Oakland City Planning Commission

Design Review Committee

STAFF REPORT

Case File Number PLN15398

May 23, 2018

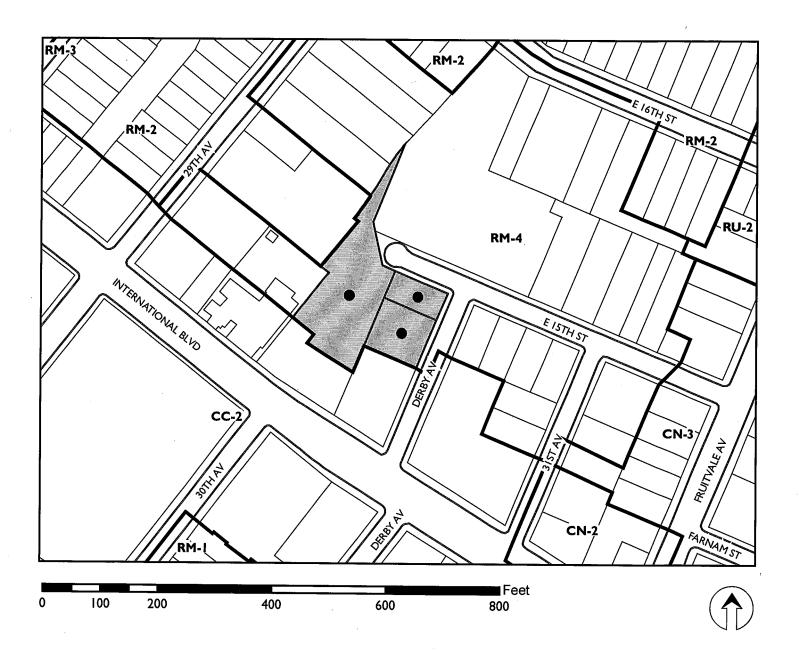
Project Name and	2956 International Blvd., 3007 E. 15th St., and 1443 Derby St.
Location:	APN: 025-0720-007-02; 025-0720-001-00; and 025-0720-002-01
Proposal:	Compliance with the design-related condition of approval for PLN15398: An
	approved 45,942 square foot three-story Kindergarten-8 th Grade public
• •	charter school for up to 620 students and 51 employees with 21 classrooms,
	one laboratory, one art-vocational room, one group activities room, a multi-
	purpose room/cafeteria, administration space, rooftop deck, outdoor field and
	playground space as well as an onsite double-lane driveway for drop-off and
	pick-up queuing.
Applicant:	Aspire Schools and Chris Grant (208) 577-2768
Owner:	TCP CS Holdings I LLC, CS Campur 17 LLC, and City of Oakland
Design Review	Design Review Committee discussion regarding compliance with project
Committee:	Condition of Approval number 65 to explore design alternatives for the
	exterior of the building.
General Plan:	Mixed Housing Type and Community Commercial
Zoning:	RM-4 Mixed Housing Type Residential
Environmental	Exempt, Section 15332 of the State CEQA Guidelines: In-fill development
Determination:	projects; Section 15303: new construction of small structures; Section 15183:
	projects consistent with a community plan, general plan, or zoning.
Historic Status:	No historic record
City Council District:	5
Date Approved:	April 18, 2018
Finality of Action:	Not applicable; confirm compliance with condition of approval
For Further Information:	Contact case planner Michael Bradley at (510) 238-6935 or by e-mail at
	mbradley@oaklandnet.com

SUMMARY

On April 18, 2018, the Planning Commission voted unanimously (by a 5-0 vote) to approve the proposed project for a new 45,942 square foot three-story charter school with 620 students and 51 employees. The Planning Commission approved the Regular Design Review, Major Conditional Use Permit, Minor Conditional Use Permit, Minor Variances, a Shared Parking Agreement and affirmed staff's California Environmental Quality Act (CEQA) findings. However, the Planning Commission also added a new Condition of Approval (#65) requiring the Applicant to explore design alternatives for the exterior of the proposed building, and required staff should present these alternatives at a future Design Review Committee (DRC) meeting (*Attachment B*).

The purpose of this staff report is to present the Applicant's revised exterior proposal to the DRC. Revisions to the signage and colors now include a size and reduction of signage on the east and south elevations with a change of colors at the base of the building and doors. Specifically, the very large signage on the east elevation was removed from the upper level roof deck fencing and considerably reduced in size and placed on the corner of the building under the fencing. Similar sized signage was also placed at the south elevation towards the rear of the building for potential viewing from International Boulevard. The purple paint color at the base of the building on the north, south and east elevations are revised to a charcoal gray color and the purple doors are revised to a yellow color (Attachment A).

CITY OF OAKLAND PLANNING COMMISSION



Case File:

PLN 15398

Applicant:

Aspire Schools

Address:

2956 International Blvd, 3007 E 15th St, and 1443 Derby St

Zone:

RM-4

Case File Number: PLN15398

Page 3

PROJECT DESCRIPTION

The proposal is in the Fruitvale neighborhood of Oakland on a site with an existing surface parking lot, a vacant City-owned lot and former location of a multi-unit residential building. Neighborhood characteristics include medium to high density residential buildings which are two to four stories, with commercial uses in the area including a six-story historic medical building at the corner of Derby Avenue and International Boulevard. Vacant and under-utilized lots for parking are also located in the immediate area. The existing buildings were largely constructed between the 1940's and 1970's and are of a boxy or tract home style with different heights and uses.

The proposal is to construct a new 45,942 square foot, three-story, 49-foot-tall Kindergarten-8th Grade public charter school for up to 620 students and 51 employees with 21 classrooms, one laboratory, one art-vocational room, one group activities room, a multi-purpose room/cafeteria, administration space, rooftop deck, outdoor field and playground space as well as an onsite double-lane driveway for drop-off and pick-up queuing. Employee parking will consist of 15 parking spaces with 11 spaces on the subject site and four spaces on the adjacent parcel through a shared parking agreement with the neighboring property. The school proposes a bicycle storage room that can accommodate 62 bicycles with additional exterior racks which can accommodate 5 bicycles. The rooftop will contain solar panels and mechanical equipment. The project would contain varying colored cement plaster, corrugated sheet metal siding, metal sunshades and canopies, and aluminum frame windows. The fencing would be black steel chain-link fencing at the perimeter of the site. The color and material palette is consistent with all Aspire schools and similar to that of the residential buildings in the area.

DESIGN CONSIDERATIONS

To address the Planning Commission's Condition to explore design alternatives for the proposed building, the Applicant has made the following revisions.

- The very large signage on the east elevation was removed from the upper level roof deck fencing and considerably reduced in size and placed on the corner of the building under the fencing.
- Signage was also placed at the south elevation towards the rear of the building for potential viewing from International Boulevard.
- The purple paint color at the base of the building on the north, south and east elevations is revised to a charcoal gray color.
- The purple doors are now yellow for contrast with the building.

CONCLUSIONS

Staff recommends the DRC support the proposed design and determine that the project complies with the Condition of Approval #65. However, if the DRC is not supportive of the proposed design, and requests additional design alternatives, staff is requesting that the Committee provide comments and opinions and allow staff to solve those design concerns directly with the applicant without returning to the DRC.

Prepared by:

Michael Bradley

Planner III

Case File Number: PLN15398

Page 4

Reviewed by:

Catherine Payne

Acting Development Planning Manager

ATTACHMENTS:

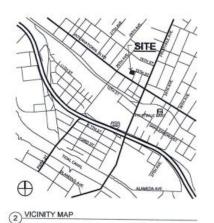
Attachment A: Project Plans Including the New Alternative Design and photo-simulations

Attachment B: April 27, 2018 Approval letter Attachment C: Original Approved Plans

ASPIRE PUBLIC SCHOOLS ERES ACADEMY

NEW K-8 SCHOOL CAMPUS 2956 INTERNATIONAL BOULEVARD, OAKLAND, CA 94601 PLANNING SET 4/30/2018





SARINT ASPIRE PUBLIC SCHOOLS 1801 2280 AVENUE DAGLAND, CA 94506 CONTACT CAPOLINI CHOP (515) 434-5567

LANDROAPE ARCHITECT

ANLA AMOGRINA, Inc.
1013 LINCOLN AVE., BUITE 211
SAN JOSE, CA 96/10
CONTACT, ERIC PLATO
(40): 293-2150

ARCHITECT KOA ARCHITECTURE + INTERIORIS 505 DE HARO, SILITE 380 SAN FRANCISCO, CA SHIEF CONTACT: STEWE HOLM

STRUCTURAL ENGINEER
CORNERSTONE ENGINEERING ORGAN
40 REDEROL STREET
SAN FRANCISCO CA 9497
CONTACT: DUSTIN LEE
(415) 389-5700 x 132
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1EDGONGLAND ROND, SUITE A154
SAN JOSE, CA 16131
CONTACT: FITANK ROSENBUUM
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ERE PROTECTION ENGINEER
JENSEN HUGHES

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AMERICAN CONSULTING ENGINEERS
1890 THE ALAMEDA, SUITE 200
SAN JOSE CA 96-09
CONTACT SAMMY PERNANCE
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MATIREPRODRING
STEEL/HEAD ENGINEERS, INC.
2570 WEST EL CAMINO REAL, SUITE 32
MOUNTAIN MENU, CA 94940
CONTACT: ALAN BURNETT, PE
(669) 941-1112

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(4) PROJECT INFORMATION

OJECT DESCRIPTION

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555 DeHaro Street, Suite 380 San Francisco, CA 94107 M 415.487,6900 (ax 415,487,6909



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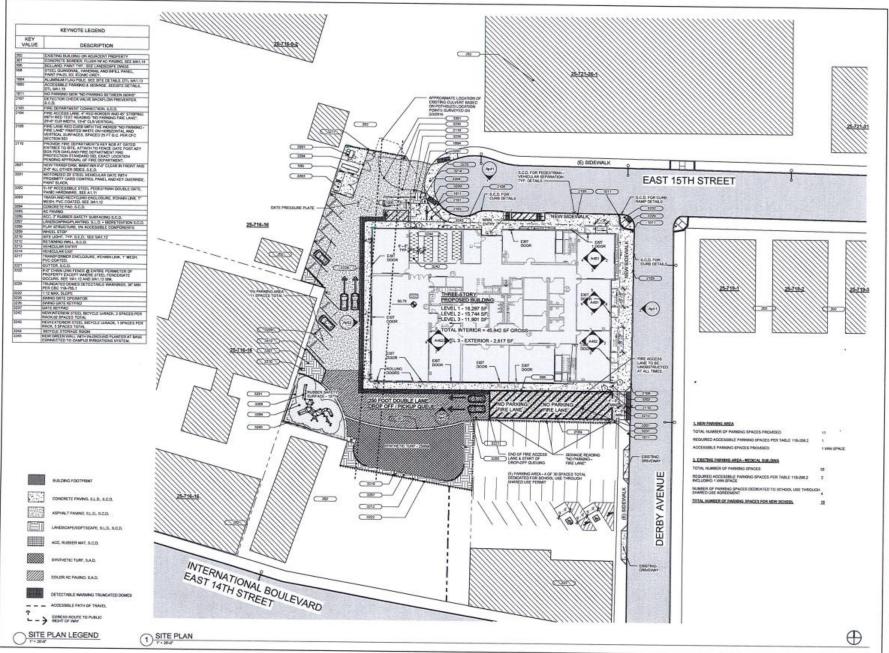
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 AGENCY APPROVALS

5 SITE INFORMATION

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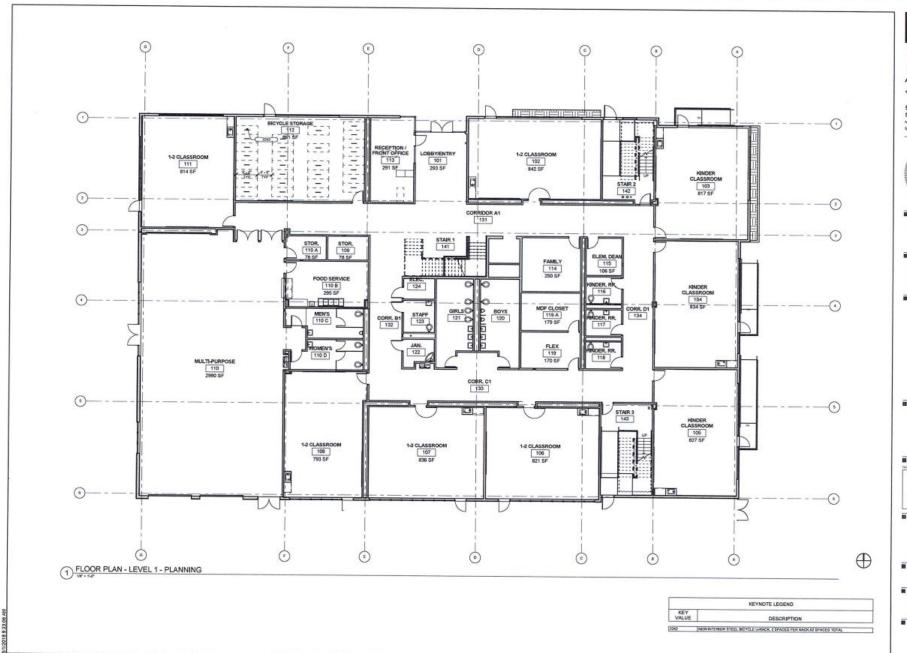


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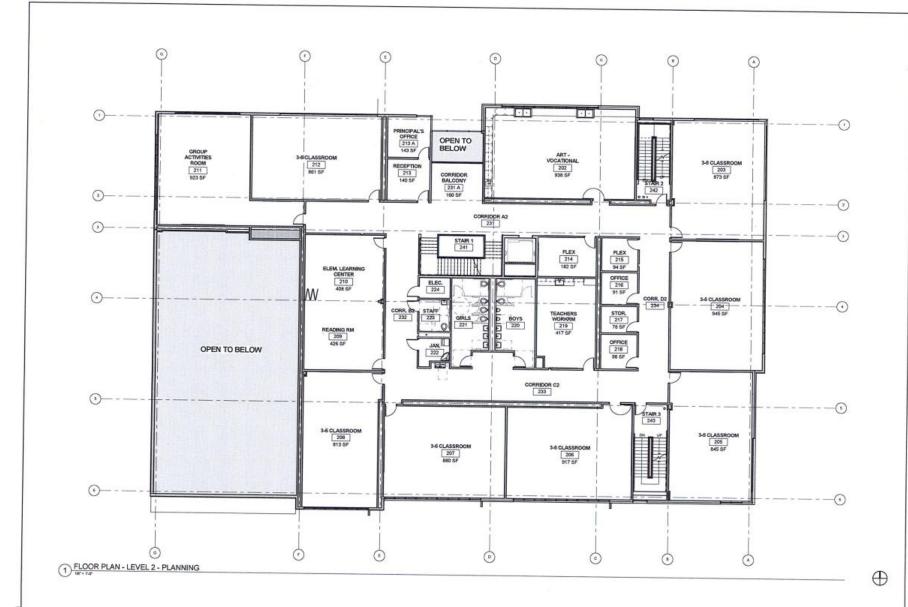
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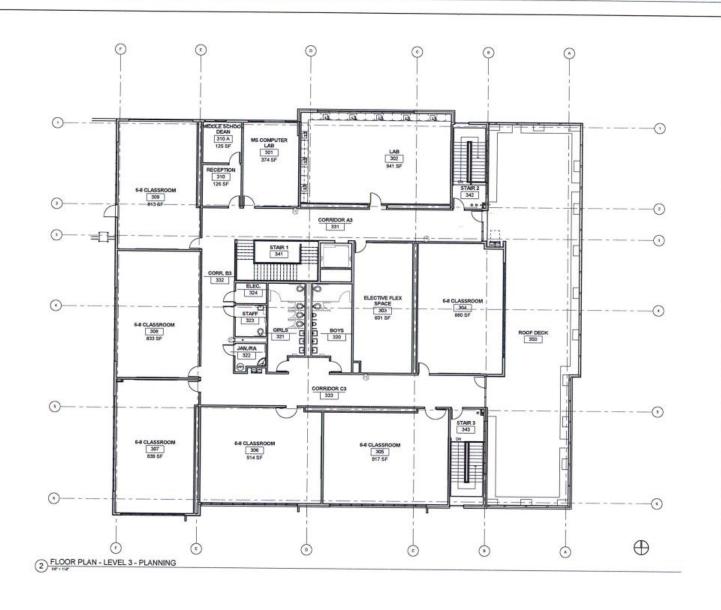


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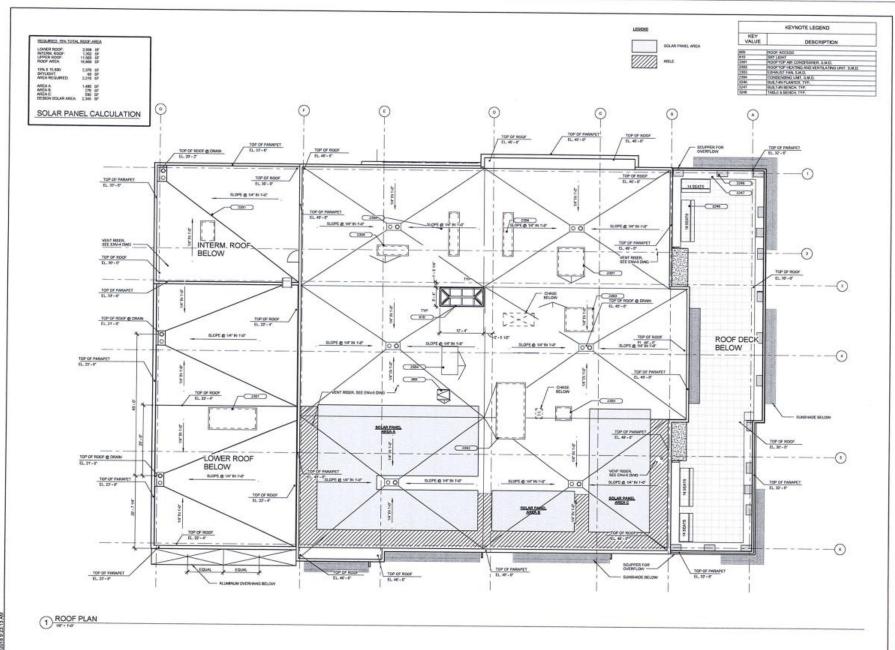
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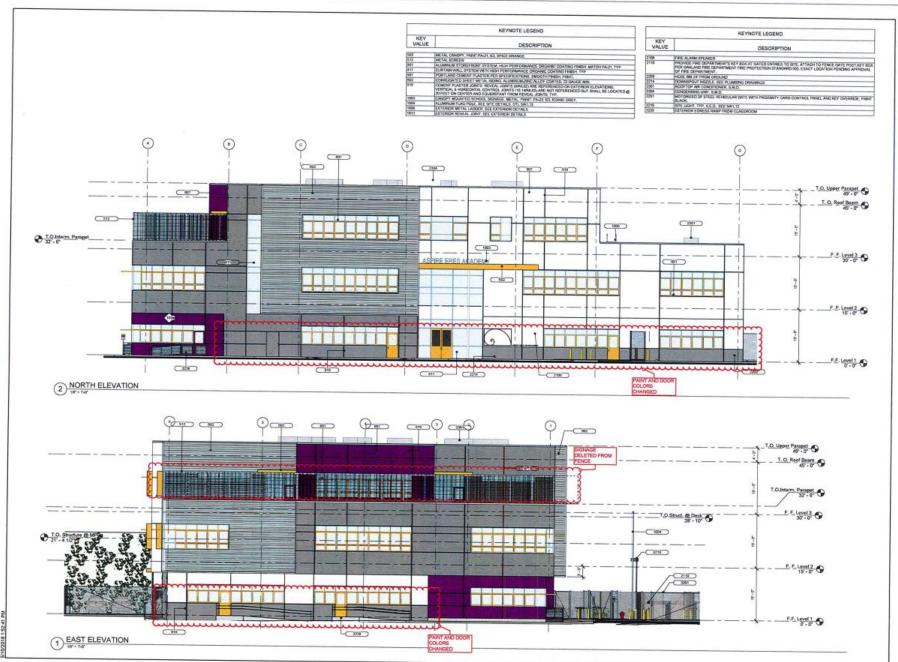
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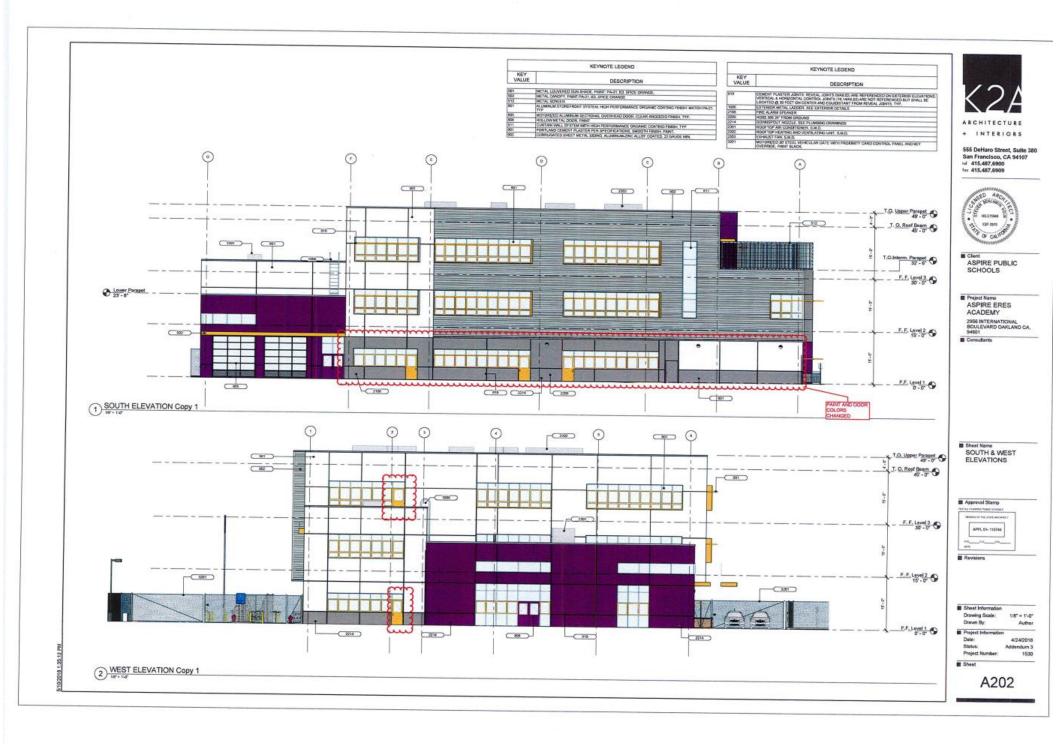
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VIEW FROM INTERNATIONAL & 30TH AVE.



VIEW FROM DERBY AVE. & E 15TH ST.

DOOR AND PAINT COLORS CHANGED



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VIEW FROM PLAYGROUND

VIEW FROM INTERNATIONAL BLVD



VIEW FROM INTERNATIONAL & 30TH AVE.



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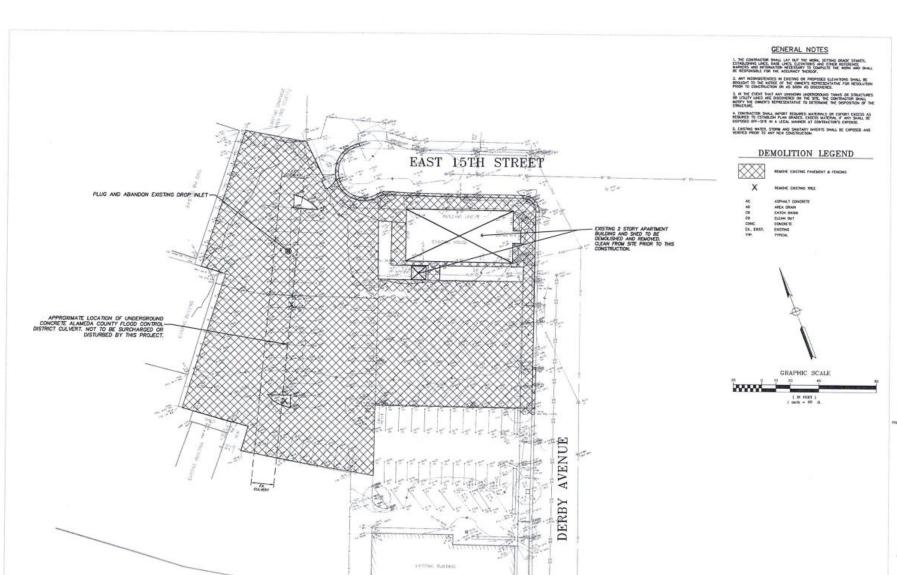
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INTERNATIONAL BOULEVARD



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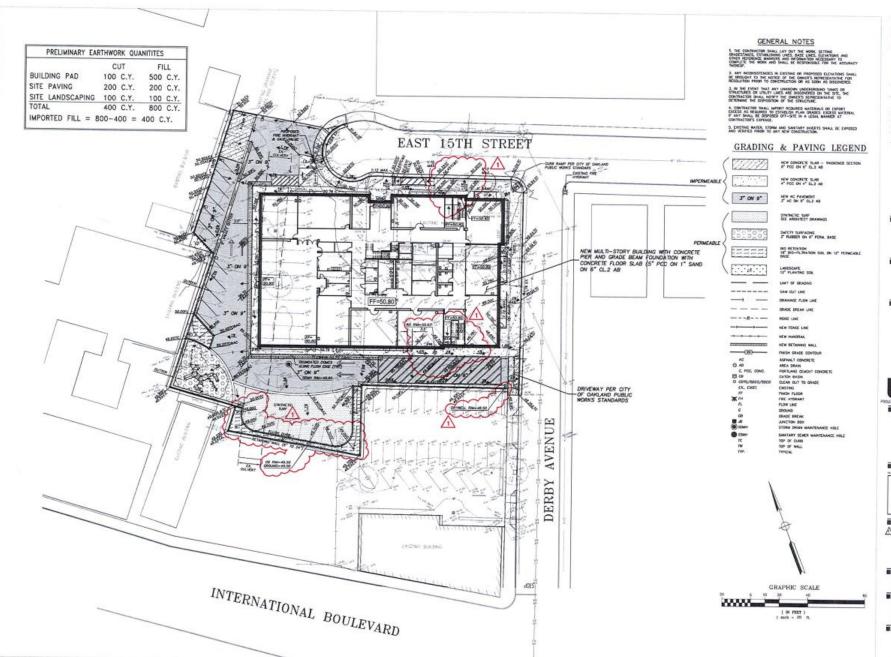


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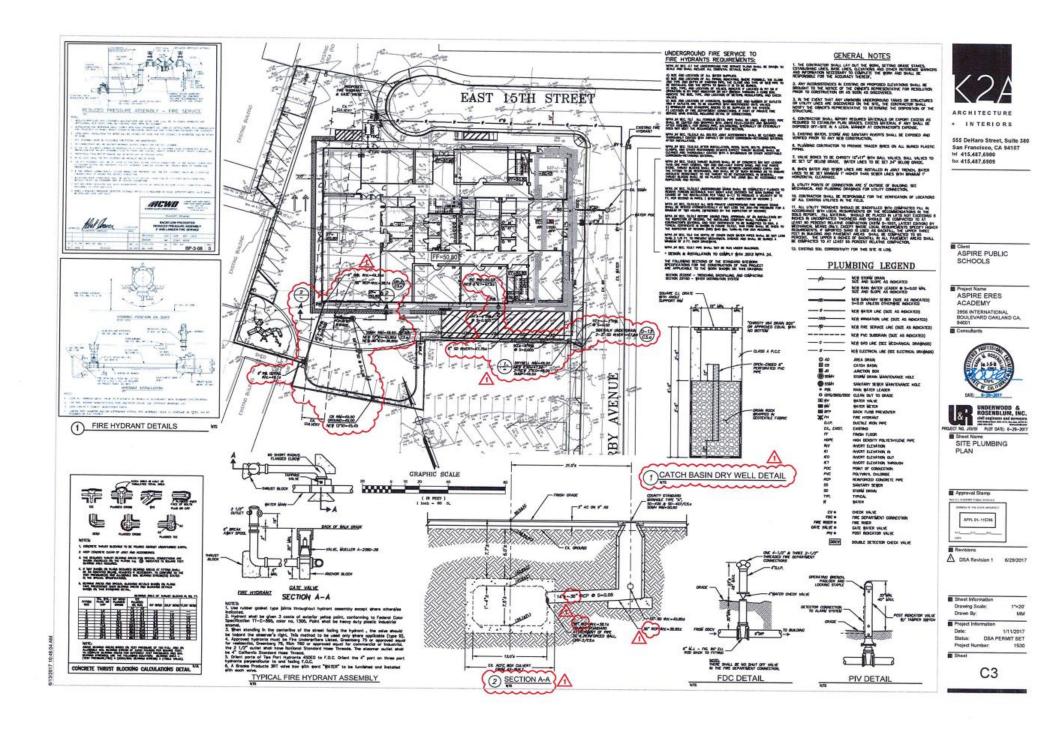


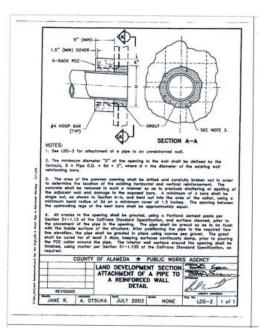
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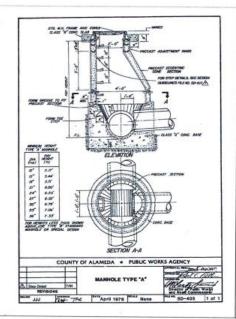
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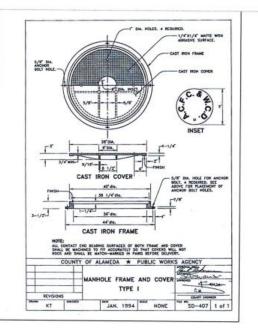
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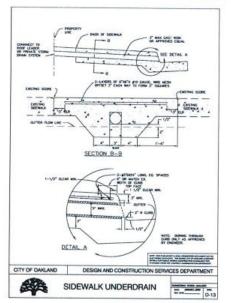
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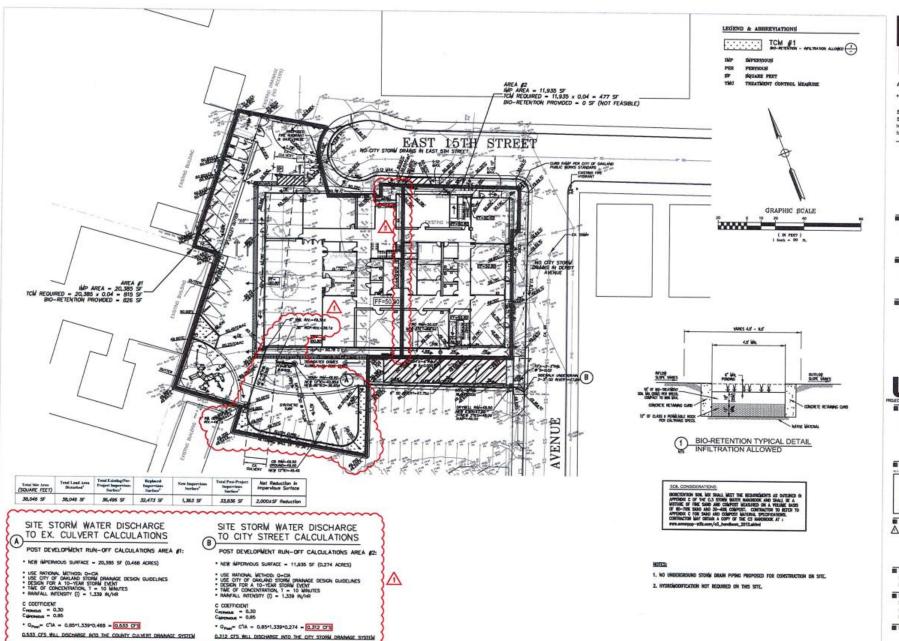
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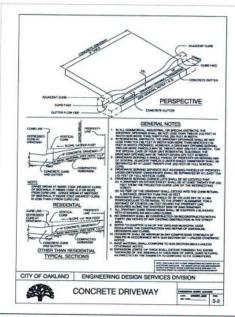
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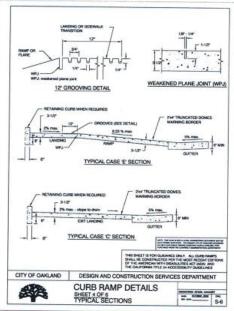
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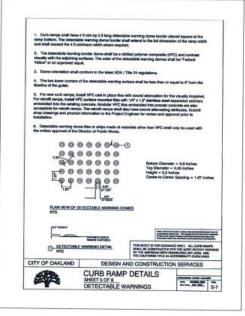
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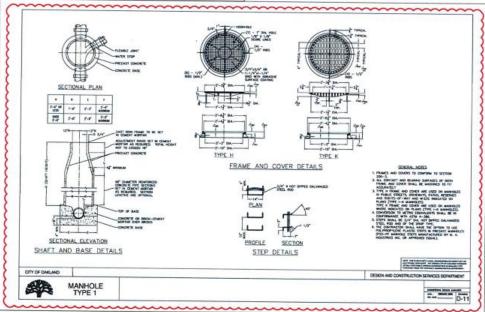
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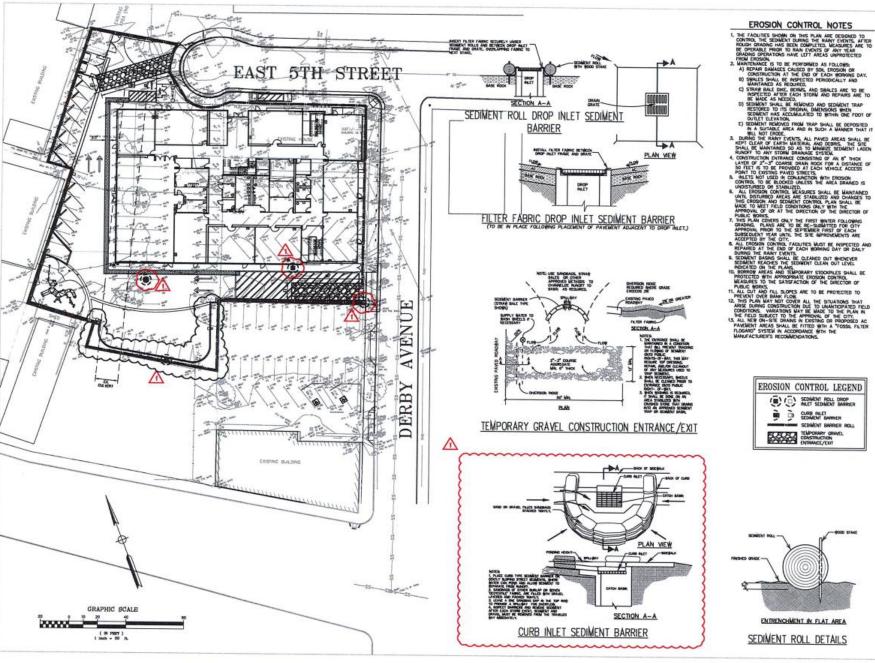
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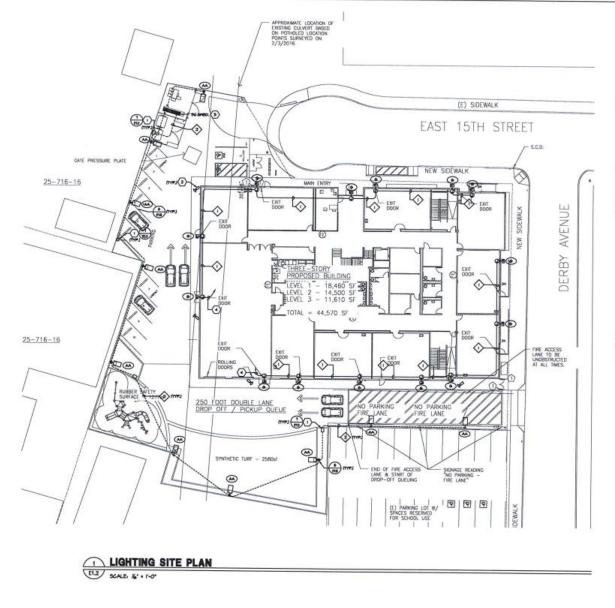
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GENERAL NOTES:

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\$55 DeHaro Street, Suite 380 San Francisco, CA 94107 tel 415.487.6900 fax 415.487.6909

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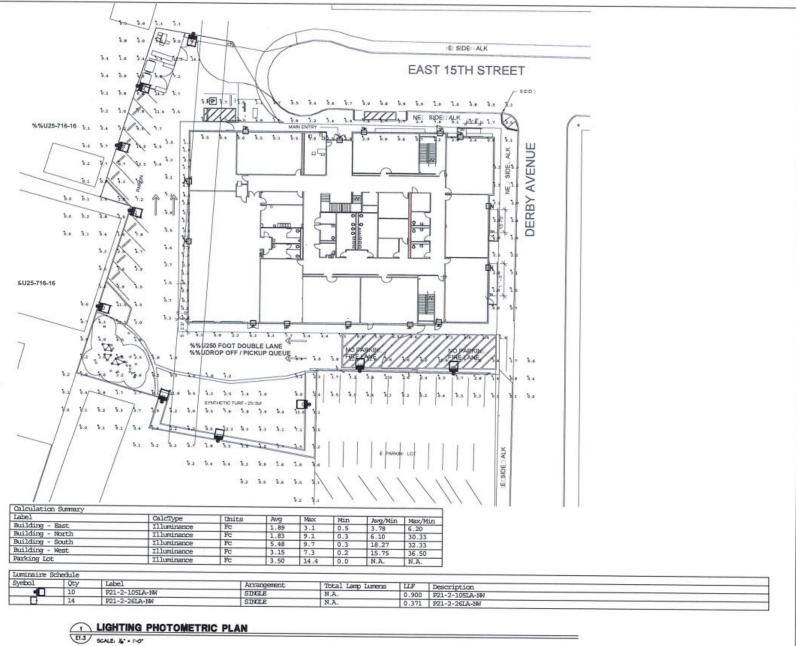
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ASPIRE PUBLIC SCHOOLS

Project Name ASPIRE ERES ACADEMY 2956 INTERNATIONAL BOULEVARD CAKLAND CA 94601

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Attachment B

CITY OF OAKLAND

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CALIFORNIA

Planning and Building Department Bureau of Planning

(510) 238-3911 FAX (510) 238-4730 TDD (510) 238-3254

Sent via U.S. Mail

April 27, 2018

Aspire Public Schools c/o Carolyn Choy 1001 22nd Avenue Oakland, CA 94606

RE: Case File No. PLN15398, 2956 International Blvd., 3007 E. 15th St., and 1443 Derby St. (APN: 025-0720-007-02; 025-0720-001-00; and 025-0720-002-01)

Dear Applicant:

The above application was APPROVED at the City Planning Commission meeting (by a 5-0 vote) on April 18, 2018. The Commission's action is indicated below. This action becomes final ten (10) days after the date of the announcement of the decision unless an appeal to the City Council was not filed by 4:00 pm on Monday April 30, 2018.

- 1. Adoption/approval of the CEQA Findings.
- 2. Approval of the Regular Design Review, Major Conditional Use Permit, Minor Conditional Use Permit, Minor Variances, and the Shared Parking Agreement subject to the attached findings and conditions of approval.

If you, or any interested party, seeks to challenge this decision, an appeal must be filed by no later than ten calendar (10) days from the announcement of the decision by 4:00 pm on April 30, 2018. An appeal shall be on a form provided by the Planning Bureau Zoning Division, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of Michael Bradley, Planner III. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Planning Commission or wherein their decision is not supported by substantial evidence and must include payment of \$1,891.08 in accordance with the City of Oakland Master Fee Schedule. Failure to timely appeal will preclude you, or any interested party, from challenging the City's decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so may preclude you, or any interested party, from raising such issues during the appeal

and/or in court. However, the appeal will be limited to issues and/or evidence presented to the City Planning Commission prior to the close of the City Planning Commission's public hearing on the matter.

A signed Notice of Exemption (NOE) is enclosed certifying that the project has been found to be exempt from CEQA review. It is your responsibility to record the NOE and the Environmental Declaration at the Alameda County Clerk's office at 1106 Madison Street, Oakland, CA 94612, at a cost of \$50.00 made payable to the Alameda County Clerk. Please bring the original NOE related documents and five copies to the Alameda County Clerk, and return one date stamped copy to the Zoning Division, to the attention of Michael Bradley, Planner III. Pursuant to Section 15062(d) of the California Environmental Quality Act (CEQA) Guidelines, recordation of the NOE starts a 35-day statute of limitations on court challenges to the approval under CEQA.

If you have any questions, please contact the case planner, Michael Bradley, Planner III at (510) 238-6935 or mbradley@oaklandnet.com, however, this does not substitute for filing of an appeal as described above.

Very Truly Yours,

Robert D. Merkamp

Acting Zoning Manager

cc: Pacific West Communities

c/o Chris Grant

430 E. State Street, Suite 100

Eagle, Idaho 83616

Shiyu Wang samshiyuwang@gmail.com

Steve Lovato drlovato@gmail.com

Jeanette Gomez jvgomez82@me.com

Margarita Rodriguez margara0224@gmail.com

I certify that on April 2018 this decision letter, relating to Planning Commission case no. PLN15398, was placed in the U.S. mail system, postage prepaid for first class mail, and sent to

Aspire Public Schools c/o Carolyn Choy 1001 22nd Avenue

Oakland CA 94606/

(NAME & SIGNATURE OF PERSON PLACING IN MAIL)

3/4/27, 2018

ATTACHMENT A: FINDINGS

This proposal meets all the required findings under the Regular Design Review findings (Section 17.136.050B); General Use Permit Criteria (OMC Sec. 17.134.050); and the Minor Variance criteria (Section 17.148.050), of the Oakland Planning Code (OMC Title 17) as set forth below and which are required to approve your application. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type.

17.136.050B FOR NON-RESIDENTIAL FACILITIES AND SIGNS:

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

The proposal is in the Fruitvale neighborhood of Oakland on a site with an existing surface parking lot, a vacant City-owned lot and former location of a multi-unit residential building. Neighborhood characteristics include medium to high density residential buildings which are two to four stories, with commercial uses in the area including a six-story historic medical building at the corner of Derby Avenue and International Boulevard. Vacant and under-utilized lots for parking are also located in the immediate area. The existing buildings were largely constructed between the 1940's and 1970's and are of a boxy or tract home style with different heights and uses.

The proposal is to construct a new 45,942 square foot, three-story, 49-foot-tall Kindergarten-8th Grade public charter school for up to 620 students and 51 employees with 21 classrooms, one laboratory, one art-vocational room, one group activities room, a multi-purpose room/cafeteria, administration space, rooftop deck, outdoor field and playground space as well as an onsite double-lane driveway for drop-off and pick-up queuing. Employee parking will consist of 15 parking spaces with 11 spaces on the subject site and four spaces on the adjacent parcel through a shared parking agreement with the neighboring property. The school proposes a bicycle storage room that can accommodate 62 bicycles with additional exterior racks which can accommodate 5 bicycles. The rooftop will contain solar panels and mechanical equipment. The project would contain varying colored cement plaster, corrugated sheet metal siding, metal sunshades and canopies, and aluminum frame windows. The fencing would be black steel chain-link fencing at the perimeter of the site. The color and material palette is consistent with all Aspire schools and similar to that of the residential buildings in the area.

As the area is a mix of uses, site design, building designs architectural styles, heights, materials and colors, the proposed design will relate well with surrounding buildings with the use of projections and a roof deck.

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

The proposal will enhance desirable neighborhood characteristics by developing a surface parking lot and a vacant lot into a three-story Kindergarten-8th Grade public charter school. As noted above, the area is largely made up of buildings constructed between the 1940's and 1970's in a utilitarian boxy style with little architectural detail. The proposal includes the same utilitarian boxy architecture typically seen in schools. The building will have little architectural detail except for the window patterns, awnings and metal rooftop fencing. The project also includes a two-story glass lobby which will provide a well-lit active ground floor space with eyes on the street. Furthermore, the resulting site contamination clean-up will further benefit and promote neighborhood health. As such, the project's design harmonizes with and will enhance investment in the area.

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

The Land Use and Transportation Element (LUTE) of the General Plan designates the site as primarily Mixed Housing Type Residential, with a small portion of the site at the southern boundary near International Boulevard designated as Community Commercial.

The Mixed Housing Type Residential General Plan designation is intended to create, maintain, and enhance residential areas typically near the City's major arterials and characterized by a mix of single-family homes, townhouses, small multi-unit buildings and neighborhood businesses where appropriate. Future development within this classification should be primarily residential in character, with live-work types of development, and small commercial enterprises, schools, and other small civic uses in appropriate locations.

The Community Commercial classification is intended to identify, create, maintain, and enhance areas suitable for a wide variety of commercial and institutional operations along the City's major corridors and in shopping districts or centers. The desired character may include neighborhood center uses and larger scale retail and commercial uses, such as auto related business, business and personal services, health services and medical uses, educational facilities, and entertainment uses.

The proposed school primarily serving residents in the Fruitvale neighborhood conforms to the General Plan designation of Mixed Housing Type Residential and Community Commercial. Specifically, the proposal conforms to the following LUTE objectives and policies.

Objective N2: Encourage adequate civic, institutional, and educational facilities located within Oakland, appropriately designed and sited to serve the community.

Policy N2.1: Designing and Maintaining Institutions. As Institutional uses are among the most visible activities in the City and can be source of community pride, high-quality design and upkeep / maintenance should be encouraged. The facilities should be designed and operated in a manner that is sensitive to surrounding residential and other uses.

Policy N2.3: Supporting Institutional Facilities.

The City Should support many uses occurring in institutional facilities where they are compatible with surrounding activities and where the facility site adequately supports the proposed uses.

Policy N2.5: Balancing City and Local Benefits of Institutions. When reviewing land use permit applications for the establishment or expansion of institutional uses, the decision-making body should take into account the institution's overall benefit to the entire Oakland community, as well as its effects on the immediate surrounding area.

Policy N2.6 Disposing of Public Property. Before disposing of schools or other significant public or quasi-public properties that are no longer needed for its original purpose, careful consideration should be given to their possible utilization for other kinds of civic, institutional, or open space areas.

The project is of high-quality design in keeping with the architecture of schools. The project includes breakfast and after school day care for school's community. Possible effects of the school including noise, and traffic were analyzed and found to be less than significant. The project will include the addition of a City-owned parcel which was previously used for parking and will now be used for a new civic/institutional use.

17.134.050 GENERAL CONDITIONAL USE PERMIT CRITERIA

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

A Major Conditional Use Permit (CUP) is required for a new non-residential facility of greater than 25,000 square feet (45,942 square feet proposed). A Minor Conditional Use Permit (CUP) is also required to operate a Community Education Civic Activity (Kindergarten-8th Grade public charter school) within the RM-4 Mixed Housing Type Residential Zone.

The proposal is to construct a new 45,942 square foot, three-story, 49-foot-tall Kindergarten-8th Grade public charter school for up to 620 students and 51 employees with 21 classrooms, other associated rooms, outdoor field and playground space as well as an on-site double-lane driveway for drop-off and pick-up queuing. Employee parking will consist of 15 parking spaces with 11 spaces on the subject site and four spaces on the adjacent parcel through a shared parking agreement with the neighboring property. The school proposes a bicycle storage room that can accommodate 62 bicycles with additional exterior racks which can accommodate 5 bicycles.

Justification for this Minor CUP is based on the proposed project being compatible with, and will not adversely affect, the livability or appropriate development of abutting properties and the surrounding neighborhood.

Civic uses, including preschool's, elementary schools, churches, libraries, and a public park, are common throughout the neighborhood, and the proposal will fill a need for a Community Education use. The location at a dead-end street allows efficient use of the cul-de-sac for drop-off and pick-up operations. Furthermore, the site is located a block from a major arterial and transit corridor on a vacant and underutilized site. The area is a mix of building sizes, bulk, and lot coverage. The project provides a transition from taller structures along International to small structures on E 15th. The project is similar in bulk and lot coverage to other of the taller area buildings. The proposed project will not affect overall neighborhood character. The design is similar to other structures in its boxy utilitarian architectural style. Most of the school activity will occur as part of the drop-off and pick-up process. Otherwise, school activities will take place indoors with structured play and physical education in designated outdoor areas at varying times.

The proposal includes 15 off-street parking spaces to accommodate 51 staff members. Additionally, the parking lot can accommodate on-site queuing with a greater than 250 foot long two-lane drop-off and pick-up queuing which will have a drop-off schedule of varying intervals. Staggered drop-off and pick-up has been shown to be an effective method to reduction traffic congestion. Furthermore, a traffic analysis was prepared which concludes that, while the area is congested, the proposed use will not result in a substantial change to the existing condition. Additionally, the project sponsor is required to incorporate strategies to explicitly and monetarily encourage carpooling and use of public transit among employees and students, and will be required to retain a consultant to monitor the effectiveness of these strategies. The project is also required to make improvements to the public right of way, including repairing the sidewalk along the project's frontage. The parking standards for the new school are half a space for every classroom resulting in 13 off-street parking spaces required. However, the project is proposing 15 off-street parking spaces which exceeds the current requirement by two off-street spaces; thus, the proposed school should not have an impact on parking in the neighborhood.

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

The proposed school use is consistent with the existing location and setting. Many buildings, including the former structure was sited near the front and side property lines. The playground is located near the rear parking lot and the adjacent residential buildings open space. An on-site drop-off area is provided, lessening traffic impacts. As noted above, the design is consistent with the surroundings in terms of architectural style. As such, the proposal is both efficient, functional, and attractive within the context of the surrounding area.

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

The proposal will enhance the surrounding area by adding a desirable use to a vacant site and on and off-site improvements to enhance the public safety, security and appearance of the area. Specifically, the project will create a moderate sized charter school, reduce the potential for traffic impacts, make significant landscaping and street frontage improvements to the site, and add visual upgrades (fencing, curb, gutter, sidewalk, paving, and landscaping) to the intersection of Derby Avenue and E. 15th Street. Furthermore, the proposal provides a vital use for parents in the neighborhood and surrounding area. The proposed school may also benefit the surrounding businesses in the Fruitvale area by increasing the potential customers or number of times they come to the area.

D. 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.

The proposal conforms with all significant aspects of the design review criteria set forth in Chapter 17.136 of the Oakland Planning Code. The proposal will enhance the surrounding area by adding desirable site improvements to enhance the public safety, security and appearance of the neighborhood. The Non-Residential Design Review findings are presented above.

E. 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.

See Non-Residential Design Review Findings above.

SECTION 17.148.050(A) - MINOR VARIANCE FINDINGS:

A. 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.

Minor Variances are required for (1) a proposed building height of 49 feet where 35 feet are permitted; (2) a front yard setback of three feet where 15 feet are required; (3) a street side yard setback of zero feet where four feet are required; and (4) a 23-foot-high living wall on the side and rear property line where 8 feet are permitted.

The minor variances for height, setbacks, and fence height are justified because strict compliance of the regulations would preclude an effective design solution and conformance with the normal requirements would unnecessarily impact the design and functionality of the proposed building. Specifically, strict compliance would eliminate the playground and pick-up/drop-off area to accommodate the additional square footage, grade levels, or the parapet screening the mechanical equipment. Even by reducing the floor plate heights, the project would still need to eliminate grade levels. The height, at three-stories, provides an appropriate transition from the six-story building at the corner of Derby Avenue and International Boulevard to the lower one to two story buildings in the neighborhood. Additionally, the former building located at the site had zero front and street side yard setbacks and reached three-stories in height. As such, the design improves the operational efficiency of the school and appearance of the neighborhood.

Strict compliance with the front and street side setbacks would require that the building be located further back on the lot eliminating the playground and pick-up/drop-off area to accommodate the additional square footage and grade levels. The project provides an effective design solution in that it is appropriate for a civic facility to be closer to the street. Furthermore, the project is meeting the setback of the closest building at 3022 International Boulevard which is directly at the property line on the Derby Avenue side. Furthermore, the purpose of the setbacks to provide adequate residential parking and front yard landscaping. The project will provide the required number of parking spaces on-site and on the neighboring property. Furthermore, the neighborhood pattern is very small landscaped areas.

Strict compliance with the fence height could result in privacy issues of residents looking down on the playground. The creation of a living wall provides an effective design solution that serves both visual interest, creates privacy and acts as a sound barrier to the neighboring residential property at 2946 International Boulevard.

The proposed variances will not impact the neighbors, but rather create an effective design solution that can potentially reduce impacts by pulling the buildings further away from the residential behind; creating a privacy wall; and by reducing the energy consumption with the use of rooftop solar.

B. 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 height regulations is to restrain the building envelope to provide a consistent neighborhood context. noted above. the context includes buildings heights. many The project provides an effective design solution by stepping the massing down from International toward the more residential uses. The basic intent of the front and rear yard setbacks to provide an adequate buffer from neighboring uses, on-site parking and landscaping. As noted above strict compliance would reduce the playground and dropoff/pick-up area which are necessary school components or eliminate grades. Given that the project site is on the corner and is adjacent to taller buildings which also do not have these setbacks, the proposal, with the playground and drop-off/pick-up area, and living wall will buffer the neighbors from the use. The basic intent of the fence height is to increase privacy but discourage walled areas inconsistent with residential neighborhoods. As the project is in a mixed-use area, surrounded by tall buildings and there is an additional need for privacy, the proposed fence height provides an effective design solution fulfilling the intent of the regulation.

C. 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 increased height, reduced setbacks and rear and side yard fence height will be consistent with the surrounding pattern of development, and will not result in an impact to the adjacent neighbors. The minor variances for height, setbacks and fence height are justified because strict compliance of the regulations would preclude an effective design solution, as noted above, and conformance with the normal requirements would unnecessarily impact the design and functionality of the proposed building.

The variance will not affect the character, livability, or appropriate development of abutting properties. The character of the street will be enhanced with another building of transitioning height. These variances will not be detrimental to the public welfare or adopted plans.

D. 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 these variances will not be inconsistent with the purposes of the zoning regulations. With the necessary controls, it will enable the site to be improved and used to the benefit of the community in accordance

with the purpose of the Zoning Regulations. The requested variances for increased height, reduced setbacks and increased fence height will make the design more functional and comfortable for the intended occupants of the building, and strict compliance of the regulations would preclude an effective design solution and would unnecessarily impact the design and functionality of the proposed building.

Similar properties including 2946 International Boulevard have a three-story height and other properties have reduced front and street side yard setbacks, including 1442 Derby Avenue and 3020 E. 15th Street. Additionally, the former building located at the site had zero front and street side yard setbacks and reached three-stories in height.

E. For proposals involving one or two dwelling units on a lot: 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 design review criteria set forth in the design review procedure at Section 17.136.050.

Not applicable. The proposed project is a civic, non-residential structure.

- F. For proposals involving one or two residential dwelling units on a lot: That, if the variance would relax a regulation governing maximum height, minimum yards, maximum lot coverage or building length along side lot lines, the proposal also conforms with at least one of the following criteria:
 - a. The proposal when viewed in its entirety will not adversely impact abutting residences to the side, rear, or directly across the street with respect to solar access, view blockage and privacy to a degree greater than that which would be possible if the residence were built according to the applicable regulation and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height; or
 - b. Over 60 percent of the lots in the immediate vicinity are already developed and the proposal does not exceed the corresponding as-built condition on these lots and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height. The immediate context shall consist of the five closest lots on each side of the project site plus the ten closest lots on the opposite side of the street (see Illustration I-4b); however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any decision on any variance.

Not applicable. The proposed project involves a civic, non-residential structure.

ATTACHMENT B: CONDITIONS OF APPROVAL

The proposal is hereby approved subject to the following Conditions of Approval. Additions made by the Planning Commission at the April 18, 2018 public hearing are in underline and omissions are in strikeout.

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 5, 2018 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

The project applicant and property owner, including successors, (collectively referred to hereafter as the "project applicant" or "applicant") shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.

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

6. Signed Copy of the Approval/Conditions

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

7. Blight/Nuisances

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

8. Indemnification

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called "City") from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- b. Within ten (10) calendar days of the filing of any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. Severability

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

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

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

11. Public Improvements

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

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. Regulatory Permits and Authorizations from Other Agencies

Requirement: 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.

When Required: Prior to activity requiring permit/authorization from regulatory agency

<u>Initial Approval</u>: Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

15. Grafsiti Control

Requirement:

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:

Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-

attracting surfaces.

Installation and maintenance of lighting to protect likely graffiti-attracting surfaces. ii.

iii. Use of paint with anti-graffiti coating.

- Incorporation of architectural or design elements or features to discourage graffiti defacement in iv. accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
- Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement. ν.
- The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. d. Appropriate means include the following:
 - 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.
 - Covering with new paint to match the color of the surrounding surface. ii.

Replacing with new surfacing (with City permits if required).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

16. Landscape Plan

Landscape Plan Required

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

b. Landscape Installation

Requirement: The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.

When Required: Prior to building permit final

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

C. Landscape Maintenance

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

When Required: Ongoing Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

17. Lighting

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

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

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

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

- a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
- b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. Pave all roadways, driveways, sidewalks, etc. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used.
- e. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- f. Limit vehicle speeds on unpaved roads to 15 miles per hour.
- g. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.
- h. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations").
- i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- 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.
- 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.
- l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.
- m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

- n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
- 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. 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.
- 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.
- 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.
- s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- 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.
- a. 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.
- V. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).
- w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.
- x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard.
- 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

19. Tree Removal During Bird Breeding Season

Requirement: 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.

When Required: Prior to removal of trees

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

20. Tree Permit

a. Tree Permit Required

Requirement: 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.

When Required: Prior to approval of construction-related permit

<u>Initial Approval</u>: Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building

Monitoring/Inspection: Bureau of Building

b. Tree Protection During Construction

Requirement: 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:

- i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.
- 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.
- iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.
- iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.
- v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.
- vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.

When Required: During construction

Initial Approval: Public Works Department, Tree Division

Monitoring/Inspection: Bureau of Building

Tree Replacement Plantings

С.

Requirement: 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:

- 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.
- 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.
- 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.
- iv. Minimum planting areas must be available on site as follows:
 - For Sequoia sempervirens, three hundred fifteen (315) square feet per tree;
 - For other species listed, seven hundred (700) square feet per tree.
- v. 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.
- vi. 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.

When Required: Prior to building permit final

Initial Approval: Public Works Department, Tree Division

Monitoring/Inspection: Bureau of Building

21. Archaeological and Paleontological Resources - Discovery During Construction

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

In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are

practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.

In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

22. Human Remains - Discovery During Construction

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

23. 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. The Applicant has a valid construction permit for onsite work issued by the Division of the State Architects (DSA) on July 17, 2017.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

24. Seismic Hazards Zone (Landslide/Liquefaction)

Requirement: The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant submitted a Geotechnical Investigation and Geologic Hazards Evaluation to the California Geological Survey (CGS) for review and received approval on May 17, 2016. The project applicant shall implement the recommendations contained in the approved report during project design and construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

25. Hazardous Materials Related to Construction

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

26. Hazardous Building Materials and Site Contamination

The project applicant received Department of Toxic Substances Control (DTSC) final approval on March 28, 2018 for the Soil Removal Completion Report (Cornerstone Earth Group, February 4, 2018). The report presents the results of the soil remedial activities preformed at the site.

a. Hazardous Building Materials Assessment

Requirement: The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

b. Environmental Site Assessment Required

Requirement: The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project

applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

Health and Safety Plan Required

Requirement: The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

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

<u>Requirement</u>: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

27. Erosion and Sedimentation Control Measures for Construction

a. Erosion and Sedimentation Control Plan Required

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

b. Erosion and Sedimentation Control During Construction

Requirement: The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

28. Site Design Measures to Reduce Stormwater Runoff

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

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

29. NPDES C.3 Stormwater Requirements for Regulated Projects

a. Post-Construction Stormwater Management Plan Required

Requirement: The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

b. Maintenance Agreement Required

<u>Requirement</u>: The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:

- i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and
- Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary.

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

When Required: Prior to building permit final

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

30. Construction Days/Hours

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

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

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

31. Construction Noise

<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:

a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.

- b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- c. Applicant shall use temporary power poles instead of generators where feasible.
- d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.
- e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

32. Extreme Construction Noise

a. Construction Noise Management Plan Required

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

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

b. Public Notification Required

Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.

When Required: During construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

33. Project-Specific Construction Noise Reduction Measures

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

34. Construction Noise Complaints

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:

- 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

35. Exposure to Community Noise

Requirement: The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:

- a. 45 dBA: Residential activities, civic activities, hotels
- b. 50 dBA: Administrative offices; group assembly activities
- c. 55 dBA: Commercial activities
- d. 65 dBA: Industrial activities

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

36. Operational Noise

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

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

a. Obstruction Permit Required

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

Traffic Control Plan Required

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

When Required: Prior to approval of construction-related permit

Initial Approval Public Works Department, Transportation Services Division

Monitoring/Inspection: Bureau of Building

c. Repair of City Streets

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

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

38. Bicycle Parking

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

39. Transportation and Parking Demand Management

a. 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.

- i. The goals of the TDM Plan shall be the following:
 - 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):
 - o 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.
- ii. TDM strategies to consider include, but are not limited to, the following:
 - 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 contribution (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.
 - 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.
 - On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.
 - Distribution of information concerning alternative transportation options.
 - 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.
 - Parking management strategies including attendant/valet parking and shared parking spaces.
 - Requiring tenants to provide opportunities and the ability to work off-site.
 - 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).

• 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.

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. The applicant shall implement the approved TDM included in the Aspire CEQA Analysis.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

o. 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.

When Required: Prior to building permit final

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

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.

When Required: Ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

40. Construction and Demolition Waste Reduction and Recycling

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

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Environmental Services Division

Monitoring/Inspection: Public Works Department, Environmental Services Division

41. Underground Utilities

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

42. Recycling Collection and Storage Space

Requirement: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

43. Green Building Requirements

a. Compliance with Green Building Requirements During Plan-Check

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

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

- Per the appropriate checklist approved during the Planning entitlement process.
- All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.
- The required green building point minimums in the appropriate credit categories.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

b. Compliance with Green Building Requirements During Construction

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

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

c. Compliance with Green Building Requirements After Construction

Requirement: Prior to finagling the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.

When Required: After project completion as specified

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

44. 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Department of Engineering and Construction

Monitoring/Inspection: N/A

45. 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

SPECIFIC CONDITIONS

46. Landscaping and Irrigation

Ongoing.

All landscaping areas (including the living wall) and related irrigation shown on the approved plans shall be permanently maintained in neat and safe conditions, and all plants shall be maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with all applicable landscaping requirements. All paving or other impervious surfaces shall occur only on approved areas. A full landscape and irrigation plan shall be submitted to the Bureau of Planning prior to construction.

47. Fencing and Fence Maintenance

Ongoing.

Fencing shall be placed entirely around the children's play area (yard and sand box). The applicant shall permanently maintain all fencing or barriers visible from any property line in neat and safe conditions, and, whenever necessary, replaced with new materials or finish to ensure continued compliance with all City requirements.

48. Student Enrollment and Hours of Operation.

Ongoing.

That student enrollment shall be limited to a total of 620 students. A new Conditional Use Permit shall be required to exceed this maximum enrollment number. Every year by October 15th, the School shall provide a copy of the California Longitudinal Pupil Achievement Data System (CALPADS) reporting document submitted to the California Department of Education to the Bureau of Planning. The School hours of operation shall be Monday through Friday 7:00am-6:00pm. Ten events per year are permitted within the hours of 7:00am and 9:00 pm. Ten events per year are permitted within the hours of 7:00am and 9:00pm. An event is defined as a gathering in which visitors (including parents) are invited to the campus in conjunction with a School or Summer Program-sponsored event or activity such as a Back to School night, a performance (play or musical), athletic event, dance, walk-athon, guest speaker, school fair, Admissions Open House, promotion or graduation ceremony, associated and carried out by the school and for which 35 or more visitor vehicles are expected. An event does NOT include indoor activities involving only School students, faculty, staff such as play rehearsals, standardized testing, band practices, and meetings of student organizations, faculty committees and meetings of the staff. In addition, neighborhood meetings required or requested to be held on campus as a condition of this permit or otherwise by the City are not considered to be events. No summer school is permitted or renting of the facility to an outside organization and this change will require a revision to the Conditional Use Permit and approval from the City of Oakland Bureau of Planning.

49. Neighborhood Liaison Committee/Point of Contact/Complaints

Ongoing

a) The Project Applicant shall initiate a Neighborhood Liaison Committee ("Committee") in order to resolve conflicts and maintain communications between the school and the surrounding neighborhoods. The School should initiate the Committee formation no later than first month after beginning operations and the first meeting of the Committee should be held no later than two months after initiation. The Committee shall meet at least once a semester to discuss issues related to Aspire's activities in the neighborhood. However, the Committee shall hold additional meetings as recommended by the neighborhood participants. Aspire staff and the Traffic Board member shall participate in the neighborhood liaison committee meetings. City Planning and Zoning staff will attend these meetings as necessary. The meetings will have an agenda which will be forwarded to Planning and Zoning staff.

- b) The Project Applicant shall designate a representative, or series of representatives, on-site, to act as the primary point(s) of contact and as the Complaint Manager. The Complaint Manager shall develop a list of procedures and protocols to track and timely respond to complaints/concerns raised by neighbors, or others relating to the school's operations, including but not limited to traffic, noise, etc. These procedures and protocols shall be submitted to the Planning and Zoning Division no later than the first month after beginning operation. The procedures and protocols shall include timely review of complaints and the procedures and resolutions by which the Committee will timely resolve the issues. One of the purposes of this condition is to have the project applicant timely respond and resolve complaints prior to involvement by Building Services Code Compliance Division, unless the complaint is related to imminent threats to public health or safety.
- c) Copies of reports submitted to the City shall be provided at the same time to the Neighborhood Liaison Committee.

50. School Board Institutionalize Traffic Safety

The Principal shall to be responsible for overseeing and enforcing the school's traffic and circulation Conditions of Approval. The Principal shall receive the annual quarterly reports for the first year and on an annual basis every year after from the independent qualified traffic consultant regarding the effectiveness of implemented TDM measures, to ensure the Traffic and Parking Handbook is up-to-date and effective, schedule and attend the traffic orientation and additional training sessions for violators. The Principal shall provide an update and appropriate documentation on the traffic situation quarterly the first year and on an annual basis every year after to the City until deemed unnecessary by Transportation Services Division and Planning and Zoning Division staff.

51. Parking Management Strategies

Ongoing.

The Aspire School shall provide assigned spaces to all full and part time faculty and staff (51 full-time employees) and not volunteers or visitors. Staff that contract with the school to carpool shall be given priority spaces in order to reduce single occupancy vehicles. Any transit subsidies in the TDM shall include school staff. All of these spaces must be used before on-street spaces for staff can be used. The school shall send the carpool contracts to Planning and Zoning staff at the beginning of the school year.

52. Detailed Explanation of the Pick-up and Drop-off Process

Ongoing.

Develop a detailed, written instruction of the pick-up and drop-off process, which include rules, maps, times, etc., which will be incorporated into a Traffic and Parking Handbook. The pick-up and drop-off process shall occur within the School's parking lot. The Traffic and Parking Handbook shall be provided to the parents and guardians of the enrolled children at the beginning of each semester.

53. Mandatory Meetings with Parents/Guardians

The project applicant shall require responsible parents/guardians of all students attend a meeting at the beginning of each school year, and/or as reasonably necessary to discuss the Transportation and Parking Handbook. Planning and Zoning staff will attend these meetings if necessary. The parent/guardian will need to provide written acknowledgement of receipt of the Handbook and acceptance of the Handbook policies. The meeting will educate parents/guardians specifically regarding the following:

- a) Demonstration of correct pick-up and drop-off procedure
- b) The no unsafe crossing policy during both drop-off and pick-up hours
- c) The turn policy from the driveway exit during both drop-off and pick-up hours
- d) Penalties for violation of the Handbook including additional traffic training sessions for violators.

The project applicant shall submit an annual disclosure report to Planning staff acknowledging households in receipt of the handbooks and those who contract to take public transportation.

54. Staggered Timeframes for Drop-off and Pick-up

Ongoing.

The project applicant must maintain and follow the proposed drop-off and pick-up schedule as presented on the final approved site plan and Aspire CEQA Analysis. The applicant will continue to provide before and after-school care to implement the staggered drop-off and pick-up. Any deviation of the drop-off and pick-up schedule will require a revision to the Conditional Use Permit and approval from the City of Oakland Bureau of Planning.

55. Number of Persons to Assist Traffic

Ongoing.

During all morning drop-off and all afternoon pick-up periods the project applicant shall assign at least four (4) persons to ensure efficient traffic circulation and to remind parents and guardians of the process outlined in the Traffic and Parking Handbook. The school shall have a sufficient number of qualified alternates on campus during every morning and afternoon drop-off time to ensure that the minimum number of traffic personnel is always met. All traffic assistants will wear colored safety vests.

56. Drop-off and Pick Up signage

Prior to school operation

Additionally, the project should implement the following standard signing installations to discourage right turns on Derby after drop-off and turning movement conflicts:

- CONTINUE STRAIGHT sign facing drivers after drop-off.
- ENTER FROM DERBY AVENUE sign facing drivers on eastbound on Derby Avenue.

57. Events Traffic

Ongoing.

The project applicant shall establish an alternative transportation procedure and TDM plan for Special Events if the on-site parking is not sufficient for the number of guests expected (i.e. graduation, funding-raising events, etc.) per the TDM. The applicant shall coordinate with off-site locations for event parking, for City review and approval, if the events anticipate more persons attending than available parking on-site and through the Shared Parking Agreement. If necessary, a shuttle shall be implemented to ferry school population to the school. At least two school traffic assistants shall be available to discourage parking during events and direct persons to the off-site lots. The plan shall include that events be placed on the school calendar and the neighborhood shall be notified one month in advance of the event. No events shall be held that have not been published on the school calendar for one month in advance or emailed/mailed to immediate neighbors one month in advance.

58. Ongoing monitoring of Recommended Conditions

Ongoing.

Within a few weeks of the first day of school (school opening), a video of the Derby Avenue driveway entry and E. 15th Street exit will be recorded between 6:45 a.m. and 6:15 p.m. on a typical weekday. A DVD of the video and a summary of the driveway counts will be provided to the Bureau of Planning and Department of Transportation. An independent traffic engineer will conduct annual quarterly driveway vehicle counts and then on an annual basis after the first year, as indicated in the City of Oakland "Transportation Impact Review Guidelines" to determine the applicant's compliance with the TDM's overall requirement of 20% reduction of SOV trips, based on the maximum attendance of 620 students (total trips not to exceed 242 in the A.M. peak and 161 in the P.M. peak. If it is determined that the site is not meeting the TDM requirements, the City and the independent traffic engineer will identify and evaluate additional TDM measures that the applicant will implement to achieve the TDM requirements. The videos will be retained by the school and given to an independent and qualified traffic consultant who will prepare a report of the findings to be submitted to the City for review. The school and the independent consultant shall monitor the effectiveness of the TDM measures once a year quarterly and then annually after the first year (August or September) by the same method noted above and submit the results in a report to the Bureau of Planning and Department of Transportation. In addition, the overall TDM Plan shall be reviewed at least once per year quarterly by a qualified traffic consultant and then annually after the first

<u>year</u>, and updated if necessary, based on the results of the ongoing monitoring to be performed, with Department of Transportation review. If the monitoring results in traffic exceeding the numbers in the TDM and Traffic Analysis, turning movement conflicts or exceeds the queuing resulting in a traffic back-up, the qualified traffic consultant shall look at other methods, including a bus or shuttle system, to reduce these impacts.

59. Photovoltaic Solar Panels

Prior to Final Verified Report.

The project applicant shall install photovoltaic solar panels associated with this project prior to final verified report. The construction drawings must display the proposed solar panels for review and approval by the Bureau of Planning.

60. Roof Deck Planting

Ongoing.

No plantings are permitted on the roof deck other than in planters at locations consistent with the plans that accompany this approval.

61. Ownership of Parcels and Parcel Map Waiver for Lot Merger of 2956 International Blvd., 3007 E 15th St., and 1443 Derby St. (APN: 025-0720-007-02; 025-0720-001-00; and 025-0720-002-01)

Prior to the submittal of a Building Permit application to either the City or DSA

Prior to the submittal of a building permit application for the project to either the City or DSA, the applicant shall verify with the Planning Staff that: (a) the parcels required for the project are under the applicant's common ownership, and (b) the applicant has legally merged the parcels for development of the project.

62. Off-Site Parking Agreement

Prior to issuance of a building permit

The applicant must submit the final shared parking agreement to the Bureau of Planning for review and approval. Also, the applicant shall record a Notice of Limitation and final shared parking agreement with the Alameda County Recorder (Attachment D).

63. Parking Management Plan

Prior to Certificate of Occupancy and Ongoing

The Applicant shall establish an on-site parking management plan for review and approval by the Bureau of Planning to ensure the availability of parking for both the school and the medical building and to reduce parking conflicts between the uses.

64. Notice of Termination of the Off-site Parking Agreement.

Ongoing

- a. Per the requirements in the Shared Parking Agreement (Attachment D), the applicant, school, and/or the medical building shall provide a 60 day notice to the school and the City of Oakland Planning Department in the event this Agreement is terminated.
- b. If the agreement is terminated, the applicant or school shall provide an alternative parking location to accommodate the parking requirements per the Planning Code for the community education and/or shall submit an application for the necessary parking area.
- c. Each party shall notify the City of Oakland Planning Department if each party's use of its property has changed in a manner which would increase the legal requirement for parking beyond the requirements applicable to the original use by each party.

65. Design Review Committee Review

Prior to Bureau of Planning Sign-off of a Construction Related Permit by the City or DSA.

The applicant shall submit the proposed project for review by the City of Oakland Design Review Committee to explore design alternatives for the proposed building.

66. Stakeholder Meeting

Within 6 months of this approval

Within 6 months, the Bureau of Planning shall hold a stakeholder's meeting regarding solutions to the parking demands in the neighborhood. The meeting will include the following entities: Oakland Department of Transportation (Oak DOT); the Fruitvale Medical Building (3022 International Blvd.) property owner; tenants of the Fruitvale Medical Building (3022 International Blvd.); Aspire School Staff and Applicant; the Affordable Housing Development Applicant at (3050 International Blvd.); Bay Area Rapid Transit (BART); neighbors; and all interested parties that wish to attend. A summary of the meeting shall be presented back to the Oakland Planning Commission within six (6) months on outcome and progress of the parking in the area. The strategies to be discussed at the meeting include but not limited to: on-street metered parking; on-street limited parking hours; re-striping of the Fruitvale Medical Building parking lot; pursuing vacant lots in the surrounding area; valet parking; tandem parking; parking lifts; shared parking on the City owned lot for proposed development at 3050 Fruitvale; emergency drop-off for patients; and any and all possible solutions.

Applicant Statement

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

Name o	f Project Appl	icant	
Signatu	re of Project A	pplicant	
Data			

City of Oakland

Bureau of Planning 250 Frank H. Ogawa Plaza, Suite 2114 Oakland, CA 94612

NOTICE OF EXEMPTION	
TO: Alameda County Clerk 1106 Madison Street Oakland, CA 94612	
Project Title:	Case No. PLN15398
Project Applicant:	Aspire Schools
Project Location:	2956 International Blvd., 3007 E. 15 th St., and 1443 Derby St., Oakland CA (APN: 025-0720-007-02; 025-0720-001-00; and 025-0720-002-01)
Project Description: Exempt Status:	To construct a new 45,942 square foot three-story charter school.
Statutory Exemptions	Categorical Exemptions
Reasons why project is exempt:	[] Small Structures {Sec.15303} [] Minor Alterations {Sec.15304} [] In-fill Development {Sec. 15332} [] General Rule {Sec.15061(b)(3)}
Lead Agency: City of Oakland, I Suite 2114, Oakland, CA 94612	Planning and Building Department, Bureau of Planning, 250 Frank H. Ogawa Plaza,
Department/Contact Person: M	4/27/18
Signature (Robert D. Merkamp for	r Ed Manasse, Environmental Review Officer) Date:

Pursuant to Section 711.4(d)(1) of the Fish and Game Code, statutory and categorical exemptions are also exempt from Department of Fish and Game filing fees.

*ENVIRONMENTAL DECLARATION

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

FOR COUNTY CLERK USE ONLY

City of Oakland - Bureau of Planning 250 Frank H. Ogawa Plaza, Suite 3315 Oakland, CA 94612

Contact: Michael Bradley

FILE	NO:				
	-	 	 	 	

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

(PLEASE MARK ONLY ONE CLASSIFICATION)

- 1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION
- [X] A STATUTORILY OR CATEGORICALLY EXEMPT

\$ 50.00 - COUNTY CLERK HANDLING FEE

- 2. NOTICE OF DETERMINATION (NOD)
- [] A NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$ 2,210.25 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

[] B - ENVIRONMENTAL IMPACT REPORT (EIR)

\$ 3,070.00 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

*A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.

FOUR (4) COPIES OF ALL NECESSARY DOCUMENTS ARE REQUIRED FOR FILINGS SUBMITTED BY MAIL. FIVE (5) COPIES ARE REQUIRED FOR IN-OFFICE FILINGS.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2018
MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

ASPIRE PUBLIC SCHOOLS ERES ACADEMY

NEW K-8 SCHOOL CAMPUS 2956 INTERNATIONAL BOULEVARD, OAKLAND, CA 94601 **PLANNING SET 2/15/2018**





ELECTRICAL ENGINEER

3 PROJECT DIRECTORY

PROJECT DESCRIPTION CONSTRUCTION OF IT NEW 3 STORY CLASSROOM BUILDING WITH A MULTI CONSTRUCTION OF ITS NEW 3 STORY CLASSROOM BUILDING WITH A MULTI

4 PROJECT INFORMATION

DITE	WING LIST- PLANNING
NUMBER	SHEET NAME
PLANNING	
A001	COVER SHEET
Anon	SITE PLAN
A100	FLOOR PLAN - LEVEL 1
A103	PLOGRIPLAN - LEVEL 2
A104	FLOOR PLAN - LEVEL 3
A105	ROOF PLAN
A291	NORTH & EAST ELEVICTIONS
A202	SOUTH & WEST ELEVATIONS
A900	SION PLAN
A503	THREE-DIMENSIONAL EXHIBITS
A304	GREEN WALL EXHIBIT
C,1	SITE DEMOLITION PLAN
4.0	CMIL SITE DEVELOPMENT PLAN
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5 SITE INFORMATION

1. DIVISION OF THE STATE ARCHITECT - APPLICATION # 61-115746 1-17177 2. ALAMEDA COUNTY PLOOD CONTROL & WATER CONSERVATION DISTRICT

6 AGENCY APPROVALS



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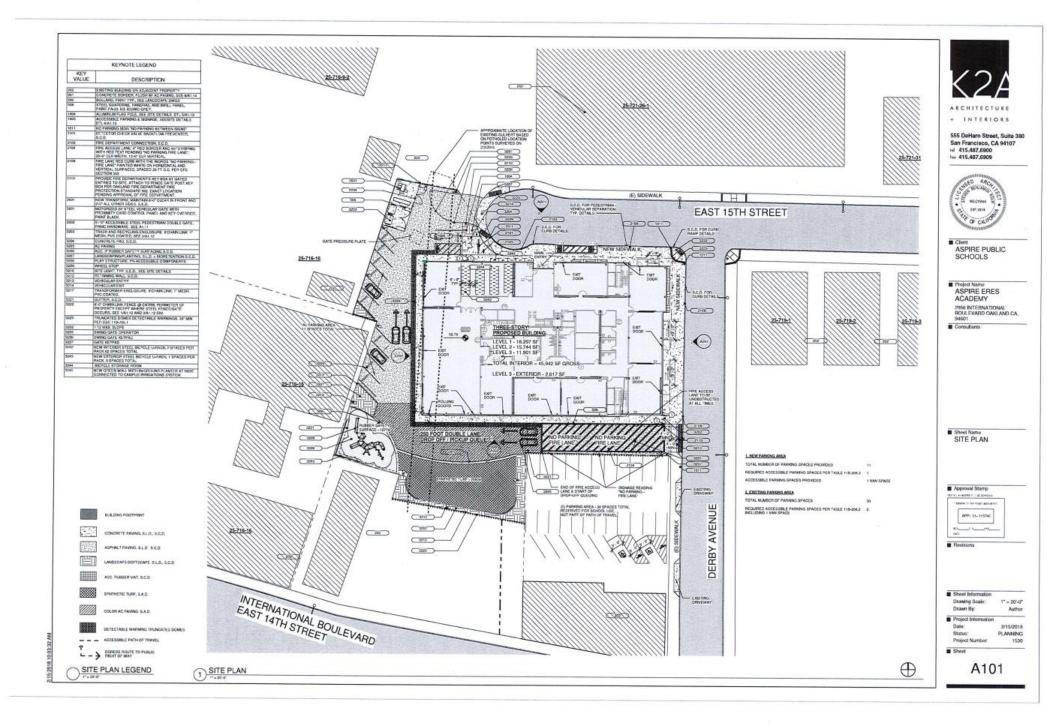


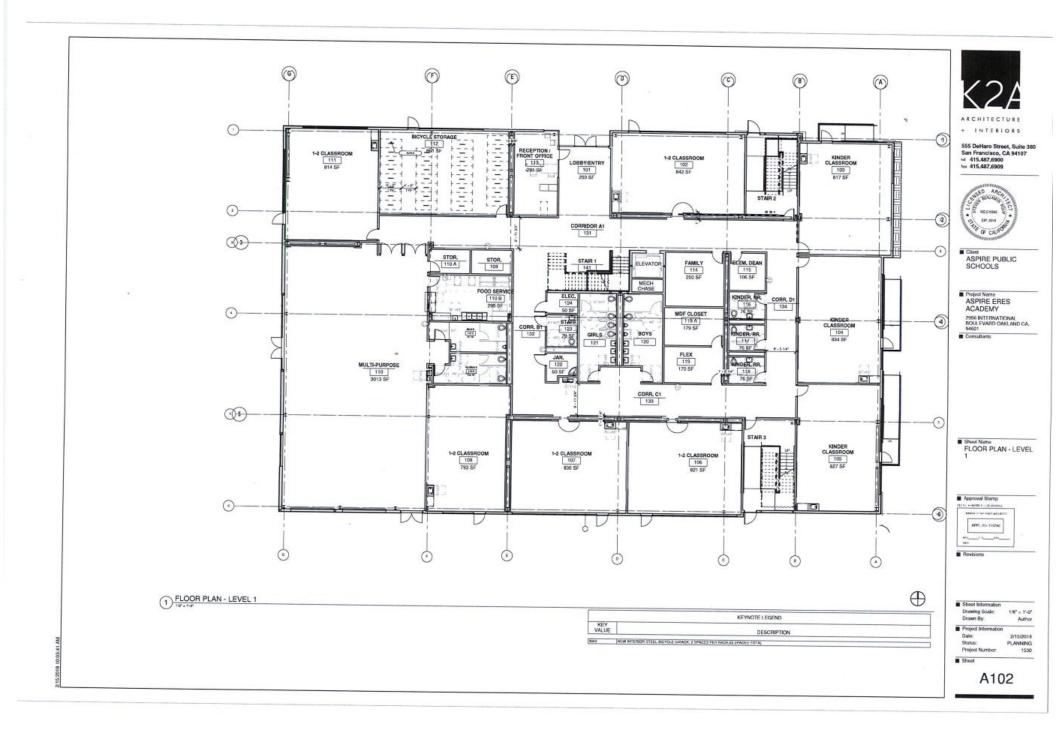
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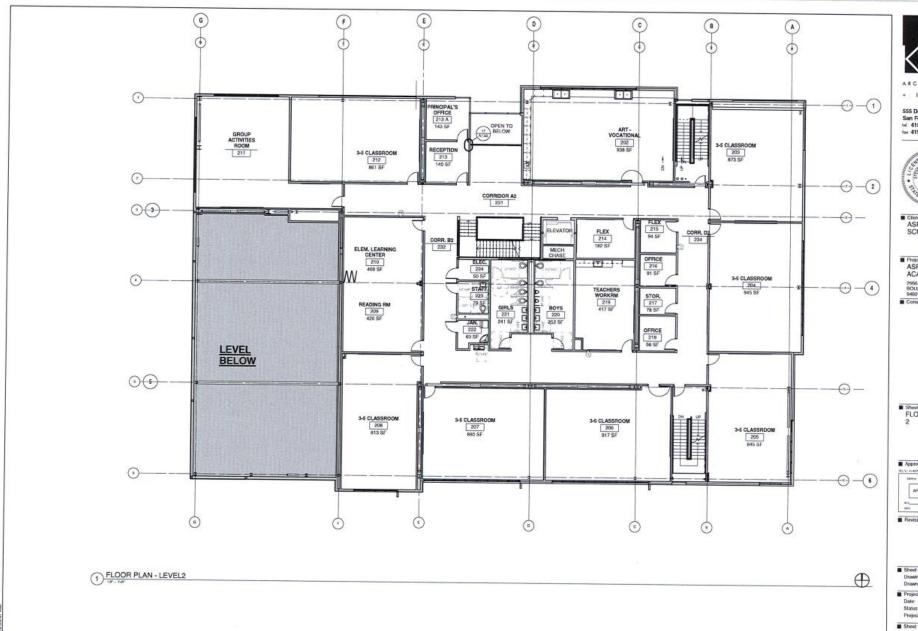
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Attachment C

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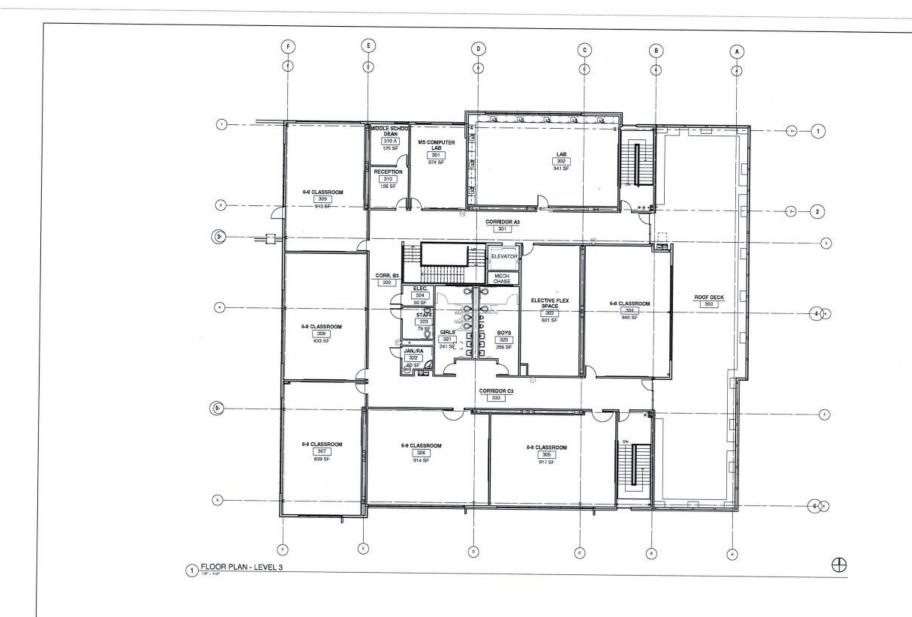
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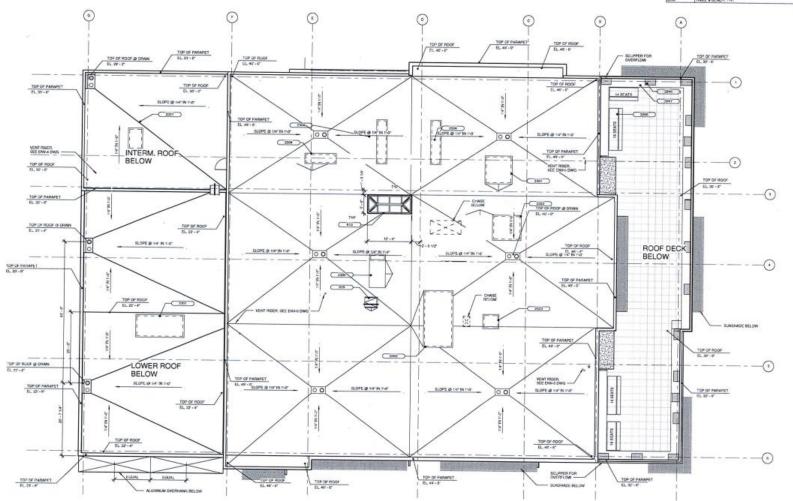
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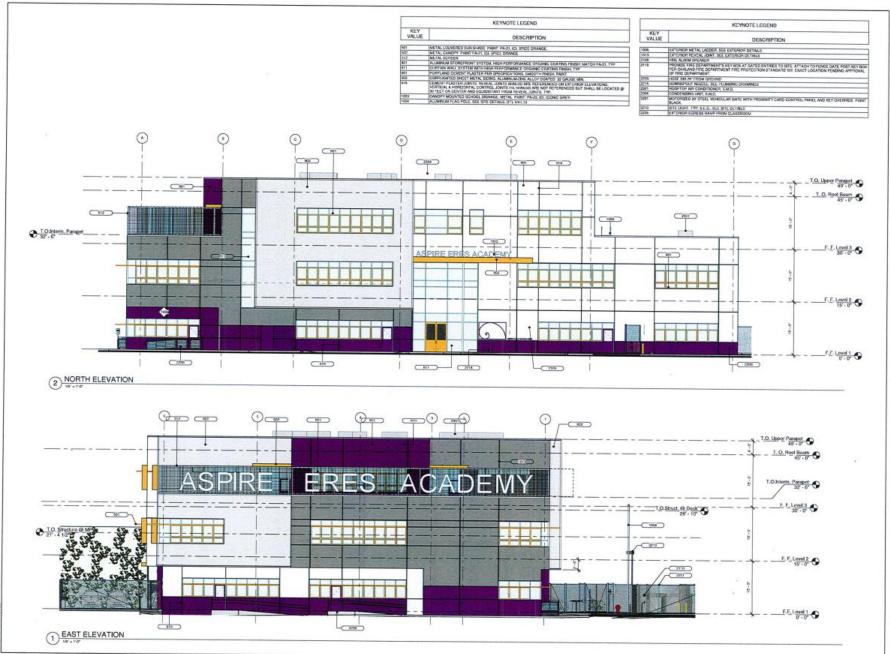
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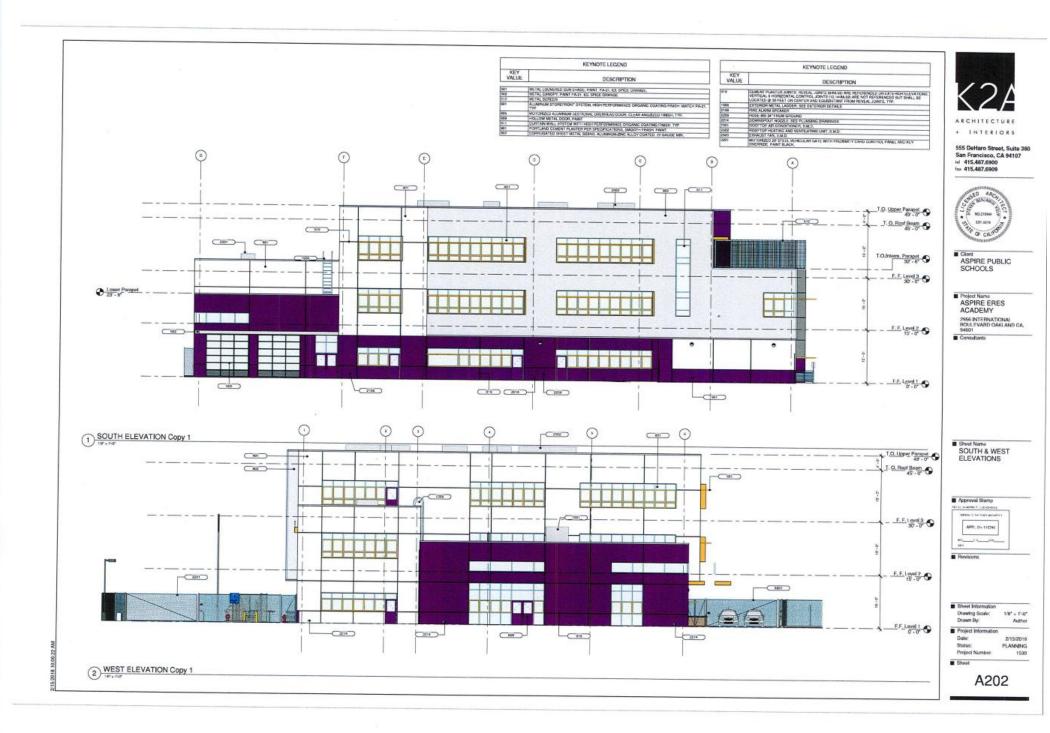
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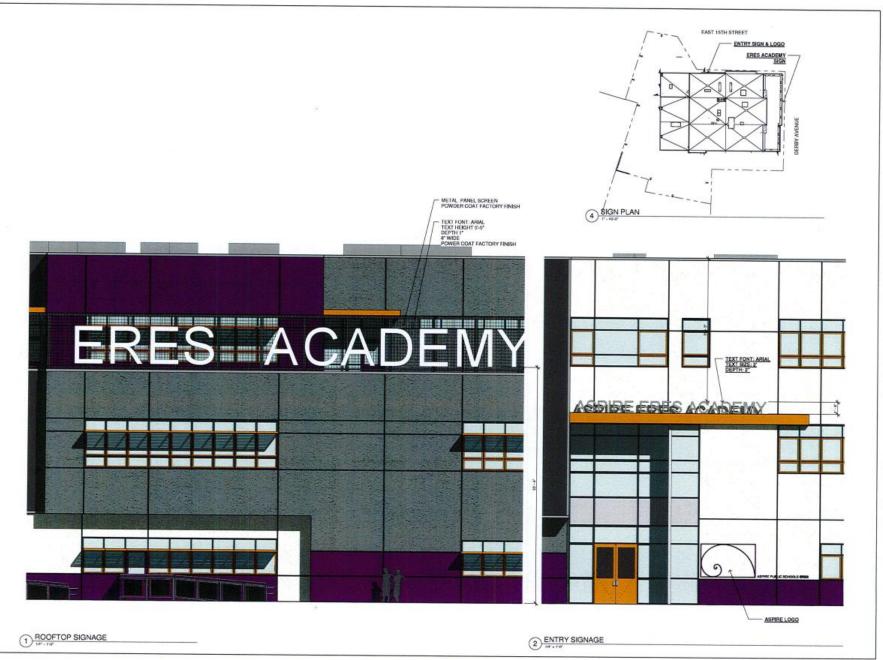
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VIEW FROM INTERNATIONAL & 30TH AVE.

VIEW FROM DERBY AVE. & E 15TH ST.



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Date 2/15/2018

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VIEW FROM PLAYGROUND





VIEW FROM INTERNATIONAL & 30TH AVE.



VIEW FROM INTERNATIONAL BLVD



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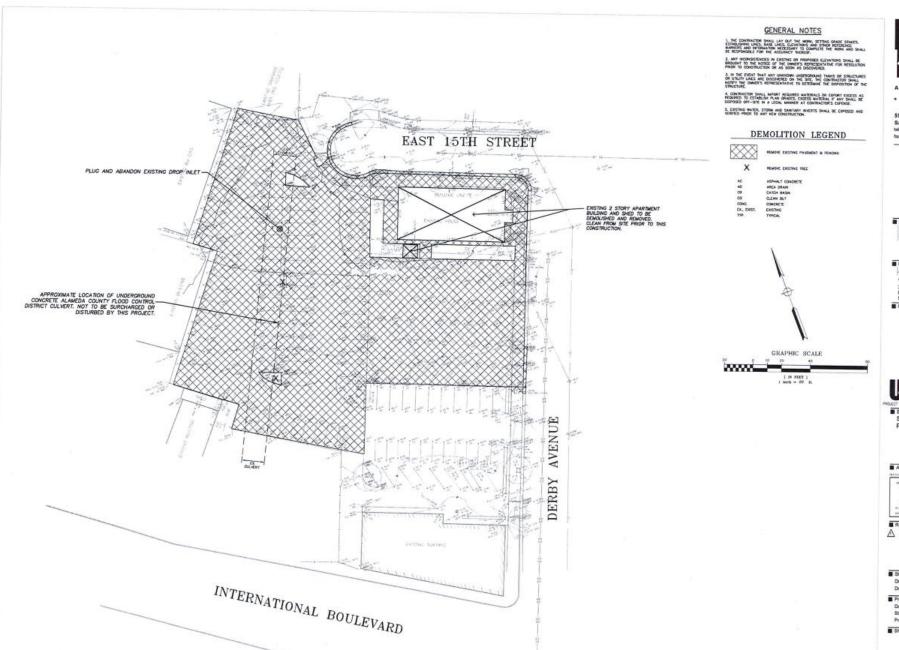
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Date: 2/15/2018
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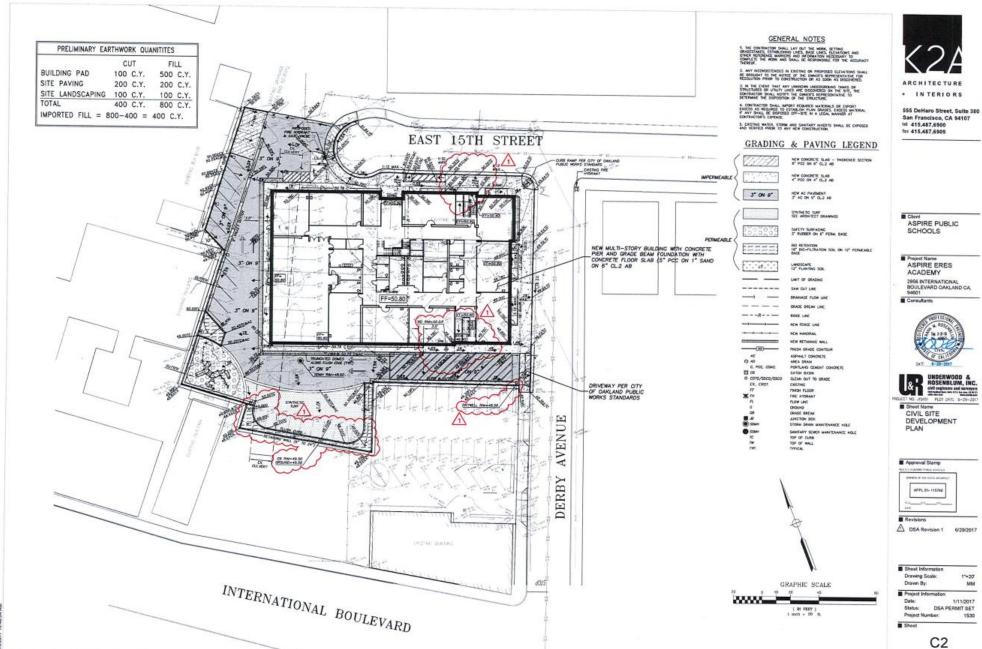


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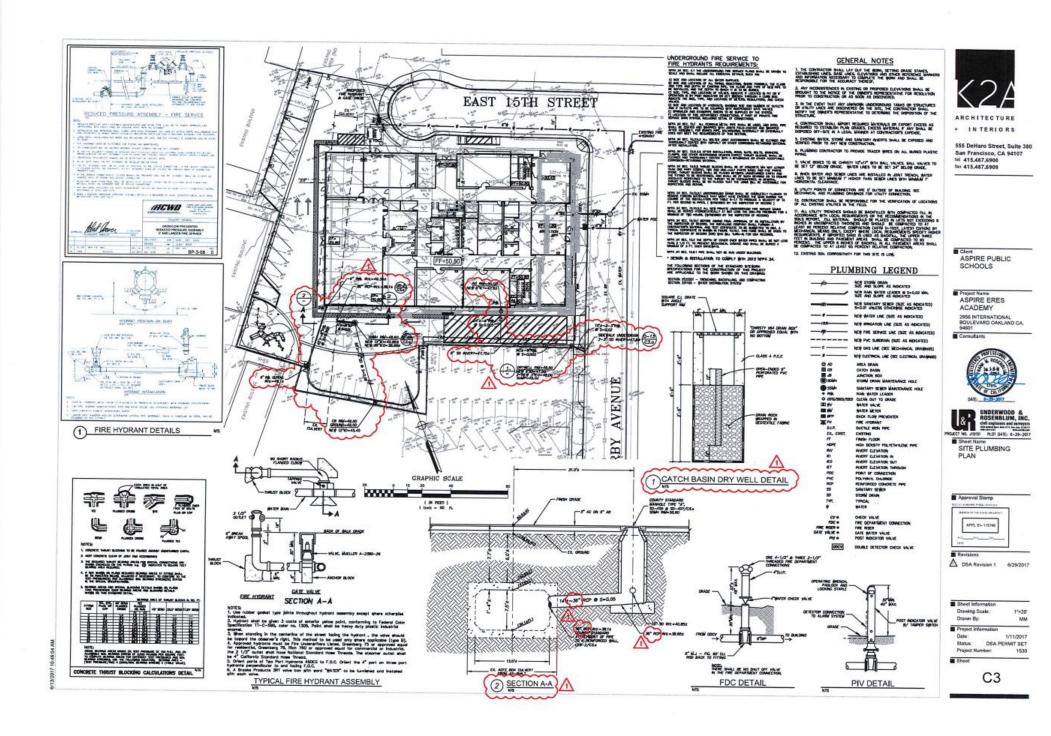
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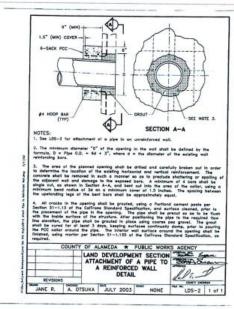
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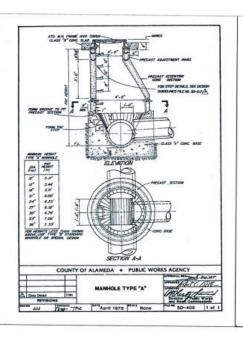
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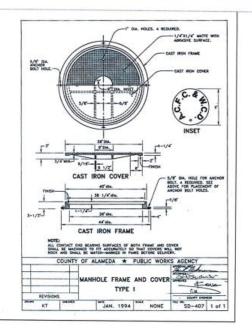


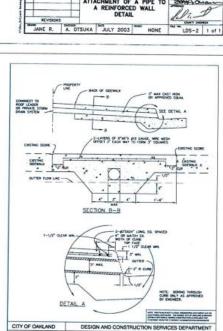












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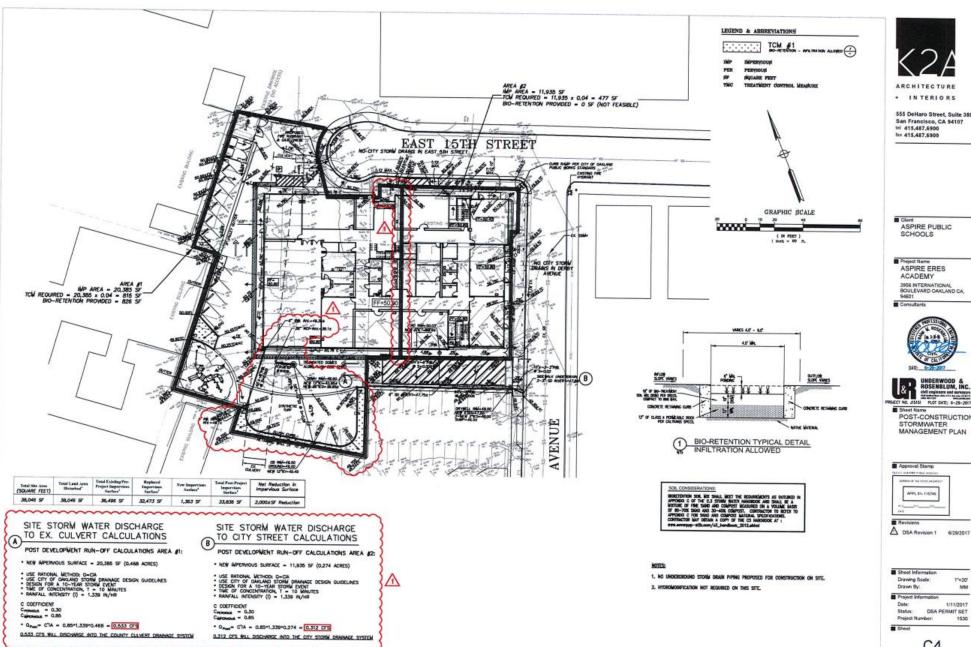
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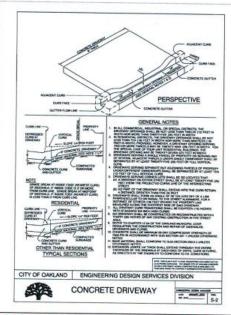
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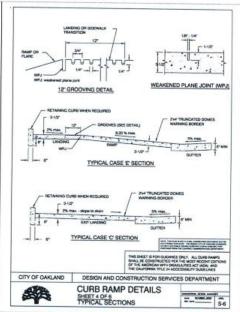
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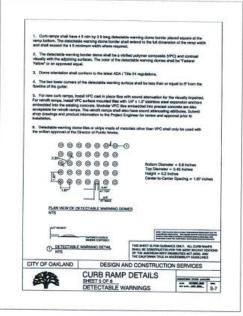
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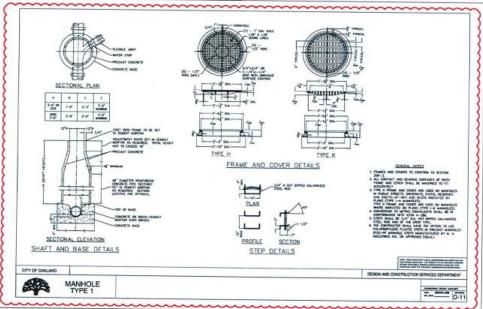
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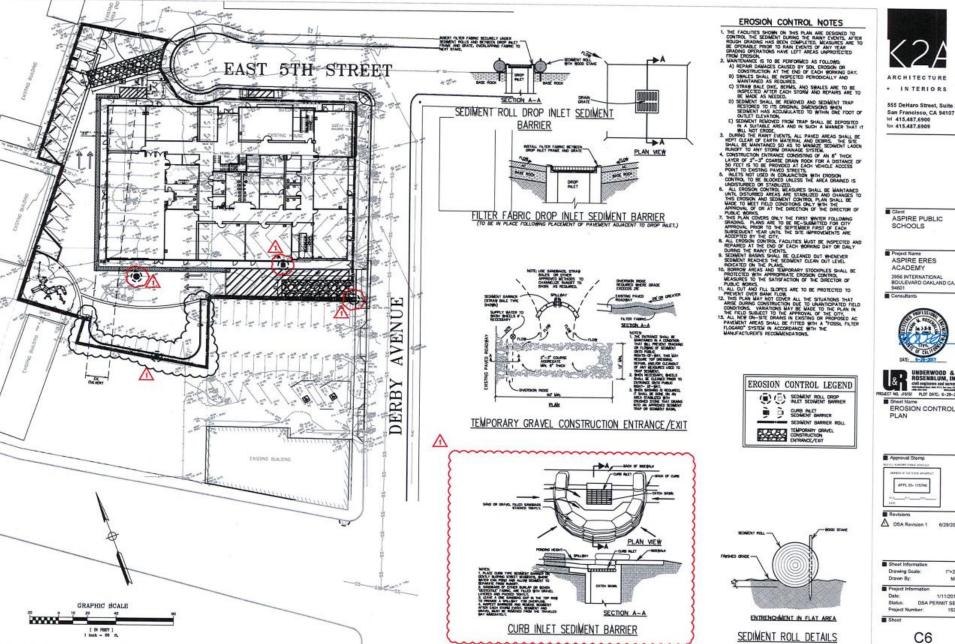
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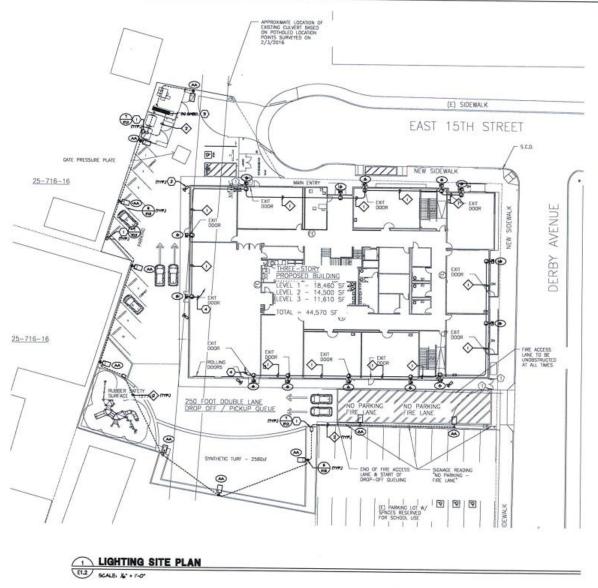




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GENERAL NOTES

1. ALL ELECTRICAL PORK SHALL COMPLY RETH THE JOB CALIFORNIA ELECTRICAL CODE.

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- FROMOR HEM IN-SMADE PALLBOX, LABEL LID "LIGHTING"
- 2) NON SOCIETY CAMERA, PROVIDE IN J-BOX AND HOMERAN I-UZYG MYTH RALL
- (9) NO SMEED, SEE SMISLE LINE FOR REQUIREMENT,
- HOMERAN ITS TO NOW PAREL TS" IN BLESSTRICAL ROOM THE", SEE PLOOR PLAN FOR ADDITIONAL REQUIREMENT.

CONDUIT SCHEDULE:

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MERLING - SITE POLE LIGHTING.

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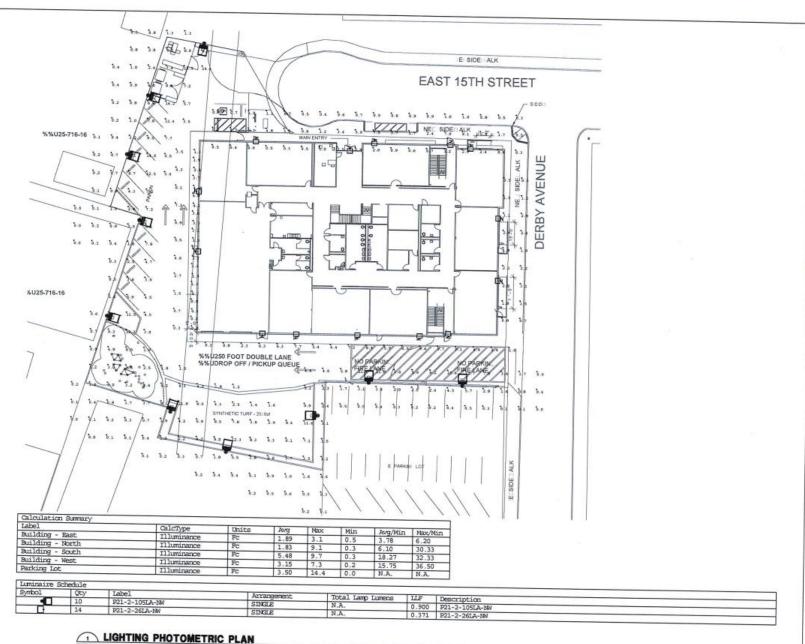
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