design principles into the planning review. Being family friendly is a fundamental value we need to adopt for our City and implement in part through design. The developers should also be encouraged to design units using family-friendly design guidelines and flexible design principles allowing households to reconfigure their units as their needs change.

Please share my comments with the committee/council. I'm having some trouble completing my chart: https://infogr.am/unit_mix_of_projects_in_oakland_pipeline

Tiffany
Family Friendly Oakland
D1 Resident

Vollmann, Peterson

From: Lailan Sandra Huen <lailan.huen@gmail.com>
Sent: Friday, May 20, 2016 3:55 AM
To: Vollmann, Peterson
Cc: Flynn, Rachel; Moore, Jim; nagrajplanning@gmail.com; Jahaziel Bonilla; amandamonchamp@gmail.com; Jahmese Myres; Pattillo, Chris; EW.Oakland@gmail.com
Subject: Public Comment on 226 13th Street Wood Partners Development

May 20, 2016

Dear Mr. Vollmann, Oakland Planning Department & Planning Commission,

As directly impacted neighborhoods and residents, we would like to submit our community alliance requests as our official public comment on the project at 226 13th Street, which detail our concerns as well as our proposed solutions.

We met with Brian Pianca and Julia Wilk of Wood Partners yesterday, and while they are open to looking at some of our community requests, they were not able to commit to most of them to our satisfaction at this time. Therefore, we cannot support this project as is designed at this time, until our community requests are sufficiently and meaningfully respected. We are planning to continue mediation leading up to the Planning Commission Review. If we come to a mutual agreement, we will support the project. If we cannot come to agreement beforehand, we will oppose project approval as is.

We urge you to take the concerns expressed below seriously, as we are fully prepared and ready to organize the community and actively fight any development that does not mitigate displacement of our neighborhoods. We have nothing to lose, except for our neighborhoods, our culture, and our homes.

In particular, we believe that the City of Oakland should actively move to protect two critical cultural districts adjacent to this project, Chinatown and the Black Arts Movement and Business District, due to numerous market-rate developments coming into this area. The disappearance of these important neighborhoods is an unacceptable by-product of your current rush to develop housing, and we cannot stand by and allow developer-oriented planning to destroy the places we have built and belonged for over a century.

We are disheartened to see that you continue to not implement many important elements of the City of Oakland's Lake Merritt Station Area Plan or advise developers of its contents, since our community members worked so hard over the course of many years to develop a plan that was supposed to equitably and thoughtfully guide development in our neighborhood.

We ask that every developer planning to develop in this area be required to read the Area Plan and develop their proposals accordingly, and for every Specific Plan that engaged Oakland residents, and we ask you as city staff and representatives to advocate for the community needs identified in these plans, rather than continuing to fast-track gentrification without representing our needs or sufficiently involving the impacted communities in the process.

Again, our progressive city deserves a more progressive planning process.

Community Proposal to Wood Partners to Meet Neighborhood Needs at 226 13th Street:

Dear Brian Pianca, Julia Wilk, Wood Partners & Investors,

There are numerous neighborhood needs and concerns surrounding the site at 226 13th Street, and as representatives and individuals of surrounding communities, we will support your proposed project if it includes our existing residents, businesses and organizations in good faith. Across the street, Bay Development at 250 14th Street worked with the surrounding community to model a new cultural equity framework and to seek development without displacement, and we would like to work with you to ensure that this project is welcomed and integrated into the current neighborhood as well. Because your project requires a Major Conditional Use Permit due to its size on an entire city block at a highly visible and trafficked location in our neighborhoods, we believe that community givebacks are needed to mitigate any reductions on our quality of life due to increased density, construction and displacement.

Our concerns, needs and requests are detailed below:

- **Community Need:** Oakland is facing a massive displacement and homelessness crisis in the current housing crisis with unprecedented rising rents, and a key population of Oaklanders who are facing eviction, displacement, inability to afford current market rate rents, and homelessness are families with children. This is troubling because we see mothers with their children in the streets at alarming rates, and because the exodus of families and children from our city is hurting the Oakland Unified School District and leading to the closure of our public schools. A disproportionate number of people of color and families have been displaced from Oakland, and an additional influx of thousands of wealthy residents into this area, many of them highly-paid tech workers, mostly white and young, will drastically change the two nearby cultural districts, Chinatown and the Black Arts Movement and Business District, displacing our small businesses and families, if we do nothing to mitigate development pressures. In Chinatown, families live intergenerationally, with the ability to take care of both elders and children, so affordable 3-bedroom units are needed to accommodate these families without overcrowding that creates health hazards. Affordable 3-bedroom units also enable friends, artists, and low-to-middle income residents to share rent and space to make housing affordable. If we do not build inclusive housing, we will become increasingly segregated, and our city's values of diversity and inclusivity will disappear, as we have seen in other gentrified cities and neighborhoods. Inclusive communities are healthier communities that are racially, economically and culturally diverse. With the widening wealth gap and the even wider racial wealth gap, segregated housing creates inequitable and unsafe communities where racial and economic tension run high. We need more housing overall, and support the development of new density and housing on surface parking lots, but we desperately need this housing to be accessible and inclusive of current residents to prevent additional displacement and homelessness from development pressures. Thousands of current residents are angry and bitter about the new development coming into Oakland, profiting off of our public and cultural resources, and we need developers to show that we can build inclusive housing while benefiting all sides, not to continue building exclusionary and segregated housing. The Lake Merritt Station Area Plan and the Chinatown Coalition identified the need for affordable housing in this neighborhood as one of the highest priorities, and we concur that its inclusion in this development is our highest priority in being able to support this project.
 - **Community Request:** Target 25% **Affordable Housing** for Families (About 65 Units) as designated by the City of Oakland Lake Merritt Station Area Plan goals for all new developments to have between 15-28% units in each project to be affordable to low and moderate income tenants, including the need for family housing with at least 3 bedrooms for Chinatown families. This housing should range from 20-80% AMI and be integrated into all floors. The median income for this area is only \$35,000 per year, and for Chinese families it is only \$25,000, so inclusion of below 50% AMI tenants is needed to include access for current residents in your development. This housing and the building should be designed with family-friendly guidelines developed by Pyatok's firm. According to our calculations, providing an inclusive housing project with these units would still generate a profit of more than \$18 million for Wood Partners, while developing a housing project that is truly inclusive of current Oakland families and mitigates displacement pressures. Since you are not subject to the Impact Fee, this displacement mitigation is needed.
- **Community Need:** The Oakland City Council recently designated 14th Street in Downtown to be the Black Arts Movement and Business District (BAMBD) to honor the legacy of black artists, galleries,

museums and businesses who have made Oakland the culturally rich city that it is to help attract so many new people to move to the city. We need developers who want to partner with the community to implement this vision and honor this history, by providing space for this cultural district to thrive, visually, socially and economically. Nonprofits and childcare centers are getting squeezed out of Oakland, yet these resources serve vital needs in this community. The retail space on 14th Street is quite visible, and should include and reflect the cultures, neighborhoods and residents in this area, preferencing serving local needs and supporting local businesses over major corporate retailers.

- **Community Request:** Include **affordable retail space on 14th Street** for the Black Arts Movement and Business District to have a visible presence, including a black arts collective gallery and shop, space for childcare and nonprofits, including ones that engage youth in the arts targeting disenfranchised youth of color, and black-owned businesses that will help to bring the BAMBD to life. Target rental rates at \$1.00-1.50 or below per square foot with long-term leases with micro-units available for smaller enterprises. Include community involvement and input in other retail space decisions.
- **Community Need:** In this Downtown neighborhood, there is a need for more public open space where residents can enjoy nature together, relax, eat lunch, and exercise to de-stress from urban living. Often, developers only include rooftop gardens only accessible to tenants, or gated gardens that are not accessible to the public. The Chinatown Coalition pushed for accessible open space in the Lake Merritt Station Area Planning Process, and the adopted Specific Plan recommends that any development over half a block, such as this one, include publicly accessible open space.
 - **Community Request: Public open space** that is accessible and welcoming to members of the public and Chinatown and Black Arts Movement Business District communities. We see that there is an inner courtyard and roof deck planned in the proposed design, and request that they be accessible to the public during the daylight time with inclusion of community art and input on the design. If security measures cannot be put into place to enable public access as recommended by the Lake Merritt Station Area Plan, we request special access for select neighborhood community group events at a minimum of 6 times per year with consideration of access to the Community Room and Fitness Center as well, and the implementation of outdoor sidewalk seating on Alice and 14th Streets for the public to enjoy.
- **Community Need:** The newly implemented Public Art Fee in Oakland presents an opportunity to support local neighborhood artists to have thriving careers and prevent their economic displacement from this creative and culturally rich city. It also presents an opportunity to ensure that new developments reflect the cultural life and identities of the surrounding neighborhoods. The Ordinance does not provide guidelines to meet these needs, so we must ask each developer to include art that supports artists from the communities and cultures in the existing neighborhood. We are currently working with the City of Oakland to amend the ordinance to see if some of those funds can be directed to nearby cultural institutions.
 - **Community Request:** A commitment to direct the **Public Art Fee** to support artists working with the Black Arts Movement Business District, the Malonga Casquelourd Center for the Arts, and Chinatown, with representative community involvement in the feedback and design to reflect our neighborhoods and cultures, specifically to honor African-American and Chinese heritage and history in Oakland. If it is possible to direct some of the art fee toward nearby cultural institutions as will be determined by the City of Oakland, we would ask that donations be made to the Malonga Center and the Oakland Asian Cultural Center to honor the surrounding neighborhoods institutions promoting, preserving and innovating our cultural traditions that have made Oakland the wonderful city it is, which adds value to your development.
- **Community Concern:** Parking is a major headache in this neighborhood, particularly with increased density, which this development will exacerbate by removing publicly available parking and adding hundreds of new residents. Public transit is not currently sufficient in Oakland to serve residents from all over the city, so cars are a necessity in Oakland. Loss of parking is a threat to the Malonga Center, which hosts 350 attendees at its shows. The development of both 250 14th Street and this site takes away about 300 available parking spaces, which Malonga attendees have used to visit the Center, take classes, and attend shows, providing much needed revenue for this city-run institution. There are not many other public parking lots nearby to meet the demand, with high demand from local neighbors.

- **Community Request:** Include 20 spaces for Malonga and Starlite staff and residents to lease, and provide at least 5 spaces for parents to pick-up and drop-off their kids at a childcare center, or make a \$50,000 contribution to the Parking Mitigation Fund to help staff and residents transition out of the existing parking lots once construction begins and work with the city to create a waiting and drop-off curb.
- **Community Need:** There are several local projects that are launching capital campaigns to build a thriving, healthy, equitable and steadfastly diverse neighborhood. Both City and foundation funding is limited, and we need new development that will benefit from this work and these improvements to partner and contribute toward the implementation costs as an additional anti-displacement strategy.
 - **Community Request: Good Neighbor Contributions** to Local Projects:
 - Malonga Casquelourd Center for the Arts Capital Improvement Campaign
 - Friends of Lincoln Recreation Center Capital Improvement Campaign Fund
 - Chinatown Art, Preservation & Environment Committee Fund
 - BAMBD Implementation Fund
 - Sustainable Jobs Worker Cooperative Center & Small Business Innovation Fund
- **Community Concern:** Many immigrant seniors walk the adjacent sidewalks, including at night, and there is a need for better human-level lighting to illuminate Downtown sidewalks when it is dark. Robbery and other crimes that threaten the safety of residents remains a concern Downtown, which often happens when an area is not well-lit or when development creates streetscapes that do not make residents feel safe. Often, developers install small lights that do not provide enough light.
 - **Community Request:** Provide brilliant **street lighting** illuminating safe sidewalks and the open space for tenants, seniors and families, and install greenery and human-friendly architecture on all sides of the building facing the street.
- **Community Concern:** Residents and environmentalists have expressed concern for the trees surrounding this site, which provide much-needed oxygen in a harsh Downtown environment with lots of traffic, and also provide haven for birds.
 - **Community Request:** Mitigate the loss of **trees** for environmental health and animal protection by preserving where possible and planting new trees to prevent net loss.
- **Community Need:** New development in Oakland should benefit economic justice for local residents equitably, including ensuring that communities of color and low-income communities are beneficiaries of the new influx of projects.
 - **Community Request:** Commitment to 50% **local hire**, hiring minority contractors, sub-contractors and staff, at living wages.

We hope you will work with us in good faith to help meet these community needs and requests, so that we can support your project, as it will bring needed housing and revenues for public services. We are, however, fully committed to ensuring that any developments in our neighborhood respect the needs and requests of our residents, by any means necessary, in coalition with each other and networks across the city. This means that if we cannot come to mutual agreement, unfortunately we will have to oppose the project publicly and use the legal, political, and organizing resources we have at our disposal to prevent development that threatens, displaces, and excludes our families, culture, businesses and neighborhood. We have over 1,500 Oakland residents already made aware and following your development project and how it will impact our city. So we sincerely hope that you will work with us in partnership toward a swift mutually beneficial agreement.

Thank You,

Representative Members of:

Black Arts Movement & Business District
 Community Rejuvenation Project
 Dance-A-Vision Dance Company
 Chinatown Art, Preservation & Environment Committee
 People of Color Sustainable Housing Network

Individual Members of:

Malonga Casquelourd Center for the Arts

Oakland Chinatown Coalition
Oakland Creative Neighborhoods Coalition
Chinatown Chamber Foundation
National Coalition for Asian Pacific American Community Development
Block by Block Organizing Network