

Case File Number DET190031-A01

October 21, 2020

Location:	584 14th Street
Accessor’s Parcel Number(s):	003 06901700
Proposal:	Appeal of Zoning Manager’s Determination filed under DET190031, a status determination on the applicability of Oakland Planning Code Chapter 17.153, demolition, conversion and rehabilitation regulations for residential hotels.
Case File Numbers:	DET190031-A01
Appellants:	Zacks, Freedman, & Patterson, PC
Owner:	584 14TH Street LLC
Planning Determination Required:	Initial Usage Report required if the Zoning Manager’s Determination is upheld.
General Plan:	Central Business District
Zoning:	CBD-P
Environmental Determination:	The determination is not considered a project as defined by Section 15378 of the State CEQA guidelines, and therefore does not require CEQA review.
Historic Status:	Local Register, API: Downtown, OCHS Rating: B*1+
City Council District:	3
Staff Recommendation:	Adopt the findings included as Exhibit D to the October 21, 2020 Supplemental Staff Report and deny the appeal, thereby upholding the Zoning Manager’s Determination to deny the Residential Hotel Statement of Exemption Application, based on the findings included as Exhibit D to the October 21, 2020 Supplemental Staff Report and the evidence cited therein, and the findings and evidence in the Zoning Manager’s Determination, the August 5, 2020 Staff Report, the October 21, 2020 Supplemental Staff Report, and the accompanying attachments.
Finality of Decision:	Final Decision, Not Administratively Appealable per Planning Code Section 17.132.030
For Further Information:	Contact Case Planner, Brittany Lenoir at (510) 238-4977 or blenoir@oaklandca.gov .

SUMMARY

This item is a supplemental staff report regarding the continuance request by the appellants of DET190031-A01, the appeal of the Zoning Manager’s Determination to deny the Residential Hotel Statement of Exemption for 584 14th St, commonly known as the Sutter Hotel, described above. This appeal was brought to the August 5th, 2020 Planning Commission meeting, where the appellants requested a continuance to allow time to analyze statements made in the Staff Report (**Exhibit E**). The Appellant’s request is attached as Exhibit A of this report, which was unanimously approved for continuance by the Planning Commission.

The Appellant’s request was followed up by a request for City records of the Zoning designation for the site in effect in 1999, including any zoning maps, Planning Code, or interim ordinances, and “Any other documents or documentation relied on for the analysis in footnote 11 on page 11” (**Exhibit B**). The referenced footnote (footnote 1) states:

In an effort to determine whether the Sutter Hotel was conferred a “deemed approved” status, Planning Staff also reviewed the historical designation of the site. The zoning designation applicable to the 584 14th Street in 1999 leads to the conclusion that the Sutter Hotel was a permitted activity and therefore would not have been subject to the Deemed Approved Ordinance, which only conferred deemed approved status to legal nonconforming activities. As early as 1974, the Sutter Hotel was located in the C-51 Zoning District. The Planning Code applicable in 1999 specified that Permanent Residential Activities, Transient Habitation Commercial Activities, and Semi-Transient Residential Activities were all permitted activities in the C-51 Zoning District. It was only in 2009 that the property was rezoned to CBD-P, which requires a conditional use permit for Semi-Transient Residential and Transient Habitation Commercial Activities. Thus, regardless of which of these activities was occurring, the Sutter Hotel would not have been operating as a legal non-conforming activity in 1999 and thus would not have been subject to the Deemed Approved Regulations upon adoption in 1999.

In response to the records request, Staff provided the documents attached in **Exhibit C**. This includes the following:

- Excerpts from building permits documenting that the property was zoned C-51 as early as 1974. These building permits were previously attached to the August 5, 2020 staff report as part of the “supplemental information” submitted by the applicant with the applicant’s Statement of Exemption application.
- The Planning Code in effect during 1997 through 2002, specifically the C-51 Zoning Regulations. This excerpt provides information on the permitted and conditionally permitted activities and facilities for this Zoning designation. The appellant’s attorney separately requested, and the City provided, the full version of the 1997 Planning Code, 2002 Supplement.
- Related zoning map showing the area of the subject property Zoned as C-51/S-17 – Central Business Service Commercial Zone with a Downtown Residential Open Space Combining Zone. The map was generated from the earliest GIS data file the Planning Bureau has, from 2004. That data shows that all of the properties at the four corners of the Jefferson and 14th St Intersection were zoned C-51/S-17. The S-17 overlay was added to the code in 2001.
- Ordinance No. 12289 C.M.S related to the creation of the S-15 and S-16 overlay zones and requiring a conditional use permit for all trucking activities in the West Oakland Community Development District and other amendments, passed by City Council in October 2000. A zoning map on page 18 of the ordinance shows that the property was designated with the C-51 zoning in 1983 and through the ordinance adoption date (October 31, 2000).
- Ordinance No, 12955 C.M.S to amend the Planning Code to create four new zones for the Central Business District - CBD-R, CBD-P, CBD-C, and CBD- X, passed by City Council in July 2009. This ordinance supports the statement from the footnote that the property was rezoned to CBD-P in 2009.

As stated in **Exhibit D**, Findings for DET190031-A01, and Exhibit E, the August 5, 2020 Staff Report to the Planning Commission, there is substantial evidence showing that the Sutter Hotel meets the definition of a Residential Hotel. The evidence that supports Staff’s decision to determine the Sutter Hotel as a Residential Hotel includes, but is not limited to:

- A 1992 Rehabilitation Loan Agreement and Regulatory Agreement between the then property owner and the State Housing and Community Development Department under the California Natural Disaster Assistance Program (“CALDAP”) identified 102 SROs as “Assisted Units” subject to restrictions on rent such that initial rents in 17 units were set at \$300 per month and initial rents in 85 units were set at \$389 per month. The terms of the agreement were set to be valid for 20 years, beginning September 30, 1992 (**Exhibit E**, Attachment E-2, iv.).
- Transient Occupancy Tax (TOT) records from 2010 to 2017 indicate that from 2010 to 2106 there was a varying degree of non-transient guests ranging from 20% to 75% of the gross monthly rent (**Exhibit E**, Attachments B-2 and E-1, iii.).

- Multiple Residential Rent Adjustment Program (RRAP) Hearing Decisions and Three-Day Notices to Quit from 2008 to 2013 confirm information that tenants were staying for longer than 30 days and utilizing the Sutter Hotel as their primary residences (**Exhibit E**, Attachment E-2, vi.)

As explained in **Exhibits D** and **E**, these items provide ample evidence to show that the daily operating characteristics of the Sutter Hotel best fit with that of a Residential Hotel. As such, it is staff's recommendation that the appeal be denied and the Zoning Manager's Determination upheld. This action would confirm that the Sutter Hotel is a Residential Hotel and shall remain protected as stated in the Oakland Planning Code Chapter 17.153.

RECOMMENDATION

1. Adopt the findings included as **Exhibit D** to the October 21, 2020 Supplemental Staff Report and deny the Appeal, thereby upholding the Zoning Manager's Determination to deny the Residential Hotel Statement of Exemption, based on the adopted findings included as Exhibit D to the October 21, 2020 Supplemental Staff Report and the evidence cited therein, and the findings and evidence in the Zoning Manager's Determination, the August 5, 2020 Staff Report, the October 21, 2020 Supplemental Staff Report and all accompanying attachments.

Prepared by:



BRITTANY LENOIR
Planner II

Reviewed by:



ROBERT MERKAMP
Zoning Manager

Approved for forwarding to the City Planning Commission:



EDWARD MANASSE
Deputy Director
Bureau of Planning

Exhibits:

- A. The Appellant's (Zacks, Freedman & Patterson) letter to Planning Commission to request a continuance, dated August 5, 2020
- B. Letter from Alexi Pelosi, attorney for Appellant, to Deputy City Attorney Michael Branson requesting public records, dated August 17, 2020
- C. Documents provided to satisfy the August 17, 2020 request from Alexis Pelosi
- D. Findings on DET190031-A01
- E. August 5, 2020 Planning Commission Staff Report for DET190031-A01

LEGAL NOTICE: THE DECISION OF THE CITY PLANNING COMMISSION IS FINAL AND NOT ADMINISTRATIVELY APPEALABLE. ANY PARTY SEEKING TO CHALLENGE SUCH DECISION IN COURT MUST DO SO WITHIN NINETY (90) DAYS OF THE DATE THE DECISION IS ANNOUNCED (CODE OF CIVIL PROCEDURE SECTION 1094.6).

August 5, 2020

Oakland Planning Commission
c/o Brittany Lenoir, Planner
1 Frank H Ogawa Plaza
Council Chambers, 3rd Floor
Oakland, CA 94612

BY EMAIL ONLY

Re: 584 14th Street, DET190031-A01: Appeal of Zoning Manager's Determination

Dear Members of the Planning Commission:

This letter provides supplemental briefing in support of our client's position that the Sutter Hotel is exempt from the Residential Hotel Ordinance (Oakland Planning Code (OPDC) section 17.153 *et seq.*) because it is a "Deemed Approved" *tourist* hotel. This status was conferred on the Sutter Hotel in 1999 and can only be terminated by a hearing pursuant to OPC section 17.157.110 *et seq.*, which has not occurred.

The staff report for this hearing raises new *and not previously raised* arguments regarding the Sutter Hotel's "Deemed Approved" status. It also provides new information not previously provided to our client. For this reason, we have requested a continuance of the hearing to allow us the opportunity to review the new arguments and information and obtain old records necessary to respond and evaluate the new arguments raised. We believe, a two-week continuance should provide us with enough time to obtain those records. While we are requesting a continuance, we are also including this supplemental briefing to preserve our rights should that request not be granted.

I. The Sutter Hotel Is A Deemed Approved Hotel, For Transient Use

In its denial of Sutter Hotel's request for an exemption, the City confirmed that the Sutter Hotel is a "Deemed Approved" facility.¹ Under the Oakland Planning Code Chapter 17.157 there are two types of "Deemed Approved" uses: a Hotel, which is a transient commercial use, and a Rooming House, which is a semi-transient residential use. There is no such thing as a

¹ Letter of Determination (DET190031-A01), at p. 4, noting the Sutter Hotel may "continue its previously recognized activity . . . consistent with the definition existing at the time the building was deemed approved." (Letter of Determination, p. 4.) In the staff report the City is now claiming that the Sutter Hotel may not be a "Deemed Approved" facility. This directly conflicts with all past statements and correspondence.

“Deemed Approved” residential hotel. Thus, the only question is whether the Sutter Hotel is a “Deemed Approved” Hotel or a “Deemed Approved” Rooming House.

Under the Deemed Approved Ordinance, a use becomes “Deemed Approved” if it was a Legally Nonconforming Use at the time the Deemed Approved Ordinance was enacted. (OPC section 17.157.030.) A use that was principally permitted could not be a Legally Nonconforming Use and therefore could not be considered “Deemed Approved.” As discussed below, Rooming Houses have always been *principally permitted* in the district where the Sutter Hotel is located. As a result, the Sutter Hotel, which the City had (until the staff report for this hearing) repeatedly confirmed is a “Deemed Approved” facility, can only be a Deemed Approved Hotel.² Occupancy of the Sutter Hotel is irrelevant as once it was Deemed Approved as a transient, commercial Hotel, that status may only be terminated by a hearing pursuant to OPC section 17.157.110 *et seq.* This has not occurred here.

a. The Sutter Hotel Meets the Definition of “Hotel” Rather Than “Rooming House” Under the Deemed Approved Ordinance.

The Deemed Approved regulations, enacted in 1999 (OPC Chapter 17.157), sought to legalize and establish operating standards for Legally Nonconforming Hotels and Rooming Houses. The new regulations, as stated in the resolution adopting the Ordinance, would “provide potential visitors to Oakland an assurance of a minimum quality of stay... [which] could ultimately help to encourage the city’s attractiveness as *a destination point for travelers.*” (Emph. added.)

The Deemed Approved ordinance defined a “Deemed Approved Hotel Activity” as “any Hotel or Rooming House that is legal nonconforming and in existence immediately prior to the effective date of the Deemed Approved Hotel regulations.” (17.057.050.) The only types of facilities permanently legalized were: “Hotels” and “Rooming Houses.” “Hotel” was defined as “any activity as described in OMC section 4.24.020” which is a place that offers “sleeping or overnight accommodations wherein the owner or operator ... furnishes such right of occupancy

² On multiple occasions spanning many years, the City has confirmed that the Sutter Hotel is a “Deemed Approved” facility. This is also confirmed in a number of hotel inspections as well as in a sworn declaration from the prior owner that he received a letter from the City stating the Sutter Hotel was “Deemed Approved.” Unfortunately, the prior owner no longer has this letter, and in response to a Public Records Act request, the City has confirmed it maintains no list of Deemed Approved facilities. Finally, the Determination that is the subject of this appeal notes that the Sutter Hotel may “continue its previously recognized activity . . . consistent with the definition existing at the time the building was deemed approved.” (Letter of Determination, p. 4.) For all these reasons, the Appellant understood the only question to be whether the Sutter Hotel was deemed approved as a transient “Hotel” or as a semi-transient “Rooming House” and was very surprised that the City is now arguing the Sutter Hotel is not a “Deemed Approved” facility.

to any *transient*.” (Emph. added.) *Residential* hotels, which are used as the primary residence of the occupants, is specifically excluded from that definition.

The City has previously suggested that the Sutter Hotel was Deemed Approved as a “semi-transient residential activity.” There is no such thing as a Deemed Approved “semi-transient residential activity.” As a result, we believe what the City meant was the Sutter Hotel was a Deemed Approved “Rooming House.” The Sutter Hotel, however, could not have been a Deemed Approved “Rooming House” because “Rooming Houses” have always been principally permitted in this zoning district. (OPC § 17.58.050.) Only Legally Nonconforming Uses that existed at the time the Deemed Approved Ordinance was enacted can be “Deemed Approved.” (OPC section 17.157.030).

Hotel use or transient habitation commercial uses, were not principally permitted and would have required a conditional use approval. The Sutter Hotel, which operated for decades as a Hotel (including before 1999) did not have a Conditional Use Permit and therefore would be a Legally Nonconforming Use. (OPC § § 17.114 et seq.) As a Legally Nonconforming Use, it would have been designated a Deemed Approved Hotel. As a Deemed Approved Hotel, occupancy would not be relevant as once designed a Deemed Approved Hotel that status can only be removed by a hearing. The fact that the Sutter Hotel had some occupants staying for longer time periods would not make the Sutter Hotel a residential use or a Rooming House. It would remain a Deemed Approved Hotel.

b. City Records Confirm The Sutter Hotel Was Deemed Approved As A Hotel, Rather Than A Rooming House.

In addition to the facts above, there is ample evidence that the Sutter Hotel was Deemed Approved as a Hotel for transient use, including:

- The history of Deemed Approved “Hotel/Motel” inspections of the Sutter Hotel. This again shows that the City’s own records have consistently described the Sutter Hotel as a Hotel/Motel, rather than as a Rooming House or other residential use.
- The Property’s Hotel/Motel Business Certificate (#00029506), which was issued by the City in 1995, *before* the 1999 zoning ordinance. The fact the Sutter Hotel was registered as a “Hotel/Motel,” rather than as a Rooming House or other residential use, shows that as early as 1995, it was in use as a tourist hotel, and the City recognized such use.
- A permit record dated December 29, 1998, immediately prior to the 1999 ordinance, which refers to the Sutter Hotel as an “occupied Hotel.”
- The Sutter Hotel’s 2002 “Transient Occupancy Registration Certificate” lists its use as a “Hotel” – *not* a Rooming House or residential hotel. Even more tellingly, the Sutter

Hotel's 2008 "Business Tax Certificate" specifies its classification as "Hotels, Motels, and Tourist." These City documents confirm that the Sutter Hotel is a tourist Hotel and was registered by the City as such.

The available City records show that the Sutter Hotel was Deemed Approved as a Hotel, not a Rooming House. *No evidence* in the City's records has been presented that the Sutter Hotel was Deemed Approved as a "Rooming House." Moreover, the permit records for the property include no instances where the term "Rooming House" is used. On the other hand, the term "hotel" was used from prior to 1999 to the present. As discussed below, the records referenced in the staff report relate to use, which is not relevant to the question of whether the Sutter Hotel is a "Deemed Approved" Tourist Hotel. As noted above, the Sutter Hotel is a "Deemed Approved" Tourist Hotel because it is the only "Deemed Approved" category that could have applied to the property, and the City has repeatedly stated that the Sutter Hotel is a "Deemed Approved" facility.

II. The New Arguments Raised In The Staff Report Do Not Prove That The Sutter Hotel Is A Residential Hotel.

The Staff Report for this hearing raises new arguments and analysis in support of staff's position that the Sutter Hotel is a residential hotel. We are still in the process of reviewing this information and have requested a continuance to allow us time to complete our review. Upon first glance, it appears that staff has selectively presented only the evidence they contend supports its position, ignoring the ample evidence in the record showing the Sutter Hotel is a tourist hotel.

a. Previous Uses Do Not Change The Status Of The Sutter Hotel As A Deemed Approved Tourist Hotel, And The City Cannot Deny It Is Deemed Approved.

It is not disputed that at certain points in its history, the Sutter Hotel was used by at least some of its occupants as their primary place of residence. The Sutter Hotel was initially constructed as a tourist hotel,³ but it appears that around the 1950s, it began to be used as a Residential Hotel by some longer-term residents. This use of the Sutter Hotel for longer-term residents, however, changed as early as 1985, as evidenced in a City report on Residential Hotels that stated the Sutter Hotel was "in the process of being lost," noting that the owners of the hotel had "given notice that they plan to convert to a tourist hotel in mid-1985." (See attached as Exh. B.) Evidence of this return to its historic use as a tourist hotel is consistent with City records,

³ Research conducted by historian Mark Hulbert, and submitted in support of this appeal, found evidence of tourist use of the Sutter Hotel dating back to 1913 (attached as Exh. A).

including a Hotel/Motel Business Registration Certificate issued by the City for the Sutter Hotel in 1995.

While the use of the Sutter Hotel may have varied over time, if the Sutter Hotel was being used as a tourist hotel in 1999, when the Deemed Approved Ordinance was enacted, it is a Deemed Approved Tourist Hotel. Subsequent use of the Sutter Hotel for longer-term stays would not change its protected status. The information included in the Staff report appears to claim that uses after 1999 can be used to determine its status, which simply is not the case based on the Deemed Approved Ordinance.

In the Staff Report for this hearing, the City has inexplicably changed its approach, arguing *for the first time* that the Sutter Hotel is not Deemed Approved at all. This conflicts with the City's prior conduct and representations; the City has confirmed the Sutter Hotel is "Deemed Approved" on multiple occasions, spanning many years. The City conducted "Deemed Approved" hotel inspections, and the prior owner of the Sutter Hotel attested in a sworn declaration that he received a letter from the City confirming the Sutter Hotel's "Deemed Approved" status.⁴ Moreover, the Determination that is the subject of this appeal notes that the Sutter Hotel may "continue its previously recognized activity . . . consistent with the definition existing at the time the building was deemed approved." (Letter of Determination, p. 4.)."

The current owners of the Sutter Hotel purchased and operated this property in reliance on the City's representations as to its Deemed Approved status. They will suffer significant harm if staff arbitrarily attempt to terminate this status. The City is estopped and barred by the doctrine of laches from denying the Sutter Hotel's Deemed Approved status.

Alternatively, even if the Sutter Hotel were not Deemed Approved because *arguendo* a tourist hotel would have been permitted in 1999, the Sutter Hotel is at the very least a legal nonconforming use that is entitled to continue operating as a tourist hotel (OPC § 17.114 et seq.). This is because the Sutter Hotel was in operation as a tourist hotel before the Conditional Use Authorization requirement was enacted, and well before any restrictions were placed on the conversion of residential hotels to tourist use. This tourist hotel use has not been discontinued at any point since 1999. The principal use has always been tourist/transient, and the hotel has therefore maintained its legal nonconforming status. The Sutter Hotel is therefore entitled to continue to operate as a tourist hotel, without the Residential Hotel Ordinance's restrictions.

⁴ Unfortunately, the prior owner no longer has this letter, and City staff have confirmed in response to a Public Records Act request that the City maintains no list of Deemed Approved facilities.

b. The Sutter Hotel Does Not Meet The 2018 Ordinance’s Definition Of “Residential Hotel.”

While the Sutter Hotel is a Deemed Approved Tourist Hotel and is not subject to the Residential Hotel Ordinance, it is important, we believe to also clarify why the Sutter Hotel is not subject to the Residential Hotel Ordinance.

The Residential Hotel Ordinance defines a “Residential Hotel” as:

. . . any building built before 1960 containing six (6) or more Rooming Units, as defined in Section 17.09.040, intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by guests, which is also the primary residence of those guests, and where the entrances to the individual units are generally accessed via a shared lobby area.

(OPC section 17.153.020 (“§ 17.153.020”))

The Staff Report suggests that only *six* units at the Sutter Hotel, at any point in time, need to be in use as the occupant’s primary residence for the *entire building* to be classed as a Residential Hotel. This interpretation conflicts with the plain language of the Code which classes a Residential Hotel as a “**building** . . . containing six (6) or more Rooming Units . . . which **is** also the primary residence” of its occupants. (Emph. added.) The singular “is” tracks to the singular “building,” rather than the plural “Rooming Units.” That is, the “primary residence” requirement is linked to the building *as a whole* rather than six units within the building. If the term “primary residence” were intended to be linked to only six units in a building, rather than the building as a whole, the relevant part of § 17.153.020 would read “which **are** also the primary residence of those guests.” It does not.

Clarification of this is important because the interpretation being presented in the staff report would lead to absurd results. For example, under that interpretation, six rooms in any tourist hotel built before 1960 that were occupied by guests with no other place of residence (such as guests searching for new housing) would then classify the tourist hotel a “Residential Hotel.”

The Residential Hotel Ordinance also defines “Commercial Hotel” under § 17.153.020 as “a hotel that operates as a Commercial Activity . . . which provides lodging to guests that is not used or is not intended to be used as a primary residence.” The key concept in both definitions is “intent,” a concept that is impossible to establish. While we cannot determine the intent of the guests or occupants of the rooms, the intent of the owners of the Sutter Hotel since

at least 1999 is to operate the Sutter Hotel as a commercial activity. It was not the intent to provided lodging to guests to be used as their primary residence, and this is evidenced in the extensive documentation provided to the City. Also, at the time the Residential Hotel Ordinance was enacted in 2018, *no* units were intended to be used, or were being used, as the primary residence of the occupants. The Sutter Hotel is therefore a Commercial Hotel, as defined by § 17.153020.

As requested above, we respectfully ask that this hearing being continued to allow additional time to review and obtain information to more fully respond to the new issues and information raised in the staff report. Due to COVID-19, we were not able to obtain documents from the City relevant to the arguments raised. Should a continuance not be granted, we respectfully request that we be allowed to add additional information into the record.

Thank you for your consideration of a continuance. If one is not granted, we ask that the Planning Commission grant this appeal and find that the Sutter Hotel is a Deemed Approved Tourist Hotel and therefore is not subject to the Residential Hotel Ordinance.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC



Ryan J. Patterson

CC: Alexis Pelosi, Pelosi Law Group



Alexis M. Pelosi
415-290-4774
alexis@pelosilawgroup.com

August 17, 2020

VIA EMAIL

Michael Branson, Deputy City Attorney
Oakland City Hall, 6th Floor
1 Frank Ogawa Plaza
Oakland, CA 94612

Re: 584 14th Street, DET190031-A01: Appeal of Zoning Manager's Determination

Dear Mr. Branson:

Thank you for helping us request a continuance of the matter noted above so we could analyze new information provided in the Staff Report. Because of COVID-19 and our inability to access publicly accessible documents at the library and other locations, I am writing today to ask if you can help us obtain certain information referenced in the Staff Report but not attached to it. While we are happy to submit a Public Records Act request, I thought submitting a letter with the documents we need would be easier. If you would rather, we submit a Public Records Act request, please let me know.

The information we are seeking relates to footnote on page 11 of the Staff Report. In that footnote the Staff Report asserts that the "zoning designation applicable to the 584 14th Street in 1999 leads to the conclusion that the Sutter Hotel was a permitted activity and therefore would not have been subject to the Deemed Approved Ordinance" Please provide copies of the following documents which relate to that footnote.

- The version of the Planning Code in effect in 1999.
- The zoning map in effect in 1999.
- Any interim ordinances that may have been in effect in 1999.
- Any other documents or documentation relied on for the analysis in footnote 11 on page 11.

Thank you very much for your attention and if you have any questions please let me know.

Very Truly Yours,

A handwritten signature in blue ink that reads "Alexis M. Pelosi". The signature is written in a cursive, flowing style.

Alexis M. Pelosi

Ed Lewis CITY DEPARTMENT OF BUILDING AND HOUSING, OAKLAND, CALIFORNIA
 41005 APPLICATION FOR REPORT OF RESIDENTIAL BUILDING RECORD
 Sections 100, 108.1 and 108.3 of Oakland Housing Code
 PLEASE INCLUDE FEE AT TIME OF APPLICATION

Please TYPE or PRINT all information

- Address of RESIDENTIAL BUILDING to be Reported on is:
584 - 14th Street, Oakland, California
(This application is for one residential building only)
- Name of Owner: Bayard Wooten
 Address: 584 - 14th Street, Oakland, Ca.
- Name of Applicant: Bayard Wooten
(Shall be authorized Agent or Owner)
- Total number of Habitable Buildings on Premises: one
- Total Number of Accessory Buildings on Premises: one
- Existing Basement or Cellar Yes No Existing Attic Yes No Habitable Attic Yes No
- Building type (wood frame, stucco, brick, etc.) Steel, concrete, brick
(Class "A")
- Number of Dwelling Units or Apartments: 102 Number of Housekeeping Units: Apt. One
(cooking and sleeping in one room)
- Number of Hotel or Sleeping Rooms: 102 TOTAL Number of Kitchens: one
- TOTAL Number of Habitable Rooms (Exclude bath, toilet, laundry, utility rooms and closets): 102

DEPARTMENT USE ONLY	
Report Number	<u>93055</u>
Date Submitted	<u>3/4/74</u>
Fee Receipt No.	<u>93055</u>
Date Completed	<u>3/8/74</u>
By	<u>Mrs. Thibeaux</u>

I certify that I am the APPLICANT named herein, that I have familiarized myself with the Residential Building with respect to preparing and filing this application; that the answers herein contained are in all respects true and accurate to the best of my knowledge and belief.

Date: 3/4/74 Signature: /s/ Bayard Wooten
 Telephone No. 832-2075 Mailing Address: c/o Martin & Wood Realty Co.
308 - 13th Street
 Number Street
Oakland, 94612, California
 City Zone State

PLEASE DO NOT WRITE BELOW THIS LINE (Department use only) PLEASE LEAVE FORM INTACT WITH CARBONS

REPORT OF RESIDENTIAL BUILDING RECORD

This is NOT to be construed that Residential Building complies with all applicable laws of the City and only sets forth the Report as of the DATE COMPLETED shown above

- Report on Residential Building Located at: 584/588 - 14th Street
- Zone District: C-51 Fire District: 1 3. Date of Original Building Construction: 2/26/1913 Hotel Type
- Original Occupancy or Use: Seven-story, Steel Frame Hotel.
- Building Permits Issued: Permit No. 32590 Date 2/26/13 Original
A66241 Date 2/11/37 Alters.
A66491 Date 3/3/37 Alters. (Restaurant)
B88943 Date 5/19/43 Alters.
B8894 Date 5/30/43 Alters. (to Marquee)
 7. Survey on File. No Yes Plans on File No Yes
- Special Conditions (Variances, etc.) NONE Date ---
B3072 Date 7/10/44 Alters.
R3229 Date 6/9/45 Alters.
B8270 Date 10/31/45 Alters.
B8439 Date 11/13/45 Alters.
 8. Certificate of Occupancy Issued No Yes Date --- Number --- See next page for other permits.
- Total Number of Habitable Buildings on Premises: ONE (compare with Item No. 4 of Application)
- Total Number of Accessory Buildings on Premises: NONE (compare with Item No. 5 of Application)
- TOTAL Number of Habitable Rooms: One-hundred & two (compare with Item 13 of Application)
- City License Issued No Yes For Hotel.

CAUTION: A license issued shall not be construed to mean a permit to operate Residential Building of that Residential Building complies with all applicable laws of the City.

- PRESENT AUTHORIZED OCCUPANCY OR USE (Insofar as ascertainable from City Records)
One-hundred and two guest-rooms and six habitable apartment rooms in the Penthouse of the Seven-story Hotel. NOTE: Outstanding Housing Letter dated 9/18/68. Violations have not been corrected

This Report of Residential Building Record shall not be construed as authority to violate, cancel, alter or set aside any of the provisions or requirements of any laws or ordinances of the City of Oakland nor shall such issuance thereafter prevent acquiring corrections of errors, violations, or any applicable law or ordinance of the City of Oakland. This report contains information insofar as ascertainable from City records.

If this is unlawful for the owner, or the authorized agent of the owner, to sell this Residential Building without first delivering to the Buyer this Report of Residential Building Record prior to the consummation of sale, the receipt postal card is for the BUYER'S convenience.

Housing Division By: Ed Lewis
Mrs. Thibeaux
 HOUSING DIVISION OFFICIAL
 Mrs. Thibeaux

Kent & Jacks
41005

CITY DEPARTMENT OF BUILDING AND HOUSING, OAKLAND, CALIFORNIA
APPLICANT FOR REPORT OF RESIDENTIAL BUILDING RECORD
Sections 106, 108.1 and 108.3 of Oakland Housing Code
PLEASE INCLUDE FEE AT TIME OF APPLICATION

DEPARTMENT USE ONLY
Report Number 11702
Date Submitted Oct. 10, 1975
Fee Receipt No. 11702
Date Completed Oct. 20, 1975
By Nyann Cater

Please TYPE or PRINT all information

1. Address of RESIDENTIAL BUILDING to be Reported on is: 584 - 14th Street
2. Name of Owner: B. Wooten
3. Name of Applicant: Fanciel Financial Center Realty
4. Total number of Habitable Buildings on Premises: 1
5. Total Number of Accessory Buildings on Premises: 1
6. Existing Basement or Collar Yes No
7. Habitable Basement or Collar Yes No
8. Number of Stories: 7
9. Building type (wood frame, stucco, brick, etc.): Steel & Concrete
10. Owner occupied Yes No
11. Number of Dwelling Units or Apartments: 103 rooms
12. Number of Hotel or Sleeping Rooms: 103
13. TOTAL Number of Habitable Rooms (Exclude bath, toilet, laundry, utility rooms and closets): 103
14. CERTIFICATE
I certify that I am the APPLICANT named herein, that I have familiarized myself with the Residential Building with respect to preparing and filing this application and that the answers herein contained are in all respects true and accurate to the best of my knowledge and belief.
Date 10-10-75
Signature /s/ James E. Johnson
Mailing Address 362 Kearny St. San Francisco, Calif.
Telephone No. 992-0992

PLEASE DO NOT WRITE BELOW THIS LINE (Department use only) PLEASE LEAVE FORM INTACT WITH CARBONS
REPORT OF RESIDENTIAL BUILDING RECORD
This is NOT to be construed that Residential Building complies with all applicable laws of the City and only sets forth the Report as of the DATE COMPLETED shown above
584 - 14th Street

1. Report on Residential Building Located at: 584 - 14th Street
2. Zone District: C-51 Fire District: 1
3. Date of Original Building Construction: 2-26-13 Type: Hotel
4. Original Occupancy or Use: Seven-Story, Steel Frame Hotel
5. Building Permits Issued: Permit No. 32590 Date 2-26-13
Original Alterations: A66241 Date 2-10-37
Alteration: A66491 Date 3-3-37 (See attached)
Repairs: A98943 Date 5-19-43
6. Special Conditions (Variances, etc.): NONE
7. Survey on File: No Yes
8. Certificate of Occupancy Issued: No Yes Date: _____ Number: _____
9. Total Number of Habitable Buildings on Premises: One (compare with item No. 4 of Application)
10. Total Number of Accessory Buildings on Premises: None (compare with item No. 5 of Application)
11. TOTAL Number of Habitable Rooms: Unknown (compare with item 13 of Application)
12. City License Issued No Yes For: Hotel
13. PRESENT AUTHORIZED OCCUPANCY OR USE (insofar as ascertainable from City Records): Seven-Story, Steel Frame Hotel.

NOTE: Outstanding Housing Letter dated 9-29-75.
This Report of Residential Building Record shall not be construed as authority to violate, cancel, alter or set aside any of the provisions or requirements of any laws or ordinances of the City of O., and nor shall such issuance thereafter prevent corrections of such violations, or any applicable law or ordinance of the City of Oakland. This report contains information insofar as ascertainable from City Records.
It shall be unlawful for the owner or the authorized agent of the owner, to sell this Residential Building without first delivering to the buyer this Report of Residential Building Record prior to the consummation of sale. The recipient must read it for the BUYER'S convenience.

Housing Division By: Nyann Cater
HOUSING DIVISION OFFICIAL
Nyann Cater

Representative _____ Reference Number _____

BUILDING AND HOUSING DEPARTMENT

1. Address #1 584-588 - 14th St. SW Date 3/8/74
Address #2 _____

2. Zone District C-51 Fire District #1 Sanborn Map Number 78

3. Block Book # _____ Page _____ Lot # _____ Lot Size _____
Tract and Block _____
Owner _____ Address _____
Distance 7 1/2 corner of 14th and Jefferson

4. W.P.A. Survey: Yr. Built _____ Type _____
Stories _____ Room _____ Families _____ Roomers _____ Bath _____ W.C. _____
Garages _____ Basement _____ Cellar _____ Attic _____ Accessory Bldg. _____

5. BOOK #1
Owner ADOLPH & MULLER Amount \$ 130,000
32590 Date 2/26/13 For 75, Steel frame hotel

BOOK #2
Owner M. Freideman Amount \$3,500
A66241 Date 9/11/37 For Alterations - interior & exterior
ceement floor in basement, electric wiring Finald - Cancel

Owner H. C. Morris Amount \$300.00
A66491 Date 3/3/37 For Alterations - remove partitions
cut two arches, alter store front Finald - Cancel

Owner B. Wooten Amount \$200.00
A98943 Date 5/19/43 For Repairs - To doors and windows
in nouthouse Finald - Cancel

B3072 H. J. Arnaud & B. Wooten 7/10/44 \$1,000
Alterations - Remove plate glass
windows and replace glass F

B6229 B. Wooten 6/9/45 \$4,000
Complete restaurant & bar F

B8270 Wooten & Arnaud 10/31/45 \$200.00
Alteration, remove partition F

B8439 W. Wooten 11/13/45 \$1,000
install steel for mezzanine F

B8914 B. Wooten 12/18/45 \$800.00
Owner B. Wooten Amount \$2,183
B40258 Date 1/2/52 For Fire escape balcony one
roof ladder Finald - Cancel

Owner B. Woodin Amount \$1,220
B40466 Date 1/21/52 For Remove windows and install
door and steps on six floors Finald - Cancel

Sign Permit
Owner Inc Martin Amount \$95.00
40885 Date 5/4/60 For Sign Permit

6. VARIANCES
Zoning # N222 Date _____ For _____
Building # _____ Date _____ For _____
Housing # _____ Date _____ For _____

7. Survey: Yes No _____ Permit # _____ Plans in File: Yes _____ No PERMANENT FILE Permit No. _____

8. CERTIFICATE OF OCCUPANCY
Yes _____ No Date _____ For _____

9. CITY LICENSE
Yes No _____ Type Hotel Knicker Hotel (96rooms) Date 4/28/74
Issued to Wooten, B Address _____

10. ADDITIONAL INFORMATION 115y. Late still open 9-13-68

owner Mr. B. Wooten Unit #250
C 48537 Date 6-13-68 For alter
102 habitable room Finald
6-26-69

SUPPLEMENT
INSERTION GUIDE
OAKLAND PLANNING CODE

May, 2002

(Covering Ordinances through 12404)

This supplement consists of reprinted pages replacing existing pages in the Oakland Planning Code.

Remove pages listed in the column headed "Remove Pages" and in their places insert the pages listed in the column headed "Insert Pages."

This Guide for Insertion should be retained as a permanent record of pages supplemented and should be inserted in the front of the code.

Remove Pages	Insert Pages	Remove Pages	Insert Pages
Title Page	Title Page	209—210	209—210-1
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		258-3—258-5	258-3—258-8
		283—296	283—296-2
		315—318	315—318
		329—334-2	329—334-2
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		357—362-1	357—362-1
		365—366	365—366-1
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		PI-15—PI-50	PI-15—PI-61



OAKLAND PLANNING CODE

1997

**A Codification of the General Planning Ordinances
of the City of Oakland, California**

Edited, Indexed and Published by

**Matthew Bender & Co., Inc.
701 East Water Street
Charlottesville, VA 22902
1-866-501-5155**



BOOK PUBLISHING COMPANY

Additional copies of this code, as well as other publications, are available from Matthew Bender & Co., Inc.

These publications include:

- **Oakland Municipal Code Set.** The two volume Oakland Code consists of the Municipal Code and the Planning Code, each available separately.
- **Alameda County Code Set.** The two volume Alameda County Code consists of the **General Code of Ordinances** and the **Administrative Code**, each available separately. Updated quarterly. Also on WordPerfect 5.1 diskette.

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PREFACE

The Oakland Planning Code is a codification of the general and permanent ordinances of Oakland, California. The ordinances were compiled, edited and indexed by the editorial staff of Matthew Bender and Co., Inc., successor in interest to Book Publishing Company under the direction of Joyce Hicks, Assistant City Attorney; Karen Sinegal, Deputy City Clerk; and Ceda Floyd, City Clerk.

The code is organized by subject matter under an expandable three-factor decimal numbering system which is designed to facilitate supplementation without disturbing the numbering of existing provisions. Each section number designates, in sequence, the numbers of the title, chapter, and section. Thus, Section 17.12.040 is Section .040, located in Chapter 17.12 of Title 17. In most instances, sections are numbered by tens (.010, .020, .030, etc.), leaving nine vacant positions between original sections to accommodate future provisions. Similarly, chapters and titles are numbered to provide for internal expansion.

In parentheses following each section is a legislative history identifying the specific sources for the provisions of that section. This legislative history is complemented by a prior code cross-reference table, which sets out the location of individual sections of the prior code; a prior traffic code cross-reference table, which sets out the location of individual sections of the prior traffic code; a prior planning code cross-reference table, which sets out the location of individual sections of the prior planning code; and an ordinance disposition table, following the text of the code, listing by number all ordinances, their subjects, and where they appear in the codification.

A subject-matter index, with complete cross-referencing, locates specific code provisions by individual section numbers.

This supplement brings the code up to date through Ordinance 12404, passed February 5, 2002.

Matthew Bender & Co., Inc.
701 East Water Street
Charlottesville, VA 22902
1-866-501-5155

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PLANNING

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Chapter 17.58

C-51 CENTRAL BUSINESS SERVICE
COMMERCIAL ZONE REGULATIONS

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- 17.58.020 Design review for residential projects with three or more units on a lot.
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- 17.58.050 Permitted activities.
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- 17.58.090 Restriction on open accessory parking and loading.
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- 17.58.210 Other zoning provisions.

17.58.010 Title, purpose, and applicability.

The provisions of this chapter shall be known as the C-51 central business service commercial zone regulations. The C-51 zone is intended to create, preserve, and enhance areas for medium-intensity development of offices and business service activities, and is typically appropriate to the service commercial areas immediately adjoining the core of the central district. These regulations shall apply in the C-51 zone. (Prior planning code § 4825)

17.58.020 Design review for residential projects with three or more units on a lot.

A. General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy-five (75) percent of the total floor space in the facility or to any facility.

B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be

exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:

1. Does not require a building permit;
2. Involves only the repair or replacement-in-kind of a roof;
3. Is certified by the City Planning Department to involve only replacement-in-kind of existing building components; or
4. Is certified by the City Planning Department:
 - (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and
 - (b) that all exterior treatment matches the existing building. (Prior planning code § 4826)

17.58.030 Special residential design review for projects with one or two units on a lot.

A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. This requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.

B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt

from this requirement if it does not involve the addition of a dwelling unit and if it:

1. Does not require a building permit;
2. Involves only the repair or replacement-in-kind of a roof;
3. Is certified by the City Planning Department to involve only replacement-in-kind of existing building components; or
4. Is certified by the Planning Department:
 - (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and
 - (b) that all exterior treatment matches the existing building. (Ord. 12376 § 4, 2001; prior planning code § 4827)

17.58.040 Design review for Telecommunications Facilities.

No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136. (Ord. 11904 § 5.60 (part), 1996; prior planning code § 4827.1)

17.58.050 Permitted activities.

The following activities, as described in the use classifications in Chapter 17.10, are permitted:

A. Residential Activities:

- Permanent
- Residential Care occupying a One-Family Dwelling Residential Facility
- Semi-Transient

B. Civic Activities:

- Essential Service
- Limited Child-Care
- Community Education
- Community Assembly
- Nonassembly Cultural
- Administrative
- Health Care

Utility and Vehicular, but excluding
communications equipment
installation and exchanges
Telecommunications

C. Commercial Activities:

General Food Sales
Convenience Sales and Service

Medical Service
 General Retail Sales
 General Personal Service
 Consultative and Financial Service
 Consumer Laundry and Repair Service
 Group Assembly
 Administrative
 Business and Communication Service
 Retail Business Supply
 Research Service
 General Wholesale Sales
 Transient Habitation

D. Manufacturing Activities:

Custom

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.31 (part), 1996; Ord. 11854 § 7, 1996; prior planning code § 4828)

17.58.060 Conditionally permitted activities.

The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

A. Residential Activities:

Residential Care, except when occupying a One-Family Dwelling
 Residential Facility
 Service-Enriched Permanent Housing
 Transitional Housing
 Emergency Shelter

B. Civic Activities:

Extensive Impact
 Utility and Vehicular (communications equipment installations and exchanges, only)

C. Commercial Activities:

Convenience Market
 Fast-Food Restaurant
 Alcoholic Beverage Sales
 Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C

Automotive Sales, Rental, and Delivery

Automotive Servicing
 Automotive Repair and Cleaning
 Automotive Fee Parking
 Animal Care

Undertaking Service

Transient Habitation, subject to the provisions of Section 17.102.370

D. Manufacturing Activities:

Light

E. Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

F. Off-street parking serving activities other than those listed above or in Section 17.58.050, subject to the conditions set forth in Section 17.102.100.

G. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12266 § 5 (part), 2000; Ord. 12138 § 5 (part), 1999; Ord. 11854 § 8, 1996; prior planning code § 4829)

17.58.070 Permitted facilities.

The following facilities, as described in the use classifications in Chapter 17.10, are permitted:

A. Residential Facilities:

One-Family Dwelling
 Two-Family Dwelling
 Multifamily Dwelling
 Rooming House

B. Nonresidential Facilities:

Enclosed
 Sidewalk Cafes, subject to the provisions of Section 17.102.335

C. Signs:

Residential
 Special
 Development
 Realty
 Civic
 Business

(Ord. 12224 § 4 (part), 2000; Ord. 12021 § 5, 1997; prior planning code § 4830)

17.58.080 Conditionally permitted facilities.

The following facilities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

A. Nonresidential Facilities:

- Open
- Drive-In
- Drive-Through

B. Off-Street Parking Facilities serving fifty (50) or more vehicles.

C. Telecommunications Facilities:

- Macro
- Monopole

(Ord. 12224 § 3 (part), 2000; Ord. 11904 § 5.42 (part), 1996; prior planning code § 4831)

17.58.090 Restriction on open accessory parking and loading.

All accessory off-street parking and loading areas shall be located within enclosed buildings except that open parking or loading areas may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134. (Prior planning code § 4832)

17.58.100 Special regulations applying to Convenience Markets, Fast-Food Restaurants, and certain establishments selling alcoholic beverages or providing mechanical or electronic games.

See Section 17.102.210. (Prior planning code § 4833)

17.58.110 Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.

See Section 17.102.230. (Prior planning code § 4834)

17.58.120 Limitations on Signs.

A. General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 17.104.020.

B. Prohibition of Signs Above Roof Line. No Sign, other than a Special Sign, which is attached to a building shall extend above the roof or parapet wall thereof.

C. Maximum Height of Freestanding Signs. No Sign, other than a Special Sign, which is not attached to a building shall extend more than twenty-four (24) feet above finished grade. (Prior planning code § 4838)

17.58.130 Minimum lot area, width, and frontage.

Every lot containing a Residential Facility shall have a minimum lot area of four thousand (4,000) square feet and a minimum lot width of twenty-five (25) feet, except as a lesser area or width is allowed by Section 17.106.010. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of twenty-five (25) feet upon a street, except as this requirement is modified by Section 17.106.020. (Prior planning code § 4839)

17.58.140 Maximum residential density.

Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.32.140 for the R-90 zone. (Prior planning code § 4840)

17.58.150 Maximum floor-area ratio.

The maximum floor-area ratio of facilities shall be as set forth below, subject to the provisions of Section 17.106.030 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

A. Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 7.00, except that this ratio may be exceeded:

1. By ten percent on any corner lot; and
2. By ten percent on any lot which faces or abuts a public park at least as wide as the lot; and

3. In the case of a Nonresidential Facility, by not to exceed fifteen (15) percent if one square foot of plaza, conforming to the provisions of Section 17.126.050, is provided for each seven square feet of additional floor area.

B. Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (A) may be increased by not to exceed fifty (50) percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, subject to the provisions of Section 17.106.050. (Prior planning code § 4842)

17.58.160 Maximum height.

Except as provided in Chapter 17.128, no general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 17.108.010, on lots lying along a boundary of any of certain other zones. But see Section 17.58.120 for maximum height of Signs, and Section 17.108.130 for maximum height of facilities within minimum yards and courts. (Ord. 11904 § 5.56, 1996: prior planning code § 4844)

17.58.170 Minimum yards and courts.

No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130:

A. **Front Yard.** A front yard shall be provided, as prescribed in Section 17.108.040, in certain situations where part of the frontage on the same side of a block is in a residential zone.

B. **Side Yard—Street Side of Corner Lot.** A side yard shall be provided, as prescribed in Section 17.108.070, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

C. **Side Yard—Interior Lot Line.**

1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 17.108.080, for Residential Facilities.

2. A side yard shall be provided, as prescribed in Section 17.108.090, along an interior side lot line lying along a boundary of any of certain other zones.

D. **Rear Yard.**

1. A rear yard with a minimum depth of fifteen (15) feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 17.108.110.

2. A rear yard shall be provided, as prescribed in Section 17.108.100, along a boundary of any of certain other zones.

E. **Courts.** On each lot containing a Residential Facility, courts shall be provided when and as re-

quired by Section 17.108.120. (Prior planning code § 4845)

17.58.180 Minimum usable open space.

Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 17.32.180 for the R-90 zone. See also Section 17.58.150(A)(3). (Prior planning code § 4846)

17.58.190 Buffering.

All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein. See also Section 17.58.090. (Prior planning code § 4847)

17.58.200 Special regulations for mini-lot developments, planned unit developments, and large-scale developments.

A. **Mini-Lot Developments.** In mini-lot developments, certain of the regulations otherwise applying to individual lots in the C-51 zone may be waived or modified when and as prescribed in Section 17.102.320.

B. **Planned Unit Developments.** Large integrated developments shall be subject to the planned unit development regulations in Chapter 17.122 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-51 zone, and certain of the other regulations applying in said zone may be waived or modified.

C. **Large-Scale Developments.** No development which involves more than one hundred thousand (100,000) square feet of new floor area, or a new building or portion thereof of more than one hundred twenty (120) feet in height, shall be permitted except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134. This requirement shall not apply to developments where a valid planned unit develop-

ment permit is in effect. (Prior planning code § 4848)

17.58.210 Other zoning provisions.

A. **Parking and Loading.** Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. **Home Occupations.** Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

C. **Nonconforming Uses.** Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

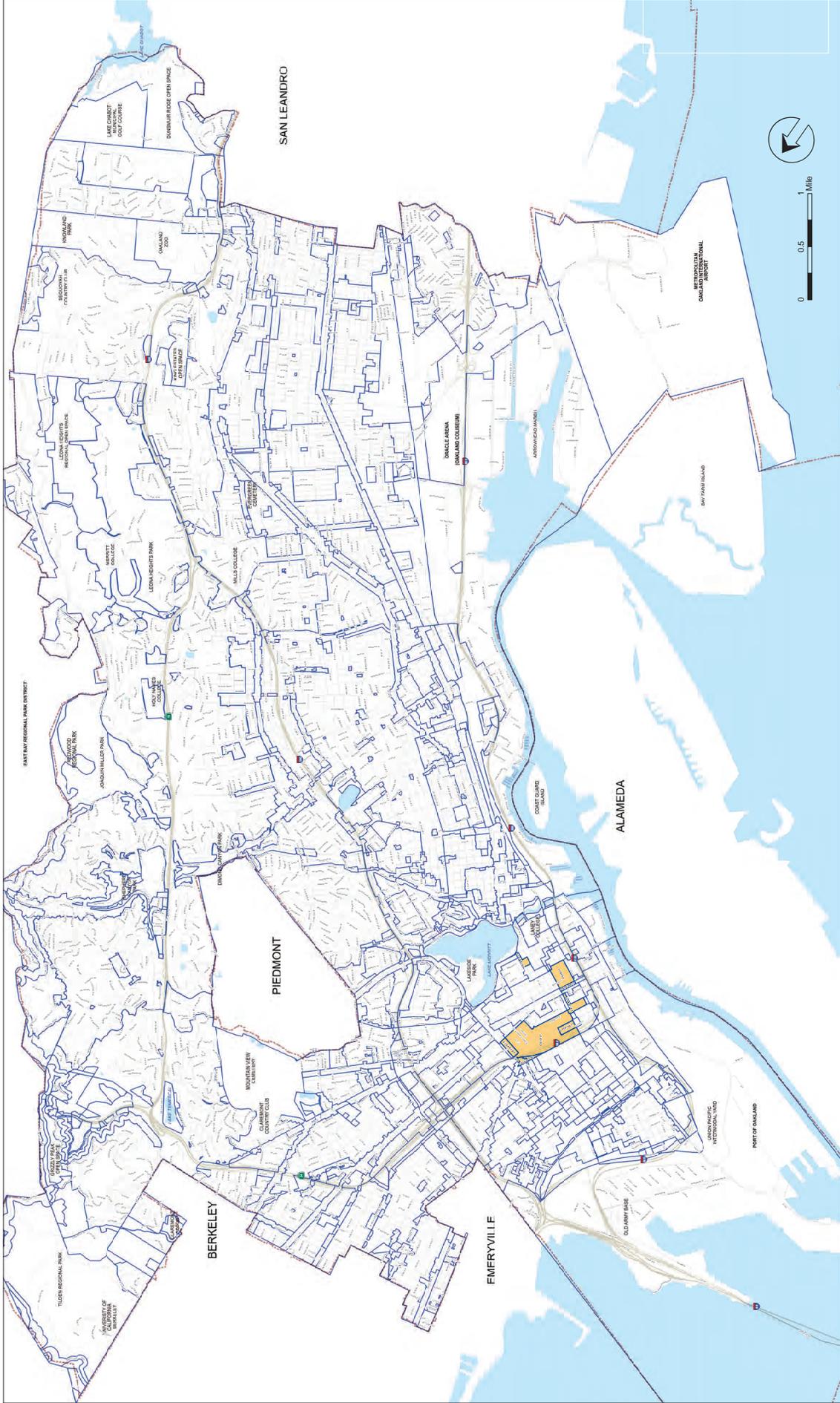
D. **General Provisions.** The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-51 zone.

E. **Recycling Space Allocation Requirements.** The regulations set forth in Chapter 17.118 shall apply in C-51 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4849)



Zoning Map of June 2004

- Zoning Boundaries
- C-SI Zone



ORDINANCE No. 12289 C M S

CORRECTED COPY

REVISED by City Council
(Changes shaded)

AN ORDINANCE AMENDING THE OAKLAND PLANNING CODE TO CREATE THE S-16 INDUSTRIAL-RESIDENTIAL TRANSITION OVERLAY ZONE; TO MAP THE S-16 AND S-4 OVERLAY ZONES ON SEVERAL AREAS OF THE WEST OAKLAND COMMUNITY DEVELOPMENT DISTRICT; TO REZONE THE VICINITY OF THE WEST OAKLAND BART STATION TO THE S-15 TRANSIT VILLAGE ZONE; AND TO REQUIRE A CONDITIONAL USE PERMIT FOR ALL TRUCKING ACTIVITIES IN THE WEST OAKLAND COMMUNITY DEVELOPMENT DISTRICT.

WHEREAS, on March 24, 1998, the City Council passed Resolution No. 74129 C.M.S. adopting a new Land Use and Transportation Element of the Oakland General Plan which generally directs the City to protect existing industrial, commercial, and residential activities and includes Objective I/C4 which calls for the City to minimize land use compatibility conflicts; and

WHEREAS, residents, business owners, and other property owners and community groups requested a study of the land use controls in the West Oakland Community Development District; and

WHEREAS, the conflicts between truck-related and other heavy industrial activities with residential activities exist as a result of historical development patterns and later zoning and land use policies which have allowed these uses to locate next to each other; and

WHEREAS, in February 1999 the City Council directed the Community and Economic Development Agency to initiate an analysis to examine appropriate land use controls and other strategies which address the land use compatibility issues and future development of the area; and

WHEREAS, the Land Use and Transportation Element of the Oakland General Plan also includes Transportation policies which relate to the location of trucking services; and

WHEREAS, on February 2, 1999, the City Council adopted Ordinance No. 12110 C.M.S. which established interim controls on the issuance of building, zoning and other permits for the expansion and/or development of truck repair and truck parking projects; and

WHEREAS, on July 20, 1999, the City Council adopted Ordinance No. 12156.1 C.M.S. amending Ordinance No. 12110 C.M.S. to require additional interim controls on the issuance of building, zoning and other permits for the establishment and/or development of truck repair and truck parking projects; and

WHEREAS, on February 1, 2000, the City Council adopted Ordinance No. 12204 C.M.S. which extended the interim controls for six months or until permanent land use controls were adopted; and

WHEREAS, on July 18, 2000, the City Council adopted Ordinance No. 12265 C.M.S. which extended the interim controls until October 31, 2000 or until permanent land use controls were adopted; and

WHEREAS; the **Land Use** and Transportation Element of the Oakland General Plan contains a vision for a West Oakland transit village, and Policy T2.1 specifically calls for transit-oriented development at existing transit nodes; and

WHEREAS, the West Oakland community is in discussions about revitalizing 7th Street and Mandela Parkway in the vicinity of the BART station; and

WHEREAS, Policy T6.2 of the Land Use and Transportation Element of the Oakland General Plan also calls for improving streetscapes, and design review of projects on major arteries such as Mandela Parkway, West Grand Avenue, and 7th Street will contribute to an improved overall image of Oakland and help make it a more livable city; and

WHEREAS, the Citywide Zoning Update project to address the General Plan goals and policies and implement actions that could reduce further expansion of incompatible land use patterns will take at least two years to complete; and

WHEREAS, CEDA staff have worked with the West Oakland community over a period of 18 months, held numerous community meetings and workshops, formed an Ad Hoc Committee composed of residents and business owners to help shape the land use proposals; and

WHEREAS, recommendations have been developed that address the land use conflicts as well as community concerns, Council direction, and General Plan policies; and

WHEREAS, a duly noticed public hearing was held on this matter by the City Planning Commission on July 26, 2000, and continued on September 6, 2000; and

WHEREAS, CEDA staff worked with the community to make further revisions and refinements to the proposed recommendations; and

WHEREAS, on September 6, 2000 the City Planning Commission voted to recommend amending the Oakland Planning Code as set forth below; and

WHEREAS, on October 3, 2000 the Community and Economic Development Committee of the City Council voted to amend the Planning Commission recommendation and forwarded it to the full Council; and

WHEREAS, said amendments to the Oakland Planning Code are exempt from environmental review under Section 15061(b)(3), State CEQA Guidelines, "general rule" (no possibility of significant effect on the environment), Section 15332, in-fill development, and reliance on the previously certified Final Environmental Impact Report for the *General Plan Land*

Use and Transportation Element, as detailed in the October 3, 2000 Council Agenda Report, hereby incorporated by reference; and

WHEREAS, said amendments to the Oakland Planning Code do not necessitate amendments to the Master Fee Schedule; and

WHEREAS, the City Council as the legislative body of the City, has an obligation pursuant to the City Charter to protect Oakland's physical environment and to conserve existing neighborhoods and other areas, while encouraging orderly development and in the manner compatible with existing development in these areas; and

WHEREAS, the City Council finds and determines that the public safety, health, convenience, comfort, prosperity, and general welfare will be furthered by the proposed amendments; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this Ordinance.

SECTION 2. The City Council finds and determines that the adoption of this Ordinance complies with the California Environmental Quality Act.

SECTION 3. The Oakland Planning Code is hereby amended to add a new Chapter 17.101, entitled "S-16 Industrial-Residential Transition Combining Zone Regulations," to read as follows (all text is new):

"Chapter **17.101**

S-16 INDUSTRIAL-RESIDENTIAL TRANSITION COMBINING ZONE REGULATIONS

Sections:

- 17.101.010** Title, purpose, and applicability.
- 17.101.020** Zones with which the **S-16** may be combined.
- 17.101.030** Design review for construction or alteration.
- 17.101.040** Permitted activities.
- 17.101.050** Conditionally permitted activities.
- 17.101.060** Prohibited activities.
- 17.101.070** Conditionally permitted facilities.
- 17.101.080** Maximum floor area ratio.
- 17.101.090** Special regulations for activities within the **S-16** zone.
- 17.101.100** Applicable performance standards.
- 17.101.110** Nonconforming uses.

- 17.101.010** Title, purpose, and applicability.

The provisions of this chapter shall be known as the S-16 Industrial-Residential Transition Combining Zone regulations. The intent of the S-16 zone is to provide a compatible transition between residential and industrial zones by limiting the impacts of new nonresidential development, particularly trucking facilities and industrial development, on adjacent residential zones. It is also intended to promote compatible economic development and provide opportunities for new joint living and working quarters. These regulations shall apply in the S-16 zone and are supplementary to the regulations applying in the zones with which the S-16 zone is combined. Where the standards and regulations contained herein conflict with those of the underlying zoning regulations, ~~then~~ the standards and regulations contained herein shall apply.

17.101.020 Zones with which the S-16 may be combined.

The S-16 zone may be combined with any other zone whose General Plan land use classification is “Business Mix” or “General Industrial/Transportation” and abuts a residential zone, or with any industrial zone that abuts a residential zone.

17.101.030 Design review for construction or alteration.

In the S-16 zone no building, sign, or other facility shall be constructed or established, added to ~~or~~ altered by more than 10 percent of the existing floor or sign area ~~or~~ altered or in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the design review procedure in Chapter 17.136.

17.101.040 Permitted activities.

The following activities, as described in the use classifications in Chapter 17.10, are permitted:

- A. Civic Activities:
 - Essential Service
 - Limited Child-Care
 - Nonassembly Cultural (with less than 10,000 square feet of gross floor area)
 - Administrative (with less than 10,000 square feet of gross floor area)
 - Telecommunications
- B. Commercial Activities:
 - Convenience Sales and Service
 - General Retail Sales
 - General Personal Service
 - Consultative and Financial Service
 - Administrative
 - Business and Communication Service
 - Retail Business Supply
 - Research Service (with less than 10,000 square feet of gross floor area)
- C. Manufacturing Activities:
 - Custom (with less than 10,000 square feet of gross floor area)
 - Light (with less than 10,000 square feet of gross floor area)

17.101.050 Conditionally permitted activities.

The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and the special regulations in Section 17.101.090:

- A. Civic Activities:
 - Community Assembly
 - Community Education
 - Nonassembly Cultural (with more than 10,000 square feet of new gross floor area)
 - Administrative (with more than 10,000 square feet of new gross floor area)
 - Utility and Vehicular
- B. Commercial Activities:
 - General Food Sales
 - Convenience Market (subject to provisions in Section 17.102.210A)
 - Mechanical or Electronic Games (subject to provisions in Section 17.102.210C)
 - Medical Service
 - Consumer Laundry and Repair Service
 - Group Assembly
 - Research Service (with more than 10,000 square feet of new *gross* floor area)
 - General Wholesale Sales (with less than 50,000 square feet of gross floor area)
 - Construction Sales and Service
 - Automotive Fee Parking
 - Animal Care
- C. Manufacturing Activities:
 - Custom (with more than 10,000 square feet of new *gross* floor area)
 - Light (with more than 10,000 square feet of new gross floor area)
- D. Agricultural and Extractive Activities:
 - Plant Nursery
- E. Accessory Activities:
 - Joint Living and Working Quarters (as defined in Section 17.10.040C and subject to the provisions in Section 17.102.190 and the special regulations in Section 17.101.090A.)
 - Open Storage

17.101.060 Prohibited activities.

The following activities, as described in the use classifications in Chapter 17.10, are prohibited:

- A. Commercial Activities:
 - Alcoholic Beverage Sales
 - Automotive Repair and Cleaning
 - Automotive Sales, Rental, and Delivery
 - Automotive Servicing
 - Fast-Food Restaurant
 - Scrap Operation, subject to provisions of Section 17.102.210F
 - Transport and Warehousing, subject to provisions in Section 17.102.210F
- B. Manufacturing Activities:
 - General
 - Industrial Transfer/Storage Hazardous Waste Management

- C. Agricultural and Extractive Activities
 - Crop and Animal Raising
 - Mining and Quarrying

17.101.070 Conditionally permitted facilities.

The following facilities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and the special regulations in Section 17.101.090:

- A. Nonresidential Facilities
 - Open
- B. Telecommunications Facilities
 - Macro
 - Monopole

17.101.080 Maximum floor area ratio.

- A. Maximum floor area ratio generally. The maximum floor area ratio of any facility shall be 4.0 unless a lesser floor area ratio is specified by the applicable General Plan land use classification. Any new construction or addition or alteration that results in a total F.A.R. of more than 2.0 on any portion of any lot within 150 feet of a residential zone shall require a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.
- B. Maximum floor area within 150 feet of a residential zone. **The 2.0** floor area ratio shall only apply to the **portions** of all properties located in the first 150 feet of the S-16 zone. **The 150 feet measurement is** not measured from the zoning boundary but **begins** at the nearest property line ~~withi~~ the S-16 zone that is adjacent **to** the residential zone.

17.101.090 Special regulations for activities and facilities.

The following supplemental development standards shall apply to all new development and alterations and additions adding more than 10 percent to existing floor area, unless otherwise indicated

A. New Joint Living and Working Quarters. Construction of new joint living and work quarters, subject to the regulations in Section 17.102.190, is allowed subject to the following standards:

1. Size of Units. The average unit size of all joint living and work quarters in a development project shall be a minimum of 1,000 square feet of floor area. No individual unit shall be less than 800 square feet of floor area.

2. Use of Space. Generally, as a guideline and not as a mandate, one-third of the floor area should be used **for** living space.

3. Minimum Usable Open Space. A minimum of 75 square feet of group usable open space shall be provided for each joint living and working quarters unit. **All** required group usable open space shall conform with the standards set forth in Section 17.126.030, except that group usable open space may be located anywhere on the lot, and may be located entirely on the roof of any building on the site.

4. Required Parking. A minimum of one space shall be provided for each 1,000 square feet of floor area. This requirement preempts any conflicting requirement in Chapter 17.116.

5. Buffering. The general buffering requirements of Section 17.110.020 shall apply to joint living and working quarters.

B. Upper-story Stepback on lots abutting a Residential Zone or on a block with residential activity. On any portion of any lot that:

1. abuts a residential zone, or
2. is directly across a street, alley, or path from a residential zone, or
3. abuts a legally established residential activity, or
4. is on a street where 50% or more of the frontage on the street within 300 feet of the lot has legally established residential activities,

no building or other facility shall, except for the projections allowed by Section 17.108.030, exceed thirty (30) feet in height unless each portion above that height is set back a minimum of one foot for each foot of additional height. This setback shall be measured from the inner line of the minimum yard required by Subsection C below.

C. Minimum Yards on lots abutting a Residential Zone or on a block with residential activity. On any portion of any lot that:

1. abuts a residential zone, or
2. is directly across a street, alley, or path from a residential zone, or
3. abuts a legally established residential activity, or
4. is on a street where 50% or more of the frontage on the street within 300 feet of the lot has residential activities,

a yard with a minimum depth or width, as the case may be, of ten feet shall be provided along the entire lot line that abuts or is across from said residential zone or residential activity. This yard shall be landscaped and unobstructed except for the accessory structures or other facilities allowed therein by Section 17.108.130. A solid masonry or lumber wall at least six feet high shall be provided along the entire length of any lot line not facing a street. Where the lot in question is 25 feet or less in width, a solid masonry wall at least six feet high may be provided in lieu of any side yard required by this section.

D. Landscaping.

1. Front Yards. All front yards required by Subsection C above shall be landscaped with trees and shrubs, except for driveways serving required parking or loading, and incidental pedestrian access.

2. Minimum Landscaping. For new construction or addition or alteration of more than 10% of existing floor area, a minimum of 10% of the site area must be landscaped.

3. Off-street Parking Facilities. Landscaping shall be provided for off-street parking facilities with more than 10 spaces. A minimum of one tree for every 6 spaces shall be distributed evenly throughout the parking area. Parking rows shall be separated from driveways by a landscaped planter.

4. Required Irrigation. All planting areas shall be provided with an irrigation system that is permanent, below grade, and activated by automatic timing controls.

E. Screening of Parking on a Lot. A concrete or masonry wall at least 3 feet high shall be provided for parking areas located adjacent to a public right-of-way.

F. Minimum Usable Open Space for Nonresidential Activities. For nonresidential activities, a minimum of one square foot of usable group open space shall be provided for every 100 square feet of floor area with a minimum of 100 square feet of usable group open space provided on every lot subject to the applicable Usable Open Space Standards in Section 17.126.030.

G. Loading Berths. No loading berths shall be located within 100 feet of any residential zone except upon the granting of a conditional use permit pursuant to Section 17.102.080 and the conditional use permit procedure in Chapter 17.134.

H. Truck Parking. Any activity that operates or stores three or more Trucks shall require a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 on any lot that:

1. abuts a residential zone, or
2. is directly across a street, alley, or path from a residential zone, or
3. abuts a legally established residential activity, or
4. is on a street where **50%** or more of the frontage on the street within 300 feet of the lot has legally established residential activities.

For the purposes of this section, a "Truck" is defined as a "Commercial Vehicle" having a "Manufacturer's Gross Vehicle Weight Rating" exceeding ten thousand (10,000) pounds or a "Trailer," as those terms are defined in the California Vehicle Code.

I. Access. Where a lot has access from two or more streets, primary access shall not be from a street which serves as a residential zone boundary, unless all such streets serve as residential zone boundaries.

17.101.100 Applicable performance standards.

The performance standards specified in Chapter 17.120 shall apply in the **S-16** zone.

17.101.110 Nonconforming uses.

The requirements regarding substitution of nonconforming uses specified in Chapter 17.114.070 A.3 shall apply in the **S-16** zone."

SECTION 4. The Oakland Planning Code is hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in **bold type**, additions are indicated by underlining, and deletions are indicated by ~~strike-out type~~; portions of the code not cited, or not shown in underlining or strike-out type, are not changed):

"Chapter 17.68

M-20 LIGHT INDUSTRIAL ZONE REGULATIONS

17.68.030 Permitted activities.

B. Commercial Activities:

Automotive Repair and Cleaning, except as provided in Section 17.102.370.

Automotive Fee Parking except as provided in Section 17.102.370.

Chapter 17.70

M-30 GENERAL INDUSTRIAL ZONE REGULATIONS

17.70.030 Permitted activities.

B. Commercial Activities:

Automotive Servicing, except as provided in Section 17.102.370.

Automotive Repair and Cleaning, except as provided in Section 17.102.370.

Automotive Fee Parking, except as provided in Section 17.102.370.
Transport and Warehousing, except as provided in Section 17.102.210F
and subject to provisions in Section 17.102.370,

Chapter 17.102

GENERAL REGULATIONS APPLICABLE TO ALL OR SEVERAL ZONES

Sections:

- 17.102.010 Title, purpose, and applicability.
- 17.102.020 Supplemental zoning provisions.
- 17.102.030 Special regulations for designated landmarks.
- 17.102.040 Effect of prior permits.
- 17.102.050 Revocation of unused prior zoning approvals after one year.
- 17.102.060 Study list—Postponement of demolition.
- 17.102.070 Application of zoning regulations to lots divided by zone boundaries.
- 17.102.080 Permitted and conditionally permitted uses.
- 17.102.090 Conditional use permit for shared access facilities.
- 17.102.100 Conditions for accessory parking serving activities which are not themselves allowed.
- 17.102.110 Conditions for expansion of use into adjacent zones.
- 17.102.120 Restriction on removal of dirt or other minerals—Residential and S-1, S-2, S-3 and OS zones.
- 17.102.130 Time limit on operation of subdivision sales offices—Residential zones.
- 17.102.140 Special regulations applying to private stables and corrals.
- 17.102.150 Conditional use permit requirement for accessory heliports and other flying fields.
- 17.102.160 Special regulations applying to adult entertainment activities.
- 17.102.170 Special regulations applying to massage service activities.
- 17.102.180 Restriction on vertical location of activities in buildings containing both Residential and Nonresidential Activities—Commercial zones.
- 17.102.190 ~~Joint~~ living and work quarters.
- 17.102.200 Conditional use permit required for pedestrian bridges constructed over city streets.
- 17.102.210 Special regulations applying to Convenience Markets, Fast-Food Restaurants, certain establishments selling alcoholic beverages, providing mechanical or electronic games, Sidewalk Cafes, and Transport and Warehousing Storage of abandoned, dismantled or inoperable vehicles, machinery, equipment, and of construction, grading, and demolition materials and Scrap Operation.
- 17.102.220 Special regulations applying to Mining and Quarrying Extractive Activities.
- 17.102.230 Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a Nonresidential Activity—Nonresidential zones.
- 17.102.240 Special regulations applying to microwave dishes and energy production facilities in or near residential zones.
- 17.102.250 Maximum density and floor-area ratio during construction.
- 17.102.260 Occupancy of a dwelling unit.

- 17.102.270 Additional kitchens for a dwelling unit.
- 17.102.280 Rules for determining the number of habitable rooms in Residential Facilities.
- 17.102.290 Special regulations for Drive-Through Nonresidential Facilities.
- 17.102.300 Conditional use permit for dwelling units with five or more bedrooms.
- 17.102.310 Special regulations for certain projects with development agreements.
- 17.102.320 Conditional use permit for waiver of certain requirements in mini-lot developments.
- 17.102.330 Conditional **use** permit for waiver of certain requirements with parcel division between existing buildings.
- 17.102.340 Special regulations applying to electroplating activities in the M-20, M-30, and **M-40** zones.
- 17.102.350 Regulations applying to tobacco-oriented activities.
- 17.102.360 Use permit standards, criteria and conditions of approval for secondary units.
- ~~17.102.370 Special regulations applying to truck-related activities in the West Oakland Community Development District,~~

17.102.190 Joint living and work quarters.

B. Definition. Joint living and work quarters means residential occupancy by not more than four persons, maintaining a common household of one or more rooms or floors in a building originally designed for industrial or commercial occupancy which includes: (1) cooking space and sanitary facilities which satisfy the provisions of other applicable codes; and (2) adequate working space reserved for, and regularly used by, one or more persons residing therein. In the S-16 Industrial-Residential Transition Combining Zone, joint living and work quarters may also be allowed in new construction.

~~**17.102.380** Special regulations applying to truck-related activities in the West Oakland Community Development District.~~

~~A. Use Permit Required. No Truck and Truck-related activity as described in Sections 17.10.470, 17.10.480, 17.10.490, and 17.10.500 shall be established or expanded in the West Oakland Community Development District except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.~~

~~B. "West Oakland Community Development District" is defined to include all areas between Interstate 980 to the east, 3rd Street to the south, Interstate 880 to the west and Interstate 580 to the north.~~

~~C. The term "Truck" shall be defined as a "Commercial Vehicle" having "Manufacturer's Gross Vehicle Weight Rating" exceeding ten thousand (10,000) pounds or a "Trailer," as those terms are defined in the California Vehicle Code.~~

Chapter 17.114

NONCONFORMING USES

17.114.070 Nonconforming activity—Allowed substitutions and other changes in activity.

A. Activity Nonconforming Because It Is Not a Permitted Activity. The activities specified in the following table may be substituted for any of the indicated activities which is nonconforming wholly or partly because it is not itself a permitted activity where it is located:

Changes that do not constitute substitutions may be made in any activity which is nonconforming wholly or partly because it is not itself a permitted activity where it is located. The above substitutions and other changes may be made without regard for requirements on off-street parking and loading, conduct of activities within enclosed buildings, means of customer access, and total floor area which normally apply to activities, except as otherwise provided in Section 17.116.020C. However:

1. If the nonconforming activity is itself conditionally permitted where it is located, no substitution or other change shall be made in it which would conflict with, or further conflict with, any requirement on off-street parking **or** loading, conduct of activities within enclosed buildings, means of customer access, or total floor area which normally applies to activities. (Changes which are allowed by Section 17.116.020B shall not be deemed to conflict or further conflict with the parking or loading requirements.)

2. Conversions of dwelling units to use by a nonresidential activity shall be subject, where applicable, to the provisions of Section 17.102.230.

3. If the nonconforming activity is located at ground level on any lot in the C-5, C-27, C-28, C-31, **or** S-9 zone, or on the ground floor of any building within the first twenty (20) feet thereof facing the abutting street or streets in the S-8 zone, or anywhere in the S-16 zone, no change shall be made in the nature as such of the particular activity, except when the result is itself permitted in the same location, unless a conditional use permit is granted pursuant to the conditional use permit procedure. This does not restrict a change in ownership, tenancy, or management where the previous line of business **or** other function is not changed.

4. For any nonconforming Alcoholic Beverage Sales Commercial Activity presently located in any zone in which it is not a permitted activity, no change shall be made in the activity which change requires obtaining a different type of alcoholic beverage sale retail license from the state of California Department of Alcoholic Beverage Control. Further, no change shall be made in any nonconforming activity involving the sale of alcoholic beverages at a full service restaurant in any location described **by** Section 17.102.210(B)(2), which change requires obtaining a different type of alcoholic beverage sale retail license from the state of California Department of Alcoholic Beverage Control, unless a conditional use permit is granted pursuant to the conditional use permit procedure in Chapter 17.134.

5. No substitution **or** other change shall be made in any nonconforming activity which would conflict, or further conflict, with any applicable provision of the performance standards in Chapter 17.120, or of any kind of requirement not mentioned hereinabove which applies to activities.

6. In cases of discontinuance, damage, or destruction, the pertinent provisions of Sections 17.114.050 or 17.114.060 shall also apply.

If the activity resulting from a change allowed above is not a normally permitted and otherwise conforming activity, and is not authorized by a conditional use permit or other special zoning approval, it shall be deemed a nonconforming activity and changes in it shall be subject to this section.

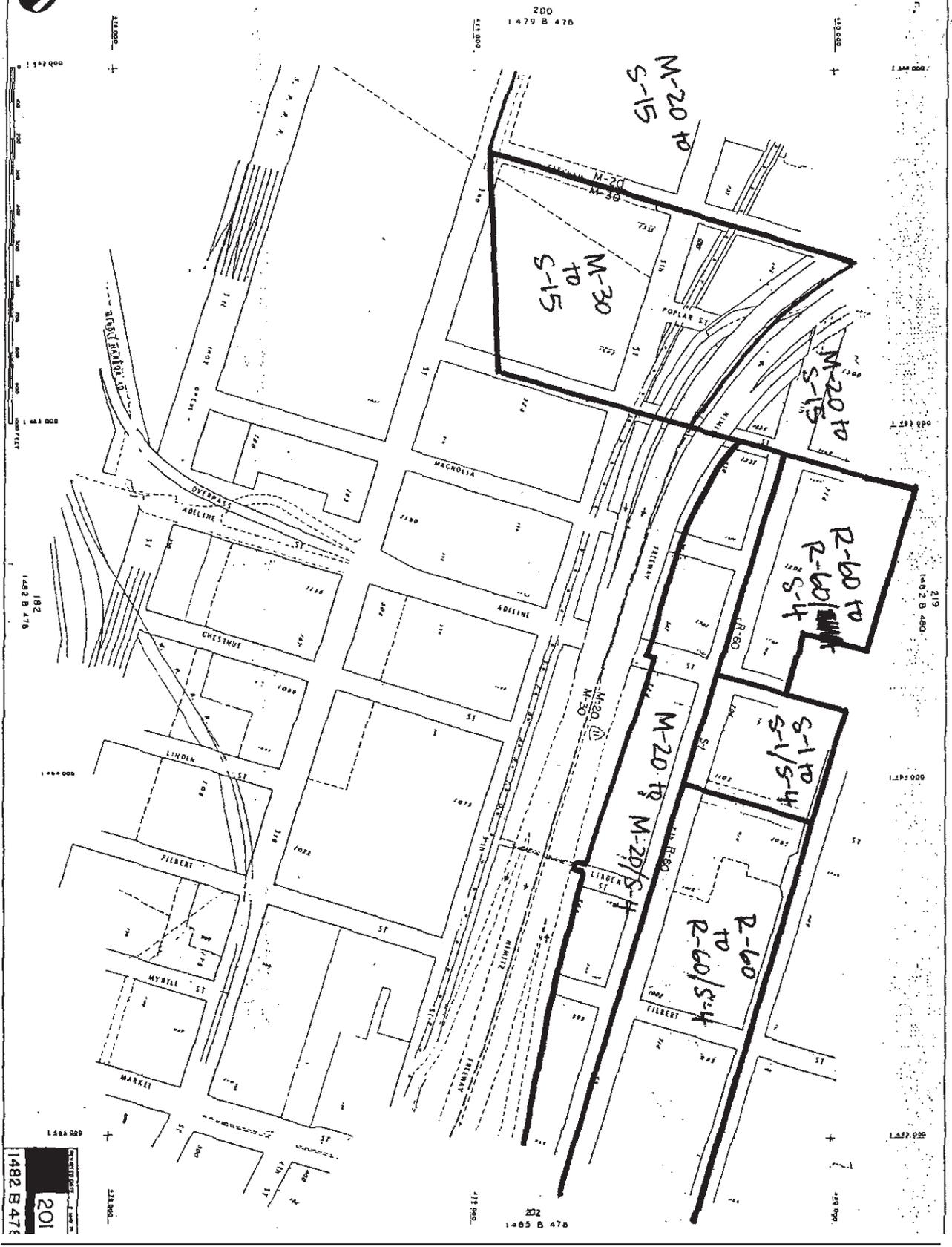
Chapter 17.116

OFF-STREET PARKING AND LOADING REQUIREMENTS

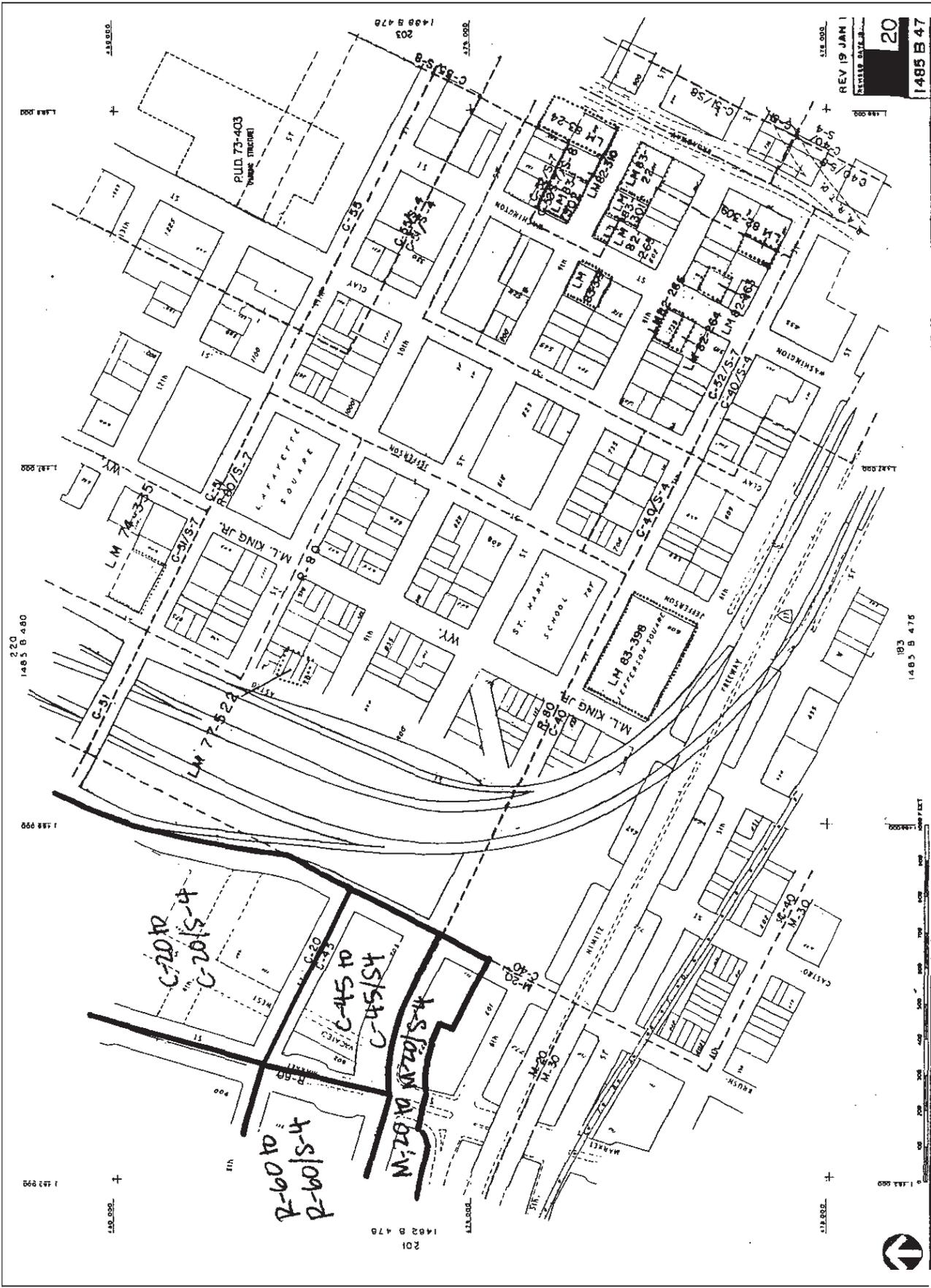
17.116.080 Off-street parking—Commercial Activities.

Except as otherwise provided in Sections 17.44.200, 17.101.090, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for the specified Commercial Activities when located

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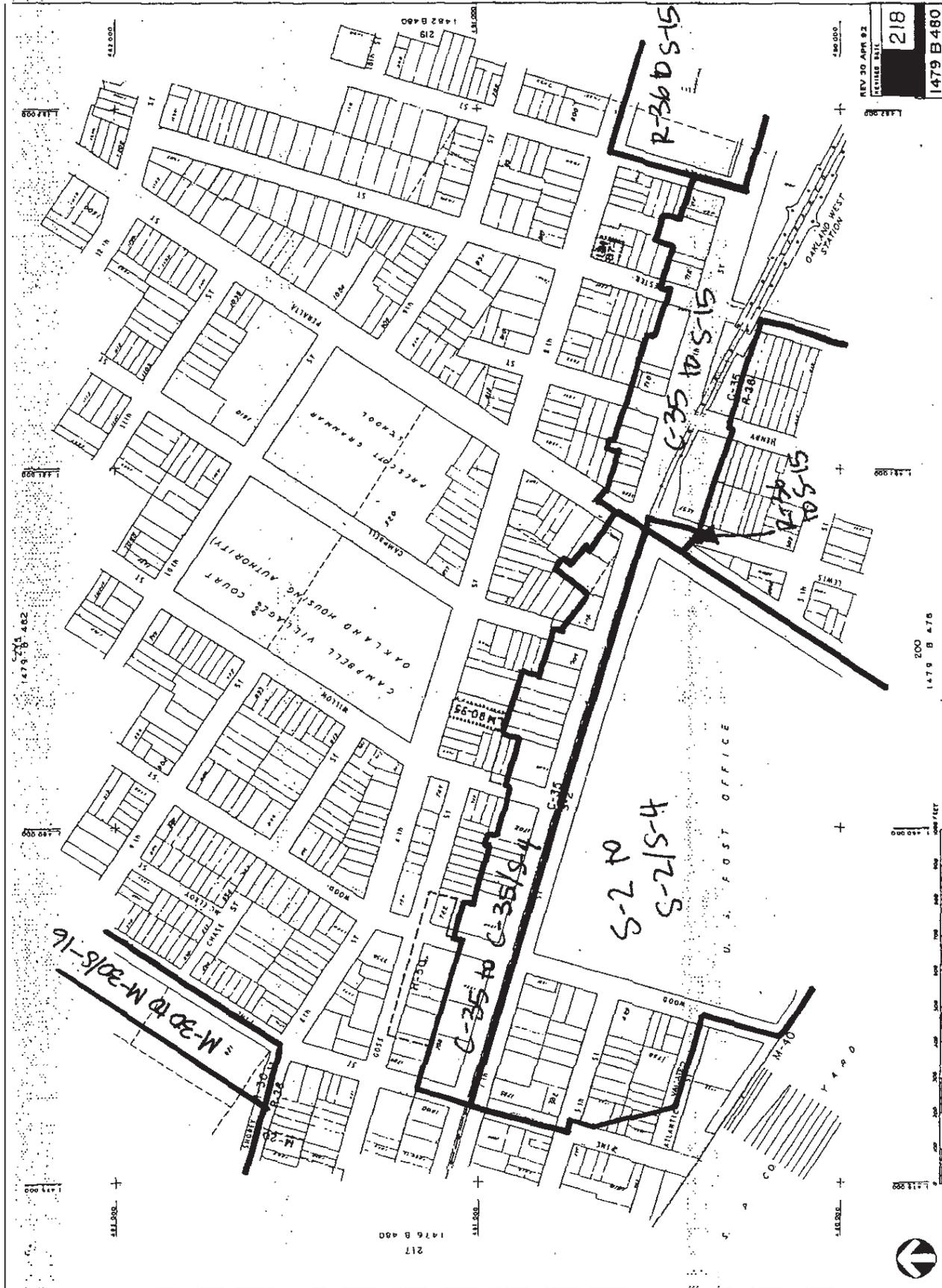
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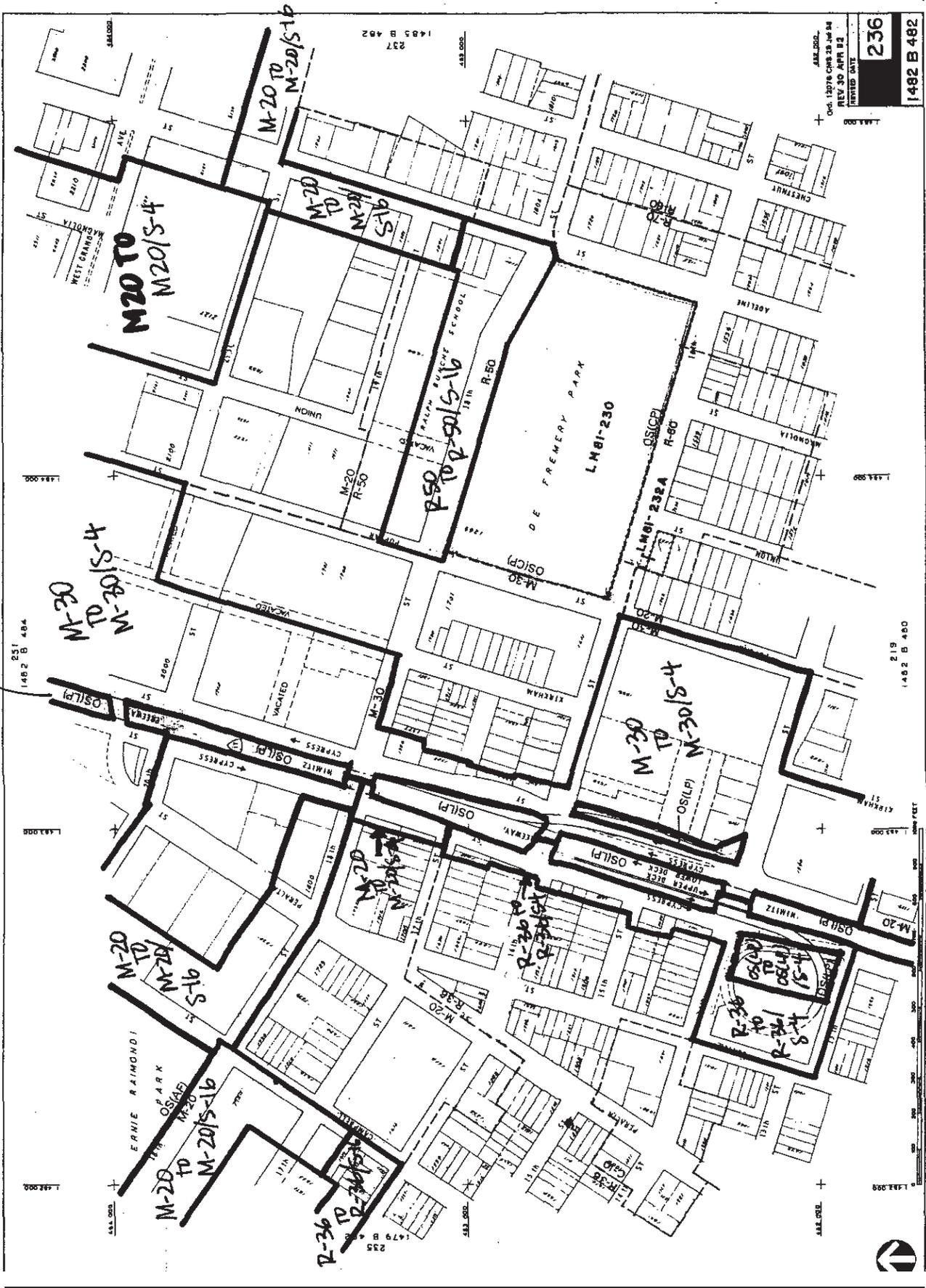
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ALL OS(LP) TO OS(LP)/S-4



ALL ZONING
 CODES, 1976 CODE 30 JUL 84
 REV. 30 APR 83
 UNITED DATE
236
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REV 30 APR 82
 PLANS DTD 1 1/2" = 1'
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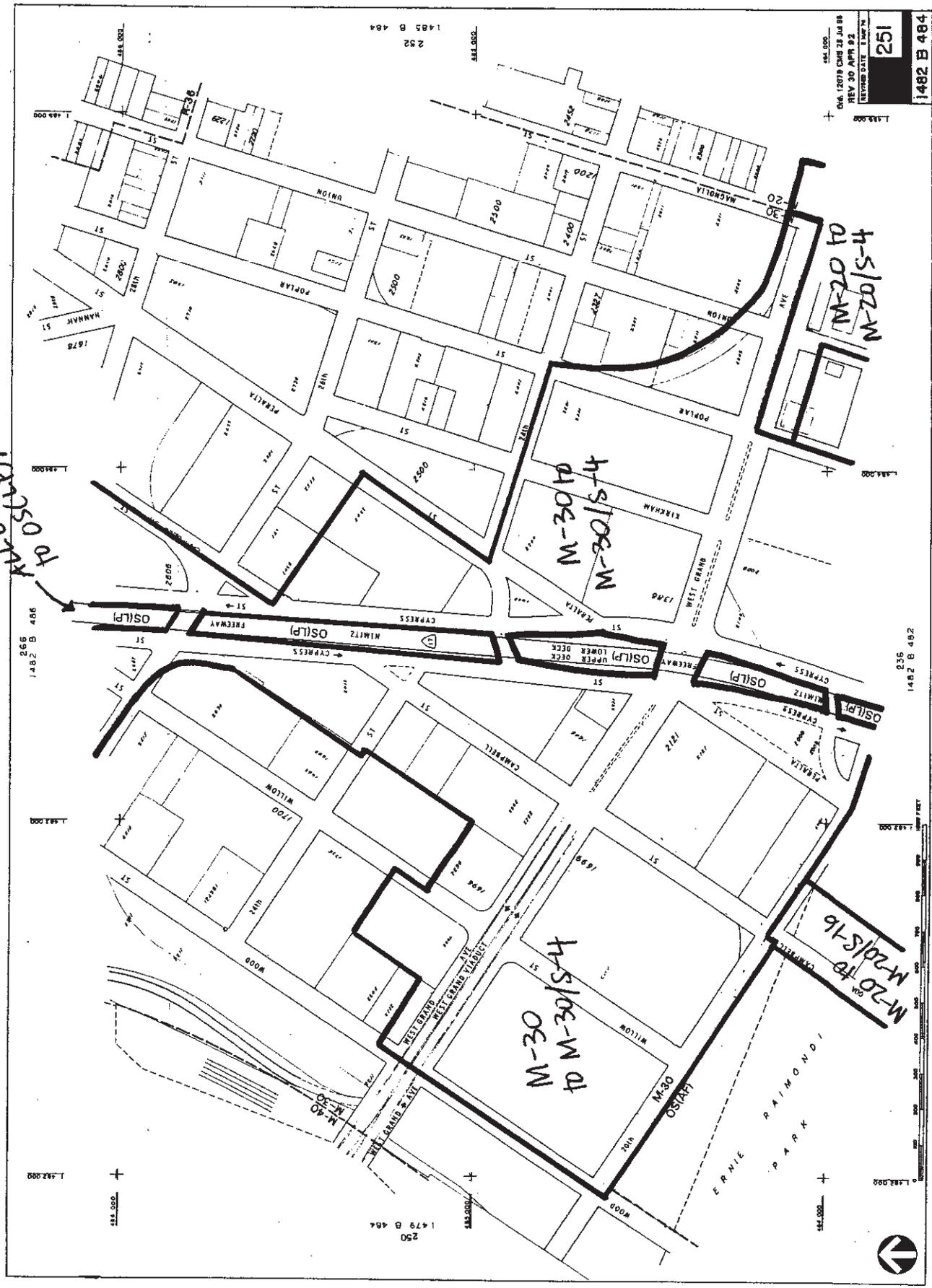
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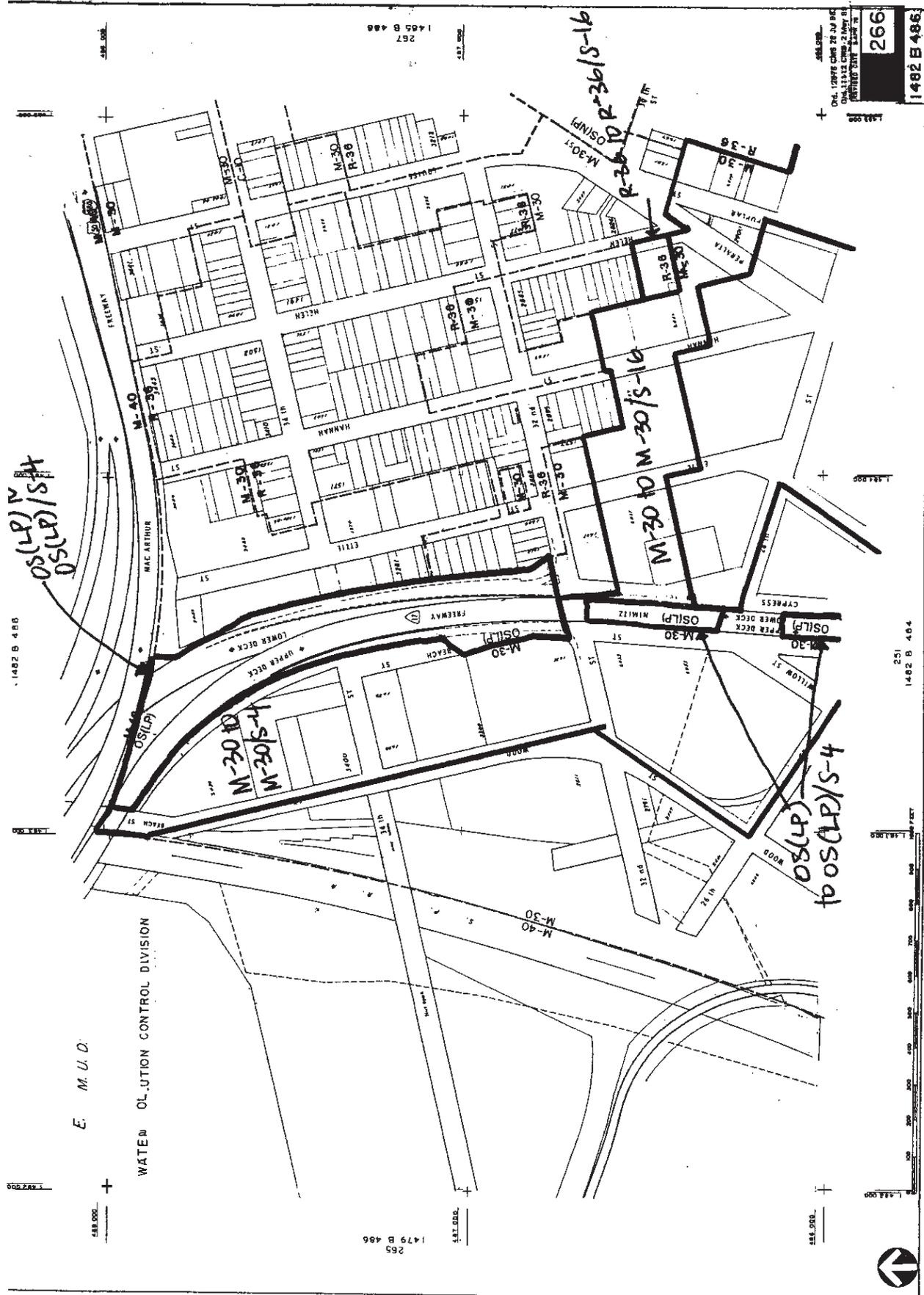
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M-30 to M-20/S-16
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DATE 28 JUL 88





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Legal No. **1910499**

ORIGINAL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2000 OCT -4 PM 3:41

PROOF OF PUBLICATION

In the matter of:

Ordinance Summarily Vacating a Public Path

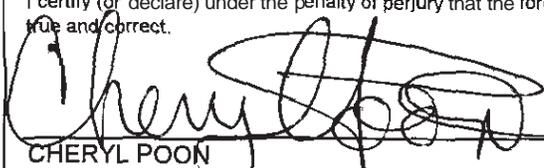
The undersigned below, deposes and says that he/she was the public Notice Advertising Clerk of the OAKLAND TRIBUNE a newspaper of general circulation as defined by Government Code Section 6000 adjudicated as such by the Superior Court of the State of California, County of Alameda (Order Nos. 237798, December 4, 1951) which is published and circulated in Oakland Township in said county and state seven days a week.
m a t h e

NOTICE AND DIGEST

of which the annexed is a printed copy, was published in every issue of the OAKLAND TRIBUNE. on the following dates:

SEPTEMBER 28, 2000

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.


CHERYL POON

Public Notice Advertising Clerk
SEPTEMBER 28, 2000

PUBLIC NOTICE
NOTICE AND DIGEST

**ORDINANCE SUMMARILY VACATING
A PUBLIC PATH LOCATED
WEST OF PARADISE WAY,
OAKLAND, CALIFORNIA**

This Ordinance was introduced at the regular council meeting, Tuesday evening, September 19, 2000, and passed to print 7 Yes, 0 Noes. Hearing on final adoption is set for regular Council Meeting at One City Hall Plaza, Council Chambers, on the third floor in Oakland, California, Tuesday evening, October 3, 2000 at 7:00 p.m.

Three full copies are available for use and examination by the public in the office of the City Clerk at One City Hall Plaza, 1st floor, Oakland, California.

CEDA FLOYD, City Clerk
(#) Sept. 28, 2000
(or first available date)

**The Oakland Tribune #1910499,
September 28, 2000**

.PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

City of Oakland

2001303650 08/16/2001 09:28 AM

OFFICIAL RECORDS OF RECORDING FEE: 0.00

ALAMEDA COUNTY
PATRICK O'CONNELL



3 PGS

WHEN RECORDED MAIL TO:

City of Oakland
City Clerk's Office
One City Hall Plaza, 1st Floor
Oakland, CA 94612

044
3
H1

Attn: Onetha Middleton

THIS SPACE FOR RECORDER'S USE ONLY

Ordinance 12280

TITLE OF DOCUMENT

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(Govt. Code 27361.6)

(Additional recording fee applies)

Robert F. ...
CITY ATTORNEY

INTRODUCED BY COUNCIL MEMBER _____

ORDINANCE No. 12280 C. M. S.

**ORDINANCE SUMMARILY VACATING A PUBLIC
PATH LOCATED WEST OF PANORAMIC WAY,
OAKLAND, CALIFORNIA**

WHEREAS, a certain public path was dedicated to the City of Oakland: and

WHEREAS, the path to be summarily vacated by this ordinance is located in the City of Oakland and is more particularly described as follows:

"The ten (10') foot wide strip of land lying between lot 12 and lot 50 of block "H" of the "Map of University Uplands, filed July 5, 1917, Book 16 of Maps at Page 40, Alameda County Records."

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, the guidelines as prescribed by the Secretary of Resources, and the City's environmental review regulations as amended, have been satisfied, and that in accordance with Section 15301 of the California Code of Regulations this project is exempt from the provision of the California Environmental Quality Act; and

WHEREAS, said portion of the public path has not been used for the purpose for which it was dedicated or acquired for five consecutive years prior to this proposed vacation, no public money was expended for said path during said five year period, and the vacation thereof will be in the public interest; and

WHEREAS, said summary vacation is made under Section 8333(a) of the California Streets and Highways Code, now, therefore, the City Council of Oakland does ordain as follows:

SECTION I. That the Council, because of the reasons set forth in Street and Highways Code Section 8333(a), hereby orders the summary vacation of the herein above-described public path.

SECTION II. That the City Clerk and the Clerk of this Council are hereby directed to have a certified **copy** of the ordinance recorded at the Office of the Recorder of Alameda County, immediately upon its final passage.

SECTION III. That from and after the date of recordation of this ordinance, said public path no longer constitutes a city right-of way.

SECTION IV. The **Council** finds that this summary path vacation is in compliance with the California Environmental Quality Act.

I certify that the foregoing is a full, true and correct copy of a ^{Ordinance} ~~Resolution~~ passed by the City Council of the City of Oakland, Calif., on October 3, 2000
Cynthia Middleton
City Clerk.

NOTICE AND DIGEST

ORDINANCE ABANDONING A FIVE-FOOT WIDE SIDE
SEWER EASEMENT LOCATED NORTH OF MORCOM PLACE
RUNNING PERPENDICULAR TO THE WESTERN BOUNDARY OF THE
PORTION OF LOT 18, BLOCK "L" OF THE MELROSE ACRES
TRACT MORE COMMONLY KNOWN AS 38 MORCOM PLACE

This Ordinance ~~was~~ introduced at the regular council meeting, Tuesday evening, December 12, 2000, and passed to print 7 Ayes, 0 Noes. Hearing on final adoption is set for regular Council Meeting at One City Hall Plaza, Council Chambers, on the third floor in Oakland, California, Tuesday evening January 9, 2000 at 7:00 p.m.

Three full copies are available for use and examination by the public in the office of the City Clerk at One City Hall Plaza, 1st floor, Oakland, California.

CEDA FLOYD, City Clerk
(1t) December 24, 2000
(or first available date)

c:\wpwin60\onetha\notice.dig

Mark P. Wald
CITY ATTORNEY

INTRODUCED BY COUNCILMEMBER _____

ORDINANCE No. 12281 C.M.S.

AN ORDINANCE ABANDONING TWO FIVE-FOOT WIDE RESERVE EASEMENTS NORTH OF SOBRANTE ROAD SITUATED IN LOTS 2854 AND 2855, AS SHOWN ON THE MAP ENTITLED "THORNDALE, OAKLAND, CALIFORNIA"

WHEREAS, two certain public five-foot wide reserve easements situated in Lot **2854** and Lot **2855** of the map entitled "Thorndale, Oakland, California" were dedicated along with the filing of said map to the City of Oakland on the **18th** day of July, **1929** in Book **18**, Page **68**, et seq, in the Office of the Recorder, Alameda County, California, for the purposes of constructing, repairing and maintaining public sewers and utilities; and

WHEREAS, said reserve easements are delineated and depicted in Exhibit "A" attached hereto and made a part hereof and are more particularly described as follows:

Real property in the City of Oakland, County of Alameda, State of California, described as follows:

A portion of those certain five-foot wide strips of land shown as "Reserve 5 Feet Wide" in Lots **2854** and **2855** as said strips of land and said lots are shown on the map entitled "Thorndale, Oakland, California", filed July 18, **1929** in Book **18** of Maps at Page **68**, et seq., Official Records of Alameda County, described as follows:

BEGINNING at a point, said point being on the arc of a curve to the left with a radius of **221** feet and distant **5.06** feet from the most western corner of Lot **2855**, along the southwesterly line of Lot **2854**; thence North **35** degrees, **59** minutes, **40** seconds East, **46** feet; thence South **29** degrees, **30** minutes, **00** seconds East, **11** feet; thence South **35** degrees, **59** minutes, **40** seconds West, **40.5** feet to a point on the southwesterly line of Lot **2855**; and thence on a curve to the right with a radius of **221** feet, **10.12** feet, more or less, to the POINT OF BEGINNING; and

WHEREAS, said reserve easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and

WHEREAS, said summary vacation is made under Section **8333** (a) of the California Streets and Highways Code; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, the guidelines as prescribed by the Secretary for Resources, and the City's environmental review regulations, as amended, have been satisfied, and that in accordance with Section **15303** of the California Code of Regulations that this project is exempt from the provisions of the California Environmental Quality Act; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

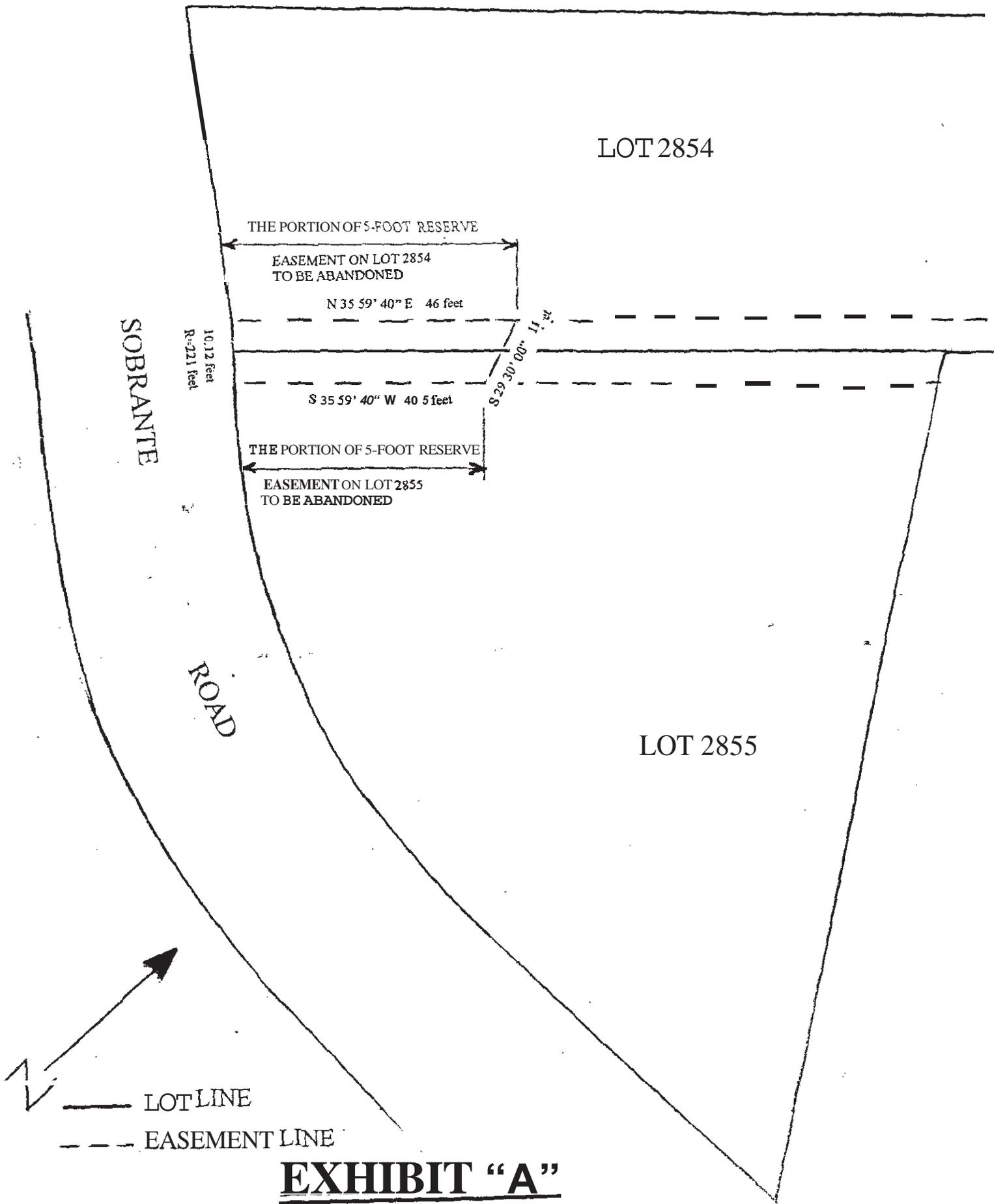
- Section 1. This ordinance complies with the requirements of the California Environmental Quality Act.
- Section 2. This Council hereby orders the abandonment of the hereinabove described reserve easements.
- Section 3. The City Clerk and Clerk of this Council is hereby directed to have a certified copy of this ordinance recorded in the Office of the Recorder of Alameda County, California, immediately upon its final passage.
- Section 4. That from and after the date this Ordinance is recorded, the reserve easements abandoned hereby shall no longer constitute public service easements.

I hereby certify that the foregoing is a full, true and correct copy of an Ordinance passed by the City Council of the City of Oakland on OCT - 3 2000

CEDA FLOYD

City Clerk and Clerk of the Council

Per *Quetta Middleton* Deputy



PLEASE COMPLETE **THIS** INFORMATION

RECORDING REQUESTED BY:

City of Oakland

WHEN RECORDED MAIL TO:

City of Oakland
City Clerk's Office
One City Hall Plaza, 1st Floor
Oakland, CA 94612

Attn: Onetha Middleton

2001383648 08/16/2001 09:28 AM
OFFICIAL RECORDS OF RECORDING FEE: 0 00
ALAMEDA COUNTY



4 PGS

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H?

THIS SPACE FOR RECORDER'S USE ONLY

Ordinance 12281

TITLE OF DOCUMENT

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION

(Govt. Code 27361.6)

(Additional recording fee applies)

ORDINANCE No. 12281 C.M.S.

AN ORDINANCE ABANDONING TWO FIVE-FOOT WIDE RESERVE EASEMENTS NORTH OF SOBRANTE ROAD SITUATED IN LOTS 2854 AND 2855, AS SHOWN ON THE MAP ENTITLED "THORNDALE, OAKLAND, CALIFORNIA"

WHEREAS, two certain public five-foot wide reserve easements situated in Lot 2854 and Lot 2855 of the map entitled "Thorndale, Oakland, California" were dedicated along with the filing of said map to the City of Oakland on the 18th day of July, 1929 in Book 18, Page 68, et seq, in the Office of the Recorder, Alameda County, California, for the purposes of constructing, repairing and maintaining public sewers and utilities; and

WHEREAS, said reserve easements are delineated and depicted in Exhibit "A" attached hereto and made a part hereof and are more particularly described as follows:

Real property in the City of Oakland, County of Alameda, State of California, described as follows:

A portion of those certain five-foot wide strips of land shown as "Reserve 5 Feet Wide" in Lots 2854 and 2855 as said strips of land and said lots are shown on the map entitled "Thorndale, Oakland, California", filed July 18, 1929 in Book 18 of Maps at Page 68, et seq., Official Records of Alameda County, described as follows:

BEGINNING at a point, said point being on the arc of a curve to the left with a radius of 221 feet and distant 5:06 feet from the most western corner of Lot 2855, along the southwesterly line of Lot 2854; thence North 35 degrees, 59 minutes, 40 seconds East, 46 feet; thence South 29 degrees, 30 minutes, 00 seconds East, 11 feet; thence South 35 degrees, 59 minutes, 40 seconds West, 40.5 feet to a point on the southwesterly line of Lot 2855; and thence on a curve to the right with a radius of 221 feet, 10.12 feet, more or less, to the *POINT OF BEGINNING*; and

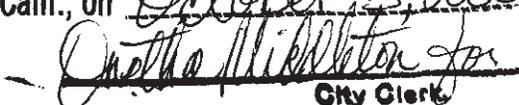
WHEREAS, said reserve easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and

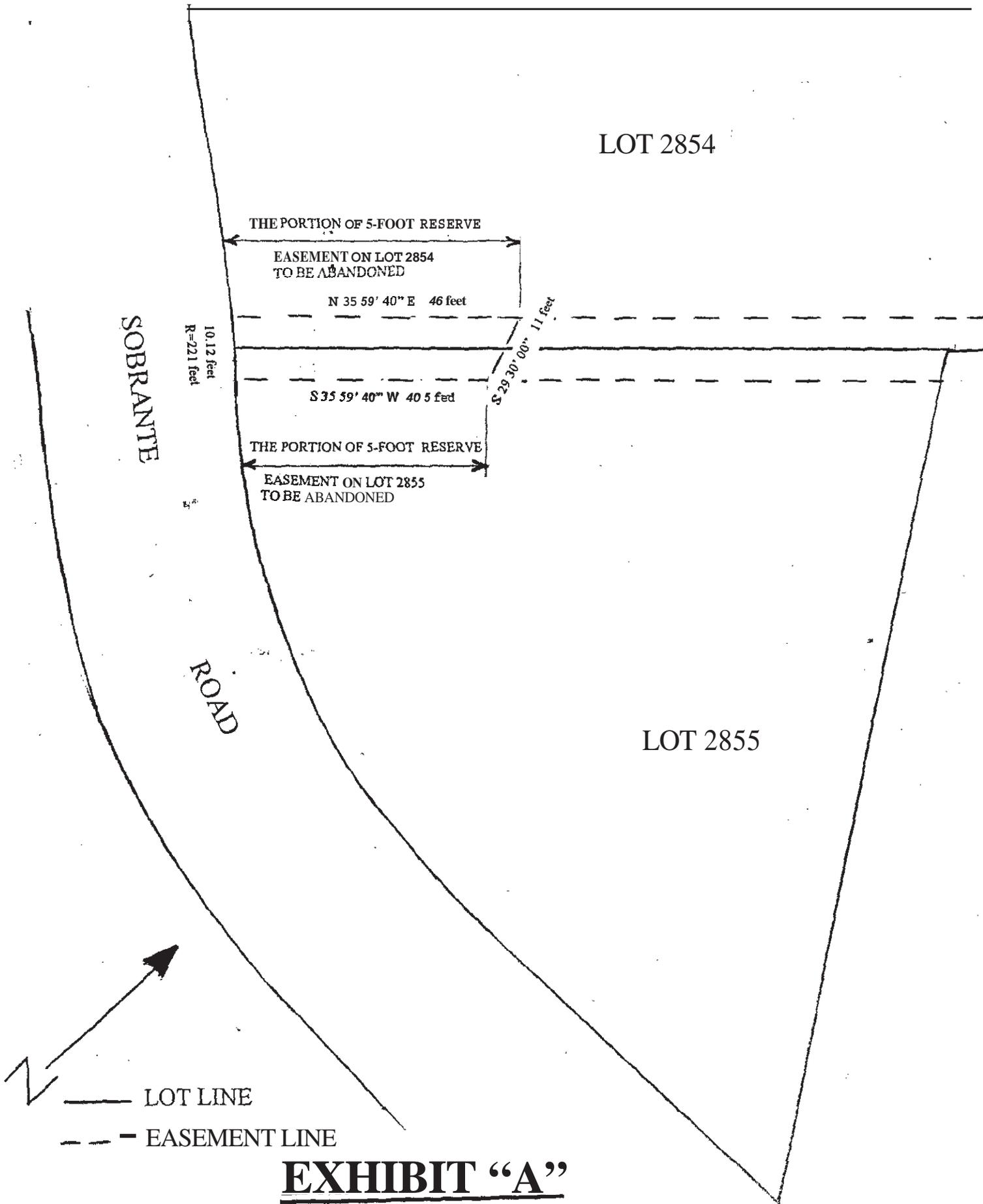
WHEREAS, said summary vacation is made under Section 8333 (a) of the California Streets and Highways Code; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, the guidelines as prescribed by the Secretary for Resources, and the City's environmental review regulations, as amended, have been satisfied, and that in accordance with Section 15303 of the California Code of Regulations that this project is exempt from the provisions of the California Environmental Quality Act; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

- Section 1. This ordinance complies with the requirements of the California Environmental Quality Act.
- Section 2. This Council hereby orders the abandonment of the hereinabove described reserve easements.
- Section 3. The City Clerk and Clerk of this Council is hereby directed to have a certified copy of this ordinance recorded in the Office of the Recorder of Alameda County, California, immediately upon its final passage.
- Section 4. That from and after the date this Ordinance is recorded, the reserve easements abandoned hereby shall no longer constitute public service easements.

I certify that the foregoing is a full, true and correct copy of a ^{Ordinance} Resolution passed by the City Council of the City of Oakland, Calif., on October 3, 2000

City Clerk



The Oakland Tribune

c/o ANG Newspapers
Tribune Tower, 401 13th Street, Oakland, CA 94612
Legal Advertising
(510) 208-6340

Legal No. 1910509

ORIGINAL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2000 OCT -4 PM 3: 42

PROOF OF PUBLICATION

PUBLIC NOTICE
NOTICE AND DIGEST
AN ORDINANCE AMENDING ORDINANCE NO. 12198 C.M.S. (THE SALARY ORDINANCE) TO ADD THE CLASSIFICATION OF ADA (AMERICANS WITH DISABILITIES ACT) PROJECT COORDINATOR AND TO AMEND THE SALARY GRADE OF SENIOR CONTRACT COMPLIANCE OFFICER.

This Ordinance was introduced at the regular council meeting, Tuesday evening, September 19, 2000 and passed to print / Ayes, 0 Nays. Hearing on final adoption is set for regular Council Meeting at One City Hall Plaza, Council Chambers, on the 3rd floor in Oakland, California, Tuesday, evening, October 3, 2000 at 7:00 p.m.

Three full copies are available for use and examination by the public in the office of the City Clerk at One City Hall Plaza, 1st floor, Oakland, California.

CEDA FLOREN, City Clerk
The Oakland Tribune #1910509
September 28, 2000

In the matter of:

AMENDING ORDINANCE NO. 12193

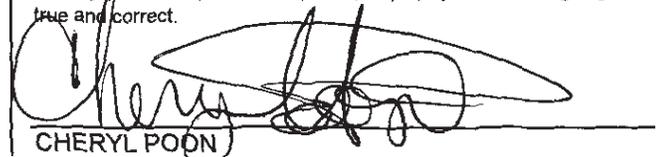
The undersigned below, deposes and says that he/she was the public Notice Advertising Clerk of the OAKLAND TRIBUNE a newspaper of general circulation as defined by Government Code Section 6000 adjudicated as such by the Superior Court of the State of California, County of Alameda (Order Nos. 237798, December 4, 1951) which is published and circulated in Oakland Township in said county and state seven days a week.
That the

NOTICE AND DIGEST

of which the annexed is a printed copy, was published in every issue of the OAKLAND TRIBUNE, on the following dates

SEPTEMBER 28, 2000

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.



CHERYL POON
Public Notice Advertising Clerk
SEPTEMBER 28, 2000

AN ORDINANCE AMENDING SECTION 14.8 OF ORDINANCE NO. 713 C.M.S. TO PROVIDE INCREASES IN MONTHLY PAYMENTS TO OAKLAND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM RETIREES.

Digest

An ordinance amending section 14.8 of Ordinance no. 713 C.M.S. to provide increases in monthly payments to Oakland Municipal Employees' Retirement System Retirees.

c/o ANG Newspapers
Tribune Tower, 401 13th Street, Oakland, CA 94612
Legal Advertising
(510) 208-6340

Legal No. **1915068**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2000 OCT 13

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2000 OCT 12 PM 3:52

PROOF OF PUBLICATION

In the matter of:

**Ordinance Amending Action 14.8 of Ordinance
No. 713 C.M.S.**

The undersigned below, deposes and says that he/she was the public Notice Advertising Clerk of the OAKLAND TRIBUNE a newspaper of general circulation as defined by Government Code Section 5000 adjudicated as such by the Superior Court of the State of California, County of Alameda (Order Nos. 237798, December 4, 1951) which is published and circulated in Oakland Township in said county and state seven days a week.
that the

PUBLIC NOTICE
NOTICE AND DIGEST

AN ORDINANCE AMENDING SECTION 14.8 OF ORDINANCE NO. 713 C.M.S. TO PROVIDE INCREASED IN MONTHLY PAYMENTS TO OAKLAND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM AS FOLLOWS:

An ordinance amending section 14.8 of Ordinance No. 713 C.M.S. to provide increased in monthly payments to Oakland Municipal Employees' Retirement System follows.

This Ordinance was introduced at the regular council meeting, Tuesday evening, September 29, 2000, and passed to print 8 Ayes, 0 Nays. Hearing on this adoption is set for regular Council Meeting at One City Hall Plaza, Council Chambers, on the third floor in Oakland, California, Tuesday evening, October 10, 2000 at 7:00 p.m.

Three full copies are available for use and examination by the public in the office of the City Clerk at One City Hall Plaza, 1st floor, Oakland, California.

OSMA FLOYD
City Clerk

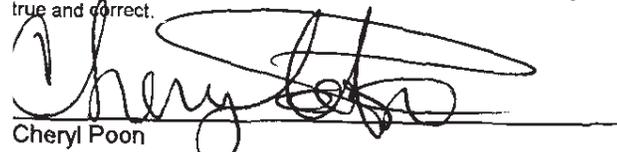
The Oakland Tribune, #1915068
October 5, 2000

NOTICE AND DIGEST

of which the annexed is a printed COPY, was published in every issue of the OAKLAND TRIBUNE, on the following dates:

OCTOBER 5, 2000

certify (or declare) under the penalty of perjury that the foregoing is true and correct.



Cheryl Poon
Public Notice Advertising Clerk
OCTOBER 5, 2000

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ 12284 _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

NUMBER NOT USED

This number was erroneously assigned to item number 30 on the October 17, 2000, ORA/City Council meeting agenda.

The Oakland Tribune

c/o ANG Newspapers
Tribune Tower, 401 13th Street, Oakland, CA 94612
Legal Advertising
(510) 208-6340

Legal No. 1924977

0-12286

ORIGINAL

FILED
OFFICE OF THE CITY CLERK
2000 OCT 24 AM 10:55

PUBLIC NOTICE NOTICE AND DIGEST

AN ORDINANCE AMENDING SECTION 7 OF ORDINANCE NO. 713 C.M.S. TO PROVIDE TERM LIMITS FOR MEMBERS OF THE OAKLAND MUNICIPAL EMPLOYEES RETIREMENT SYSTEM (OMERS) BOARD OF ADMINISTRATION.

An ordinance amending section 7 of Ordinance No. 713 C.M.S. to provide term limits for members of the Oakland Municipal Employees Retirement System (OMERS) Board of Administration.

This Ordinance was introduced at the regular council meeting, Tuesday evening, October 3, 2000, and passed to print 6 Ayes, 0 Noes. Hearing on final adoption is set for regular Council Meeting at One City Hall Plaza, Council Chambers, on the third floor in Oakland, California, Tuesday evening October 17, 2000, at 7:00 p.m.

True and correct copies are available for use and examination by the public in the office of the City Clerk at One City Hall Plaza, 1st floor, Oakland, California.

CEDA FLOYD,
City Clerk

**The Oakland Tribune, #1924977
October 16, 2000**

PRO OF PUBLI

In the matter of:

NOTICE AND DIGEST

The undersigned below, deposes and says that he/she was the public Notice Advertising Clerk Of the OAKLAND TRIBUNE a newspaper of general Circulation as defined by Government Code Section 6000 adjudicated as such by the Superior Court of the State of California, County of Alameda (Order Nos. 237796, December 4, 1951) which is published and circulated in Oakland Township in said county and State seven days a week.

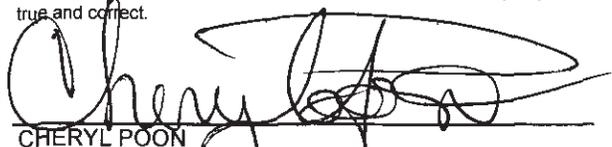
That the

PUBLIC NOTICE

of which the annexed is a printed copy was published in every issue of the OAKLAND TRIBUNE, on the following dates

OCTOBER 16, 2000

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.



CHERYL POON
Public Notice Advertising Clerk
OCTOBER 16, 2000

AN ORDINANCE AMENDING ORDINANCE NO. 12193 C.M.S. (THE SALARY ORDINANCE) TO ADD THE CLASSIFICATIONS OF LITTER/NUISANCE ENFORCEMENT OFFICER., NETWORK ARCHITECT AND RETIREMENT SYSTEMS ACCOUNTANT AND TO AMEND SALARY ORDINANCE NO. 12251 C.M.S. TO CHANGE THE EFFECTIVE DATE FOR THE DIRECTOR OF BUILDING.

Digest

An Ordinance amending Ordinance no. 12193 C.M.S. (the Salary Ordinance) to add the classifications of Litter/Nuisance Enforcement Officer, Network Architect and Retirement Systems Accountant and to amend Salary Ordinance No. 12251 C.M.S. to change the effective date of the Director of Building.

The Oakland Tribune

do ANG Newspapers
Tribune Tower, 401 13th Street, Oakland, CA 94612
Legal Advertising
(510) 208-6340

Legal No. 1927262

ORIGINAL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2000 OCT 26 AM 11:20

PROOF OF PUBLICATION

In the matter of:

Ordinance Amending Ordinance No. 12193

The undersigned below, deposes and says that he/she was the public Notice Advertising Clerk of the OAKLAND TRIBUNE a newspaper of general circulation as defined by Government Code Section 6000 adjudicated as such by the Superior Court of the State of California County of Alameda (Order Nos. 237796, December 4, 1951) which is published and circulated in Oakland Township in said county and state seven days a week

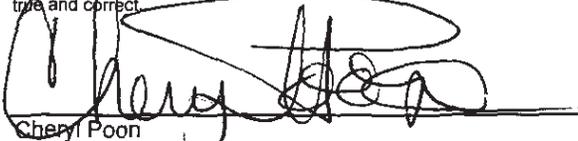
That the

NOTICE AND DIGEST

Of which the annexed is a printed copy, was published in every issue of the OAKLAND TRIBUNE on the following dates

OCTOBER 19, 2000

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.



Cheryl Poon
Public Notice Advertising Clerk
OCTOBER 19, 2000

PUBLIC NOTICE
NOTICE AND DIGEST
AN ORDINANCE AMENDING ORDINANCE NO. 12193 C.M.S. (THE SALARY ORDINANCE) TO ADD THE CLASSIFICATION OF LITER/NUISANCE ENFORCEMENT OFFICER, NETWORK ARCHITECT AND RETIREMENT SYSTEMS ARCHITECT AND TO AMEND SALARY GRADE AND TO AMEND SALARY GRADE AND TO AMEND SALARY GRADE TO EFFECTIVE DATE FOR THE DIRECTOR OF BUILDING.
The Ordinance amending Ordinance no. 12193 C.M.S. (the Salary Ordinance) to add the classifications of Liter/Nuisance Enforcement Officer, Network Architect and Retirement Systems Architect and to amend Salary Ordinance No. 12251 C.M.S. to effective date of the Director of Building.
The Ordinance was introduced at the regular meeting, Tuesday evening, October 17, 2000, and passed to print by the City Council on final adoption for the regular Council meeting at One City Hall Plaza, Oakland, California, Tuesday evening, October 19, 2000 at 7:00 p.m.
Three copies are available for use and examination by the public in the office of the City Clerk at One City Hall Plaza, 1st floor, Oakland, California.
CEDA FLOYD, City Clerk
October 19, 2000
The Oakland Tribune of 1927262
October 19, 2000

Bourelly, Veronica

From: Wald, Mark
Sent: Wednesday, December 20, 2000 9:40 AM
To: 'Michael Bowie'
cc: Floyd, Ceda
Subject: RE: Ordinance 12289-Authority regarding corrected copy

As voicemail, this has been the policy and practice for years

mark

-----Original Message-----

From: Michael Bowie [mailto:mbowie@oaklandnet.com]
Sent: Wednesday, December 20, 2000 9:32 AM
To: Wald, Mark
Cc: Floyd, Ceda
Subject: Ordinance 12289-Authority regarding corrected copy

Good Morning Mark:

Per a information directive-please produce a hard copy of the authority regarding the exception language for remedied legislation, notwithstanding City Council approval, in order for the Clerk of the Council of the City of Oakland to attest to said authority. [e.g. Ordinance 12289, corrected copy, was approved by you, on or about the 13th of December-please produce the "technical exception" authority] Thank you-I have also left you a voice mail-mab

Corrected Copy
Michael Bowie
12289

2000 DEC 13 PM 3:19
OFFICE OF THE CITY CLERK
OAKLAND
FILED

OAKLAND CITY COUNCIL

mpw

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

A RESOLUTION AMENDING THE LAND USE DIAGRAM OF THE LAND USE AND TRANSPORTATION ELEMENT OF THE CITY OF OAKLAND'S GENERAL PLAN IN THE WEST OAKLAND COMMUNITY DEVELOPMENT DISTRICT.

WHEREAS, on March 24, 1998, the City Council passed Resolution No. 74129 C.M.S. adopting a new Land Use and Transportation Element of the Oakland General Plan which generally directs the City to protect existing industrial, commercial, and residential activities; and

WHEREAS, residents, business owners, and other property owners and community groups requested a study of the land use controls in the West Oakland Community Development District; and

WHEREAS, in February 1999 the City Council directed the Community and Economic Development Agency to initiate an analysis to examine appropriate land use controls and other strategies which address the land use compatibility issues and future development of the area; and

WHEREAS, the central blocks of the Clawson area are designated Mixed Housing Type, with Housing and Business Mix to the north and east and Business Mix to the south and west; and

WHEREAS, there is a mix of residential and commercial uses to the south and west also, in the areas designated Business Mix; and

WHEREAS, staff conducted a parcel by parcel survey of existing uses in the area, and consulted with property owners in developing the proposed General Plan Amendment boundaries: and

WHEREAS, this amendment to the General Plan in the Clawson area would facilitate more compatible development around the areas designated as Mixed Housing Type, and bring the General Plan in alignment with the mix of residences and businesses that now exist in the area; and

WHEREAS, residents living on the east side of Center Street between 3rd Street and 5th Street voiced concerns about the Business Mix General Plan Land Use designation in that area; and

WHEREAS, staff conducted a survey of the Center Street area, and found that the area is primarily residential and currently zoned for residential use, very similar in character to the

opposite side of the street, which has a Mixed Housing Type General Plan Land Use designation; and

WHEREAS, this amendment to the General Plan on Center Street would bring the land use designations in line with existing conditions and maintain a residential character on both sides of the street, which is critical to maintain the quality of life and property values for residences; and

WHEREAS, the General Plan Amendments are exempt from environmental review under the general rule because Housing and Business Mix and Mixed Housing Type are land use classifications that permit activities generally considered to have fewer potentially adverse environmental impacts than Business Mix; and

WHEREAS, a duly noticed public hearing on the proposed General Plan Amendments was held by the City Planning Commission on July 26, 2000, and continued on September 6, 2000; and

WHEREAS, said amendments to the Oakland General Plan are exempt from environmental review under Section 15061(b)(3), State CEQA Guidelines, “general rule” (no possibility of significant effect on the environment), and reliance on the previously certified Final Environmental Impact Report for the *General Plan Land Use and Transportation Element*, as detailed in the October 3, 2000 Council Agenda Report, hereby incorporated by reference; and

WHEREAS, the City Planning Commission voted unanimously in favor of recommending to the City Council the amendments to the General Plan; and

WHEREAS, the City Council, as the legislative body of the City has an obligation pursuant to the City Charter to protect Oakland’s physical environment and to conserve existing areas, while encouraging orderly development in locations and in the manner compatible with existing development in these areas; and

WHEREAS, the Council finds and determines that the public safety, health, convenience, comfort, prosperity, and general welfare will be furthered by the adoption of this General Plan Amendment; now, therefore, be it

RESOLVED: That the City Council finds and determines the foregoing recitals to be true and correct and hereby make them a **part** of this Resolution.

FURTHER RESOLVED: That the City Council approves the environmental determination for this project and determines that the Resolution complies with CEQA.

FURTHER RESOLVED: That the City Council hereby adopts the amendments to the General Plan pursuant to the Planning Commission’s recommendation of September 6, 2000.

FURTHER RESOLVED: That the Land Use Diagram of the Land Use and Transportation Element of the Oakland General Plan is hereby amended as indicated in Attachment A.

FURTHER RESOLVED: That the City Manager cause to be filed the appropriate Environmental Notices with the Alameda County Clerk.

FURTHER RESOLVED: That this Resolution is enacted pursuant to the City of Oakland's general police powers, Section 106 of the Charter of the City of Oakland, and Article XI of the California Constitution.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2000

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, MILEY, NADEL, REID, SPEES, AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

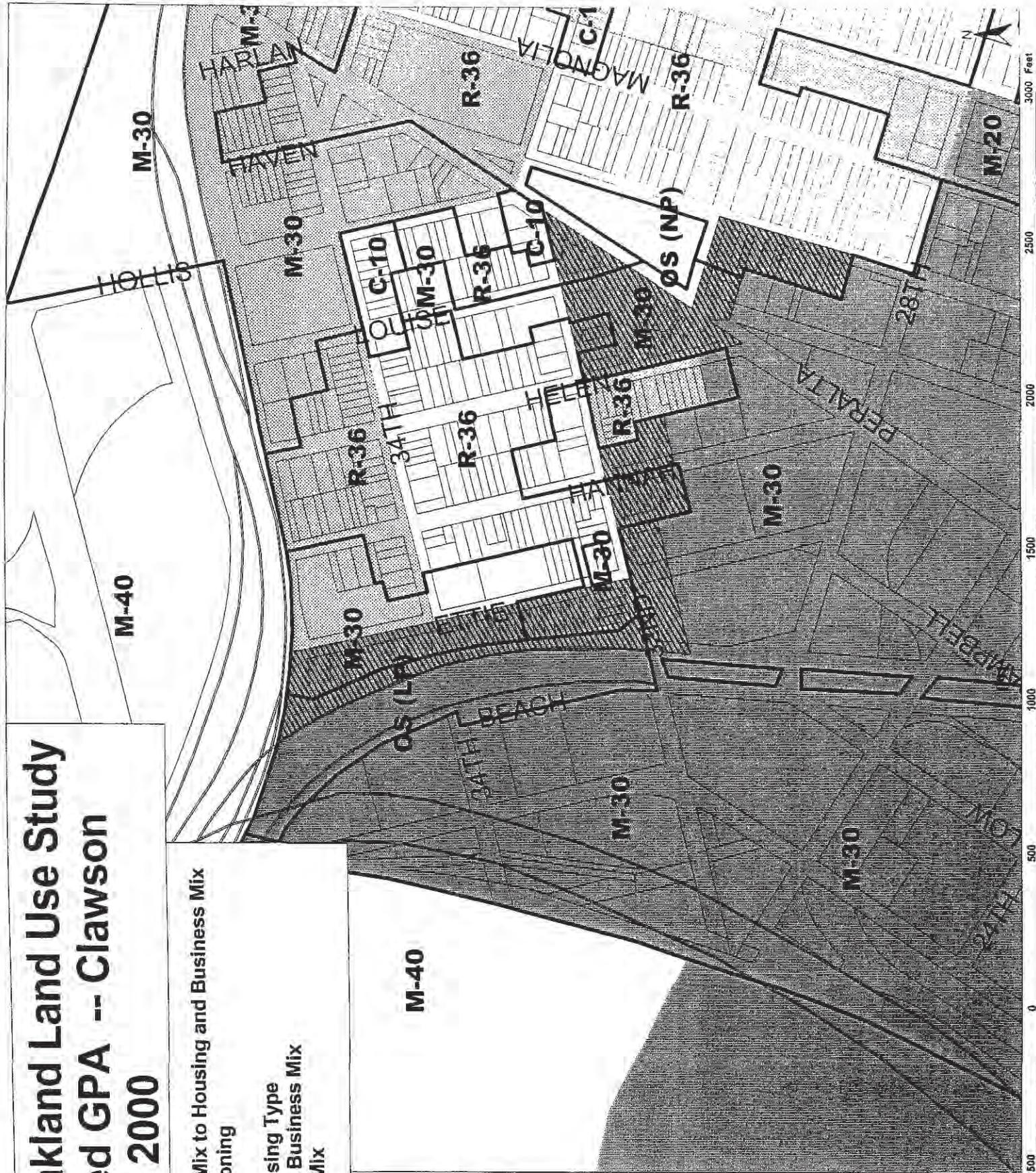
ABSTENTION-

ATTEST: _____
CEDA FLOYD

City Clerk and Clerk of the Council
of the City of Oakland, California

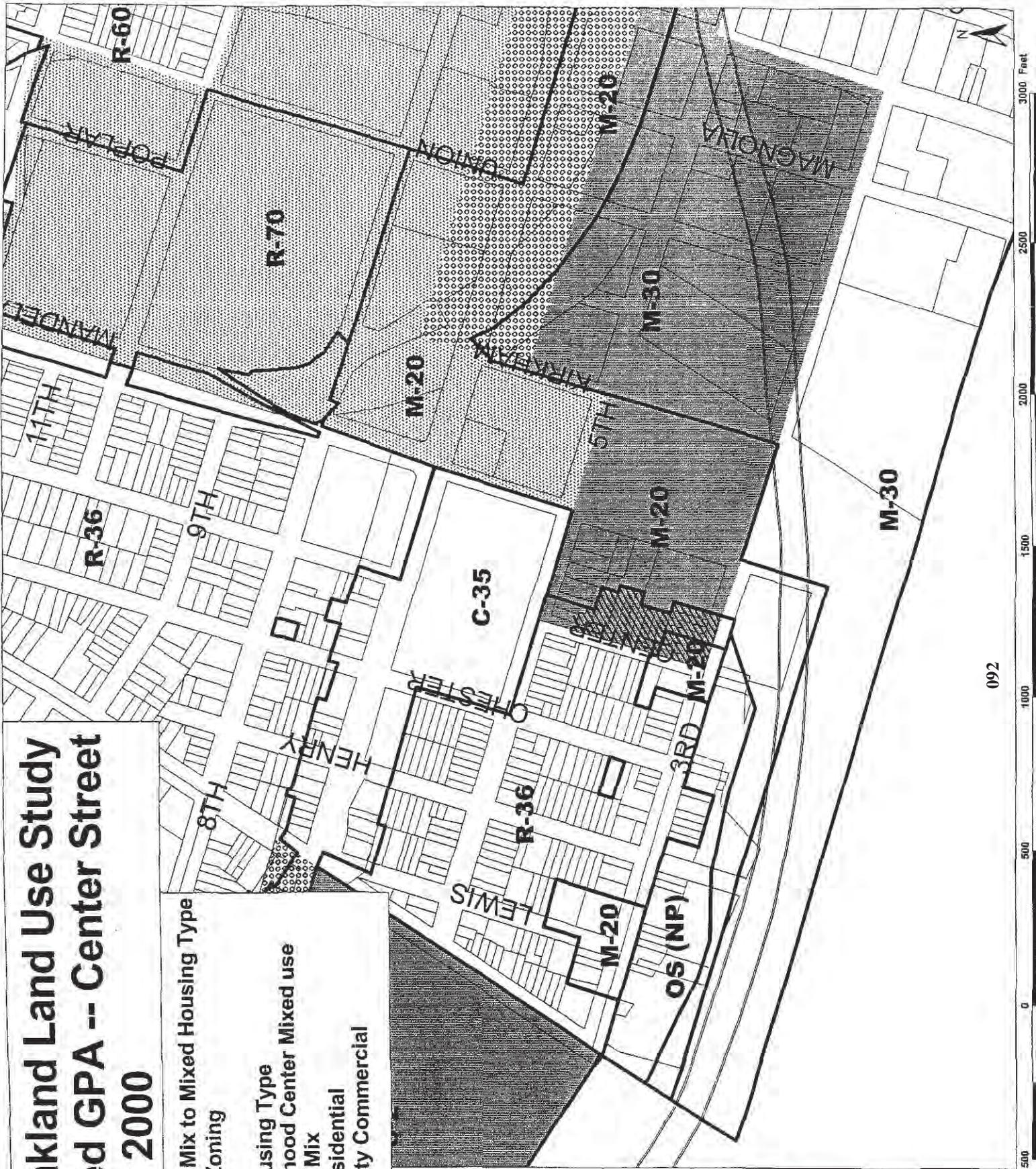
West Oakland Land Use Study Proposed GPA -- Clawson October 2000

-  Business Mix to Housing and Business Mix
-  Existing Zoning
-  General Plan:
-  Mixed Housing Type
-  Housing & Business Mix
-  Business Mix

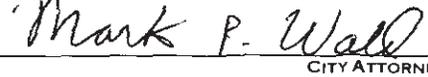


West Oakland Land Use Study Proposed GPA -- Center Street October 2000

-  Business Mix to Mixed Housing Type
-  Existing Zoning
- General Plan:**
-  Mixed Housing Type
-  Neighborhood Center Mixed use
-  Business Mix
-  Urban Residential
-  Community Commercial



~~F E-1 E-2~~
 COMMUNITY ECONOMIC
 DEVELOPMENT CMTE 4-14-
 10-3-00 14-2
 10-17-00



CITY ATTORNEY

INTRODUCED BY COUNCILMEMBER _____

ORDINANCE No. 12289 C. M. S.
REVISED by City Council

(Changes shaded)

AN ORDINANCE AMENDING THE OAKLAND PLANNING CODE TO CREATE THE S-16 INDUSTRIAL-RESIDENTIAL TRANSITION OVERLAY ZONE; TO MAP THE S-16 AND S-4 OVERLAY ZONES ON SEVERAL AREAS OF THE WEST OAKLAND COMMUNITY DEVELOPMENT DISTRICT; TO REZONE THE VICINITY OF THE WEST OAKLAND BART STATION TO THE S-15 TRANSIT VILLAGE ZONE; AND TO REQUIRE A CONDITIONAL USE PERMIT FOR ALL TRUCKING ACTIVITIES IN THE WEST OAKLAND COMMUNITY DEVELOPMENT DISTRICT.

WHEREAS, on March 24, 1998, the City Council passed Resolution No. 74129 C.M.S. adopting a new Land Use and Transportation Element of the Oakland General Plan which generally directs the City to protect existing industrial, commercial, and residential activities and includes Objective I/C4 which calls for the City to minimize land use compatibility conflicts; and

WHEREAS, residents, business owners, and other property owners and community groups requested a study of the land use controls in the West Oakland Community Development District; and

WHEREAS, the conflicts between truck-related and other heavy industrial activities with residential activities exist as a result of historical development patterns and later zoning and land use policies which have allowed these uses to locate next to each other; and

WHEREAS, in February 1999 the City Council directed the Community and Economic Development Agency to initiate an analysis to examine appropriate land use controls and other strategies which address the land use compatibility issues and future development of the area; and

WHEREAS, the Land Use and Transportation Element of the Oakland General Plan also includes Transportation policies which relate to the location of trucking services; and

WHEREAS, on February 2, 1999, the City Council adopted Ordinance No. 12110 C.M.S. which established interim controls on the issuance of building, zoning and other permits for the expansion and/or development of truck repair and truck parking projects; and

WHEREAS, on July 20, 1999, the City Council adopted Ordinance No. 12156.1 C.M.S. amending Ordinance No. 12110 C.M.S. to require additional interim controls on the issuance of building, zoning and other permits for the establishment and/or development of truck repair and truck parking projects; and

WHEREAS, on February 1, 2000, the City Council adopted Ordinance No. 12204 C.M.S. which extended the interim controls for six months or until permanent land use controls were adopted; and

WHEREAS, on July 18, 2000, the City Council adopted Ordinance No. 12265 C.M.S. which extended the interim controls until October 31, 2000 or until permanent land use controls were adopted; and

WHEREAS, the Land Use and Transportation Element of the Oakland General Plan contains a vision for a West Oakland transit village, and Policy T2.1 specifically calls for transit-oriented development at existing transit nodes; and

WHEREAS, the West Oakland community is in discussions about revitalizing 7th Street and Mandela Parkway in the vicinity of the BART station; and

WHEREAS, Policy T6.2 of the Land Use and Transportation Element of the Oakland General Plan also calls for improving streetscapes, and design review of projects on major arteries such as Mandela Parkway, West Grand Avenue, and 7th Street will contribute to an improved overall image of Oakland and help make it a more livable city; and

WHEREAS, the Citywide Zoning Update project to address the General Plan goals and policies and implement actions that could reduce further expansion of incompatible land use patterns will take at least two years to complete; and

WHEREAS, CEDA staff have worked with the West Oakland community over a period of 18 months, held numerous community meetings and workshops, formed an Ad Hoc Committee composed of residents and business owners to help shape the land use proposals; and

WHEREAS, recommendations have been developed that address the land use conflicts as well as community concerns, Council direction, and General Plan policies; and

WHEREAS, a duly noticed public hearing was held on this matter by the City Planning Commission on July 26, 2000, and continued on September 6, 2000; and

WHEREAS, CEDA staff worked with the community to make further revisions and refinements to the proposed recommendations; and

WHEREAS, on September 6, 2000 the City Planning Commission voted to recommend amending the Oakland Planning Code as set forth below; and

WHEREAS, on October 3, 2000 the Community and Economic Development Committee of the City Council voted to amend the Planning Commission recommendation and forwarded it to the full Council; and

WHEREAS, said amendments to the Oakland Planning Code are exempt from environmental review under Section 15061(b)(3), State CEQA Guidelines, "general rule" (no possibility of significant effect on the environment), Section 15332, in-fill development, and reliance on the previously certified Final Environmental Impact Report for the *General Plan Land Use and Transportation Element*, as detailed in the October 3, 2000 Council Agenda Report, hereby incorporated by reference; and

WHEREAS, said amendments to the Oakland Planning Code do not necessitate amendments to the Master Fee Schedule; and

WHEREAS, the City Council as the legislative body of the City, has an obligation pursuant to the City Charter to protect Oakland's physical environment and to conserve existing neighborhoods and other areas, while encouraging orderly development and in the manner compatible with existing development in these areas; and

WHEREAS, the City Council finds and determines that the public safety, health, convenience, comfort, prosperity, and general welfare will be furthered by the proposed amendments; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this Ordinance.

SECTION 2. The City Council finds and determines that the adoption of this Ordinance complies with the California Environmental Quality Act.

SECTION 3. The Oakland Planning Code is hereby amended to add a new Chapter 17.101, entitled "S-16 Industrial-Residential Transition Combining Zone Regulations," to read as follows (all text is new):

“Chapter 17.101

S-16 INDUSTRIAL-RESIDENTIAL TRANSITION COMBINING ZONE REGULATIONS

Sections:

- 17.101.010 Title, purpose, and applicability.**
- 17.101.020 Zones with which the S-16 may be combined.**
- 17.101.030 Design review for construction or alteration.**
- 17.101.040 Permitted activities.**
- 17.101.050 Conditionally permitted activities.**
- 17.101.060 Prohibited activities.**
- 17.101.070 Conditionally permitted facilities.**
- 17.101.080 Maximum floor area ratio.**
- 17.101.090 Special regulations for activities within the S-16 zone.**
- 17.101.100 Applicable performance standards.**
- 17.101.110 Nonconforming uses.**

17.101.010 Title, purpose, and applicability.

The provisions of this chapter shall be known as the S-16 Industrial-Residential Transition Combining Zone regulations. The intent of the S-16 zone is to provide a compatible transition between residential and industrial zones by limiting the impacts of new nonresidential development, particularly trucking facilities and industrial development, on adjacent residential

zones. It is also intended to promote compatible economic development and provide opportunities for new joint living and working quarters. These regulations shall apply in the S-16 zone and are supplementary to the regulations applying in the zones with which the S-16 zone is combined. Where the standards and regulations contained herein conflict with those of the underlying zoning regulations, then the standards and regulations contained herein shall apply.

17.101.020 Zones with which the S-16 may be combined.

The S-16 zone may be combined with any other zone whose General Plan land use classification is "Business Mix" or "General Industrial/Transportation" and abuts a residential zone, or with any industrial zone that abuts a residential zone.

17.101.030 Design review for construction or alteration.

In the S-16 zone no building, sign, or other facility shall be constructed or established, added to or altered by more than 10 percent of the existing floor or sign area or altered or in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the design review procedure in Chapter 17.136.

17.101.040 Permitted activities.

The following activities, as described in the use classifications in Chapter 17.10, are permitted:

- A. Civic Activities:
 - Essential Service
 - Limited Child-Care
 - Nonassembly Cultural (with less than 10,000 square feet of gross floor area)
 - Administrative (with less than 10,000 square feet of gross floor area)
 - Telecommunications
- B. Commercial Activities:
 - Convenience Sales and Service
 - General Retail Sales
 - General Personal Service
 - Consultative and Financial Service
 - Administrative
 - Business and Communication Service
 - Retail Business Supply
 - Research Service (with less than 10,000 square feet of gross floor area)
- C. Manufacturing Activities:
 - Custom (with less than 10,000 square feet of gross floor area)
 - Light (with less than 10,000 square feet of gross floor area)

17.101.050 Conditionally permitted activities.

The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and the special regulations in Section 17.101.090:

- A. Civic Activities:
 - Community Assembly
 - Community Education

- Nonassembly Cultural (with more than 10,000 square feet of new gross floor area)
- Administrative (with more than 10,000 square feet of new gross floor area)
- Utility and Vehicular
- B. Commercial Activities:
 - General Food Sales
 - Convenience Market (subject to provisions in Section 17.102.210A)
 - Mechanical or Electronic Games (subject to provisions in Section 17.102.210C)
 - Medical Service
 - Consumer Laundry and Repair Service
 - Group Assembly
 - Research Service (with more than 10,000 square feet of new gross floor area)
 - General Wholesale Sales (with less than 50,000 square feet of gross floor area)
 - Construction Sales and Service
 - Automotive Fee Parking
 - Animal Care
- C. Manufacturing Activities:
 - Custom (with more than 10,000 square feet of new gross floor area)
 - Light (with more than 10,000 square feet of new gross floor area)
- D. Agricultural and Extractive Activities:
 - Plant Nursery
- E. Accessory Activities:
 - Joint Living and Working Quarters (as defined in Section 17.10.040C and subject to the provisions in Section 17.102.190 and the special regulations in Section 17.101.090A.)
 - Open Storage

17.101.060 Prohibited activities.

The following activities, as described in the use classifications in Chapter 17.10, are prohibited:

- A. Commercial Activities:
 - Alcoholic Beverage Sales
 - Automotive Repair and Cleaning
 - Automotive Sales, Rental, and Delivery
 - Automotive Servicing
 - Fast-Food Restaurant
 - Scrap Operation, subject to provisions of Section 17.102.210F
 - Transport and Warehousing, subject to provisions in Section 17.102.210F
- B. Manufacturing Activities:
 - General
 - Industrial Transfer/Storage Hazardous Waste Management
- C. Agricultural and Extractive Activities
 - Crop and Animal Raising
 - Mining and Quarrying

17.101.070 Conditionally permitted facilities.

The following facilities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and the special regulations in Section 17.101.090:

- A. Nonresidential Facilities
 - Open
- B. Telecommunications Facilities
 - Macro
 - Monopole

17.101.080 Maximum floor area ratio.

- A. Maximum floor area ratio generally. The maximum floor area ratio of any facility shall be 4.0 unless a lesser floor area ratio is specified by the applicable General Plan land use classification. Any new construction or addition or alteration that results in a total F.A.R. of more than 2.0 on any portion of any lot within 150 feet of a residential zone shall require a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.
- B. Maximum floor area within 150 feet of a residential zone. The 2.0 floor area ratio shall only apply to the portions of all properties located in the first 150 feet of the S-16 zone. The 150 feet measurement is not measured from the zoning boundary but begins at the nearest property line within the S-16 zone that is adjacent to the residential zone.

17.101.090 Special regulations for activities and facilities.

The following supplemental development standards shall apply to all new development and alterations and additions adding more than 10 percent to existing floor area, unless otherwise indicated:

- A. New Joint Living and Working Quarters. Construction of new joint living and work quarters, subject to the regulations in Section 17.102.190, is allowed subject to the following standards:
 - 1. Size of Units. The average unit size of all joint living and work quarters in a development project shall be a minimum of 1,000 square feet of floor area. No individual unit shall be less than 800 square feet of floor area.
 - 2. Use of Space. Generally, as a guideline and not as a mandate, one-third of the floor area should be used for living space.
 - 3. Minimum Usable Open Space. A minimum of 75 square feet of group usable open space shall be provided for each joint living and working quarters unit. All required group usable open space shall conform with the standards set forth in Section 17.126.030, except that group usable open space may be located anywhere on the lot, and may be located entirely on the roof of any building on the site.
 - 4. Required Parking. A minimum of one space shall be provided for each 1,000 square feet of floor area. This requirement preempts any conflicting requirement in Chapter 17.116.
 - 5. Buffering. The general buffering requirements of Section 17.110.020 shall apply to joint living and working quarters.
- B. Upper-story Stepback on lots abutting a Residential Zone or on a block with residential activity. On any portion of any lot that:
 - 1. abuts a residential zone, or

4. is on a street where 50% or more of the frontage on the street within 300 feet of the lot has legally established residential activities, no building or other facility shall, except for the projections allowed by Section 17.108.030, exceed thirty (30) feet in height unless each portion above that height is set back a minimum of one foot for each foot of additional height. This setback shall be measured from the inner line of the minimum yard required by Subsection C below.

C. Minimum Yards on lots abutting a Residential Zone or on a block with residential activity. On any portion of any lot that:

1. abuts a residential zone, or
2. is directly across a street, alley, or path from a residential zone, or
3. abuts a legally established residential activity, or
4. is on a street where 50% or more of the frontage on the street within 300 feet of the lot has residential activities,

a yard with a minimum depth or width, as the case may be, of ten feet shall be provided along the entire lot line that abuts or is across from said residential zone or residential activity. This yard shall be landscaped and unobstructed except for the accessory structures or other facilities allowed therein by Section 17.108.130. A solid masonry or lumber wall at least six feet high shall be provided along the entire length of any lot line not facing a street. Where the lot in question is 25 feet or less in width, a solid masonry wall at least six feet high may be provided in lieu of any side yard required by this section.

D. Landscaping.

1. Front Yards. All front yards required by Subsection C above shall be landscaped with trees and shrubs, except for driveways serving required parking or loading, and incidental pedestrian access.

2. Minimum Landscaping. For new construction or addition or alteration of more than 10% of existing floor area, a minimum of 10% of the site area must be landscaped.

3. Off-street Parking Facilities. Landscaping shall be provided for off-street parking facilities with more than 10 spaces. A minimum of one tree for every 6 spaces shall be distributed evenly throughout the parking area. Parking rows shall be separated from driveways by a landscaped planter.

4. Required Irrigation. All planting areas shall be provided with an irrigation system that is permanent, below grade, and activated by automatic timing controls.

E. Screening of Parking on a Lot. A concrete or masonry wall at least 3 feet high shall be provided for parking areas located adjacent to a public right-of-way.

F. Minimum Usable Open Space for Nonresidential Activities. For nonresidential activities, a minimum of one square foot of usable group open space shall be provided for every 100 square feet of floor area with a minimum of 100 square feet of usable group open space provided on every lot subject to the applicable Usable Open Space Standards in Section 17.126.030.

G. Loading Berths. No loading berths shall be located within 100 feet of any residential zone except upon the granting of a conditional use permit pursuant to Section 17.102.080 and the conditional use permit procedure in Chapter 17.134.

H. Truck Parking. Any activity that operates or stores three or more Trucks shall require a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 on any lot that:

1. abuts a residential zone, or
2. is directly across a street, alley, or path from a residential zone, or
3. abuts a legally established residential activity, or

4. is on a street where 50% or more of the frontage on the street within 300 feet of the lot has legally established residential activities.

For the purposes of this section, a "Truck" is defined as a "Commercial Vehicle" having a "Manufacturer's Gross Vehicle Weight Rating" exceeding ten thousand (10,000) pounds or a "Trailer," as those terms are defined in the California Vehicle Code.

I. Access. Where a lot has access from two or more streets, primary access shall not be from a street which serves as a residential zone boundary, unless all such streets serve as residential zone boundaries.

17.101.100 Applicable performance standards.

The performance standards specified in Chapter 17.120 shall apply in the S-16 zone.

17.101.110 Nonconforming uses.

The requirements regarding substitution of nonconforming uses specified in Chapter 17.114.070 A.3 shall apply in the S-16 zone."

SECTION 4. The Oakland Planning Code is hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in **bold type**, additions are indicated by underlining, and deletions are indicated by ~~strike-out type~~; portions of the code not cited, or not shown in underlining or strike-out type, are not changed):

"Chapter 17.68

M-20 LIGHT INDUSTRIAL ZONE REGULATIONS

17.68.030 Permitted activities.

B. Commercial Activities:

Automotive Repair and Cleaning, except as provided in Section 17.102.370.

Automotive Fee Parking, except as provided in Section 17.102.370.

Chapter 17.70

M-30 GENERAL INDUSTRIAL ZONE REGULATIONS

17.70.030 Permitted activities.

B. Commercial Activities:

Automotive Servicing, except as provided in Section 17.102.370.

Automotive Repair and Cleaning, except as provided in Section 17.102.370.

Automotive Fee Parking, except as provided in Section 17.102.370.

Transport and Warehousing, except as provided in Section 17.102.210F and subject to provisions in Section 17.102.370.

Chapter 17.102

GENERAL REGULATIONS APPLICABLE TO ALL OR SEVERAL ZONES

Sections:

17.102.010 Title, purpose, and applicability.

- 17.102.020 Supplemental zoning provisions.
- 17.102.030 Special regulations for designated landmarks.
- 17.102.040 Effect of prior permits.
- 17.102.050 Revocation of unused prior zoning approvals after one year.
- 17.102.060 Study list—Postponement of demolition.
- 17.102.070 Application of zoning regulations to lots divided by zone boundaries.
- 17.102.080 Permitted and conditionally permitted uses.
- 17.102.090 Conditional use permit for shared access facilities.
- 17.102.100 Conditions for accessory parking serving activities which are not themselves allowed.
- 17.102.110 Conditions for expansion of use into adjacent zones.
- 17.102.120 Restriction on removal of dirt or other minerals—Residential and S-1, S-2, S-3 and OS zones.
- 17.102.130 Time limit on operation of subdivision sales offices—Residential zones.
- 17.102.140 Special regulations applying to private stables and corrals.
- 17.102.150 Conditional use permit requirement for accessory heliports and other flying fields.
- 17.102.160 Special regulations applying to adult entertainment activities.
- 17.102.170 Special regulations applying to massage service activities.
- 17.102.180 Restriction on vertical location of activities in buildings containing both Residential and Nonresidential Activities—Commercial zones.
- 17.102.190 Joint living and work quarters.
- 17.102.200 Conditional use permit required for pedestrian bridges constructed over city streets.
- 17.102.210 Special regulations applying to Convenience Markets, Fast-Food Restaurants, certain establishments selling alcoholic beverages, providing mechanical or electronic games, Sidewalk Cafes, and Transport and Warehousing Storage of abandoned, dismantled or inoperable vehicles, machinery, equipment, and of construction, grading, and demolition materials and Scrap Operation.
- 17.102.220 Special regulations applying to Mining and Quarrying Extractive Activities.
- 17.102.230 Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a Nonresidential Activity—Nonresidential zones.
- 17.102.240 Special regulations applying to microwave dishes and energy production facilities in or near residential zones.
- 17.102.250 Maximum density and floor-area ratio during construction.
- 17.102.260 Occupancy of a dwelling unit.
- 17.102.270 Additional kitchens for a dwelling unit.
- 17.102.280 Rules for determining the number of habitable rooms in Residential Facilities.
- 17.102.290 Special regulations for Drive-Through Nonresidential Facilities.
- 17.102.300 Conditional use permit for dwelling units with five or more bedrooms.
- 17.102.310 Special regulations for certain projects with development agreements.
- 17.102.320 Conditional use permit for waiver of certain requirements in mini-lot developments.

- 17.102.330 Conditional use permit for waiver of certain requirements with parcel division between existing buildings.
- 17.102.340 Special regulations applying to electroplating activities in the M-20, M-30, and M-40 zones.
- 17.102.350 Regulations applying to tobacco-oriented activities.
- 17.102.360 Use permit standards, criteria and conditions of approval for secondary units.
- 17.102.370 Special regulations applying to truck-related activities in the West Oakland Community Development District.

17.102.190 Joint living and work quarters.

B. Definition. Joint living and work quarters means residential occupancy by not more than four persons, maintaining a common household of one or more rooms or floors in a building originally designed for industrial or commercial occupancy which includes: (1) cooking space and sanitary facilities which satisfy the provisions of other applicable codes; and (2) adequate working space reserved for, and regularly used by, one or more persons residing therein. In the S-16 Industrial-Residential Transition Combining Zone, joint living and work quarters may also be allowed in new construction.

17.102.370 Special regulations applying to truck-related activities in the West Oakland Community Development District.

A. Use Permit Required. No Truck and Truck-related activity as described in Sections 17.10.470, 17.10.480, 17.10.490, and 17.10.500 shall be established or expanded in the West Oakland Community Development District except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

B. “West Oakland Community Development District” is defined to include all areas between Interstate 980 to the east, 3rd Street to the south, Interstate 880 to the west and Interstate 580 to the north.

C. The term “Truck” shall be defined as a “Commercial Vehicle” having a “Manufacturer’s Gross Vehicle Weight Rating” exceeding ten thousand (10,000) pounds or a “Trailer,” as those terms are defined in the California Vehicle Code.

Chapter 17.114

NONCONFORMING USES

17.114.070 Nonconforming activity—Allowed substitutions and other changes in activity.

A. Activity Nonconforming Because It Is Not a Permitted Activity. The activities specified in the following table may be substituted for any of the indicated activities which is nonconforming wholly or partly because it is not itself a permitted activity where it is located:

Changes that do not constitute substitutions may be made in any activity which is nonconforming wholly or partly because it is not itself a permitted activity where it is located. The above substitutions and other changes may be made without regard for requirements on off-street parking and loading, conduct of activities within enclosed buildings, means of customer access, and total floor area which normally apply to activities, except as otherwise provided in Section 17.116.020C. However:

1. If the nonconforming activity is itself conditionally permitted where it is located, no substitution or other change shall be made in it which would conflict with, or further conflict

with, any requirement on off-street parking or loading, conduct of activities within enclosed buildings, means of customer access, or total floor area which normally applies to activities. (Changes which are allowed by Section 17.116.020B shall not be deemed to conflict or further conflict with the parking or loading requirements.)

2. Conversions of dwelling units to use by a nonresidential activity shall be subject, where applicable, to the provisions of Section 17.102.230.

3. If the nonconforming activity is located at ground level on any lot in the C-5, C-27, C-28, C-31, or S-9 zone, or on the ground floor of any building within the first twenty (20) feet thereof facing the abutting street or streets in the S-8 zone, or anywhere in the S-16 zone, no change shall be made in the nature as such of the particular activity, except when the result is itself permitted in the same location, unless a conditional use permit is granted pursuant to the conditional use permit procedure. This does not restrict a change in ownership, tenancy, or management where the previous line of business or other function is not changed.

4. For any nonconforming Alcoholic Beverage Sales Commercial Activity presently located in any zone in which it is not a permitted activity, no change shall be made in the activity which change requires obtaining a different type of alcoholic beverage sale retail license from the state of California Department of Alcoholic Beverage Control. Further, no change shall be made in any nonconforming activity involving the sale of alcoholic beverages at a full service restaurant in any location described by Section 17.102.210(B)(2), which change requires obtaining a different type of alcoholic beverage sale retail license from the state of California Department of Alcoholic Beverage Control, unless a conditional use permit is granted pursuant to the conditional use permit procedure in Chapter 17.134.

5. No substitution or other change shall be made in any nonconforming activity which would conflict, or further conflict, with any applicable provision of the performance standards in Chapter 17.120, or of any kind of requirement not mentioned hereinabove which applies to activities.

6. In cases of discontinuance, damage, or destruction, the pertinent provisions of Sections 17.114.050 or 17.114.060 shall also apply.

If the activity resulting from a change allowed above is not a normally permitted and otherwise conforming activity, and is not authorized by a conditional use permit or other special zoning approval, it shall be deemed a nonconforming activity and changes in it shall be subject to this section.

Chapter 17.116

OFF-STREET PARKING AND LOADING REQUIREMENTS

17.116.080 Off-street parking—Commercial Activities.

Except as otherwise provided in Sections 17.44.200, 17.101.090, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for the specified Commercial Activities when located in the indicated zones and occupying facilities of the specified sizes, or having the indicated numbers of employees, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

17.116.090 Off-street parking— Manufacturing Activities.

Except as otherwise provided in Sections 17.101.090, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.040, the following amounts of off-street parking are required for all Manufacturing Activities when located in the

indicated zones and occupying facilities of the specified sizes or having the indicated number of employees, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)”

SECTION 5. The designation and location of zones and zone boundaries on section maps 200, 201, 202, 218, 219, 220, 235, 236, 237, 238, 250, 251, 252, 266 in Chapter 17.154 of the Oakland Planning Code are hereby amended as indicated in Attachment A.

SECTION 6. The City Manager will cause to be filed the appropriate Environmental Notices with the Alameda County Clerk.

SECTION 7. Ordinances Nos. 12110 C.M.S., 12156.1 C.M.S., 12204 C.M.S., and 12265 C.M.S. (interim controls) are rescinded upon adoption of this Ordinance.

SECTION 8. This Ordinance shall be effective upon adoption, subject to the provisions of Section 216 of the Charter of the City of Oakland, but shall not apply to permits already issued or to zoning applications approved by the City for which permits have not been issued.

SECTION 9. If any provisions of this Ordinance or application thereof to any person or circumstances is held invalid, the remainder of this Ordinance and the application of provisions to other persons or circumstances shall not be affected thereby.

Introduced - OCT 17 2000

OCT 31 2000

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2000 _____

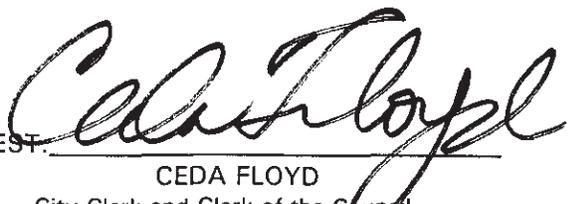
PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, MILEY, NADEL, REID, SPEES AND WAN
PRESIDENT DE LA FUENTE — 8

NOES- *None*

ABSENT- *None*

ABSTENTION- *None*

ATTEST 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

NOTICE AND DIGEST

AN ORDINANCE AMENDING THE OAKLAND PLANNING CODE TO CREATE THE S-16 INDUSTRIAL-RESIDENTIAL TRANSITION OVERLAY ZONE; TO MAP THE S-16 AND S-4 OVERLAY ZONES ON SEVERAL AREAS OF THE WEST OAKLAND COMMUNITY DEVELOPMENT DISTRICT; TO REZONE THE VICINITY OF THE WEST OAKLAND BART STATION TO THE S-15 TRANSIT VILLAGE ZONE; AND TO REQUIRE A CONDITIONAL USE PERMIT FOR ALL TRUCKING ACTIVITIES IN THE WEST OAKLAND COMMUNITY DEVELOPMENT DISTRICT.

THE ORDINANCE CREATES A NEW OVERLAY ZONE, THE S-16 INDUSTRIAL-RESIDENTIAL TRANSITION COMBINING ZONE, AND MAPS IT IN AREAS DESIGNATED BUSINESS MIX IN WEST OAKLAND WITHIN 300 FEET OF RESIDENTIAL AREAS; MAKES THE INTERIM CONTROLS ON TRUCKING USES, WHICH HAVE BEEN IN EFFECT SINCE FEBRUARY 1999 BY CITY ORDINANCE, A PERMANENT PART OF THE PLANNING CODE; MAPS THE S-4 DESIGN REVIEW COMBINING ZONE ON MAJOR CORRIDORS; AND REZONES THE VICINITY OF THE WEST OAKLAND BART STATION TO THE S-15 TRANSIT-ORIENTED DEVELOPMENT ZONE.

2009 JUL 16 PM 4:01

Revised 7-7-09

APPROVED AS TO FORM AND LEGALITY

Mark P. Wall

City Attorney

INTRODUCED BY COUNCILMEMBER _____

OAKLAND CITY COUNCIL
ORDINANCE No. 12955 e.M.S.

AN ORDINANCE, AS RECOMMENDED BY THE CITY PLANNING COMMISSION, TO: (A) AMEND THE OAKLAND PLANNING CODE TO CREATE FOUR NEW ZONES FOR THE CENTRAL BUSINESS DISTRICT AND MAKE RELATED TEXT AMENDMENTS; (B) AMEND THE ZONING MAPS TO INCLUDE THE NEW CENTRAL BUSINESS DISTRICT ZONES AND HEIGHT/BULK/INTENSITY AREAS FOR THE CENTRAL BUSINESS DISTRICT; AND (C) AMEND THE DOCUMENT "GUIDELINES FOR DETERMINING PROJECT CONFORMITY WITH THE GENERAL PLAN AND ZONING REGULATIONS" TO REFLECT THE ABOVE CHANGES.

WHEREAS, in March of 1998 the City adopted the Land Use and Transportation Element of the General Plan (LUTE); and

WHEREAS, the development standards contained in a City's Planning Code and zoning maps should directly implement the intent for each of the land use classifications contained in the LUTE; and

WHEREAS, the Central Business District (CBD) is a land use designation in the LUTE; and

WHEREAS, the existing zoning districts in the CBD have not been updated to implement the land use policies CBD land use classification since the LUTE was adopted in 1998; and

WHEREAS, City Planning staff has proposed adding four new zones: CBD-R Central Business District Residential Zone, CBD-P Central Business District Pedestrian Retail Commercial Zone, CBD-C Central Business District General Commercial Zone, and CBD-X Central Business District Mixed Commercial Zone and changes associated to the new zones throughout the Planning Code to implement the Central Business District LUTE classification; and

WHEREAS, the "Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations" (hereafter "Guidelines") was adopted by the City Council on May 6, 1998 and subsequently amended November 3, 1999, August 8, 2001, December 5, 2001, July 15, 2003, January 4, 2006 and extended December 4, 2007; and

WHEREAS, the Guidelines describe the procedure for deciding whether a project is consistent with the LUTE and the procedure to follow when the Planning Code and LUTE conflict; and

WHEREAS, various community meetings, and duly noticed meetings before the City Planning Commission's Zoning Update Committee, Landmarks Preservation Advisory Board, and City Planning Commission were held; and

WHEREAS, after a duly noticed public hearing on April 15, 2009 , the City Planning Commission voted 4-0-1(one abstention) to (a) recommend to the City Council it adopt the four new zones for the Central Business District and make related text Amendments; (b) amend the Zoning Maps to include the new Central Business District zones And Height/Bulk/Intensity Areas for the Central Business District; and (c) amend the document "Guidelines For Determining Project Conformity With the General Plan and Zoning Regulations" to reflect the above changes; and

WHEREAS, after a duly noticed public meeting on June 23, 2009 , the Community and Economic Development Committee voted to recommend the proposal to the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on July 7, 2009 to consider the proposal; now therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council finds and determines the forgoing recitals to be true and correct and hereby makes them a part of this Ordinance.

Section 2. Title 17 of the Oakland Planning Code is hereby amended to 1) add a new Chapter 17.58 Central Business District Zones Regulations which will create the following four new zones: CBD-R Central Business District Residential Zone, CBD-P Central Business District Pedestrian Retail Commercial Zone, CBD-C Central Business District General Commercial Zone, and CBD-X Central Business District Mixed Commercial Zone and 2) make related changes throughout the Planning Code, as detailed in **Exhibit A**, attached hereto and hereby incorporated herein by reference.

Section 3. The Oakland Zoning Map is hereby amended to map the four new zones, as indicated in **Exhibit B**, and Height/Bulk/Intensity map overlay as indicated in **Exhibit C**, attached hereto and hereby incorporated herein by reference.

Section 4. The "Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations" is hereby amended as reflected in **Exhibit D**, attached hereto and hereby incorporated herein by reference.

Section 5. Prior to adopting this Ordinance, the City Council independently finds and determines that this action complies with CEQA because the City is relying on the Environmental Impact Report (EIR) for the LUTE, certified in 1998; the Initial Study/Mitigated Negative Declaration for the 2004 Housing Element Update, certified in 2004, and the EIR for Amendments to the Historic Preservation Element of the Oakland General Plan, certified in 1998; and none of the changes to the Project, or circumstances under which it will be undertaken, or new information require preparation

of a subsequent or supplemental EIR. Thus, no further CEQA review is required. As a separate and independent basis, the proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) and /or 15061(b)(3) (General Rule—no possibility of significant environmental impact). The Environmental Review Officer is directed to cause to be filed a Notice of Determination/Exemption with the appropriate agencies.

Section 6. This Ordinance shall be effective 30 days from the date of final passage by the City Council, but shall not apply to (a) building/construction related permits already issued and not yet expired, or (b) to zoning applications approved by the City and not yet expired, or to (c) zoning applications deemed complete by the City as of the date of final passage. However, zoning applications deemed complete by the City prior to the date of final passage of this Ordinance may be processed under provisions of these Planning Code amendments if the applicant chooses to do so. The City Council expressly directs the Planning Commission to consider all applications that are complete as of the date of the final adoption of the Central Business rezoning, including the applications for development projects at 222 19th Street and 1443 Alice Street, on their merits under the previous zoning designations as stated in Section 6c. of this ordinance, and that the new zoning height limits, and other requirements, must not be considered as part of the Planning Commission’s review and deliberations on these completed project applications, unless the applicant chooses to have the application processed under provisions of these Planning Code amendments.

Section 7. Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law.

Section 8. If any section, subsection, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional, the offending portion shall be severed and shall no affect the validity of the remaining portions which shall remain in full effect.

Section 9. The City Council finds and determines that the existing zoning for the CBD is inadequate and contrary to public interest and that the proposed CBD zoning will implement the policies presented in the General Plan and create certainty for the developers and the public regarding the City’s expectations for new development.

Section 10. That the record before this Council relating to this Ordinance includes, without limitation, the following:

1. the application, including all accompanying maps and papers;
2. all relevant plans and maps;
3. all final staff reports, decision letters and other documentation and information produced by or on behalf of the City;
4. all oral and written evidence received by the City staff, Planning Commission and City Council before and during the public hearings on the application;

5. all matters of common knowledge and all official enactments and acts of the City, such as (a) the General Plan and the General Plan Conformity Guidelines; (b) Oakland Municipal Code, including, without limitation, the Oakland real estate regulations, Oakland Fire Code; (c) Oakland Planning Code; (d) other applicable City policies and regulations; and, (e) all applicable state and federal laws, rules and regulations.

Section 11. That the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City's decision is based are respectively: (a) the Community and Economic Development Agency, Planning Division, 250 Frank H. Ogawa Plaza, 3rd Floor, Oakland; and (c) the Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1st Floor, Oakland.

Section 12. Until a view corridor study is complete and resulting amendments to the Oakland Planning Code adopted by the City Council, maximum analysis shall be required as part of CEQA to determine if views to and from the Tribune Tower and City Hall will be adversely impacted by proposals to construct new buildings, and/or demolish or alter existing structures.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 21 2009

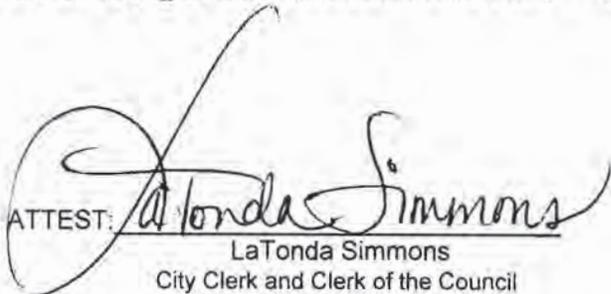
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, ~~DE LA FUENTE~~, KAPLAN, KERNIGHAN, NADEL, QUAN, ~~REID~~ and PRESIDENT BRUNNER - 6

NOES- Reid, De La Fuente - 2

ABSENT- 0

ABSTENTION- 0

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Introduction Date: JUL 7 2009

DATE OF ATTESTATION: 7/22/09

EXHIBIT A: AMENDMENTS TO THE PLANNING CODE

The following are proposed text changes to the Planning Code. Additions to the code are underlined; deletions are in ~~strikeout~~.

Title 17

PLANNING

Chapters:

- 17.01 General Provisions of Planning Code and General Plan Conformity
- 17.03 City Planning Commission
- 17.05 Landmarks Preservation Advisory Board
- 17.07 Title, Purpose and Scope of the Zoning Regulations
- 17.09 Definitions
- 17.10 Use Classifications
- 17.11 OS Open Space Zoning Regulations
- 17.11A R-1 One Acre Estate Residential Zone Regulations
- 17.12 R-10 Estate Residential Zone Regulations
- 17.14 R-20 Low Density Residential Zone Regulations
- 17.16 R-30 One-Family Residential Zone Regulations
- 17.18 R-35 Special One-Family Residential Zone Regulations
- 17.20 R-36 Small Lot Residential Zone Regulations
- 17.22 R-40 Garden Apartment Residential Zone Regulations
- 17.24 R-50 Medium Density Residential Zone Regulations
- 17.26 R-60 Medium-High Density Residential Zone Regulations
- 17.28 R-70 High Density Residential Zone Regulations
- 17.30 R-80 High-Rise Apartment Residential Zone Regulations
- 17.34 C-5 Neighborhood Commercial Zone Regulations
- 17.36 C-10 Local Retail Commercial Zone Regulations
- 17.38 C-20 Shopping Center
- 17.40 C-25 Office Commercial Zone Regulations
- 17.42 C-27 Village Commercial Zone Regulations
- 17.44 C-28 Commercial Shopping District Zone Regulations
- 17.46 C-30 District Thoroughfare Commercial Zone Regulations
- 17.48 C-31 Special Retail Commercial Zone Regulations
- 17.50 C-35 District Shopping Commercial Zone Regulations
- 17.52 C-36 Gateway Boulevard Service Commercial Zone Regulations
- 17.54 C-40 Community Thoroughfare Commercial Zone Regulations
- 17.56 C-45 Community Shopping Commercial Regulations
- 17.58 Central Business District Zones Regulations
- 17.64 C-60 City Service Commercial Zone Regulations
- 17.65 HBX Housing and Business Mix Commercial Zone Regulations
- 17.66 M-10 Special Industrial Zone Regulations
- 17.68 M-20 Light Industrial Zone Regulations

Exhibit A: Amendments to Planning Code

- 17.70 M-30 General Industrial Zone Regulations
- 17.72 M-40 Heavy Industrial Zone Regulations
- 17.73 CIX-1, CIX-2, IG and IO Industrial Zones
- 17.74 S-1 Medical Center Zone Regulations
- 17.76 S-2 Civic Center Zone Regulations
- 17.80 S-4 Design Review Combining Zone Regulations
- 17.81 S-5 Broadway Retail Frontage Interim Combining Zone Regulations
- 17.82 S-6 Mobile Home Combining Zone Regulations
- 17.84 S-7 Preservation Combining Zone Regulations
- 17.86 S-8 Urban Street Combining Zone Regulations
- 17.88 S-9 Retail Frontage Combining Zone Regulations
- 17.90 S-10 Scenic Route Combining Zone Regulations
- 17.92 S-11 Site Development and Design Review Combining Zone Regulations
- 17.94 S-12 Residential Parking Combining Zone Regulations
- 17.96 S-13 Mixed-Use Development Combining Zone Regulations
- 17.97 S-15 Transit Oriented Development Zone Regulations
- 17.98 S-16 Industrial-Residential Transition Combining Zone Regulations
- 17.99 S-17 Downtown Residential Open Space Combining Zone Regulations
- 17.100A S-19 Health and Safety Protection Overlay Zone
- 17.100B S-20 Historic Preservation District Combining Zone Regulations
- 17.102 General Regulations Applicable to All or Several Zones
- 17.104 General Limitations on Signs
- 17.106 General Lot, Density, and Area Regulations
- 17.107 Density Bonus and Incentive Procedure
- 17.108 General Height, Yard, Court, and Fence Regulations
- 17.110 Buffering Regulations
- 17.112 Home Occupation Regulations
- 17.114 Nonconforming Uses
- 17.116 Off-Street Parking and Loading Requirements
- 17.117 Bicycle Parking Requirements
- 17.118 Recycling Space Allocation Requirements
- 17.120 Performance Standards
- 17.122 Planned Unit Development Regulations
- 17.124 Landscaping and Screening Standards
- 17.126 Usable Open Space Standards
- 17.128 Telecommunications Regulations
- 17.130 Administrative Procedures Generally
- 17.132 Administrative Appeal Procedure
- 17.134 Conditional Use Permit Procedure
- 17.135 Special Use Permit Review Procedure for the OS Zone
- 17.136 Design Review Procedure
- 17.138 Development Agreement Procedure
- 17.140 Planned Unit Development Procedure
- 17.144 Rezoning and Law Change Procedure
- 17.148 Variance Procedure
- 17.150 Fee Schedule
- 17.152 Enforcement

Exhibit A: Amendments to Planning Code

17.154 Zoning Maps

17.156 Deemed Approved Alcoholic Beverage Sale Regulations

17.157 Deemed Approved Hotel and Rooming House Regulations

17.158 Environmental Review Regulations

Chapter 17.09

DEFINITIONS

17.09.040 Definitions.

“**Access facility width**” means the width of the paved roadway surface curb-to-curb or edge-to-edge, exclusive of shoulders.

“**Accessory activity**” means an activity which is incidental to, and customarily associated with, a specified principal activity, and which meets the applicable conditions set forth in Section 17.10.040.

“**Accessory facility**” means a facility, other than a Sign, which is incidental to, and customarily associated with, a specified principal facility, and which meets the applicable conditions set forth in Section 17.10.070.

“**Accessory structure**” means a building or facility, other than a Sign, which is incidental to, and customarily associated with, a specified principal facility, and which meets the applicable regulations set forth in Title 17 of the Oakland Planning Code.

“**Activity**” means the performance of a function or operation.

“**Activity type**” means a type of activity which is specially described as such by the use classifications in Chapter 17.10 on the basis of common functional characteristics and similar effects on other uses, and which is designated throughout the zoning regulations by a special name each word of which starts with a capital letter.

“**Adult entertainment activity**” means any commercial activity, whether conducted intermittently or full-time, which primarily involves the sale, display, exhibition, or viewing of books, magazines, films, photographs, or other materials, distinguished or characterized by an emphasis on matter depicting, describing, or relating to human sex acts, or by emphasis on male or female genitals, buttocks, or female breasts.

“**Alcoholic beverage**” means alcohol, spirits, liquor, wine, beer, or any liquid or solid containing alcohol, spirits, wine, or beer, which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

“**Alcoholic beverage license overconcentrated areas**” means a police beat with crime rates that exceed the city median by twenty (20) percent or more or a census tract in which the per capita number of on-sale or off-sale retail Alcoholic Beverage Sales licenses exceeds the Alameda County median.

“**Alley**” means a dedicated public way intended primarily to provide secondary vehicular access to abutting properties.

“**Alteration**” means any enlargement; addition; demolition; removal; relocation; repair; remodeling; change in number of living units; development of or change in an open area; development of or change in a Sign, by painting or otherwise; or other change in a facility, but excluding painting except as provided above for Signs, and ordinary maintenance for which no building permit is required, and demolition or removal.

“**Ambient noise level**” means the all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding any alleged offensive noise. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

Exhibit A: Amendments to Planning Code

“A’ weighted sound level” means the total sound level in decibels of all sound as measured with a sound level meter with a reference pressure of twenty (20) micropascals using the ‘A’ weighted network (scale) at slow response. The unit of measurement shall be defined as dBA or dB(a).

“Area Damaged by the 1991 Firestorm” means all of that area situated: beginning at the intersection of Claremont Avenue and the westerly line of the University of California, Berkeley campus, thence southerly along said westerly property line of the University of California campus to Grizzly Peak Boulevard; thence southeasterly on Grizzly Peak Boulevard to the most westerly line of the Robert Sibley Volcanic Regional Preserve; thence due south to Skyline Boulevard; thence westerly on Skyline Boulevard to Broadway Terrace; thence southwest on Broadway Terrace to Farallon Way; thence southwest on Farallon Way and the extension of Farallon Way to Pinehaven Road; thence westerly on Pinehaven Road to Broadway Terrace; thence southerly on Broadway Terrace to Uranus Avenue; thence east on Uranus Avenue to Sherwood Drive; thence south on Sherwood Drive to Taurus Avenue; thence west on Taurus Avenue approximately six hundred fifty (650) feet to a path connecting Taurus Avenue and Capricorn Avenue; thence south along said path to Capricorn Avenue; thence south on Capricorn Avenue to Florence Terrace; thence north and west on Florence Terrace and an extension of Florence Terrace across Highway 13 to Estates Drive; thence west on Estates Drive to Masonic Avenue; thence south on Masonic Avenue to Amy Drive; thence southwest on Amy Drive to Harbord Drive; thence southeast on Harbord Drive to Maxwellton Road; thence southwest on Maxwellton Road to the Oakland-Piedmont border; thence northwest along said Oakland-Piedmont border to Clarewood Drive; thence northwest on Clarewood Drive to Broadway Terrace; thence west on Broadway Terrace to Margarido Drive; thence north and east on Margarido Drive to Rockridge Boulevard South; thence west on Rockridge Boulevard South to Rockridge Boulevard; thence west on Rockridge Boulevard to Broadway; thence north on Broadway to Golden Gate Avenue; thence north on Golden Gate Avenue to Chabot Road; thence along the extension of Golden Gate Avenue to the Oakland-Berkeley border; thence along said Oakland-Berkeley border to the intersection of said Oakland-Berkeley border with Claremont Avenue; thence northeast on Claremont Avenue to the point of beginning.

“Area of Primary Importance” or “API” means an area as defined by the Historic Preservation Element of the General Plan.

“Area of Secondary Importance” or “ASI” means an area as defined by the Historic Preservation Element of the General Plan.

“Attic” means a space between the roof framing and the floor of such space and which is excluded from the definition of “story.”

“Base of a building” or “building base” means that portion of a building immediately above finished grade to the maximum total base height as described in an individual zoning designation.

“Basement” means the area below the lowest level of a building and which is excluded from the definition of “story.”

“Bedroom” means any habitable room, regardless of its designation on building plans, which meets both of the following criteria:

1. The room may legally function as a bedroom in that it complies with, or is required by the Building Official to comply with, all applicable laws and regulations pertaining to sleeping rooms, including, but not limited to, the requirements of the Oakland Building Code for light and ventilation in habitable rooms and emergency egress from sleeping rooms; and the Oakland Housing Code definition of “sleeping room.”
2. The room may logically function as a bedroom, with consideration given to its function and physical relationship to the remainder of the living unit.

Exhibit A: Amendments to Planning Code

“Berth” means an area, exclusive of docks, designated to accommodate a motor vehicle during loading or unloading of goods.

“Buildable area” means the portions of a lot on which a building can be located as per the provisions of this code.

“Building” means a structure having a roof supported by columns or walls.

“Building Facility” means any structure, open area, or object which accommodates or is intended to accommodate Residential, Civic, Commercial, Industrial and/or Mixed Use Activities. Building Facilities also include such facilities as are customarily associated with, and are appropriate, incidental, and subordinate to Residential, Civic, Commercial, Industrial and/or Mixed Use Activities.

“Building Front” see front of building.

“Buildable envelope” means the volume of space for buildings and other structures as defined by the minimum setbacks, and the maximum allowable height.

“Building length” means a plan dimension of a building as measured on any building elevation.

“Character-defining elements” means those features of design, materials, workmanship, setting, location, and association that identify a property as representative of its period and contribute to its visual distinction or historical significance.

“Collective household” means a group of at least two, but not more than five, persons who are unrelated by blood, marriage, or adoption, living together as an independent housekeeping unit.

“Commercial zone” means any zone with a name that ends with the words “Commercial Zone Regulations.”

“Common driveway” means a driveway having a width of no less than twelve (12) feet and providing a shared access alternative to, and across existing legal lots which have street frontage, regardless of lot ownership. At the discretion of the Director of Public Works, based on considerations described in the City Planning Commission guidelines, the street entrance portion of the common driveway may be located within the public right-of-way. In calculating aggregate residential density, the area of the common driveway shall be excluded from the total area of the lots crossed by the common driveway.

“Corner lot” (see illustration I-1) means a lot bounded on two or more adjacent sides by streets, by private ways described in Section 17.106.020, or by portions of such streets or ways, having an angle of intersection of one hundred thirty-five (135) degrees or less.

“Court” means an area between two walls on the same lot, measured for a specified distance, in a horizontal plane, perpendicularly from either of such walls; located on the same lot as said walls; and open and unobstructed except for the facilities allowed therein by Section 17.108.130.

“Day” means calendar day.

“Decibel (dB)” means a unit for measuring the amplitude of sounds, equal to twenty (20) times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals.

“Dependent parking space” means a parking space which can only be accessed by driving across another parking space. (See also “Independent parking space” and “Tandem parking” in this section.)

“Designated Historic Properties” means landmarks, contributors or potential contributors to Preservation Districts, or Heritage Properties.

“Designated landmark” means a facility, portion thereof, or group of facilities which has a special character, interest, or value and which has been established as a landmark pursuant to Section 17.136.070 and the rezoning and law change procedure in Chapter 17.144.

Exhibit A: Amendments to Planning Code

“Designated landmark site” means a lot or other site which contains a designated landmark and which has been established pursuant to Section 17.136.070 and the rezoning and law change procedure in Chapter 17.144.

“Development control map” means a map or set of maps, with supporting text, regulating the precise location, height, bulk, design, or nature of activities or facilities.

“Display surface (area of)” means the area of the smallest plane figure which can be made to include all of the idea, advertisement, identification, or information intended to be conveyed by a Sign, including any trim or other material or color forming an integral part of the display or used to differentiate the Sign from the background against which it is placed, but excluding uprights or other structural members which are not a part of the display. With respect to multifaced Signs, the area of all such faces shall be included except where the context refers to only one face.

“Diagonal length” means a plan dimension between two points on the exterior walls at a given height of a building or structure.

“Dormer” (see illustration I-0) means a roofed structure projecting from a sloping roof and containing a window or ventilating louver.

“Driveway” means the way or means of vehicular access from that portion of a street used for vehicular travel to the parking, loading, or other vehicular activity on the adjacent property, including the portion of the sidewalk lying within said way or means of access. (Note that this differs from the definition of “Driveway” at Section 12.04.240 of the Oakland Municipal Code, which only includes that portion lying within the street right-of-way.)

“Dwelling unit” means a room or suite of rooms including one and only one kitchen, except as otherwise provided in Section 17.102.270, and designed or occupied as separate living quarters for one of the persons or groups specified in Section 17.102.260.

“Earthen berm” means a mound or embankment of earth, together with necessary retaining structures.

“Edge of the pavement” means the edge of that part of a street, alley or private way described in Section 17.106.020 having an improved surface used for vehicle travel and parking, including gutters, but not including a raised curb or sidewalk.

“Efficiency dwelling unit” means a dwelling unit containing only a single habitable room other than a kitchen, or containing a total of less than five hundred (500) square feet of floor area.

“Electroplating activity” means the electrochemical process of depositing a thin metallic coating of one metal on top of a different metal by passing an electrical current into a piece of metal immersed in chemical solutions comprised of caustics, acids, cyanides or other bonding chemicals, and causing a metallic coating to bond with the object to be plated. Such activities are classified as General Manufacturing Industrial Activities and are subject to the provisions of Section 17.102.340.

“Enclosed retaining wall” means a retaining wall located on a lot such that it is visually shielded by other permanent structures and cannot be seen from public streets and adjacent lots.

“Existing grade” means the natural grade or the revised grade due to prior development of a lot.

“Facility” means a structure, open area, or other physical contrivance or object.

“Facility type” means a type of facility which is specially described as such by the use classifications in Chapter 17.10 on the basis of common functional characteristics and similar effects on other uses, and which is designated throughout the zoning regulations by a special name each word of which starts with a capital letter.

“Family” means one person, or a group of people living together as a single housekeeping unit, together with incidental domestic servants and temporary nonpaying guests.

Exhibit A: Amendments to Planning Code

“Family foster care home” means a residential activity providing twenty-four (24) hour care for six or fewer foster children in a residential facility that is the residence of the foster parents, including their family, in whose care the foster children have been placed.

“Finished grade” means:

1. Natural grade exterior to all buildings or structures created by any proposed development in all those situations not covered by subsection 2 of this definition;
2. A revised grade exterior to all buildings or structures created by any proposed development where the revised grade is achieved under a city grading permit, subdivision approval, or conditional use permit or other special zoning approval, or through officially approved work in a public right-of-way.

“Flashing illumination (of a Sign)” means illumination of a Sign wherein such illumination is not maintained constant in intensity, color, and pattern during all times the Sign is activated.

“Floor Area”

1. **“Floor area,”** for all projects except those with one or two dwelling units on a lot, means the total of the gross horizontal areas of all floors, including usable basements and cellars, below the roof and within the outer surfaces of the main walls of principal or accessory buildings or the center lines of party walls separating such buildings or portions thereof, or within lines drawn parallel to and two (2) feet within the roof line of any building or portion thereof without walls, but excluding the following:

- a. Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto;
- b. Areas which qualify as usable open space under the standards for required usable open space in Chapter 17.126;
- c. In the case of Nonresidential Facilities: arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.

2. **“Floor area,”** (see illustration I-2b) for all projects with one or two dwelling units on a lot, means the total square footage of all levels of all buildings on the lot. Levels shall be measured horizontally from the outside surface of exterior walls and supporting columns. The amount of floor area in each building shall be determined by the following criteria:

- a. Floor area shall include all enclosed shafts, including stairwells, ventilation shafts and similar vertical shafts; the floor area of such shafts shall consist of the horizontal projection into the shaft of surrounding floor area; and
- b. Floor area shall not include:
 - i. Unenclosed living areas such as balconies, decks and porches;
 - ii. Carports that are unenclosed on two or more sides;
 - iii. Up to four hundred forty (440) square feet within an attached or detached garage or carport that is enclosed on three or more sides;
 - iv. Nonhabitable accessory structures not requiring a building permit of less than one hundred twenty (120) square feet;
 - v. Unfinished understories, attics and basements; and
 - vi. Finished basements if the height from finished grade at the exterior perimeter of the building to the finish floor elevation above is six (6) feet or less for at least 50% of the perimeter and does not exceed twelve (12) feet above grade at any point.

“Floorplate” means the total area of a single floor of a building.

Exhibit A: Amendments to Planning Code

— **“Floor Area of a marina”** means the space dedicated to the docking or mooring of marine vessels.

“Floor-area ratio” (see illustration I-3) means the number resulting from division of the floor area on a lot by the lot area.

“Footprint” means the total land area covered by all structures on a lot, measured from outside of all exterior walls and supporting columns, including residences, garages, covered carports, and accessory structures, except that the following shall not be considered in determining footprint:

1. The portions of any uncovered and unenclosed decks, porches, landings, or patios, not including railings, which are less than thirty (30) inches above finished grade;
2. The portions of any uncovered and unenclosed balconies and stairways, including railings, which are less than six (6) feet above finished grade;
3. Eaves and roof overhangs; and
4. Trellises and similar structures which do not have solid roofs and which would not otherwise be included in this definition.

“Frequency” means the number of oscillations per second, or pitch, of a sound, with a greater frequency corresponding to a higher pitch.

“Frontage” means a front lot line; also the length thereof.

“Front of building” or “building front” means that part of the façade oriented towards and visually prominent to the principal street.

“Front lot line” (see illustration I-2) means:

1. On an interior lot: any abutting street line, except where an interior lot has more than one abutting street line, the Director of City Planning shall select one of the street lines as the front lot line; such selection shall conform with any neighborhood patterns.
2. On a corner lot: the shorter of any adjacent two abutting street lines, or portions thereof, which intersect at an angle of not less than forty-five (45) degrees but not more than one hundred thirty-five (135) degrees; except that the Director of City Planning may select either as the front lot line to conform with any neighborhood patterns. If adjacent street lines, or portions thereof, of a corner lot intersect at an angle of less than forty-five (45) degrees, both such street lines or portions thereof shall be deemed front lot lines.

“Front yard” (see illustration I-2) means a yard measured into a lot from its front lot line or lines. Except where a front yard is prescribed only for certain kinds of facilities, a required front yard shall extend the full width of the lot between its side lot lines.

“Front setback” or “Front yard setback” means the setback from the front lot line.

— **“Full-service restaurant”** means a place which is regularly and in a bona fide manner used and kept open for the serving of at least lunch and dinner to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for such meals. The sale or service of sandwiches (whether prepared in a kitchen or made elsewhere and heated up on the premises) or snack foods shall not constitute a full-service restaurant.

“Gable end” (see illustration I-0) means the end of a gable, gambrel, gablet, jerkinhead, shed, or similar roof consisting of a generally triangular shaped wall or vertical plane at the end of the roof and inscribed by the edges of the roof planes and a line connecting the bases of the roof planes.

“Gradient” means the difference in elevation between defined reference points divided by the horizontal distance between these points.

Exhibit A: Amendments to Planning Code

“Habitable room” means a space in a living unit intended for living, sleeping, eating, or cooking, including, but not limited to, living rooms, dining rooms, bedrooms, kitchens, dens, family rooms, finished recreation rooms, and enclosed porches suitable for year-round use. Specifically excluded are bathrooms, water closets, hallways, foyers, storage closets, pantries, laundries, utility rooms, unfinished attics and basements, balconies, open porches, garages, and other unfinished spaces used for storage. See Section 17.102.280 for rules for determining the number of habitable rooms in a Residential Facility.

“Height” (see illustration I-2a) means the vertical distance of any structure, building, fence, Sign, retaining wall or other wall or hedge, or other facility measured from any point on top of the facility to a line directly below which connects and is perpendicular to the opposite perimeter walls, or other perimeter support systems, at finished grade on the outside of these walls or support systems. If any portion of a facility lies within ten feet of a retaining wall, the facility’s height shall be measured from finished grade at the perimeter of the facility or at the base of the retaining wall, whichever is lower.

“High density zones” means the R-60 through and including the R-80 zones and the CBD-R zone.

“Home occupation” means an accessory activity of a nonresidential nature which is performed within a living unit, or within a garage attached thereto and reserved therefor, by an occupant of the living unit and which is customarily incidental to the residential use of the living unit.

“Hotel” means a facility, other than a motel, designed for or occupied by Transient Habitation Commercial Activities, where access to individual units is predominantly by means of common interior hallways.

“Illegal use” means an activity or facility that does not enjoy a legal conforming or legal nonconforming status, as defined in the zoning regulations. A minor illegal use is an illegal use that can be legalized by any means other than by major variance.

“Improvement.” For the purposes of implementation of the recycling space allocation requirements an “improvement” shall be defined as one which adds to the value of a facility, prolongs its useful life, or adapts it to new uses. “Improvements” should be distinguished from repairs. Repairs keep facilities in good operating condition, do not materially add to the value of the facility, and do not substantially extend the life of the facility.

“Independent parking space” means a parking space which can be accessed without driving across another parking space. (See also “Dependent parking space” and “Tandem parking” in this section.)

“Indirect illumination (of a Sign)” means illumination of a Sign by means only of light cast upon it from a concealed source outside the Sign itself.

“Industrial zone” means any zone with a name that ends with the words “Industrial Zone Regulations.”

“Interior lot” (see illustration I-1) means any lot other than a corner lot.

“Interior side lot line” means any side lot line which is not a street line.

“Interior side setback” or “Interior side yard setback” means the setback from the interior side lot line.

“Introductory service” means an activity the primary purpose of which is, for compensation, promoting friendships between or introducing for social purposes persons of the opposite sex.

“Key lot” (see illustration I-1) means the first interior lot to the rear of a reversed corner lot, with its front lot line being substantially a continuation of a side lot line of the reversed corner lot.

“Kitchen” means any room or portion thereof containing facilities designed or used for the preparation of food, including but not limited to stoves, ranges, or hotplates.

Exhibit A: Amendments to Planning Code

“Legally required window” means a window or portion thereof which serves to meet the requirements of the Oakland Housing Code with respect to area, number, or location of windows.

“Living room” means the principal room designed for general living purposes in living unit. Every living unit shall be deemed to have a living room.

“Living unit” means a dwelling unit or a rooming unit.

“Local Register Property” means any building, object, property or district listed in the City of Oakland’s Local Register of Historical Resources, which includes all Landmarks, Designated Historic Properties, Heritage Properties, Study List Properties, Preservation Districts, and S-7 and S-20 Preservation Combining Zone Properties; and those Potential Designated Historic Properties (PDHPs) that are determined by the City’s Cultural Heritage Survey to have an existing rating of “A” or “B”, or to contribute or potentially contribute to an Area of Primary Importance (API).

“Landmark” means a property that has been designated as a Landmark by the City Council pursuant to Section 17.136.070.

“Lot” means a parcel of contiguous land which is or may be developed or utilized, under one ownership, as a unit site for a use or group of uses.

“Lot area” means the area of a lot measured horizontally between bounding lot lines.

“Lot coverage” means the total land area covered by all of the structures on a lot measured from outside of all exterior walls and supporting columns, including all projections, except that the following shall not be considered in determining lot coverage:

1. The portions of any uncovered and unenclosed decks, porches, landings or patios; not including railings which are less than thirty (30) inches above finished grade;
2. The portions of any uncovered and unenclosed balconies and stairways, including railings which are less than six (6) feet above finished grade;
3. Eaves and roof overhangs up to four (4) feet from a wall;
4. Trellises and similar structures which do not have solid roofs and which would not otherwise be included in this definition; and
5. Nonhabitable accessory structures of less than one hundred twenty (120) square feet.

“Lot depth” (see illustration I-4) means the horizontal distance between the rear lot line, or some other lot line in cases where there is no rear lot line, and the midpoint of the front lot line, measured back from said midpoint in the mean direction of the side lot lines; also the line so described.

“Lot line” means any boundary of a lot.

“Lot width” is the horizontal distances between the side lot lines measured at right angles to the side lot lines at all points between the front lot line and the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.

“Lot width mean” (see illustration I-4) is the mean of the horizontal distances between the side lot lines measured at right angles to the lot depth at points distant thereon twenty (20) feet from the front lot line and twenty (20) feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.

“Low density zones” means the R-1 through and including the R-35 zones.

“Major conditional use permit” means a conditional use permit which involves any of the purposes listed in Section 17.134.020A.

“Major variance” means a variance which involves any of the provisions listed in Section 17.148.020A.

“Medium density zones” means the R-40 through and including the R-50 zones.

“Mini-lot development” means a comprehensively designed development containing lots which do not meet the minimum size or other requirements applying to individual lots in the zone where it is located.

“Minor conditional use permit” means a conditional use permit which does not involve any of the purposes listed in Section 17.134.020A.

“Minor variance” means a variance which does not involve any of the provisions listed in Section 17.148.020A.

“Mixed use development” means an integrated development containing residential, commercial and/or industrial activities and adhering to a comprehensive plan and located on a single tract of land, or on two or more tracts of land which may be separated only by a street or other right-of-way, or which may be contained in a single building.

“Motel” means a facility designed for or occupied by Transient Habitation Commercial Activities, where access to individual units is predominantly by means of common exterior corridors or where off-street parking is in sufficiently close proximity to the units as to facilitate direct baggage handling by guests.

“Moving (of a Sign)” means rotation or any other movement of any portion of a Sign, except for normal movement of hands on a clock.

“Natural grade” means the surface of the ground prior to grading for development.

“Nonconforming activity” means an activity which, under the zoning regulations, is not itself a permitted activity where it is located or does not conform to the off-street parking or loading requirements, performance standards, or other requirements applying to activities. However, an activity of the character described above shall not be deemed a nonconforming activity to the extent that it has been or is hereafter authorized by a subsisting conditional use permit, variance, or other special zoning approval.

“Nonconforming facility” means a facility which, under the zoning regulations, is not itself a permitted facility where it is located or does not conform to the density, floor-area ratio, height, yard, court, landscaping or screening, or usable open space requirements; limitations on Signs; or other requirements applying to facilities. However, a facility of the character described above shall not be deemed a nonconforming facility to the extent that it has been or is hereafter authorized by a subsisting conditional use permit, variance, or other special zoning approval.

“Nonconforming use” means a nonconforming activity or a nonconforming facility.

“Non-taxable merchandise” means products, commodities, or items not subject to California state sales tax.

“Oakland Hills Fire” means the fire of October 20, 1991 in the hill area of the city of Oakland, which is the subject of local, state and federal emergency declarations and disaster proclamations. Said term includes the words “the fire.”

“Path” means a dedicated public way intended for pedestrian movement.

“Paved surface” means a nonpermeable, all-weather surface covered by concrete, asphalt, masonry, or a similar material and includes surfaces used for driveways, walkways, patios, and structures.

“Pawnbroking activity” means a commercial activity which features both the making of loans and the holding of jewelry, clothing, or other articles as security therefor and which is conducted by a pawnbroker as defined in the Oakland Municipal Code.

Exhibit A: Amendments to Planning Code

“Performance standards” means regulations prescribed in the performance standards in Chapter 17.120 with respect to the emission by activities of noise, vibration, smoke, and other dangerous or objectionable matter or phenomena.

“Pitched roof” means any roof with one or more non-horizontal planes with each plane pitched at a vertical to horizontal ratio of no less than one to three (1:3).

“Planned unit development” means a large, integrated development adhering to a comprehensive plan and located on a single tract of land, or on two or more tracts of land which may be separated only by a street or other right-of-way.

“Planning official” means the Planning Official, or his or her designee.

“Poolroom activity” means the commercial operation of a public pool- or billiard room which has more than one pool table or billiard table.

“Potential Designated Historic Property” means any building or property that is determined by the City’s Cultural Heritage Survey to have an existing or contingency rating of “A”, “B”, or “C”, or to contribute or potentially contribute to an Area of Primary Importance (API) or an Area of Secondary Importance (ASI).

“Preservation District” means an area that has been included in the City’s S-7 Preservation Combining Zone or the S-20 Historic Preservation District Combining Zone.

“Primary activity” means an activity which fulfills a primary function of an establishment, institution, household, or other entity.

“Primary facility” means a main building or other facility which is designed for or occupied by a primary activity.

“Principal activity” means an activity which fulfills a primary function of an establishment, institution, household, or other entity.

“Principal building” means a main building that is occupied a principal activity.

“Principal facility” means a main building or other facility which is designed for or occupied by a principal activity.

“Principal street” means on interior lots, the street that abuts a lot. On corner lots, the principal street is the street that abuts the lot that is highest on the street hierarchy as defined in the Land Use and Transportation Element of the General Plan. Where streets have the same street hierarchy, the principal street shall be determined by the Zoning Administrator based on the street widths, traffic capacity, land uses, transit activity, bicycle and pedestrian uses, and control of intersections.

“Private access easement” means a privately owned and maintained right-of-way which provides vehicular access to each of not more than four lots. A private access easement allows the creation of no more than four lots without street frontage, each with vehicular access on the easement. The area designated for the private access easement shall be excluded in computing minimum lot areas. A private access easement shall be a part of one or more lots. At the discretion of the Director of Public Works, based on considerations described in the City Planning Commission guidelines, the street entrance portion of the private access easement may be located within the public right-of-way. Private access easements shall not be named. Addresses for the living units served by the easement shall conform to the address range of the street upon which the easement abuts.

“Public facility” means and includes, but is not limited to, buildings, structures, marinas, and outdoor recreation areas owned by a local agency, as defined by the California State Government Code.

Exhibit A: Amendments to Planning Code

“Rapid transit” means a system of high-speed mass transit operating on exclusive rights-of-way, including but not limited to the Bay Area Rapid Transit system.

“Rear lot line” (see illustration I-2) means the lot line which is opposite and most distant from the front lot line, and which is parallel to the front lot line or, if extended, would intersect with it at an angle of less than forty-five (45) degrees.

“Rear setback” or “Rear yard setback” means the setback from the rear lot line.

“Rear yard” (see illustration I-2) means a yard measured into a lot from its rear lot line, provided that in cases where there is no rear lot line, the rear yard shall be measured into the lot from the rearmost point of the lot depth, parallel to said lot depth. Except where a rear yard is prescribed only for certain kinds of facilities or along only a portion of a lot line, a required rear yard shall extend the full width of the lot between its side lot lines.

“Recyclable materials” means residential, commercial and industrial materials or by-products, which are set aside, handled, packaged or offered for collection separate from garbage for the purpose of being processed and then returned to the economic mainstream in the form of commodities or products.

“Recycling area” means space allocated for collecting and loading recyclable materials. Such areas shall have the ability to accommodate receptacles for recycling materials.

“Recycling receptacles” means bins or containers that allow storage of recyclable materials.

“Regular dwelling unit” means any dwelling unit other than an efficiency dwelling unit.

“Residential facility” means any structure, open area, or object which accommodates or is intended to accommodate Residential Activities. Residential Facilities also include such facilities as are customarily associated with, and are appropriate, incidental, and subordinate to Residential Activities.

“Residential zone” means any zone with a name that ends with the words “Residential Zone Regulations.”

“Reversed corner lot” (see illustration I-1) means a corner lot a side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

“Ringelmann number” means a number on the Ringelmann Chart, as standardized by the United States Bureau of Mines, used to measure the light-obscuring capacity of smoke, with a higher Ringelmann number corresponding to darker smoke.

“Rooming unit” means a room or suite of rooms, not including a kitchen, designed or occupied as separate living quarters, with or without common boarding provisions, but excluding such rooms where they accommodate a total of three or fewer paying guests within a One-Family Dwelling Residential Facility through the main portion of which access may be had to all such rooms; provided that in the case of student dormitories and similar group living arrangements, each two beds shall be deemed a rooming unit.

“Safety rail” means a guard rail, safety barrier, protective railing, or combination thereof.

“Sales Floor Area” means interior building space devoted to the sale of merchandise, but excludes restrooms, office space, storage space, automobile service areas, or open-air garden sales space. For the purpose of determining the total sales floor area of a single business establishment, the aggregate square footage of all adjacent stores that share common check stands, management, a controlling ownership interest, warehouses, or distribution facilities shall be considered a single business establishment.

“Secondary unit” means a subordinate dwelling unit that is located on the same lot as a larger primary dwelling unit, is either attached or detached, and meets the standards and criteria of Section 17.102.360.

Exhibit A: Amendments to Planning Code

“Secondhand merchandise activity” means any commercial activity which consists primarily of retail sale or rental from the premises of secondhand goods, other than secondhand jewelry, art objects, coins, stamps, motor vehicles, aircraft parts, or scrap.

“Setback” means the horizontal distance between a facility and the lot lines of the lot on which it is located.

“Setback line” (see illustration I-2) means a line located inside the boundaries of a lot and parallel to a front, side, or rear lot line and set back from the front, side, or rear lot line a distance equal to the depth of the required front, side, or rear yard.

“Shared access facility” means a common driveway as defined in this section or a private access easement as defined in this section.

“Side lot line” (see illustration I-2) means any lot line which is not a front lot line or a rear lot line.

“Side yard” (see illustration I-2) means a yard measured into a lot from one or more of its side lot lines. Except where a side yard is prescribed only for certain kinds of facilities or along only a portion of a side lot line, a required side yard shall extend between the required front yard and rear yard, or the front or rear lot lines in cases where no front yard or rear yard is required.

“Single housekeeping unit” means one or more people living together as a relatively permanent household and bearing the character of a generic family such as sharing household activities, expenses, experiences, and responsibilities.

“Slope” means the deviation of a surface from the horizontal, expressed as a percentage.

“Slope, Down” (Downslope) means a downhill angle or slant of a surface in relation to the elevation of the abutting street line.

“Slope, Up” (Upslope) means an uphill angle or slant of a surface in relation to the elevation of the abutting street line.

“Sound pressure level” means the level of intensity of a sound.

“Special zone” means any zone the name of which begins with the letter “S.”

“Story” means a portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:

1. A basement or cellar if the height from finished grade at the exterior perimeter of the building to the finish floor elevation above is six (6) feet or less for at least 50% of the perimeter and does not exceed twelve (12) feet above grade at any point;
2. An attic or similar space under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such space.

“Street” means a dedicated public way, other than an alley or path, having a right-of-way not less than forty (40) feet in width, which is intended to afford the principal means of vehicular access to abutting properties, provided that any such way which was of record on October 6, 1953 shall be deemed a street regardless of width.

“Street line” means a lot line dividing a lot from an abutting street, or private way described in Section 17.106.020.

“Street side (of a corner lot)” means the side of a corner lot along any side lot line thereof which is a street line.

“Street side setback” or “Street side yard setback” means the setback from the street side lot line.

Exhibit A: Amendments to Planning Code

“Street to setback gradient” means the existing gradient measured from the edge of the sidewalk closest to the front lot line, or, if there is no sidewalk, from the edge of the pavement to the front setback line, notwithstanding any reduced front yard setback that may be permitted on steep slopes as provided in Section 17.108.050. The measurement shall be taken at the midpoint of the front lot line and perpendicular to the edge of the sidewalk or, if there is no sidewalk, to the edge of the pavement.

“Structure” means any facility which is constructed or erected, and which is located on the ground or is attached to something having location on the ground.

“Substitution (of activities)” means the replacement of an existing activity by a new activity, or a change in the nature of an existing activity, but not including a change of ownership, tenancy, or management where the previous line of business or other function is substantially unchanged.

“Tandem parking” means an arrangement of parking spaces such that one or more spaces must be driven across in order to access another space or spaces. A space which can only be accessed by driving across another space is called a dependent parking space. A space which can be accessed without driving across another space is called an independent parking space. (See also “Dependent parking space” and “Independent parking space” in this section.)

“Through lot” means a lot that is bounded on two opposite sides by generally parallel streets. Any lot that meets the definition of both a through lot and a corner lot shall be deemed to be a corner lot.

“Tobacco oriented activities” are defined as activities either devoting twenty (20) percent or more of floor area or display area to or deriving seventy-five (75) percent or more of gross sales receipts from, the sale or exchange of tobacco-related products.

“Tobacco-related products” are defined as any substance containing tobacco including but not limited to cigarettes, cigars, chewing tobacco and dipping tobacco; cigarette papers; or any other instrument or paraphernalia for the smoking or ingestion of tobacco and products prepared from tobacco.

“Tower” means any building area constructed over the building base.

“Upper story” means either:

1. Any story located above the bottommost story of a building; or
2. Any story with finished floor located at least twelve (12) feet above finished grade at any point along the building perimeter.

“Use” means an activity or a facility.

“Working day” means a day when city offices are open for conducting of city business.

“Yard” means an area between a facility and some lot line, measured for a specified distance, in a horizontal plane, perpendicularly between such facility and lot line; located on the same lot as said facility; and open and unobstructed except for the facilities allowed therein by Section 17.108.130,

(Ord. 12675 § 3 (part), 2005; Ord. 12547 § 3 (part), 2003; Ord. 12376 § 3 (part), 2001; Ord. 12205 § 4 (part), 2000; Ord. 12199 § 3 (part), 2000; Ord. 12147 § 3 (part), 1999; Ord. 12138 § 4 (part), 1999; Ord. 12054 § 1(c), 1998; Ord. 11895 §§ 3--5, 1996; Ord. 11831 § 2, 1995; Ord. 11807 § 2, 1995; prior planning code §§ 2110--2130)

Chapter 17.32

~~R 90 DOWNTOWN APARTMENT RESIDENTIAL ZONE REGULATIONS~~

Sections:

~~17.32.010 — Title, purpose, and applicability.~~

~~17.32.040 — Required design review process.~~

~~17.32.050 — Permitted activities.~~

~~17.32.060 — Conditionally permitted activities.~~

~~17.32.070 — Permitted facilities.~~

~~17.32.080 — Conditionally permitted facilities.~~

~~17.32.090 — Special regulations applying to certain Commercial Activities.~~

~~17.32.100 — Performance standards for Commercial Activities.~~

~~17.32.110 — Use permit criteria for Commercial Activities.~~

~~17.32.120 — Limitations on Signs.~~

~~17.32.130 — Minimum lot area, width, and frontage.~~

~~17.32.140 — Maximum residential density.~~

~~17.32.150 — Maximum floor area ratio.~~

~~17.32.160 — Maximum height.~~

~~17.32.170 — Minimum yards and courts.~~

~~17.32.180 — Minimum usable open space.~~

~~17.32.190 — Buffering.~~

~~17.32.200 — Special regulations for mini-lot developments, planned unit developments, and large-scale developments.~~

~~17.32.210 — Other zoning provisions.~~

~~17.32.010 — Title, purpose, and applicability.~~

~~—The provisions of this chapter, shall be known as the R 90 downtown apartment residential zone regulations. The R 90 zone is intended to create, preserve, and enhance areas for high rise apartment living at very high densities in desirable settings, and is typically appropriate to areas within, or in close proximity to, the Oakland central district. These regulations shall apply in the R 90 zone.~~

~~(Prior planning code § 3900)~~

~~17.32.040 — Required design review process.~~

~~—Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 3902.1)~~

~~17.32.050 — Permitted activities.~~

~~—The following activities, as described in the use classifications in Chapter 17.10, are permitted:~~

~~—A. Residential Activities:~~

~~—Permanent~~

Exhibit A: Amendments to Planning Code

~~Residential Care occupying a One-Family Dwelling Residential Facility
Semi-Transient~~

~~B. Civic Activities:~~

~~Essential Service
Limited Child Care
Community Assembly
Community Education
Nonassembly Cultural
Telecommunications~~

~~(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.08 (part), 1996; prior planning code § 3903)~~

17.32.060 — Conditionally permitted activities.

~~The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:~~

~~A. Residential Activities:~~

~~Residential Care, except when occupying a One-Family Dwelling Residential Facility
Service-Enriched Permanent Housing
Transitional Housing
Emergency Shelter~~

~~B. Civic Activities:~~

~~Administrative
Health Care
Utility and Vehicular
Extensive Impact~~

~~C. Commercial Activities:~~

~~General Food Sales
Convenience Market
Alcoholic Beverage Sales
Convenience Sales and Service
Medical Service~~

~~Consultative and Financial Service, but limited to the provision of advice, designs, information, or consultation of a professional nature~~

~~D. Agricultural and Extractive Activities:~~

~~Crop and Animal Raising~~

~~E. Off street parking serving activities other than those listed above or in Section 17.32.050, subject to the conditions set forth in Section 17.102.100.~~

~~F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110.~~

~~(Ord. 12138 § 5 (part), 1999; prior planning code § 3904)~~

17.32.070 — Permitted facilities.

~~The following facilities, as described in the use classifications in Chapter 17.10, are permitted:~~

~~A. Residential Facilities:~~

~~One Family Dwelling
One Family Dwelling with Secondary Unit, subject to the provisions specified in
Section 17.102.360~~

Exhibit A: Amendments to Planning Code

~~_____ Two-Family Dwelling~~

~~_____ Multifamily Dwelling~~

~~_____ Rooming House~~

~~— B. Nonresidential Facilities:~~

~~_____ Enclosed~~

~~_____ Open~~

~~— C. Signs:~~

~~_____ Residential~~

~~_____ Special~~

~~_____ Development~~

~~_____ Realty~~

~~_____ Civic~~

~~— D. Telecommunications Facilities:~~

~~_____ Micro, except as provided in Chapter 17.128~~

~~_____ Mini, except as provided in Chapter 17.128~~

~~(Ord. 12501 § 48, 2003; Ord. 11904 § 5.09 (part), 1996; prior planning code § 3905)~~

~~**17.32.080 — Conditionally permitted facilities.**~~

~~— The following facilities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:~~

~~— Telecommunications Facilities:~~

~~_____ Micro, except as provided in Chapter 17.128 and Section 17.134.020(A) (23)~~

~~_____ Mini, except as provided in Chapter 17.128 and Section 17.134.020(A) (23)~~

~~_____ Macro~~

~~_____ Monopole~~

~~(Ord. 11904 § 5.11 (part), 1996; prior planning code § 3906)~~

~~**17.32.090 — Special regulations applying to certain Commercial Activities.**~~

~~— All General Food Sales, Convenience Market, Alcoholic Beverage Sales, and Convenience Sales and Service Commercial Activities shall, except for off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed portions of Multifamily Dwelling or Rooming House Residential Facilities, with customer access only through the lobby of such a facility. The maximum floor area devoted to such activities by any single establishment shall be one thousand five hundred (1,500) square feet. See also Section 17.102.210.~~

~~(Prior planning code § 3908)~~

~~**17.32.100 — Performance standards for Commercial Activities.**~~

~~— All Commercial Activities shall be subject to the applicable provisions of the performance standards in Chapter 17.120.~~

~~(Prior planning code § 3910)~~

~~**17.32.110 — Use permit criteria for Commercial Activities.**~~

~~— A conditional use permit for Consultative and Financial Service Commercial Activities may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to both of the following additional criteria:~~

Exhibit A: Amendments to Planning Code

~~—A.— That the proposal involves preservation of an existing building which is architecturally or culturally significant, or which will substantially contribute to the livability of abutting properties and the surrounding neighborhood by providing architectural variety, lower bulk and coverage than otherwise permitted, and a generous amount of open space and landscaping;~~

~~—B.— That the proposed activity will generate little or no vehicular and pedestrian traffic beyond that represented by persons working on the premises. See also Section 17.102.210.~~

~~(Prior planning code § 3911)~~

17.32.120 — Limitations on Signs.

~~—All Signs shall be subject to the applicable limitations set forth in Section 17.104.010.~~

~~(Prior planning code § 3913)~~

17.32.130 — Minimum lot area, width, and frontage.

—Every lot shall have a minimum lot area of four thousand (4,000) square feet and a minimum lot width of twenty five (25) feet, except as a lesser area or width is allowed by Section 17.106.010. Every lot shall have a minimum frontage of twenty five (25) feet upon a street, except as this requirement is modified by Section 17.106.020.

(Prior planning code § 3914)

17.32.140 — Maximum residential density.

—The maximum density of Residential Facilities shall be as set forth below, subject to the provisions of Section 17.106.030 with respect to maximum density on lots containing both Residential and Nonresidential Facilities. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five or more bedrooms. No residential facility shall be permitted to have both an additional kitchen as provided for in Section 17.102.270B and a Secondary Unit.

—A. Permitted Density. One regular dwelling unit is permitted for each one hundred fifty (150) square feet of lot area, provided that one extra such unit is permitted if a remainder of one hundred (100) square feet or more is obtained after division of the lot area by one hundred fifty (150) square feet. One efficiency dwelling unit is permitted for each one hundred (100) square feet of lot area, provided that one extra such unit is permitted if a remainder of seventy five (75) square feet or more is obtained after division of the lot area by one hundred (100) square feet. One rooming unit is permitted for each seventy-five (75) square feet of lot area, provided that one extra such unit is permitted if a remainder of fifty (50) square feet or more is obtained after division of the lot area by seventy five (75) square feet. For a combination of different types of living units, the total required lot area shall be the sum of the above requirements for each. The number of living units permitted heretofore may be exceeded by ten percent on any corner lot, and may also be exceeded by ten percent on any lot which faces or abuts a public park at least as wide as the lot. A One-Family Dwelling or a One-Family Dwelling with Secondary Unit is permitted on any lot which qualifies under Section 17.106.010 as an existing buildable parcel and that contains no other dwelling units.

—B. Conditionally Permitted Density. The number of living units permitted by subsection A of this section may be increased by not to exceed fifty (50) percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, subject to the provisions of Section 17.106.050. The number of living units may also be increased, as prescribed in Section 17.106.060, in certain special housing.

(Ord. 12501 § 49, 2003; prior planning code § 3915)

17.32.150 — Maximum floor area ratio.

—The maximum floor area ratio of any facility shall be as set forth below, subject to the provisions of Section 17.106.030 with respect to maximum floor area ratio on lots containing both Residential and Nonresidential Facilities:

—A. Permitted Floor Area Ratio. The maximum permitted floor area ratio is 7.00, except that this ratio may be exceeded by ten percent on any corner lot and may also be exceeded by ten (10) percent on any lot which faces or abuts a public park at least as wide as the lot.

—B. Conditionally Permitted Floor Area Ratio. The floor area ratio permitted by subsection A of this section may be increased by not to exceed fifty (50) percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, subject to the provisions of Section 17.106.050.

(Prior planning code § 3917)

17.32.160 — Maximum height.

— Except as provided in Chapter 17.128, no general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 17.108.010, on lots lying along a boundary of any of certain other zones. But see Section 17.32.130 for maximum height of facilities within minimum yards and courts.

(Ord. 11904 § 5.22, 1996; prior planning code § 3919)

17.32.170 — Minimum yards and courts.

— The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130:

— A. — Front Yard. The minimum front yard depth on every lot shall be ten feet, except as a lesser depth is allowed by Section 17.108.050 on steep lots.

— B. — Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

— C. — Side Yard Street Side of Corner Lot. A side yard shall be provided on the street side of a corner lot when and as prescribed in Section 17.108.060.

— D. — Side Yard Interior Lot Line. No side yard is generally required along an interior side lot line except as follows:

— 1. — A side yard shall be provided, when and as prescribed in Section 17.108.080, opposite a living room window which faces an interior side lot line and which is located on a lot containing Residential Facilities with a total of two or more living units.

— 2. — A side yard shall be provided, as prescribed in Section 17.108.090, along an interior side lot line lying along a boundary of any of certain other zones.

— E. — Rear Yard. The minimum rear yard depth on every lot shall be ten feet, except as a lesser depth is allowed by Section 17.108.110.

— F. — Courts. On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and as required by Section 17.108.120.

(Prior planning code § 3920)

17.32.180 — Minimum usable open space.

— On each lot containing Residential Facilities with a total of two or more living units, group usable open space shall be provided for such facilities in the minimum amount of one hundred fifty (150) square feet per regular dwelling unit plus one hundred (100) square feet per efficiency dwelling unit plus seventy five (75) square feet per rooming unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 17.126.020. All required space shall conform to the standards for required usable open space in Chapter 17.126.

(Prior planning code § 3921)

17.32.190 — Buffering.

— All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

(Prior planning code § 3922)

17.32.200 — Special regulations for mini lot developments, planned unit developments, and large-scale developments.

Exhibit A: Amendments to Planning Code

~~—A. Mini Lot Developments. In mini lot developments, certain of the regulations otherwise applying to individual lots in the R-90 zone may be waived or modified when and as prescribed in Section 17.102.320.~~

~~—B. Planned Unit Developments. Large integrated developments shall be subject to the planned unit development regulations in Chapter 17.142 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the R-90 zone, and certain of the other regulations applying in said zone may be waived or modified.~~

~~—C. Large Scale Developments. No development which involves more than one hundred thousand (100,000) square feet of new floor area, or a new building or portion thereof of more than one hundred twenty (120) feet in height, shall be permitted except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134. This requirement shall not apply to developments where a valid planned unit development permit is in effect.
(Prior planning code § 3923)~~

17.32.210 — Other zoning provisions.

~~—A. Parking and Loading. Off street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.~~

~~—B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.~~

~~—C. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.~~

~~—D. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.~~

~~—E. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the R-90 zone.~~

~~—F. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-90 zone.~~

~~(Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 3924)~~

Chapter 17.58
CENTRAL BUSINESS DISTRICT ZONES REGULATIONS

SECTIONS:

<u>17.58.010</u>	<u>Title, Purpose, and Applicability</u>
<u>17.58.020</u>	<u>Required Design Review Process</u>
<u>17.58.030</u>	<u>Conditional Use Permit for Large Projects</u>
<u>17.58.040</u>	<u>Permitted and Conditionally Permitted Activities</u>
<u>17.58.050</u>	<u>Permitted and Conditionally Permitted Facilities</u>
<u>17.58.060</u>	<u>Property Development Standards</u>
<u>17.58.070</u>	<u>Usable Open space standards</u>

17.58.010 Title, Purpose, and Applicability

A. Intent. The provisions of this Chapter shall be known as the Central Business District (CBD) regulations. The intent of the CBD regulations is to:

1. Encourage, support, and enhance the Central Business District as a high density, mixed use urban center of regional importance and a primary hub for business, communications, office, government, urban residential activities, technology, retail, entertainment, and transportation.
2. Encourage, support, and enhance a mix of large-scale offices, commercial, urban high-rise residential, institutional, open space, cultural, educational, arts, entertainment, services, community facilities, and visitor uses.
3. Enhance the skyline and encourage well-designed, visually interesting, and varied buildings.
4. Encourage and enhance a pedestrian-oriented streetscape.
5. Encourage vital retail nodes that provide services, restaurants, and shopping opportunities for employees, residents, and visitors.
6. Preserve and enhance distinct neighborhoods in the Central Business District.

B. Description of zones. This Chapter establishes land use regulations for the following four zones:

1. CBD-R Central Business District Residential Zone. The intent of the CBD-R zone is to create, maintain, and enhance areas of the Central Business District appropriate for residential development with small-scaled compatible ground-level commercial uses.
2. CBD-P Central Business District Pedestrian Retail Commercial Zone. The intent of the CBD-P zone is to create, maintain, and enhance areas of the Central Business District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities.
3. CBD-C Central Business District General Commercial Zone. The intent of the CBD-C zone is to create, maintain, and enhance areas of the Central Business District appropriate for a wide range of ground-floor office and other commercial activities. Upper-story spaces are intended to be available for a wide range of residential and office or other commercial activities.

Exhibit A: Amendments to Planning Code

4. CBD-X Central Business District Mixed Commercial Zone. The intent of the CBD-X zone is to designate areas of the Central Business District appropriate for a wide range of upper story and ground level residential, commercial, and compatible light industrial activity.

17.58.020 Required Design Review Process

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

17.58.030 Conditional Use Permit for Large Projects

No development that involves more than two-hundred thousand (200,000) square feet of new floor area, or a new building or portion thereof of more than (250) feet in height, shall be permitted except upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure). This requirement shall not apply to developments that have been approved according to the planned unit development procedure (See 17.140 for the PUD procedure).

17.58.040 Permitted and Conditionally Permitted Activities

Table 17.58.01 lists the permitted, conditionally permitted, and prohibited activities in the CBD-R, CBD-P, CBD-C and CBD-X zones. The descriptions of these activities are contained in Chapter 17.10.

“P” designates permitted activities in the corresponding zone.

“C” designates activities that are permitted only upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure) in the corresponding zone.

“L” designates activities subject to certain limitations or notes listed at the bottom of the Table.

“-” designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

<u>Table 17.58.01: Permitted and Conditionally Permitted Activities</u>					
<u>Activities</u>	<u>Zones</u>				<u>Additional Regulations</u>
	<u>CBD-R</u>	<u>CBD-P</u>	<u>CBD-C</u>	<u>CBD-X</u>	
<u>Residential Activities</u>					
<u>Permanent</u>	<u>P</u>	<u>P(L1)</u>	<u>P(L1)</u>	<u>P</u>	
<u>Residential Care</u>	<u>P(L2)</u>	<u>P(L1)(L2)</u>	<u>P(L1)(L2)</u>	<u>P</u>	<u>17.102.212</u>
<u>Service-Enriched Permanent Housing</u>	<u>C(L2)</u>	<u>C(L1)(L2)</u>	<u>C(L1)(L2)</u>	<u>C</u>	<u>17.102.212</u>
<u>Transitional Housing</u>	<u>C(L2)</u>	<u>C(L1)(L2)</u>	<u>C(L1)(L2)</u>	<u>C</u>	<u>17.102.212</u>
<u>Emergency Shelter</u>	<u>C(L2)</u>	<u>C(L2)</u>	<u>C(L2)</u>	<u>C</u>	<u>17.102.212</u>
<u>Semi-Transient</u>	<u>C</u>	<u>C(L1)</u>	<u>C(L1)</u>	<u>C</u>	
<u>Bed and Breakfast</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Civic Activities</u>					
<u>Essential Service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Limited Child-Care Activities</u>	<u>P(L3)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	

Exhibit A: Amendments to Planning Code

Table 17.58.01: Permitted and Conditionally Permitted Activities					
<u>Activities</u>	<u>Zones</u>				<u>Additional Regulations</u>
	<u>CBD-R</u>	<u>CBD-P</u>	<u>CBD-C</u>	<u>CBD-X</u>	
<u>Community Assembly</u>	<u>C</u>	<u>C(L6)</u>	<u>C</u>	<u>C</u>	
<u>Recreational Assembly</u>	<u>P(L3)(L4)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	
<u>Community Education</u>	<u>P(L3)(L4)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	
<u>Nonassembly Cultural</u>	<u>P(L3)(L4)</u>	<u>P(L4)</u>	<u>P</u>	<u>P</u>	
<u>Administrative</u>	<u>P(L4)(L7)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	
<u>Health Care</u>	<u>P(L3)(L4)</u>	<u>P(L4)(L5)</u>	<u>P</u>	<u>P</u>	
<u>Special Health Care</u>	<u>--</u>	<u>C(L6)</u>	<u>C</u>	<u>C</u>	<u>17.102.410</u>
<u>Utility and Vehicular</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<u>Extensive Impact</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<u>Commercial Activities</u>					
<u>General Food Sales</u>	<u>P(L4)(L7)</u>	<u>P(L4)</u>	<u>P</u>	<u>P</u>	
<u>Full Service Restaurants</u>	<u>P(L4)(L7)</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Limited Service Restaurant and Café</u>	<u>P(L4)(L7)</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Convenience Market</u>	<u>C(L7)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.102.210</u>
<u>Fast-Food Restaurant</u>	<u>=</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.102.210 and 8.09</u>
<u>Alcoholic Beverage Sales</u>	<u>C(L7)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.102.210 and 17.102.040</u>
<u>Mechanical or Electronic Games</u>	<u>--</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<u>Medical Service</u>	<u>P(L4)(L7)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	
<u>General Retail Sales</u>	<u>P(L4)(L7)</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Large-Scale Combined Retail and Grocery Sales</u>	<u>--</u>	<u>=</u>	<u>--</u>	<u>--</u>	
<u>Consumer Service</u>	<u>P(L4)(L7)</u>	<u>P(L4)</u>	<u>P</u>	<u>P</u>	
<u>Consultative and Financial Service</u>	<u>P(L4)(L7)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	
<u>Check Cashier and Check Cashing</u>	<u>--</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.102.430</u>
<u>Consumer Laundry and Repair Service</u>	<u>P(L4)(L7)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	
<u>Group Assembly</u>	<u>C(L7)</u>	<u>P(L4)</u>	<u>P</u>	<u>P</u>	
<u>Personal Instruction and Improvement Services</u>	<u>P(L4)(L7)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	
<u>Administrative</u>	<u>P(L4)(L7)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	
<u>Business, Communication, and Media Services</u>	<u>P(L4)(L7)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	
<u>Broadcasting and Recording Services</u>	<u>--</u>	<u>P(L5)</u>	<u>P</u>	<u>P(L4)</u>	
<u>Commercial Activities</u>	<u>--</u>	<u>P(L5)</u>	<u>P</u>	<u>P(L4)</u>	
<u>Research Service</u>	<u>P(L4)(L7)</u>	<u>P(L5)</u>	<u>P</u>	<u>P</u>	
<u>General Wholesale Sales</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>C</u>	
<u>Transient Habitation</u>	<u>C(L8)</u>	<u>C(L6)</u>	<u>P</u>	<u>C</u>	<u>17.102.370</u>
<u>Wholesale and Professional Building Material Sales</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	
<u>Automobile and Other Light Vehicle</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	

Exhibit A: Amendments to Planning Code

Table 17.58.01: Permitted and Conditionally Permitted Activities

Activities	Zones				Additional Regulations
	CBD-R	CBD-P	CBD-C	CBD-X	
<u>Sales and Rental</u>					
<u>Automobile and Other Light Vehicle Gas Station and Servicing</u>	=	=	C(L9)	C(L9)	
<u>Automobile and Other Light Vehicle Repair and Cleaning</u>	=	=	=	=	
<u>Taxi and Light Fleet-Based Services</u>	=	=	C(L9)	C(L9)	
<u>Automotive Fee Parking</u>	C(L10)	C(L10)	C(L10)	C(L10)	
<u>Animal Boarding</u>	=	=	=	=	
<u>Animal Care</u>	=	C(L6)	C	C	
<u>Undertaking Service</u>	=	=	C	C	
Industrial Activities					
<u>Custom Manufacturing</u>	--(L11)	--(L11)	--(L11)	C(L9)	17.102.040
<u>Light Manufacturing</u>	--(L11)	--(L11)	--(L11)	C(L9)	17.102.040
<u>General Manufacturing</u>	--(L11)	--(L11)	--(L11)	--(L11)	17.102.040
<u>Heavy/High Impact</u>	=	=	=	=	
<u>Research and Development</u>	=	=	C(L9)	C(L9)	
<u>Construction Operations</u>	=	=	=	=	
Warehousing, Storage, and Distribution					
<u>A. General Warehousing, Storage and Distribution</u>	=	=	=	C(L9)	
<u>B. General Outdoor Storage</u>	=	=	=	=	
<u>C. Self- or Mini Storage</u>	=	=	=	=	
<u>D. Container Storage</u>	=	=	=	=	
<u>E. Salvage/Junk Yards</u>	=	=	=	=	
<u>Regional Freight Transportation</u>	=	=	=	=	
<u>Trucking and Truck-Related</u>	=	=	=	=	
Recycling and Waste-Related					
<u>A. Satellite Recycling Collection Centers</u>	=	=	C	C	17.10.040
<u>B. Primary Recycling Collection Centers</u>	=	=	=	=	
<u>Hazardous Materials Production, Storage, and Waste Management</u>	=	=	=	=	
Agriculture and Extractive Activities					
<u>Crop and animal raising</u>	=	=	=	=	
<u>Plant nursery</u>	=	=	=	=	

Exhibit A: Amendments to Planning Code

Activities	Zones				Additional Regulations
	CBD-R	CBD-P	CBD-C	CBD-X	
<u>Mining and Quarrying</u>	==	==	==	==	
<u>Accessory off-street parking serving prohibited activities</u>	C	C	C	C	<u>17.102.100</u>
<u>Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof,</u>	C	C	C	C	<u>17.102.110</u>

Limitations:

- L.1. These activities may not be located within thirty (30) feet of the front lot line on the ground floor of the principal building with the exception of incidental pedestrian entrances that lead to one of these activities elsewhere in the building.
- L.2. No Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such Activity or Facility.
- L.3. These activities may only be located above the ground floor of a building upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure).
- L.4. With the exception of parcels facing Broadway, Telegraph Avenue, and 14th Street, the total floor area devoted to these activities on the ground floor by any single establishment may only exceed seven thousand-five hundred (7,500) square feet upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure).
- L.5. If located both on the ground floor of a building and within thirty (30) feet from any street-abutting property line, these activities are only permitted upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure). Incidental pedestrian entrances that lead to one of these activities elsewhere in the building are exempted from this conditional use permit requirement. In addition to the criteria contained in 17.134.050, these conditionally permitted ground floor proposals must also meet each of the following criteria:
 - a. The proposal will not impair a generally continuous wall of building facades;
 - b. The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and
 - c. The proposal will not interfere with the movement of people along an important pedestrian street.
- L.6. These activities are only permitted upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in 17.134.050, when these activities are located within thirty (30) feet of the front of the ground floor of the principal building (with the exception of incidental pedestrian entrances that lead to one of these activities elsewhere in the building) the proposed activities must also meet the criteria contained in note L.5, above.
- L.7. These activities may only be located on or below the ground floor of a building with the following exceptions:
 - a) If the floor area devoted to the activity is less than 2,000 square feet or less and the activity takes place in a Local Register property then the activity is permitted above the ground floor upon the granting of a Conditional Use Permit (see 17.134 for the CUP process).
 - b) An activity located on the ground floor may extend to the second floor of a building if each: 1) the floor area devoted to nonresidential activities in the building is less than the floor area devoted to residential activities; 2) the activity on the second floor is the same as, or accessory to, the ground floor activity and part of the same business or establishment; and 3) there is a direct internal connection between the ground floor and the second story activities.

Exhibit A: Amendments to Planning Code

- L8. The total floor area devoted to these activities by any single establishment shall not exceed three thousand (3,000) square feet.
- L9. These activities, including accessory activities, are only allowed to be performed indoors. This requirement includes, but is not limited to: vehicles stored before and after servicing, general storage, vehicle and other repair, and automotive cleaning. This requirement excludes parking for customers currently at the business and automotive fueling.
- L10. Auto fee parking is permitted upon the granting of conditional use permit (see Chapter 17.134 for the CUP procedure) if it is located in either a parking structure that is at least three stories high or in a below grade parking lot. Auto fee parking is otherwise prohibited.
- L11. These activities are not allowed as a principal activity but are permitted as an accessory activity subject to the regulations contained in 17.10.040F.

17.58.050 Permitted and Conditionally Permitted Facilities

Table 17.58.02 lists the permitted, conditionally permitted, and prohibited facilities in the CBD-R, CBD-P, CBD-C, and CBD-X zones. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure) in the corresponding zone.

"L" designates facilities subject to certain limitations listed at the bottom of the Table.

"--" designates facilities that are prohibited

Table 17.58.02: Permitted and Conditionally Permitted Facilities					
Facilities	Zones				Additional Regulations
	CBD-R	CBD-P	CBD-C	CBD-X	
Residential Facilities					
One-Family Dwellings	P(L1)	=	=	=	
One-Family Dwelling with Secondary Unit	P	=	=	=	17.102.360
Two-Family Dwelling	P	=	=	=	
Multifamily Dwelling	P	P	P	P	
Rooming House	P	P	P	P	
Mobile Home	=	=	=	=	
Nonresidential Facilities					
Enclosed Nonresidential	P	P	P	P	
Open Nonresidential	C	C	C	C	
Sidewalk Café	P	P	P	P	17.102.335
Drive-In Nonresidential	=	=	=	C	
Drive-Through Nonresidential	=	=	=	C	
Telecommunications Facilities					

Exhibit A: Amendments to Planning Code

<u>Table 17.58.02: Permitted and Conditionally Permitted Facilities</u>					
<u>Facilities</u>	<u>Zones</u>				<u>Additional Regulations</u>
	<u>CBD-R</u>	<u>CBD-P</u>	<u>CBD-C</u>	<u>CBD-X</u>	
<u>Micro Telecommunications</u>	P	P	P	P	<u>17.128</u>
<u>Mini Telecommunications</u>	P	P	P	P	<u>17.128</u>
<u>Macro Telecommunications</u>	C	C	C	C	<u>17.128</u>
<u>Monopole Telecommunications</u>	C	C	C	C	<u>17.128</u>
<u>Tower Telecommunications</u>	=	=	=	=	<u>17.128</u>
<u>Sign Facilities</u>					
<u>Residential Signs</u>	P	P	P	P	<u>17.104</u>
<u>Special Signs</u>	P	P	P	P	<u>17.104</u>
<u>Development Signs</u>	P	P	P	P	<u>17.104</u>
<u>Realty Signs</u>	P	P	P	P	<u>17.104</u>
<u>Civic Signs</u>	P	P	P	P	<u>17.104</u>
<u>Business Signs</u>	P	P	P	P	<u>17.104</u>
<u>Advertising Signs</u>	=	=	=	=	<u>17.104</u>

Limitation:

L.1. New construction of a One-Family Dwelling is not permitted.

17.58.060 Property Development Standards

A. Zone Specific Standards. Table 17.58.03 below prescribes development standards specific to individual zones. The number designations in the right-hand column refer to the additional regulations listed at the end of the Table.

<u>Table 17.58.03: Property Development Standards</u>					
<u>Development Standards</u>	<u>Zones</u>				<u>Additional Regulations</u>
	<u>CBD-R</u>	<u>CBD-P</u>	<u>CBD-C</u>	<u>CBD-X</u>	
<u>Minimum Lot Dimensions</u>					
<u>Width</u>	<u>25 ft</u>	<u>25 ft</u>	<u>50 ft</u>	<u>50 ft</u>	<u>1</u>
<u>Frontage</u>	<u>25 ft</u>	<u>25 ft</u>	<u>50 ft</u>	<u>50 ft</u>	<u>1</u>
<u>Lot area</u>	<u>4,000 sf</u>	<u>4,000 sf</u>	<u>7,500 sf</u>	<u>7,500 sf</u>	<u>1</u>
<u>Minimum/Maximum Setbacks</u>					
<u>Minimum front</u>	<u>0 ft</u>	<u>0 ft</u>	<u>0 ft</u>	<u>0 ft</u>	<u>2</u>
<u>Maximum front and street side for the first story</u>	<u>None</u>	<u>5 ft</u>	<u>5 ft</u>	<u>10 ft</u>	<u>3</u>

Exhibit A: Amendments to Planning Code

Development Standards	Zones				Additional Regulations
	CBD-R	CBD-P	CBD-C	CBD-X	
Maximum front and street side for the second and third stories or 35 ft. whatever is lower	None	5 ft	5 ft	None	3
Minimum interior side	0 ft	0 ft	0 ft	0 ft	4
Minimum corner side	0 ft	0 ft	0 ft	0 ft	5
Rear	10 ft	0 ft	0 ft	0 ft	6
Design Regulations					
Ground floor commercial façade transparency	50%	70%	60%	50%	7
Minimum height of the ground floor	15 ft	15 ft	15 ft	15 ft	8
Minimum separation between the grade and ground floor living space	2.5 ft	Not Applicable	Not Applicable	2.5 ft	9

Additional Regulations:

1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, width and street frontage regulations.
2. See Section 17.108.040 for the minimum front yard setback when fifty (50) percent or more of the frontage on the same block and side of the street is in a residential zone.
3. The following notes apply to the maximum yard requirements:
 - a. The requirements only apply to the construction of new principal buildings and to no more than two property lines. One of these property lines shall abut the principal street.
 - b. The requirements do not apply to lots containing Recreational Assembly, Community Education, Utility and Vehicular, or Extensive Impact Civic Activities or Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities as principal activities.
 - c. In the CBD-P, CBD-C, and CBD-X zones, these maximum yards apply to seventy-five (75) percent of the street frontage on the principal street and fifty (50) percent on other streets, if any. All percentages, however, may be reduced to fifty (50) percent upon the granting of regular design review approval (see Chapter 17.136 for the design review procedure). In addition to the criteria contained in 17.136.035, the proposal must also meet each of the following criteria:
 - i. The additional yard area abutting the principal street is designed to accommodate publicly accessible sidewalk cafes and restaurants;
 - ii. The proposal will not impair a generally continuous wall of building facades;
 - iii. The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and
 - iv. The proposal will not interfere with the movement of people along an important pedestrian street.

2. Ground Floor Treatment. All ground-floor building materials shall be durable, of high quality, and display a sense of permanence. Such materials include, but are not limited to stone, tile, brick, metal panel systems, glass, and/or other similar materials. Further, the ground level of a newly constructed building shall be designed to enhance the visual experience for pedestrians and distinguish it from upper stories. This is achieved by designing a building base that is distinct from the rest of the building through the use of some combination of change of material, enhanced detailing, lighting fixtures, cornices, awnings, canopies, and/or other elements. For buildings with nonresidential ground floor space, visual interest shall also be achieved through modulating the ground floor into a regular cadence of storefront sized windows and entrances.
 3. Active Space Requirement. For newly-constructed principal buildings, parking spaces, locker areas, mechanical rooms, and other non-active spaces shall not be located within thirty (30) feet from the front of the **ground floor of the** principal building except for incidental entrances to such activities elsewhere in the building. Driveways, garage entrances, or other access to parking and loading facilities may be located on the ground floor of this area as regulated by subsection (E4).
 4. Parking and Loading Location. For newly constructed principal buildings, access to parking and loading facilities through driveways, garage doors, or other means shall not be from the principal street when alternative access is feasible from another location such as a secondary frontage or an alley. Open parking areas shall not be located between the sidewalk and a principal building.
 5. Massing. The mass of newly-constructed principal buildings shall be broken up into smaller forms to reduce the scale and enhance the visual interest of the streetscape. The massing requirements contained in this note shall be applied on all visible facades and achieved through some coordinated combination of changes in plane, building articulation, varied materials, contrasting window patterns and treatments, varying roof heights, separating upper-story floor area into two or more towers, contrasting colors, a distinct base, middle, and top, or other methods.
 6. Upper Story Windows. An ample placement of windows above the ground floor is required at all street-fronting facades. To create visual interest, the placement and style of windows shall contribute to a coherent and appealing composition on the façade. Less window space is only permitted in exceptional cases if it contributes to a specific objective of the visual style and aesthetic effect of the building. Whenever possible, windows should be on all sides of a tower.
 7. Building Terminus. The top of each newly-constructed principal building shall include an element that provides a distinct visual terminus. The visual terminus shall be integrated into the design concept of the building. Examples include, but are not limited to, curvilinear or stepped forms that soften the truncated tops of buildings, cornices, and other architectural forms. These rooftop elements shall be sized, shaped, and sited to screen all rooftop mechanical equipment from view.
 8. Utility Storage. For newly-constructed buildings, areas housing trash, storage, or other utility services shall be located in the garage or be otherwise completely concealed from view of the public right-of-way. Backflow prevention devices shall be located in a building alcove, landscaped area, or utility room within the building, outside of the public right-of-way, and completely screened from view from the public right-of-way unless required otherwise by a department of the City.
- C. Height, Bulk, and Intensity. Table 17.58.04 below prescribes height, bulk, and intensity standards associated with the height/bulk/intensity areas described in Map 17.58A (see Section 17.58.080). The numbers in the right-hand column refer to the additional regulations listed at the end of the Table.

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Table 17.58.04 Height, Density, Bulk, and Tower Regulations								
Regulation	Height/Bulk/Intensity Area							Notes
	1	2	3	4	5	6	7	
Maximum Density (Square Feet of Lot Area Required Per Unit)								
Dwelling unit	300	200	90	90	90	90	90	1,2
Rooming unit	150	100	45	45	45	45	45	1,2
Maximum Floor Area Ratio	4.5	6.0	8.0	14.0	17.0	20.0	20.0	2
Maximum Height								
Building base	55 ft	85 ft	55 ft	85 ft	85 ft	85 ft	120 ft	3
Total	No tower permitted	No tower permitted	170 ft	275 ft	400 ft	No height limit	No height limit	3
Minimum Height								
New principal buildings	None	None	None	45 ft	45 ft	45 ft	45 ft	4
Maximum Lot Coverage								
Building base (for each story)	Not applicable	Not applicable	100% of site area	100% of site area	100% of site area	100% of site area	100% of site area	
Average per story lot coverage above the base	Not applicable	Not applicable	50% of site area or 7,500 sf, whichever is greater	75% of site area or 10,000 sf, whichever is greater	75% of site area or 10,000 sf, whichever is greater	75% of site area or 10,000 sf, whichever is greater	85% of site area or 10,000 sf, whichever is greater	5
Tower Regulations								
Maximum average area of floor plates	Not applicable	Not applicable	10,000 sf	15,000 sf	20,000 sf	25,000 sf	No maximum	6
Maximum building length	Not applicable	Not applicable	115 ft	150 ft	175 ft	195 ft	No maximum	7
Maximum diagonal length	Not applicable	Not applicable	145 ft	180 ft	210 ft	235 ft	No maximum	
Minimum distance between towers on the same lot	Not Applicable	Not applicable	40 ft	40 ft	40 ft	40 ft	No Minimum	

Notes:

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1. See Chapter 17.107 for affordable and senior housing density incentives.
2. No portion of lot area used to meet the density requirements for a Residential Facility shall be used as a basis for computing, through the maximum floor area ratio, the maximum amount of floor area for any nonresidential facility on the same lot, and visa versa.
3. In Height Areas 4, 5, and 6, lots having frontage on Broadway, San Pablo Avenue, or Telegraph Avenue where the width of the right of way is greater than eighty-five (85) feet shall have a maximum base height equal to the width of that right of way. Also, see Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.
4. This minimum height excludes the height of the allowed projections into the height limit contained in 17.108.030.
5. The average floor area of the stories above the base cannot exceed this percentage of lot area, with the following qualifications:
 - a. When a project contains more than one tower above the base, the floor area of a story is calculated by adding the square footages of the equivalent story in each tower. For example, if there are two towers above the base and the 5th story of one tower is 15,000 square feet and the 5th story of the other tower is 20,000 square feet, then the total floor area of the 5th story is 35,000 square feet.
 - b. To allow a variety of articulation in a building, the floor area of an individual story can be as much as fifteen (15) percent greater than the maximum average per story floor area above base.
 - c. A story that is more than fifteen (15) percent less than the maximum average floor area is not included in the average per story floor area above the base.
6. The average floor plate of an individual tower cannot exceed this area, with the following qualifications:
 - a. The floor area of an individual tower floor plate cannot be more than fifteen (15) percent greater than the maximum average tower floor plate.
 - b. An individual tower floor plate that is more than fifteen (15) percent less than the maximum average tower floor plate is not included in the maximum average tower floor plate area calculation.
7. The following regulation applies to lots that both 1) are designated as Special Area A on Map 17.58; and 2) have either a west or east side property line that is more than ninety (90) feet in length: the cumulative building length of the east or west elevation of all towers on such a lot shall be no more than two-thirds (2/3) the length of any east or west side property line.

17.58.070 Usable open space standards

- A. General. This section contains the usable open space standards and requirements for residential development in the CBD zones. These requirements shall supercede those in Chapter 17.126.
- B. Definitions of CBD usable open space types. The following includes a list of available usable open space types eligible to fulfill the usable space requirements of this Chapter and the definitions of these types of open space:
 1. “Private Usable Open Space”. Private usable open space is accessible from a single unit and may be provided in a combination of recessed and projecting exterior spaces.
 2. “Public Ground-Floor Plaza”. Public ground-floor plazas (plazas) are group usable open space (see Section 17.127.030) located at street-level and adjacent to the building frontage. Plazas are publicly accessible during daylight hours and are maintained by the property owner. Plazas shall be landscaped and include pedestrian and other amenities, such as benches, fountains and special paving.
 3. “Rooftop Open Space”. Rooftop open space, a type of group usable open space, includes gardens, decks, swimming pools, spas and landscaping located on the rooftop and accessible to all tenants.

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4. “Courtyard”. A courtyard is a type of group usable open space that can be located anywhere within the subject property.

C. Standards. All required usable open space shall be permanently maintained and shall conform to the following standards:

1. Area. On each lot containing residential facilities with a total of two or more living units, usable open space shall be provided for such facilities at a rate of seventy-five (75) square feet per dwelling unit and thirty-eight (38) square feet per rooming unit.

2. Size and Shape. An area of contiguous space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than the dimensions shown in the following table:

Type of Usable Open Space	Minimum Dimension	Notes
Private	10 ft for space on the ground floor, no dimensional requirement elsewhere.	
Public Ground-Floor Plaza	10 ft	
Rooftop	15 ft	I
Courtyard	15 ft	

Note:

1. Areas occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.

3. Openness. There shall be no obstructions above the space except for devices to enhance its usability, such as pergola or awning structures. There shall be no obstructions over ground-level private usable open space except that not more than fifty (50) percent of the space may be covered by a private balcony projecting from a higher story. Above-ground-level private usable open space shall have at least one exterior side open and unobstructed, except for incidental railings or balustrades, for eight feet above its floor level.

4. Location. Required usable open space may be located anywhere on the lot except that not more than fifty (50) percent of the required area may be located on the uppermost roof of any building. There is no limitation on rooftop open space on rooftop podiums that are not the uppermost roof of a building.

5. Usability. A surface shall be provided which prevents dust and allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt or other serviceable, dustfree surfacing. Slope shall not exceed ten percent. Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Adequate safety railings or other protective devices shall be erected whenever necessary for space on a roof, but shall not be more than four feet high.

6. Accessibility. Usable open space, other than private usable open space, shall be accessible to all the living units on the lot. It shall be served by any stairway or other accessway qualifying under the Oakland Building Code as an egress facility from a habitable room. Private usable open space may be located anywhere on the lot except that ground-level space shall not be located in a required minimum front yard and except that above-ground-level space shall not be located within five feet of an interior side lot line. Above-ground-level space may be counted even though it projects beyond a street line. All private usable open space shall be adjacent to, and not

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more than four feet above or below the floor level of, the living unit served. Private usable open space shall be accessible to only one living unit by a doorway to a habitable room or hallway.

D. Landscaping requirements. At least fifty (50) percent of rooftop or courtyard usable open space area shall include landscaping enhancements. At least thirty (30) percent of public ground floor plaza shall include landscaping enhancements. Landscaping enhancements shall consist of permanent features, such as trees, shrubbery, decorative planting containers, fountains, boulders or artwork (sculptures, etc). The remainder of the space shall include user amenities such as seating, decorative paving, sidewalk cafes, or playground structures.

Chapter 17.58

~~C 51—CENTRAL BUSINESS SERVICE COMMERCIAL ZONE REGULATIONS~~

Sections:

- ~~17.58.010 — Title, purpose, and applicability.~~
- ~~17.58.040 — Required design review process.~~
- ~~17.58.050 — Permitted activities.~~
- ~~17.58.060 — Conditionally permitted activities.~~
- ~~17.58.070 — Permitted facilities.~~
- ~~17.58.080 — Conditionally permitted facilities.~~
- ~~17.58.090 — Restriction on open accessory parking and loading.~~
- ~~17.58.100 — Special regulations applying to Convenience Markets, Fast Food Restaurants, and certain establishments selling alcoholic beverages or providing mechanical or electronic games.~~
- ~~17.58.110 — Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.~~
- ~~17.58.120 — Limitations on Signs.~~
- ~~17.58.130 — Minimum lot area, width, and frontage.~~
- ~~17.58.140 — Maximum residential density.~~
- ~~17.58.150 — Maximum floor area ratio.~~
- ~~17.58.160 — Maximum height.~~
- ~~17.58.170 — Minimum yards and courts.~~
- ~~17.58.180 — Minimum usable open space.~~
- ~~17.58.190 — Buffering.~~
- ~~17.58.200 — Special regulations for mini lot developments, planned unit developments, and large scale developments.~~
- ~~17.58.210 — Other zoning provisions.~~

~~17.58.010 — Title, purpose, and applicability.~~

~~— The provisions of this chapter shall be known as the C-51 central business service commercial zone regulations. The C-51 zone is intended to create, preserve, and enhance areas for medium intensity development of offices and business service activities, and is typically appropriate to the service commercial areas immediately adjoining the core of the central district. These regulations shall apply in the C-51 zone. (Prior planning code § 4825)~~

~~17.58.040 — Required design review process.~~

~~— Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 4827.1)~~

~~17.58.050 — Permitted activities.~~

~~— The following activities, as described in the use classifications in Chapter 17.10, are permitted:~~

~~— A. Residential Activities:~~

~~— Permanent~~

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- ~~Residential Care occupying a One-Family Dwelling Residential Facility~~
- ~~Semi-Transient~~
- ~~B. Civic Activities:~~
 - ~~Essential Service~~
 - ~~Limited Child Care~~
 - ~~Community Education~~
 - ~~Community Assembly~~
 - ~~Nonassembly Cultural~~
 - ~~Administrative~~
 - ~~Health Care~~
 - ~~Utility and Vehicular, but excluding communications equipment installation and exchanges~~
 - ~~Telecommunications~~
- ~~C. Commercial Activities:~~
 - ~~General Food Sales~~
 - ~~Convenience Sales and Service~~
 - ~~Medical Service~~
 - ~~General Retail Sales~~
 - ~~General Personal Service~~
 - ~~Consultative and Financial Service~~
 - ~~Consumer Laundry and Repair Service~~
 - ~~Group Assembly~~
 - ~~Administrative~~
 - ~~Business and Communication Service~~
 - ~~Retail Business Supply~~
 - ~~Research Service~~
 - ~~General Wholesale Sales~~
 - ~~Transient Habitation~~
- ~~D. Manufacturing Activities:~~
 - ~~Custom~~

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.31 (part), 1996; Ord. 11854 § 7, 1996; prior planning code § 4828)

17.58.060 – Conditionally permitted activities.

The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

- ~~A. Residential Activities:~~
 - ~~Residential Care, except when occupying a One-Family Dwelling Residential Facility~~
 - ~~Service-Enriched Permanent Housing~~
 - ~~Transitional Housing~~
 - ~~Emergency Shelter~~
- ~~B. Civic Activities:~~
 - ~~Extensive Impact~~
 - ~~Utility and Vehicular (communications equipment installations and exchanges, only)~~
 - ~~Special Health Care Civic Activities~~
- ~~C. Commercial Activities:~~
 - ~~Check Cashier and Check Cashing~~
 - ~~Convenience Market~~
 - ~~Fast-Food Restaurant~~
 - ~~Alcoholic Beverage Sales~~
 - ~~Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C~~

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- ~~_____ Automotive Sales, Rental, and Delivery~~
- ~~_____ Automotive Servicing~~
- ~~_____ Automotive Repair and Cleaning~~
- ~~_____ Automotive Fee Parking~~
- ~~_____ Animal Care~~
- ~~_____ Undertaking Service~~
- ~~_____ Transient Habitation, subject to the provisions of Section 17.102.370~~
- ~~_____ D. Manufacturing Activities:~~
 - ~~_____ Light~~
- ~~_____ E. Agricultural and Extractive Activities:~~
 - ~~_____ Plant Nursery~~
 - ~~_____ Crop and Animal Raising~~
- ~~_____ F. Off street parking serving activities other than those listed above or in Section 17.58.050, subject to the conditions set forth in Section 17.102.100.~~
- ~~_____ G. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.100. (Ord. 12626 § 4 (part), 2004; Ord. 12450 § 11, 2002; Ord. 12266 § 5 (part), 2000; Ord. 12138 § 5 (part), 1999; Ord. 11854 § 8, 1996; prior planning code § 4829)~~

17.58.070 Permitted facilities.

— The following facilities, as described in the use classifications in Chapter 17.10, are permitted:

- ~~_____ A. Residential Facilities:~~
 - ~~_____ One Family Dwelling~~
 - ~~_____ One Family Dwelling with Secondary Unit, subject to the provisions specified in Section 17.102.360~~
 - ~~_____ Two Family Dwelling~~
 - ~~_____ Multifamily Dwelling~~
 - ~~_____ Rooming House~~
 - ~~_____ B. Nonresidential Facilities:~~
 - ~~_____ Enclosed~~
 - ~~_____ Sidewalk Cafes, subject to the provisions of Section 17.102.335~~
 - ~~_____ C. Signs:~~
 - ~~_____ Residential~~
 - ~~_____ Special~~
 - ~~_____ Development~~
 - ~~_____ Realty~~
 - ~~_____ Civic~~
 - ~~_____ Business~~
- (Ord. 12224 § 4 (part), 2000; Ord. 12021 § 5, 1997; prior planning code § 4830)

17.58.080 Conditionally permitted facilities.

— The following facilities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

- ~~_____ A. Nonresidential Facilities:~~
 - ~~_____ Open~~
 - ~~_____ Drive In~~
 - ~~_____ Drive Through~~
- ~~_____ B. Off Street Parking Facilities serving fifty (50) or more vehicles.~~
- ~~_____ C. Telecommunications Facilities:~~
 - ~~_____ Macro~~
 - ~~_____ Monopole~~

(Ord. 12224 § 3 (part), 2000; Ord. 11904 § 5.42 (part), 1996; prior planning code § 4831)

~~17.58.090~~ — Restriction on open accessory parking and loading.

~~— All accessory off-street parking and loading areas shall be located within enclosed buildings except that open parking or loading areas may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.~~

~~(Prior planning code § 4832)~~

~~17.58.100~~ — Special regulations applying to Convenience Markets, Fast Food Restaurants, and certain establishments selling alcoholic beverages or providing mechanical or electronic games.

~~— See Section 17.102.210.~~

~~(Prior planning code § 4833)~~

~~17.58.110~~ — Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.

~~— See Section 17.102.230.~~

~~(Prior planning code § 4834)~~

~~17.58.120~~ — Limitations on Signs.

~~— A. General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 17.104.020. (Ord. 12606 Att. A (part), 2004; prior planning code § 4838)~~

~~17.58.130~~ — Minimum lot area, width, and frontage.

~~— Every lot containing a Residential Facility shall have a minimum lot area of four thousand (4,000) square feet and a minimum lot width of twenty five (25) feet, except as a lesser area or width is allowed by Section 17.106.010. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of twenty five (25) feet upon a street, except as this requirement is modified by Section 17.106.020.~~

~~(Prior planning code § 4839)~~

~~17.58.140~~ — Maximum residential density.

~~— Residential uses shall be subject to the same maximum density and other related regulations as are set forth in Section 17.32.140 for the R 90 zone.~~

~~(Prior planning code § 4840)~~

~~17.58.150~~ — Maximum floor area ratio.

~~— The maximum floor area ratio of facilities shall be as set forth below, subject to the provisions of Section 17.106.030 with respect to maximum floor area ratio on lots containing both Residential and Nonresidential Facilities:~~

~~— A. Permitted Floor Area Ratio. The maximum permitted floor area ratio is 7.00, except that this ratio may be exceeded:~~

~~— 1. By ten percent on any corner lot; and~~

~~— 2. By ten percent on any lot which faces or abuts a public park at least as wide as the lot; and~~

~~— 3. In the case of a Nonresidential Facility, by not to exceed fifteen (15) percent if one square foot of plaza, conforming to the provisions of Section 17.126.050, is provided for each seven square feet of additional floor area.~~

~~— B. Conditionally Permitted Floor Area Ratio. The floor area ratio permitted by subsection (A) may be increased by not to exceed fifty (50) percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, subject to the provisions of Section 17.106.050.~~

~~(Prior planning code § 4842)~~

17.58.160 — Maximum height.

— Except as provided in Chapter 17.128, no general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 17.108.010, on lots lying along a boundary of any of certain other zones. But see Section 17.58.120 for maximum height of Signs, and Section 17.108.130 for maximum height of facilities within minimum yards and courts. (Ord. 11904 § 5.56, 1996; prior planning code § 4844)

17.58.170 — Minimum yards and courts.

— No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130:

— A. Front Yard. A front yard shall be provided, as prescribed in Section 17.108.040, in certain situations where part of the frontage on the same side of a block is in a residential zone.

— B. Side Yard—Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 17.108.070, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

— C. Side Yard—Interior Lot Line.

— 1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 17.108.080, for Residential Facilities.

— 2. A side yard shall be provided, as prescribed in Section 17.108.090, along an interior side lot line lying along a boundary of any of certain other zones.

— D. Rear Yard.

— 1. A rear yard with a minimum depth of fifteen (15) feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 17.108.110.

— 2. A rear yard shall be provided, as prescribed in Section 17.108.100, along a boundary of any of certain other zones.

— E. Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 17.108.120. (Prior planning code § 4845)

17.58.180 — Minimum usable open space.

— Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 17.32.180 for the R 90 zone. See also Section 17.58.150(A)(3). (Prior planning code § 4846)

17.58.190 — Buffering.

— All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein. See also Section 17.58.090. (Prior planning code § 4847)

17.58.200 — Special regulations for mini-lot developments, planned unit developments, and large-scale developments.

— A. Mini Lot Developments. In mini lot developments, certain of the regulations otherwise applying to individual lots in the C 51 zone may be waived or modified when and as prescribed in Section 17.102.320.

— B. Planned Unit Developments. Large integrated developments shall be subject to the planned unit development regulations in Chapter 17.142 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C 51 zone, and certain of the other regulations applying in said zone may be waived or modified.

Exhibit A: Amendments to Planning Code

~~— C. Large Scale Developments. No development which involves more than one hundred thousand (100,000) square feet of new floor area, or a new building or portion thereof of more than one hundred twenty (120) feet in height, shall be permitted except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134. This requirement shall not apply to developments where a valid planned unit development permit is in effect. (Prior planning code § 4848)~~

17.58.210 Other zoning provisions.

~~— A. Parking and Loading. Off street parking and loading shall be provided as prescribed in the off street parking and loading requirements in Chapter 17.116.~~

~~— B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.~~

~~— C. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.~~

~~— D. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the noneonforming use regulations in Chapter 17.114.~~

~~— E. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-51 zone.~~

~~— F. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-51 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4849)~~

~~Chapter 17.60~~

~~C-52 OLD OAKLAND COMMERCIAL ZONE REGULATIONS~~

Sections:

- ~~17.60.010 — Title, purpose, and applicability.~~
- ~~17.60.040 — Required design review process.~~
- ~~17.60.050 — Permitted activities.~~
- ~~17.60.060 — Conditionally permitted activities.~~
- ~~17.60.070 — Permitted facilities.~~
- ~~17.60.080 — Conditionally permitted facilities.~~
- ~~17.60.090 — Special regulations applying to Convenience Markets, Fast Food Restaurants, and certain establishments selling alcoholic beverages or providing mechanical or electronic games.~~
- ~~17.60.100 — Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.~~
- ~~17.60.110 — Use permit criteria.~~
- ~~17.60.120 — Limitations on Signs, marquees, and awnings.~~
- ~~17.60.130 — Minimum lot area, width, and frontage.~~
- ~~17.60.140 — Maximum residential density.~~
- ~~17.60.150 — Maximum height.~~
- ~~17.60.160 — Minimum yards and courts.~~
- ~~17.60.170 — Minimum usable open space.~~
- ~~17.60.180 — Buffering.~~
- ~~17.60.190 — Special regulations for mini lot and planned unit developments.~~
- ~~17.60.200 — Other zoning provisions.~~

~~17.60.010 — Title, purpose, and applicability.~~

~~— The provisions of this chapter shall be known as the C-52-old Oakland commercial zone regulations. The C-52 zone is intended to preserve and enhance an area of historically or architecturally valuable structures of moderate scale for office, retail, and other appropriate uses along streets oriented to pedestrian movement, and is appropriate to the older commercial section south of the core of the central district. These provisions shall apply in the C-52 zone. (Prior planning code § 4850)~~

~~17.60.040 — Required design review process.~~

~~— Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 4852.1)~~

~~17.60.050 — Permitted activities.~~

~~— The following activities, as described in the use classifications in Chapter 17.10, are permitted:~~

~~A. Residential Activities:~~

- ~~— Permanent~~
- ~~— Residential Care occupying a One Family Dwelling Residential Facility~~
- ~~— Semi-Transient~~

Exhibit A: Amendments to Planning Code

- ~~_____~~ B. Civic Activities:
 - ~~_____~~ Essential Service
 - ~~_____~~ Limited Child Care
 - ~~_____~~ Community Assembly
 - ~~_____~~ Community Education
 - ~~_____~~ Nonassembly Cultural
 - ~~_____~~ Administrative
 - ~~_____~~ Health Care
 - ~~_____~~ Telecommunications
- ~~_____~~ C. Commercial Activities:
 - ~~_____~~ General Food Sales
 - ~~_____~~ Convenience Sales and Service
 - ~~_____~~ Medical Service
 - ~~_____~~ General Retail Sales
 - ~~_____~~ General Personal Service
 - ~~_____~~ Consultative and Financial Service
 - ~~_____~~ Group Assembly
 - ~~_____~~ Administrative
 - ~~_____~~ Retail Business Supply

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.32 (part), 1996; prior planning code § 4853)

17.60.060 — Conditionally permitted activities.

— The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

- ~~_____~~ A. Residential Activities:
 - ~~_____~~ Residential Care, except when occupying a One Family Dwelling Residential Facility
 - ~~_____~~ Service Enriched Permanent Housing
 - ~~_____~~ Transitional Housing
 - ~~_____~~ Emergency Shelter
- ~~_____~~ B. Civic Activities:
 - ~~_____~~ Utility and Vehicular
 - ~~_____~~ Extensive Impact
- ~~_____~~ C. Commercial Activities:
 - ~~_____~~ Check Cashier and Check Cashing
 - ~~_____~~ Convenience Market
 - ~~_____~~ Alcoholic Beverage Sales
 - ~~_____~~ Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C
 - ~~_____~~ Consumer Laundry and Repair Service
 - ~~_____~~ Business and Communication Service
 - ~~_____~~ Research Service
 - ~~_____~~ General Wholesale Sales
 - ~~_____~~ Transient Habitation
 - ~~_____~~ Automotive Fee Parking
- ~~_____~~ D. Manufacturing Activities:
 - ~~_____~~ Custom

(Ord. 12626 § 4 (part), 2004; Ord. 12138 § 5 (part), 1999; prior planning code § 4854)

17.60.070 — Permitted facilities.

— The following facilities, as described in the use classifications in Chapter 17.10, are permitted:

- ~~_____~~ A. Residential Facilities:
 - ~~_____~~ One Family Dwelling

Exhibit A: Amendments to Planning Code

- ~~One Family Dwelling with Secondary Unit, subject to the provisions specified in Section 17.102.360~~
 - ~~Two Family Dwelling~~
 - ~~Multifamily Dwelling~~
 - ~~B. Nonresidential Facilities:~~
 - ~~Enclosed~~
 - ~~Sidewalk Cafes, subject to the provisions of Section 17.102.335~~
 - ~~C. Signs:~~
 - ~~Residential~~
 - ~~Special~~
 - ~~Development~~
 - ~~Realty~~
 - ~~Civic~~
 - ~~Business~~
 - ~~D. Telecommunications Facilities:~~
 - ~~Micro, except as provided in Chapter 17.128 and Section 17.134.020(A) (23)~~
 - ~~Mini, except as provided in Chapter 17.128 and Section 17.134.020(A) (23)~~
- (Ord. 12224 § 4 (part), 2000; Ord. 11904 § 5.36 (part), 1996; prior planning code § 4855)

17.60.080 — Conditionally permitted facilities.

~~The following facilities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:~~

- ~~A. Residential Facilities:~~
 - ~~Rooming House~~
- ~~B. Nonresidential Facilities:~~
 - ~~Open~~
- ~~C. Off Street Parking Facilities serving fifty (50) or more vehicles.~~
- ~~D. Telecommunications Facilities:~~
 - ~~Macro~~
 - ~~Monopole~~

(Ord. 12224 § 3 (part), 2000; Ord. 11904 § 5.43, 1996; prior planning code § 4856)

17.60.090 — Special regulations applying to Convenience Markets, Fast Food Restaurants, and certain establishments selling alcoholic beverages or providing mechanical or electronic games.

~~See Section 17.102.210. (Prior planning code § 4858)~~

17.60.100 — Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.

~~See Section 17.102.230. (Prior planning code § 4859)~~

17.60.110 — Use permit criteria.

~~A conditional use permit for any use under Section 17.60.060 or 17.60.080 may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to all of the following additional use permit criteria:~~

- ~~A. That the proposal will not detract from the special character desired for the area;~~
- ~~B. That the proposal will not impair a generally continuous wall of building facades nor introduce design elements which interrupt basic continuity of existing retail frontages;~~
- ~~C. That the proposal will not interfere with the movement of people along an important pedestrian street;~~

~~— D. That the amount of off street parking, if any, will not contribute significantly to an increased orientation of the area to automobile movement.~~

~~— See also Section 17.102.210. (Prior planning code § 4861)~~

17.60.120 — Limitations on Signs, marquees, and awnings.

~~— A. General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 17.104.020.~~

~~(Ord. 12606 Att. A (part), 2004; Prior planning code § 4863)~~

17.60.130 — Minimum lot area, width, and frontage.

~~— Every lot containing a Residential Facility shall have a minimum lot area of four thousand (4,000) square feet and a minimum lot width of twenty five (25) feet, except as a lesser area or width is allowed by Section 17.106.010. No minimum lot area or width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of twenty five (25) feet upon a street, except as this requirement is modified by Section 17.106.020. (Prior planning code § 4864)~~

17.60.140 — Maximum residential density.

~~— Residential uses shall be subject to the same maximum density and other related regulations as are set forth in Section 17.30.140 for the R-80 zone. (Prior planning code § 4865)~~

17.60.150 — Maximum height.

~~— Except as a greater height is allowed by Section 17.108.030 and except as provided in Chapter 17.128, the maximum height of buildings and other facilities shall be fifty (50) feet. However, the height of facilities shall be further limited, as applicable, by the provisions of Section 17.108.010 on lots lying along a boundary of the R-10, R-20, R-30, R-35, R-40, or R-50 zone. See Section 17.60.120 for maximum height of Signs, and Section 17.108.130 for maximum height of facilities within minimum yards and courts. (Ord. 11904 § 5.57, 1996; prior planning code § 4869)~~

17.60.160 — Minimum yards and courts.

~~— No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130:~~

~~— A. Front Yard. A front yard shall be provided, as prescribed in Section 17.108.040, in certain situations where part of the frontage on the same side of a block is in a residential zone.~~

~~— B. Side Yard—Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 17.108.070, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.~~

~~— C. Side Yard—Interior Lot Line.~~

~~— 1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 17.108.080, for Residential Facilities.~~

~~— 2. A side yard shall be provided, as prescribed in Section 17.108.090, along an interior side lot line lying along a boundary of any of certain other zones.~~

~~— D. Rear Yard.~~

~~— 1. A rear yard with a minimum depth of fifteen (15) feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 17.108.110.~~

~~— 2. A rear yard shall be provided, as prescribed in Section 17.108.100, along a boundary of any of certain other zones.~~

~~— E. Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 17.108.120. (Prior planning code § 4870)~~

Exhibit A: Amendments to Planning Code

~~17.60.170— Minimum usable open space.~~

~~Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 17.30.180 for the R-80 zone. (Prior planning code § 4871)~~

~~17.60.180— Buffering.~~

~~All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein. (Prior planning code § 4872)~~

~~17.60.190— Special regulations for mini lot and planned unit developments.~~

~~A. Mini lot Developments. In mini lot developments, certain of the regulations otherwise applying to individual lots in the C-52 zone may be waived or modified when and as prescribed in Section 17.102.320.~~

~~B. Planned Unit Developments. Large integrated developments shall be subject to the planned unit development regulations in Chapter 17.142 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-52 zone, and certain of the other regulations applying in said zone may be waived or modified. (Prior planning code § 4873)~~

~~17.60.200— Other zoning provisions.~~

~~A. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.~~

~~B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.~~

~~C. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.~~

~~D. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-52 zone.~~

~~E. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the C-52 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4874)~~

Chapter 17.62

~~C-55 CENTRAL CORE COMMERCIAL ZONE REGULATIONS~~

Sections:

- ~~17.62.010 — Title, purpose, and applicability.~~
- ~~17.62.040 — Required design review process.~~
- ~~17.62.050 — Permitted activities.~~
- ~~17.62.060 — Conditionally permitted activities.~~
- ~~17.62.070 — Permitted facilities.~~
- ~~17.62.080 — Conditionally permitted facilities.~~
- ~~17.62.090 — Restriction on open accessory parking and loading.~~
- ~~17.62.100 — Special regulations applying to certain Commercial Activities.~~
- ~~17.62.110 — Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.~~
- ~~17.62.120 — Limitations on Signs.~~
- ~~17.62.130 — Minimum lot area, width, and frontage.~~
- ~~17.62.140 — Maximum residential density.~~
- ~~17.62.150 — Maximum residential floor-area ratio.~~
- ~~17.62.160 — Maximum height.~~
- ~~17.62.170 — Minimum yards and courts.~~
- ~~17.62.180 — Minimum usable open space.~~
- ~~17.62.190 — Buffering.~~
- ~~17.62.200 — Special regulations for mini lot developments, planned unit developments, and large scale developments.~~
- ~~17.62.210 — Other zoning provisions.~~

~~17.62.010 — Title, purpose, and applicability.~~

~~— The provisions of this chapter, shall be known as the C-55 central core commercial zone regulations. The C-55 zone is intended to preserve and enhance a very high intensity regional center of employment, shopping, culture, and recreation, and is appropriate to the core of the central district. These regulations shall apply in the C-55 zone. (Prior planning code § 4875)~~

~~17.62.040 — Required design review process.~~

~~— Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 4877.1)~~

~~17.62.050 — Permitted activities.~~

~~— The following activities, as described in the use classifications in Chapter 17.10, are permitted:~~

~~— A. Residential Activities:~~

- ~~— Permanent~~
- ~~— Residential Care occupying a One-~~
- ~~— Family Dwelling Residential~~
- ~~— Facility~~
- ~~— Semi-Transient~~

Exhibit A: Amendments to Planning Code

- ~~— B. Civic Activities:~~
 - ~~— Essential Service~~
 - ~~— Limited Child Care~~
 - ~~— Community Assembly~~
 - ~~— Community Education~~
 - ~~— Nonassembly Cultural~~
 - ~~— Administrative~~
 - ~~— Health Care~~
 - ~~— Telecommunications~~
- ~~— C. Commercial Activities:~~
 - ~~— General Food Sales~~
 - ~~— Convenience Sales and Service~~
 - ~~— Medical Service~~
 - ~~— General Retail Sales~~
 - ~~— General Personal Service~~
 - ~~— Consultative and Financial Service~~
 - ~~— Consumer Laundry and Repair Service~~
 - ~~— Group Assembly~~
 - ~~— Administrative~~
 - ~~— Business and Communication Service~~
 - ~~— Retail Business Supply~~
 - ~~— Research Service~~
- ~~— D. Manufacturing Activities:~~
 - ~~— Custom~~

(Ord. 12266 § 5 (part), 2000; Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.32 (part), 1996; prior planning code § 4878)

17.62.060 — Conditionally permitted activities.

— The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

- ~~— A. Residential Activities:~~
 - ~~— Residential Care, except when occupying a One Family Dwelling Residential Facility~~
 - ~~— Service Enriched Permanent Housing~~
 - ~~— Transitional Housing~~
 - ~~— Emergency Shelter~~
- ~~— B. Civic Activities:~~
 - ~~— Utility and Vehicular~~
 - ~~— Special Health Care Civic Activities~~
 - ~~— Extensive Impact Civic~~
- ~~— C. Commercial Activities:~~
 - ~~— Check Cashier and Check Cashing~~
 - ~~— Convenience Market~~
 - ~~— Fast Food Restaurant~~
 - ~~— Alcoholic Beverage Sales~~
 - ~~— Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C~~
 - ~~— General Wholesale Sales~~
 - ~~— Automotive Sales, Rental, and Delivery~~
 - ~~— Automotive Servicing~~
 - ~~— Automotive Fee Parking~~
 - ~~— Animal Care~~
 - ~~— Undertaking Service~~

Exhibit A: Amendments to Planning Code

~~Transient Habitation, subject to the provisions of Section 17.102.370~~

~~D. Industrial Activities:~~

~~Light Manufacturing~~

~~E. Agricultural and Extractive Activities:~~

~~Crop and Animal Raising~~

~~F. Off-street parking serving activities other than those listed above or in Section 17.62.050, subject to the conditions set forth in Section 17.102.100.~~

~~G. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12626 § 4 (part), 2004; Ord. 12450 § 12, 2002; Ord. 12266 § 5 (part), 2000; Ord. 12138 § 5 (part), 1999; prior planning code § 4879)~~

17.62.070 Permitted facilities.

~~The following facilities, as described in the use classifications in Chapter 17.10, are permitted:~~

~~A. Residential Facilities:~~

~~One Family Dwelling~~

~~One Family Dwelling with Secondary Unit, subject to the provisions specified in Section 17.102.360~~

~~Two Family Dwelling~~

~~Multifamily Dwelling~~

~~Rooming House~~

~~B. Nonresidential Facilities:~~

~~Enclosed~~

~~Sidewalk Cafes, subject to the provisions of Section 17.102.335~~

~~C. Signs:~~

~~Residential~~

~~Special~~

~~Development~~

~~Realty~~

~~Civic~~

~~Business~~

~~D. Telecommunications Facilities:~~

~~Micro, except as provided in Chapter 17.128 and Section 17.134.020(A) (23)~~

~~Mini, except as provided in Chapter 17.128 and Section 17.134.020(A) (23)~~

~~(Ord. 12224 § 4 (part), 2000; Ord. 12021 § 6, 1997; Ord. 11904 § 5.36 (part), 1996; prior planning code § 4880)~~

17.62.080 Conditionally permitted facilities.

~~The following facilities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:~~

~~A. Nonresidential Facilities:~~

~~Open~~

~~Drive-In~~

~~Drive-Through~~

~~B. Off-Street Parking Facilities serving fifty (50) or more vehicles.~~

~~C. Telecommunications Facilities:~~

~~Macro~~

~~Monopole~~

~~(Ord. 12224 § 3 (part), 2000; Ord. 11904 § 5.42 (part), 1996; prior planning code § 4881)~~

~~17.62.090—Restriction on open accessory parking and loading.~~

~~—All accessory off-street parking and loading areas shall be located within enclosed buildings, except that open parking or loading areas may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.~~

~~(Prior planning code § 4882)~~

~~17.62.100—Special regulations applying to certain Commercial Activities.~~

~~—A. Pawnbroking, Poolrooms, and Secondhand Merchandise. Pawnbroking, poolroom, and secondhand merchandise activities are not permitted except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.~~

~~—B. Convenience Markets, Fast Food Restaurants, and Certain Establishments Selling Alcoholic Beverages or Providing Mechanical or Electronic Games. See Section 17.102.210.~~

~~(Prior planning code § 4883)~~

~~17.62.110—Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.~~

~~—See Section 17.102.230.~~

~~(Prior planning code § 4884)~~

~~17.62.120—Limitations on Signs.~~

~~—A. General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 17.104.020.~~

~~(Prior planning code § 4888)~~

~~17.62.130—Minimum lot area, width, and frontage.~~

~~—Every lot containing a Residential Facility shall have a minimum lot area of four thousand (4,000) square feet and a minimum lot width of twenty five (25) feet, except as a lesser area or width is allowed by Section 17.106.010. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of twenty five (25) feet upon a street, except as this requirement is modified by Section 17.106.020.~~

~~(Prior planning code § 4889)~~

~~17.62.140—Maximum residential density.~~

~~—Residential uses shall be subject to the same maximum density and other related regulations as are set forth in Section 17.32.140 for the R-90 zone.~~

~~(Prior planning code § 4890)~~

~~17.62.150—Maximum residential floor area ratio.~~

~~—The maximum floor area ratio of residential facilities shall be as set forth in Section 17.32.150 for the R-90 zone.~~

~~(Prior planning code § 4892)~~

~~17.62.160—Maximum height.~~

~~—Except as provided in Chapter 17.128, no general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 17.108.010, on lots lying along a boundary of any of certain other zones. But see Section 17.62.120 for maximum height of Signs, and Section 17.108.130 for maximum height of facilities within minimum yards and courts.~~

~~(Ord. 11904 § 5.58, 1996; prior planning code § 4894)~~

Exhibit A: Amendments to Planning Code

17.62.170 — Minimum yards and courts.

— No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130:

— A. Front Yard. A front yard shall be provided, as prescribed in Section 17.108.040, in certain situations where part of the frontage on the same side of a block is in a residential zone.

— B. Side Yard Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 17.108.070, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

— C. Side Yard Interior Lot Line.

— 1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 17.108.080, for Residential Facilities.

— 2. A side yard shall be provided, as prescribed in Section 17.108.090, along an interior side lot line lying along a boundary of any of certain other zones.

— D. Rear Yard.

— 1. A rear yard with a minimum depth of fifteen (15) feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 17.108.110.

— 2. A rear yard shall be provided, as prescribed in Section 17.108.100, along a boundary of any of certain other zones.

— E. Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 17.108.120. (Prior planning code § 4895)

17.62.180 — Minimum usable open space.

— Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 17.32.180 for the R-90 zone. (Prior planning code § 4896)

17.62.190 — Buffering.

— All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein. See also Section 17.62.090. (Prior planning code § 4897)

17.62.200 — Special regulations for mini lot developments, planned unit developments, and large-scale developments.

— A. Mini Lot Developments. In mini lot developments, certain of the regulations otherwise applying to individual lots in the C-55 zone may be waived or modified when and as prescribed in Section 17.102.320.

— B. Planned Unit Developments. Large integrated developments shall be subject to the planned unit development regulations in Chapter 17.142 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-55 zone, and certain of the other regulations applying in said zone may be waived or modified.

— C. Large Scale Developments. No development which involves more than one hundred thousand (100,000) square feet of new floor area, or a new building or portion thereof of more than one hundred twenty (120) feet in height, shall be permitted except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134. This requirement shall not apply to developments where a valid planned unit development permit is in effect. (Prior planning code § 4898)

17.62.210 — Other zoning provisions.

— A. Parking and Loading. Off street parking and loading shall be provided as prescribed in the off street parking and loading requirements in Chapter 17.116.

Exhibit A: Amendments to Planning Code

~~— B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.~~

~~— C. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.~~

~~— D. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.~~

~~— E. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-55 zone.~~

~~— F. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-55 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4899)~~

Chapter 17.108

GENERAL HEIGHT, YARD, AND COURT REGULATIONS

17.108.060 Minimum side yard on street side of corner lot--Residential zones.

(See illustration I-13.)

A. **Where There Is a Key Lot in a Residential Zone.** In all residential zones, on every corner lot which abuts to the rear a key lot which is in a residential zone, there shall be provided on the street side of such corner lot a side yard with a minimum width equal to one-half ($\frac{1}{2}$) of the minimum front yard depth required on the key lot and no less than the minimum side yard width required along an interior side lot line of the corner lot. However, such side yard shall not be required in the R-80 and ~~R-90~~CBD-R zones, nor be required to exceed five (5) feet in width in any other residential zone, to the extent that it would reduce to less than twenty-five (25) feet the buildable width of any corner lot. Such yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130. See also Section 17.110.040C for special controls on location of detached accessory buildings on such corner lots.

B. **Where There Is No Key Lot in a Residential Zone.** In all residential zones, on every corner lot which does not abut to the rear a key lot which is in a residential zone, the required minimum side yard width on the street side of such corner lot shall be the same as that, if any, generally required along each interior side lot line of every lot in the same zone; provided, however, that such minimum width shall be five (5) feet in the R-60 and R-70 zones. However, such side yard shall not be required to exceed five (5) feet in width to the extent that it would reduce to less than twenty-five (25) feet the buildable width of any corner lot. Such yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130. (Ord. 12406 § 4 (part), 2002; Ord. 12376 § 3 (part), 2001: prior planning code § 7080)

17.108.080 Minimum side yard opposite living room windows.

(See illustration I-14.) On each lot containing Residential Facilities with a total of two or more living units, except in the case of a One-Family Dwelling with Secondary Unit, a side yard with the minimum width prescribed hereinafter shall be provided opposite any legally required window of a living room in a Residential Facility wherever such window faces any interior side lot line of such lot, other than a lot line abutting an alley, path, or public park. The side yard prescribed by this section is not required on other lots or in other situations. Such yard shall have a minimum width of eight feet, plus two feet for each story at or above the level of the aforesaid window; provided, however, that such side yard width shall not be required to exceed twelve (12) percent of the lot width in the R-70, R-80, ~~R-90~~, C-25, C-30, C-35, C-40, C-45, ~~C-51, C-55~~CBD-R, CBD-P, CBD-C, CBD-X, S-1, S-2, and S-15 zones and twenty (20) percent of the lot width in all other zones, except that in no case shall such side yard width be less than five feet. The side yard required by this section shall be provided opposite the legally required window and opposite that portion of the wall containing such window, or of any extension of such wall on the same lot, for a distance of not less than ten feet in both directions from the centerline of such legally required window, and at and above finished grade or the floor level of the lowest story containing such a window, whichever level is higher. Such yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130. (Ord. 11892 § 7, 1996: prior planning code § 7082)

17.108.090 Minimum side yard abutting side of property in R-1, R-10, R-20, R-30, R-35, R-36, R-40, R-50, or R-60 zone.

(See illustrations I-6a and I-12b.) Wherever an interior side lot line of any lot located in the R-70, R-80, ~~R-90~~CBD-R, S-1, S-2, or S-15 zone or any commercial or industrial zone abuts an interior side lot line of any lot located in the R-1, R-10, R-20, R-30, R-35, R-36, R-40, R-50, or R-60 zone, there shall be

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provided on the former lot, along the abutting portion of its side lot line, a side yard with a minimum width of ten feet. (Where it abuts a rear lot line, no yard is required by this section.) This side yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130. See also, where applicable, the greater yard width prescribed for certain facilities by Section 17.108.020(A). (Ord. 12272 § 4 (part), 2000; Ord. 11892 § 8, 1996; prior planning code § 7083)

Chapter 17.116

OFF-STREET PARKING AND LOADING REQUIREMENTS

17.116.060 Off-street parking--Residential Activities.

A. Permanent and Semi-Transient Residential Activities. Except as otherwise provided in Section 17.44.200, Chapter 17.94, Sections 17.102.300, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for all Permanent and Semi-Transient Residential Activities when located in the indicated zones and occupying the specified facilities and shall be developed and maintained pursuant to the provisions of Article IV of this chapter:

Residential Facility Type	Zone	Requirement
One-Family Dwelling.	R-1, R-10, R-20, R-30, except when combined with the S-12 zone.	Two spaces for each dwelling unit occupying a lot fronting on a street with parking allowed on one or both sides of the street; three spaces for each dwelling unit occupying a lot fronting on a street with parking prohibited on both sides of the street except that two spaces shall be required on such lots with an average lot width of fifty-five (55) feet or less, and two spaces shall be required on such lots where the site area to be covered by the structure has a gradient greater than twenty (20) percent or the street-to-setback gradient as measured from the edge of pavement to the front setback line is greater than twenty (20) percent; however, in the S-11 zone, the requirement shall be one space per bedroom with a minimum of two spaces per dwelling unit.
	R-35, R-36, R-40, except when combined with the S-12 zone.	One and one-half spaces for each dwelling unit.
	R-36, when lot is less than 4,000 square feet in size and/or 45 feet in width, except when combined with the S-12 zone.	One space for each dwelling unit.
	C-28, except as provided by Section 17.44.200.	One space for each dwelling unit.
	C-52 CBD-P (when combined with the S-7 zone), except when combined with the S-12 zone.	No spaces required.
	S-15 zone, except when combined with the S-12 zone.	One half-space for dwelling unit.

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Residential Facility Type	Zone	Requirement
	Any other zone, except when combined with the S-12 zone.	One space for each dwelling unit.
	Any zone combined with the S-12 zone.	See Section 17.94.040.
One-Family Dwelling with Secondary Unit.	R-1, R-10, R-20, R-30, R-35, R-36, R-40, except when combined with the S-12 zone.	One space for the secondary unit unless the lot already contains a total of at least three spaces; however, in the S-11 zone the requirement shall be one space for each bedroom in any secondary unit. See Section 17.102.360.
	R-50, R-60, R-70, R-80, R-90 CBD-R, C-5, C-10, C-20, except when combined with the S-12 zone.	One space for the secondary unit unless the lot already contains a total of at least two spaces; however, in the S-11 zone the requirement shall be one space for each bedroom in any secondary unit. See Section 17.102.360.
	Any zone combined with the S-12 zone.	See Section 17.94.040.
Two-Family Dwelling. Multifamily Dwelling.	R-30, R-35, R-36, R-40, except when combined with the S-12 zone.	One and one-half spaces for each dwelling unit.
	C-28, except as provided by Section 17.44.200.	One space per dwelling unit.
	C-52 CBD-P (when combined with the S-7 zone) C-52 , except when combined with the S-12 zone.	No spaces required.
	S-15 zone, except when combined with the S-12 zone.	One-half space for each dwelling unit.
	Any other zone, except when combined with the S-12 zone.	One space for each dwelling unit.
	Any zone combined with the S-12 zone.	See Section 17.94.040.
Rooming House.	C-52 CBD-P (when combined with the S-7 zone).	No spaces required.
	Any other zone.	One space for each two rooming units.
Mobile Home.	C-52 CBD-P (when combined with the S-7 zone) C-52 .	No spaces required.
	Any other zone.	One space for each living unit plus one additional space for each four living units.
Bed and Breakfast	Any zone.	One space for each two units plus the required parking for a One-Family dwelling in the underlying zone.

17.116.070 Off-street parking--Civic Activities.

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Except as otherwise provided in Sections 17.44.200, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for the specified Civic Activities when located in the indicated zones and occupying facilities of the specified sizes or having the indicated numbers of employees or doctors, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

Civic Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
A. Essential Service. Limited Childcare.	S-15.	--	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	--	No spaces required.
B. Community Assembly and Recreational Assembly: playgrounds and playing fields; concessions located in public parks; temporary nonprofit festivals.	<u>CBD-P (when combined with the S-7 zone)</u> C-52.	--	No spaces required.
	S-15.	--	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
Private non-profit clubs and lodges.	S-15.	--	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	--	No spaces required.
Churches and all other.	<u>CBD-P (when combined with the S-7 zone)</u> C-52.	--	No spaces required.
	C-45, C-54 <u>CBD-P (except when combined with the S-7 zone), CBD-C, CBD-X, S-2.</u>	10,000 square feet of floor area.	One space for each 20 seats or for each 150 square feet area where seats are not fixed, in principal meeting rooms.

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Civic Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
	C-5, C-10, C-28, C-31, C-35.	Total of 75 seats or 750 square feet of floor area where seats are not fixed, in principal meeting rooms.	One space for each 15 seats, or for each 100 square feet of floor area where seats are not fixed, in principal meeting rooms.
	S-15.	--	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	Total of 75 seats, or 750 square feet of floor area where seats are not fixed in principal meeting rooms.	One space for each 10 seats, or for each 100 square feet of floor area where seats are not fixed, in principal meeting rooms.
C. Community Education: high schools.	C-52, C-55 CBD-P, CBD-C, CBD-X.	-	No spaces required.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	One space for each three employees plus one space for each 10 students of planned capacity.
all others.	C-52, C-55 CBD-P, CBD-C, CBD-X.	-	No spaces required.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	One space for each three employees.
D. Nonassembly Cultural Administrative.	C-52, C-55 CBD-P, CBD-C, CBD-X	-	No spaces required.
	C-45, C-51 , S-2.	10,000 square feet of floor area.	One space for each 1,400 square feet of floor area.
	C-5, C-10, C-28, C-31, C-35.	3,000 square feet of floor area.	One space for each 900 square feet of floor area.

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Civic Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
	S-15	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	3,000 square feet of floor area.	One space for each 600 square feet of floor area.
E. Health Care: hospitals.	C-52 .CBD-P (only when combined with the S-7 zone)	-	No spaces required.
E. Health Care: hospitals.	C-45, C-51, C-55, CBD-P (only if not combined with the S-7 zone), CBD-C, CBD-X, S-2.	No minimum.	One space for each staff or regular visiting doctor.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	One space for each four beds, plus one space for each four employees other than doctors, plus one space for each staff or regular visiting doctor.
clinics.	CBD-P (only when combined with the S-7 zone) C-52 .	-	No spaces required.
	C-45, C-51, C-55, CBD-P (only when not combined with the S-7 zone), CBD-C, CBD-X, S-2.	No minimum.	One space for each staff or regular visiting doctor.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	Three spaces for each staff or regular visiting doctor plus one space for reach two other employees.

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Civic Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
all other.	<u>CBD-P (only when combined with the S-7 zone)</u> C-52.	-	No spaces required.
	C-45, <u>CBD-P (only when not combined with the S-7 zone)</u> , <u>CBD-C, CBD-X, C-51, C-55, S-2.</u>	No minimum.	One space for each staff or regular visiting doctor.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	One space for each six beds, plus one space for each four employees other than doctors, plus one space for each staff or regular visiting doctor.
F. Utility and Vehicular.	C-52, C-55. <u>CDB-P, CBD-C, CBD-X.</u>	-	No spaces required.
	C-45, C-51, S-2.	10,000 square feet of floor area.	One space for each vehicle used in connection with the activities.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	3,000 square feet of floor area.	One space for each three employees plus one space for each vehicle used in connection with the activities.
G. Extensive Impact: colleges and universities.	<u>CBD-P, CBD-C, CBD-X, C-52, C-55.</u>	-	No spaces required.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.

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Civic Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
	Any other zone.	No minimum.	One space for each three employees plus one space for each six students of planned capacity.
all other.	<u>CBD-P (only when combined with the S-7 zone)</u> C-52-	-	No spaces required.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.

(Ord. 12138 § 4 (part), 1999; Ord. 11892 § 13, 1996: prior planning code § 7512)

17.116.080 Off-street parking--Commercial Activities.

Except as otherwise provided in Sections 17.44.200, 17.101.090, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for the specified Commercial Activities when located in the indicated zones and occupying facilities of the specified sizes, or having the indicated numbers of employees, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
A. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café.	C-52, C-55, CBD-P, CBD-C, CBD-X, S-15.	10,000 square feet of floor area.	No spaces required.
Convenience Market. Alcoholic Beverage Sales.	C-45, C-54, S-2.	3,000 square feet of floor area.	One space for each 450 square feet of floor area.
	C-5, C-10, C-28, C-31, C-35.	3,000 square feet of floor area.	One space for each 300 square feet of floor area.
	Any other zone.		One space for each 200 square feet of floor area.
B. Mechanical or Electronic Games.			
Medical Service.			

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Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
General Retail Sales, except when sales are primarily of bulky merchandise such as furniture or large appliances.			
Consumer Service.			
Consumer Laundry and Repair Service, except when services consists primarily of repair or cleaning of large items such as furniture or carpets.			
General Wholesale Sales, whenever 50 percent or more of all sales on the lot are at retail.			
Undertaking Service.	<u>CBD-P,</u> <u>CBD-C,</u> <u>CBD-X, S-15</u>	--	<u>No spaces required</u>
	C-45, C-51, S-2.	1,000 square feet of floor area.	One space for each 900 square feet of floor area.
	C-5, C-10, C-28, C-31, C-35	3,000 square feet of floor area.	One space for each 600 square feet of floor area.
	Any other zone.	3,000 square feet of floor area.	One space for each 400 square feet of floor area.
C. Consultative and Financial Service.	C-52, C-55, S-15.	-	<u>No spaces required.</u>
Administrative.			
Business, Communication, and Media Service.			
Broadcasting and Recording Service			
Research Service.			
	<u>CBD-P,</u> <u>CBD-C,</u> <u>CBD-X, S-15.</u>	=	<u>No spaces required.</u>
	C-45, C-51, S-2.	10,000 square feet of floor area.	One space for each 1,400 square feet of floor area.
	C-5, C-10, C-28, C-31, C-35.	3,000 square feet of floor area.	One space for each 900 square feet of floor area.
	Any other zone.	3,000 square feet of floor area.	One space for each 600 square feet of floor area.

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Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
D. General Wholesale Sales, whenever less than 50 percent of all sales on the lot are at retail.			
Wholesale Professional Building Material Sales.			
Automotive Sales and Service.			
Automobile and Other Light Vehicle Sales and Rental.			
	C-45, C-51 , CBD-P , CBD-C , CBD-X , S-2.	10,000 square feet of floor area.	One space for each 1,000 square feet of floor area, or for each three employees, whichever requires fewer spaces.
	Any other zone.	5,000 square feet of floor area.	One space for each 1,000 square feet of floor area, or for each three employees, whichever requires fewer spaces.
E. Group Assembly and Personal Instruction and Improvement and Small Scale Entertainment.	C-52 , C-55 , CBD-P , CBD-C , CBD-X , S-15.	-	No Spaces required.
	C-45, C-51 , S-2.	10,000 square feet of floor area.	One space for each 16 seats in indoor places of assembly with fixed seats, plus one space for each 160 square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly area.

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Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
	C-5, C-10, C-28, C-31, C-35.	Total of 75 seats in indoor places of assembly with fixed seats, or 750 square feet of floor area in dance halls or other indoor places of assembly without fixed seats, or 5,000 square feet of outdoor assembly areas.	One space for each eight seats in indoor places of assembly with fixed seats, plus one space for each 80 square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly areas.
	Any other zone.	Total of 75 seats in indoor places of assembly with fixed seats, or 750 square feet of floor area in dance halls or other indoor places of assembly without fixed seats, or 5,000 square feet of outdoor assembly areas.	One space for each eight seats in indoor places of assembly with fixed seats, plus one space for each 80 feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly areas.
F. Transient Habitation.	<u>CBD-P (only when combined with the S-7 zone)</u> C-52, S-15.	-	No spaces required.
	C-55 CBD-P, CBD-C, CBD-X.	No minimum.	One space for each unit in a motel and one space for each two units in a hotel.
	Any other zone.	No minimum.	One space for each unit in a motel and three spaces for each four units in a hotel.
G. General Retail Sales, when ever sales are primarily of bulky merchandise such as furniture or large appliances.	C-52, C-55,	-	
Consumer Laundry and Repair Service, whenever services consist primarily of repair or cleaning of large items such as furniture or carpets.			

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Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
Animal care and Animal Boarding.	<u>CBD-P,</u> <u>CBD-C,</u> <u>CBD-X,</u> S-15.	--	No spaces required.
	C-45, C-51, S-2.	10,000 square feet of floor area.	One space for each 1,000 square feet of floor area.
	Any other zone.	5,000 square feet of floor area.	One space for each 1,000 square feet of floor area.
H. Automobile and Other Light Vehicle Gas Station and Servicing.	C-52, C-55.		
Automotive and Other Light Vehicle Repair and Cleaning.			
Automotive Fee Parking.	<u>CBD-P,</u> <u>CBD-C,</u> <u>CBD-X.</u>	--	No spaces required.
	C-45, C-51, S-2.	10,000 square feet of floor area.	One space for each 1,000 square feet of floor area.
	Any other zone.	No minimum.	One space for each 1,000 square feet of floor area.
I. Transport and Warehousing.	<u>CBD-P,</u> <u>CBD-C,</u> <u>CBD-X.</u> C-52, C-55.	=	No spaces required.
	Any other zone.	10,000 square feet of floor area and outdoor storage, processing, or sales area.	One space for each three employees.
J. Scrap Operation.	<u>CBD-P,</u> <u>CBD-C,</u> <u>CBD-X.</u> C-51, C-55.	-	No spaces required.

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Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
	Any other zone.	10,000 square feet of floor area and outdoor storage, processing or sales area.	One space for each 2,000 square feet of floor area, or for each three employees, whichever requires more spaces; provided that in the case of Scrap Operation Commercial Activities whenever storage and sale, from the premises, or dismantling or other processing of used or waste materials which are not intended for reuse and their original form, when the foregoing are not a part of a manufacturing operation, occupy less than 50 percent of the floor and open area of the firm on a single lot, the parking requirement shall be as prescribed for the other activities engaged in by the same firm on the same lot.
K. Fast-Food Restaurant.	C-55 CBD-P, CBD-C, CBD-X, S-15.	-	No spaces required.
	C-45, C-54 .	10,000 square feet of floor area.	One space for each 450 square feet of floor area.
	C-28, C-31, C-35, S-2.	2,000 square feet of floor area.	One space for each 300 square feet of floor area.
	Any other zone.	3,000 square feet of floor area.	One space for each 200 square feet of floor area.

(Ord. 12289 § 4 (part), 2000; Ord. 11892 § 14, 1996: prior planning code § 7513)

17.116.090 Off-street parking-- Industrial Activities.

Except as otherwise provided in Sections 17.101.090, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.040, the following amounts of off-street parking are required for all Industrial Activities when located in the indicated zones and occupying facilities of the specified sizes or having the indicated number of employees, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

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Zone	Minimum Total Size for Which Parking Required	Requirement
C-52, C-55 CBD-P, CBD-C, CBD-X, S-15.	-	No spaces required.
C-45, C-51 , S-2.	10,000 square feet of floor area.	One space for each 1,500 square feet of floor area or for each three employees, whichever requires more spaces.
Any other zone.	5,000 square feet of floor area.	One space for each 1,500 square feet of floor area or for each three employees, whichever requires more spaces.

(Ord. 12289 § 4 (part), 2000; Ord. 11892 § 15, 1996; prior planning code § 7514)

17.116.100 Off-street parking--Agricultural and Extractive Activities.

Except as otherwise provided in Sections 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for all Agricultural and Extractive Activities when located in the indicated zones and occupying facilities of the specified sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

Zone	Minimum Total Size for Which Parking Required	Requirement
C-52, C-55 CBD-P, CBD-C, CBD-X.	-	No spaces required.
C-45, C-51 , S-2.	10,000 square feet of floor area and outdoor sales or display area.	One space for each 1,000 square feet of floor area and outdoor sales or display area.
Any other zone.	5,000 square feet of floor area and outdoor sales or display area.	One space for each 1,000 square feet of floor area and outdoor sales or display area.

(Prior planning code § 7515)

17.116.110 Special exemptions to parking requirements.

The provisions of this section shall apply to all activities in all zones except Residential Activities occupying One-Family, Two-Family or Multifamily Residential Facilities located within the S-12 residential parking combining zone, where the provisions of Section 17.94.040 shall apply.

A. Discretionary Reduction for Senior Citizen Housing and Dormitories. In senior citizen housing where living units are regularly occupied by not more than two individuals at least one of whom is sixty (60) years of age or older or is physically handicapped regardless of age, or in a dormitory, fraternity, or similar facility, the number of parking spaces prescribed in Section 17.116.060 may be reduced by not to exceed seventy-five (75) percent upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination that the proposal conforms to the use permit criteria set forth in subsections A or B, and C of this section:

1. In the case of senior citizen housing where living units are regularly occupied by not more than two individuals at least one of whom is sixty (60) years of age or older or is physically handicapped

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regardless of age, that such occupancy is guaranteed, for a period of not less than fifty (50) years, by appropriate conditions incorporated into the permit;

2. In the case of a dormitory, fraternity, or similar facility, that the occupants are prevented from operating a motor vehicle because they are not of driving age or by other special restriction, which limitation of occupancy by nonqualifying drivers is assured by appropriate conditions incorporated into the permit;

3. That due to the special conditions referred to above, and considering the availability, if any, of public transportation within convenient walking distance, the reduced amount of parking will be adequate for the activities served, and that the reduction will not contribute to traffic congestion or impair the efficiency of on-street parking.

B. Discretionary Reduction of Total Requirements with Shared Parking Area. For a joint off-street parking area which serves two or more nonresidential activities in any zone, or Residential Activities in the ~~R-90, C-28, C-31, C-45, CBD-R, C-51, or C-55~~ CBD-P, CBD-C, or CBD-X zone, and which meets the conditions set forth in Section 17.116.180, the total parking requirement for the sharing activities may be reduced by not to exceed fifty (50) percent upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination that the typical utilization of the parking area would be staggered to such an extent that the reduced number of spaces would be adequate to serve all such activities.

C. Discretionary Waiver or Reduction in Districts Providing Common Parking Areas. The off-street parking requirements specified above for nonresidential activities in any zone, or for Residential Activities in the ~~R-90, C-28, C-31, C-45, CBD-R, C-51, or C-55~~ CBD-P, CBD-C, or CBD-X zone, may be waived or reduced by the Director of City Planning when said activities are located within a municipal parking district or assessment district the function of which is to provide off-street parking, upon a finding that, in consideration of existing or prospective municipal parking facilities, such waiver or reduction would not substantially contribute to traffic congestion or impair the efficiency of on-street parking. Any determination on such waiver or reduction shall be subject to appeal pursuant to the administrative appeal procedure in Chapter 17.132. (Prior planning code § 7519)

Article III

Off-Street Loading Requirements

17.116.120 Off-street loading--IndustrialResidential Activities.

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones ~~except C-52~~ for Residential Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

Total Floor Area of Facilities Occupied Requirement	Requirement
Less than 50,000 square feet.	No berth required.*
50,000--149,999 square feet.	One berth.*
150,000--299,999 square feet.	Two berths.*
Each additional 300,000 square feet or fraction of one-half or more thereof.	One additional berth.*

*Off-street loading is not required in CBD-P zone when combined with the S-7 zone ~~C-52 zone~~. (Prior planning code § 7521)

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17.116.130 Off-street loading--Civic Activities.

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones ~~except C-52~~ for the specified Civic Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

Civic Activity and Total Floor Area of Facilities Occupied	Requirement
A. Community Assembly Community Education, Nonassembly Cultural, Health Care, or Administrative, occupying the following floor are:	
Less than 50,000 square feet.	No berth required.*
50,000--149,999 square feet.	One berth.*
150,000--299,999 square feet.	Two berths.*
Each additional 100,000 square feet or fraction of one-half or more thereof.	One additional berth.*
B. Utility and Vehicular or Extensive Impact.	A number of berths to be prescribed by the Director of City Planning pursuant to Section 17.116.040*
C. All other Civic Activities.	No berths required.

*Off-street loading is not required in the CBD-P zone when combined with the S-7 zone~~C-52 zone~~. (Prior planning code § 7522)

17.116.140 Off-street loading--Commercial Activities.

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones ~~except C-52~~ for the specified Commercial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

Commercial Activity and Total Size of Facilities Occupied	Requirement
A. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café, Convenience Market, Fast-Food Restaurant, Alcoholic Beverage Sales, Consumer Service, General Retail Sales, Consumer Laundry and Repair Service, Group Assembly, Personal Instruction and Improvement and Small Scale Entertainment Business, Communication, and Media Service, Broadcasting and Recording Service, Research Service, General Wholesale Sales, Wholesale Professional Building Material Sales, Automobile and Other Light Vehicle Sales and Rental, Automobile and Other Light Vehicle Gas Station and Servicing, Automotive and Other Light Vehicle Repair and Cleaning, Transport and Warehousing, Animal Care, or Animal Boarding occupying facilities with the following floor area:	
Less than 10,000 square feet.	No berths required.*
10,000--24,999 square feet.	One berth.*
25,000--49,999 square feet.	Two berths.*
50,000--99,999 square feet.	Three berths.*

Exhibit A: Amendments to Planning Code

Commercial Activity and Total Size of Facilities Occupied	Requirement
Each additional 120,000 square feet or fraction of one-half or more thereof.	One additional berth.*
B. Mechanical or Electronic Games, Medical Service, Consumer Service, Consultative and Financial Service, Administrative, or Transient Habitation, occupying facilities with the following floor area:	
Less than 50,000 square feet.	No berths required.*
50,000--149,999 square feet.	One additional berth.*
150,000--299,999 square feet.	One berth.*
Each additional 300,000 square feet or fraction of one-half or more thereof.	Two berths. One additional berth.*
C. Undertaking Service, occupying facilities with the following floor area:	
Less than 2,500 square feet.	No berths required.*
2,500--24,999 square feet.	One berth.
25,000--49,999 square feet.	Two berths.*
50,000--99,999 square feet.	Three berths.*
Each additional 120,000 square feet or fraction of one-half or more thereof.	One additional berth.*
D. Scrap Operation, occupying facilities with the following amounts of floor area and outdoor storage, processing, or sales area:	
Less than 25,000 square feet.	One berth.*
25,000--49,999 square feet.	Two berths.*
50,000--99,999 square feet.	Three berths.*
Each additional 120,000 square feet or fraction of one-half or more thereof.	One additional berth.*
E. All other Commercial Activities.	No berths required.*

*Off-street loading is not required in the CBD-P zone when combined with the S-7 zone~~C-52 zone~~. (Prior planning code § 7523)

17.116.150 Off-street loading-- Industrial Activities.

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones ~~except C-52~~ for all Industrial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

Total Floor Area of Facilities Occupied	Requirement
Less than 10,000 square feet.	No berths required.*
10,000--24,999 square feet.	One berth.*
25,000--49,999 square feet.	Two berths.*
50,000--99,999 square feet.	Three berths.*
Each additional 170,000 square feet or fraction of one-half or more thereof.	One additional berth.*

*Off-street loading is not required in the CBD-P zone when combined with the S-7 zone~~C-52 zone~~. (Prior planning code § 7524)

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17.116.170 Property on which parking and loading must be provided.

A. Parking Spaces and Loading. Off-street parking spaces and loading berths required by the zoning regulations shall be located as set forth below for the specified activities except as otherwise provided in Section 17.116.290B. When a maximum distance from the lot containing the activity served to another lot is prescribed, it shall be measured along a permanently accessible pedestrian route between a lot line of the former lot and the nearest boundary of the offsite parking or loading area.

Required Facility and Activity it Serves	Zone	Location
Parking spaces for any Residential Activity.	R-90, C-31, C-45, CBD-R, C-51, C-55, CBD-P, CBD-C, CBD-X.	On the same lot as the activity served; or, subject to the provisions of Section 17.116.180, on another lot located within three hundred (300) feet and having at least one owner in common with the former lot.
Industrial	Any other zone.	On the same lot as the activity served, but for One and Two-Family Residential Facilities on any lot with a street-to-setback gradient that exceeds twenty (20) percent, required parking stalls may be permitted to extend into the public right-of-way of an adjoining street subject to the following standards (see illustration I-20c):
		1. The required parking stalls shall be located perpendicular to and the edge of the curb, pavement, or sidewalk;
		2. The parking stalls shall be set back a minimum of five feet from the edge of street pavement including any curbs or sidewalks; and
		3. The parking stalls extending into the street right-of-way shall not constitute more than fifty (50) percent of the required residential parking.
Parking spaces for any Industrial Activity; Administrative or Utility and Vehicular Civic Activities; or Administrative, Research Service Commercial Activities.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 17.116.180, on another lot located within five hundred (500) feet and having at least one owner in common with the former lot.
Parking spaces for any activity not listed above.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 17.116.180, on another lot located within three hundred (300) feet and having at least one owner in common with the former lot.

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Required Facility and Activity it Serves	Zone	Location
Loading berths for any activity.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 17.116.180, on an abutting lot having at least one owner in common with the former lot, except that a jointly owned off-street loading facility for nonresidential activities in any zone, or for Residential Activities in the R-90 <u>CBD, C-31, and C-45, C-51, C-55</u> zones, may, upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, and subject to the provisions of Section 17.116.180, be located on a lot which does not abut all the lots containing the activities served.

B. Maneuvering Aisles and Driveways. Required maneuvering aisles and driveways shall be located as specified in subsection A of this section for required spaces or berths serving the same activity, except as follows:

1. A required driveway may, subject to the provisions of Section 17.116.180, straddle the lot line of abutting lots in separate ownership if it leads to parking spaces or loading berths on both lots.

2. A required maneuvering aisle or portion thereof may, subject to the provisions of Section 17.116.180, straddle the lot line of abutting lots in separate ownership if there are on both sides of such aisle, or portion thereof, parking spaces or loading berths which are directly opposite each other.

C. Upon the granting of a conditional use permit pursuant to the conditional use permit procedure, and subject to the provisions of Section 17.102.090 and Section 17.116.180, any required driveway or maneuvering aisle may be located entirely on another lot or lots in separate ownership. (Ord. 12406 § 4 (part), 2002; Ord. 12376 § 3 (part), 2001; Ord. 11892 § 16, 1996; prior planning code § 7535)

Chapter 17.134

CONDITIONAL USE PERMIT PROCEDURE

17.134.020 Definition of major and minor conditional use permits.

A. Major Conditional Use Permit. A conditional use permit is considered a major conditional use permit if it involves any of the following:

1. Thresholds. Any project that meets any of the following size thresholds:

a. The actual project site (including only portions of the lot actually affected by the project) exceeds one acre;

b. Nonresidential projects involving twenty-five thousand (25,000) square feet or more of floor area, except in the R-80, CBD-R, CBD-P (when not combined with the S-7 zone), CBD-C, CBD-X, R-90, C-51, C-55, S-2, or S-15 zones;

c. Residential projects requiring a conditional use permit for density resulting in a total number of living units as follows:

i. Three or more dwelling units in the R-36 or R-40 zone,

ii. Seven (7) or more dwelling units in the R-50 zone.

d. Residential projects requiring a conditional use permit to exceed the basic or permitted density resulting in 7 or more living units in the R-60, R-70, R-80, or ~~R-90~~CBD-R zone.

e. Large Scale Developments. Any development which is located in the R-80, ~~R-90~~CBD-R, C-51, C-55CBD-P (when not combined with the S-7 zone), CBD-C, CBD-X, S-2, or S-15 zone and results in more than one hundred thousand (100,000) square feet of new floor area.

2. Uses. Any project that involves any of the following activity or facility types except where the proposal involves only accessory parking, the resumption of a discontinued nonconforming activity, or an addition to an existing activity which does not increase the existing floor area by more than twenty (20) percent:

a. Activities:

i. Residential Care Residential,

ii. Service Enriched Housing Residential,

iii. Transitional Housing Residential,

iv. Emergency Shelter Residential,

v. Extensive Impact Civic,

vi. Convenience Market Commercial,

vii. Fast-food Restaurant Commercial,

viii. Alcoholic Beverage Sales Commercial or sale of alcoholic beverages at any full-service restaurant in a location described by Section 17.102.210(B),

ix. Heavy Manufacturing,

x. Small Scale Transfer and Storage Hazardous Waste Management,

xi. Industrial Transfer/Storage Hazardous Waste Management,

xii. Mining and Quarrying Extractive;

b. Facilities:

i. Drive-Through,

ii. Advertising Sign, except when the facility meets the requirements of Section 17.11.090.

iii. Special Health Care Civic Activities.

3. Special Situations. Any project that involves any of the following situations:

a. Any project that requires development of an Environmental Impact Report;

b. Any single establishment containing a Commercial or Manufacturing Activity, or portion thereof, which is located in any residential zone and occupies more than five thousand (5,000) square feet of floor area, except where the proposal involves only the resumption of a nonconforming activity;

Exhibit A: Amendments to Planning Code

- c. Off-Street Parking Facilities in the C-40, ~~C-51~~CBD-P, CBD-C, CBD-X, ~~C-52~~ and S-2 zones serving fifty (50) or more vehicles;
- d. Transient Habitation Commercial Activities in the C-40 and C-45 zones;
- e. Monopole Telecommunications Facilities in, or within three hundred (300) feet of the boundary of, any residential zone;
- f. Any project in the OS zone listed as requiring a major conditional use permit in Chapter 17.11;
- g. Any electroplating activity as defined in Section 17.09.040 subject to the provisions of Section 17.102.340;
- h. Any conditional use permit application referred by the Director of City Planning to the City Planning Commission for decision pursuant to Section 17.134.040(B)(1);
- i. Any Telecommunications Facility in or within one hundred (100) feet of the boundary of any residential zone;
- j. Any Telecommunications Facility whose antennas and equipment are not fully concealed from view within three hundred (300) feet of the boundary of residential zones R-1 through R-60 inclusive.

B. Minor Conditional Use Permit. A minor conditional use permit is a conditional use permit which does not involve any of the purposes listed in subsection A of this section.

(Ord. 12501 § 80, 2003; Ord. 12450 § 19, 2002; Ord. 12350 § 3 (part), 2001; Ord. 12272 § 4 (part), 2000; Ord. 12237 § 4, 2000; Ord. 12234 § 4, 2000; Ord. 12224 § 7, 2000; Ord. 12205 § 4 (part), 2000; Ord. 12199 § 9 (part), 2000; Ord. 12138 § 4 (part), 1999; Ord. 12078 § 5 (part), 1998; Ord. 12072 § 12, 1998; Ord. 12016 § 2 (part), 1997; Ord. 11904 § 5.91, 1996; Ord. 11892 § 21, 1996; Ord. 11539 § 2, 1993; prior planning code § 9201)

Chapter 17.136

DESIGN REVIEW PROCEDURE

Sections:

- 17.136.010 Title, purpose, and applicability.
- 17.136.020 Application.
- 17.136.025 Exemptions from design review.
- 17.136.030 Small project design review.
- 17.136.035 Small project design review criteria.
- 17.136.040 Regular design review.
- 17.136.050 Regular design review criteria.
- 17.136.055 Special regulations for Historic Properties in the Central Business Zones.
- 17.136.060 Review by Landmarks Board in certain cases.
- 17.136.070 Special regulations for designated landmarks.
- 17.136.075 Postponement of demolition.
- 17.136.080 Appeal to Planning Commission--Regular design review.
- 17.136.090 Appeal to City Council--Regular design review.
- 17.136.100 Adherence to approved plans.
- 17.136.120 Design review related to conditional use permit, planned unit development, variance, or subdivision.
- 17.136.130 Limitation on resubmission--Small project design review.

17.136.040 Regular Design Review.

A. Applicability. "Regular design review" shall apply to proposals that require design review pursuant to the zoning regulations of Title 17 of the Oakland Planning Code, but do not qualify for a design review exemption as set forth in Section 17.136.025 or small project design review as set forth in Section 17.136.030. Projects requiring regular design review include, but are not limited to, the following types of work:

1. Any proposal involving one or more of the facility, activity, building, structure, or development types that require design review pursuant to the zoning regulations of Title 17 of the Oakland Planning Code, but does not qualify for a design review exemption as set forth in Section 17.136.025, or small project design review as set forth in Section 17.136.030;
2. Construction or alteration of structures requiring a conditional use permit or variance, pursuant to the zoning regulations of Title 17 of the Oakland Planning Code;
3. New construction of one or two dwelling units, other than a secondary unit;
4. New construction of three or more dwelling units, or adding units to a property for a total of three or more dwelling units on site;
5. New construction of principal facilities in the HBX zone;
6. The creation of any new HBX 'work/live' unit or HBX 'live/work' unit (see Sections 17.65.160 and 17.65.170). This requirement shall apply for both: a) conversions of existing facilities to contain either of these unit types, and b) the construction of new buildings that contain either of these unit types;
7. Cumulative additions over a three (3) year period not involving the creation of a dwelling unit that are outside the existing building envelope and exceed one thousand (1000) square feet or one hundred percent (100%) of the total floor area or footprint on site, whichever is less;
8. Exceptions to the parking accommodation requirements for one- and two-family Residential Facilities in Section 17.102.390;
9. Advertising Signs, and Signs extending above the roofline;

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10. Proposals for new or modified Telecommunications Facilities, pursuant to Chapter 17.128, but excluding those alterations to existing Telecommunications Facilities listed as a Small Project in Section 17.136.030(B).

B. Pre-Application Review --Regular Design Review. Prior to application for regular design review, any applicant or his or her representative seeking early project feedback may submit for a pre-application review of the proposal by a representative of the City Planning Department. For projects of a larger scale or involving a significant policy issue, the Director of City Planning may, at his or her discretion, request that an applicant or his or her representative submit for a pre-application review of the proposal. During a pre-application review, the city representative will provide information about applicable design review criteria and pertinent procedures, including the opportunity for advice from outside design professionals. Where appropriate the city representative may also informally discuss possible design solutions, point out potential neighborhood concerns, and mention local organizations which the applicant is encouraged to contact before finalizing the proposal.

C. Procedure for Consideration of Regular Design Review Proposals which Involve or Result in a One- or Two-Unit Residential Facility--Decisions Not Ultimately Appealable to City Council.

1. Decision by the Director of City Planning or the City Planning Commission. An application for regular design review shall be considered by the Director of City Planning. The Director may, at his or her discretion, refer the application to the City Planning Commission for decision rather than acting on it himself or herself. However, if the project requires an Environmental Impact Report, or results in twenty-five thousand (25,000) square feet or more of new floor area and is located in any zone other than the R-80, ~~R-90~~CBD-R, CBD-P (except when combined with the S-7 zone), ~~CBD-C, C-51, C-55~~CBD-X, S-2, or S-15 zones, the Director of City Planning shall refer the application to the City Planning Commission for an initial decision rather than acting on it himself or herself.

2. Notification Procedures. Notice shall be given by posting an enlarged notice at a location on the project site that is clearly visible from the street, alley, or private way providing access to the subject lot. Notice shall also be given by mail or delivery to all persons shown on the last available equalized assessment roll as owning real property in the city within three hundred (300) feet of the project site; provided, however, that failure to send notice to any such owner where his or her address is not shown in said records shall not invalidate the affected proceedings. All such notices shall be given not less than seventeen (17) days prior to the date set, as the case may be, for decision on the application by the Director, or prior to the date set for a hearing before the Commission, if such is to be held. During the required noticing period, the planning department shall receive and consider comments from any interested party.

3. The Director or the applicant may seek the advice of outside design professionals. The Director shall determine whether the proposal conforms to the applicable design review criteria, and may approve or disapprove the proposal or require such changes therein or impose such reasonable conditions of approval as are in his or her judgment necessary to ensure conformity to said criteria.

4. Finality of Decision. A determination by the Director shall become final ten calendar days after the date of initial decision unless appealed to the City Planning Commission or the Commission's Residential Appeals Committee in accordance with Section 17.136.080. In the event that the last date of appeal falls on a weekend or holiday when city offices are closed, the next date such offices are open for business shall be the last date of appeal. In those cases which are referred to the Commission by the Director, the initial decision of the Commission shall become final ten days after the date of decision.

D. Procedure for Consideration of Regular Design Review Proposals which do not Involve or Result in a One- or Two-Unit Residential Facility--Decisions Ultimately Appealable to City Council.

1. Decision by the Director of City Planning or the City Planning Commission. An application for regular design review shall be considered by the Director of City Planning. The Director may, at his or her discretion, refer the application to the City Planning Commission for an initial decision rather than acting on it himself or herself. In these instances, any other minor permits associated with the application shall be considered concurrently by the Planning Commission, pursuant to Section 17.130.080. However, if the project requires an Environmental Impact Report, or results in twenty-five thousand (25,000) square feet of new floor area and is located in any zone other than the R-80, CBD-R, CBD-P (when not

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combined with the S-7 zone), CBD-C, CBD-X, ~~R-90, C-51, C-55~~, S-2, or S-15 zones, the Director of City Planning shall refer the application to the City Planning Commission for an initial decision rather than acting on it himself or herself.

2. Notification Procedures. Notice shall be given by posting an enlarged notice at a location on the project site that is clearly visible from the street, alley, or private way providing access to the subject lot. Notice shall also be given by mail or delivery to all persons shown on the last available equalized assessment roll as owning real property in the city within three hundred (300) feet of the project site; provided, however, that failure to send notice to any such owner where his or her address is not shown in said records shall not invalidate the affected proceedings. All such notices shall be given not less than seventeen (17) days prior to the date set, as the case may be, for decision on the application by the Director, or prior to the date set for a hearing before the Commission, if such is to be held. During the required noticing period, the planning department shall receive and consider comments from any interested party.

3. The Director or the Commission may seek the advice of outside design professionals. The Director or the Commission, as the case may be, shall determine whether the proposal conforms to the applicable design review criteria, and may approve or disapprove the proposal or require such changes therein or impose such reasonable conditions of approval as are in his or her or its judgment necessary to ensure conformity to said criteria.

4. Finality of Decision. A determination by the Director shall become final ten days after the date of initial decision unless appealed to the City Planning Commission in accordance with Section 17.136.080. In those cases which are referred to the Commission by the Director, the initial decision of the Commission shall become final ten days after the date of decision unless appealed to the City Council in accordance with Section 17.136.090. In the event that the last day of appeal falls on a weekend or holiday when city offices are closed, the next date such offices are open for business shall be the last date of appeal.

E. **Alternative Notification Procedures.** If the conditions as set forth in Section 17.130.020 apply, alternative notification procedures discussed therein may replace or supplement the procedures set forth in subsections C and D of this section.

(Ord. 12376 § 3 (part), 2001; Ord. 12237 § 4 (part), 2000; Ord. 11816 § 2 (part), 1995: prior planning code § 9305)

17.136.055 Special regulations for Historic Properties in the Central Business Zones.

A. The provisions of this section shall only apply to proposals in the CBD zones.

B. Findings.

1. Any exterior alteration to a character-defining element of a Designated Historic Property (DHP) or Potentially Designated Historic Property (PDHP) that: 1) does not match its exterior historical materials or appearance, and 2) is part of the existing building (not part of any proposed addition) shall be required to meet any applicable criteria in Chapter 17.136 and meet findings (a) and (b), below. The determination of whether a project meets these findings requires consultation with Historic Preservation staff.

a. Any replacements of exterior character-defining elements are required because repair is not feasible. "Character-defining elements" are those features of design, materials, workmanship, setting, location, and association that identify a property as representative of its period and contribute to its visual distinction or historical significance; and

b. Consultation with Historic Preservation staff has determined that any replacement or repair that differs from the original feature is compatible with the character of the building, Area of Primary Importance (API) or Area of Secondary Importance (ASI), if applicable, and retains the character-defining appearance of the feature.

2. Approval of applications for projects in an API that require Regular Design Review approval may be granted only upon determination that the proposal conforms to any applicable criteria in Chapter 17.136 and to the following additional criteria:
 - a. Any proposed new construction is compatible with the existing API in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing;
 - b. New street frontage has forms that reflect the widths and rhythm of the facades on the street and entrances that reflect the patterns on the street;
 - c. The proposal provides high visual interest that either reflects the level and quality of visual interest of the API contributors or otherwise enhances the visual interest of the API.
 - d. The proposal is consistent with the visual cohesiveness of the API. For the purpose of this finding, visual cohesiveness is the architectural character, the sum of all visual aspects, features, and materials that defines the API. A new structure contributes to the visual cohesiveness of a district if it relates to the design characteristics of a historic district while also conveying its own time. New construction may do so by drawing upon some basic building features, such as the way in which a building is located on its site, the manner in which it relates to the street, its basic mass, form, direction or orientation (horizontal vs. vertical), recesses and projections, quality of materials, patterns of openings and level of detailing. When some combination of these design variables are arranged in a new building to relate to those seen traditionally in the area, but integral to the design and character of the proposed new construction, visual cohesiveness results;
 - e. Where height is a character-defining element of the API there are height transitions to any neighboring contributing historic buildings. "Character-defining elements" are those features of design, materials, workmanship, setting, location, and association that identify a property as representative of its period and contribute to its visual distinction or historical significance. APIs with a character-defining height and their character-defining height level are designated on the zoning maps; and
 - f. For additions, the proposal meets either: 1) Secretary of Interior's standards for the treatment of historic resources; 2) the proposal will not adversely affect the character of the property or API; or, 3) upon the granting of a conditional use permit, (see Chapter 17.134 for the CUP procedure) and a hearing in front of the Landmarks Preservation Advisory Board for its recommendations, a project meets the additional findings in subsection g., below.
 - g. For construction of new principal buildings:
 - i. The project will not cause the API to lose its status as an API;
 - ii. The proposal will result in a building or addition with exterior visual quality, craftsmanship, detailing, and high quality and durable materials that is at least equal to that of the API contributors; and
 - iii. The proposal contains elements that relate to the character-defining height of the API, if any, through the use of a combination of upper story setbacks, window patterns, change of materials, prominent cornice lines, or other techniques. APIs with a character-defining height and their character-defining height level are designated on the zoning maps.
3. Approval of an application for a project that requires Regular Design Review Approval involving a DHP or PDHP outside of an API may be granted only upon determination that the proposal conforms to any applicable criteria in Chapter 17.136 and either meets each criteria (a), (b), and (c), or only (d), below:

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- a. Any proposed new construction is compatible with the existing district and/or building in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing;
- b. The proposal reflects the quality and visual interest of the building and/or ASI, or otherwise enhances the visual interest of the building or ASI.
- c. The proposal does not disqualify an ASI as an ASI; and
- d. If a project does not meet either finding (a), (b), or (c), above, approval of applications for projects may still be granted, but only after a hearing in front of the Landmarks Preservation Advisory Board for its recommendations and determination that the proposal meets the following criteria: The proposal will result in a signature building within the neighborhood, City, or region based on qualities including, but not necessarily limited to, exterior visual quality, craftsmanship, detailing, and high quality and durable materials.

C. Required hearings in front of the Landmarks Preservation Advisory Board (LPAB).

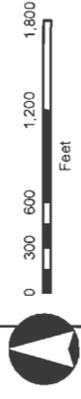
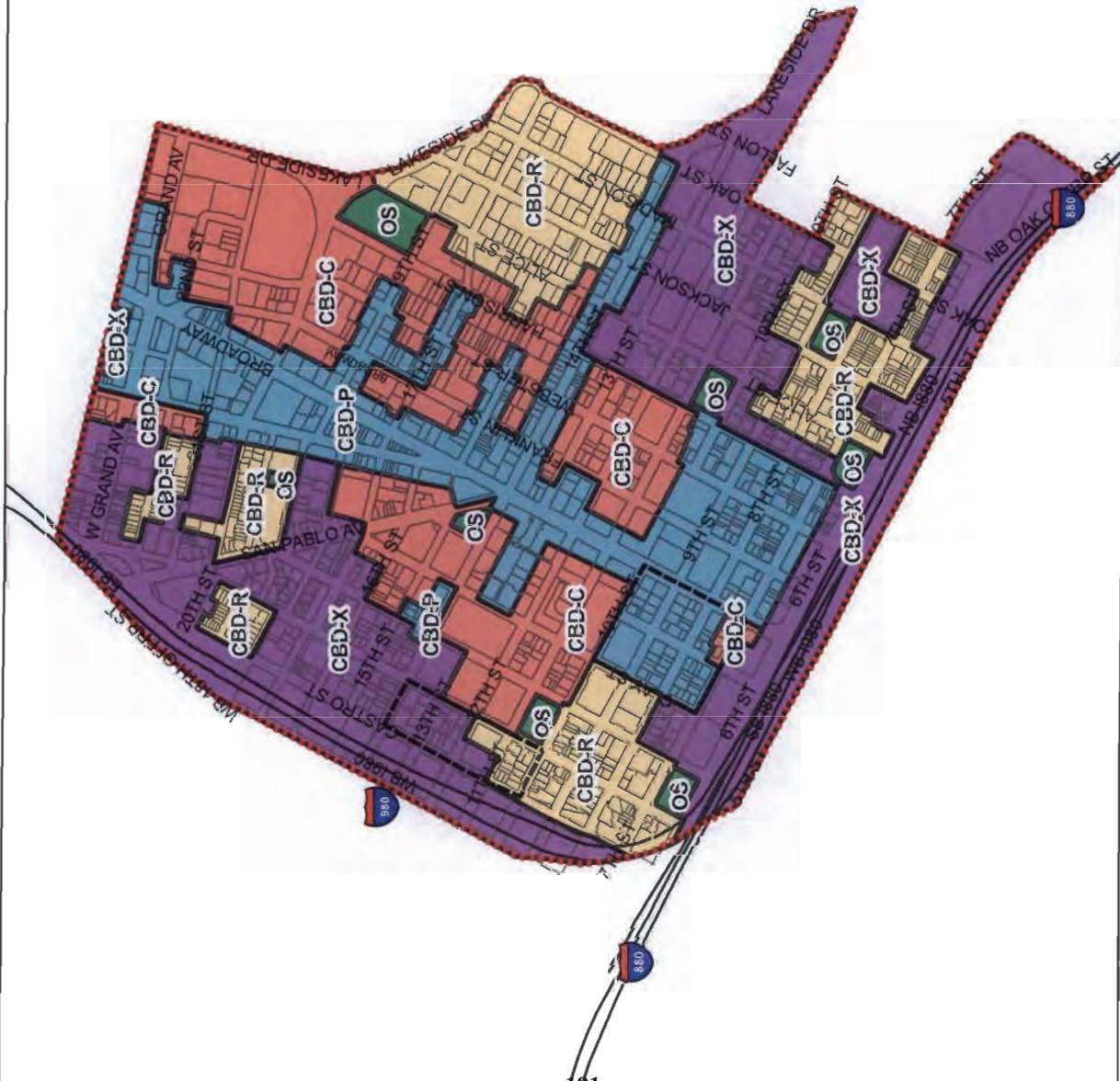
1. Prior to project approval, the following projects require a hearing in front of the LPAB for its recommendations and advice to the decision making body:
 - a. Any construction of a new principal building in an API;
 - b. An addition to a API contributor when required by 17.136.055(B)(2)(f).
 - c. With the exception of additions that are not visible from a street or other public area, projects in an API that would result in a building taller than the character-defining height of the district, if any. Districts with a character-defining height and their character-defining height levels are designated on the zoning maps. An addition is considered "visible from a street or other public area" if it is located within the "critical design area," defined as the area within forty (40) feet of any street line, public alley, public path, park or other public area.
 - d. New construction or an addition to a building when required by 17.136.055(B)(3)(d).
 - e. Any proposal involving a Local Register Property that requires Regular Design Review approval.

Exhibit B

CENTRAL BUSINESS DISTRICT Zoning Boundaries

Proposed Zones

-  CBD-P (CBD Pedestrian Retail)
-  CBD-C (CBD Commercial)
-  CBD-X (CBD Mixed Commercial)
-  CBD-R (CBD Residential)
-  S-7 Preservation Combining Zone
-  Open Space Zone
-  Central Business District (CBD)



CENTRAL BUSINESS DISTRICT Height Map

Height Area	Base Height (ft)	Total Height (ft)	Tower % of site area	Tower Floor Rate (sf)
1	55	55	NA	NA
2	85	85	NA	NA
3	55	170	50	10,000
4	85	275	75	15,000
5	85	400	75	20,000
6	85	None	75	25,000
7	120	None	85	None

- Special Area: A (Tower siting requirements)
- Parks
- Central Business District (CBD)
- BART Station



This Height Area is only in effect until a view corridor study is complete and new height regulations are adopted by the City Council.

new

Exhibit D

The following shows proposed changes to this document. Deletions are in **strikeout**; additions are underlined. Only sections of the guidelines proposed for change are shown in this attachment.



Guidelines for Determining Project Conformity With the General Plan and Zoning Regulations

Adopted by the
City of Oakland
City Planning Commission

May 6, 1998

Amended November 3, 1999 (100-31)
Amended August 8, 2001
Amended December 5, 2001
Amended July 15, 2003
(Minor typographical changes May 28, 2004)
Amended October 31, 2006
Amended July 21, 2009

1. "Best Fit Zone" and Other Possible Zones

Under the conditional use permit provided by Section 17.01.100B of the Planning Code the project in question is to be subject to the "best fit zone" from the Zoning Regulations. Such "best fit zones" (and "other possible zones") are identified in Table 5 or 5A for the various General Plan Land Use Classifications. Where more than one "best fit zone" is identified for a particular Land Use Classification, Section 17.100B stipulates that "the Director of City Planning shall determine which zone to apply, with consideration given to the characteristics of the proposal and the surrounding area and any relevant provisions of the General Plan." The Director's determination of "best fit zone" cannot be appealed to the City Planning Commission under Section 17.01.080, because it is made in conjunction with a conditional use permit, which allows appeals under the conditional use permit procedures.

In the case where the project sponsor opts for a rezoning, or for a General Plan amendment to match the current zoning, the "best fit zone" or "other possible zones" are allowed in determining which zone or General Plan Land Use Classification to use. The City Planning Commission and City Council make the ultimate determination of which zone to apply since a rezoning requires passage of an ordinance by the Council with a recommendation from the Commission. Specifically, Section 17.144.060 of the Rezoning and Law Change Procedure provides that the Commission "shall consider whether the existing zone ... [is] inadequate or otherwise contrary to the public interest and may approve, modify, or disapprove the application." "If the project sponsor requests one of these other possible zones, the application should fully explain why this other zone is considered preferable to the "best fit zone."

CHARTS, TABLES AND CHECKLISTS

TABLE 2: LAND USE	GENERAL PLAN LAND USE CLASSIFICATIONS														
	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix***	Gen. Industrial***	Institutional	Central Business District	Mixed-Use Water f (See Table 5A)	Housing Bus. Mix***	Open Space:RCA	Open Space (Other)
ZONING ACTIVITY AND FACILITY TYPES ✓ Conforms w/ General Plan GP Silent or Unclear X Clearly Does not Conform															
Residential Activities:															
Permanent	✓	✓	✓	✓	✓	✓	✓	NA	NA	✓	NA		NA		
Semi-Transient	X	X	X				X	NA	NA		NA		NA	X	X
Civic Activities:															
Essential Service								NA	NA		NA		NA		
Limited Child-Care								NA	NA		NA		NA		
Nursing Home								NA	NA	✓	NA		NA	X	X
Community Assembly	✓	✓	✓	✓	✓	✓	✓	NA	NA	✓	NA	✓	NA		
Recreational Assembly	✓	✓	✓	✓	✓	✓	✓	NA	NA	✓	NA	✓	NA		
Community Education	✓	✓	✓	✓	✓	✓		NA	NA	✓	NA	✓	NA		
Non-Assembly Cult.	✓	✓	✓	✓	✓	✓	✓	NA	NA	✓	NA	✓	NA		
Administrative					✓	✓	✓	NA	NA	✓	NA	✓	NA		
Residential Care								NA	NA	✓	NA		NA	X	X
Health Care						✓		NA	NA	✓	NA		NA	X	X
Utility and Vehicular								NA	NA		NA		NA		
Extensive Impact								NA	NA		NA		NA		

TABLE 2: LAND USE ZONING ACTIVITY AND FACILITY TYPES ✓ Conforms w/ General Plan GP Silent or Unclear X Clearly Does not Conform	GENERAL PLAN LAND USE CLASSIFICATIONS												Mixed-Use Water f (See Table 5A)	Housing Bus. Mix***	Open Space:RCA	Open Space (Other)
	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix***	Gen. Industrial***	Institutional	Central Business District					
Commercial Activities:																
General Food Sales	✓	✓	✓	✓	✓	✓	✓	NA	NA		NA	NA				
Full Service Restaurant	✓	✓	✓	✓	✓	✓	✓	NA	NA		NA	NA				
Limited Service Restaurant	✓	✓	✓	✓	✓	✓	✓	NA	NA		NA	NA				
Convenience Market						✓		NA	NA		NA	NA	X	X		
Fast-Food Restaurant	X	X	X					NA	NA		NA	NA	X	X		
Alcohol Bev. Sales								NA	NA		NA	NA				
Consumer Service				✓	✓	✓	✓	NA	NA		NA	NA	X	X		
Mech. or Elect. Games								NA	NA		NA	NA	X	X		
Medical Service						✓		NA	NA	✓	NA	NA	X	X		
General Retail Sales	✓	✓	✓	✓	✓	✓	✓	NA	NA		NA	NA	X	X		
Consult, Finan Svc.	X	X				✓	✓	NA	NA		NA	NA	X	X		
Consmr Laundry/Rep.	X	X				✓	✓	NA	NA			NA	X	X		
Group Assembly	X	X				✓	✓	NA	NA		NA	NA	X	X		
Personal Instruction/Imprv	X	X				✓	✓	NA	NA		NA	NA	X	X		
Administrative	X	X			✓	✓	✓	NA	NA		NA	NA	X	X		
Business/Communic.	X	X			✓	✓	✓	NA	NA		NA	NA	X	X		
Broadcasting & Recording	X	X			✓	✓	✓	NA	NA		NA	NA	X	X		
Retail Business Sup.	X	X				✓	✓	NA	NA			NA	X	X		
Research Service	X	X						NA	NA		NA	NA	X	X		
Gen. Wholesale Sales	X	X	X	X	X			NA	NA		NA	NA	X	X		
Trans Habitation/B&B							✓	NA	NA		NA	NA	X	X		
Building Material Sales	X	X	X	X	X			NA	NA	X	NA	NA	X	X		
Auto Sale/Rent/Deliv.	X	X	X	X		✓	✓	NA	NA		NA	NA	X	X		
Automobile/Gas/Service	X	X	X			✓	✓	NA	NA		NA	NA	X	X		
Automobile Repair/Cleaning	X	X	X	X	X	✓		NA	NA		NA	NA	X	X		
Auto Fee Parking	X	X	X					NA	NA		NA	NA	X	X		
Taxi & Light Fleet	X	X	X	X	X			NA	NA		NA	NA	X	X		
Transport/Warehouse	X	X	X	X	X			NA	NA		NA	NA	X	X		
Animal Boarding								NA	NA		NA					
Animal Care								NA	NA		NA	NA				
Undertaking Service	X	X	X					NA	NA		NA	NA	X	X		
Scrap Operation	X	X	X	X	X	X	X	NA	NA	X	NA	NA	X	X		

Guidelines for Determining Project Conformity
Adopted May 6, 1998

Oakland City Planning Commission

TABLE 2: LAND USE	GENERAL PLAN LAND USE CLASSIFICATIONS														
ZONING ACTIVITY AND FACILITY TYPES ✓ Conforms w/ General Plan GP Silent or Unclear X Clearly Does not Conform	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix***	Gen. Industrial***	Institutional	Central Business District	Mixed-Use Water f (See Table 5A)	Housing Bus. Mix***	Open Space:RCA	Open Space (Other)
Manufacturing Activ.:															
Custom	X	X	X	X	X			NA	NA	X	NA		NA	X	X
Light	X	X	X	X	X			NA	NA	X	NA		NA	X	X
General	X	X	X	X	X	X	X	NA	NA	X	NA		NA	X	X
Heavy	X	X	X	X	X	X	X	NA	NA	X	NA		NA	X	X
Agricultural/Extract.:															
Plant Nursery								NA	NA		NA		NA	X	X
Crop/Animal Raising								NA	NA		NA		NA		
Mining and Quarrying								NA	NA		NA		NA	X	X
Residential Facilities:															
One-Family Dwelling	✓	✓	✓					NA	NA		NA		NA		
One-Fam. /Secondary	✓	✓	✓					NA	NA		NA		NA	X	X
One-Fam. w/ Second	✓	✓	✓					NA	NA		NA		NA	X	X
Two-Family Dwelling	X	X	✓					NA	NA		NA		NA	X	X
Multi-Family Dwelling	X	X	✓	✓	✓	✓	✓	NA	NA	✓	NA		NA	X	X
Rooming House								NA	NA		NA		NA	X	X
Mobile Home								NA	NA		NA		NA	X	X
Downtown Live Work *	X	X	X	✓	✓	✓	X	NA	NA	✓	NA		NA	X	X
Nonresidential Facil.:															
Enclosed				✓	✓			NA	NA		NA		NA		
Open								NA	NA		NA		NA		
Drive-In	X	X	X					NA	NA		NA		NA	X	X
Sidewalk Cafe				✓	✓	✓	✓	NA	NA		NA		NA	X	X
Shopping Center**	X	X	X	X		✓	✓	NA	NA		NA		NA	X	X
Drive-Through	X	X	X		X	✓	✓	NA	NA		NA		NA	X	X
Signs:															
Residential								NA	NA		NA		NA	X	X
Special								NA	NA		NA		NA		
Development								NA	NA		NA		NA	X	X
Realty								NA	NA		NA		NA	X	X
Civic								NA	NA		NA		NA		
Business								NA	NA		NA		NA		
Advertising								NA	NA		NA		NA	X	X
Telecommunications															
Micro								NA	NA		NA		NA		

Guidelines for Determining Project Conformity
Adopted May 6, 1998

Oakland City Planning Commission

TABLE 2: LAND USE ZONING ACTIVITY AND FACILITY TYPES ✓ Conforms w/ General Plan GP Silent or Unclear X Clearly Does not Conform	GENERAL PLAN LAND USE CLASSIFICATIONS														
	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix***	Gen. Industrial***	Institutional	Central Business District	Mixed-Use Water F (See Table 5A)	Housing Bus. Mix***	Open Space:RCA	Open Space (Other)
Mini								NA	NA		NA		NA		
Macro								NA	NA		NA		NA		
Monopole								NA	NA		NA		NA		
Tower								NA	NA		NA		NA	X	X
Accessory Activ./Facil.															
Live/work			✓					NA	NA	X	NA*		NA	X	X

* Downtown building conversions to Live/Work are governed by a June 1999 ordinance which regulates and designates a specific downtown area for this type of conversion, regardless of General Plan Land Use Classification. See "Residentially-Oriented Live Work" regulations.

** "Shopping Center" is defined as a Non-residential facility type, but is not listed as permitted or conditionally permitted in any zone. This definition is used in conjunction with 1000' foot rule for Fast-Food Restaurants (Section 17.102.210(E)(1)).

***The permitted, conditionally permitted, and prohibited activities for the Housing and Business Mix, Business Mix, General Industrial and Transportation, ~~and Business Mix~~, and Central Business District General Plan classifications are always determined by the underlying zoning designation. Zoning designations have been adopted by the City Council to implement these General Plan classifications. The Mixed Use Waterfront Classification is superseded by the Estuary Policy Plan Land Use Classifications. See Table 2A.

TABLE 3

GENERAL PLAN LAND USE CLASSIFICATIONS	MAXIMUM INTENSITY ALLOWED				
	Nonresidential	Residential*			
	Maximum Floor Area Ratio	Maximum Density in Principal Units per Gross Acre	Assumed Net- to-Gross Ratio*	Maximum Density in Principal Units per Net Acre	Minimum Square Feet of Site Area per Principal Unit
Hillside Residential	NA	5	75%	6.67	6,530
Detached Unit Residential	NA	11	75%	14.67	2,969
Mixed Housing Type Residential**	NA	30**	75%	40.0**	1,089**
Urban Residential	NA	125	75%	166.67	261
Neighborhood Center Mixed Use	4.0	125	75%	166.67	261
Community Commercial	5.0	125	75%	166.67	261
Regional Commercial	4.0	125	75%	166.67	261
Business Mix	NA	NA	NA	NA	NA
General Industrial & Transportation	NA	NA	NA	NA	NA
Institutional	8.0	125	75%	166.67	261
Central Business District	20.0 NA	300 NA	60% NA	500.0 NA	87 NA
Mixed Use Waterfront District	See Table 3A	See Table 3A	See Table 3A	See Table 3A	See Table 3A
Housing & Business Mix***	NA	NA	NA	NA	NA
Resource Conservation	NA	NA	NA	NA	NA
Urban Park & Open Space	NA	NA	NA	NA	NA

* If it appears in any given situation that the net-to-gross ratio is significantly different than given here, an individual calculation should be made for the site in question, following the procedure explained in the Density/Intensity Section (C2) of this report.

** In the Mixed Housing Type Residential classification, no project can have a higher density than allowed by its current zoning without a major variance or a rezoning. Under no situation can a project exceed the maximum density permitted under the General Plan, even if the density allowed by the current zoning is greater than the General Plan.

***The density and nonresidential floor area ratio for the Housing and Business Mix, General Industry & Transportation, and Business Mix, and Central Business District -classifications are always determined by the underlying zoning designation. Zoning designations have been adopted by the City Council to implement these General Plan classifications.

NA = Not Applicable

ZONES THAT CORRESPOND TO GENERAL PLAN LAND USE CLASSIFICATIONS ● = "Best Fit" Zones ○ = Other Possible Zones	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix	General Industrial	Institutional	Central Business District	Mix-use Water: See TABLE 5A	Housing/ Bus Mix*	Open Space: RCA	Open Space Other
	OS (RCA) OS (Rsree Cons)								NA	NA		NA		NA	●
OS (*) Open Space (All other)								NA	NA		NA		NA		●
R-10 Estate	●	○	○	○				NA	NA		NA		NA		
R-20 Low Density	●	○	○	○				NA	NA		NA		NA		
R-30 One-Family		●	○	○	○			NA	NA		NA		NA		
R-35 Special One Family			●	○	○			NA	NA		NA		NA		
R-36 Small Lot			●	○	○			NA	NA		NA		NA		
R-40 Garden Apartment			●	○	○			NA	NA		NA		NA		
R-50 Medium Density			●	○	○			NA	NA		NA		NA		
R-60 Medium High density				●	○	○		NA	NA		NA		NA		
R-70 High Density				●	○	○		NA	NA		NA		NA		
R-80 High-Rise Apartment				●	○	○		NA	NA		NA		NA		
R-90 Downtown Apartment								NA	NA		NA●		NA		
C-5 Neighborhood			●	○	●			NA	NA		NA		NA		
C-10 Local Retail			●	○	●			NA	NA		NA		NA		
C-20 Shopping Center					○	○		NA	NA		NA		NA		
C-25 Office				●	○	○		NA	NA		NA		NA		
C-27 Village				○	●			NA	NA		NA		NA		
C-28 Commercial Shopping				○	●			NA	NA		NA		NA		
C-30 District Thoroughfare						○		NA	NA		NA		NA		
C-31 Special Retail				○	●			NA	NA		NA		NA		
C-35 District Shopping								NA	NA		NA		NA		
C-36 Boulevard Service						●	●	NA	NA		NA⊕		NA		
C-40 Community Thorough						●	●	NA	NA		NA⊕		NA		
C-45 Community Shopping						●	●	NA	NA		NA⊕		NA		
C-51 Central Business Service								NA	NA		NA●		NA		
C-52 Old Oakland								NA	NA		NA●		NA		
C-55 Central Core								NA	NA		NA●		NA		
C-60 City Service								NA	NA		NA		NA		
M-10 Special Industry								NA	NA		NA		NA		
M-20 Light								NA	NA		NA		NA		
M-30 General								NA	NA		NA		NA		
M-40 Heavy								NA	NA		NA		NA		
S-1 Medical Center						○		NA	NA	●	NA		NA		
S-2 Civic Center								NA	NA	●	NA⊕		NA		
S-3 Research center								NA	NA		NA		NA		
S-4 Design Review								NA	NA		NA		NA		
S-13 Mixed Use								NA	NA		NA		NA		
S-15 Transit Oriented Devel.				●	○	○		NA	NA		NA		NA		

*There are no best fit zones for the Housing and Business Mix, Business Mix, and General Industrial & Transportation LUTE classifications. Zoning designations have been adopted by the City Council to implement these General Plan classifications.

NA = Not Applicable

2/1/16

NOTICE AND DIGEST

AN ORDINANCE, AS RECOMMENDED BY THE CITY PLANNING COMMISSION, TO: (A) AMEND THE OAKLAND PLANNING CODE TO CREATE FOUR NEW ZONES FOR THE CENTRAL BUSINESS DISTRICT AND MAKE RELATED TEXT AMENDMENTS; (B) AMEND THE ZONING MAPS TO INCLUDE THE NEW CENTRAL BUSINESS DISTRICT ZONES AND HEIGHT/BULK/INTENSITY AREAS FOR THE CENTRAL BUSINESS DISTRICT; AND (C) AMEND THE DOCUMENT "GUIDELINES FOR DETERMINING PROJECT CONFORMITY WITH THE GENERAL PLAN AND ZONING REGULATIONS" TO REFLECT THE ABOVE CHANGES.

This ordinance provides development standards for areas of the City with a Central Business District General Plan land use classification. This area is generally bounded by I-980 to the west, I-880 to the south, Lake Merritt and Fallon Street to the east, and 23rd Street to the north.

ADOPTION OF FINDINGS
City of Oakland Planning Commission
Case File No. DET190031-A01

The Planning Commission of the City of Oakland hereby adopts the findings herein in support of its motion to **deny the appeal** of Zacks, Freedman & Patterson PC (on behalf of 584 14th Street LLC) (“**Appellant**”) from the Zoning Manager’s Determination DET190031 rejecting appellant’s Residential Hotel Statement of Exemption as to the building located at 584 14th Street (the “**Property**”).

By upholding the Zoning Manager’s determination on the applicability of Oakland Municipal Code Chapter 17.153, the Planning Commission hereby confirms that the demolition, conversion and rehabilitation regulations for residential hotels apply to the Property.

FINDINGS

1. Statement of Exemption Filed

- a. Pursuant to the provisions of Chapter 17.153 of the Oakland Planning Code, on April 2, 2019, an application (File No. DET190031) was filed by 584 14th Street LLC (“**Applicant**”) with the City of Oakland for a Statement of Exemption to exempt the Property from the requirements of Chapter 17.153 based on the Property not meeting the definition of a Residential Hotel contained therein. *See Staff Report Exhibit E.1, Statement of Exemption Application for 584 14th Street dated April 2, 2019.*
- b. In its Statement of Exemption application, Applicant argued that the Property was not a Residential Hotel because the Property is a “Deemed Approved tourist hotel” that has the right to continue operating as a tourist hotel indefinitely unless a public hearing is held for the purpose of revoking the “Deemed Approved” status.
- c. In addition to presenting the above argument, Applicant argued that business licenses show the Property was licensed as a tourist hotel and that transient occupancy tax records for the Property from January 2014 to April 2016 and October 2016 – December 2016 show the Property was operated as a tourist hotel.

2. Supplemental Information Received

- a. After Planning Bureau staff sent an incomplete letter to Applicant on May 1, 2019, the Applicant submitted supplemental information on May 30, 2019 and the Planning Bureau determined the application complete on June 26, 2019.
- b. The incomplete letter requested the following information from the Applicant (*see Staff Report Exhibit A, Incomplete Letter dated May 1, 2019*):
 - i. A certified copy of the property’s tax returns;
 - ii. Additional transient occupancy tax records;
 - iii. Residential landlord tax records;
 - iv. All planning and building permit records;
 - v. Alameda County Assessor records;
 - vi. Current floor plans;
 - vii. All available current and historic zoning clearances for all businesses at the property, matched to business tax certificates issued and all lease agreements and/or lease payment receipts;
 - viii. The years of operation of each business;
 - ix. Interior photographs;
 - x. Any other relevant historic information.
- c. The Applicant’s supplemental information letter included several hundred pages of documents responsive to Planning Bureau staff’s May 1, 2019 incomplete letter. *See*

Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.

- i. Property tax returns: A Public Records Act request to the Alameda County Assessor's Office requesting all documents relating to the Property, which would include property tax returns. The Assessor's Office responded that only documents pertaining to the current property owner could be viewed. The Applicant requested that to the extent these property tax records were required by the Planning Bureau, that the Planning Bureau assist the Applicant in retrieving them from the Assessor's Office. *See Attachment A to Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*
- ii. Additional transient occupancy tax records: Applicant provided TOT records from 2010, 2011, 2012, 2013, and 2017. Applicant also provided evidence of a Public Records Act request filed with the City of Oakland to obtain additional responsive records, to which only business certification verification records from 2017, 2018, and 2019 were provided. Applicant additionally provided what Applicant described as "correspondence between City of Oakland and property owner regarding City audit of financial records, pursuant to which the City confirmed the information for the years 1998, 1999, 2000, and 2001 to be substantially correct." *See Attachment B to Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*
- iii. Residential landlord tax records: No residential landlord tax records were provided. Applicant submitted a Public Records Request to the City seeking such records but did not receive responsive documents. *See Attachment B to Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*
- iv. Planning and building permit records: All Planning and Building Permits that were provided in response to a Public Records Act Request to the Planning Department, with what Applicant viewed as the most relevant records separated as a separate attachment. *See Staff Report Exhibit D, Documents received from Public Records Request on 584 14th Street.*
- v. Alameda County Assessor records: Applicant provided Alameda County Commercial Building Record for Sutter, "Hotel" – SRO/Apts with dates going back to 1912. *See Attachment D to Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*
- vi. Current floor plans: Applicant provided copies of current non-demolition floor plans of the Property. *See Attachment E to Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*
- vii. Zoning Clearances: No Zoning Clearances were provided. Applicant submitted a Public Records Request to the City seeking such records but did not receive responsive documents.
- viii. Business Tax Certificates: Applicant provided additional business tax certificates from 2011-2015 and 2017-2019, in addition to those from 2008, 2016 and 2017 previously provided. *See Attachment F to Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*
- ix. Lease agreements: Applicant did not provide any lease agreements, stating that there are currently no residential leases at the property. Instead, Applicant

provided a declaration from the prior owner. In the declaration, the prior owner states that while the Sutter Hotel was operated as a transient (tourist) hotel, that the prior owner did enter into approximately 15 leases with the Oakland Housing Authority or non-profits where the non-profits paid the Sutter Hotel to provide rooms for clients in the non-profits' programs. Applicant additionally provided a declaration from the current owner stating that no residential leases have been entered into since he took ownership of the Property in 2017. *See Attachment G to Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*

- x. **Match Information:** Applicant did not attempt to match historic zoning clearances for all businesses at the property with business tax certificates issued and all lease agreements and/or lease payment receipts. Applicant states this was not provided as it did not have copy of relevant lease agreements and no zoning clearances were located. *See Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019, p. 6.*
 - xi. **Years of Operation of Each Business:** Applicant did not provide years of operation, claiming that the request was confusing. *See Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019, p. 6.*
 - xii. **Interior Photographs:** Applicant provided various interior photographs. *See Attachment H to Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*
 - xiii. **Historic Information:** Applicant provided documentation from the City of Oakland Cultural Heritage Survey as well as the following historic documents: Tribune ad from January 1914; UCR personal mention from September 1913 that references Hotel Sutter; UCR personal mention from 1917; UCR personal mention from June 1921 that references Hotel Sutter; Tribune article from March 23, 1943; and Article from Christmas 1990 regarding a fire at the Hotel Sutter. *See Attachments I and J to Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*
- d. In response to the supplemental information provided by Applicant as well as the additional information collected independently by Planning Bureau staff, staff issued a completeness letter finding that the information provided and available was sufficient for staff to make a determination on the Statement of Exemption application. *See Staff Report Exhibit C, Completeness Letter dated June 26, 2019.*

3. Determination Issued

- a. On October 21, 2019, the Zoning Manager issued Determination DET190031 denying the Statement of Exemption request. *See Staff Report Exhibit E.2, DET19003, Residential Hotel Status Determination dated October 21, 2019.*
- b. The Zoning Manager concluded that, based on the documentation provided by Applicant in its Statement of Exemption Application as well as the Supplemental Information submitted and additional documentation independently located by Planning Bureau staff, the Property fell within the definition of a Residential Hotel.

4. Appeal Filed

- a. Appellant timely appealed the Zoning Manager Determination on October 31, 2019. *See Staff Report Exhibit E, Appeal of DET190031-A01 dated October 31, 2019.*
- b. In its Appeal, Appellant raised three main issues as a basis for the appeal:

- i. The Property does not meet the definition of a Residential Hotel because of prior transient use of the Property.
 - ii. The Property was previously “Deemed Approved” as a Hotel and therefore has a right to operate as a commercial hotel.
 - iii. The Planning Bureau’s determination that Property is a Residential Hotel violates the property owner’s due process rights, equal protection rights, federal civil rights, and constitutes an unlawful taking.
- c. Appellant did not submit additional documentary evidence with its Appeal. In addition to a written brief explaining Appellant’s position, Appellant attached as exhibits to its appeal the previously submitted Statement of Exemption Application and the Zoning Manager’s Determination DET190031, along with the attachments accompanying each of those documents.

5. August 5, 2020 Public Hearing Continued

- a. Pursuant to and in accordance with Chapter 17.153 and Chapter 17.132 of the Oakland Planning Code, this Planning Commission opened a Public Hearing on Appeal DET190031-A01 on August 5, 2020, with notice duly given of said hearing, gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter.
- b. At said hearing, this Planning Commission received and considered the reports and recommendation of the City’s Bureau of Planning, which included as attachments the Bureau of Planning Incomplete Letter, all supplemental information provided by the Applicant in response to the Planning Bureau staff’s incomplete letter, the Bureau of Planning Completeness Letter, the Documents Received from Public Records Request of 584 14th Street, the Appeal of DET190031 (DET190031-A01) which itself included the Applicant’s Statement of Exemption application and all documentation submitted therewith, the Zoning Manager’s determination DET190031 and all evidence relied therein, the City of Oakland April 13, 1999 Public Safety Committee Staff Report Regarding Adoption of the Deemed Approved Regulations, the Supplemental Brief submitted by the Appellant on August 5, 2020, and these findings.
- c. At said hearing, and upon receiving a request from the Appellant to continue the matter, this Planning Commission voted to continue the matter to a date uncertain. No members of the public chose to speak during the public hearing.
 - a. *See Minutes to the August 5, 2020 Planning Commission Meeting.*
 - b. *See Supplemental Staff Report Exhibit A, Supplemental Brief from 584 14th Street dated August 5, 2020.*

6. October 7, 2020 Public Hearing

- a. Pursuant to and in accordance with Chapter 17.153 and Chapter 17.132 of the Oakland Planning Code, this Planning Commission reopened the Public Hearing on said appeal on September October 7, 2020.
- b. At said hearing, the Planning Commission gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter.
- c. At said hearing, this Planning Commission additionally received a supplemental report and recommendation of the City’s Bureau of Planning, which included as attachments Appellant’s supplemental brief dated August 5, 2020, a letter from Appellant dated August 17, 2020 requesting documentation supporting statements made in footnote one of the August 5, 2020 staff report, records provided to Appellant in response to the August 17, 2020 letter, proposed findings, and the previously provided August 5, 2020 staff report.
- d. At said hearing, this Planning Commission received and considered the oral staff report and presentation from the Bureau of Planning staff.

- e. Said public hearing before the Planning Commission was conducted in all respects as required by the Oakland Planning Code and the rules of this Planning Commission.

7. The Property meets the Definition of a Residential Hotel

- a. This Planning Commission has heard and considered the testimony presented to it at the public hearing, and has further considered written materials submitted by Appellant, City staff, and other interested parties.
- b. The Zoning Manager determination DET190031 to deny the Statement of Exemption application was supported by compelling and substantial evidence documenting that the property at 584 14th Street meets the definition of a Residential Hotel under Planning Code Section 17.153.020.
- c. Substantial Evidence supports finding that the Property meets the physical characteristics of a Residential Hotel because the Property was constructed prior to 1960 and contains substantially more than 6 rooming units, with entrances to individual units generally accessible from a shared lobby area.
 - i. The 1985 City of Oakland Cultural Heritage Survey documents shows that the Property was constructed in 1913. *See Attachment I to Staff Report Exhibit B, Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*
 - ii. The Alameda County Commercial Building Record shows an estimated construction date of 1912. *See Attachment D to Staff Report Exhibit B Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019 and Attachment B to Staff Report Exhibit E-2, Zoning Manger Determination DET190031.*
 - iii. Current floor plans on the Property show that the rooms within the Property meet the definition of Rooming Units because the units are designed as separate living quarters without kitchens. The floor plans show that there are 102 Rooming Units in the Property, well over the six required by the definition of a Residential Hotel. *See Attachment E to Staff Report Exhibit B Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019.*
- d. Substantial evidence supports finding that the Property meets the functional characteristics of a Residential Hotel because the Property has, over several decades, served as the primary residency for those who resided at the Property.
 - i. Based on Alameda County Assessor records, the Property began functioning as a Residential Hotel as early as 1954. Commercial Building Record from the Alameda County Assessor shows that the Property has been classified as an SRO, or single-room occupancy, building as early as 1954. The Record has input dates ranging from 1954 through 2006. The County shows the building description as “Sutter ‘Hotel’ = SRO/APTS,” placing the word hotel in quotation marks and defining “hotel” as a mix of SRO units and apartments. Further review shows that the County determined that SRO units were located on floors two through seven of the building, and apartment units were located on the eighth floor of the building. Remarks on the second page of the building record include comments dated from 1955, which state that while the penthouse on top is used as apartments, the hotel rooms did not contain bathrooms, and 96 rooms were available for rent while 6 were kept open to provide for fire escape. *See Attachment D to Staff Report Exhibit B Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street LLC dated May 30, 2019 and Attachment B to Staff Report Exhibit E-2, Zoning Manger Determination DET190031.*

- ii. A City of Oakland survey of Residential Hotel's within the City's Downtown area document that the Property was continuing to operate as a Residential Hotel in the 1980s. A 1985 report entitled "Residential Hotels in Downtown Oakland" and prepared by the City of Oakland Office of Community Development identifies the Sutter Hotel as being a Residential Hotel. At the time this report was created, the Sutter Hotel was combined with another Residential Hotel, the Dragon Hotel. This report found that the Sutter/Dragon Hotel had 167 total rooms and 162 available rooms for rent. The Residential Hotel Survey, included in the 1985 report, documents that 85.9% of individuals staying at the Sutter Hotel were for purposes other than for business or tourist purposes; that 0 of the 167 rooms included a kitchen; that 13 tenants (9.6%) had stayed for longer than 1 year; and that the number of non-transient residents had increased since 1980. The report further states that the owner at that time gave notice of an intent to convert the building to a tourist hotel in mid-1985, which is a strong indication that the Property was not currently operating as a tourist hotel. *See Attachment C to Staff Report Exhibit E-2, Excerpts from the City of Oakland 1985 SRO Survey.*
- iii. Despite the then-property owner's stated intent to convert the Property to a tourist hotel, documentation shows that in 1992 the property owner Govinder Singh instead entered into a legally binding Rehabilitation Loan Agreement and Regulatory Agreement with the State Housing and Community Development Department under the California Natural Disaster Assistance Program ("CALDAP"). CALDAP funds were limited to be used to make loans for repair or refinancing in conjunction with repair of "rental housing developments" that were damaged or destroyed as a result of a natural disaster. (See Health and Safety Code, § 50671.5(b)(1).) Govinder Singh further entered into a Regulatory Agreement "as an inducement to the Department to provide the financial assistance specified in the Rehabilitation Loan Agreement, and has agreed to be regulated and restricted as provided therein." The term of the Agreement was set to commence on September 30, 1992 and remain valid for the following twenty years, unless terminated earlier by the Department of Housing and Community Development. The Regulatory Agreement identifies the Property as a "rental housing development." Health and Safety Code Section 50671.5 defines "rental housing development" to include "multifamily rental dwellings, apartments, residential hotels . . . that are made available for permanent residency of tenants." (See Health and Safety Code, § 50671.5(b)(1).) Under the terms of the Regulatory Agreement, in exchange for receiving monetary assistance to conduct rehabilitation, the borrower agreed to impose rental restrictions on the "Assisted Units," which were to be made available to eligible households under the terms of written rental agreements provided by California Department of Housing and Community Development. According to the agreement, these restrictions appeared to be in place for a twenty-year period. Exhibit B to the Regulatory Agreement identifies 102 SROs as "Assisted Units" subject to restrictions on rent such that initial rents in 17 units were set at \$300 per month and initial rents in 85 units were set at \$389 per month. The Regulatory Agreement serves as substantial evidence that the prior owner of the Sutter Hotel received financial assistance contingent upon the Property being classified as a Residential Hotel that served as the primary residence for its tenants from 1992 through 2012. The City has not been able to identify any information that would indicate that the Property was not subject to this

- Regulatory Agreement for the full length of its term. *See Attachment D to Staff Report Exhibit E-2, Regulatory Agreement - Number CO-R-150, California Natural Disaster Assistance Program.*
- iv. A 1990 article in the Oakland Tribune regarding a fire at the Sutter Hotel states that the Property at the time was "now home to lower-income, long-term residents" and that more than 100 residents of the building were evacuated during the fire. This once again documents that the Property was not converted to a Commercial Hotel after the 1985 SRO Survey. *See Attachment J to Staff Report Exhibit B, Supplemental Information provided by Applicant.*
 - v. During the mid-point of the term of the Regulatory Agreement, the Property was again identified in a City of Oakland survey of Residential Hotels located within the Downtown area. The 2004 Report by Community and Economic Development documents that the Property had 86 available rooms and 106 total rooms. *See Attachment E to Staff Report Exhibit E-2, Excerpts from the City of Oakland 2004 SRO Survey.*
 - vi. A Declaration from Prior Owner Raj Singh submitted by the Applicant supports the conclusion that the Property was used as the primary occupancy of its guests through various leases with Oakland Housing Authority and other non-profit organizations in the years between 1997 and 2017. In the Declaration, Mr. Raj Singh states that he assisted with operation of the Property from around August 1987 through June 2017, which covers the entire twenty-year period during which the Property was subject to the CALDAP Regulatory Agreement, and that he took over ownership around November 1995. Mr. Singh states that the Property was operated as a transient (tourist) hotel with daily, weekly, and monthly rental periods. He further states that during the period of 1997 to 2017, he entered into approximately 15 annual/monthly leases for hotel rooms with the Oakland Housing Authority and a few nonprofit organizations. Under the leases, nonprofits would pay the Sutter Hotel to provide rooms for clients in their programs. The applicant did not provide the City with copies of any of these leases. The Oakland Housing Authority is a government agency that provides subsidized housing to low income families in Oakland, and therefore any lease with Oakland Housing Authority would be for purposes of providing a primary residency to guests under such a lease. *See Attachment G to Staff Report Exhibit B, Declaration of Raj Singh.*
 - vii. City Records show a number of Residential Rent Adjustment Program (RRAP) Hearing Decisions that support the conclusion that the Property continued to operate as a Residential Hotel in the early 2000s. *See Attachment F to Staff Report Exhibit E-2, RRAP Hearing Decisions.*
 - 1) The hearing decision for T01-0266 (October 3, 2002) describes the Property as a Residential Hotel with 102 units. It does not indicate that only a portion of the rooms are used for Residential Hotel purposes. The decision relates to a tenant who resided in Room #404 of the Sutter Hotel for at least three months at a rate of \$245.60 per week.
 - 2) The hearing decision for T02-0170 (November 14, 2002) describes the Property as a Residential Hotel with 102 units. It does not indicate that only a portion of the rooms are used for Residential Hotel purposes. The decision relates to a tenant residing in Room #501 who complains that their rent was not decreased from \$183.44 per week after staying

- in the unit for longer than 30 days to adjust for the fact that hotel taxes would no longer be collected.
- viii. City of Oakland Rent Arbitration Records indicate efforts to evict several residential tenants from the Property between 2008 and 2015. These records support the conclusion that the Property continued to operate as a Residential Hotel with residential tenants, many of whom stayed for a longer than monthly basis. *See Attachment F to Staff Report Exhibit E-2, RRAP Hearing Decisions and Three-Day Notices to Quit.*
- 1) A three-day notice to quit dated December 8, 2008 indicates that the tenant in unit #703 owed rent for a two-week period. The full length of stay is not documented.
 - 2) A three-day notice to quit dated August 19, 2011 indicates that the tenant in unit #605 owed rent for a three-week period. The full length of stay is not documented.
 - 3) A three-day notice to quit dated June 7, 2012 indicates that the tenant in unit #606 owed rent for a 14-week period. The full length of stay is not documented.
 - 4) A three-day notice to quit dated September 12, 2013 indicates that the tenant in unit #303 owed rent for a 14-month period. The full length of stay is not documented.
 - 5) A three-day notice to quit dated June 30, 2014 indicates that the tenant in unit #314 owed rent for a 10-week period. The full length of stay is not documented.
 - 6) The hearing decision for RRAP T14-0375 (January 5, 2015) indicates that the property owner initiated an unlawful detainer action against a tenant residing in unit #607 who owed \$10,421 in back rent.
- ix. Monthly Transient Occupancy Tax (TOT) Records from 2010 to 2017 similarly show that the property owner, in calculating the amount of rent subject to the City of Oakland Transient Occupancy Tax, regularly deducted from gross rents rent for occupancy by non-transient residents and/or other TOT exemptions. While the proportion of rents received from transient versus non-transient guests cannot identify exactly how many rooms were being used at any time for lengths of stay exceeding thirty days, the TOT records are evidence that for nearly the entirety of the period for which TOT records were provided, the property owner received a significant portion of its rent from individuals who resided at the hotel for lengths exceeding 30 days, all of which the City considers to be stays intended as the primary residence of the guest. *See Attachment B to Staff Report Exhibit B, Documents and correspondence relating to Transient Occupancy Tax Records; Attachment C to Staff Report Exhibit E-1, Transient Occupancy Tax Submittals.*
- 1) An individual who occupies a hotel room for more than 30 consecutive days is considered a permanent resident for purposes of paying the Transient Occupancy Tax and is exempt from the tax beginning on Day 31. Per Oakland Municipal Code Section 5.34.010, related to “Hotel Rates and Registration Requirements”: “Transient” means “any person who, for any period of not more than thirty consecutive days, either at his own expense or at the expense of another, obtains the right to use space for sleeping or overnight accommodations in any hotel as defined in subsection A of this section for which a charge is made therefor.”

- 2) From February 2010 through August 2010, more than 50% of gross rent was paid by non-transient residents every month.
 - 3) After falling into the 40% range from September 2010 to May 2011, the percent of gross rent paid by non-transient residents per month remained above 50%--and sometimes as high 65%, 70%, or 75%--from June 2011 through August 2013.
 - 4) The portion of gross rent paid by non-transient residents per month remained substantial (between 20% and 72%) from September 2013 through April 2016.
 - 5) Records are incomplete from April 2016 to September 2016, but records show a precipitous decline in nontransient residents per month by October 2016.
 - 6) Applicant was not able to provide records prior to February 2010.
- x. In 2015, a City of Oakland Housing and Community Development Department report entitled "Downtown Oakland's Residential Hotels" once again identified the Property as a Residential Hotel. A Residential Hotel Survey conducted on June 22, 2015 provided support for the 2015 Report and stated that the Sutter Hotel had 102 total rooms, 95 of which were occupied. Although no new monthly residents were accepted at that time, the report identifies 38 rooming units occupied for more than one year, and five rooming units occupied for more than five years. These statistics were based on an interview with Peter Allen, the desk clerk. *See Attachment G to Staff Report Exhibit E-2, Excerpts from the 2015 HCD Report "Downtown Oakland's Residential Hotels."*
 - xi. The property owner's submission of an application for an exemption from action restricted under the City of Oakland Residential Hotel Conversion and Alteration Moratorium documents that the property owner in 2018 did not dispute that the Property met the definition of a Residential Hotel. On December 13, 2016, two years prior to the adoption of the current Residential Hotel Regulations, the City of Oakland adopted a Moratorium under Ordinance No. 13415 C.M.S. prohibiting any alterations at Residential Hotels that would result in the displacement of existing residents or the loss of Residential Hotel Units. In 2018, Applicant applied for interior and exterior alterations at the Property under DRX182227. In conjunction with that permit, Applicant submitted a request for exceptions/exemptions to the actions restricted in the Moratorium, thereby acknowledging that the property was a Residential Hotel subject to the restrictions of the Moratorium. In response, on November 29, 2018, the City issued a letter determining that the Sutter Hotel is considered a Residential Hotel, that the alterations were excepted from the Moratorium restrictions because they would not reduce the number of units or displace existing residents, and further found that the City considers the current land use activity at the property to be Semi-Transient Residential. The letter specified that if the applicant disagreed with the determination, the applicant had to timely file an appeal. The applicant did not file an appeal challenging the City's conclusion that the Sutter Hotel is a Residential Hotel operating a Semi-Transient Residential Activity. *See Attachment H to Staff Report Exhibit E-2, application, plans, and responses from the Housing and Community Development Department and Bureau of Planning recognizing the Sutter Hotel as a Residential Hotel.*
 - xii. Historic building records provided by Applicant and dated throughout the period described in the above findings support the conclusion that the

Property has been used as a Residential Hotel. *See Staff Report Exhibit D, building records received in response to Public Records Request.*

- 1) An application for an alteration permit dated June 13, 1969 describes the proposed use of the building at "Hotel" with an occupancy group designation of "H." Under the 1961 Uniform Building Code, a Type H occupancy includes hotels, apartment houses, dormitories, and lodging houses, and thus does not distinguish between stays by transient and non-transient residents. *Staff Report Exhibit D, p. 11.*
- 2) The City Department of Building and Housing issued a Report of Residential Building Record for the property in March 1974. This report, issued to residential buildings, describes the building as containing 102 dwelling units or apartments and/or 102 hotel or sleeping rooms. *Staff Report Exhibit D, p. 15.*
- 3) An Engineering Analysis Report dated May 18, 1995 for the Sutter Hotel describes the building as a Residential Hotel consisting of 103 units. *Staff Report Exhibit D, p. 57.*
- 4) Building Record ID 0606066 dated August 23, 2006, Annual Hotel/Motel Inspection, describes the Sutter Hotel as a Residential Hotel. *Staff Report Exhibit D, p. 70.* Additional records from the Inspection Log for 584 14th Street show several complaints filed by tenants regarding the condition of the building. The Sutter Hotel continued to receive Hotel/Motel Inspections prior and after this date, including Enforcement Record IDs: 0503005 dated June 27, 2005, 1205712 dated October 25, 2012, 1402634 dated July 10, 2014, and 1603742 dated September 29, 2016.
- 5) Building Record ID B1202507 indicates that a Certificate of Occupancy for a residential hotel was requested for the property on July 26, 2012. *Staff Report Exhibit D, p. 79.*
- 6) Zoning Clearance Records ZC011662, ZC062656, and ZC141558, requests for residents of the Sutter Hotel to set up a home office within their rooming units at the property, indicate that several tenants were using their units as their primary residence. *Staff Report Exhibit D, p. 87.*

8. Additional evidence and arguments submitted by Applicant in support of its Statement of Exemption application were not compelling and did not outweigh the evidence supporting the Zoning Manager's determination.

- a. The City does not have any documentation confirming that the Property was "Deemed Approved" under the 1999 Deemed Approved Ordinance.
 - i. Section 17.157.090 of the Deemed Approved Ordinance required the City to notify all property owners of their Deemed Approved Status by certified return receipt mail.
 - ii. Neither the City nor the Applicant have been able to locate a notification letter sent to the Property Owner.
 - iii. Neither the City nor the Applicant have produced direct contemporaneous documentation of the approved activity at the Property in 1999. Instead, the City has evidence that the Property was subject to and operating consistent with a "CALDAP" Regulatory Agreement as a "rental housing development," which is defined in Health and Safety Code Section 50671.5 to include "multifamily rental dwellings, apartments, residential hotels . . . that are made available for permanent residency of tenants." (See Health and Safety Code, § 50671.5(b)(1).) Under the terms of the Regulatory Agreement, the Property

was subject to rental restrictions for a twenty-year period applicable to all 102 Rooming Units/SROs at the property. *See Attachment D to Staff Report Exhibit E-2, Regulatory Agreement - Number CO-R-150, California Natural Disaster Assistance Program*

- b. The zoning designation applicable to the 584 14th Street in 1999 leads to the conclusion that the Sutter Hotel was a permitted activity and therefore would not have been subject to the Deemed Approved Ordinance, which only conferred deemed approved status to legal nonconforming activities.
 - i. As early as 1974, the Sutter Hotel was located in the C-51 Zoning District.
 - ii. The Planning Code applicable in 1999 specified that Permanent Residential Activities, Transient Habitation Commercial Activities, and Semi-Transient Residential Activities were all permitted activities in the C-51 Zoning District.
 - iii. It was only in 2009 that the property was rezoned to CBD-P, which requires a conditional use permit for Semi-Transient Residential and Transient Habitation Commercial Activities.
 - iv. *See Attachment C to Supplemental Staff Report, Documents provided in response to Appellant's August 17, 2020 request for documents.*
- c. Evidence that the City conferred deemed approved status on the property, if any such evidence does exist, would not assist in determining whether the building is a Residential Hotel.
 - i. The status of a building as “Deemed Approved” is reflective of the City’s historic regulation of hotels, motels, and rooming houses, including Residential Hotels, and is not determinative of whether a property is a Commercial or Residential Hotel, and is not a separate land use Activity designation. *See Ordinance No. 12136, adding Chapter 8.03 “Operating Standards for Hotels, Motels, and Rooming Houses” to the Oakland Municipal Code, and Ordinance No. 12137, adding Chapter 17.157 “Deemed Approved Hotel Regulations” to the Oakland Municipal Code.*
 - ii. As stated in the Zoning Manager determination, evidence that the City conferred deemed approved status on the property does not assist in determining whether a building is a Residential Hotel because buildings conferred with deemed approved status included buildings serving permanent populations as well as short-term guests. The designation of a non-conforming property as deemed approved makes no substantive changes with respect to the uses to which the property may lawfully be put, and therefore does not influence the analysis of what that historic underlying use was.
- d. Annual Hotel Inspection at the Property are indicative of the property’s status of being subject to the performance standards of Chapter 8.03 applicable to all Oakland motels, hotels, and rooming houses, and not of the Property’s status as a “Deemed Approved” hotel.
 - i. The Deemed Approved Ordinance in Chapter 17.157 of the Oakland Planning Code does not call for annual inspections.
 - ii. Inspections of all hotels, motels, and rooming houses throughout the City were subject to inspections under Chapter 8.03 of the Oakland Municipal Code, adopted by Ordinance No. 12136.
 - iii. Chapter 8.03 does not authorize city staff to make deemed approved determinations as part of annual inspections or to maintain a deemed approved list.
 - iv. The Sutter Hotel has been subjected to annual inspections to ensure compliance with the performance standards adopted by Ordinance No. 12136

since those standards applied to all hotels, motels, and rooming houses throughout the city.

- v. Subsequent inspections of the property were described in City records as “Annual Hotel/Motel Inspections,” “Annual Deemed Approved Hotel/Motel Inspections,” and “Deemed Approved Inspections,” but the entry titles of these records do not document that the Sutter Hotel received any deemed approved letter in 1999, and are of little evidentiary value in determining whether the Property previously received a deemed approved notice under Chapter 17.157 of the Oakland Planning Code.

9. The evidence and arguments submitted by the Appellant in support of reversing the Zoning Manager’s determination were not compelling and did not outweigh the evidence supporting the Zoning Manager’s determination.

- a. The fact that there are additional rooms at the property that at times may not have served as the primary residence of its occupants does not alter the conclusion that the building as a whole meets the definition of a Residential Hotel.
 - i. A property operating as a Semi-Transient Residential Activity, such as this Property, by definition allows for occupancy of living accommodations partly on a short-term basis and partly on a long-term basis, but requires that less than 30% of living be occupied a short-term residence. The majority of the units under this definition must be provided as living accommodations on a long-term basis.
 - ii. The State definition of a Residential Hotel, Health and Safety Code Section 50519, states that a Residential Hotel “does not mean any building containing six or more guestrooms or efficiency units . . . which is *primarily* used by transient guests who do not occupy that building as their primary residence.”
 - iii. Inversely, so long as the primary use of the building is for non-transient guests for their primary residence, then the building is classified as a Residential Hotel.
- b. The issuance of Hotel/Motel Business Certificate #00029506 in 1995 does not serve as evidence in support of concluding the Property was operating as a commercial hotel at that time.
 - i. The City of Oakland classifications for business certificates are not required to and do not match the definitions of activity classifications under a different City code, the Planning Code.
 - ii. At the time of the issuance of this business certificate, the Property was subject to the terms of a Rehabilitation Loan Agreement and Regulatory Agreement with the State Housing and Community Development Department under the California Natural Disaster Assistance Program (“CALDAP”). The Regulatory Agreement identifies the Property as a “rental housing development,” which is defined in Health and Safety Code Section 50671.5 to include “multifamily rental dwellings, apartments, residential hotels . . . that are made available for permanent residency of tenants.” (See Health and Safety Code, § 50671.5(b)(1).) Under the terms of the Regulatory Agreement, the Property was subject to rental restrictions for a twenty-year period applicable to all 102 Rooming Units/SROs at the property. *See Attachment D to Staff Report Exhibit E-2, Regulatory Agreement - Number CO-R-150, California Natural Disaster Assistance Program.*

10. The Planning Commission fully adopts as its own findings the analysis provided by Bureau of Planning Staff in the Staff Report for DET190031-A01 and the Zoning

Manger's Determination DET190031 and the accompanying evidence and documentation.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF OAKLAND hereby denies Appeal No. DET190031-A01 filed by Appellant and upholds the Zoning Manager's Determination Denying the Statement of Exemption application and thereby affirms that the Property, as of the date of December 13, 2016, meets the definition of a "Residential Hotel" as defined in Chapter 17.153 of the Oakland Planning Code.

AYES:

NOES:

ABSENT:

ABSTAIN:

TOM LIMON, Chair

ATTEST: _____
CATHERINE PAYNE, Acting Development Planning Manager

NOTICE TO PARTIES The time within which judicial review must be sought to review this decision is governed by the provisions of the California Code of Civil Procedure Section 1094.6.

Oakland City Planning Commission

STAFF REPORT

Case File Number DET190031-A01 (DET190031) August 5, 2020

Location:	584 14th Street
Assessor's Parcel Number(s):	003 06901700
Proposal:	Appeal of Zoning Manager's Determination filed under DET190031, a status determination on the applicability of Oakland Planning Code Chapter 17.153, demolition, conversion and rehabilitation regulations for residential hotels.
Case File Numbers:	DET190031-A01
Appellants:	Zacks, Freedman, & Patterson, PC
Owner:	584 14 TH Street LLC
Planning Determination Required:	Initial Usage Report required if the Zoning Manager's Determination is Upheld
General Plan:	Central Business District
Zoning:	CBD-P
Environmental Determination:	The determination is not considered a project as defined by Section 15378 of the State CEQA guidelines, and therefore does not require CEQA review.
Historic Status:	Local Register, API: Downtown, OCHS Rating: B*1+
City Council District:	3
Staff Recommendation:	Deny the Appeal and uphold the Zoning Manager's Determination to deny the Statement of Exemption
Finality of Decision:	Final Decision, Not Administratively Appealable per Planning Code Section 17.132.030
For Further Information:	Contact Case Planner, Brittany Lenoir at (510) 238-4977 or blenoir@oaklandca.gov .

SUMMARY

Oakland's Residential Hotels represent an increasingly rare form of affordable housing essential to sheltering Oakland's most vulnerable residents. In December 2018, the City Council adopted Ordinance No. 13509 C.M.S. amending the Oakland Planning Code to include Chapter 17.153 Demolition, Conversion and Rehabilitation Regulations for Residential Hotels (the "Regulations") with the overall purpose of preserving the existing supply of Residential Hotel Units and providing protections for the populations that reside in these units.

The Regulations also created a process for property owners of buildings that the City preliminarily determined to be a Residential Hotel to register their property with the City of Oakland via an Initial Usage Report, or alternatively, to provide evidence to the City to try to dispute that determination, by filing a Statement of Exemption.

The property at 584 14th Street was one of the sites that was preliminarily identified to be a Residential Hotel. Applicant and Appellant, 584 14th Street, LLC, the owner of the property located at 584 14th Street and commonly known as the Sutter Hotel, filed a Statement of Exemption form with the City on April 2, 2019 (**Attachment E-1**). An incomplete letter was sent by Planning Staff on May 1, 2019 (**Attachment A**), supplemental information by the Applicant's representatives was received on May 30, 2019 (**Attachment B**), and a follow-up letter deeming the Exemption request complete was sent on June 26, 2019 (**Attachment C**). A

Determination denying the Exemption request was sent on October 21, 2019 (**Attachment E-2**). After the City denied the Exemption request, a timely Appeal was filed on October 31, 2019 (**Attachment E**).

In this Appeal, the Planning Commission is tasked with reviewing the evidence presented by the Appellant, as well as the evidence collected by the Planning Bureau, to determine whether the Planning Bureau's determination to deny the Appellant's Exemption request is supported by substantial evidence. The appeal is brought pursuant to the procedures in Planning Code Chapter 17.132, which requires the appeal to state specifically wherein it is claimed there was an abuse of discretion by the Director or wherein his or her decision is not supported by the evidence in the record. The appeal must be accompanied by information required to facilitate review.

The Appellant has not demonstrated that the Zoning Manager has made an error or abused discretion, or that his decision was not supported by the evidence provided in the record and subsequently in this Staff Report. This staff report summarizes the comprehensive evidence that the property at 584 14th Street is a Residential Hotel, as set forth in Planning Code Chapter 17.153. As a result, Planning Staff is requesting that the Planning Commission deny the appeal and uphold the decision by the Zoning Manager.

LEGISLATIVE HISTORY

The City of Oakland has been monitoring the status of Residential Hotel units, a common form of Single-Room Occupancy (SRO) units, since at least 1985. A city report prepared that year found that SRO units "have been removed from the housing stock at a very rapid rate." The report identified "at least 27 facilities which can be classified as residential hotels (i.e., at least 10% of the units being used for SRO housing)." The 25 hotels that responded to the City's survey included a total of 1,861 rooms available for rent. While a 2004 report identified additional Residential Hotels, a 2015 report found that the City lost approximately 799 Residential Hotel units in Downtown Oakland.

To address these losses, on October 4, 2016, the City Council unanimously passed Resolution No. 86408 C.M.S., which requested the City Planning Commission initiate action to amend Oakland's Planning Code to help preserve the existing supply of Residential Hotel units, and to return to the City Council with proposed amendments. Subsequently, the City Council adopted Ordinance No. 13410 C.M.S., that went into effect on December 13, 2016, which placed a moratorium on actions that would lead to the loss of Residential Hotel units while the Planning Code amendment process was underway. In January of 2017, the moratorium was extended until December 11, 2018 to allow sufficient time for the city to complete the code amendment process. On December 4, 2018, the City Council adopted Ordinance No. 13509 C.M.S., the Residential Hotel Regulations.

Both state law and the Regulations define a "Residential Hotel." Since at least 2005, California Health and Safety Code Section 50519 has defined a Residential Hotel as:

"any building containing six or more guestrooms or efficiency units, as defined by Section 17958.1, intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by guests, which is also the primary residence of those guests, but does not mean any building containing six or more guestrooms or efficiency units, as defined by Section 17958.1, which is primarily used by transient guests who do not occupy that building as their primary residence."

Similarly, the Regulations state that a “Residential Hotel is defined in accordance with California Health and Safety Code Section 50519,” and means:

“any building built before 1960 containing six (6) or more Rooming Units, as defined in Section 17.09.040, intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by guests, which is also the primary residence of those guests, and where the entrances to the individual units are generally accessed via a shared lobby area.”

The Planning Code further defines “Rooming Unit” to mean:

“a room or suite of rooms, not including a kitchen, designed or occupied as separate living quarters, with or without common boarding provisions, but excluding such rooms where they accommodate a total of three (3) or fewer paying guests within a One-Family Dwelling Residential Facility through the main portion of which access may be had to all such rooms; provided that in the case of student dormitories and similar group living arrangements, each two beds shall be deemed a rooming unit.

The Regulations impose restrictions on certain actions relating to residential hotels, and additionally require a conditional use permit before other specified actions may occur. In particular, any amenity rehabilitation of a Residential Hotel or Residential Hotel Unit is prohibited, as is the conversion or demolition of a Residential Hotel or Residential Hotel Unit if there have been any adjudicated cases evidencing tenant harassment or illegal eviction in the past five years. A conditional use permit is required before the demolition or conversion of a Residential Hotel, which will only be granted upon showing that replacement residential hotel units will be provided elsewhere. Various exceptions to the conditional use permit requirement are outlined in the Regulations. Finally, the Regulations impose a requirement that owners inform the City of notice of a proposed offering for sale or transfer of a residential hotel property and allow the City 90 days to tender an offer to purchase the property.

The Regulations apply to Residential Hotels that the City has specifically identified. The Regulations include a process to ensure that a property owner who contends that their property is not a Residential Hotel has the opportunity to submit evidence explaining why not. Chapter 17.153.030 states that the Planning and Building Department will notify by mail property owners preliminarily determined by the City to be operating a Residential Hotel subject to the Regulations. The property owner then has either 180 days to submit an Initial Usage Report describing the physical and operational characteristics of the property, or 90 days to file a Statement of Exemption. The Director of Planning shall review the documentation submitted, and the property owner may appeal the Director’s determination within 10 calendar days. In reviewing either a Statement of Exemption or Initial Usage Report application, the Regulations require that the Applicant submit and that Planning Staff review information relevant to determine the physical and functional characteristics of the property as of December 13, 2016, which is the date that the City of Oakland first adopted a moratorium prohibiting the conversion of a Residential Hotel.

PROPERTY DESCRIPTION

The subject site is located on the corner of 14th Street and Jefferson Street. According to the Oakland Cultural Heritage Survey, the building has a historic rating of B*1+, and is a contributor to the Downtown (fringe) Area of Primary Importance (API). The Alameda County Commercial Building Record states the structure as having a ground floor commercial space, dwelling units from floors two through seven, and an apartment unit on floor eight.

APPEAL ANALYSIS

A timely appeal was filed on October 31, 2019. To view the appeal in its entirety, refer to **Attachment E** of this Report. In summary, the Appellant raises the following issues:

- The Sutter Hotel does not meet the definition of a Residential Hotel because of prior Transient use of the property.
- The Sutter Hotel was previously “Deemed Approved” as a Hotel and therefore has the right to operate as a commercial hotel.
- The Planning Bureau’s determination that the Sutter Hotel is a Residential Hotel violates appellant’s due process rights, equal protection rights, federal civil rights, and constitutes an unlawful taking.

Below is Staff’s response to the appeal.

I. The Sutter Hotel’s Long-Standing Use As A Residential Hotel.

Planning staff extensively reviewed the information the Applicant provided as well as City of Oakland records and public records to determine the historic use of the Sutter Hotel. This historic information helps to inform staff about the approved physical and functional characteristics of the property as of December 13, 2016. As a result of this review, the Zoning Manager concluded the Sutter Hotel meets the definition of a Residential Hotel, as defined in Section 17.153.020.

Documentation spanning several decades supports Planning staff’s conclusion that the Sutter Hotel meets the definition of a Residential Hotel. In particular, since at least 1954, the building has operated with units available for rent to non-transient residents, and many of those residents lived at the property for extended periods of time as their primary residence, sometimes for periods longer than one year. This documentation provides substantial evidence that the Sutter Hotel is a Residential Hotel. In its appeal, the Applicant does not dispute the accuracy of any of these documents, but instead raises separate arguments addressed below.

Alameda County Commercial Building Record

A Commercial Building Record from the Alameda County Assessor shows that the property has been described as an SRO, or single-room occupancy, building as early as 1954 (**Attachment E-2, ii.**). The Record has input dates ranging from 1954 through 2006. The County shows the building description as “Sutter ‘Hotel’ = SRO/APTS,” placing the word hotel in quotation marks and defining “hotel” as a mix of SRO units and apartments. Further review shows that the County determined that SRO units were located on floors two through seven of the building, and apartment units were located on the eighth floor of the building.

Remarks on the second page of the building record include comments dated from 1955, which state that while the penthouse on top is used as apartments, the hotel rooms did not contain bathrooms, and 96 rooms were available for rent while 6 were kept open to provide for fire escape.

City of Oakland Residential Hotel Reports

The City of Oakland has prepared at least three reports on the status of Residential Hotels in Downtown Oakland, including reports prepared in 1985, 2004, and 2015. The Sutter Hotel is included on the City's list of Residential Hotels in each of these reports.

The 1985 Report identifies the Sutter Hotel as a Residential Hotel (**Attachment E-2, iii.**). At the time that the report was created, the Sutter Hotel was combined with another Residential Hotel, the Dragon Hotel. The 1985 report shows that these two hotels had a total of 167 rooms with 162 available for rent. The Survey included with the report documents that 85.9% of the individuals staying at the Sutter were staying there for purposes other than for business or tourist purposes; none of the rooms had a kitchen; 13 of the tenants had stayed at the property for longer than 1 year; and the number of non-transient residents had increased since 1980. The report further states that the owner at that time gave notice of an intent to convert the building to a tourist hotel in mid-1985. This report clearly furnishes the evidence that the Sutter Hotel included at least six Rooming Units which were used as the primary residence of their occupants.

The 2004 Report does not provide the extensive detail provided in the 1985 report, but it does identify the Sutter Hotel as a Residential Hotel with 86 available rooms and a total of 106 rooms (**Attachment E-2, v.**).

The 2015 Report prepared by the City of Oakland Housing and Community Development Department identifies the Sutter Hotel as a Residential Hotel, and provides further information on its use in an attached Residential Hotel Survey conducted on June 22, 2015 (**Attachment E-2, vii.**). The Survey documents responses to questions provided by the Sutter Hotel's desk clerk, who indicates that the Sutter Hotel had 102 total rooms, 95 of which were occupied. The desk clerk identified 38 rooming units that had been occupied for more than one year, and five rooming units that had been occupied for more than five years. The Survey provides substantial evidence that as recently as 2015, the Sutter Hotel had at least 38 rooming units, and likely many more, that served as the primary residence for its occupant. However, the Survey also indicated that the hotel was no longer accepting new monthly residents. Neither the City nor the Applicant have evidence that the property was ever approved to change this activity prior to December 13, 2016.

California Housing and Community Development Regulatory Agreement

—In 1992, then-owner of the Sutter Hotel, Govinder Singh, entered into a Rehabilitation Loan Agreement for rehabilitation of the Sutter Hotel under the California Natural Disaster Assistance Program ("CALDAP"), pursuant to California Health and Safety Code Sections 50661.5, 50661.7, and 50671.5. CALDAP funds were limited to be used to make loans for repair or refinancing in conjunction with repair of "rental housing developments" that were damaged or destroyed as a result of a natural disaster. (See Health and Safety Code, § 50671.5(b)(1).) Govinder Singh further entered into a Regulatory Agreement "as an inducement to the Department to provide the financial assistance specified in the Rehabilitation Loan Agreement, and has agreed to be regulated and restricted as provided therein." The term of the Agreement was set to commence on September 30, 1992 and remain valid for the following twenty years, unless terminated earlier by the Department of Housing and Community Development (**Attachment E-2, iv.**).

The Regulatory Agreement identifies the Sutter Hotel as a “rental housing development” located at 584 14th Street. Health and Safety Code Section 50671.5 defines “rental housing development” to include “multifamily rental dwellings, apartments, residential hotels . . . *that are made available for permanent residency of tenants.*” (See Health and Safety Code, § 50671.5(b)(1).)

Under the terms of the Regulatory Agreement, in exchange for receiving monetary assistance to conduct rehabilitation, the borrower agreed to impose rental restrictions on the “Assisted Units,” which were to be made available to eligible households under the terms of written rental agreements provided by California Department of Housing and Community Development. According to the agreement, these restrictions appeared to be in place for a twenty-year period. Exhibit B to the regulatory agreement identifies 102 SROs as “Assisted Units” subject to restrictions on rent such that initial rents in 17 units were set at \$300 per month and initial rents in 85 units were set at \$389 per month.

The Regulatory Agreement serves as substantial evidence that the prior owner of the Sutter Hotel received financial assistance contingent upon the Sutter Hotel being classified as a Residential Hotel that served as the primary residence for its tenants. As a result, Planning Staff conclude there is incontrovertible evidence that the Property was serving as a Residential Hotel in 1992 and through 2012. Again, neither the City nor the Applicant have evidence that the property was ever approved to change this activity prior to December 13, 2016.

Similarly, the applicant submitted to the city a statement from prior owner Raj Singh, included as an attachment to the supplemental information letter sent May 30, 2019, that confirms that the Sutter Hotel was used for long-term rentals (**Attachment B-7**). Specifically, from 1997-2017, Mr. Singh entered into approximately 15 annual and monthly leases with the Oakland Housing Authority and nonprofit organizations to provide rooms for their clients.

Residential Rent Adjustment Program (RRAP) Records

———City records show several RRAP hearing decisions that support finding that the Sutter Hotel continued to operate as a Residential Hotel through the 1990s and early 2000s (**Attachment E-2, vi.**). For example, an October 3, 2002 hearing decision describes the property as a Residential Hotel with 102 units. The decision relates to a complaint that a tenant’s rent was not decreased after staying in the unit for longer than 30 days to adjust for the fact that hotel taxes would no longer be collected.

———City records additionally show several Three-Day Notices to Pay Rent or Quit delivered to tenants at the Sutter Hotel. Within these records, there is evidence that many, if not all, of the tenants were staying for a longer than monthly basis (**Attachment E-2, vi.**).

Transient Occupancy Tax Records

———Planning staff have reviewed Transient Occupancy Tax records spanning a period from 2010 to 2017 (**Attachment B-2**). While the applicant relies on these records to show that there has been some transient use of the property (see further response to this argument in Section III below), Staff finds that these records actually support the conclusion that the Sutter Hotel has historically operated as a Residential Hotel.

———Oakland Municipal Code Chapter 4.24 requires individuals who occupy space in a hotel for a period of no more than 30 consecutive days to pay a tax charged by the hotel operator and remitted to the City. (See O.M.C. § 4.24.030.) An individual who occupies space in a hotel for more than 30 consecutive days is

considered a “permanent resident” for purposes of paying the Transient Occupancy Tax and is exempt from paying the tax beginning on the 31st day of the occupancy.

The City Transient Occupancy Tax (TOT) form requires a property owner to state the gross rent for occupancy of all rooms, and then to state how much of that rent was collected for occupancy by non-transient residents and/or exemptions. Thus, these records provide general information on how much revenue a property raised for transient and non-transient uses, which can be assumed to roughly correspond to the proportion of units occupied by transient and non-transient guests.

———Records provided for the Sutter Hotel show many months where the majority of rents collected were from non-transient (i.e. permanent) residents. The Sutter Hotel was not required and did not pay transient occupancy taxes on these revenues. From February 2010 through August 2010, more than 50% of gross rent was paid by non-transient residents every month. After falling into the 40% range from September 2010 to May 2011, the percent of gross rent paid by non-transient residents per month remained above 50%—and sometimes as high as 75%—from June 2011 through August 2013. The portion of gross rent paid by non-transient residents per month remained substantial (between 20% and 72%) from September 2013 through April 2016. Records are incomplete from April 2016 to September 2016, but records show a precipitous decline in rents paid by non-transient residents per month by October 2016. The fact that the number of long-term residents was declining does not mean the property no longer contained 6 rooming units intended to be used as the primary residence of guests, and instead documents the vulnerability of these units being lost permanently and the importance of the City’s moratorium and Residential Hotel regulations.

———It is important to note that the ratio between rent paid by non-transient guests and rent paid by transient guests is not necessarily equal to ratio between non-transient guests and transient guests. For example, the January 31, 2014 monthly TOT statement for the Sutter Hotel shows that rent for occupancy by non-transient residents totaled \$42,375 while taxable rents (those rents collected for occupancy by transient residents) totaled \$38,046. Thus, while 52.7% of the gross rent was paid by non-transient, permanent residents, the number of permanent residents very likely was not equal to 52.7% of the total guests present during January 2014. If the rent for long-term stays was on average lower than the rent for short-term stays, then the proportion of permanent residents at the Sutter Hotel likely would have been higher than 52.7% during the month of January 2014. Nevertheless, the TOT records indicate that the Sutter Hotel continued to serve as a Residential Hotel—a building with at least 6 rooms serving as the primary residence of its occupants—through the mid-2010s.

Building Records

Bolstering the evidence described above, various building records, provided as Appendix A to the Applicant’s Statement of Exemption application and spanning several decades, indicate that the Sutter Hotel has been used as a Residential Hotel. Among other documents:

- The City of Oakland Department of Building and Housing issued a Report of Residential Building Record for the property in March 1974 (**Attachment D, p. 15**). This report, issued to residential buildings, describes the building as containing 102 dwelling units or apartments and/or 102 hotel or sleeping rooms.
- An Engineering Analysis Report dated May 18, 1995 describes the building as a Residential Hotel consisting of 103 units (**Attachment D, p. 57**).

- Building Record ID 0606066 dated August 23, 2006, Annual Hotel/Motel Inspection, describes the Sutter Hotel as a Residential Hotel (**Attachment D, p. 70**). Additional records from the Inspection Log for 584 14th Street show several complaints filed by tenants regarding the condition of the building.
- Building Record ID B1202507 indicates that a Certificate of Occupancy for a Residential Hotel was requested for the property on July 26, 2012 (**Attachment D, p. 79**).
- At least three Zoning Clearance Records, requests from residents of the Sutter Hotel to set up a home office within their rooming units at the property, indicate that several tenants were using their units as their primary residence (**Attachment D, p. 87**).

Application for Exemption from Actions Restricted in the Residential Hotel Conversion and Alteration Moratorium

On December 13, 2016, two years prior to the adoption of the Residential Hotel Regulations, the City put in place a Moratorium under Ordinance No. 13415 C.M.S. prohibiting any alterations at Residential Hotels that would result in the displacement of existing residents or the loss of Residential Hotel Units. In 2018, the Applicant applied for interior and exterior alterations at the property under DRX182227. In conjunction with that permit, the Applicant submitted a request for exceptions/exemptions to the actions restricted in the Moratorium, thereby acknowledging that the property was a Residential Hotel subject to the restrictions of the Moratorium.

In response, on November 29, 2018, the City issued a letter determining that the Sutter Hotel is considered a Residential Hotel, that the alterations were excepted from the Moratorium restrictions because they would not reduce the number of units or displace existing residents, and further found that the City considers the current land use activity at the property to be Semi-Transient Residential. The letter specified that if the applicant disagreed with the determination, the applicant had to file a timely appeal. The applicant did not file an appeal challenging the City's conclusion that the Sutter Hotel is a Residential Hotel operating a Semi-Transient Residential Activity.

Attachment E-2, viii shows the application, plans, and responses from the Housing and Community Development Department and Planning Bureau recognizing the Sutter Hotel as a Residential Hotel.

II. The Definition of a Residential Hotel Does Not Require Every Unit Be Used by Permanent Residents.

Appellant argues that the Sutter Hotel cannot be a Residential Hotel because there has historically been *some* transient use at the subject property: "Any transient use of the units at the Property necessarily means that such units are not primary residences which is a required element of a property's use under § 17.153.020's definition of a Residential Hotel." This argument misreads the City's definition of a Residential Hotel.

As described above, the City considers a pre-1960's property to be a Residential Hotel so long as it contains at least six rooming units that serve as the primary residence of its occupant. The fact that there are additional rooms at the property that may or may not have served as the primary residence of its occupants does not alter the conclusion that the building itself is classified as a Residential Hotel. As shown in Section I above, substantial evidence supports the City's conclusion that throughout the Sutter Hotel's history, at least six rooming units and in fact substantially more than six units have served as the primary residence of its occupant.

In addition to relying on tax statements, business certificates, and other documents, the Appellant claims that the Sutter Hotel cannot be a Residential Hotel based on the Activity Classification assigned to the Sutter Hotel. Every property in the City is classified on the basis of common functional characteristics and assigned a facility and activity type. The City has several residential activities, including, as relevant here, Permanent Residential Activity and Semi-Transient Residential Activity. The City additionally classifies some properties as a Transient Commercial Habitation Activity, which is the activity type applicable to Commercial Hotels. Within each of the City's zoning districts, various activity types are either permitted, conditionally permitted upon granting of a CUP, or prohibited. Further, to operate a new business and/or change a business from one activity to another, a property owner is required to apply for and receive a Zoning Clearance from the Planning Bureau to ensure that the proposed activity is permitted within the existing zone.

The Appellant claims that any property that has a Semi-Transient Residential Activity designation cannot be a Residential Hotel because Semi-Transient Residential Activities include up to a 30% transient use. This argument is not persuasive. A property operating as a Semi-Transient Residential Activity by definition must operate with at least 70% of the living units serving as a permanent (30 days or longer) residence. For instance, if a property has 10 rooming units, then at least 7 of those units (70%) would be required to serve as permanent residence to be considered a Semi-Transient Residential Activity and thus the building would meet the definition of a Residential Hotel. This is because at least six units would be used, or are intended to be used, as primary residences for guests. This interpretation is also consistent with the State definition of a Residential Hotel under Health and Safety Code Section 50519, which states that a Residential Hotel "does not mean any building containing six or more guestrooms or efficiency units . . . which is *primarily* used by transient guests who do not occupy that building as their primary residence." In other words, so long as the primary use of the building is for non-transient guests for their primary residence, then the building is classified as a Residential Hotel.

III. The City's Deemed Approved Hotel Regulations Do Not Alter the Lawful Activities of the Sutter Hotel.

The Appellant claims that the Sutter Hotel does not meet the definition of a Residential Hotel because the property was "Deemed Approved" as a "Hotel." The status of a building as "Deemed Approved" is reflective of the City's historic regulation of hotels, motels, and rooming houses, including Residential Hotels, and is not determinative of whether a property is a Commercial or Residential Hotel, and is not a separate land use Activity designation. As stated in the Zoning Manager determination, evidence that the City conferred deemed approved status on the property does not assist in determining whether the building is a Residential Hotel because buildings conferred with deemed approved status included buildings serving permanent populations as well as short-term guests. In practical effect, the designation of a non-conforming property as deemed approved makes no substantive changes with respect to the uses to which the property may lawfully be put, and therefore does not influence the analysis of what that historic underlying use was.

In 1999, in response to a continuing pattern of illegal activity, including prostitution and drug use, stemming from hotels, motels, and rooming houses, the Oakland City Council enacted two ordinances for the express purpose of improving the conditions in and around hotels, motels, and rooming houses. The first ordinance, Ordinance No. 12136, added to the Oakland Municipal Code Chapter 8.03 ("Operating Standards for Hotels, Motels, and Rooming Houses"), which sets forth various operational standards applicable to all hotels, motels,

and rooming houses in the city. The second ordinance, Ordinance No. 12137 created the “Deemed Approved Hotel Regulations” (Planning Code Chapter 17.157). The ordinance legislatively designated as approved uses (thus, “Deemed Approved”) all of those hotels, motels, and rooming houses that previously had “legal nonconforming use” status, and further required that “Deemed Approved” commercial and residential hotels comply with the performance standards established by Ordinance No. 12136. Through this method, the City refashioned the legal nonconforming use status of these businesses such that continued operation would now be conditioned on compliance with new performance standards and revocable if those conditions were not met. As a result, the City had more tools at its disposal to address illegal activity occurring at these properties.

The Deemed Approved Hotel Regulations apply not only to commercial hotels, but also to residential hotels and rooming houses that rent partially or purely on a long-term basis. Section 17.157.020 lists as one of the ordinance’s objectives “to assure that guests *and residents* at Deemed Approved Hotel Activities are provided safe, clean, and secure accommodations.” The regulations apply both to Hotels, as defined in OMC Section 4.24.020, and also to any Rooming Houses housing Semi-Transient Residential Activities and/or Permanent Residential Activities. (See Planning Code Section 17.157.050.) The April 13, 1999 Public Safety Committee staff report (**Attachment F**) acknowledges the wide application of the Regulations:

“a rooming house is akin to a hotel or motel in that rooms that do not contain kitchens are rented to guests and residents. Management may be responsible for providing furniture and daily or weekly housekeeping services. Rooming houses generally rent to a more permanent population and fewer short term guests than hotels or motels.”

Additionally, the October 1, 2018 Staff Report relating to the adoption of the Residential Hotel Regulations (available on Oakland Legistar under File No. 18-0963) also acknowledges that Residential Hotels have long been subject to the City’s Deemed Approved Hotel and Rooming House Regulations:

Residential Hotels may also be subject to Planning Code Chapter 17.157, Deemed Approved Hotel and Rooming House Regulations, which regulates habitability and safety of accommodations for guests in hotels, motels, and rooming houses, along with potential nuisances or blight issues for the surrounding community.

———The Appellant argues that the Sutter Hotel was Deemed Approved in 1999 under Ordinance No. 12137, and specifically that the Sutter Hotel was deemed approved as a “Hotel,” or commercial hotel, and not as a “Rooming House” conducting a Semi-Transient Activity. There is no evidence of official conferral of a “Deemed Approved” status for the Sutter Hotel. Planning staff determined that, if it had been “Deemed Approved”, it would have been deemed approved as a Rooming House conducting Semi-Transient Residential Activity. These facility and activity types are consistent with the definition of a Residential Hotel.

However, regardless of “Deemed Approved” status, the Sutter Hotel would have been required to comply with the Performance Standards adopted by Ordinance No. 12136 since those standards applied to all hotels, motels, and rooming houses throughout the city. Building records document that an “Annual Hotel/Motel Inspection” first occurred at the property in 2002. However, these inspections regularly occurred at a range of hotels, motels, and rooming houses due to the performance standards of OMC Chapter 8.03 applying to all of these facility and activity types. Subsequent inspections of the property were described in City records as “Annual

Hotel/Motel Inspections,” “Annual Deemed Approved Hotel/Motel Inspections,” and “Deemed Approved Inspections.”

The City has communicated to the property owner that the Sutter Hotel has the right to continue the Activity Designation occurring at the property in 1999, subject to the restrictions in the Residential Hotel Regulations.¹ Just as the City and the appellant have not been able to find documentation that the Sutter Hotel was “Deemed Approved” in 1999, neither have been able to locate documentation issued in 1999 clearly stating the Sutter Hotel’s Activity Designation (i.e., Permanent Residential, Semi-Transient Residential, or Transient Commercial Habitation) at that time. Instead, the City has relied on the additional documentation as described above to conclude that in 1999, the Sutter Hotel made rooms available to guests for both short-term and long-term stays, and therefore was a Semi-Transient Residential Activity. As mentioned in Section I above, the City issued a determination in 2018 finding that the Sutter Hotel was a Semi-Transient Residential Activity, and that determination was not challenged. A “Deemed Approved” designation would not change this activity, but would have legalized what may have previously been a legal non-conforming activity. In practical effect, designating a non-conforming property as “deemed approved” makes no substantive change with respect to the uses to which the property may lawfully be put. (See *Bauer v. City of San Diego* (1999) 75 Cal.App.4th 1281, 1292-95 [discussing generally “grandfathered” rights of nonconforming businesses in the deemed approved context].)

For these reasons, even assuming that the Sutter Hotel’s Semi-Transient Residential Activity converted from a legal non-conforming activity to a “Deemed Approved” activity, that conferral has no relevance to the determination of whether the Sutter Hotel meets the definition of a Residential Hotel.

IV. The Appeal of a Residential Hotel Status Determination Is Not the Appropriate Forum for Appellant’s Constitutional Arguments.

The Appellant raises three constitutional challenges in its appeal—that the Planning Bureau’s Determination that the Property is a Residential Hotel violates Appellant’s due process rights, violates Appellant’s equal protection rights, and is an unlawful taking of Appellant’s property. While veiled as a challenge to the Planning Bureau’s Determination, these claims are largely directed at the City Council’s adoption of the Residential Hotel Regulations themselves, but also include arguments that the Regulations are unlawful as applied to the Sutter Hotel.

To the extent the Appellant is directly challenging the City Council’s adoption of the Residential Hotel Regulations, the Planning Bureau and the Planning Commission have no jurisdiction to consider those claims. The Planning Commission is limited to considering whether, in concluding that the Sutter Hotel meets the

¹ In an effort to determine whether the Sutter Hotel was conferred a “deemed approved” status, Planning Staff also reviewed the historical designation of the site. The zoning designation applicable to the 584 14th Street in 1999 leads to the conclusion that the Sutter Hotel was a permitted activity and therefore would not have been subject to the Deemed Approved Ordinance, which only conferred deemed approved status to legal nonconforming activities. As early as 1974, the Sutter Hotel was located in the C-51 Zoning District. The Planning Code applicable in 1999 specified that Permanent Residential Activities, Transient Habitation Commercial Activities, and Semi-Transient Residential Activities were all permitted activities in the C-51 Zoning District. It was only in 2009 that the property was rezoned to CBD-P, which requires a conditional use permit for Semi-Transient Residential and Transient Habitation Commercial Activities. Thus, regardless of which of these activities was occurring, the Sutter Hotel would *not* have been operating as a legal non-conforming activity in 1999 and thus would *not* have been subject to the Deemed Approved Regulations upon adoption in 1999.

definition of a Residential Hotel, the Planning Director or his designee committed an error or an abuse of discretion, or his decision was not supported by the evidence in the record. The Planning Commission is not tasked with evaluating the legality of the City Council's legislative enactments.

To the extent that the Appellant contends that the Residential Hotel Regulations are unlawful in their application to the Sutter Hotel, Appellant's challenge is premature. The Planning Bureau's Determination is only that: a determination that the property at issue is a Residential Hotel that will be subject to the restrictions set forth in Planning Code Section 17.153.040 and Conditional Use Permit requirements set forth in Planning Code Section 17.153.050. The Determination does not alter the property's Activity designation. The Regulations preserve the status quo and impose restraints on a property owner's ability to seek Planning Bureau approvals for physical modifications to the building or changes to its lawful activity. If, in the future, the Appellant sought to make physical changes or activity changes to the building that have not previously been approved, the Regulations allow the owner to seek a waiver determination or Conditional Use Permit exception per Planning Code Section 17.153.060(B).

As a result, these constitutional challenges are not relevant to the Planning Bureau's factual determination of whether the property at issue meets the definition of a Residential Hotel, as defined in the Residential Hotel Regulations.

CONCLUSION

The Oakland City Council, in implementing Policy 5.4 (Preservation of Single Room Occupancy Hotels) of the 2015-2023 Housing Element, recognized the need to preserve the supply of Residential Hotels as affordable housing for very low and low-income residents, replacement units and tenant protections through the adoption of the Residential Hotel Regulations (Section 17.153 of the Planning Code). The goal of the Regulations is to protect vulnerable populations that live in affordable Residential Hotel Units throughout Oakland. Vulnerable population such as the low-income, homeless, or formerly incarcerated individuals depend on the availability and affordability of the rapidly diminishing supply of Residential Hotel Unit. The City has preliminarily identified properties such as the Sutter Hotel as a Residential Hotel and created a process to minimize the displacement of the vulnerable population. The Statement of Exemption approval or denial process establishes whether the Sutter Hotel is either a) a protected Residential Hotel with restrictions on rehabilitation or b) a Commercial Hotel that can be converted to any activity, facility, or physical characteristic configuration as allowed by the Planning Code.

Planning Staff requests that the Planning Commission deny the appeal and uphold Staff's decision to deny the Statement of Exemption based on the evidence provided in the Zoning Manager's determination and the information presented in this staff report, and declare the Sutter Hotel as a Residential Hotel that is conducting a Semi-Transient Residential Activity, with at least 70% of tenants staying for longer than seven days. The Appellant has not proven through substantial evidence that the Sutter Hotel is a legal commercial hotel. There has been a history of permanent residential activities at this site, which has been demonstrated through Transient Occupancy Tax records, the 1992 Regulatory Agreement, and Residential Hotel Reports conducted by the City of Oakland Housing and Community Development Department.

RECOMMENDATION

1. Deny the Appeal, thereby upholding the Zoning Manager’s Determination to deny the Residential Hotel Statement of Exemption, based on the findings and evidence in the Zoning Manager’s Determination, the Staff Report, and the accompanying attachments.

Prepared by:



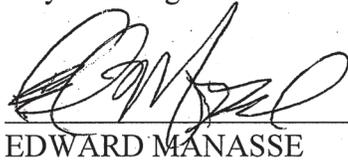
BRITTANY LENOIR
Planner II

Reviewed by:



ROBERT MERKAMP
Zoning Manager

Approved for forwarding to the City Planning Commission:



EDWARD MANASSE
Deputy Director
Bureau of Planning

Attachments:

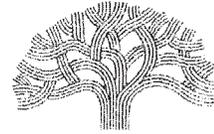
- A. Incomplete letter dated May 1, 2019
- B. Supplemental Information Letter from Alexis Pelosi, representing 584 14th Street, LLC, dated May 30, 2019
 1. Alameda County Public Records Request response and correspondence for 584 14th Street

2. Documents and Correspondence regarding Transient Occupancy Tax (TOT)
 3. Historic Building Permits for 584 14th St
 4. Alameda County Commercial Building Record
 5. Floor Plans and Elevation Plans for the Sutter Hotel
 6. Business Tax Certificates for the Sutter Hotel
 7. Declaration of current owner, Ross Walker, and Declaration of previous owner, Raj Singh, dated May 29, 2019
 8. Sutter Hotel Photos
 9. Historic documents on the Sutter Hotel, including City of Oakland Surveys, photos, and newspaper excerpts
 10. Historic Documents on the Sutter Hotel, including a 1914 Tribune advertisement, 1921 advertisement, and a 1913 personal mention
- C. Completeness Letter dated June 26, 2019
- D. Documents received from Public Records Request on 584 14th Street
- E. Appeal of DET190031-A01 dated October 31, 2019
1. Statement of Exemption Application for 584 14th Street dated April 2, 2019 and attached documents
 - i. Annual Deemed Approved Hotel and Rooming House Inspections ranging from 2005-2016
 - ii. City of Oakland Business Licenses from 2016-2017
 - iii. TOT submittals from 2014-2017
 - iv. Building Permit related records dating from 1974-1975
 - v. Historical advertisement, news clippings, and city phone directories from 1922-1966
 - vi. Email correspondence regarding Public Records Request #18-782
 2. DET190031, Residential Hotel Status Determination dated October 21, 2019
 - i. 1948 Zoning Code, Excerpt for Definition of "Hotel"
 - ii. County Commercial Building Record
 - iii. Excerpt from 1985 Survey of Residential Hotels in Downtown Oakland, page 10, Coding Key, table datasets 8, 12-13, and Appendix II.
 - iv. Regulatory Agreement – Number CO-R-150, California Natural Disaster Assistance Program
 - v. Excerpt from 2004 Residential Hotels in Central Oakland Report, page 3
 - vi. RRAP Hearing Decision and Three-Day Notice to Pay Rent or Quit
 - vii. Excerpt from 2015 Downtown Residential Hotel Report, page 6
 - viii. Exception from Provisions of Ordinance No. 13415 C.M.S for 584 14th Street
 - ix. Initial Usage Report Application
- F. April 13, 1999 Public Safety Committee Staff Report Regarding Adoption of Deemed Approved Regulations.

LEGAL NOTICE:

ANY PARTY SEEKING TO CHALLENGE THIS DECISION IN COURT MUST DO SO WITHIN NINETY (90) DAYS OF THE ANNOUNCEMENT OF A FINAL DECISION, PURSUANT TO THE CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1094.6, UNLESS A SHORTER PERIOD APPLIES.

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 3315 • OAKLAND, CALIFORNIA 94612

Planning and Building Department
Bureau of Planning

(510) 238-3941
FAX (510) 238-6538
TDD (510) 238-3254

May 1, 2019

584 14th Street, LLC
301 N. Canon Drive, Suite 305
Beverly Hills, CA 90210

Re: **DET190031; 584 14th Street; APN: 003 006901700**

Dear Applicant:

This letter is in response to your request for a determination for the property located at 584 14th Street. Specifically, you submitted a Residential Hotel Statement of Exemption application, filed before the April 3, 2019 deadline, requesting confirmation that the building is a commercial hotel and not a Residential Hotel as defined per Planning Code §17.153.020.

Planning Code § 17.153.030(C) states that if the Director determines that additional information is needed to make a determination, the Director shall request the additional information in writing.

As such, your application is **INCOMPLETE** and is considered an **INSUFFICIENT FILING**. This letter does not constitute either a granting of a Certificate of Status or Certificate of Exemption. The status determination submission requirements as set forth in Planning Code §17.153.030(B) are listed below. Items in **bold text** were not submitted *or* are insufficient. Please submit all requested items in **bold text** to deem your application complete:

- **A certified copy of the property's tax returns**
- Transient occupancy tax records
 - The tax records that were submitted with the initial Residential Hotel Statement of Exemption received April 2, 2019 were from January 2014 – April 2016 and October 2016 - December 2016. If transient occupancy taxes were paid during other times please provide that documentation; otherwise, Staff will assume transient occupancy taxes were paid only for the months submitted.
- **Residential landlord tax records**
- **Planning and Building Permit records** – Obtain all available Planning and Building Permit records.
- **Alameda County Assessor Records**

- **Floor plans** – Please submit current, non-demolition floorplans for the site. Locations of all walls, doors, site amenities and partitions shall clearly be delineated on the plans. Furthermore, communal facilities such as bathrooms, kitchens, laundry facilities, common areas, lobbies, and commercial spaces should all be shown and labeled. While the plans submitted do show some of the requested floorplan attributes, the submittal of a demolition plan obscures a clear understanding of existing site conditions. Specifically, partitions and walls are obscured.

In addition to the status determination submission requirements per Planning Code §17.153.030(B), the Bureau of Planning is requesting additional information to corroborate with your Statement of Exemption request:

- **Zoning Clearances** – Please submit all available current and historical Zoning Clearances for all businesses at this property.
- **Business Tax Certificates** – Please submit all available current and past business tax certificates for all businesses at this property. For businesses in operation for multiple years, submit all available years of business tax certificates.
 - The business tax certificates that were submitted with the initial Residential Hotel Statement of Exemption dated April 2, 2019 were from the following years: 2002, 2008, 2016, 2017. If a business tax certificate was valid for other operators or years please provide that documentation, otherwise, Staff will assume the business tax certificates were only valid for the years and operators submitted.
- **Lease Agreements and/or Lease Payment Receipts** - Please submit all available lease agreements at this property.
- **Match Information** – Associate the relevant Zoning Clearances to its business tax certificates and lease agreements. Indicate clearly by address and/or by location on the site or floor plan where every business is located. If a business had previously operated in a space that differs from the submitted floor plan, show in a site or floor plan where the business had operated.
- **Years of Operation** – Indicate, to the best of your knowledge, and based on available information, the years of operation of each business at the property.
- **Interior Photographs** – Provide annotated interior photographs that clearly show the interior of the building and the individual rooms, the vantage point of photographic capture or the area of the floorplan the photograph is representing.
- **OCHS (Oakland Cultural Heritage Survey) Information** – Please contact Betty Marvin, the City of Oakland Historic Preservation Planner, at bmarvin@oakalndca.gov or (510) 238-6879 for this information.
- **Any other information** – As applicable, please submit information from phone books, old newspapers, Yelp or other similar business review websites, which indicates the historic or current advertised uses.

In addition, staff requests an opportunity to conduct an exterior and interior site visit after receiving the requested information above. The purpose of the site-visit is to better understand the existing condition in the context of your Statement of Exemption and Initial Usage Report request and additional information submitted.

Per Planning Code §17.153.030(C), the owner shall furnish the requested information, upon receipt of the written request, within thirty (30) calendar days from the date of this letter. If the requested information is not furnished, the Director will issue a Certificate of Status confirming that the building is a Residential Hotel that is composed entirely of individual Residential Hotel Units (OMC §17.153.030(C)).

Please submit the requested information in a digital .PDF format on a USB flash drive as well as on two (2) physical paper copies to my attention. **If any of the items listed above cannot be furnished, provide an explanation for each item as to why it cannot be furnished.** For general inquiries to request records or information, an in-person visit to our offices is recommended. The Planning and Building Department is available at 250 Frank Ogawa Plaza, 2nd Floor, Oakland, CA 94612 and the department phone number is (510) 238-3443. The Finance Department: Business Tax Office is available at 250 Frank Ogawa Plaza, Suite 1320, Oakland, CA 94612 and the phone number is (510) 238-3704. Lastly, the Alameda County Assessor's Office is available at 1221 Oak Street, Room 145, Oakland CA 94612 and by phone at (510) 272-3787.

If you have any questions, feel free to contact me, **Brittany Lenoir**, Planner 1, at **(510) 238-4977**, or by e-mail at **blenoir@oaklandca.gov**. Thank you for your prompt response to this request.

Sincerely,



*Brittany Lenoir
Planner I
Bureau of Planning*

CC: jbird@hawkinsway.com
ross.walker@hawkinsway.com



Alexis M. Pelosi
alexis@pelosilawgroup.com

May 30, 2019

Brittany Lenoir
Planner I
Oakland Planning Department
250 Frank H. Ogawa Plaza, Ste. 3315
Oakland, CA 94612

Re: DET190031; 584 14th Street; APN: 003 006901700

Dear Ms. Lenoir:

We are submitting the attached information on behalf of our client, 584 14th Street, LLC, in response to your May 1, 2019 letter indicating that the Residential Hotel Statement of Exemption application (“Application”) for the property located at 584 14th Street (“Property”) is incomplete because some of the items were not submitted or were insufficient. As detailed in the below list, we are providing all the information that is currently available to us, which we believe is more than sufficient to deem the Application complete and approve the Application.

As detailed in the Application, the Property is a “Deemed Approved” tourist hotel because it was used as a tourist hotel prior to the enactment of the City’s 1999 zoning ordinance that regulated transient habitation commercial uses and required all new tourist uses to obtain conditional approval. The substantial evidence submitted with the Application and attached to this letter clearly supports this conclusion. For example, the Property’s Hotel/Motel Business Certificate (#00029506) was issued in 1995, before the 1999 “Deemed Approved” date.¹ Since that time, the Property has been licensed as a tourist hotel² and has been paying the Transient Occupancy Tax (“TOT”) to the City, with records documenting payment of the TOT at least as early as 1998.³ Historical building permit records, as well as historical advertisements and news clippings, that were previously provided, combined with new ones attached to this letter, further indicate that the Property was a tourist hotel use prior to 1999. In addition, inspection records submitted with the Application evidence the fact that the Property has been classified by the City as a “Deemed Approved” tourist hotel.

¹ As noted in our application, we do not have a copy of the 1995 license, but this information was provided to us by City Finance Department staff and is based on the certificate number identified.

² Unfortunately, because the prior owner did not keep good records and the City Finance Department purges business tax records after ten (10) years, we only have Business Tax Certificates from 2008 forward.

³ Because the City Finance Department purges records after ten (10) years, we only have TOT records from 2010 forward. However, as set forth in the below list, correspondence from the City confirms that the TOT was paid in 1998, 1999, 2000 and 2001.



In short, to date, substantial evidence has been provided documenting that the Property’s tourist hotel use is a “Deemed Approved” use pursuant to the City’s Planning Code. No evidence at all, however, has been provided that establishes the Property does not qualify as “Deemed Approved” or was converted from a tourist hotel to a non-tourist hotel use, a change that as noted previously would not impact our “Deemed Approved” status.⁴

The following is a summary of the information requested in the May 1, 2019, letter. Where information was previously provided in the Application, it is noted, and where new information has been located, it is also noted with copies of that information attached. In some instances, we were unable to locate the information requested despite exerting significant time and effort in trying to obtain it. In those instances, we have noted our efforts and provided an explanation regarding why the information is not provided. In addition to the documents noted below, we also received numerous documents from the City in response to Public Records Act requests, but some of these requests remain outstanding. A complete copy of all documents provided by the City in response to those requests is being provided in Appendix A. Documents that are relevant to the issue of the Property’s “Deemed Approved” status are included as attachments.

I. Certified copy of property tax returns

On May 3, 2019, a Public Records Act (“PRA”) request was submitted to the Alameda County Assessor’s Office for all documents and records related to the Property, which should have included this information (see Attachment A). In response, the County Assessor-Recorder advised that documents for this address can be reviewed at the Assessor-Recorder’s office, however, only those documents related to 584 14th Street, LLC’s ownership of the Property can be viewed. We cannot view any documents related to a prior owner, even with the prior owner’s permission. Given these records are within the County’s control, to the extent they are required by the Planning Department to deem the Application complete, we request your assistance in obtaining the records.

II. Additional TOT records

A. Previously submitted

January 2014 – April 2016

October 2016 – December 2016

⁴ As noted in the Application, even if a change from a tourist hotel use to a non-tourist hotel use did occur after 1999 – which is not indicated by the evidence – a change of use cannot cause a property to lose its “Deemed Approved” status. A “Deemed Approved” use has protections beyond the normal rules for legal nonconforming uses. (“Said business(es) shall no longer be considered a Legal Nonconforming Activity. . . . Deemed Approved Status replaces legal nonconforming status.” CPC § 17.157.050.) Unlike a legal nonconforming use, a property can only lose its “Deemed Approved” status following a formal notice of violation and public hearing. There is no record of such proceedings taking place.



B. New information (Attachment B)

On May 3, 2019, a PRA request was submitted to the City’s Finance Department requesting copies of these documents (see Attachment B). To date, we have not received a response. Given these records are within the City’s control, to the extent they are required by the Planning Department to deem the Application complete, we request your assistance in obtaining the records. The following information is what we have been able to obtain from the prior property owner.

Correspondence between City of Oakland and property owner regarding City audit of financial records, pursuant to which the City confirmed the information for the years 1998, 1999, 2000 and 2001 to be substantially correct.⁵

January – December 2010

January – December 2011

January – December 2012

January – December 2013

January – December 2017

III. Residential landlord tax records

On May 3, 2019, a PRA request was submitted to the City’s Finance Department requesting copies of these documents (see Attachment B). A response was received on May 13, 2019 stating that the City would not release the information since it was confidential business information. (Oakland Municipal Code Sections 5.04.060, 5.04.140.) The City was subsequently informed that the request was made on behalf of the property owner, and the owner provided written authorization for the release of these records on May 28, 2019. We are awaiting a response.

IV. Planning and Building Permit records – all available

A. Previously submitted

Three building permit records from 1974-1975

B. New information (Attachment C)

On May 3, 2019, a PRA request to the City’s Planning Department was submitted requesting copies of all available planning and building permit records. A complete copy of the all documents provided from the Planning Department is included in Appendix A. The most relevant documents are listed below and attached.

⁵ This document clearly establishes that during the period in question, the Property was being used as a Tourist Hotel, making it a “Deemed Approved” tourist hotel use.



Buildings permits from 1937, 1945, 1952, 1969 and 1976 that state the existing use to be “hotel”

Building and Housing Department forms from 1974 and 1975 that indicate property has an existing license for a hotel

In addition, the permit history index refers to “Hotel” or “Annual Deemed Approved Hotel/Motel” inspections taking place throughout the time period of 2000–2016. On May 24, 2019 we requested further records related to the Annual Deemed Approved Hotel/Motel Inspections. We are awaiting a response to this request.

V. Alameda County Assessor Records

A. Previously submitted

No documents

B. New information (Attachment D)

As noted above, in response to the May 3, 2019 PRA request, the County Assessor-Recorder advised that only documents related to 584 14th Street, LLC’s ownership of the property can be viewed. We cannot view any documents related to a prior owner, even with the prior owner’s permission. Given these records are within the County’s control, to the extent they are required by the Planning Department to deem the Application complete, we request your assistance in obtaining the records. The following information is what we have been able to obtain on our own from the City’s records.

Commercial Building Record for Sutter, ‘Hotel’ – SRO/Apts, with dates going back to 1912.

VI. Current, non-demolition floor plans

Copies of the non-demolition floor plans have been prepared and are attached (see Attachment E).

VII. Zoning clearances – all available current and historical

On May 3, 2019, a PRA request was submitted to the City’s Planning Department requesting copies of these documents. In the response received to date, these documents were not included. Given these records are within the Planning Department’s control, to the extent they are required by the Planning Department to deem the Application complete, we request your assistance in obtaining the records.



VIII. Business tax certificates – all available current and past

A. Previously submitted

Transient Occupancy Registration Certificate issued July 25, 2002

Business Tax Certificate expires December 31, 2008

Business Tax Certificate expires December 31, 2016 (2 accounts)

Business Tax Certificate expires December 31, 2017

B. New information (Attachment F)

On May 3, 2019, a PRA request was submitted to the City's Finance Department requesting copies of these documents. In response, only Business Tax Certificate verification forms from 2017-2019 were provided. Those forms are listed below and included in Attachment F. Given these records are within the City's control, to the extent additional records are required by the Planning Department to deem the Application complete, we request your assistance in obtaining the records. The following information is what we have been able to obtain from the prior property owner and the Finance Department.

Business Tax Certificate expires December 31, 2010 (2 accounts)

Business Tax Certificate expires December 31, 2011 (2 accounts)

Business Tax Certificate expires December 31, 2012 (2 accounts)

Business Tax Certificate expires December 31, 2013

Business Tax Certificate expires December 31, 2014 (2 accounts)

Business Tax Certificate expires December 31, 2015

Business Certificate verification that certificate expires December 31, 2017

Business Certificate verification that certificate expires December 31, 2018

Business Certificate verification that certificate expires December 31, 2019

IX. Lease agreements and/or lease payment receipts – all available

In responding to this request, we have presumed that the intent is to obtain copies of any residential lease agreements and/or lease payments. The ground floor is comprised of commercial uses and tenants that have over the years executed commercial leases and have made lease payments. While copies of those commercial leases and lease payments can be provided, we do not believe they are



relevant to determining whether the Property is a “Deemed Approved” tourist hotel use. Please let us know, however, if you would also like copies of this information.

There are currently no residential leases at the Property. The prior owner has executed a signed declaration ([Attachment G](#)) testifying to the fact that, throughout the time he owned or was otherwise involved with the Sutter Hotel, it was operated as a transient (tourist) hotel, and the rooms were predominantly rented on a daily or weekly basis. The only limited exception is that during the period of 1997 to 2017, the former owner entered into a small number of leases with the Oakland Housing Authority or nonprofits (approximately 15 in total). Under these leases, **the nonprofits paid the Sutter Hotel** to provide a room for clients in their programs.

This limited use for non-profits does not affect the “Deemed Approved” status of the Sutter Hotel, as that use did not eliminate the underlying tourist hotel use that could only be removed by a public hearing (which has never occurred).

The current owner has also executed a declaration stating no residential leases have been entered into and no lease payments have been received since taking ownership of the Property in 2017. Copies of both declarations are attached as [Attachment G](#).

X. Match information (i.e., associate zoning clearances to business certificates and lease agreements)

As noted above, the prior owner entered into a small number of leases, approximately 15 in total over a ten-year period from 1997 through 2017. Unfortunately, the prior owner does not have copies of these leases due to poor record keeping. As a result, we cannot match any information but note that any such leases, as stated above and in our Application, does not affect the “Deemed Approved” status of the Sutter Hotel. Business tax certificates and information has been provided in [Attachment F](#) and these certificates cover all use of the Property. Business certificates for the ground floor commercial uses has not been obtained as we not believe it is relevant to determining whether the Property is a “Deemed Approved” tourist hotel use.

XI. Years of Operation

This request for information is confusing. The following is our response to the best of our knowledge based on the broad request for information. Based on the business tax certificates provided to date both in our Application and [Attachment F](#), the Property has been licensed and used as a tourist hotel. The prior owner has executed an affidavit stating that he operated the Property from 1995 until 2017 as a tourist hotel and the current owner has executed an affidavit indicating they have also operated the Property as a tourist hotel since taking ownership in 2017. Those affidavits are included as [Attachment G](#).

XII. Annotated interior photographs

Interior photographs are attached ([Attachment H](#)). For reference, more extensive photos are also included on the thumb drive provided.



XIII. OCHS information

A. Previously submitted

No documents.

B. New information (Attachment I)

Historical information from Betty Marvin

Excerpts from book regarding Downtown District – District Contributor

XIV. Any other information (i.e., phone books, old newspapers, review websites)

A. Previously submitted

Historical advertisements, etc., from 1922 to 1966

B. New information (Attachment J)

We retained Mark Hulbert from Preservation Architecture to assist in obtaining historic documents and articles related to the Property. The following are the documents he obtained.

Tribute ad from January 1914

UCR personal mention from September 1913 that references Hotel Sutter

UCR personal mention from June 1917

UCR personal mention from July 1921 that references Hotel Sutter

Tribune Article from March 23, 1943

Article from Christmas 1990 regarding fire at Hotel Sutter

Based upon the above, we respectfully request that the City approve our Residential Hotel Statement of Exemption application.

Yours truly,

A handwritten signature in blue ink that reads 'Alexis M. Pelosi'.

Alexis M. Pelosi
Attachments.

Attachment A



**OFFICE OF ASSESSOR
COUNTY OF ALAMEDA**

1221 Oak St., Room 145, County Administration Building
Oakland, California 94612-4288
(510) 272-3787 / FAX (510) 272-3803

**PHONG LA
ASSESSOR**

May 7, 2019

Re: Public Records Request for 584 14th St., Oakland, CA. Assessor's Parcel Number: 3-69-17

Ms. Sarah Hoffman
Zacks, Freedman & Patterson, PC
235 Montgomery Street, Suite 400
San Francisco, CA 94104

Dear Ms. Hoffman,

Our office is in receipt of your California Public Records Request sent by you per an email dated May, 3, 2019. As you have subsequently informed me that you are representing the current owner, 584 14th Street LLC, we can furnish requested documents pertaining to the current owner. Unfortunately, we cannot provide any documents pertaining to prior owners. Assessor's records pertaining to individual taxpayers are not open for general inspection by the public. Subsections 6254(i) and (k) of the Government Code curtail access to taxpayer's records. Section 408 of the California Revenue and Taxation Code severely restricts the definition of public records open to inspection. Records that relate to the business affairs of another taxpayer may not be disclosed to anyone, even a taxpayer reviewing his own assessment per the R&T Code Section 408(e) (3). Further, any information requested of a taxpayer by the Assessor, furnished in a property statement or provided on a Change in Ownership Statement must be held secret by the Assessor per R&T Code sections 451 and 481.

In addition to the documents pertaining to your client and current owner, 584 14th St. LLC, you are entitled to copies of the public records which are not required to be kept or prepared by the Assessor and which are not protected from public disclosure. These records include the assessment roll, Assessor's maps, exemption claims (except homeowners) and property characteristics.

The minimum fee for copies of documents is \$5.00 (includes up to 4 pages) and \$1.00/page thereafter. If you choose, you may come into our office during normal business hours to view the file and select the documents you would like copied. You may also choose to have copies of all documents in the file pertaining to your client. The file is ready for you to view at your convenience. Please give us one-day notice if you plan to come in and view the file.

If you have any questions, I can be reached at (510) 271-5159.

Sincerely,

John W. Abbott II
Supervising Appraiser II
Assessment Services

Alexis Pelosi

From: Abbott II, John, Assessor <john.abbott@acgov.org>
Sent: Thursday, May 16, 2019 11:48 AM
To: Sarah Hoffman
Cc: Johnson, James, Assessor
Subject: RE: Public Records Act Request re: APN 3-6901700 (584-14th Street)

Ms. Hoffman,

I have conferred with County Counsel regarding your request. Unfortunately, we cannot provide access those records even with the authorization of the prior owner. R&T Code section 408 only permits the current assessee has access to records, limited to the records of his or her period of ownership. Thus, a prior assessee would not have access to records of his or her prior ownership and hence, are not in the position to grant permission requested below.

Cordially,

John W. Abbott II
Supervising Appraiser II
Assessment Services
Alameda County Assessor's Office
1221 Oak St., Rm. 145
Oakland, CA 94612
(510)271-5159 - phone
(510)272-3803 - fax

From: Sarah Hoffman [mailto:sarah@zfplaw.com]
Sent: Monday, May 13, 2019 5:46 PM
To: Abbott II, John, Assessor <john.abbott@acgov.org>
Subject: RE: Public Records Act Request re: APN 3-6901700 (584-14th Street)

Dear Mr. Abbott,

Thank you for your letter, which we received on May 9. If we obtain the permission of the prior owner, would it be possible for us to get records related to their ownership of the property?

Best,

Sarah Hoffman

From: Abbott II, John, Assessor [mailto:john.abbott@acgov.org]
Sent: Monday, May 06, 2019 7:36 AM
To: Sarah Hoffman
Subject: FW: Public Records Act Request re: APN 3-6901700 (584-14th Street)

Ms. Hoffman,

Your email was forwarded to me by the Clerk of the Board. Please let me know whom you are representing and making this request on behalf of. I need this information to determine which documents/information I can provide per the Revenue and Taxation code.

Cordially,

John W. Abbott II

Supervising Appraiser II
Assessment Services
Alameda County Assessor's Office
1221 Oak St., Rm. 145
Oakland, CA 94612
(510)271-5159 - phone
(510)272-3803 - fax

From: Sarah Hoffman [<mailto:sarah@zfplaw.com>]
Sent: Friday, May 3, 2019 4:05 PM
To: Clerk of the Board <cbs@acgov.org>
Subject: Public Records Act Request

Good afternoon,

I respectfully request a copy of all documents and records related to APN 003 006901700 (with the associated address of 584 14th Street) in the possession or control of the Alameda County Assessor's office.

This request includes, but is not limited to, files, emails, notes, drafts, memoranda, letters, scans, recordings, text messages, phone calls, faxes, etc., whether sent from, received by, or kept on government-owned, privately owned, or other devices and addresses. If any documents cannot be copied for copyright protection or other reasons, please make such documents available for us to view.

If any documents or records cannot be made available within ten days, please kindly produce all documents and records on a rolling basis.

Very truly yours,

Sarah Hoffman
Zacks, Freedman & Patterson, PC
235 Montgomery Street, Suite 400
San Francisco, CA 94104
Telephone: (415) 956-8100
Facsimile: (415) 288-9755
sarah@zfplaw.com
www.zfplaw.com

This communication and its contents may contain confidential and/or privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies. Unless expressly stated, nothing in this communication should be regarded as tax advice.

Alexis Pelosi

From: Sarah Hoffman <sarah@zfplaw.com>
Sent: Friday, May 3, 2019 4:05 PM
To: cbs@acgov.org
Subject: Public Records Act Request

Good afternoon,

I respectfully request a copy of all documents and records related to APN 003 006901700 (with the associated address of 584 14th Street) in the possession or control of the Alameda County Assessor's office.

This request includes, but is not limited to, files, emails, notes, drafts, memoranda, letters, scans, recordings, text messages, phone calls, faxes, etc., whether sent from, received by, or kept on government-owned, privately owned, or other devices and addresses. If any documents cannot be copied for copyright protection or other reasons, please make such documents available for us to view.

If any documents or records cannot be made available within ten days, please kindly produce all documents and records on a rolling basis.

Very truly yours,

Sarah Hoffman
Zacks, Freedman & Patterson, PC
235 Montgomery Street, Suite 400
San Francisco, CA 94104
Telephone: (415) 956-8100
Facsimile: (415) 288-9755
sarah@zfplaw.com
www.zfplaw.com

This communication and its contents may contain confidential and/or privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies. Unless expressly stated, nothing in this communication should be regarded as tax advice.

Attachment B

Victoria Garrison
Bookkeeping Services
P. O. Box 5247
Walnut Creek, Ca. 94596
(925) 939-1439

June 27, 2001

Mr. P.K. Mukherjee
Manager
Oakland Sutter Hotel LP
584 - 14th Street
Oakland, Ca. 94612

Re: Transient Occupancy Tax Audit
Sutter Hotel

Dear Mr. Mukherjee:

I am as surprised as you and Mr. Singh about this issue of "Apartment Tax" raised by the City of Oakland TOT office.

As you are aware, I have been the bookkeeper for this property since 1987, through the change of ownership in 1995, and have been present at previous audits by the City of Oakland. At no time in the past was this issue of "Apartment Tax" raised, either by the auditors or any other City personnel. In 1987, the previous owner, Mr. Berman, and I visited the City of Oakland Business Tax Office to obtain information with regards to city taxes applicable to this property. At that time we were told that the only relevant taxes associated with this property were (1) Property tax, (2) TOT tax and (3) Business License tax. I provided you with this information when Mr. Singh purchased the property in 1995. Furthermore, we filed the change of ownership information with the City in 1995 and were not informed at that time of any additional filing requirements.

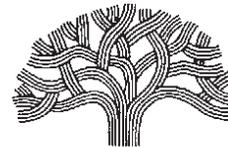
You may want to check with the City of Oakland as this may be a newly legislated tax that you were not informed of. Please let me know if I can be of any further help.

Very Sincerely,



Victoria Garrison

CITY OF OAKLAND



FINANCIAL SERVICES AGENCY • 150 FRANK H. OGAWA PLAZA, SUITE 5342 • OAKLAND, CALIFORNIA 94612-2093

Revenue Division

(510) 238-2245

FAX: (510) 238-6431

TDD: (510) 839-6451

June 11, 2001

Pritin K. Mukherjee
Oakland Sutter Hotel LP
584 14th Street
Oakland, CA 94612

Re: Audit Results-A/C # 2273667

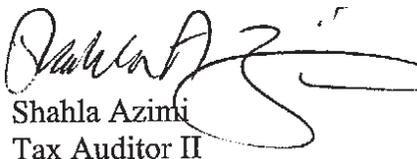
This is in response to your letter dated May 31, 2001. In answer to your questions, first, there is no particular form required for filing an appeal, and per your request I forwarded a copy of your letter to the Appeals Board of Review. Second, the business tax for non-transients, which is classified as an "M" account [\$13.95 per \$1,000] is not an additional tax. After the change of ownership, you continued to operate under the previous owner's account number. You should have applied for a new account and the old account should have been deactivated.

Third, Based on the Director of Finance Ruling, Notice is not required to inform tax payers of the delinquency, renewal or any notice or bill (A copy of the Ruling is attached). Besides, this is not a new tax, it is been legislated and adopted by the City of Oakland for at least 20-30 years. As you have requested, I have also attached a copy of the Director of Finance Ruling that clearly states the difference between transient and non-transient tax.

Furthermore, the purpose of the audit is to make sure that everything is in compliance and all the gross receipts are reported correctly.

If you have any more questions, please do not hesitate to contact me at (510) 238-7471.

Sincerely,


Shahla Azimi
Tax Auditor II

CITY OF OAKLAND
OFFICE OF FINANCE
REVENUE DIVISION

DIRECTOR OF FINANCE RULING NO. 2

CLASSIFICATION FOR TAXATION FOR
HOTEL OR MOTEL BUSINESSES

Reference: Section 5-1.37 and 5-1.49 Oakland Municipal Code

Purpose

Specifies the measure of the tax and the applicable tax rate(s) to be utilized for the taxation of operator(s) of hotel or motel facilities.

BACKGROUND

An audit of the hotels and motels showed that certain hotels "non transient" trade accounted for a substantial (in excess of 20% of total revenues) portion of an operator's "Gross Receipts". The ruling provides guidelines to be used by staff and/or the taxpayer in determining the tax liability.

RULING OF THE DIRECTOR OF FINANCE

Taxpayers engaged in the business of renting or leasing rooms for dwelling, sleeping or lodging shall be classified based upon the following criteria:

1. Gross receipts attributed to short-term transient trade shall be classified as "Rental of Hotel & Motel," and shall be taxed at the rate of \$1.80 per thousand dollars of gross receipts. For purposes of this ruling, "short-term transient trade" is defined as "trade of less than a 30 day duration".
2. Gross receipts attributed to long-term trade shall be classified as "Rental of Residential Property," and shall be taxed at the rate of \$13.95 per thousand dollars of gross receipts. For purposes of this ruling, long-term trade shall mean that the same person remains in the hotel/motel for thirty (30) consecutive days or more, regardless of whether the room is changed during that period.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

If this is your final payment, check here and complete back of your Business Tax Certificate (TOT) and enclose it with this return

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: May 31, 2001

- MONTHLY** If your previous year's gross rents* were over \$100,000
 QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
 ANNUALLY If your previous year's gross rents* were under \$5,000

Sutter Motel
584 - 14th St.
Oakland California 94612

Account No.: 003-179-002

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

- | | | |
|---|----------|----------|
| 1. Gross rent* for occupancy of rooms | \$ _____ | |
| 2. Rent for occupancy by non-transient residents/TOT exemptions | \$ _____ | |
| 3. Taxable rents (line 1 minus line 2) | \$ _____ | \$ _____ |
| 4. [REDACTED] | \$ _____ | |
| 5. Credit (If previously approved by this office) | \$ _____ | \$ _____ |
| 6. Net tax (line 4 minus line 5) | | \$ _____ |
| 7. Penalty - 25% for late payment | | \$ _____ |
| 8. Interest - 1% of tax per month for late payment until paid | | \$ _____ |
| 9. Payment enclosed - total of lines 6 through 8 | | \$ _____ |

Note: Please return completed original return with payment and make a copy for your records.

Please make check payable to: City of Oakland - Transient Occupancy Tax

Mail payment to: City of Oakland, Revenue Division, P. O. Box 31148, Oakland, California 94604.

If you choose to pay by credit card, please fill out the following and mail or fax this return to the Business Tax Office at (510) 238-7128.

Visa Master Card Discover # _____ _____
Credit Card Account No. Expiration Date

Amount charged to credit card: \$ _____ Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: _____ Title _____ Date: _____

For Office Use Only

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.

OAKLAND SUTTER HOTEL LP

584 14th STREET
OAKLAND, CA. 94612
Email:rightguys@msn.com
FAX: 510-451-2559
TEL: 510-451-2555

May 29, 2001

Business Tax Section
Budget & Finance Agency
City of Oakland
250 Frank Ogawa Plaza, Suite 1320
Oakland, Ca. 94612

CERTIFIED MAIL

Re: Account 343293

Dear Sirs:

We are in receipt of your attached notice(statement) dated May 16, 2001 re: the above referenced account.

Please review the front and back of our cancelled checks showing that all the invoiced payments were made in the invoiced years.

Please update your records to show these collections. If you have any further questions please call Mr. Raj Singh at 510-451-2555 or 925-933-5300 at your convenience. If we do not hear from you we will assume that the records have been updated and there is no further action required at our end.

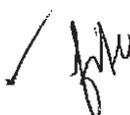
Thanking you and assuring you of our cooperation at all times.

Very Sincerely,

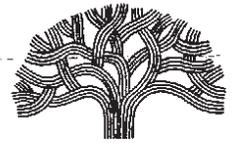


Victoria Garrison
Accounts

Enc: 7:copies of checks etc



CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA • SUITE 1320 • OAKLAND, CALIFORNIA 94612

Budget & Finance Agency
Business Tax Section
PHONE: (510) 238-3704

(510) 238-3704
TDD: (510) 839-6451

ACCOUNT NUMBER **343293**

STATEMENT DATE **5/16/01**

DUE DATE **6/01/01**

SUTTER HOTEL
VICTORIA GARRISON
PO BOX 5247
WALNUT CREEK

CA 94596 - 1247

BUSINESS LOCATION:
584 14TH ST
OAKLAND

CA 94612 - 1443

	TAX BASE	TAX	PENALTY	INTEREST	AMOUNT DUE
2001	\$530,776.80	\$955.40	\$238.85	\$34.39	
	PAYMENTS	\$.00	\$.00	\$.00	
	REFUNDS	\$.00	\$.00	\$.00	
	ADJUSTMENTS	\$.00	\$.00	\$.00	
	TOTALS	\$955.40	\$238.85	\$34.39	\$1,228.64
2000	\$440,167.26	\$792.30	\$198.08	\$147.31	
	PAYMENTS	\$.00	\$.00	\$.00	
	REFUNDS	\$.00	\$.00	\$.00	
	ADJUSTMENTS	\$.00	\$.00	\$.00	
	TOTALS	\$792.30	\$198.08	\$147.31	\$1,137.69
1999	\$347,879.23	\$626.18	\$156.55	\$210.47	
	PAYMENTS	\$.00	\$.00	\$.00	
	REFUNDS	\$.00	\$.00	\$.00	
	ADJUSTMENTS	\$.00	\$.00	\$.00	
	TOTALS	\$626.18	\$156.55	\$210.47	\$993.20
1998	\$256,679.11	\$462.02	\$115.50	\$224.72	
	PAYMENTS	\$.00	\$.00	\$.00	
	REFUNDS	\$.00	\$.00	\$.00	
	ADJUSTMENTS	\$.00	\$.00	\$.00	
	TOTALS	\$462.02	\$115.50	\$224.72	\$802.24

TAXPAYER ASSISTANCE IS AVAILABLE AT 250 FRANK H. OGAWA PLAZA, 8:00AM TO 4:00PM
TAX YEAR(S) 2001 2000 1999 1998 TOTAL AMOUNT DUE **\$4,161.77**

DUE DATE **6/01/01**

ACCOUNT NUMBER **343293**

PLEASE REMIT THIS STATEMENT WITH PAYMENT
MAKE CHECKS PAYABLE TO: OAKLAND BUSINESS TAX

REMITTANCE AMOUNT _____

CREDIT CARD INFORMATION:

EXPIRATION DATE: _____ MO _____ YR

___ VISA ___ MASTERCARD ___ DISCOVER

CARD NO: _____

AMOUNT CHARGED TO CREDIT CARD: \$ _____

SIGNATURE: _____

DUE DATE JANUARY 1, 2001 DELINQUENT IF PAID AFTER MARCH 1, 2001

2001 RENEWAL TAX

FAX (510) 238-7128

To correct preprinted information, cross out any incorrect information and indicate changes above or beside it. Do not correct Lines 1 & 2.

SEE ENCLOSED INSTRUCTIONS BEFORE PROCEEDING

1. ACCOUNT NUMBER 343293 CITY USE ONLY 2. INDUSTRY CODE P CITY USE ONLY

MAILING ADDRESS:

FORWARDING SERVICE REQUESTED 7066
SUTTER HOTEL
VICTORIA GARRISON
PO BOX 5247
WALNUT CREEK CA 94596-1247

Check this box if you are making corrections on any preprinted information.



3. BUSINESS NAME SUTTER HOTEL
4. BUSINESS LOCATION NUMBER 584 STREET 14TH ST SUITE CITY OAKLAND STATE CA ZIP 94612-1443
5. BUSINESS PHONE (510) 451-2555 EXT 6. CONTACT PHONE (510) 939-1439 EXT
7. BUSINESS START DATE 08-17-87 8. # FULL TIME EMPLOYEES 6

9. (OFFICE USE ONLY) 10. OWNERSHIP TYPE P SEE INSTRUCTIONS

11. OWNER NAME 1) OAKLAND SUTTER HTL
12. OWNER NAME 2) OAKLAND SUTTER INC

15. FEDERAL TAX I.D. NUMBER / SSN 770160447 STATE CONTRACTOR'S LICENSE NO.
16. STATE SELLER'S PERMIT NO.

SEE ENCLOSED INSTRUCTIONS BEFORE PROCEEDING

17. TAX BASE 2000 GROSS RECEIPTS \$ 530776.80
18. \$XXXXXXXXXXXX.XX
XXXXXXXXXXXXXXXXXXXX

20. \$XXXXXXXXXXXX.XX
21. YEAR 2001 RENEWAL TAX LIABILITY (ENTER COMPUTED TAX OR \$60, WHICHEVER IS GREATER) \$ 955.38
22. TAX DUE (ADD LINES 20 & 21, IF APPLICABLE) \$ 955.38
23. \$XXXXXXXXXXXX.XX
24. TOTAL TAX DUE (SUBTRACT LINE 23 FROM LINE 22, IF APPLICABLE) \$ 955.38
25. PENALTY (IF TAX IS PAID AFTER MARCH 1, 2001, SEE INSTRUCTIONS) \$ -
26. PRIOR AMOUNT (TAX & PENALTY INTEREST) (SEE INSTRUCTIONS) \$ -
27. INTEREST (IF TAX IS PAID AFTER MARCH 1, 2001, SEE INSTRUCTIONS) \$ -
28. TOTAL AMOUNT DUE (ADD LINES 24, 25, 26 & 27) \$ 955.38
29. PAYMENT ENCLOSED (PAYMENT METHODS - SEE INSTRUCTIONS) \$ 955.38

30. CREDIT CARD INFORMATION: Expiration Date: Month Year OFFICE USE ONLY
Visa Master Card Discover Amount Charged To Credit Card: \$
Credit Card No. Signature
31. DATE BUSINESS MOVED OUT OF OAKLAND MO. DAY YR. PLEASE SEE INSTRUCTIONS
32. DATE BUSINESS SOLD OR DISCONTINUED* MO. DAY YR.
33. DESCRIBE BUSINESS ACTIVITY
34. BUSINESS SOLD TO: NAME ADDRESS OFFICE USE ONLY

*SEE INSTRUCTIONS

I declare under penalty of perjury that to my knowledge all information contained on this declaration is true and complete.

SIGNED [Signature] TITLE Bookkeeper DATE 2/24/01

PLEASE WRITE ACCOUNT NUMBER ON CHECK MADE PAYABLE TO "OAKLAND BUSINESS TAX"

SUTTER HOTEL
584 - 14TH STREET
OAKLAND, CA 94612

US BANK
24-HOUR BANKING
1-800-678-3555

90-2267/1211

6729

2/26/2001

PAY TO THE
ORDER OF OAKLAND BUSINESS TAX

\$ **955.38

Nine Hundred Fifty-Five and 38/100***** DOLLARS

OAKLAND BUSINESS TAX
FILE 72918
PO BOX 61000
SAN FRANCISCO, CA 94161-2918



ACCT # 343293 2001 RENEWAL TAX

⑆ 121122676⑆ 153402194093⑆ 6729 ⑆0000095538⑆

BIT TO ACCT OF THE WITHIN WORKED PAYEE LAY 318 0005190
720-01779121000350 057 7291801 025000 2312135 755.38
⑆ 121000358⑆ S
1455 MARKET SF, CA 94104
02/26/01 0000000000 CA00
01004310

121122676 02272001 4067
S/T 090 ID 02 PKT 4
ACCT 17108351060360
1400778574

SUTTER HOTEL
584 - 14TH STREET
OAKLAND, CA 94612

US BANK
24-HOUR BANKING
1-800-673-3555

6441

90-2267/1211

2/27/00

PAY TO THE ORDER OF OAKLAND BUSINESS TAX

**792.31
\$

Seven Hundred Ninety-Two and 31/100*****

DOLLARS

OAKLAND BUSINESS TAX
FILE 72918
PO BOX 61000
SAN FRANCISCO, CA 94161-2918

ACCT # 343293 2000 RENEWAL TAX

⑆121122676⑆153402194093⑆6441⑆0000079231⑆

⑆121000358⑆
1435 MARKET SF, CA 94604
03/02/00 0000000000 CA40

⑆153402194093⑆
⑆6441⑆

⑆0000079231⑆

5089 76700

3833.23
153402194093

PAY TO THE ORDER OF
BANK OF AMERICA
OAKLAND, CA 94614
⑆121000358⑆
FOR DEPOSIT ONLY
CITY OF OAKLAND
OFFICE OF BUDGET AND FINANCE #0872
1472091779

121122676 03032000 4472
S/T 070 ID 02 PKT 4
ACCT 17108351860560

⑆153402194093⑆
⑆6441⑆

SUTTER HOTEL
584 - 14TH STREET
OAKLAND, CA 94612

US BANK
24-HOUR BANKING
1-800-673-3555

6339

90-2267/1211

11/1/99

PAY TO THE ORDER OF OAKLAND BUSINESS TAX

**845.31

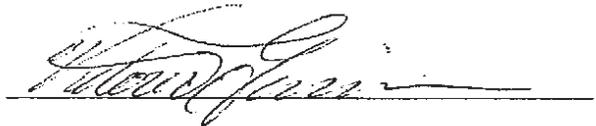
\$

Eight Hundred Forty-Five and 31/100*****

DOLLARS

OAKLAND BUSINESS TAX
FILE 72918
PO BOX 61000
SAN FRANCISCO, CA 94161-2918

ACCT # 343293 1999 RENEWAL TAX



⑆ 121122676⑆ 153402194093⑆ 6339 ⑆ 0000084531⑆

100 70878 505

001 4 14720-0178

0000000000

12100358
CREDIT TO THE ACCOUNT
OF THE NAMED PAYEE
BANK OF AMERICA
1455 MARKET ST
SAN FRANCISCO, CA
94103
6190-1

0000000000
D 02 PRT 4
11/01/99 4083

12100358
11/05/99 14720178
1455 MARKET ST, CA
94103

DUE DATE: JANUARY 1, 1999

DELINQUENT IF PAID AFTER MARCH 1, 1999



1999 RENEWAL TAX

FAX (510) 238-7128

To correct preprinted information, cross out any incorrect information and indicate changes above or beside it. Do not correct Lines 1 & 2.

SEE ENCLOSED INSTRUCTIONS BEFORE PROCEEDING

<p>1. ACCOUNT NUMBER 343293 <small>CITY USE ONLY</small></p> <p>MAILING ADDRESS: FORWARDING SERVICE REQUESTED 20218.0 SUTTER HOTEL VICTORIA GARRISON PO BOX 5247 WALNUT CREEK CA 94596-1247</p>	<p>2. INDUSTRY CODE P <small>CITY USE ONLY</small></p> <p><input type="checkbox"/> Check this box if you are making corrections on any preprinted information. Note: If changes in mailing address should match business location (or vice versa), please make the appropriate changes.</p>
<p>3. BUSINESS NAME SUTTER HOTEL</p> <p>4. BUSINESS LOCATION OAKLAND NUMBER 584 STREET 14TH ST SUITE _____ CITY OAKLAND STATE CA ZIP 94612-1443</p> <p>5. BUSINESS PHONE 510-451-2555 EXT _____</p> <p>6. CONTACT PHONE 510-939-1439 EXT _____</p> <p>7. BUSINESS START DATE 08/17/87</p> <p>8. # FULL TIME EMPLOYEES 6</p> <p>9. (OFFICE USE ONLY) 0</p> <p>10. OWNERSHIP TYPE P <small>SEE INSTRUCTIONS</small></p> <p>11. OWNER NAME 1) OAKLAND SUTTER HTL</p> <p>12. OWNER NAME 2) OAKLAND SUTTER INC</p> <p>13. _____</p> <p>14. _____</p> <p>15. FEDERAL TAX I.D. NUMBER / SSN 770160447 STATE CONTRACTOR'S LICENSE NO. _____</p> <p>16. STATE SELLER'S PERMIT NO. _____</p>	

STOP!!! SEE ENCLOSED INSTRUCTIONS BEFORE PROCEEDING

17. TAX BASE 1998 GROSS RECEIPTS		\$ 347,879.23
18. _____		\$ XXXXXXXXXXXX.XX
19. TAX RATE \$1.80 PER \$1000.00		XXXXXXXXXXXXXXXXXXXX
20. _____		\$ XXXXXXXXXXXX.XX
21. 1999 RENEWAL TAX DUE (SEE LINE 21 ON INSTRUCTIONS TO COMPUTE TAX)		\$ 626.16
22. TAX DUE (ADD LINES 20 & 21)		\$ 626.16
23. _____		\$ XXXXXXXXXXXX.XX
24. TOTAL TAX DUE (ADD LINES 20 & 21 THEN SUBTRACT LINE 23 IF APPLICABLE)		\$ 626.16
25. PENALTY (IF TAX IS PAID AFTER MARCH 1, 1999, SEE INSTRUCTIONS)		\$ 156.54
26. PRIOR AMOUNT (TAX & PENALTY INTEREST) (SEE INSTRUCTIONS)		\$ 626.16
27. INTEREST (IF TAX IS PAID AFTER MARCH 1, 1999, SEE INSTRUCTIONS)		\$ 626.16
28. TOTAL AMOUNT DUE (ADD LINES 24, 25, 26 & 27)		\$ 845.31
29. PAYMENT ENCLOSED		\$ 845.31

<p>30. CREDIT CARD INFORMATION:</p> <p><input type="checkbox"/> Visa <input type="checkbox"/> Master Card <input type="checkbox"/> Discover</p> <p>Credit Card No. _____</p>	<p>Expiration Date: <input type="checkbox"/> <input type="checkbox"/> Month <input type="checkbox"/> <input type="checkbox"/> Year</p> <p>Amount Charged To Credit Card: \$ _____</p> <p>Signature _____</p>	<p><small>OFFICE USE ONLY</small></p>
<p>31. DESCRIBE BUSINESS ACTIVITY Hotel</p> <p>32. DATE BUSINESS <input type="checkbox"/> SOLD OR <input type="checkbox"/> DISCONTINUED* MO. DAY YR.</p> <p>33. BUSINESS SOLD TO: NAME ADDRESS</p>		<p><small>OFFICE USE ONLY</small></p>

*SEE INSTRUCTIONS

I declare under penalty of perjury that to my knowledge all information contained on this declaration is true and complete.

SIGNED *Victoria Garrison* TITLE *Bookkeeper* DATE *11/01/99*

PLEASE WRITE ACCOUNT NUMBER ON CHECK MADE PAYABLE TO "OAKLAND BUSINESS TAX"

SUTTER HOTEL
584 - 14TH STREET
OAKLAND, CA 94612

U.S. BANK OF CALIFORNIA
LAFAYETTE OFFICE
LAFAYETTE, CALIFORNIA 94549
90-2267-1211

8808

2/25/98

Y TO THE OAKLAND BUSINESS TAX
IDER OF

\$ **462.00

Four Hundred Sixty-Two and 00/100*****

DOLLARS

OAKLAND BUSINESS TAX
FILE 72918
PO BOX 61000
SAN FRANCISCO, CA 94161-2918

MO ACCT # 343293 1998 RENEWAL TAX

MP

⑈008808⑈ ⑆121122676⑆ 904 0007 461⑈ ⑆0000046200⑈

Security features included. Details on back.

ENDORSE HERE

⑆121000358⑆ \$
1455 MARKET SF, CA 34
03/02/98 0000000000 CA40

02006561

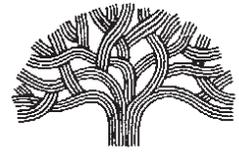
21122676 03/02/98 4172
MT 090 ID 01 PRT 2
RCT 00000351110980

14035971

094 04 1700 0079 060 7291801 010 ED CREDIT TO THE

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

CITY OF OAKLAND



FINANCIAL SERVICES AGENCY • 150 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

Revenue Division

(510) 238-2245
FAX (510) 238-6431
TDD (510) 839-6451

May 2, 2001

Victoria Garrison
Sutter Hotel
PO BOX 5247
Walnut Creek, CA 94596

Re: Audit Results TOT - # 003-179-002

Dear Victoria Garrison:

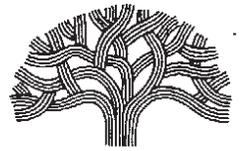
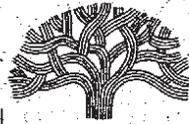
Thank you for the courtesy extended during our recent audit of your financial records. Our examination showed the information submitted on your TOT for the year(s) 1998, 1999, 2000 and 2001 to be substantially correct.

If you have any questions regarding the examination, please contact this office by letter or by telephoning me at (510) 238-7471.

Sincerely,

A handwritten signature in black ink, appearing to read "Shahla Azimi", with a horizontal line drawn through the end of the signature.

Shahla Azimi
Tax Auditor II



GARY COOK
TAX AUDITOR II
REVENUE AUDIT SECTION

(510) 238-7480
FAX 238-6431
TDD 839-6451

OGAWA PLAZA, SUITE 5342 • OAKLAND, CALIFORNIA 94612-2093

150 FRANK H. OGAWA PLAZA, 5TH FLOOR, OAKLAND, CA 94612

238-3084

(510) 238-2245
FAX: (510) 238-6431
TDD: (510) 839-6451

April 2, 2001

SUTTER HOTEL
584 14th Street
Oakland, CA 94612

RE: Transient Occupancy Tax audit—Sutter Hotel

Dear Hotel/Motel Operator:

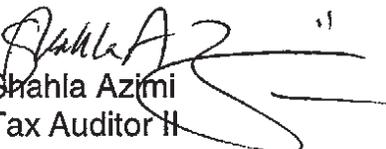
The City of Oakland has implemented a program to exam the records of all Hotels/Motels in the City at least once every three years. Your account is one of those that have been selected for review.

Please contact me at **510/238-7471** by **April 21, 2001**, so that I can make an appointment to meet you or your representative(s) at our office for our examination. Please have the following information available for our review for years **1997, 1998, 1999 and 2000** (year to date):

- ✓ Bank Statements
- N/A TOT Exemption Application(s)
- ✓ Federal Income Tax Returns
- ✓ Daily Cash Sheets
- ✓ Monthly Summaries of Cash Sheets
- Registration Cards
- ✓ Profit & Loss Statements
- N/A Written agreement(s) regarding permanent/long term guest(s) *No Lec*
- Any records that support data on TOT Returns

If you have any questions and/or need additional information, you may call me at the phone number listed above between 9:00 a.m. and 5:00 p.m. Monday through Friday.

Sincerely,


Shahla Azimi
Tax Auditor II



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: December 31, 2010

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

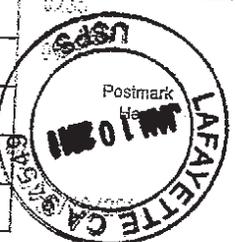
1. Gross rent for occupancy of rooms*	\$ <u>46,984.50</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>21,578.50</u>	
2a. Occupancy by transient residents TOT exemptions	\$ <u> -</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>25,406.00</u>
4. Tax: 14% of line 3	\$ <u>3556.84</u>	
5. Credit (If previously approved by this office)	\$ <u> -</u>	
6. Net tax (line 4 minus line 5)		\$ <u>3556.84</u>
7. Penalty - 25% for late payment		\$ <u> -</u>
8. Interest - 1% of tax per month for late payment until paid		\$ <u> -</u>
9. Payment enclosed - total of lines 6 through 8		\$ <u>3556.84</u>

7910 2780 0002 2889 0162

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only - No Insurance Coverage Provided)
For more information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.74
Certified Fee	4.00
Return Receipt Fee (Endorsement Required)	20.00
Restricted Delivery Fee (Endorsement Required)	60.00
Total Postage & Fees	\$ 64.74



Sent to: City of Oakland - TOT DW.
Street, Apt. No.: 250 Frank Ogawa Pl. St #1320
City, State, ZIP: Oakland, CA 94612-2011

Payment and make a copy for your records.

Transient Occupancy Tax

250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Bring and mail or fax this return to the Business Tax Office at

_____ Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

IF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

Signed: [Signature]

Title Bookkeeper Date: 1/1

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: November 30, 2010
Must be completed by the hotel Administrator

- MONTHLY** If your previous year's gross rents* were over \$100,000
- QUARTERLY** If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY** If your previous year's gross rents* were under \$5,000

Business Name: **Sutter Hotel**

Account Number: **003-179-002/2275090**

Business Address: **584 14th St**

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*	\$ <u>46,768.00</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>19,400.00</u>	
2a. Occupancy by transient residents' TOT exemptions	\$ <u>—</u>	\$ <u>27,308.00</u>
3. Taxable rents (line 1 minus lines 2 & 2a)	\$ <u>3823.12</u>	
4. Tax: 14% of line 3	\$ <u>—</u>	\$ <u>3823.12</u>
5. Credit (If previously approved by this office)	\$ <u>—</u>	\$ <u>—</u>
6. Net tax (line 4 minus line 5)		\$ <u>3823.12</u>
7. Penalty - 25% for late payment		\$ <u>—</u>
8. Total tax (line 6 plus line 7)		\$ <u>3823.12</u>

7010 2780 0002 2889 0147

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Ins. or Reg. Coverage Provided)

For delivery information, visit www.usps.com

SEARCHED ON 7-2-12

Postage	\$ 30.44
Certified Fee	\$ 2.90
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 33.34

Sent to: City of Oakland, TOT Div.
Street, Apt. No.: 250 Frank Ogawa Pl. St 1320
City, State, ZIP+4: Oakland CA 94612-2011

aid

payment and make a copy for your records.

Occupancy Tax

250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Bring and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed:

Title Bookkeeper Date: 12/10

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: October 31, 2010

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Suiter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty - 25% for late payment
8. Interest - 1% of tax per month for late payment until paid
9. Payment enclosed

\$ 55,478.50
 \$ 23,408.50
 \$ -
 \$ 4489.80
 \$ -

\$ 32,070.00
 \$ 4489.80
 \$ -
 \$ 4489.80

7010 1870 0003 6472 7715

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

OAKLAND CA 94612

OFFICIAL USE

Postage	\$ 31.44
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 34.24

LAFFAYETTE CA 94549
 Postmark Here
 NOV 10 2010
 USPS

Sent to City of Oakland TOT DIV
 Street, Apt. No. or PO Box 250 Frank H. Ogawa Plaza #1320
 City, State, ZIP+4 Oakland CA 94612-2011

payment and make a copy for your records.

Occupancy Tax
 , 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.
 Bring and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

TRUE AND CORRECT. UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

Signed: [Signature]

Title Bookkeeper

Date: 11/10/11

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: September 30, 2010

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

- 1. Gross rent for occupancy of rooms*
- 2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents TOT exemptions
- 3. Taxable rents (line 1 minus lines 2 & 2a)
- 4. Tax: 14% of line 3
- 5. Credit (If previously approved by this office)
- 6. Net tax (line 4 minus line 5)
- 7. Penalty - 25% for late payment

\$ 49,451.00
 \$ 22,995.00
 \$ —
 \$ 3703.84
 \$ —

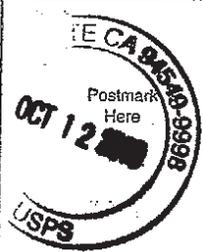
\$ 26,456.00
 \$ 3703.84
 \$ —
 \$ 3703.84

7009 2820 0002 4654 5921

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com
OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent to: City of Oakland TOT Div.
 Street, Apt. No.: Frank Ogawa Pl. St. 1320
 or Post No.: 1320
 City, State, Zip+4: Oakland CA 94612-2011

id

Payment and make a copy for your records.

Occupancy Tax

250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Bring and mail or fax this return to the Business Tax Office at

_____ Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 10/10/10

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: August 31, 2010
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month Following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*	\$ <u>48,820.50</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>29,615.50</u>	
2a. Occupancy by transient residents TOT exemptions	\$ <u>—</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)	\$ <u>2688.70</u>	\$ <u>19,205.00</u>
4. Tax: 14% of line 3	\$ <u>—</u>	\$ <u>2688.70</u>
5. Credit (If previously approved by this office)	\$ <u>—</u>	\$ <u>—</u>
6. Net tax (line 4 minus line 5)	\$ <u>—</u>	\$ <u>—</u>
7. Penalty - 25% for late payment	\$ <u>—</u>	\$ <u>2688.70</u>

7009 2820 0002 4654 5914

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

OAKLAND, CA 94612

Postage	\$ 0.44	0235
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 3.24	

Postmark Here
SEP 10 2010
LAURELITE CENTER
0100/10/2010

Sent to: City of Oakland TOT Rev. Div.
Street No.: 250 Frank Ogawa Pl. Suite 1320
City, State, ZIP: Oakland CA 94612-2011

PS Form 3800, August 2006 See Reverse for Instructions

il paid

h payment and make a copy for your records.

cupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

lowing and mail or fax this return to the Business Tax Office at

_____ Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

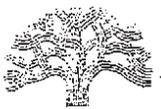
I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper Date: 9/10

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: July 31, 2010
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty - 25% for late payment

\$ 46,187.00
 \$ 26,519.00
 \$ -
 \$ 2753.52
 \$ -

\$ 19,668.00
 \$ 2753.52
 \$ -
 \$ 2753.52

paid

payment and make a copy for your records.

Occupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

owing and mail or fax this return to the Business Tax Office at

~~_____ # _____
Credit Card Account No. Expiration Date~~

~~_____ Zip Code of a credit card holder~~

~~_____ Signature: _____~~

7009 2820 0002 4654 5891

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

OAKLAND, CA 94612

OFFICIAL USE

Postage	\$ 0.44	0235
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 3.24	

LAVERGNE CA 94549
 AUG 10 2010
 USPS

Sent To: City of Oakland TOT Div.
 Street, Apt. No.: 250 Frank Ogawa Pl. #1320
 or PO Box No.: _____
 City, State, ZIP+4: Oakland CA 94612-2011

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper Date: 8/10/10

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: June 30, 2010
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

	IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month Following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*		\$ <u>46,265.00</u>	
2. Rent for occupancy by non-transient Residents		\$ <u>25,081.00</u>	
2a. Occupancy by transient residents TOT exemptions		\$ 22,800.00	
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>2965.76</u>	\$ <u>21,184.00</u>
4. Tax: 14% of line 3		\$ <u> -</u>	
5. Credit (If previously approved by this office)		\$ <u> -</u>	
6. Net tax (line 4 minus line 5)			\$ <u>2965.76</u>
7. Penalty - 25% for late payment			\$ <u> -</u>
8. Interest - 1% of tax per month for late payment until paid			\$ <u> -</u>
9. Payment enclosed - total of lines 6 through 8			\$ <u>2965.76</u>

NOTE: Please return completed original return with payment and make a copy for your records.

Please make check payable to: City of Oakland - Transient Occupancy Tax

Mail payment to: City of Oakland, Revenue, Business Tax Section, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

If you choose to pay by credit card, please fill out the following and mail or fax this return to the Business Tax Office at (510) 238-7128.

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

Title Bookkeeper Date: 7/10/10

FOR OFFICE USE ONLY	

INCOME.

7009 2820 0002 4654 5884

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)
For more information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.74
Certified Fee	27.54
Return Receipt Fee (Endorsement Required)	40.00
Restricted Delivery Fee (Endorsement Required)	30.00
Total Postage & Fees	\$ 98.28

Postmark: JUL 12 2010 LEAVENWORTH CA 94612 (USPS)

Sent to: City of Oakland TOT Dues
Street, Apt. No. or PO Box No.: Frank Ogawa Plaza Suite 1320
City, State, ZIP+4: Oakland CA 94612-2011

See Reverse for Instructions



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: May 31, 2010
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*	\$ <u>43,636-20</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>23,559-20</u>	
2a. Occupancy by transient residents TOT exemptions	\$ 20,077-00	\$ <u>20,077-00</u>
3. Taxable rents (line 1 minus lines 2 & 2a)	\$ <u>2810-78</u>	\$ <u>2810-78</u>
4. Tax: 14% of line 3	\$ <u>—</u>	\$ <u>—</u>
5. Credit (If previously approved by this office)	\$ <u>—</u>	\$ <u>—</u>
6. Net tax (line 4 minus line 5)		\$ <u>2810-78</u>
7. Penalty - 25% for late payment		\$ <u>—</u>
8. Interest - 1% of tax per month for late payment until paid		\$ <u>—</u>
9. Payment enclosed - total of lines 6 through 8		\$ <u>2810-78</u>

Note:

Special Service
REGISTERED MAIL RECEIPT
(No Insurance Coverage Provided)

Payment and make a copy for your records.

Agency Tax

250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Bring and mail or fax this return to the Business Tax Office at

Credit Card Account No. Expiration Date

Zip Code of a credit card holder.

Signature: _____

MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

7009 2820 0002 46

Postage \$ 00.44

Certified Fee \$ 2.80

Return Receipt Fee (Endorsement Required) \$ 0.00

Restricted Delivery Fee (Endorsement Required) \$ 0.00

Total Postage & Fees \$ 3.24

Postmark Here
JUN 10 2010
OAKLAND CA 94612

Sent to: City of Oakland - TOT Div
Street, Apt. No. or P.O. Box No.: 250 Frank Ogawa Pl # 1320
City, State, ZIP: Oakland CA 94612-2011

See Reverse for Instructions

Signed:

Title

Bookkeeper

Date:

6/10

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: April 30, 2010
Must be completed by the hotel Administrator

- MONTHLY** If your previous year's gross rents* were over \$100,000
- QUARTERLY** If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY** If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY

On or before the 10th day following each calendar month

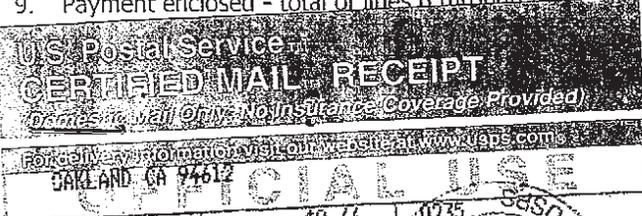
IF QUARTERLY

On or before the last day of the month Following close of each calendar quarter

IF ANNUALLY

On or before January 31st for previous calendar year

1. Gross rent for occupancy of rooms*	\$ <u>42,212.00</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>25,287.00</u>	
2a. Occupancy by transient residents TOT exemptions	\$ <u> -</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>16,925.00</u>
4. Tax: 14% of line 3	\$ <u>2369.50</u>	
5. Credit (If previously approved by this office)	\$ <u> -</u>	
6. Net tax (line 4 minus line 5)		\$ <u>2369.50</u>
7. Penalty - 25% for late payment		\$ <u> -</u>
8. Interest - 1% of tax per month for late payment until paid		\$ <u> -</u>
9. Payment enclosed - total of lines 6 through 8		\$ <u>2369.50</u>



Postage	\$ 0.44
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.24

Sent to: City of Oakland TOT
 Street Apt No: Frank Ogawa Pl. Site 1320
 City, State, ZIP+4: Oakland CA 94612-2011

TRUE AND CORRECT.

Signed: [Signature]

payment and make a copy for your records.

Occupancy Tax

250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Bring and mail or fax this return to the Business Tax Office at

_____ Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

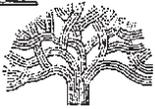
Signature: _____

THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

Title Bookkeeper Date: 5/10/11

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: March 31, 2010
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY

On or before the 10th day following each calendar month

IF QUARTERLY

On or before the last day of the month Following close of each calendar quarter

IF ANNUALLY

On or before January 31st for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty - 25% for late payment
8. Interest - 1% of tax per month for late payment until paid
9. Payment enclosed - total of lines 6 through 8

\$ 47,515.20
 \$ 26,295.20
 \$ 0.00
 \$ 2970.80
 \$ —

\$ 21,220.00
 \$ 2970.80
 \$ —
 \$ —
 \$ 2970.80

Note: Please return completed original return with payment and make a copy for your records.

Please make check payable to: City of Oakland – Transient Occupancy Tax

Mail payment to: City of Oakland, Revenue, Business Tax Section, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

If you choose to pay by credit card, please fill out the following and mail or fax this return to the Business Tax Office at (510) 238-7128.

_____ Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

IF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

Title Bookkeeper Date: 4/10/10

FOR OFFICE USE ONLY

TOTAL INCOME.

271

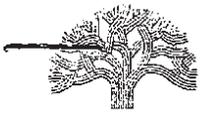
9624 9E0E 2000 04TT 8002

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only - No Insurance Coverage Provided)
 See us for information, visit our website at www.usps.com
 OAKLAND CA 94612
OFFICIAL USE

Postage	\$0.44
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$3.24

Postmark: LAFAYETTE CA 04122010
 USPS 110

Sent to: City of Oakland - TOT Div.
 Street, Apt. No.: 250 Frank Ogawa Pl. #1320
 City, State, ZIP: Oakland CA 94612-2011



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: Feb 28, 2010
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month Following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*	\$ <u>41,464.00</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>30,822.00</u>	
2a. Occupancy by transient residents TOT exemptions	\$ <u> -</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>20,642.00</u>
4. Tax: 14% of line 3	\$ <u>2889.88</u>	
5. Credit (If previously approved by this office)	\$ <u> -</u>	
6. Net tax (line 4 minus line 5)		\$ <u>2889.88</u>
7. Penalty - 25% for late payment		\$ <u> -</u>
8. Interest - 1% of tax per month for late payment until paid		\$ <u>2889.88</u>

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only - No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com
OAKLAND, CA 94612

OFFICIAL USE

Postage	\$ 00.44
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.24

0235
13
MAR 10 2010
Postmark Here
USPS
03/10/2010

Sent to
City of Oakland TOT Div.
250 Frank Ogawa Pl. St 1320
Oakland CA 94612-2011

payment and make a copy for your records.

Occupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. Expiration Date

Zip Code of a credit card holder.

Signature: _____

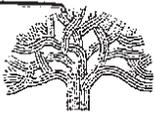
I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper Date: 3/10/10

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: January 31, 2010
Must be completed by the hotel Administrator

- MONTHLY** If your previous year's gross rents* were over \$100,000
- QUARTERLY** If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY** If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day following each calendar month

IF QUARTERLY
On or before the last day of the month Following close of each calendar quarter

IF ANNUALLY
On or before January 31st for previous calendar year

1. Gross rent for occupancy of rooms*	\$ <u>42,002.14</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>19,926.14</u>	
2a. Occupancy by transient residents TOT exemptions	\$ <u>—</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>22,026.00</u>
4. Tax: 14% of line 3	\$ <u>3083.64</u>	
5. Credit (If previously approved by this office)	\$ <u>—</u>	
6. Net tax (line 4 minus line 5)		\$ <u>3083.64</u>
7. Penalty - 25% for late payment	\$ <u>—</u>	
8. Interest - 1% of tax per month for late payment until paid	\$ <u>—</u>	
9. Payment enclosed - total of lines 6 through 8		\$ <u>3083.64</u>

Note: Please return completed return to:

payment and make a copy for your records.

City of Oakland
Business Tax Office
250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.
Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com
OAKLAND CA 94612

Postage	\$ 0.44	0235
Certified Fee	\$ 2.80	12
Return Receipt Fee (Endorsement Required)	\$ 0.00	Postmark FEB 10 2010
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 3.24	02/10/2010

Sent to: City of Oakland - TOT Div.
Street, Apt. No.: 250 Frank Ogawa Pl. St. 1320
City, State, Zip: Oakland, CA 94612-2011

Signed: [Signature]

Title Bookkeeper Date: 2/10/10

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.

CITY OF OAKLAND

2011 BUSINESS TAX DECLARATION

BUSINESS TAX RENEWAL

201 Frank H. Ogawa Plaza, Suite 1320
Oakland, CA 94612



2011 TAX DUE: JANUARY 1, 2011
DELINQUENT IF PAID OR U.S.
POSTMARKED AFTER MARCH 1, 2011

Green

Failure to file this declaration by the delinquent date may subject you a \$50 "Failure to File" fee.

2011 RENEWAL TAX

1: ACCOUNT NUMBER: 2275090

2: TAX RATE: \$1.80 per \$1,000

3: INDUSTRY CODE : P

4. Mailing Address

SUTTER HOTEL
VICTORIA GARRISON
PO BOX 5247
WALNUT CREEK, CA 94596-1247

- 4a. Check this box if you are making corrections on Lines 4-9. See instructions for other changes.
- 4b. Check this box if you are claiming a **Small Business Exemption**. Total Gross Receipts must be under \$2,700.00 & you must submit a **Form 4506T** (<http://www.irs.gov/pub/irs-pdf/f4506t.pdf>). NOTE: Rental properties are not eligible for this exemption.
- 4c. Check this box if you have discontinued or sold this business or rental property. (You must complete Lines 20 - 22 to close account).
- 4d. Check this box to request apportionment of your gross receipts. NOTE: Rental properties cannot apportion gross receipts.

5. BUSINESS NAME: SUTTER HOTEL

6. BUSINESS OR RENTAL LOCATION: 584 14TH ST
OAKLAND, CA 94612-1443

7. BUSINESS PHONE: (510)451-2555

8. CONTACT PHONE:

9. STATE CONTRACTOR'S LICENSE NUMBER:

10. OWNERSHIP TYPE: P

11. OWNER (1): OAKLAND SUTTER HTL

12. OWNER (2):

CALCULATE YOUR 2011 TAX DUE

13. 2011 TAX BASE: (2010 Gross Receipts, rounded up to the next \$1,000, whole dollars):	13. \$ <u>660,000</u>
14. 2011 TAX DUE: (Multiply Line 13 by .0018 OR enter \$60.00, whichever is grater)	14. \$ <u>1188</u>
15. PENALTY: (10% of tax if paid between March 2 & May 1, 2011; 25% if paid May 2, 2011 & thereafter):	15. \$ <u>-</u>
16. INTEREST: (1% per month - or fractional part thereof - on tax & penalty, from March 2, 2011 until paid):	16. \$ <u>-</u>
17. PRIOR AMOUNT DUE - Current license may not be issued until paid. See instructions:	17. \$ <u>\$ 0.00</u>
18. TOTAL AMOUNT DUE (Add Lines 14-17) - DO NOT mail cash: - submit 1 (one) check per declaration:	18. \$ <u>1188</u>

Please write your account number on check & make payable to: OAKLAND BUSINESS TAX Check # _____

CREDIT CARD INFORMATION: Visa Master Card Discover Expiration Date Month Year



c. Cardholder Name: _____

d. Signature: _____

ation clearly. Faxed credit card payments are no longer accepted.

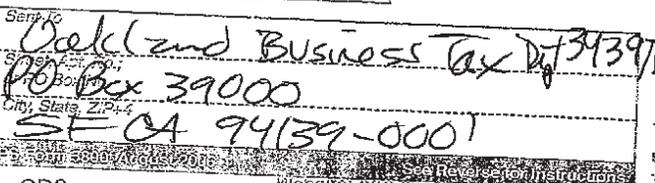
Discontinued Month Day Year

at the total 2011 tax base and pay the 2011 tax, without proration. o close account. Check box 4c.

Month Day Year - See instructions (if you will conduct

pay the tax before account can be closed) Check box 4c.

Address:



contained on this declaration is true and correct.

TITLE: Bookkeeper

DATE: 2/25/11

5 Tax Telephone: (510) 238-3704

ax.html

Email: oaklandbusinessstax@oaklandnet.com

CD3

Website: <http://www.oaklandnet.com>

CITY OF OAKLAND

2012 BUSINESS TAX DECLARATION

BUSINESS TAX RENEWAL

250 Frank H. Ogawa Plaza, Suite 1320
Oakland, CA 94612

2012 TAX DUE: JANUARY 1, 2012
DELINQUENT IF PAID OR U.S.
POSTMARKED AFTER MARCH 1, 2012

Green

Failure to file this declaration by th
delinquent date may subject you t
a \$50 "Failure to File" fee.



2012 RENEWAL TAX

1: ACCOUNT NUMBER: 2275090 2: TAX RATE: \$1.80 per \$1,000 3: INDUSTRY CODE : P

4. Mailing Address

SUTTER HOTEL
VICTORIA GARRISON
PO BOX 5247
WALNUT CREEK, CA 94596-1247

4a. [] Check this box if you are making corrections on Lines 4-9. See
instructions for other changes.

4b. [] Check this box if you are claiming a Small Business Exemption
Total Gross Receipts must be under \$2,700.00 & you must subm
a Form 4506T (http://www.irs.gov/pub/irs-pdf/t4506t.pdf).
NOTE: This exemption must be claimed before March 1, 2012.
Rental property accounts are not eligible for this exemption.

4c. [] Check this box if you have discontinued or sold this business or
rental property. (you must complete Line 21 to close account)

4d. [] Check this box to request apportionment of your gross receipts.
NOTE: Rental properties cannot apportion gross receipts.

5. BUSINESS NAME: SUTTER HOTEL

6. BUSINESS OR 584 14TH ST
RENTAL LOCATION: OAKLAND, CA 94612-1443

7. BUSINESS PHONE: (510)451-2555

8. CONTACT PHONE:

9. STATE CONTRACTOR'S LICENSE NUMBER:

10. OWNERSHIP TYPE: Partnership

11. OWNER (1): OAKLAND SUTTER HTL

12. OWNER (2): OAKLAND SUTTER INC

CALCULATE YOUR 2012 TAX DUE:

13. 2012 TAX BASE: (2011 Gross Receipts): 13. \$ 825638.51
14. 2012 TAX DUE: (Multiply Line 13 by .0018 OR enter \$60.00, whichever is grater) 14. \$ 1486.14
15. PENALTY: (10% of tax if paid between March 2 & May 1, 2012; 25% if paid May 2, 2012 & thereafter): 15. \$ -
16. INTEREST: (1% per month - or fractional part thereof - on tax & penalty, from March 2, 2012 until paid): 16. \$ -
17. PRIOR AMOUNT DUE - Current license may not be issued until paid. See instructions: 17. \$ 0.00
18. IF NOT PAID BY DELINQUENT DATE - ADD \$50.00 FAILURE TO FILE FEE 18. \$ -
19. \$ 1486.14

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Table with columns for Postage, Certified Fee, Return Receipt Fee, Restricted Delivery Fee, Total Postage & Fees, and Postmark. Includes a circular postmark from Oakland, CA dated 02/29/2012.

mail cash: - submit 1 (one) check per declaration:
ble to: OAKLAND BUSINESS TAX Check #

Card [] Discover Expiration Date [] [] Month [] [] Year

c. Cardholder Name:

d. Signature:

mation clearly. Faxed credit card payments are no longer accepted.
be processed before March 1, 2012 - see enclosed instructions.

ty discontinued? See enclosed instructions.

elow:

Sold to:

on or before March 1, 2012 to close account and avoid Failure to File Fee.

SIGNED: [Signature]

TITLE: Bookkeeper

DATE: 2/28/12

Business Tax Telephone: (510) 238-3704

CD3

Website: http://www.oaklandnet.com/BusTax.html

Email: oaklandbusinesstax@oaklandnet.com



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: January 31, 2011
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*	\$ <u>70,878.00</u>	
2. Rent for occupancy by non-transient residents	\$ <u>33,710.00</u>	
3. Occupancy by transient residents TOT exemptions	\$ <u>-</u>	
4. Taxable rents (line 1 minus lines 2 & 2a)	\$ <u>5203.52</u>	\$ <u>37,168.00</u>
5. Tax: 14% of line 4	\$ <u>-</u>	\$ <u>5203.52</u>
6. Credit (If previously approved by this office)	\$ <u>-</u>	\$ <u>-</u>
7. Net tax (line 4 minus line 5)		\$ <u>5203.52</u>
8. Penalty - 25% for late payment		\$ <u>-</u>
		\$ <u>5203.52</u>

to be paid

with payment and make a copy for your records.

Occupancy Tax

at 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. Expiration Date.

Zip Code of a credit card holder.

Signature: _____

7010 2760 0002 2889 0208

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com
OAKLAND, CA 94612

Postage	\$ 01.44	0235
Certified Fee	\$ 2.80	13
Return Receipt Fee (Endorsement Required)	\$ 2.30	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 5.54	02/10/2011

Sent To: City of Oakland OT Div.
Street, Apt. No.: 250 Frank Ogawa Pl. St. 1320
City, State, ZIP: Oakland CA 94612-2011

PS Form 3800, August 2008 See Reverse for Instructions

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signature: _____

Title: Bookkeeper

Date: 2/10

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: February 28, 2011
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Suiter Hotel

Account Number: 005-179-002/2275090

Business Address: 584 14th St

- IF MONTHLY
On or before the 10th day following each calendar month
- 1. Gross rent for occupancy of rooms*
- 2. Rent for occupancy by non-transient residents
- 3. Occupancy by transient residents' TOT exemptions
- 4. Taxable rents (line 1 minus lines 2 & 3)
- 5. Tax: 14% of line 4
- 6. Credit (If previously approved by this office)
- 7. Net tax (line 4 minus line 5)
- 8. Penalty - 25% for late payment
- 9. Interest - 1% of tax per month for late payment until paid

IF QUARTERLY
On or before the last day of the month following close of each calendar quarter

IF ANNUALLY
On or before January 31st for previous calendar year

\$ 54,703.00

\$ 26,847.00

\$ -

\$ 3899.84

\$ -

\$ -

\$ -

\$ -

\$ 27,856.00

\$ 3899.84

\$ -

\$ -

\$ 3899.84

7010 2780 0002 2689 0215



OAKLAND CA 94612

Postage	\$ 0.44
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.24



Sent to
City of Oakland TET Div.
Street, Apt. No.
250 Frank Ogawa Pl. St. 1320
City, State, Zip
Oakland CA 94612-2011

TRUE AND CORRECT.
Signature: [Handwritten Signature]

payment and make a copy for your records.

Occupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

IF OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

Title Bookkeeper Date: 3/10/11

FOR OFFICE USE ONLY

*GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: March 31, 2011

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

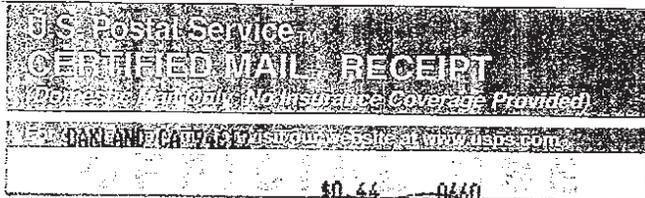
	IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month Following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*		\$ <u>64,134.00</u>	
2. Rent for occupancy by non-transient Residents		\$ <u>30,902.00</u>	
3a. Occupancy by transient residents' TOT exemptions		\$ <u>-</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>4652.48</u>	\$ <u>33,232.00</u>
4. Tax: 14% of line 3		\$ <u>-</u>	\$ <u>4652.48</u>
5. Credit (if previously approved by this office)		\$ <u>-</u>	\$ <u>-</u>
6. Net tax (line 4 minus line 5)			\$ <u>4652.48</u>
7. Penalty - 25% for late payment			\$ <u>-</u>
8. Interest - 1% of tax per month for late payment until paid			\$ <u>-</u>
9. Payment enclosed - total of lines 6 through 8			\$ <u>4652.48</u>

Note: Please return completed original return with payment and make a copy for your records.

Please make check payable to: City of Oakland - Transient Occupancy Tax

Mail payment to: City of Oakland, Revenue, Business Tax Section, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

If you choose to pay by credit card, please fill out the following and mail or fax this return to the Business Tax Office at (510) 238-7128.



Postage	\$ 2.44
Certified Fee	\$ 2.56
Restrict. Delivery Fee (Endorsement Required)	\$ 0.00
Restrict. Receipt Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 5.00

APR 11 2011
Post Office 5103
04/11/2011

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

Title Bookkeeper Date: 4/10/11

FOR OFFICE USE ONLY

City of Oakland TOT Div.
Street, Apt., P.O. or other address: 250 Frank Ogawa Pl. Suite 1320
City/State/Zip: Oakland CA 94612-2011

TOTAL INCOME.

7008 1140 0004 3375 2816



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: April 30, 2011

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
Following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*	\$ <u>68,101.50</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>33,426.50</u>	
2a. Occupancy by transient residents' TOT exemptions	\$ _____	
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>34,675.00</u>
4. Tax: 14% of line 3	\$ <u>4,854.50</u>	
5. Credit (If previously approved by this office)	\$ <u>—</u>	
6. Net tax (line 4 minus line 5)		\$ <u>4,854.50</u>
7. Penalty - 25% for late payment		\$ <u>—</u>
8. Interest - 1% of tax per month for late payment until paid		\$ <u>—</u>
		\$ <u>4,854.50</u>

ESOT 7852 0002 0470 0000 0440 7002

U.S. Postal Service™
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 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.44	0235
Certified Fee	\$ 2.85	06
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 3.29	

Postmark Here
MAY 1 2011
OAKLAND CA 94612

Sent To: City of Oakland - TOT Div.
 Street, Apt. No.: 250 Frank Ogawa Pl. Suite 1320
 City, State, Zip+4: Oakland CA 94612-2011

PS Form 3800, August 2006 See Reverse for Instructions

payment and make a copy for your records.

Occupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 5/10/11

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: May 31, 2011
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

- 1. Gross rent for occupancy of rooms*
- 2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents TOT exemptions
- 3. Taxable rents (line 1 minus lines 2 & 2a)
- 4. Tax: 14% of line 3
- 5. Credit (If previously approved by this office)
- 6. Net tax (line 4 minus line 5)
- 7. Penalty - 25% for late payment

\$ 54,416.50
 \$ 26,979.50
 \$
 \$ 3841.18
 \$

\$ 27,437.00
 \$ 3841.18
 \$
 \$
 \$ 3841.18

paid

payment and make a copy for your records.

upancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

lowing and mail or fax this return to the Business Tax Office at

_____ Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder.

Signature: _____

7010 0290 8149 345E



OAKLAND CA 94612

Postage	\$ 0.44
Certified Fee	\$ 2.85
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.29



Sent to City of Oakland - TOT DIV
 Street Apt. No. 250
 Box No. Frank Ogawa Pl #1323
 City State Zip Oakland CA 94612

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper Date: 6/10

FOR OFFICE USE ONLY	

*GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: June 30, 2011
Must be completed by the hotel Administrator

- IF MONTHLY If your previous year's gross rents* were over \$100,000
- IF QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- IF ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutrer Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

- IF MONTHLY On or before the 10th day following each calendar month
 - IF QUARTERLY On or before the last day of the month following close of each calendar quarter
 - IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*
 2. Rent for occupancy by non-transient residents
 3. Occupancy by transient residents' TOT exemptions
 4. Taxable rents (line 1 minus lines 2 & 2a)
 5. TAX: 14% of line 3
 6. Credit (if previously approved by this office)
 7. Net tax (line 4 minus line-5)
 8. Penalty - 25% for late payment
 9. Interest - 1% of tax per month for late payment until paid

IF QUARTERLY

On or before the last day of the month following close of each calendar quarter

\$ 61,606.00

\$ 31,015.00

\$ —

\$ 4282.74

\$ —

IF ANNUALLY

On or before January 31st for previous calendar year

\$ 30,591.00

\$ 4282.74

\$ —

\$ 4282.74

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OAKLAND, CA 94612

OFFICIAL USE

Postage	\$ 10.44	0345
Certified Fee	\$ 12.85	99
Return Receipt Fee (Endorsement Required)	\$ 10.00	
Restricted Delivery Fee (Endorsement Required)	\$ 10.00	
Total Postage & Fees	\$ 33.29	

Postmark Here: OAKLAND CA 07/11/2011

Sent to: City of Oakland - TOT
Street, Apt. No.: 250 Frank Ogawa Pl. #1320
City, State, Zip: Oakland CA 94612-2011

PS Form 3800 August 2006 See Reverse for Instructions

7011 0470 0002 7587 103

ayment and make a copy for your records.

incy Tax

250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

ing and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper Date: 7/10/11

FOR OFFICE USE ONLY

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* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: July 31, 2011

Must be completed by the hotel Administrator

- MONTHLY
- QUARTERLY
- ANNUALLY

If your previous year's gross rents* were over \$100,000
 If your previous year's gross rents* were between \$5,000 and \$99,999
 If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
 On or before the 10th day
 following each calendar month

IF QUARTERLY
 On or before the last day of the month
 following close of each calendar quarter

IF ANNUALLY
 On or before January 31st
 for previous calendar year

- 1. Gross rent for occupancy of rooms*
- 2. Rent for occupancy by non-transient Residents
- 3. Occupancy by transient residents' TOT exemptions
- 4. Taxable rents (line 1 minus lines 2 & 2a)
- 5. Tax: 14% of line 3
- 6. Credit (if previously approved by this office)
- 7. Net tax (line 4 minus line 5)
- 8. Penalty - 25% for late payment
- 9. Interest - 1% of tax per month for late payment until paid
- 10. Payment enclosed - total of lines 6 through 8

\$	<u>62,163.50</u>	
\$	<u>32,498.50</u>	
\$	<u>0 0</u>	
\$	<u>4153.10</u>	\$ <u>29,665.00</u>
\$	<u>—</u>	\$ <u>4153.10</u>
\$	<u>—</u>	\$ <u>—</u>
\$	<u>—</u>	\$ <u>—</u>
\$	<u>—</u>	\$ <u>4153.10</u>

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0470 0002 7587 1046

OFFICIAL USE

Postage	\$ 10.44
Certified Fee	\$ 2.85
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 13.29

0235
 94549
 AUG 10 2011
 ANNETTE CA USPS

Sent To: City of Oakland - TOT Div
 Street, Apt. No. or PO Box No.: Frank Ogawa Pl, St 1320
 City, State, ZIP+4: Oakland CA 94612-2011

PS Form 3800, August 2006 See Reverse for Instructions

Payment and make a copy for your records.

City Tax

250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Bring and mail or fax this return to the Business Tax Office at

_____ Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

TRUE AND CORRECT.

Signature: [Handwritten Signature]

Title Bookkeeper Date: 8/10/11

FOR OFFICE USE ONLY

--	--

*GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: August 31, 2011
Must be completed by the hotel Administrator

- IF MONTHLY If your previous year's gross rents* were over \$100,000
- IF QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- IF ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Suiter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month Following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*	\$ <u>51,787.50</u>	
2. Rent for occupancy by non-transient residents	\$ <u>26,700.50</u>	
3a. Occupancy by transient residents' TOT exemptions	\$ <u>0</u>	
3b. Taxable rents (line 1 minus lines 2 & 2a)	\$ <u>3512.18</u>	\$ <u>25,087.00</u>
4. Tax: 14% of line 3	\$ <u>—</u>	\$ <u>3512.18</u>
5. Credit (If previously approved by this office)	\$ <u>—</u>	\$ <u>0</u>
6. Net tax (line 4 minus line 5)		\$ <u>3512.18</u>

paid

payment and make a copy for your records.

Occupancy Tax

1, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

mailing and mail or fax this return to the Business Tax Office at

_____ Credit Card Account No. _____ Expiration Date _____

_____ Zip Code of a credit card holder.

Signature: _____

7011 0470 0002 7587 1060



Postage	\$ 30.44
Certified Fee	\$ 2.55
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 33.29

City of Oakland - TOT Div.

Street, Apt. No. or EQ Box No. Frank Ogawa Pl. 1320

City, State, Zip Oakland CA 94612-2011

PS Form 3800, August 2006 See Reverse for Instructions.

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 9/1/11

FOR OFFICE USE ONLY	

GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: September 30, 2011
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents' TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)

\$ 55,436.50
 \$ 29,292.50
 \$ 0
 \$ 3660.16
 \$ 0

\$ 26,144.00
 \$ 0
 \$ 0
 \$ 0
 \$ 3660.16

until paid

with payment and make a copy for your records.

Occupancy Tax

Section, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

following and mail or fax this return to the Business Tax Office at

~~# _____ Credit Card Account No. Expiration Date _____
 _____ Zip Code of a credit card holder.
 Signature: _____~~

7010 2780 0003 6717 8984

U.S. Postal Service
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OAKLAND, CA 94612

Postage	\$	00.44
Certified Fee	\$	2.85
Return Receipt Fee (Endorsement Required)	\$	00.00
Restricted Delivery Fee (Endorsement Required)	\$	00.00
Total Postage & Fees	\$	03.29

083549
 13
 OCT 11 2011
 Postmark Here
 USPS

Sent To: City of Oakland TOT Div.
 Street, Apt. No. or PO Box No.: 250 Frank Ogawa Pl #1320
 City, State, ZIP+4: Oakland CA 94612

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 10/10/11

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: October 31, 2011
Must be completed by the hotel Administrator:

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day following each calendar month

IF QUARTERLY
On or before the last day of the month following close of each calendar quarter

IF ANNUALLY
On or before January 31st for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents' TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty - 25% for late payment
8. Interest - 1% of tax per month for late payment until paid

\$ 57,963.00
 \$ 30,202.00
 \$ 0
 \$ 3872.54
 \$ 0

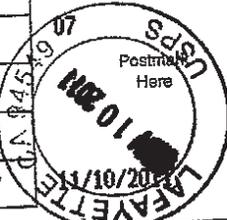
\$ 27,661.00
 \$ 3872.54
 \$ 6
 \$ 0
 \$ 3872.54

7011 0470 0002 7589 8081

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com
OAKLAND CA 94612

Postage	\$	10.44	0235
Certified Fee		2.85	
Return Receipt Fee (Endorsement Required)		0.00	
Restricted Delivery Fee (Endorsement Required)		0.00	
Total Postage & Fees	\$	13.29	



Sent Via City of Oakland TOT Mail
 Street, Apt. No. or P.O. Box No. 250 Frank H. Ogawa Pl #1320
 City, State, ZIP+4® Oakland CA 94612

th payment and make a copy for your records.

occupancy Tax
 tion, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.
 llowing and mail or fax this return to the Business Tax Office at

_____ Expiration Date _____
 Credit Card Account No. _____

Zip Code of a credit card holder. _____

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper Date: 11/11

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: November 30, 2011
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day following each calendar month

IF QUARTERLY
On or before the last day of the month following close of each calendar quarter

IF ANNUALLY
On or before January 31st for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty - 25% for late payment
8. Interest - 1% of tax per month for late payment until paid

\$ 56,170.89

\$ 31,100.89

\$ ~~25,070.00~~

\$ 3509.80

\$ —

\$ 25,070.00

\$ 3509.80

\$ —

\$ —

\$ 3509.80

payment and make a copy for your records.

Occupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

_____ ; Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder.

Signature: _____

2846 9ET6 1000 025T 1107

U.S. Postal Service
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OAKLAND CA 94612

Postage	\$ 00.44	0235
Certified Fee	\$ 2.85	04
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 33.29	

Postmark Here
OAKLAND CA 94612
NOV 12/12 2011
USPS

City of Oakland TO
250 Frank Ogawa Plaza #1320
Oakland CA 94612-2011

See Reverse for Instructions

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: _____

Title Bookkeeper

Date: 12/10

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: December 31, 2011
Must be completed by the hotel Administ

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

	IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month Following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*		\$ <u>66,936.50</u>	
2. Rent for occupancy by non-transient Residents		\$ <u>44,162.50</u>	
2a. Occupancy by transient residents' TOT exemptions		\$ <u>—</u>	\$ <u>22,774.00</u>
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>3188.36</u>	\$ <u>3188.36</u>
4. Tax: 14% of line 3		\$ <u>—</u>	\$ <u>—</u>
5. Credit (if previously approved by this office)		\$ <u>—</u>	\$ <u>—</u>
6. Net tax (line 4 minus line 5)		\$ <u>—</u>	\$ <u>3188.36</u>
7. Penalty - 25% for late payment		\$ <u>—</u>	\$ <u>—</u>

7010 3090 0002 9267 6570

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 30.44	0255
Certified Fee	\$ 2.85	12
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 33.29	

Postmark Here
OAKLAND CA 94612 12/31/11

Sent To: City of Oakland CT Div
Street, Apt. No., or PO Box No.: 250 Frank Ogawa Pl #1320
City, State, ZIP: Oakland CA 94612-2011

USPS Form 3800, August 2006 See Reverse for Instructions

until paid

with payment and make a copy for your records.

Occupancy Tax

action, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

following and mail or fax this return to the Business Tax Office at

_____ Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature] Title Bookkeeper Date: 1/1

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.

BUSINESS TAX RENEWAL
280 Frank H. Ogden Plaza, Suite # 1320
Oakland, CA 94612

2013 RENEWAL TAX

pd acct # 90
2/26/11
#145448



2013 Tax Due: January 1, 2013
Delinquent if paid/postmarked after March 1, 2013

OFFICE USE ONLY

ACCOUNT NUMBER: 2275090 TAX RATE: \$1.80 per \$1,000 INDUSTRY CODE: P

BUSINESS INFORMATION
A. Mailing Address

SUTTER HOTEL
VICTORIA GARRISON
PO BOX 5247
WALNUT CREEK, CA 94596-1247

All Businesses including non-profits, rentals, small business exemptions, apportionments and out of town business are subject to the \$1.00 SB 1186 State Mandated Fee.†

- Check the following box(es) if you are:
 - 49 Before making changes in lines 4-7, see instructions.
 - 40 Claiming a Small Business Exemption (only those receiving less than \$1,000 gross & you MUST submit Form SB-107 with this exemption must be obtained on or before March 1, 2013 - pd@spra.org, pd@treasury.ca.gov)
 - 41 Discontinue a sale of your business or rental property. Be sure to also complete Part III below.
 - 42 Perceiving apportionment of your gross receipts. (Only Industry Codes A, B, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.

6. Business Name: SUTTER HOTEL
 7. Business Location: 584 14TH ST OAKLAND, CA 94612-1443
 8. Business Phone Number: (510)451-2555
 9. State Contractor License Number:
 10. 1st Owner's Name: OAKLAND SUTTER HTL
 11. Ownership Type: P
 12. 2nd Owner's Name: OAKLAND SUTTER INC

PART II. CALCULATE THE 2013 TAX AND 2013 TAXES DUE. (to calculate the tax, multiply Line 13 by .0018 OR enter \$60.00, whichever is greater):

PENALTY & INTEREST IS DUE IF PAID AFTER MARCH 1, 2013

Postal Service
CERTIFIED MAIL
 Registered Mail Only - No Insurance
 Delivery Information on our website
OFFICIAL

Postage \$
 Certified Fee \$
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)
 Total Postage & Fees \$

- Certified Mail:
 A mailing re8 OR enter \$60.00);
 A unique identifier
 A record of delivery
 Important Return:
 Certified Mail, Restricted Delivery, and Registered Mail only.
 Certified Mail, Restricted Delivery, and Registered Mail only.
 NO INSURANCE on valuables, Per Education Reporting Form.
 For an additional delivery, To Receipt (PS Form 3800, a duplicate required).
 For an addressee's endorsement.
 If a postmark is not on the receipt is not valid.

13	\$	807,493
14	\$	1453,48
15	\$	-
16	\$	-
17	\$	-
18	\$	-
19	\$	1.00
20	\$	1454048

Example of how to calculate:
 ADD 1% Failure to File Fee
 1453.48 x .01 = 14.53
 ADD 1% Interest
 1453.48 x .01 = 14.53
 Plus
 Interest on tax due at 1%
 ADD 1% per month
 from 3/2/00 to date paid

2012 1640 00

Sent To: City of Oakland Bus
 Street, Apt. No. or PO Box: Box 3900
 City, State, ZIP+4: CA 94139-
 PS Form 3800, August 22, 2010

Was this business or rental property sold or the activity permanently discontinued?
 In Part II and remit any applicable payment. Check Box 40 (above) and complete line 4 or 2, below.
 IMPORTANT: PS Form 3800, 1/1/11

To close the account and avoid the \$50 Failure to File Fee, this declaration must be completed, signed and returned, with payment that is due, on or before March 1, 2013

SIGNATURE: *[Signature]* PHONE: (925) 933-5300 DATE: 2/26/11

CREDIT CARD INFORMATION: Visa MasterCard Discover Expiration Date: Month Year
 A. Check Card No.
 B. Amount Charged to Check Card \$
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RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: December 31, 2012
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month Following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*	\$ <u>66,439.00</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>34,150.00</u>	
2a. Occupancy by transient residents' TOT exemptions	\$ <u>—</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)	\$ <u>4520.46</u>	\$ <u>32,289.00</u>
4. Tax: 14% of line 3	\$ <u>—</u>	\$ <u>—</u>
5. Credit (If previously approved by this office)	\$ <u>—</u>	\$ <u>—</u>
6. Net tax (line 4 minus line-5)		\$ <u>4520.46</u>
7. Penalty - 25% for late payment		\$ <u>—</u>
8. Interest - 1% of tax per month for late payment until paid		\$ <u>—</u>
9. Payment enclosed - total of lines 6 through 8		\$ <u>4520.46</u>

9862 6527 1000 0122 2102

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

OAKLAND CA 94612

Postage	\$ 0.45	0235
Certified Fee	\$ 2.95	
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 3.40	

Postmark: JAN 10 2013
LAKEVIEW CA 94546
01/10/2013
USPS

Sent to: City of Oakland TOT Div.
Street, Apt. No. or C.O. Box No.: Frank Ogawa Pl Suite 1320
City, State, ZIP+4: Oakland CA 94612-2011

U.S. Form 3800, August 2006 See Reverse for Instructions

1 with payment and make a copy for your records.

nt Occupancy Tax

< Section, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

he following and mail or fax this return to the Business Tax Office at

ayer # _____

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

Signed: [Signature] Title Bookkeeper Date: 1/1

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: November 30, 2012
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

	IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month Following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*		\$ <u>64,696.50</u>	
2. Rent for occupancy by non-transient Residents		\$ <u>37,355.50</u>	
2a. Occupancy by transient residents' TOT exemptions		\$ <u> </u>	
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>3827.74</u>	\$ <u>27,341</u>
4. Tax: 14% of line 3		\$ <u> </u>	\$ <u>3827.74</u>
5. Credit (If previously approved by this office)		\$ <u> </u>	\$ <u> </u>
6. Net tax (line 4 minus line 5)		\$ <u> </u>	\$ <u> </u>
7. Penalty - 25% for late payment		\$ <u> </u>	\$ <u> </u>
8. Interest - 1% of tax per month for late payment until paid		\$ <u> </u>	\$ <u> </u>
9. Payment enclosed - total of lines 6 through 8		\$ <u> </u>	\$ <u>3827.74</u>

Note: Please return completed original return with payment and make a copy for your records.

Please make check payable to: City of Oakland - Transient Occupancy Tax

action, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

following and mail or fax this return to the Business Tax Office at

_____ Credit Card Account No. # _____ Expiration Date

_____ Zip Code of a credit card holder.

Signature: _____

BY _____ OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

Title 12/9/12 Bookkeeper Date: _____

FOR OFFICE USE ONLY

ET29 9521 1000 9129

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OAKLAND, CA 94612

Postage	\$ 00.45
Certified Fee	\$ 2.95
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 33.40

0235 LEAFETTE CA 94612
DEC 10 2012
USPS
12/10/2012

Sent Via City of Oakland TOT Div
Street, Apt. No., or PO Box No. 250 Frank Ogawa Pl. 1320
City, State, ZIP+4 Oakland CA 94612

PS Form 3800 August 2006 See Reverse for Instructions

*GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: October 31, 2012

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

Table with 3 columns: IF MONTHLY, IF QUARTERLY, IF ANNUALLY. Rows include Gross rent for occupancy of rooms*, Rent for occupancy by non-transient Residents, Occupancy by transient residents' TOT exemptions, Taxable rents, Tax, Credit, Net tax, and Penalty.

* If tax per month for late payment until paid

7012 2210 0001 7257 6467

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only, No Insurance Coverage Provided)

Table with columns: Fee Name, Amount, and Postmark. Includes Postage, Certified Fee, Return Receipt Fee, Restricted Delivery Fee, and Total Postage & Fees.

payment and make a copy for your records.

Form for Business Tax Office with fields for Taxpayer Name, Address, Signature, Credit Card Account No., Expiration Date, and Zip Code.

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 11/1/12

FOR OFFICE USE ONLY

* GROSS RENT IS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: September 30, 2012
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month Following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*	\$ <u>48,408.00</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>31,129.60</u>	
2a. Occupancy by transient residents' TOT exemptions	\$ <u>—</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)	\$ <u>2419.06</u>	\$ <u>17,279.00</u>
4. Tax: 14% of line 3	\$ <u>—</u>	\$ <u>—</u>
5. Credit (If previously approved by this office)	\$ <u>—</u>	\$ <u>—</u>
6. Net tax (line 4 minus line 5)	\$ <u>—</u>	\$ <u>2419.06</u>
7. Penalty - 25% for late payment	\$ <u>—</u>	\$ <u>—</u>
8. Interest - 1% of tax per month for late payment until paid	\$ <u>—</u>	\$ <u>—</u>
9. Payment enclosed - total of lines 6 through 8	\$ <u>—</u>	\$ <u>2419.06</u>

7012 0470 0002 3364 8061

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 01.40	0230
Certified Fee	\$ 2.75	11
Return Receipt Fee (Endorsement Required)	\$ 0.00	11
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	11
Total Postage & Fees	\$ 43.40	10/10/2012

Postmark Here: **OCT 10 2012**

USPS

SENT TO: City of Oakland TOT Div.
Street/Apt. No.: 250 Frank Ogawa Pl #1320
City, State, ZIP+4: Oakland CA 94612

PS Form 3800, August 2006 See Reverse for Instructions

with payment and make a copy for your records.

Occupancy Tax

Section, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

following and mail or fax this return to the Business Tax Office at

1 # _____

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

Signed:

Title

Bookkeeper

Date:

10/11

FOR OFFICE USE ONLY

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* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: August 31, 2012
Must be completed by the hotel Adminis

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

- 1. Gross rent for occupancy of rooms*
- 2. Rent for occupancy by non-transient Residents
- 3. Occupancy by transient residents' TOT exemptions
- 4. Taxable rents (line 1 minus lines 2 & 2a)
- 5. Tax: 14% of line 3
- 6. Credit (if previously approved by this office)

\$ 58,059.50
 \$ 43,053.50
 \$ 0
 \$ 2100.84
 \$ 0

\$ 15,006.00
 \$ 2100.84
 \$ 0
 \$ 0
 \$ 2100.84

I paid

h payment and make a copy for your records.

cupancy Tax

ion, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

llowing and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

Amount charged to credit card: \$ _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT

Signed: _____

Title

Bookkeeper

Date: 9/11

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: July 31, 2012

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutner Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month Following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*	\$ <u>59,204.00</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>44,062.00</u>	
2a. Occupancy by transient residents' TOT exemptions	\$ <u>0</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>15,202.00</u>
4. Tax: 14% of line 3	\$ <u>2128.28</u>	
5. Credit (If previously approved by this office)	\$ <u>0</u>	
6. Net tax (line 4 minus line 5)		\$ <u>2128.28</u>
7. Penalty - 25% for late payment		\$ <u>0</u>
8. Interest - 1% of tax per month for late payment until paid		\$ <u>0</u>
		\$ <u>2128.28</u>

7011 0110 0000 1333 9696



Postage	\$ 01.45	0233
Certified Fee	\$ 2.85	11
Return Receipt Fee (Endorsement Required)	\$ 0.00	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	2012-8-2012
Total Postage & Fees	\$ 4.30	08/16/2012

Sent To: City of Oakland TOT DIV
 Street, Apt. No. or PO Box No.: 250 Frank Ogawa Pl. #1320
 City, State, ZIP: Oakland CA 94612-1011

with payment and make a copy for your records.

Occupancy Tax
 tion, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.
 following and mail or fax this return to the Business Tax Office at
 # _____
 Credit Card Account No. _____ Expiration Date _____
 Zip Code of a credit card holder. _____
 Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signature: [Signature]

Title: Book keeper

Date: 8/9

FOR OFFICE USE ONLY

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* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: June 30, 2012

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

- 1. Gross rent for occupancy of rooms*
- 2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents TOT exemptions
- 3. Taxable rents (line 1 minus lines 2 & 2a)
- 4. Tax: 14% of line 3

\$ 60,546.50
 \$ 46,495.50
 \$ —
 \$ 1967.14
 \$ —

\$ 14,051.00
 \$ 1967.14
 \$ —
 \$ —
 \$ 1967.14

if paid

with payment and make a copy for your records.

Transient Occupancy Tax

is levied on the transient occupant at the rate of 14% of the gross rent for occupancy, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

This return should be filed with the City of Oakland following and mail or fax this return to the Business Tax Office at

 * Credit Card Account No. Expiration Date :

Zip Code of a credit card holder.

Amount charged to credit card: \$ _____

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: _____

Title

Bookkeeper

Date:

7/11

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: May 31, 2012

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day following each calendar month

IF QUARTERLY
On or before the last day of the month following close of each calendar quarter

IF ANNUALLY
On or before January 31st for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents' TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)

\$ 67,133.50
 \$ 47,733.50
 \$ 0
 \$ 2716.00
 \$ -

\$ 19,400.00
 \$ 2716.00
 \$ -
 \$ 2716.00

paid

payment and make a copy for your records.

Occupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Returning and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder.

Signature: _____

7010 1870 0002 2857 6442



Postage	\$ 00.45	0235
Certified Fee	\$ 2.95	12
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 3.40	

Sent To: City of Oakland - TOT DV -
 Street, Apt. No. or P.O. Box No.: 250 Frank Ogawa Pl. St. 1320
 City, State, ZIP: Oakland CA 94612-2011

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 6/11

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: April 30, 2012
Must be completed by the hotel Adminis

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

- IF MONTHLY**
On or before the 10th day following each calendar month
1. Gross rent for occupancy of rooms*
 2. Rent for occupancy by non-transient Residents
 - 2a. Occupancy by transient residents' TOT exemptions
 3. Taxable rents (line 1 minus lines 2 & 2a)
 4. Tax: 14% of line 3
 5. Credit (If previously approved by this office)
 6. Net tax (line 4 minus line 5)
 7. Penalty - 25% for late payment
 8. Interest

IF QUARTERLY
On or before the last day of the month Following close of each calendar quarter

IF ANNUALLY
On or before January 31st for previous calendar year

\$ 52,585.50
 \$ 38,984.50
 \$ 0
 \$ 1904.14
 \$ —

\$ 13,601
 \$ 1904.14
 \$ —
 \$ 1904.14

til paid

ith payment and make a copy for your records.

ccupancy Tax

tion, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

llowing and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder.

Signature: _____

7010 1670 0002 2857 6435

US Postal Service
CERTIFIED MAIL RECEIPT
 Domestic Mail Only, No Insurance Coverage Provided
 For delivery information visit our website at www.usps.com
 OAKLAND CA 94612
OFFICIAL USE

Postage	\$ 50.40
Certified Fee	\$ 1.90
Return Receipt Fee (Endorsement Required)	\$ 0.30
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 52.60



Sent To: City of Oakland - TOT Rev. Div.
 Street, Apt. No. or P.O. Box: 250 Frank Ogawa Pl. #1320
 City, State, ZIP+4: Oakland CA 94612-2011

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 5/19

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: March 31, 2012

Must be completed by the hotel Adminis

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents' TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)

\$ 65,559.50
 \$ 50,012.50
 \$ _____
 \$ 2176.58
 \$ _____

\$ 15,547
 \$ _____
 \$ 2176.58
 \$ _____
 \$ _____
 \$ 2176.58

if paid

with payment and make a copy for your records.

Occupancy Tax

tion, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

7011 0470 0002 7590 0692

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.45
Certified Fee	\$ 2.95
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.40

LAUREL CA 94549
 Postmark Here APR 2012
 04/10/2012 USPS

Sent To: City of Oakland - TOT Div.
 Street, Apt. No.: 250 Frank H. Ogawa Pl #1320
 City, State, ZIP+4: Oakland CA 94612-2011

PS Form 3800, August 2006 See Reverse for Instructions

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 4/1

FOR OFFICE USE ONLY

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* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: February 2012

Must be completed by the hotel Administ

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents' TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (if previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty - 25% for late payment
8. Interest - 1% of tax per month for late payment until paid

\$	<u>6,383.00</u>	
\$	<u>46,075.00</u>	
\$	<u> </u>	
\$	<u>1249.82</u>	\$ <u>13213.00</u>
\$	<u> </u>	
\$	<u> </u>	\$ <u>1249.82</u>
\$	<u> </u>	
\$	<u> </u>	
\$	<u>1249.82</u>	

7011 0470 0002 7590 0685

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only - No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OAKLAND CA 94612

OFFICIAL USE

Postage	\$ 0.45	0103
Certified Fee	\$ 2.95	20
Return Receipt Fee (Endorsement Required)	\$ 0.00	MAR 2 2012 Post Office Here
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 3.40	03/17/2012

Sent to: City of Oakland - TOT Div
Street, Apt. No. or P.O. No.: Frank Ogawa Pl. # 1320
City, State, ZIP+4: Oakland CA 94612-2011

PS Form 3800, August 28, 06 See Reverse for Instructions

with payment and make a copy for your records.

Occupancy Tax

ction, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Revenue Date: 3/1

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: January 31, 2012
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY	IF QUARTERLY	IF ANNUALLY
On or before the 10th day following each calendar month	On or before the last day of the month following close of each calendar quarter	On or before January 31st for previous calendar year
1. Gross rent for occupancy of rooms*	\$ <u>57,995.00</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>46,820.00</u>	
2a. Occupancy by transient residents' TOT exemptions	\$ <u>0</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)	\$ <u>2404.50</u>	\$ <u>17,175.00</u>
4. Tax: 14% of line 3	\$ <u>0</u>	
5. Credit (If previously approved by this office)	\$ <u>0</u>	
6. Net tax (line 4 minus line 5)		\$ <u>2404.50</u>
7. Penalty: 25% of net tax		\$ <u>0</u>
		\$ <u>0</u>
		\$ <u>2404.50</u>



It paid

th payment and make a copy for your records.

Occupancy Tax

tion, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

_____ Expiration Date _____

Credit Card Account No. _____

Zip Code of a credit card holder. _____

Signature: _____

8205 6852 2000 020 0470 0002 7589 5028 7011

For delivery information visit our website at www.usps.com	
OAKLAND, CA 94612	
OFFICIAL USE	
Postage	\$ 00.45
Certified Fee	\$ 2.95
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 13.40

Sent to: City of Oakland - TOT DIV

Street, Apt. No.: 250 Frank Ogawa Pl #1320

City, State, ZIP+4: Oakland CA 94612-2011

PS Form 3800 August 2006 See Reverse for Instructions

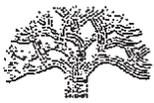
I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper Date: 2/11

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: January 31, 2013
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*	\$ <u>68,063.50</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>39,785.50</u>	
2a. Occupancy by transient residents' TOT exemptions	\$ <u>—</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)	\$ <u>3958.92</u>	\$ <u>28,278.00</u>
4. Tax: 14% of line 3	\$ <u>—</u>	
5. Credit (If previously approved by this office)	\$ <u>—</u>	
6. Net tax (line 4 minus line 5)	\$ <u>3958.92</u>	\$ <u>3958.92</u>
7. Penalty - 25% for late payment	\$ <u>—</u>	\$ <u>—</u>
8. Interest - 1% of tax per month for late payment until paid	\$ <u>—</u>	\$ <u>3958.92</u>

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com
OAKLAND, CA 94612

Postage	\$ 00.46
Certified Fee	\$ 3.10
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.56

0235
62157
OAKLAND, CA
JAN 1 2013
027 01/2013

in payment and make a copy for your records.

Occupancy Tax

tion, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

Sent To: City of Oakland TOT Div.
Street, Apt. No. or PO Box: 250 Frank Ogawa Pl. #1320
City, State, ZIP: Oakland CA 94612-2011

PS Form 3800, August 2006 See Reverse for Instructions

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper Date: 2/1

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: Feb 28, 2013

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents* TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty - 25% for late payment
8. Interest - 1% of tax per month for late payment until paid

\$ 66,223

\$ 41,465

\$ —

\$ 3466.12

\$ —

\$ 24,758

\$ 3466.12

\$ —

\$ —

\$ 3466.12

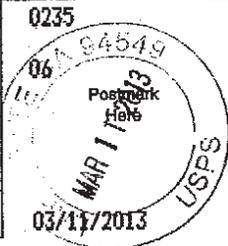
U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OAKLAND, CA 94612

OFFICIAL USE

Postage	\$ 00.46
Certified Fee	\$ 3.10
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 03.56



Sent To: City of Oakland TOT PW

Street, Apt. No., or PO Box No.: 250 Frank Ogawa Pl #1320

City, State, ZIP+4: Oakland CA 94612-2011

PS Form 3800, August 2006 See Reverse for Instructions

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed:

Title

Bookkeeper

Date:

3/10/13

payment and make a copy for your records.

Occupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder.

Signature: _____

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.

7012 0470 0002 3364 9716



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: March 31, 2013
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty - 25% for late payment
8. Interest - 1% of tax per month for late payment until paid
9. Payment enclosed - total of lines 6 through 8

\$ 63,895.50

\$ 37,304.50

\$

\$ 3722.46

\$

\$ 26,589.00

\$ 3722.46

\$

\$

\$ 3722.46

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com
OAKLAND, CA 94612

Postage	\$ 00.46	0103
Certified Fee	\$ 3.10	
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 33.56	



1 payment and make a copy for your records.

Occupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

7012 2920 0001 1744 8590

Sent to City of Oakland TOT DV.
Street, Apt. No., or PO Box No. 250 Frank Ogawa Pl. #1320
City, State, ZIP+4 Oakland CA 94612-2011

PS Form 3800 August 2006 See Reverse for Instructions
TRUE AND CORRECT.

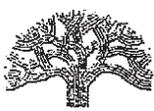
IF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

Signed: [Signature]

Title Bookkeeper Date: 4/16

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: April 30, 2013

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents' TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty: 25% for late payment

\$ 72,675.00

\$ 46,643.00

\$ —

\$ 3644.48

\$ —

\$ 26,032.00

\$ 3644.48

\$ —

\$ —

\$ 3644.48

aid

payment and make a copy for your records.

Occupancy Tax

at 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Returning and mail or fax this return to the Business Tax Office at

_____ Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder.

Signature: _____

7012 1640 0000 6618 3937

U.S. Postal Service™
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 OAKLAND CA 94612
OFFICIAL USE

Postage	\$ 0.46	0235
Certified Fee	\$ 3.10	06
Return Receipt Fee (Endorsement Required)	\$ 0.00	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	MAY 10 2013
Total Postage & Fees	\$ 3.56	05/10/2013

Sent To: City of Oakland TOT DMS
 Street, Apt. No. or P.O. Box No.: 250 Frank H. Ogawa Plaza #1320
 City, State, ZIP+4: Oakland CA 94612-2011

PS Form 3800, August 2006 See Reverse for Instructions

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 5/10/13

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: May 31, 2013

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*	\$ <u>76,016.00</u>	
2. Rent for occupancy by non-transient Residents	\$ <u>45,883.00</u>	
2a. Occupancy by transient residents TOT exemptions	\$ <u>—</u>	
3. Taxable rents (line 1 minus lines 2 & 2a)		\$ <u>30,133.00</u>
4. Tax: 14% of line 3	\$ <u>4218.62</u>	
5. Credit (If previously approved by this office)	\$ <u>—</u>	
6. Net tax (line 4 minus line 5)		\$ <u>4218.62</u>
7. Penalty - 25% for late payment		\$ <u>—</u>
8. Interest - 1% of tax per month for late payment until paid		\$ <u>—</u>
9. Payment enclosed - total of lines 6 through 8		\$ <u>4218.62</u>

7012 1640 0000 6616 2750

U.S. Postal Service
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(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 7.70
Certified Fee	18.00
Return Receipt Fee (Endorsement Required)	60.00
Restricted Delivery Fee (Endorsement Required)	60.00
Total Postage & Fees	\$ 145.70

Postmark: JUN 1 0 2013 Here CA 94612

Sent to: City of Oakland - TOT DIV
Street, Apt. No. or P.O. Box: 250 Frank Ogawa Pl. St 1320
City, State, ZIP+4: Oakland, CA 94612-2011

Payment and make a copy for your records.

City Tax

250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Bring and mail or fax this return to the Business Tax Office at

Credit Card Account No. Expiration Date

Zip Code of a credit card holder.

Signature: _____

TRUE AND CORRECT.

MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS

Signed: [Signature]

Title Book keeper

Date: 6/10

FOR OFFICE USE ONLY

--	--

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: June 30, 2013

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day following each calendar month

IF QUARTERLY
On or before the last day of the month following close of each calendar quarter

IF ANNUALLY
On or before January 31st for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents' TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)

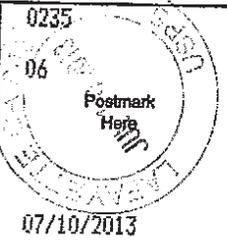
\$ 60,281.00
 \$ 31,419.00
 \$ _____
 \$ 4040.68
 \$ _____

\$ 28,862.00
 \$ 4040.68
 \$ _____
 \$ _____
 \$ 4040.68

7012 1640 0000 6618 2757

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com
 OFFICIAL USE

Postage	\$ 0.46
Certified Fee	\$ 3.10
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.56



Sent to: City of Oakland TOT Rev. Div.
 Street, Apt. No. or P.O. Box: 250 Frank Ogawa Pl. # 1320
 City, State, ZIP+4: Oakland CA 94612

paid

payment and make a copy for your records.

Occupancy Tax

250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

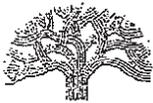
Signed: [Signature]

Title: Bakkeeper

Date: 7/10/13

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: July 31, 2013

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents* TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty - 25% for late payment
8. Interest - 1% of tax per month for late payment until paid

\$ 67,948.00
 \$ 35,235.00
 \$ -
 \$ 4509.82
 \$ -

\$ 32,213.00
 \$ 4509.82
 \$ -
 \$ -
 \$ 4509.82

payment and make a copy for your records.

Occupancy Tax

at 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

7012 3640 0000 6610 2774

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only - No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com
 OAKLAND CA 94612
OFFICIAL USE

Postage	\$ 0.46	0235
Certified Fee	\$ 3.10	04
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 3.56	

Postmark Here
AUG 12 2013
 08/12/2013
 LAFAYETTE CA 94540
 USPS

Sent to
 City of Oakland - TOT Division
 Street Apt. No.
 250 Frank Ogawa Pl. Suite 1320
 City, State, Zip+4
 Oakland CA 94612-2011

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 8/10/13

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: August 31, 2013

Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

- 1. Gross rent for occupancy of rooms*
- 2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents' TOT exemptions
- 3. Taxable rents (line 1 minus lines 2 & 2a)
- 4. Tax: 14% of line 3
- 5. Credit (If previously approved by this office)
- 6. Net tax (line 4 minus line 5)
- 7. Penalty - 25% for late payment
- 8. Interest - 1% of tax per month for late payment until paid

\$ 77,649.56

\$ 45,529.56

\$ —

\$ 4916.80

\$ —

\$ —

\$ 4916.80

\$ —

\$ —

\$ 4916.80

\$ 35,120.00

\$ —

\$ —

\$ —

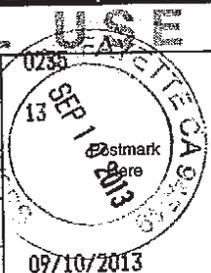
\$ 4916.80

7012 3050 0000 050E 2T02

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

Postage	\$ 00.46
Certified Fee	\$ 3.10
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.56



Sent To: City of Oakland TOT DIV.

Street, Apt. No. or PO Box No.: 250 Frank Ogawa Pl #1320

City, State, ZIP+4: Oakland CA 94612-2011

PS Form 3800, August 2006 See Reverse for Instructions

payment and make a copy for your records.

Occupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder. _____

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper Date: 9/10/13

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

BUSINESS TAX OFFICE

250 Frank H. Ogawa Plaza, Suite 1320
Oakland California 94612
Telephone: 510-238-3704 Fax: 510-238-7128

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: September 30, 2013
Must be completed by the hotel Administrator

- MONTHLY If your previous year's gross rents* were over \$100,000
- QUARTERLY If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY
On or before the 10th day
following each calendar month

IF QUARTERLY
On or before the last day of the month
Following close of each calendar quarter

IF ANNUALLY
On or before January 31st
for previous calendar year

1. Gross rent for occupancy of rooms*
2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents' TOT exemptions
3. Taxable rents (line 1 minus lines 2 & 2a)
4. Tax: 14% of line 3
5. Credit (If previously approved by this office)
6. Net tax (line 4 minus line 5)
7. Penalty - 25% for late payment

\$ 68,474.00
 \$ 32,325.00
 \$ 0
 \$ 5060.80
 \$ 0

\$ 30,149.00
 \$ 5060.80
 \$ 0
 \$ 0
 \$ 5060.80

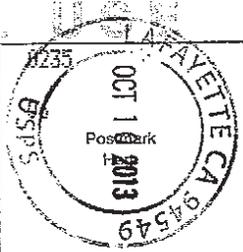
paid

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For delivery information visit our website at www.usps.com

Postage	\$ 0.44
Certified Fee	\$ 3.10
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.54

10/10/2013



Sent To: City of Oakland TOT DW.
 Street, Apt. No. or P.O. Box: 250 Frank Ogawa Pl St #1320
 City, State, ZIP+4: Oakland CA 94612-2011

PS Form 3800, August 2006 See Reverse for Instructions

1 payment and make a copy for your records.

Occupancy Tax

on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.

Following and mail or fax this return to the Business Tax Office at

Credit Card Account No. _____ Expiration Date _____

Zip Code of a credit card holder.

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed: [Signature]

Title Bookkeeper

Date: 10/10

FOR OFFICE USE ONLY

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING:

Oct 31, 2013

Must be completed by the hotel Administrator

- MONTHLY** If your previous year's gross rents* were over \$100,000
- QUARTERLY** If your previous year's gross rents* were between \$5,000 and \$99,999
- ANNUALLY** If your previous year's gross rents* were under \$5,000

Business Name: Sutter Hotel

Account Number: 003-179-002/2275090

Business Address: 584 14th St

IF MONTHLY

On or before the 10th day following each calendar month

IF QUARTERLY

On or before the last day of the month following close of each calendar quarter

IF ANNUALLY

On or before January 31st for previous calendar year

- 1. Gross rent for occupancy of rooms*
- 2. Rent for occupancy by non-transient Residents
- 2a. Occupancy by transient residents TOT exemptions
- 3. Taxable rents (line 1 minus lines 2 & 2a)
- 4. Tax: 14% of line 3
- 5. Credit (If previously approved by this office)
- 6. Net tax (line 4 minus line 5)
- 7. Penalty - 25% for late payment

\$ 71,707.00
 \$ 34,003.00
 \$ 0
 \$ 5278.56
 \$ 0

\$ 37,704.00
 \$ 5278.56
 \$ 0
 \$ 0
 \$ 5278.56

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OAKLAND, CA 94612

OFFICIAL USE

Postage	\$ 00.46
Certified Fee	\$ 3.10
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.56



Sent to: City of Oakland TOT
 Street, Apt. No.: 250 Frank Ogawa Pl. #1320
 or PO Box:
 City, State, ZIP+4: Oakland CA 94612

PS Form 3800, August 2006 See Reverse for Instructions

payment and make a copy for your records.

Occupancy Tax
 on, 250 Frank H. Ogawa Plaza #1320, and OAKLAND CA 94612.
 Following and mail or fax this return to the Business Tax Office at

 Credit Card Account No. Expiration Date

Zip Code of a credit card holder.

Signature: _____

I DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE ALL INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT.

Signed:

Title

Bookkeeper

Date:

11/8/13

FOR OFFICE USE ONLY	

* GROSS RENTS INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL INCOME.



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)

in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: November 30, 2013

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 227509

Business Address: 584 14TH ST

IF MONTHLY	IF QUARTERLY	IF ANNUALLY
On or before the 10th day following each calendar month	On or before the last day of the month following close of each calendar quarter	On or before January 31 st of previous calendar year

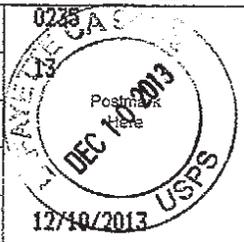
- Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 80,142
- Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 42,082
- Taxable rents (line 1 minus line 2) \$ 38,060
- Tax: 14% of line 3 \$ 5328.40

7012 3460 0001 5606 8407



Official Use stamp: OAKLAND - CA 94612

Postage	\$ 04.46
Certified Fee	\$ 3.10
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.56



until paid

reporting period and each business location.

" - Transient Occupancy Tax "

above address and make a copy for your records. DO NOT change Occupancy Tax Declaration.

ment and subsequent Transient Occupancy Return are not BOTH

Sent to: City of Oakland TOT Div
150 Frank H. Ogawa Pl - Suite 5342
Oakland CA 94612-2011

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 12/10/13

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) _____
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: December 31, 2013

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Account Number: 2275090

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

IF MONTHLY	IF QUARTERLY	IF ANNUALLY
On or before the 10th day following each calendar month	On or before the last day of the month following close of each calendar quarter	On or before January 31 st for previous calendar year

1. Gross rent* for occupancy of rooms (round to nearest dollar)*	\$ 66,950	
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar)	\$ 29,009	
3. Taxable rents (line 1 minus line 2)		\$ 37,941
4. Tax: 14% of line 3	\$ 5311.74	
5. Credit (If previously approved by this office)	\$ -	
		\$ 5311.74
		\$ -
		\$ -
		\$ 5311.74

ent until paid

reporting period and each business location.

d - Transient Occupancy Tax"

e above address and make a copy for your records. DO NOT change int Occupancy Tax Declaration.

ayment and subsequent Transient Occupancy Return are not BOTH

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.46	0235
Certified Fee	\$ 3.10	
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 3.56	

Sent To: City of Oakland TOT DIV.
Street, Apt. No. or PO Box No.: 150 Frank Ogawa Pl. Ste 5342
City, State, ZIP+4: Oakland CA 94612

PS Form 3800, August 2006 See Reverse for Instructions

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 1/9/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only

7012 3460 0001 5606 8414



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)

in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: January 31, 2017

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- 1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 27,287
- 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 0
- 3. Taxable rents (line 1 minus line 2) \$ 27,287
- 4. Tax: 14% of line 3 \$ 3820.18
- 5. Credit (if previously approved by this office) \$ -
- 6. Net tax (line 4 minus line 5) \$ 3820.18.
- 7. Penalty - 25% for late \$ -
- 8. Interest - 1% of tax per month for late payment until paid \$ -
- 9. Payment enclosed - total of lines 6 through 8 \$ 3820.18

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 2/9/17

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) _____
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: 2/28/17

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 27,386
- Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 21.22
- Taxable rents (line 1 minus line 2) \$ 25,264
- Tax: 14% of line 3 \$ 3536.96
- Credit (If previously approved by this office) \$ -
- Net tax (line 4 minus line 5) \$ 3536.96
- Penalty - 25% for late \$ -
- Interest - 1% of tax per month for late payment until paid \$ -
- Payment enclosed - total of lines 6 through 8 \$ 3536.96

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 3/8/17

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: 3/31/17

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 28,842
- Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 965
- Taxable rents (line 1 minus line 2) \$ 27,877
- Tax: 14% of line 3 \$ 3902.78
- Credit (If previously approved by this office) \$ -
- Net tax (line 4 minus line 5) \$ 3902.78
- Penalty - 25% for late \$ -
- Interest - 1% of tax per month for late payment until paid \$ -
- Payment enclosed - total of lines 6 through 8 \$ 3902.78

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 4/8/17

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) _____
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: April 30, 2017

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- 1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 30,081
- 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 1267
- 3. Taxable rents (line 1 minus line 2) \$ 28,814
- 4. Tax: 14% of line 3 \$ 4033.96
- 5. Credit (If previously approved by this office) \$ -
- 6. Net tax (line 4 minus line 5) \$ 4033.96
- 7. Penalty - 25% for late \$ -
- 8. Interest - 1% of tax per month for late payment until paid \$ -
- 9. Payment enclosed - total of lines 6 through 8 \$ 4033.96

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 5/9/17

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: May 31, 2017

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- 1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 35,973
- 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 743
- 3. Taxable rents (line 1 minus line 2) \$ 35,230
- 4. Tax: 14% of line 3 \$ 4932.20
- 5. Credit (If previously approved by this office) \$ -
- 6. Net tax (line 4 minus line 5) \$ 4932.20
- 7. Penalty - 25% for late \$ -
- 8. Interest - 1% of tax per month for late payment until paid \$ -
- 9. Payment enclosed - total of lines 6 through 8 \$ 4932.20

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 6/8/17

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)

in which you discontinued operation of the business location listed below. 6/9/17

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: June 9, 2017

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- 1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 7341
- 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 75
- 3. Taxable rents (line 1 minus line 2) \$ 7266
- 4. Tax: 14% of line 3 \$ 1017.24
- 5. Credit (if previously approved by this office) \$ -
- 6. Net tax (line 4 minus line 5) \$ 1017.24
- 7. Penalty - 25% for late \$ -
- 8. Interest - 1% of tax per month for late payment until paid \$ -
- 9. Payment enclosed - total of lines 6 through 8 \$ 1017.24

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 7/5/17

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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Please send completed Tax Return with Payment to :

CITY OF OAKLAND
REVENUE DIVISION
150 Frank H Ogawa Plaza, Suite 5342
Oakland, California 94612



If this is your final month's return, check here and provide the effective date (month, day, year) in which you discontinued operation of the hotel/motel listed below: _____

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RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: June 30, 2017
Must be completed by the hotel Administrator

- MONTHLY** If your annual gross rents* are \$100,000 +
- QUARTERLY** If your annual gross rents* are between \$5,000 and \$99,999
- ANNUALLY** If your annual gross rents* are under \$5,000

Business Name: Sutter Hotel **Account Number:** 00197159
Business Address: 584 14th Street, Oakland CA 94612

Frequency is assigned by City Staff. Any change from Monthly must be approved.

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
--	--	--

1. Gross rent for occupancy of rooms (round to nearest dollar) *	\$ <u>36,083</u>	
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar)	\$ <u>0</u>	
3. Taxable rents (line 1 minus line 2)		\$ <u>36,083</u>
4. Tax: 14% of line 3	\$ <u>5,051.53</u>	
5. Credit (If previously approved by this office)	\$ <u>0</u>	
6. Net tax (line 4 minus line 5)		\$ <u>5,051.53</u>
7. Penalty - 25% for late payment		\$ <u>0</u>
8. Interest - 1% of tax plus penalty per month, for late payment, until paid		\$ <u>0</u>
9. Adjusted amount due (add lines 6 through 8):		\$ <u>5,051.53</u>
9. Payment enclosed:		\$ <u>5,051.53</u>

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: ***"City of Oakland – Transient Occupancy Tax"***

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: _____ Title: Accounting Date: 7/6/2017

* Gross rent includes the total of Transient **plus** Residential (non-transient) income.

For Office Use Only



Please send completed Tax Return with Payment to :

CITY OF OAKLAND
REVENUE DIVISION
150 Frank H Ogawa Plaza, Suite 5342
Oakland, California 94612



If this is your final month's return, check here and provide the effective date (month, day, year) in which you discontinued operation of the hotel/motel listed below: _____.

↑ For Office Use Only ↑

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: July 31, 2017
Must be completed by the hotel Administrator

- MONTHLY** If your annual gross rents* are \$100,000 +
- QUARTERLY** If your annual gross rents* are between \$5,000 and \$99,999
- ANNUALLY** If your annual gross rents* are under \$5,000

Business Name: Sutter Hotel **Account Number:** 00197159
Business Address: 584 14th Street, Oakland CA 94612

Frequency is assigned by City Staff. Any change from Monthly must be approved.

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
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1. Gross rent for occupancy of rooms (round to nearest dollar) *	\$ <u>81,993</u>	
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar)	\$ <u>494</u>	
3. Taxable rents (line 1 minus line 2)		\$ <u>81,499</u>
4. Tax: 14% of line 3	\$ <u>11,409.80</u>	
5. Credit (If previously approved by this office)	\$ <u>0</u>	
6. Net tax (line 4 minus line 5)		\$ <u>11,409.80</u>
7. Penalty - 25% for late payment		\$ <u>0</u>
8. Interest - 1% of tax plus penalty per month, for late payment, until paid		\$ <u>0</u>
9. Adjusted amount due (add lines 6 through 8):		\$ <u>11,409.80</u>
9. Payment enclosed:		\$ <u>11,409.80</u>

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: ***"City of Oakland – Transient Occupancy Tax"***

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: Jemma Shaulov (424) 291-5865 **Title:** Accounting Manager **Date:** 8/7/2017

* Gross rent includes the total of Transient **plus** Residential (non-transient) income.

For Office Use Only



Please send completed Tax Return with Payment to :

CITY OF OAKLAND
REVENUE DIVISION
150 Frank H Ogawa Plaza, Suite 5342
Oakland, California 94612

↑ For Office Use Only ↑

If this is your final month's return, check here and provide the effective date (month, day, year) in which you discontinued operation of the hotel/motel listed below: _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: August 31, 2017
Must be completed by the hotel Administrator

- MONTHLY** If your annual gross rents* are \$100,000 +
- QUARTERLY** If your annual gross rents* are between \$5,000 and \$99,999
- ANNUALLY** If your annual gross rents* are under \$5,000

Business Name: Sutter Hotel **Account Number:** 00197159
Business Address: 584 14th Street, Oakland CA 94612

Frequency is assigned by City Staff. Any change from Monthly must be approved.

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
--	--	--

1. Gross rent for occupancy of rooms (round to nearest dollar) *	\$ <u>95,006</u>	
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar)	\$ <u>(1,212)</u>	
3. Taxable rents (line 1 minus line 2)		\$ <u>93,794</u>
4. Tax: 14% of line 3	\$ <u>13,131.13</u>	
5. Credit (If previously approved by this office)	\$ <u>0</u>	
6. Net tax (line 4 minus line 5)		\$ <u>13,131.13</u>
7. Penalty - 25% for late payment		\$ <u>0</u>
8. Interest - 1% of tax plus penalty per month, for late payment, until paid		\$ <u>0</u>
9. Adjusted amount due (add lines 6 through 8):		\$ <u>13,131.13</u>
9. Payment enclosed:		\$ <u>13,131.13</u>

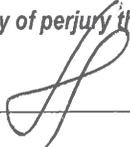
Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: **"City of Oakland – Transient Occupancy Tax"**

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed:  Title: Accounting Date: 9/6/2017

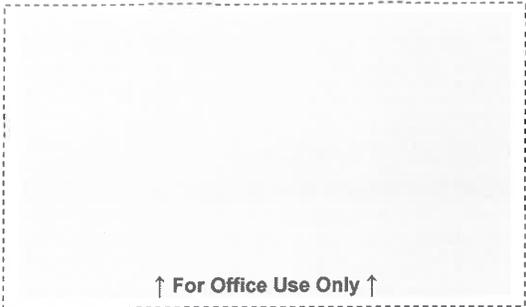
* Gross rent includes the total of Transient **plus** Residential (non-transient) income.

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Please send completed Tax Return with Payment to :

CITY OF OAKLAND
REVENUE DIVISION
150 Frank H Ogawa Plaza, Suite 5342
Oakland, California 94612



If this is your final month's return, check here and provide the effective date (month, day, year) in which you discontinued operation of the hotel/motel listed below: _____

↑ For Office Use Only ↑

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: September 30, 2017
Must be completed by the hotel Administrator

- MONTHLY** If your annual gross rents* are \$100,000 +
- QUARTERLY** If your annual gross rents* are between \$5,000 and \$99,999
- ANNUALLY** If your annual gross rents* are under \$5,000

Business Name: Sutter Hotel **Account Number:** 00197159
Business Address: 584 14th Street, Oakland CA 94612

Frequency is assigned by City Staff. Any change from Monthly must be approved.

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31st for previous calendar year
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1. Gross rent for occupancy of rooms (round to nearest dollar) *	\$ <u>109,440</u>	
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar)	\$ <u>0</u>	
3. Taxable rents (line 1 minus line 2)		\$ <u>109,440.28</u>
4. Tax: 14% of line 3	\$ <u>15,321.64</u>	
5. Credit (If previously approved by this office)	\$ <u>0</u>	
6. Net tax (line 4 minus line 5)		\$ <u>15,321.64</u>
7. Penalty - 25% for late payment		\$ <u>0</u>
8. Interest - 1% of tax plus penalty per month, for late payment, until paid		\$ <u>0</u>
9. Adjusted amount due (add lines 6 through 8):		\$ <u>15,321.64</u>
9. Payment enclosed:		\$ <u>15,321.64</u>

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: **"City of Oakland – Transient Occupancy Tax"**

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

*A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.*

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed:  Title: Accounting Date: 10/5/2017

* Gross rent includes the total of Transient **plus** Residential (non-transient) income.

For Office Use Only



Please send completed Tax Return with Payment to :

CITY OF OAKLAND
REVENUE DIVISION
150 Frank H Ogawa Plaza, Suite 5342
Oakland, California 94612



If this is your final month's return, check here and provide the effective date (month, day, year) in which you discontinued operation of the hotel/motel listed below: _____.

↑ For Office Use Only ↑

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: October 31, 2017
Must be completed by the hotel Administrator

- MONTHLY** If your annual gross rents* are \$100,000 +
- QUARTERLY** If your annual gross rents* are between \$5,000 and \$99,999
- ANNUALLY** If your annual gross rents* are under \$5,000

Business Name: Sutter Hotel **Account Number:** 00198838
Business Address: 584 14th Street, Oakland CA 94612

Frequency is assigned by City Staff. Any change from Monthly must be approved.

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31st for previous calendar year
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1. Gross rent for occupancy of rooms (round to nearest dollar) *	\$ <u>104,302</u>	
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar)	\$ <u>0</u>	
3. Taxable rents (line 1 minus line 2)		\$ <u>104,302.48</u>
4. Tax: 14% of line 3	\$ <u>14,602.35</u>	
5. Credit (If previously approved by this office)	\$ <u>0</u>	
6. Net tax (line 4 minus line 5)		\$ <u>14,602.35</u>
7. Penalty - 25% for late payment		\$ <u>0</u>
8. Interest - 1% of tax plus penalty per month, for late payment, until paid		\$ <u>0</u>
9. Adjusted amount due (add lines 6 through 8):		\$ <u>14,602.35</u>
9. Payment enclosed:		\$ <u>14,602.35</u>

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: ***"City of Oakland – Transient Occupancy Tax"***

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: _____ Title: Accounting Date: 11/3/2017

* Gross rent includes the total of Transient **plus** Residential (non-transient) income.

For Office Use Only



Please send completed Tax Return with Payment to :

CITY OF OAKLAND
REVENUE DIVISION
150 Frank H Ogawa Plaza, Suite 5342
Oakland, California 94612

↑ For Office Use Only ↑

If this is your final month's return, check here and provide the effective date (month, day, year) in which you discontinued operation of the hotel/motel listed below: _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: November 30, 2017
Must be completed by the hotel Administrator

- MONTHLY** If your annual gross rents* are \$100,000 +
- QUARTERLY** If your annual gross rents* are between \$5,000 and \$99,999
- ANNUALLY** If your annual gross rents* are under \$5,000

Business Name: Sutter Hotel **Account Number:** 00198838
Business Address: 584 14th Street, Oakland CA 94612

Frequency is assigned by City Staff. Any change from Monthly must be approved.

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31st for previous calendar year
--	--	--

1. Gross rent for occupancy of rooms (round to nearest dollar) *	\$ <u>76,636</u>	
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar)	\$ <u>0</u>	
3. Taxable rents (line 1 minus line 2)		\$ <u>76,635.50</u>
4. Tax: 14% of line 3	\$ <u>10,728.97</u>	
5. Credit (If previously approved by this office)	\$ <u>0</u>	
6. Net tax (line 4 minus line 5)		\$ <u>10,728.97</u>
7. Penalty - 25% for late payment		\$ <u>0</u>
8. Interest - 1% of tax plus penalty per month, for late payment, until paid		\$ <u>0</u>
9. Adjusted amount due (add lines 6 through 8):		\$ <u>10,728.97</u>
9. Payment enclosed:		\$ <u>10,728.97</u>

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: **"City of Oakland – Transient Occupancy Tax"**

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

*A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.*

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed:  Title: Accounting (424) 291-5865 Date: 12/05/2017

* Gross rent includes the total of Transient **plus** Residential (non-transient) income.

For Office Use Only



Please send completed Tax Return with Payment to :

CITY OF OAKLAND
REVENUE DIVISION
150 Frank H Ogawa Plaza, Suite 5342
Oakland, California 94612

↑ For Office Use Only ↑

If this is your final month's return, check here and provide the effective date (month, day, year) in which you discontinued operation of the hotel/motel listed below: _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: December 31, 2017
Must be completed by the hotel Administrator

- MONTHLY** If your annual gross rents* are \$100,000 +
- QUARTERLY** If your annual gross rents* are between \$5,000 and \$99,999
- ANNUALLY** If your annual gross rents* are under \$5,000

Business Name: Sutter Hotel **Account Number:** 00198838
Business Address: 584 14th Street, Oakland CA 94612

Frequency is assigned by City Staff. Any change from Monthly must be approved.

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31st for previous calendar year
--	--	--

1. Gross rent for occupancy of rooms (round to nearest dollar) *	\$ <u>57,151.14</u>	
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar)	\$ <u>0</u>	
3. Taxable rents (line 1 minus line 2)		\$ <u>57,151.14</u>
4. Tax: 14% of line 3	\$ <u>8,001.16</u>	
5. Credit (If previously approved by this office)	\$ <u>0</u>	
6. Net tax (line 4 minus line 5)		\$ <u>8,001.16</u>
7. Penalty - 25% for late payment		\$ <u>0</u>
8. Interest - 1% of tax plus penalty per month, for late payment, until paid		\$ <u>0</u>
9. Adjusted amount due (add lines 6 through 8):		\$ <u>8,001.16</u>
9. Payment enclosed:		\$ <u>8,001.16</u>

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: **"City of Oakland – Transient Occupancy Tax"**

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

*A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.*

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed:  Title: Accounting (424) 291-5865 Date: 01/05/2018

* Gross rent includes the total of Transient **plus** Residential (non-transient) income.

For Office Use Only



Please send completed Return with Payment to:
CITY OF OAKLAND
OAKLAND TOURISM BID 2015
150 Frank H Ogawa Plaza, Suite 5342
Oakland, California 94612

↑ For Office Use Only ↑

If this is your final month's remittance, check here and provide the effective date (month, day, year) in which you discontinued operation of the hotel/motel listed below: _____

OAKLAND TOURISM BUSINESS IMPROVEMENT DISTRICT 2015 ASSESSMENT REMITTANCE FORM

Pursuant to the City of Oakland Resolution adopted by the Oakland City Council on July 21, 2015 and effective as of August 1, 2015, the Oakland Tourism Business Improvement District 2015 ("OTBID") Assessment is assessed on all hotels/motels with 50 OR MORE GUEST ROOMS located within the city of Oakland.

The OTBID Assessment is \$1.50 per occupancy per night. The OTBID Assessment is not assessed on 1) the portion of stays exceeding thirty (30) consecutive days; 2) on stays by any officer or employee of a foreign or domestic government on official business, provided billing is made directly to and payment is received from the government agency qualifying for the exemption; and 3) room rentals pursuant to contracts executed prior to August 1, 2015. **This form, accompanied by the payment, must be filed on or before the 10th day following the close of the month.**

BUSINESS NAME: 584 14th Street LLC DBA Sutter Hotel **ACCOUNT NUMBER:** 00197159

BUSINESS ADDRESS: 584 14th Street, Oakland CA 94612 **PERIOD ENDING:** December 31, 2017

1. Total Number of Occupied Rooms for the reporting period	<u>1025</u>
2. Total Number of Exempt Occupied Rooms (see explanation above)	<u>0</u>
3. Total Number of Occupied Rooms subject to OTBID Assessment (Subtract line 2 from line 1)	<u>1025</u>
4. OTBID Assessment (Multiple line 3 by \$1.50)	<u>\$ 1,537.50</u>
5. Credit (if previously approved by this office)	<u>\$ 0</u>
6. Net OTBID Assessment (Subtract line 5 from line 4)	<u>\$ 1,537.50</u>
7. Penalty – 10% for late payment	<u>\$ 0</u>
8. Interest – 0.50% of fee plus penalty per month or fraction thereof, for late payment, until paid	<u>\$ 0</u>
9. Adjusted OTBID Assessment Due (add lines 6 through 8)	<u>\$ 1,537.50</u>
10. Payment Enclosed	<u>\$ 1,537.50</u>

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: **City of Oakland, Oakland Tourism BID 2015**

Mall original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Oakland Tourism Business Improvement District 2015 Return.

A payment is considered delinquent if both the payment and subsequent OTBID Remittance form are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed:  Title: Accounting Manager Date: 01/05/2018

For Office Use Only

Request #19-2264

 OPEN

As of May 6, 2019, 10:41am

Details

I respectfully request a copy of all documents and records related to APN 003 006901700 (with the associated address of 584 14th Street) in the possession or control of the Finance Department. This request includes, but is not limited to, files, emails, notes, drafts, memoranda, letters, scans, recordings, text messages, phone calls, faxes, etc., whether sent from, received by, or kept on government-owned, privately owned, or other devices and addresses. If any documents or records cannot be made available within three days, please kindly produce all documents and records on a rolling basis.

Received

May 3, 2019 via web

Due

May 13, 2019

Departments

Finance Department — Revenue & Business Tax

Documents

(none)

Staff

Point of Contact

Shahla Azimi

Timeline

Department Assignment

Public

Finance Department — Revenue & Business Tax

May 3, 2019, 3:53pm

Request Opened

Public

Request received via web

May 3, 2019, 3:53pm

Request #19-2262

 OPEN

As of May 6, 2019, 10:41am

Details

Good afternoon,

I respectfully request a copy of the following documents and records related to APN 003 006901700 (with the associated address of 584 14th Street) in the possession or control of the Finance Department:

- All residential landlord tax records from January 1, 1995 to May 3, 2019.
- All transient occupancy tax records from January 1, 1995 to May 3, 2019.
- All Business Tax Certificates from January 1, 1995 to May 3, 2019.

This request includes, but is not limited to, files, emails, notes, drafts, memoranda, letters, scans, recordings, text messages, phone calls, faxes, etc., whether sent from, received by, or kept on government-owned, privately owned, or other devices and addresses. If any documents or records cannot be made available within three days, please kindly produce all documents and records on a rolling basis.

Very truly yours,

— [Read less](#)

Received

May 3, 2019 via web

Due

May 13, 2019

Departments

Finance Department — Revenue & Business Tax

Documents

(none)

Staff

Point of Contact

Shahla Azimi

Timeline

Department Assignment

Public

Finance Department — Revenue & Business Tax

May 3, 2019, 3:41pm

Request Opened

Public

Request received via web

May 3, 2019, 3:41pm

Attachment C

FLOT PLAN

REPORT OF INVESTIGATOR

No. 4.1251

3-6-37 - not started - H
3-18-37 - good Prog. - H

APPLICATION

Permit for *Alteration*

At *584 14 St*
(House Number)

A.C. Morris Owner
Balluff Contractor

Cost \$ *300.00* Fee \$ *2.00*

Issued



Permission is hereby granted to erect, alter or repair the building described in this application in accordance with the Building Ordinances of the City of Oakland, and to the satisfaction of the Building Inspector.

Approved *MRS* E. U. ROUSSELL
By Building Inspector

Issued

F.O.K.

R.O.K.

W.O.K.

L.O.K.

PLASTER O.K.

FINAL O.K. *4-12-37*

PLANS CHECKED

- Zoning
- Setback Line
- Fire Limits
- Area Limit
- Court Areas
- Height Limit
- Garage Area
- Ventilation
- Chimneys and Flues
- Type of Frame
- Exterior Walls
- Floor Construction
- Soil
- Foundation
- Retaining Walls
- Engineering

APPROVED: _____
Plan Checker

AFFIDAVIT

I hereby make affidavit that the information contained in this application and on the plans and specifications is true and contains a correct description of the proposed work. All said work is to be done in accordance with the State Housing Act. I am authorized to act as agent for the owner.

Subscribed and sworn to before me this _____ day of _____ 1937

Deputy City Clerk

WRITE IN INK—FILE TWO COPIES

APPLICATION FOR A BUILDING PERMIT

APPLICATION IS HEREBY MADE TO THE BUILDING DEPARTMENT OF THE CITY OF OAKLAND FOR PERMISSION TO DO THE FOLLOWING WORK AT

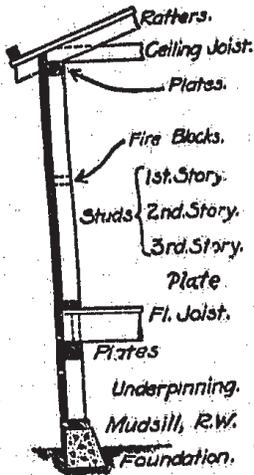
NUMBER 584 14 ST

STREET
AVE.

WRITE PLAINLY FULL DESCRIPTION OF WORK TO BE DONE
ALL NEW CONSTRUCTION MUST BE DESCRIBED AS TO SIZE, SPAN AND SPACING

*Remove 20 rest room stud partitions
Put 2 arches & trim stop front
install Base plugs
2nd & 3rd Bldg*

Roof Covering.



ENTIRE COST OF WORK (THIS MUST INCLUDE EVERYTHING NECESSARY FOR COMPLETE CONSTRUCTION OF WORK) \$ 300.00

BUILDING NOW USED AS Hotel
BUILDING TO BE USED AS " BY "

I HEREBY AGREE TO WAIVE, INDEMNIFY AND KEEP HARMLESS THE CITY OF OAKLAND AND ITS OFFICERS, EMPLOYEES AND AGENTS AGAINST ALL LIABILITIES, JUDGEMENTS, COSTS AND EXPENSES WHICH MAY IN ANY WISE ACCRUE AGAINST THE CITY IN CONSEQUENCE OF THE GRANTING OF THIS PERMIT, OR FROM THE USE OR OCCUPANCY OF ANY SIDEWALK, STREET OR SUB-SIDEWALK, OR OTHERWISE BY VIRTUE THEREOF, AND WILL IN ALL THINGS STRICTLY COMPLY WITH THE CONDITIONS UNDER WHICH THIS PERMIT IS GRANTED.

CONTRACTOR OR ARCHT. J. Miller } OWNER H.C. Morris
ADDRESS 1416 Jefferson } ADDRESS 1416 Jefferson
DESIGNER None } BY J. Miller
ADDRESS _____

ORDINANCE 188 I.S., SECTION 88: "WHEN A BUILDING IS READY FOR LATHING OR SHEATHING ON THE INSIDE, THE BUILDING INSPECTOR SHALL BE NOTIFIED. THE ROUGH STUDDING SHALL NOT BE COVERED OR IN ANY WAY CONCEALED FROM VIEW UNTIL INSPECTION HAS BEEN MADE AND THE WRITTEN APPROVAL OF THE BUILDING INSPECTOR OBTAINED."

THE DEPARTMENT WILL CALL UP TELEPHONE NO. 541-2100 IF ANY ALTERATIONS OR CHANGES ARE NECESSARY ON THE PLANS SUBMITTED.

STATE LICENSE NO. _____ CITY LICENSE NO. _____

PLOT PLAN

REPORT OF INVESTIGATOR

No. **B 8270**

R. O. K.

APPLICATION

Permit for *alter*

R. O. K.

At *584-14th St.*
(Block Number)

W. O. K.

Wentworth's through Owner
W. M. Smith Contractor
Cost \$ *200* Fee \$ *29*

L. O. K.

Issued **OCT 31 1945**

PLASTER O. K.

FINAL O. K. *4/21/46*

PLANS CHECKED

- Zoning
- Schack Line
- Fire Limits
- Area Limit
- Court Areas
- Height Limit
- Garage Area
- Ventilation
- Chimneys and Flues
- Type of Frame
- Exterior Walls
- Floor Construction
- Soil
- Foundation
- Reinforcing Walls
- Engineering

AFFIDAVIT

I hereby make affidavit that the information contained in this application and on the plans and specifications is true and contains a correct description of the proposed work. All said work is to be done in accordance with the State Housing Act. I am authorized to act as agent for the owner.

Subscribed and sworn to before me this _____ day of _____ 194_____

Deputy City Clerk

APPROVED: _____ Plan Checker

Permission is hereby granted to erect, alter or repair the building described in this application in accordance with the Building Ordinances of the City of Oakland, and to the satisfaction of the Building Inspector.

Approved **E. U. ROUSSELL**
Chief Building Inspector

By *[Signature]*
THIS PERMIT DOES NOT COVER ANY ELECTRICAL OR PLUMBING WORK.

WRITE IN INK—FILE TWO COPIES

APPLICATION FOR A BUILDING PERMIT

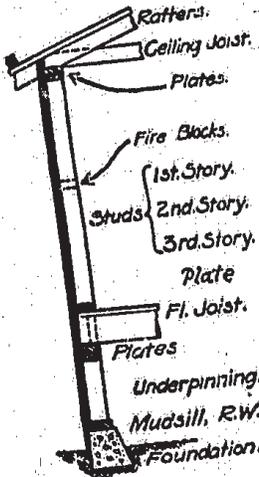
APPLICATION IS HEREBY MADE TO THE BUILDING DEPARTMENT OF THE CITY OF OAKLAND FOR PERMISSION TO DO THE FOLLOWING WORK AT _____ Street Ave.

Number 7 E. Cor. Jefferson and 14th Streets

WRITE PLAINLY FULL DESCRIPTION OF WORK TO BE DONE
All new construction must be described as to size, span and spacing

Remove partition in lobby, between Gent's side and Parlor (now bearing partitions)

Roof Covering



\$200.00

Entire cost of work
(This must include everything for complete construction of work)

Building now used as Hotel By Hotel Sutter

Building to be used as Hotel
I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit, or from the use or occupancy of any sidewalk, street or sub-sidewalk or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

Contractor W. M. Louie (if any) Owner Waters & Armand

Address 283 9th Oakland, Cal. Address Hotel Sutter

Architect Same By J. P. Reid

Address _____
Ordinance 1485 N.S., Section 86: "When a building is ready for lathing or sheathing on the inside, the Building Inspector shall be notified. The rough STUDDING SHALL NOT BE COVERED or in any way concealed from view until inspection has been made and the written approval of the Building Inspector obtained."

The department will call up Telephone No. TE-1657 if any alterations or changes are necessary on the plans submitted.

STATE LICENSE No. 2239 CITY LICENSE No. 1223f

Form C10

FLOT PLAN

REPORT OF INVESTIGATOR

PLANS CHECKED

AFFIDAVIT

I hereby make affidavit that the information contained in this application and on the plans and specifications is true and contains a correct description of the proposed work. All said work is to be done in accordance with the State Housing Act. I am authorized to act as agent for the owner.

Subscribed and sworn to before me this _____ day of _____ 194____
 Deputy City Clerk

- Zoning
- Setback Line
- Fire Limits
- Area Limit
- Court Areas
- Height Limit
- Garage Area
- Ventilation
- Chimneys and Flues
- Type of Frame
- Exterior Walls
- Floor Construction
- Soil
- Foundation
- Retaining Walls
- Engineering

APPROVED: _____
 Plan Checker

No. **B 8439**

APPLICATION

Permit for Alter

At 584-14th St
(House/Number)

W. Hooper Owner
W. J. Fairlee Contractor
 Cost \$ 1000 Fee \$ 40

Issued **NOV 13 1945**

Copy Tear and etc 11/13/45 GCS
R. O. K.

R. O. K.

W. O. K.

L. O. K.

PLASTER O. K.

FINAL O. K. 11/13/45 GCS

Permission is hereby granted to erect, alter or repair the building described in this application in accordance with the Building Ordinances of the City of Oakland, and to the satisfaction of the Building Inspector.

Approved E. U. ROUSSELL
 Chief Building Inspector

By WMO
THIS PERMIT DOES NOT COVER ANY ELECTRICAL OR PLUMBING WORK.

WRITE IN INK—FILE TWO COPIES

APPLICATION FOR A BUILDING PERMIT

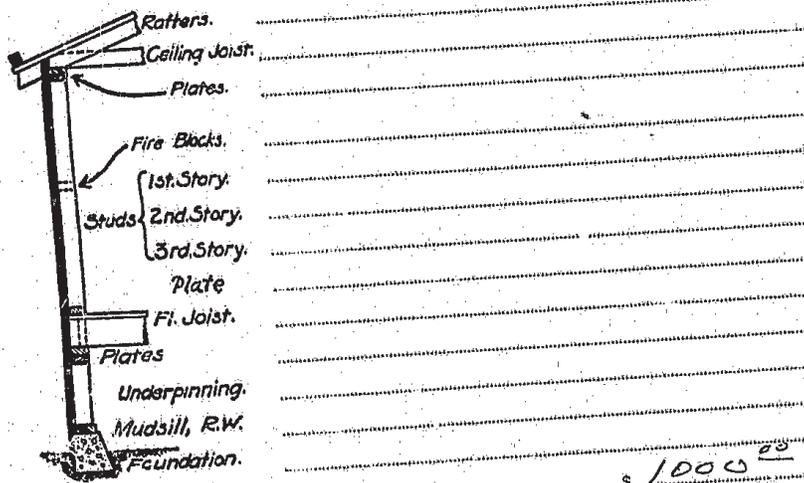
APPLICATION IS HEREBY MADE TO THE BUILDING DEPARTMENT OF THE CITY OF OAKLAND FOR PERMISSION TO DO THE FOLLOWING WORK AT

Number Hotel suites 14th Jefferson Street Ave

WRITE PLAINLY FULL DESCRIPTION OF WORK TO BE DONE
All new construction must be described as to size, span and spacing

install steel for masonry

Roof Covering.



\$ 1000.00

Entire cost of work
(This must include everything for complete construction of work)

Building now used as Hotel By Hotel

Building to be used as Hotel
I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit, or from the use or occupancy of any sidewalk, street or sub-sidewalk or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

Contractor W.C. Tait Co. (if any) Owner W. Wooten

Address 461 Market St. Address 14th Jefferson St.

Architect Charles S. ... By W.C. Tait Co.

Address ...
Ordinance 1485 N.S., Section 86: "When a building is ready for lathing or sheathing on the inside, the Building Inspector shall be notified. The rough STUDDING SHALL NOT BE COVERED or in any way concealed from view until inspection has been made and the written approval of the Building Inspector obtained."
The department will call up Telephone No. suites 1522 if any alterations or changes are necessary on the plans submitted.

Form C10 STATE LICENSE No. 74151 CITY LICENSE No. 5-31-41

PLOT PLAN

REPORT OF INVESTIGATOR

No.

B 8914

78

Permit Recd 11/15/45

F. O. K.

APPLICATION

Permit for Extension to Garage

R. O. K.

At 14th Jefferson St

W. O. K.

584-14th Street

B. Weston Owner

Wentzler Contractor

L. O. Y.

Cost \$ 800.00 Fee \$ 4.00

DEC 18 1945

Issued

78

PLASTER O. K.

PLANS CHECKED

- Zoning
- Setback Line
- Fire Limits
- Area Limit
- Court Areas
- Height Limit
- Garage Area
- Ventilation
- Chimneys and Flues
- Type of Frame
- Exterior Walls
- Floor Construction
- Soil
- Foundation
- Retaining Walls
- Engineering

AFFIDAVIT

I hereby make affidavit that the information contained in this application and on the plans and specifications is true and contains a correct description of the proposed work. All said work is to be done in accordance with the State Housing Act. I am authorized to act as agent for the owner.

Subscribed and sworn to before me this _____ day of _____ 194_____

Deputy City Clerk

APPROVED: _____ Plan Checker



Permit is hereby granted to erect, alter or repair the building described in this application in accordance with the Building Ordinances of the City of Oakland, and to the satisfaction of the Building Inspector.

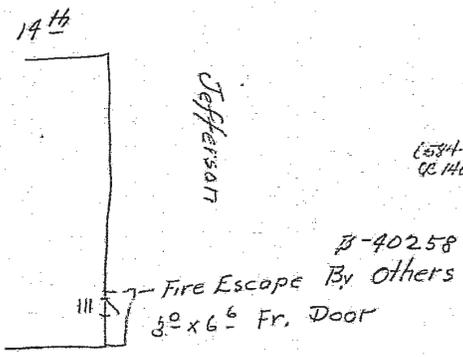
Approved E. U. ROUSSELL Chief Building Inspector

By: [Signature] THIS PERMIT DOES NOT COVER ANY ELECTRICAL OR PLUMBING WORK

FINAL O. K. 5/16/46

508 32

PLOT PLAN



Remove Window and
add doors & Steps
6 Floors.

B 40258

(584-88 Ad. Lt)
96 H.C.C. 16 Jefferson St.

Inspected No. B40466

APPLICATION FOR A PERMIT TO
ALTER, REPAIR, ADD TO OR
WRECK A BUILDING

Case No. _____
Via. Co. _____

Owner B. Woodin

Contractor L.V. Cantrell

Job Location No. 584 14th St.

14th & Jefferson

Cost \$ 1220.00 Fee \$ 12.-

Cost of work to be checked before final inspection

JAN 23 1952

Date Jan. 21, 1952

Permission is hereby granted to alter, repair, add to or wreck the building or structure described in this application in accordance with Ordinance No. 2749 C.M.S., and all other Ordinances related thereto in the City of Oakland, and to the satisfaction of the Building Inspector.

Approved M. P. KITCHEL
Building Inspector.

By NON

R.O.K.

info 2-1-52 PKY

R.O.K.

W.O.K.

L.O.K.

PLASTER O.K.

FINAL O.K. 2-1-52 PKY

*WARNING: This proposed construction may be in violation of National Production Authority Orders, or other Federal restrictions or prohibitions. You are cautioned to consult with appropriate Federal authorities before commencing the work authorized by this permit.

Above Warning Noted: _____

Permittee

Case No.
Plan. Com.

City Manager's
Permit

WRITE IN INK — FILE TWO COPIES

Application to Alter, Repair, Add to Or Wreck a Building
CITY OF OAKLAND, BUILDING DEPARTMENT

Number 589 14th Avenue
Street

- 1. Type of Building I, II, III, IV, V
- 2. Type of Occupancy A, B, C, D, E, F, G, H, I, J
- 3. City Zone A, B, C, D, E, F, G, H, I
- 4. Fire Zone 1, 2, 3, 4
- 5. If in Port Area, file three applications.
- 6. Present use of building Hotel Sutter Families..... Rooms.....
(Store, Dwelling, Apartment House, Hotel or other purposes)
- 7. Proposed use of Building..... Families..... Rooms.....
(Store, Dwelling, Apartment House, Hotel or other purposes)
- 8. State how many buildings now on lot and give use of each.....
(Store, Dwelling, Apartment House, Hotel or other purposes)
- 9. Size of existing Building.....x.....Number of stories high.....

For Office Use Only

10. Describe briefly all proposed construction work:
Remove window and install door and steps on six floors - one hand rail required. Hall wall be 3' in width - 3 steps - 8" max riser, 9" max tread
OK. J. J. 1/21/52

Footings: Width.....Depth in Ground.....Width of Wall.....Mudsill.....
11. Size of Studs.....@.....Size of Floor Joists.....@.....
Size of Rafters.....@.....Roof Covering.....

12. VALUATION OF PROPOSED WORK:
Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, fire sprinkler, electric wiring and elevator equipment therein or thereon, \$.....
COST OF WORK TO BE CHECKED BEFORE FINAL INSPECTION

I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, em- ployees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit or from the use or occupancy of any sidewalk, street or sub-sidewalk, or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

Contractor (if any) L. V. Cantrell I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all City ordinances and State laws regulating building construction.
Address 1833 El Dorado Ave. Berk Signature of
Certified Architect..... State License No..... Owner R. Woodin
Licensed Engineer..... State License No..... Address Hotel Sutter
Authorized Agent 14th & Jeff

Do not lath, sheath, or otherwise conceal any portion of walls or ceiling until the inspection card has been signed by the ELECTRICAL and PLUMBING INSPECTORS. Following the approval of the ELECTRICAL and PLUMBING INSPECTORS, call the BUILDING INSPECTOR before proceeding further with the work.

The Department will call up Telephone No. 296-2323 if any alterations or changes are necessary on the plans submitted. 5726

CONTRACTOR'S STATE LICENSE No. 103251 AND CITY LICENSE No. 11768

If the work herein described is not commenced within sixty (60) days after the issuing of this permit, this permit becomes null and void as provided in Section 19 of Part 1 of Ordinance 2745 C.M.S.

Form NS-163

take approved
to
Housing

FOR OFFICE USE ONLY

HOUSING DIVISION *William F. Almon*

FIRE MARSHAL APPROVAL *W. F. Almon*

CITY MANAGER PERMIT NO. _____

MOVING PERMIT NO. _____

POINT OF OAKLAND APPROVAL _____

PLUMBING PERMIT NO. _____

HEALTH DEPT. APPROVAL _____

8 OF E & A ITEM NO. _____

H A & A RES. NO. _____

ZONING OR PLANNING NO. _____

BUILDING & HOUSING DEPARTMENT - CITY OF OAKLAND
WRITE IN INK - FILE ALL COPIES

DATE FILED _____

DATE ISSUED Jun 13 1969 Inspected _____

PERMIT NO. 028037

APPLICATION FOR PERMIT TO:

ALTER ADD TO _____
 REPAIR WRECK NEW CONSTR. OTHER

JOB LOCATION 584-14th St

OWNER'S NAME Mr. B. Wiest

OWNER'S ADDRESS Same As Above

OWNER'S PHONE NO. TE-1620

FIELD CHECK BY _____ DATE _____

Approved YES _____

REMARKS (conditions noted) _____

FOR OFFICE USE ONLY

584-14th St

VALUE: _____

\$ 250 Address Fee \$ _____

General Fee \$ 500

Checking Fee \$ _____

ADDITIONAL COST: _____

TOTAL FEES \$ 500

ADD'l Fee \$ _____

Check'g Fee \$ _____

TOTAL VALUE: _____

TOTAL FEES \$ _____

PLAN FILED Yes _____ No SURVEYS FILED Yes _____ No

MAP NO. 78 TRACT NAME/NO. _____

TYPE OF BUILDING I II III IV V H.T. N

OCCUPANCY GROUP A. B. C. E. F. G I

ZONING DISTRICT R-2.3 C. M. S.

FIRE ZONE 2.3

ADDITION ALTERATION REPAIR

NEW CONSTRUCTION

Size of new building _____ x _____

Height to highest point _____

No. of Stories _____

Specific type of Occupancy _____

State how many buildings now on lot _____ and give use of each _____

Footing Width _____ Depth in Ground _____

Studs _____ cfr. Floor Joists _____ Width of Wall _____ Mudfill _____

Rafters _____ cfr. Roof Covering _____ cfr. Ceiling Joists _____ cfr. _____

Material of Exterior Walls _____

VALUATION OF PROPOSED WORK: \$ _____

Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, fire sprinkler, electric wiring and elevator equipment therein or thereon.

COST OF WORK TO BE CHECKED BEFORE FINAL INSPECTION.

Permission is hereby granted to do the work described in this application in accordance with the provisions of the Oakland Building Code and related ordinances.

Approved: LAWRENCE A. LANE
 Building Department
 By: *[Signature]*

TO BE SIGNED ONLY WHEN ISSUED TO OWNER.

I hereby certify that I am the applicant for a Building Permit, and that in the performance of the work for which such permit is issued, I will not employ any person or persons in any manner so as to become subject to the provisions of the Labor Code of the State of California relating to workmen's compensation insurance.

CONSTRUCTION LEADER (if none, write none)

Name None

Branch _____

Street Address _____

City _____ State _____ Zip _____

Signature of Owner _____

Present use of building Hotel Families _____ Rm. _____

Proposed use of building Hotel Families _____ Rm. _____

Size of existing building _____ Number of stories high _____

Describe briefly all proposed construction work: Install one Partition in Room 209 to gain Access to Fire Escape. Partition to be constructed with original 5x8 steel beam and metal studs.

Contractor: (if any) J. V. Walker Certified Architect

Address: 1928 42nd Ave. Oakland

Phone No. 861-6787

State License No. 129236 City License No. Dec. 1969 Licensed Civil Engineer

I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit or from the use or occupancy of any sidewalk, street or sub-sidewalk, or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

[Signature]
 Signature of Applicant

339-6 (10-66) DEPARTMENT COPY

FOR INSPECTIONS TELEPHONE 273-3441

PLOT PLAN

APPROVAL REQUIRED BY STREET AND ENGINEERING DEPARTMENT:
There are no PROPOSED STREET OPENINGS, PUBLIC EASEMENTS OF RECORD
or
in this Department which are in conflict with this application.
REMARKS:

By: _____
STREET AND ENGINEERING DEPARTMENT
Date: _____

FORMS OK

FIREPLACE OK
WIRE (EXT.) OK
LATH (INT.) OK

ROUGH OK 6-16-69 *ME*

GYPSUM OK
PLASTER

FINAL OK 6-26-69 *ME*

Representative _____ Reference Number _____

BUILDING AND HOUSING DEPARTMENT

1. Address #1 584-588 - 14th St. SW Date 3/8/74
Address #2 _____

2. Zone District C-51 Fire District #1 Sanborn Map Number 78

3. Block Book # _____ Page _____ Lot # _____ Lot Size _____
Tract and Block _____
Owner _____ Address _____
Distance 7 1/2 corner of 14th and Jefferson

4. W.P.A. Survey: Yr. Built _____ Type _____
Stories _____ Room _____ Families _____ Roomers _____ Bath _____ W.C. _____
Garages _____ Basement _____ Cellar _____ Attic _____ Accessory Bldg. _____

5. BOOK #1
Owner ADOLPH & MULLER Amount \$ 130,000
32590 Date 2/26/13 For 75, Steel frame hotel

BOOK #2
Owner M. Freideman Amount \$3,500
A66241 Date 9/11/37 For Alterations - interior & exterior
ceement floor in basement, electric wiring Finald - Cancel

Owner H. C. Morris Amount \$300.00
A66491 Date 3/3/37 For Alterations - remove partitions
cut two arches, alter store front Finald - Cancel

Owner B. Wooten Amount \$200.00
A98943 Date 5/19/43 For Repairs - To doors and windows
in nouthouse Finald - Cancel

B3072 H. J. Arnaud & B. Wooten 7/10/44 \$1,000
Alterations - Remove plate glass
windows and replace glass F

B6229 B. Wooten 6/9/45 \$4,000
Complete restaurant & bar F

B8270 Wooten & Arnaud 10/31/45 \$200.00
Alteration, remove partition F

B8439 W. Wooten 11/13/45 \$1,000
install steel for mezzanine F

B8914 B. Wooten 12/18/45 \$800.00
Owner B. Wooten Amount \$2,183
B40258 Date 1/2/52 For Fire escape balcony one
roof ladder Finald - Cancel

Owner B. Woodin Amount \$1,220
B40466 Date 1/21/52 For Remove windows and install
door and steps on six floors Finald - Cancel

Sign Permit Inc Martin Amount \$95.00
40885 Date 5/4/60 For Sign Permit

6. VARIANCES
Zoning # N2200 Date _____ For _____
Building # _____ Date _____ For _____
Housing # _____ Date _____ For _____

7. Survey: Yes No _____ Permit # _____ Plans in File: Yes _____ No PERMANENT FILE Permit No. _____

8. CERTIFICATE OF OCCUPANCY
Yes _____ No Date _____ For _____

9. CITY LICENSE
Yes No _____ Type Hotel Hubler Hotel (96rooms) Date 4/28/74
Issued to Wooten, B Address _____

10. ADDITIONAL INFORMATION 115y. Late still open 9-13-68

owner Mr. B. Wooten Unit #250
C 48537 Date 6-13-67 For alter
102 habitable room Finald
6-26-69

Representative H. Kent Managers Reference Number 4417

BUILDING AND HOUSING DEPARTMENT

1. Address #1 524 1/2 St. East Date 5/15/75
 Address #2 _____

2. Zone District C-51 Fire District 1 Sanborn Map Number 27

3. Block Book # _____ Page _____ Lot # _____ Lot Size _____
 Tract and Block _____
 Owner _____
 Distance _____ Address _____

4. W.P.A. Survey: Yr. Built _____
 Stories _____ Room _____ Families _____ Roomers _____ Type _____
 Garages _____ Basement _____ Cellar _____ Attic _____ Bath _____ W.C. _____
 Accessory Bldg. _____

5. BOOK #1 210-1-1-1 Hall
 Owner #32370 Date 3/16/74 Amount \$120.00
 For Alterations

BOOK #2
 Owner M. F. ...
 # 366711 Date 3-10-74 Amount 11.00 Finald - Cancel
 For Alterations

BOOK #2
 Owner H. P. ...
 # 416451 Date 3-3-77 Amount 14.00 Finald - Cancel
 For Alterations

Owner B. ...
 # 492913 Date 5-17-73 Amount 1.500 Finald - Cancel
 For Repairs

CARDS
 Owner H.T.H. ...
 # 83679 Date 7-11-70 Amount 1.000 Finald - Cancel
 For Alterations

CARDS
 Owner L. ...
 # 80254 Date 2-7-71 Amount 14.00 Finald - Cancel
 For Alterations

Owner H. ...
 # 88270 Date 10-31-75 Amount 4.300 Finald - Cancel
 For Alterations

Owner L. ...
 # 82439 Date 11-13-75 Amount 11.000 Finald - Cancel
 For Alterations

6. VARIANCES
 Zoning # 51 Date _____ For _____
 Building # _____ Date _____ For _____
 Housing # _____ Date _____ For _____

7. Survey: Yes _____ No X Permit # _____ Plans in File: Yes X No _____ Permit No. _____

8. CERTIFICATE OF OCCUPANCY
 Yes _____ No X Date _____ # _____ For _____

9. CITY LICENSE
 Yes X No _____ Type Hotel
 Issued to _____ Address _____ Date _____

10. ADDITIONAL INFORMATION
dated 9-12-72
46305 - ...

807-A (1/75)

m. Cater

Representative Rent of Fraks 3124 Reference Number 41005
BUILDING AND HOUSING DEPARTMENT

1. Address #1 534-14th Street Date 10-17-75
Address #2 _____

2. Zone District C-51 Fire District 1 Sanborn Map Number _____
Tract and Block _____ Page _____ Lot # _____ Lot Size _____

3. Block Book # _____ Owner _____
Distance _____ Address _____

4. W.P.A. Survey: Yr. Built _____
Stories _____ Room _____ Families _____ Roomers _____ Type _____
Garages _____ Basement _____ Cellar _____ Attic _____ Bath _____ W.C. _____
Accessory Bldg. _____

5. BOOK #1 Morris & Muller Amount \$139,000
Owner _____ Date 2-26-73 For 7th steel frame Hotel
32598 _____

BOOK #2 M. Friedman Amount \$5500
Owner _____ Date 2-10-37 For Alterations
A66241 _____ Finaled - Cancel

BOOK #3 H. C. Morris Amount \$300
Owner _____ Date 3-3-37 For Alteration
A66491 _____ Finaled - Cancel
5-22-37

BOOK #4 B. Wooten Amount \$200
Owner _____ Date 5-19-43 For Repairs
A98943 _____ Finaled - Cancel
4-13-37

CARDS H. J. Demand & B. Wooten Amount \$1000
Owner _____ Date 2-10-44 For Alterations
B3072 _____ Finaled - Cancel
12-7-43

CARDS B. Wooten Amount \$4000
Owner _____ Date 6-7-45 For Alteration
B3229 _____ Finaled - Cancel
4-17-46

CARDS B. Wooten & Demand Amount \$200
Owner _____ Date 10-31-45 For Alteration
B2076 _____ Finaled - Cancel
4-13-46

CARDS B. Wooten Amount \$1000
Owner _____ Date 11-13-45 For Alteration
B2134 _____ Finaled - Cancel
4-25-46

6. VARIANCES
Zoning # None Date _____ For _____
Building # _____ Date _____ For _____
Housing # 1 Date _____ For _____

7. Survey: Yes _____ No Permit # _____
Plants in File: Yes No Permit No. 33590

8. CERTIFICATE OF OCCUPANCY
Yes _____ No Date _____ # _____ For _____

9. CITY LICENSE
Yes No _____ Type Hotel
Issued to M. Muller Address _____ Date 4-27-76

10. ADDITIONAL INFORMATION outstanding housing letter dated
9-29-75 Sign Permit # 40385

FOR OFFICE USE ONLY

HOUSING DIVISION _____
 FIRE MARSHAL APPROVAL _____
 SPECIAL ACTIVITY PERMIT NO. _____
 MOVING PERMIT NO. _____
 PORT OF OAKLAND APPROVAL _____
 PLUMBING PERMIT NO. _____
 HEALTH DEPT. APPROVAL _____
 B O F E & A ITEM NO. _____
 H A R A B RES. NO. _____
 ZONING OR PLANNING NO. _____

BUILDING & HOUSING DEPARTMENT - CITY OF OAKLAND
 WRITE IN INK - FILE ALL COPIES

DATE FILED FEB -3 1976 PERMIT NO. (87821)
 DATE ISSUED _____ APPLICATION FOR PERMIT TO:
 ALTER ADD TO NEW CONSTR.
 REPAIR WRECK OTHER _____
 JOB LOCATION 584 14th St.
 OWNER'S NAME Bill BASINET
 OWNER'S ADDRESS 610 Bldg.
 OWNER'S PHONE NO. 832-1628
 FIELD CHECK BY _____ DATE _____
 Approved YES _____
 REMARKS (conditions noted) _____

584-88 14th St (Roof)
 Receipt No.

VALUE: B. R. Tax \$ _____
 SMIP \$ 20
 Address Fee \$ _____
 General Fee \$ 24
 Checking Fee \$ 14.40
 TOTAL FEES \$ 38.40
 ADDITIONAL COST: Add'l Fee \$ _____
 Add'l \$ _____
 Add'l \$ _____
 Add'l SMIP \$ _____
 TOTAL VALUE: TOTAL FEES \$ _____
 PLAN FILED Yes _____ No _____ SURVEYS FILED Yes _____ No _____
 MAP NO. 78 TRACT NAME/NO. _____
 TYPE OF BUILDING (1) II III IV V HT. 1 br. N
 OCCUPANCY GROUP A B C D E (F) (H) I J
 ZONING DISTRICT R C M S
 FIRE ZONE (2) 3

NEW CONSTRUCTION

Size of new building _____ Number of Families _____
 Height to highest point _____ Size of Lot _____
 No. of Stories _____ Material of Exterior Walls _____
 Specific type of Occupancy _____
 State how many buildings now on lot _____
 and give use of each _____
 Footing Width _____ Depth to Ground _____ Width of Wall _____ Mudfill _____
 Studs _____ ctrs. Floor Joists _____ ctrs. Ceiling Joists _____ ctrs.
 Rafters _____ ctrs. Roof Covering _____

VALUATION OF PROPOSED WORK: \$ 2600.00
 Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, fire sprinkler, electric wiring and elevator equipment therein or thereon.

COST OF WORK TO BE CHECKED BEFORE FINAL INSPECTION.
 Permission is hereby granted to do the work described in this application in accordance with the provisions of the Oakland Building Code and related ordinances.

Approved: DANIEL W. FINEMANN
 Chief Building Inspector
 By: [Signature]

TO BE SIGNED ONLY WHEN ISSUED TO OWNER.
 I hereby certify that I am the applicant for a Building Permit, and that in the performance of the work for which such permit is issued, I will not employ any person or persons in any manner so as to become subject to the provisions of the Labor Code of the State of California relating to workmen compensation insurance.
 Signature of Owner _____
 City _____ State _____ Zip _____

CONSTRUCTION LENDER (If none, write none)
 Name _____
 Branch _____
 Street Address _____
 City _____ State _____ Zip _____

ADDITION ALTERATION REPAIR
 Present use of building HOTEL Families 103
 Proposed use of building HOTEL Families 103
 Size of existing building _____ Number of stories high 7
 Describe briefly all proposed construction work: REMOVE 8 WOODEN DOORS
 AND REPLACE WITH ALUMINUM 4" INSERT SLIDING
 REMOVE AND REPLACE 2-3'0" 6" EXT. DOORS AND
 REPLACE CLOSE OFF 1-3'17" AREA
 CLOSE OFF 1-4'17" AREA Pen's House
 Contractor: (if any) LAM'S CONSTRUCTION Certified Architect
 Address 1623 MACARTHUR BLVD. Licensed Civil Engineer
 Phone No. 562-8624
 State License No. 18188 City License Exp. Jan 31 1976
 I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any way accrue against the City in consequence of the granting of this permit or from its use or occupancy of any sidewalk, street or sub-tidewalk, or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.
 E.A. Jani
 Signature of Applicant

FOR INSPECTIONS TELEPHONE 233-3441

FORM 338-A (REV. 6-73) DEPARTMENT COPY

APPROVAL REQUIRED BY OFFICE OF PUBLIC WORKS:
There are no PROPOSED STREET OPENINGS, PUBLIC EASEMENTS OF RECORD

or
In this Office which are in conflict with this application.
REMARKS:

OFFICE OF PUBLIC WORKS

By _____ Date _____

PLOT PLAN

FORMS OK

FIREPLACE OK

WIRE (EXT.) OK 2-20-76 *CSW*

LATH (INT.) OK

ROUGH OK 2-6-76 *CSW*

GYPSUM SD. OK 2-20-76 *CSW*
PLASTER OK

2-25-76 *Job complete - means
to [unclear]*

2-9-76 *Willboard siding
in east pm CSW*

FINAL OK 3-10-76 *CSW*

Attachment D

2004-80475. 11:30 AM. 11-30-03. P. 10. USE WAS RESTRIC. AND THIS IS REPLACEMENT OF PLAN THIS FOR NEW TOWER. THUSON 1-3-06

Structure Found	Cons.	Ext.	Roof	Floor	Inf.	Size, etc.
STAIRS	11	1	1x5			2
STAIRS	11	1	1x5			1
STAIRS	11	1	1x5			1
BALCONY	11	1	1x5			6
STAIRS A.	11	1	1x5			5
LADDER	11	1	1x5			1
STAIRS B.	11	1	1x5			1
C-FLAT	11	1	1x5			N.V.

COMPUTATIONS

1st.	Penthouse 8th					
50x103 =	5150	34x10 =	340			
		43x12 =	516			
2nd Fl.		34x27 =	918			
50x103 =	5150	24x12 =	288			
	- 422		2062			
2nd to 7th	4727	Canopy				
		32x8 =	256			
50x103 =	5150					
	- 422					
	4727x5 =	23635				
Basmt.						
62x117 =	7254					

Remarks: PENTHOUSE OR 8TH FL. IS "D" CONSTRUCTION. THE PARTITIONS ARE SINGLE WALL PLYWOOD OR SH. BRK. & PA. Y.P.T. ORIGINALLY A TIA RM ACCORDING TO OWNER - NOW USED AS AN APT. & HAS 3 COMPL. BATHS. HOTEL RM. & BATH INFORMATION OBTAINED FROM OWNER. 96 RMS. TO TENT - 6 RMS OPEN FOR FIRE ESCAPE. 100% GOOD LOWERED FOR ECON. REASON - FLAS 3-8-55 - VAN BUSKIRK 10-5-55

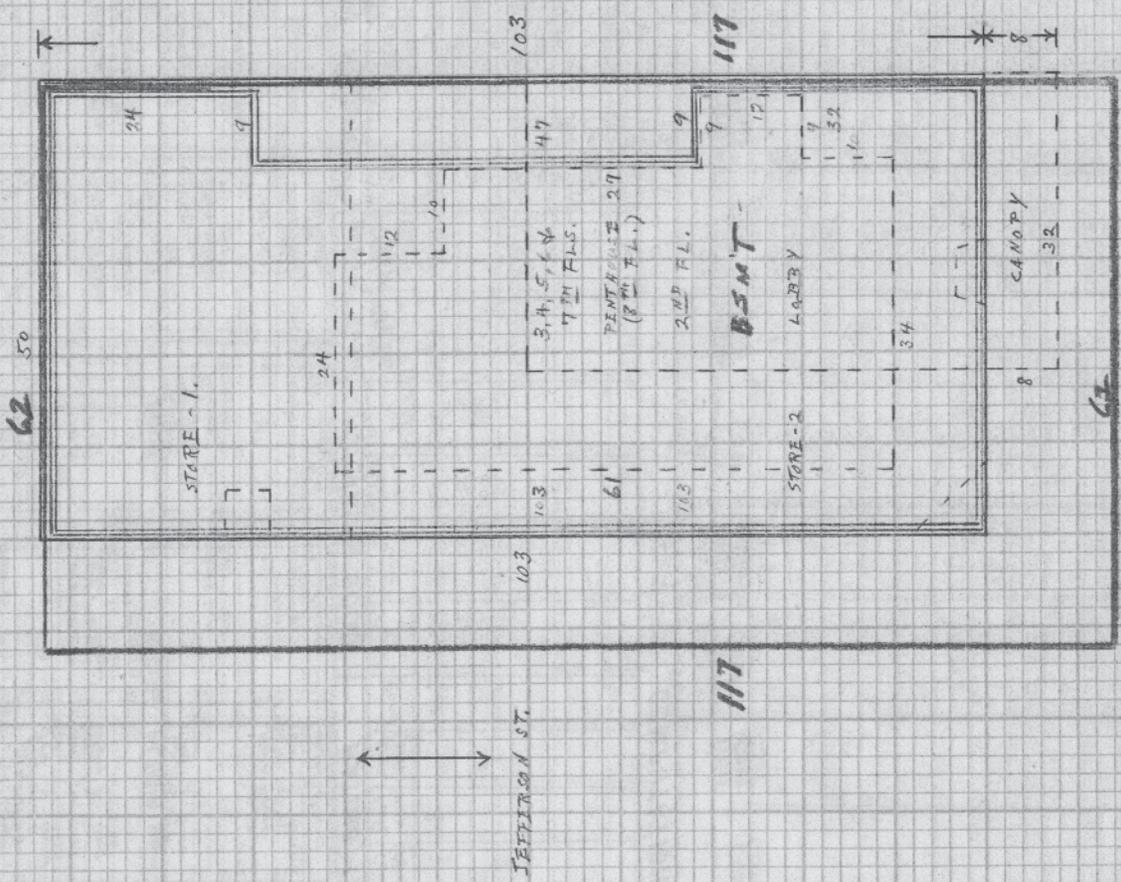
Physical condition (assessed) judged satisfactory overall. 44' of good concrete 8-5-59

APT. 1ST FL. (HGT. OK), AREA OK. A CONST. + 25% + 25% + 25%

APT. 2ND FL. HOTEL = "A" CONST. + 25% + 25% + 25%

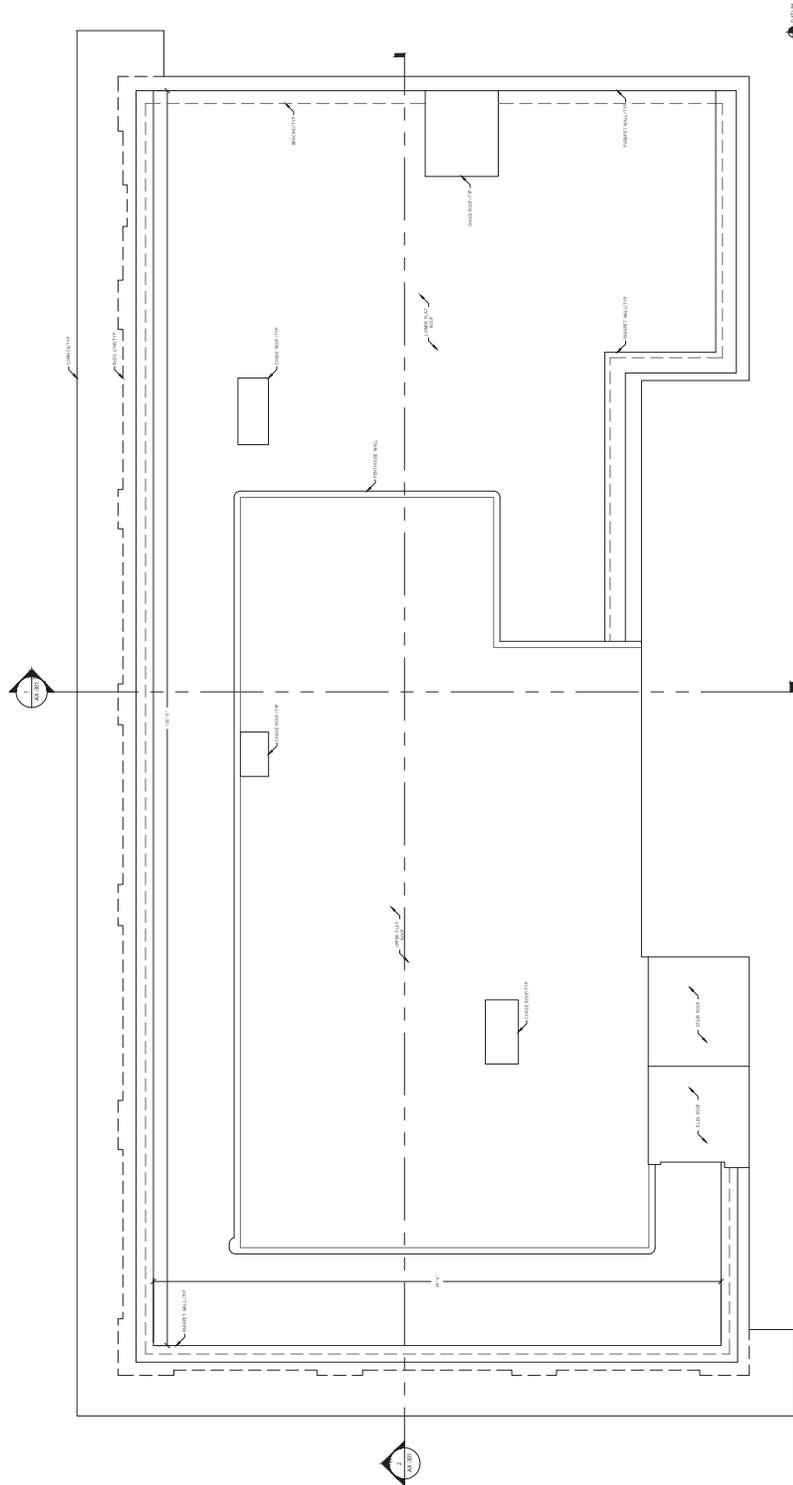
#B1587 Int. Act. OK. Cluzel 1-6-89

FIELD (10/18/89) OWNER WANTS TO REND. THE HOTEL. DID SOME REPAIRS. BATH & NO MAJOR WORK DONE BECAUSE DID NOT GET THE FUNDING. FROM THE LEADER. OK AS IS. FRANKED 11/3/01 will need to take out permit for work to be done D.L. 11/3/01



SCALE 1" = 20'
HOTEL 16.72
APT 130% 21.75

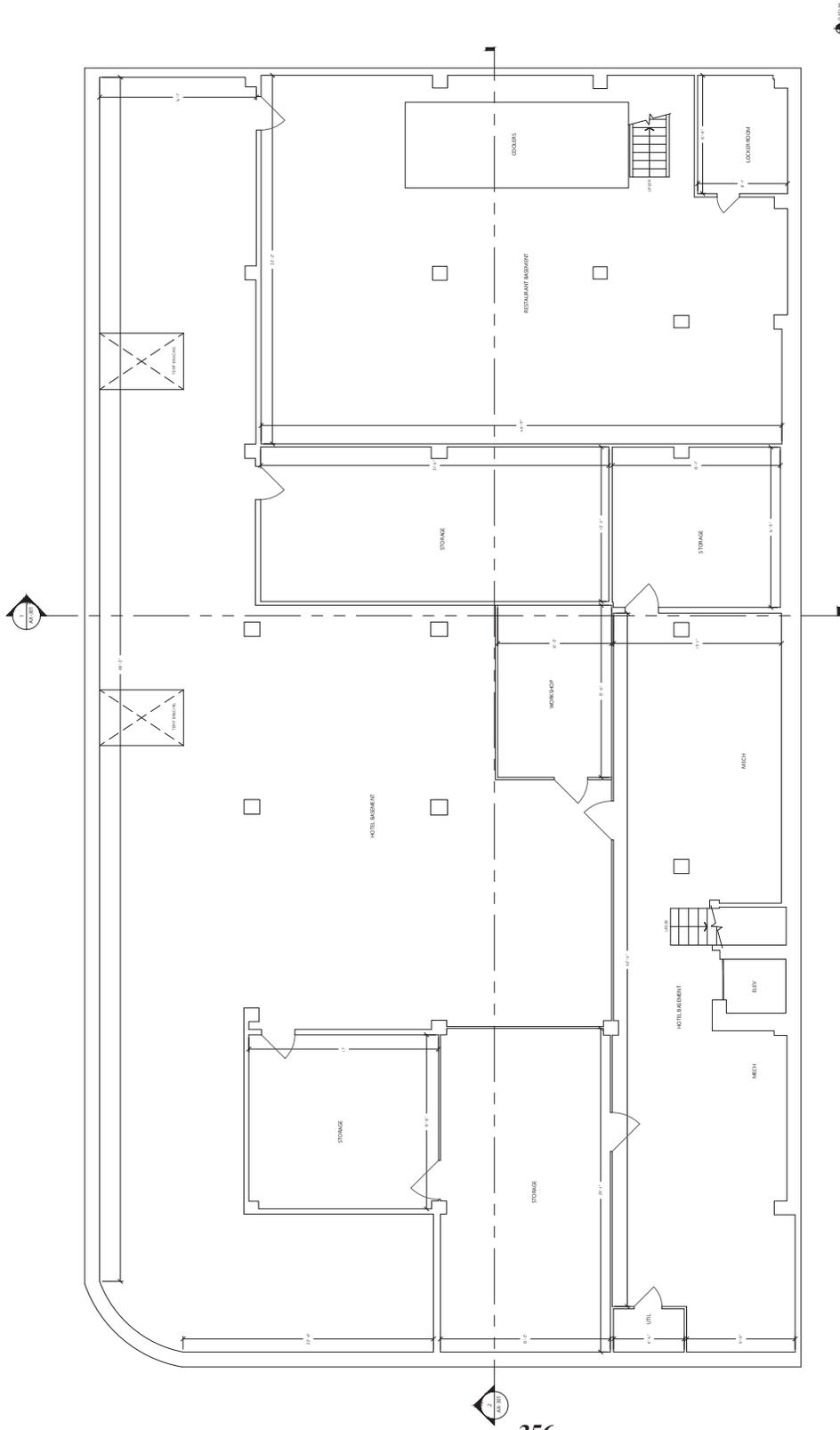
Attachment E



1 EXISTING ROOF PLAN
1/8\"/>

EXISTING AND DIMENSIONS FOR FLOOR, UNLESS NOTED OTHERWISE

<small>THIS DRAWING IS THE PROPERTY OF ASBUILT SERVICE, INC. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, REPRODUCED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ASBUILT SERVICE, INC. © 2012 ASBUILT SERVICE, INC.</small>	ASBUILT SERVICE <small>1000 14TH ST. SUITE 200 OAKLAND, CA 94612 510.434.1100 1.800.318.6098 ASBUILTSERVICE.COM</small>	584 14TH ST OAKLAND, CA
EXISTING ROOF PLAN		
AX-100 <small>1/8\"/> </small>		



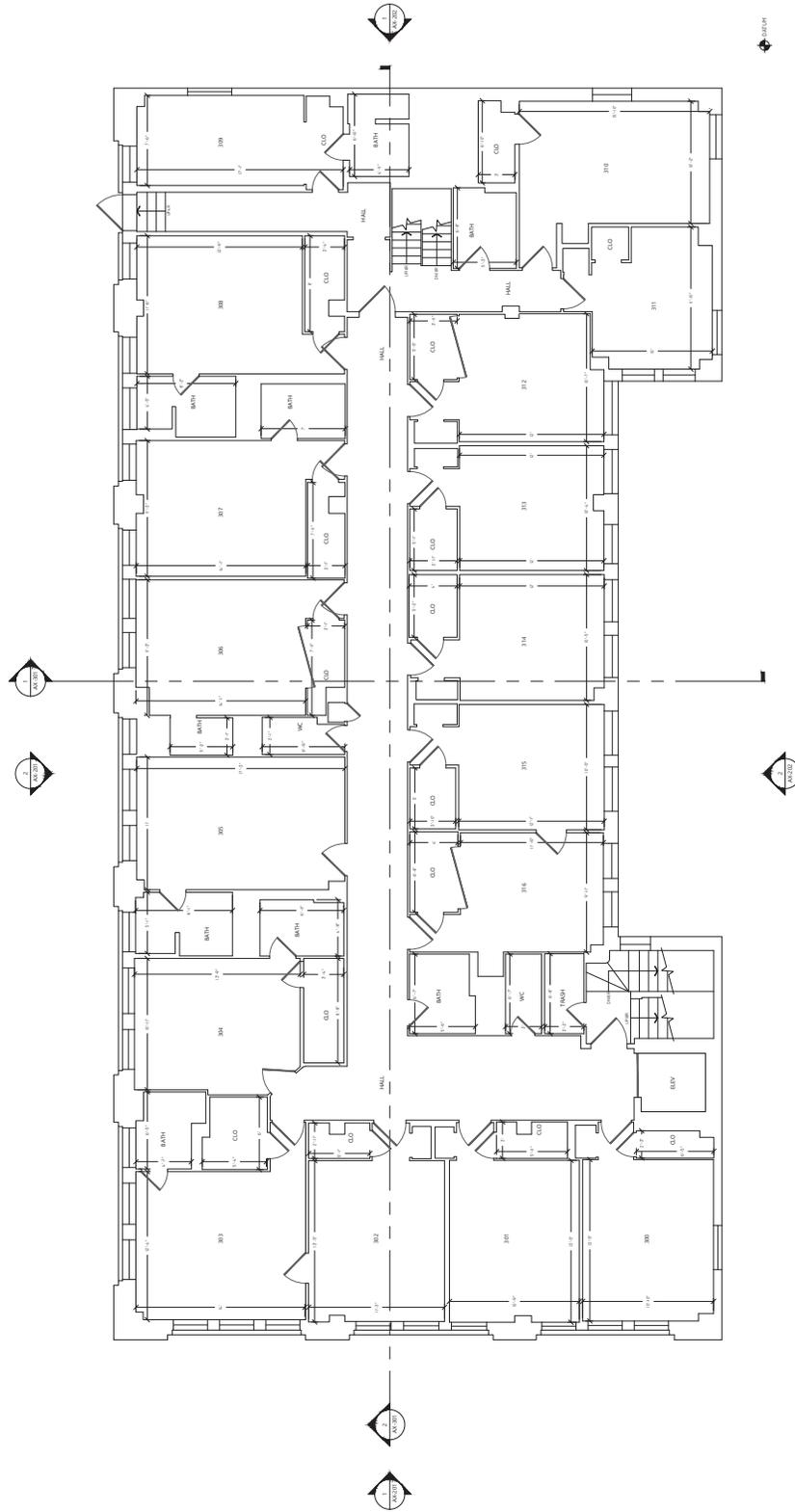
1 EXISTING BASEMENT LEVEL FLOOR PLAN
7.80 DFT OVER FINISHED AREA

UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS SHALL BE IN FEET AND INCHES. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.
 DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.
 DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.

584 14TH ST
 OAKLAND, CA
ASBUILT SERVICE
 1000 14TH ST, SUITE 1000
 OAKLAND, CA 94612
 415.778.8888
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EXISTING FLOOR PLAN
 1000 14TH ST, SUITE 1000
 OAKLAND, CA 94612
 415.778.8888
 ASBUILTSERVICE.COM

AX-101
 1000 14TH ST, SUITE 1000
 OAKLAND, CA 94612
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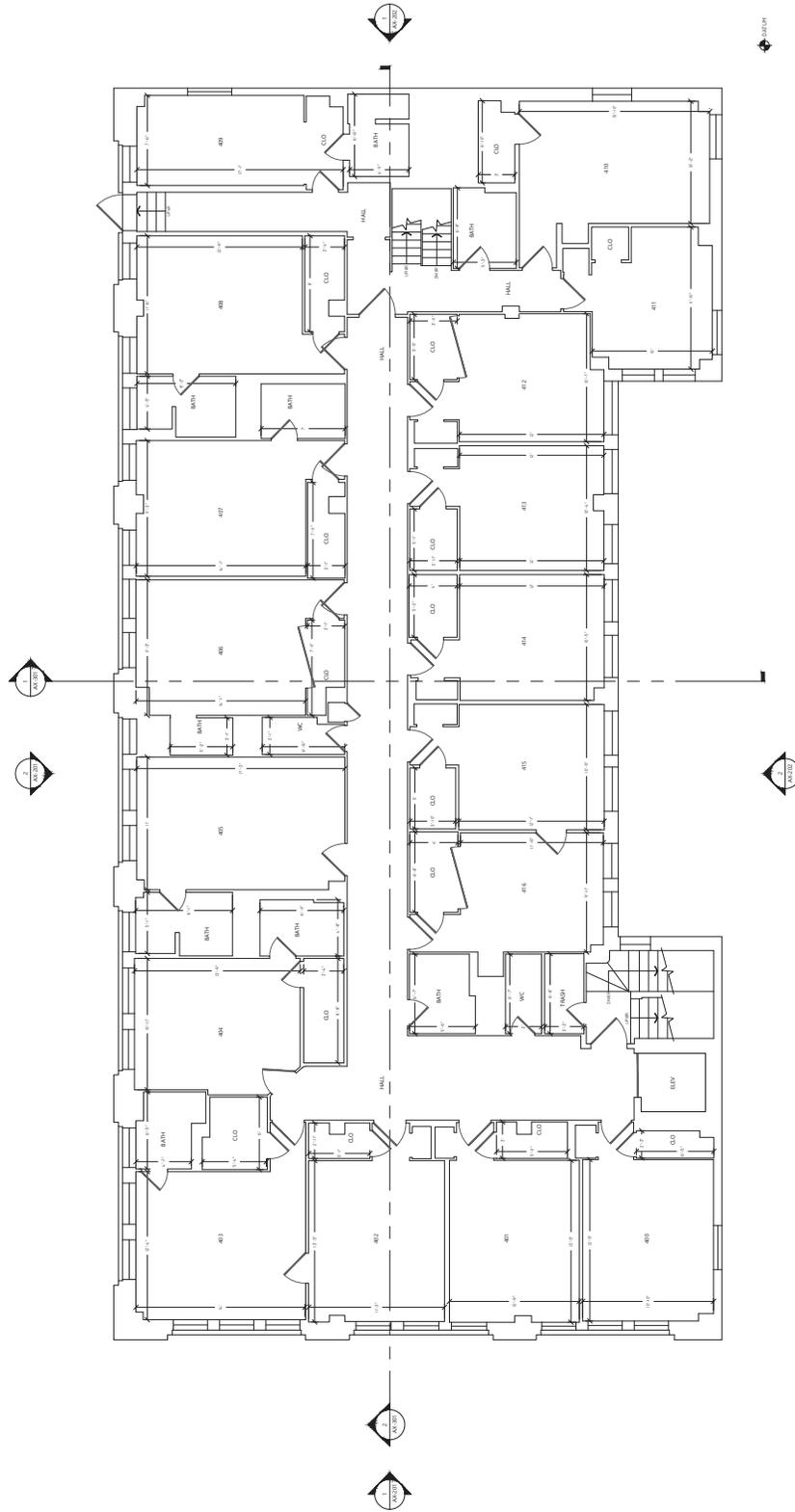
1. EXISTING THIRD LEVEL FLOOR PLAN
 400 SBT GRID MARKING

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 6. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 7. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 8. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 9. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 10. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.

584 14TH ST
 OAKLAND, CA
ASBUILT SERVICE
 1001 14TH ST, SUITE 200
 OAKLAND, CA 94612
 415.778.4000
 WWW.ASBUILTSERVICE.COM

EXISTING FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 DATE: 08/14/2018
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

AX-105
 08/14/2018



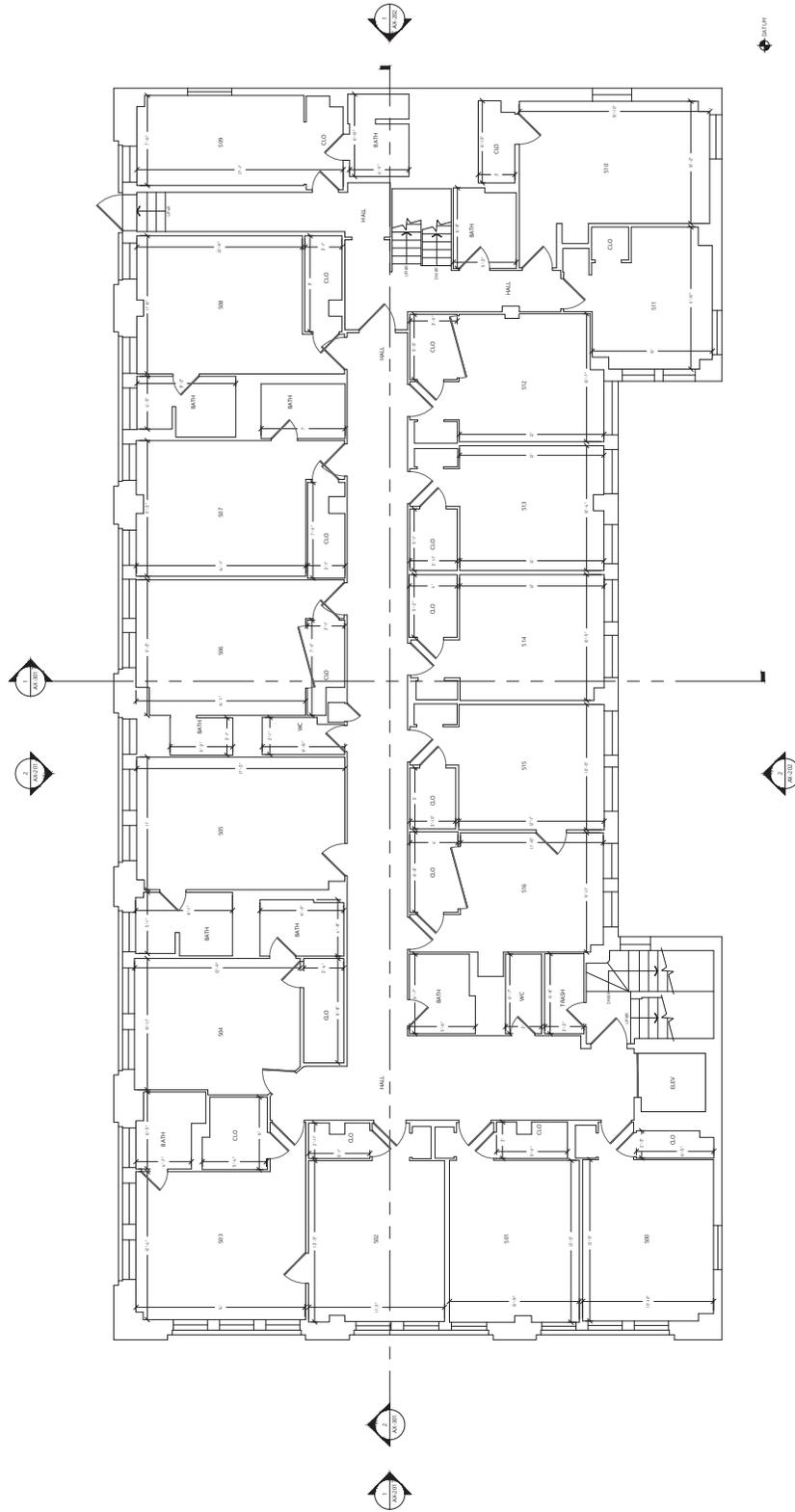
1 EXISTING FOURTH LEVEL FLOOR PLAN
488 0217 0000 0000 0000 0000

ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED.
 UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS SHALL BE IN FEET AND INCHES (FRACTIONS SHALL BE IN 16THS OF AN INCH).
 DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.
 DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE SPECIFIED.

584 14TH ST
 OAKLAND, CA
ASBUILT SERVICE
 1000 14TH ST, SUITE 1000
 OAKLAND, CA 94612
 415.763.1000
 WWW.ASBUILTSERVICE.COM

EXISTING FLOOR PLAN
 1000 14TH ST, SUITE 1000
 OAKLAND, CA 94612
 415.763.1000
 WWW.ASBUILTSERVICE.COM

AX-106
 1000 14TH ST, SUITE 1000
 OAKLAND, CA 94612
 415.763.1000
 WWW.ASBUILTSERVICE.COM



1 EXISTING FIFTH LEVEL FLOOR PLAN
400-507 FLOOR PLANNING AREA

ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED.
 UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS SHALL BE IN FEET AND INCHES.
 DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.
 DIMENSIONS SHALL BE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.

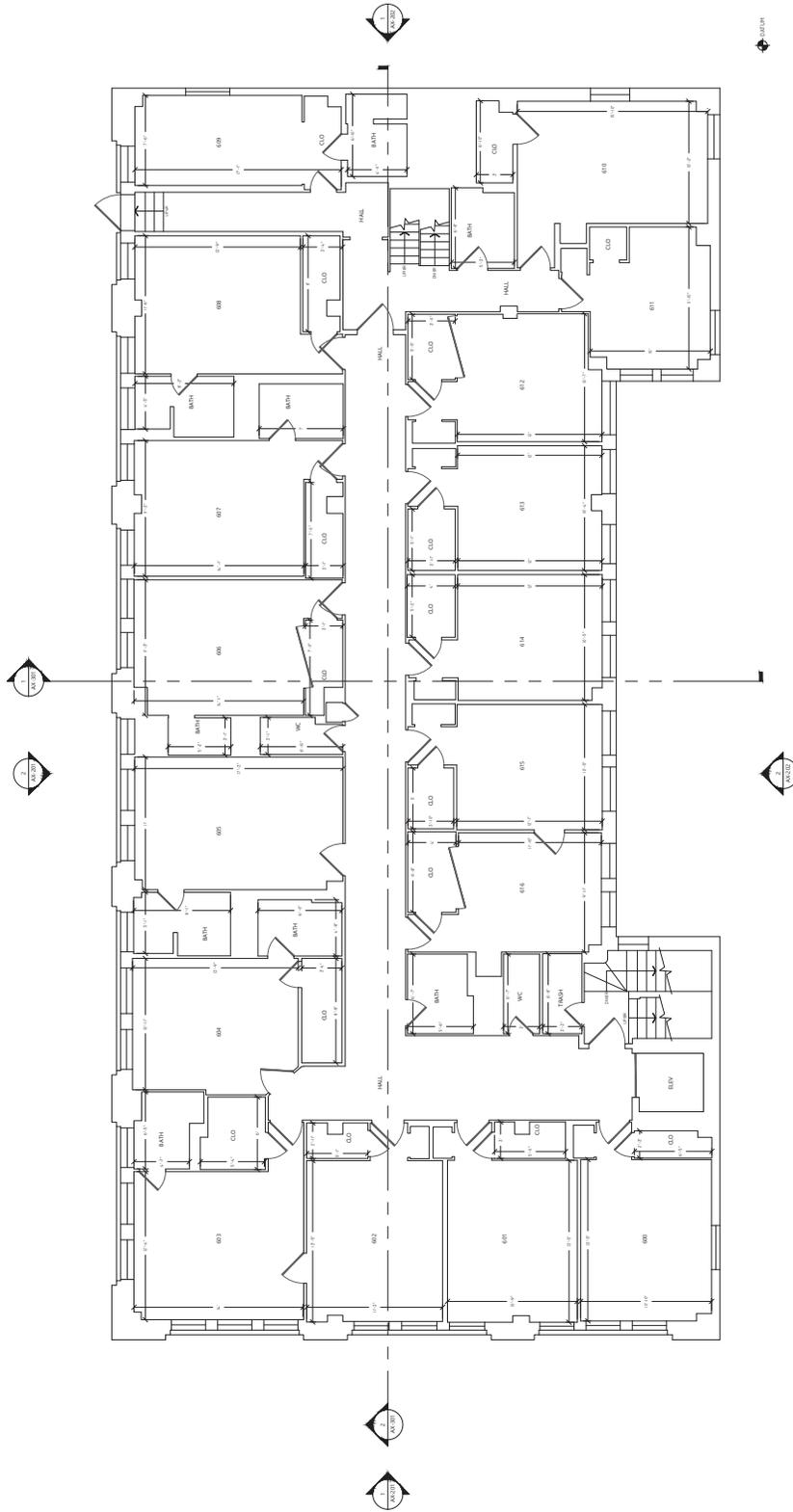
584 14TH ST
 OAKLAND, CA



100% COMPLETE
 1-800-318-6091
 ASBUILTSERVICE.COM

EXISTING FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

AX-107



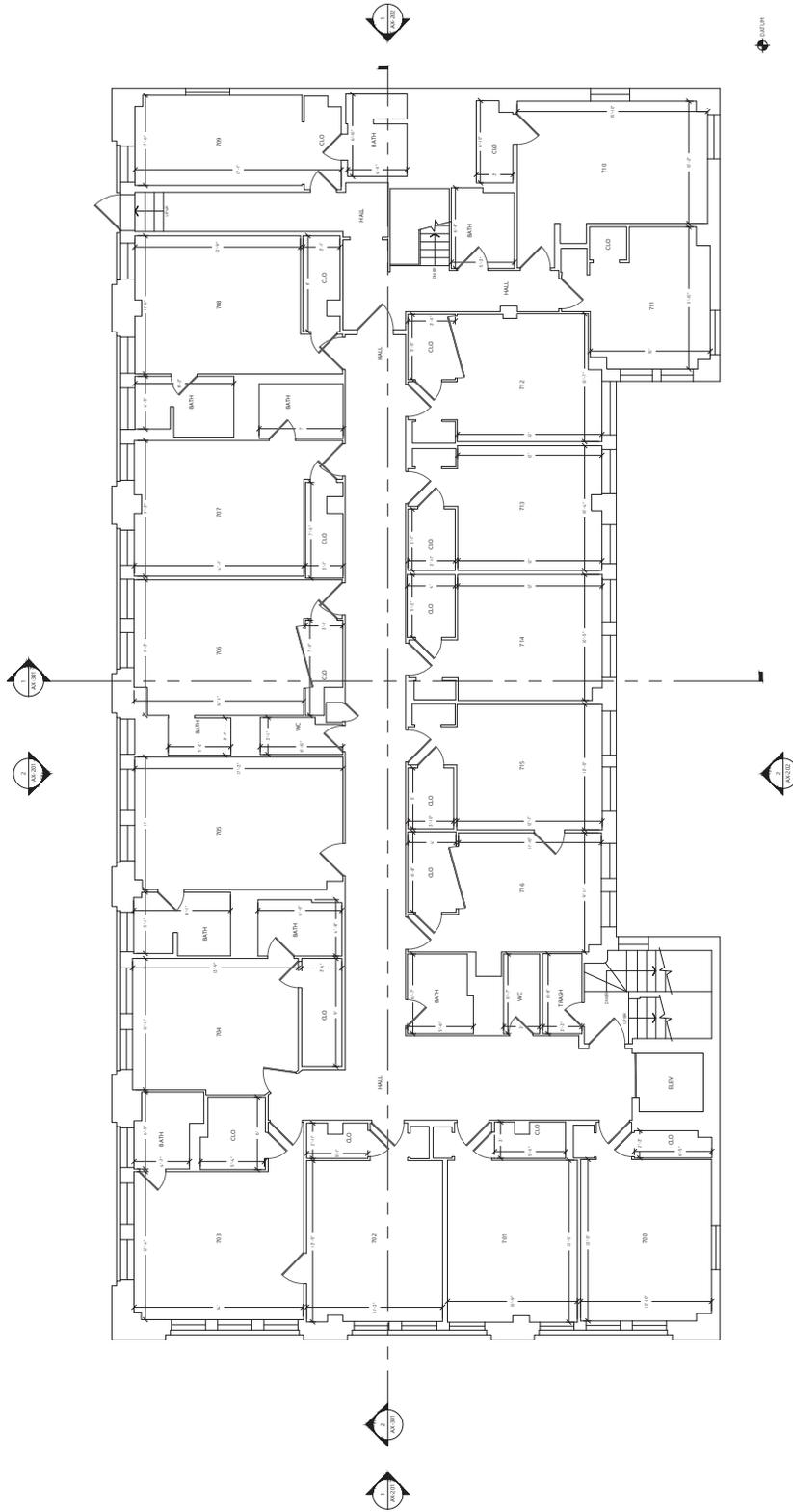
1 EXISTING SIXTH LEVEL FLOOR PLAN
 4893 SBT CROSS HATCHED AREA

ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED.
 UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS SHALL BE IN FEET AND INCHES.
 DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.
 DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE SPECIFIED.

584 14TH ST
 OAKLAND, CA
ASBUILT SERVICE
 1000 14TH ST, SUITE 1000
 OAKLAND, CA 94612
 1-800-318-6091
 ASBUILTSERVICE.COM

EXISTING FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 DRAWN BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 DATE: 10/15/10

AX-108
 10/15/10



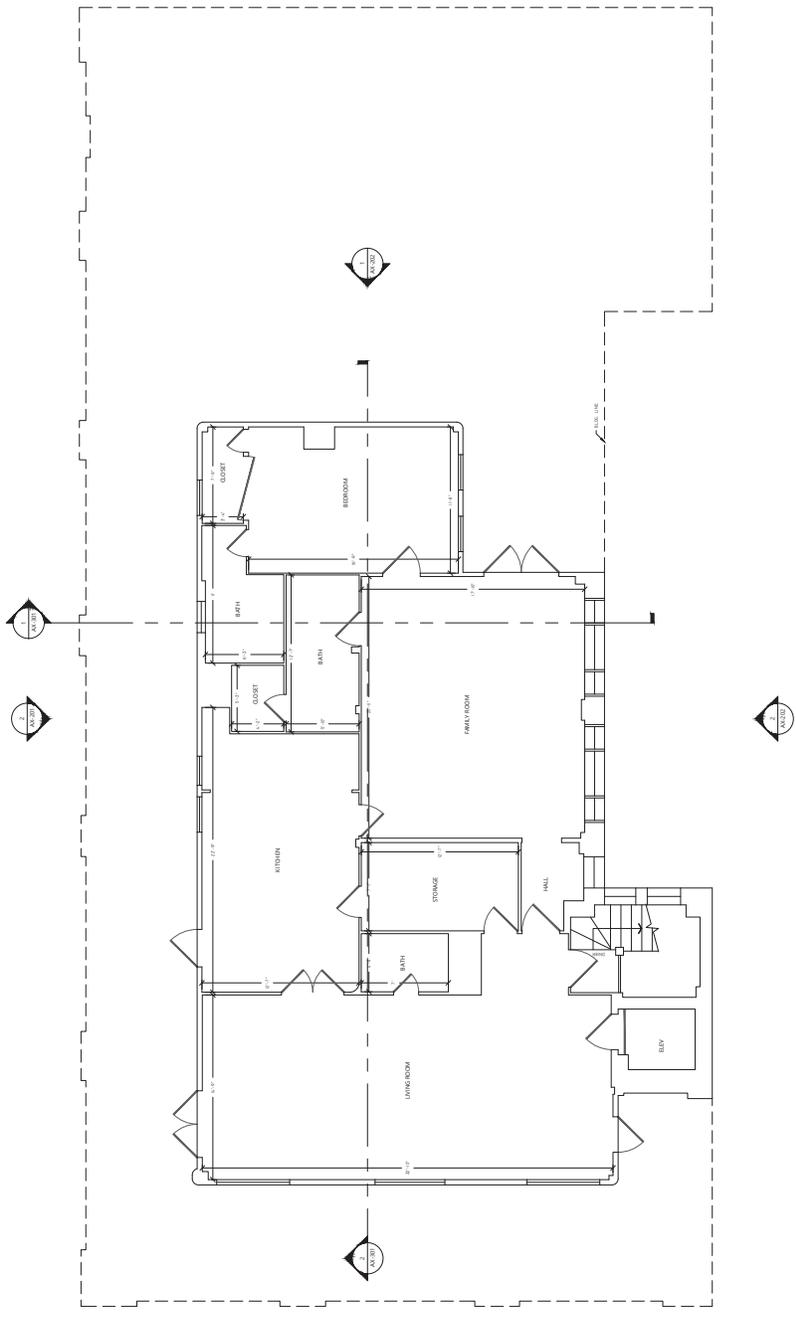
1 EXISTING SEVENTH LEVEL FLOOR PLAN
488 WEST GARDEN PARKWAY AREA

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

584 14TH ST
 OAKLAND, CA
ASBUILT SERVICE
 1000 14TH ST, SUITE 1000
 OAKLAND, CA 94612
 415.778.4000
 WWW.ASBUILTSERVICE.COM

EXISTING FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 DATE: 08/14/2018
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

AX-109
 10/10/2018



1 EXISTING EIGHTH LEVEL FLOOR PLAN
 2.000.0017.0000.0000.0000

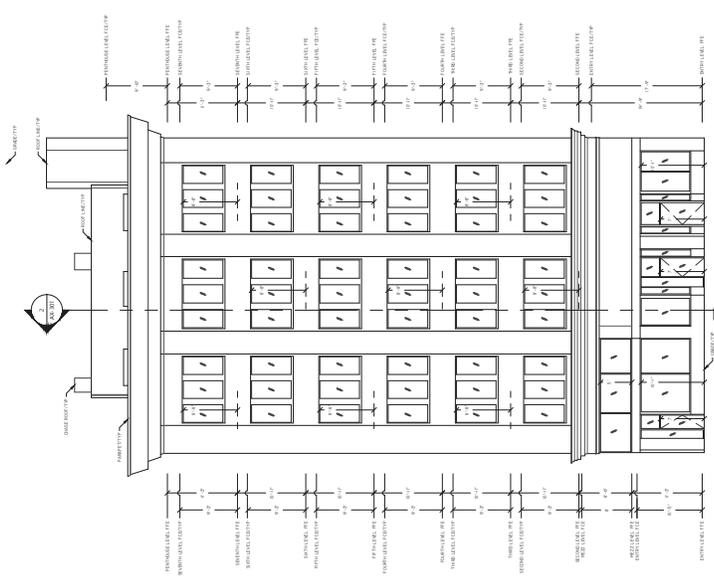
UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS IN PARENTHESES ARE IN METERS. DIMENSIONS IN METERS ARE APPROXIMATE. DIMENSIONS IN FEET AND INCHES ARE EXACT. DIMENSIONS IN METERS ARE APPROXIMATE. DIMENSIONS IN FEET AND INCHES ARE EXACT.

584 14TH ST
 OAKLAND, CA

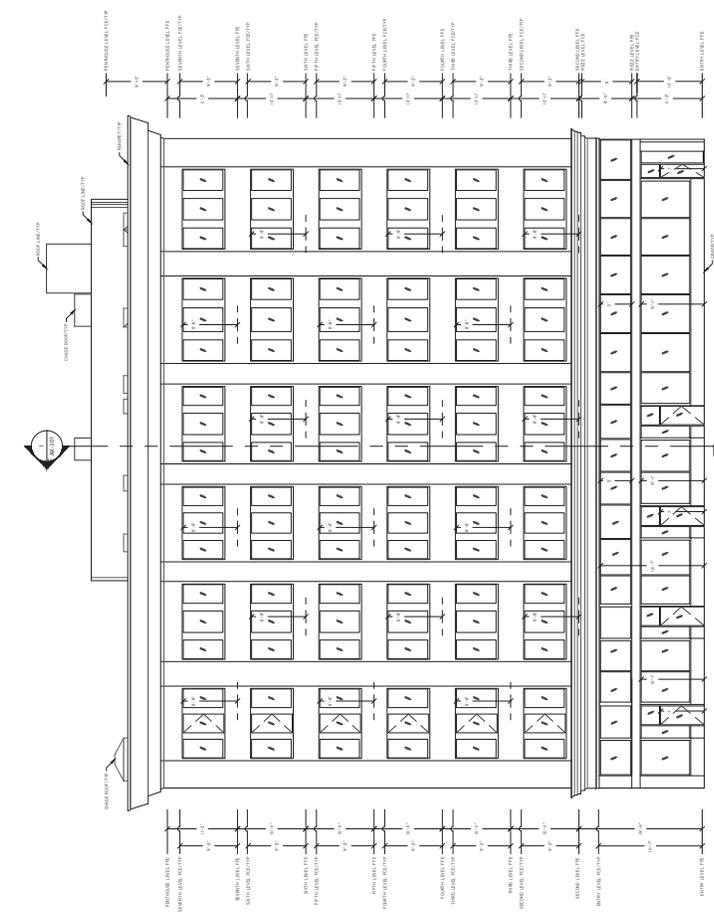
ASBUILT SERVICE
 1000 14TH ST, SUITE 1000
 OAKLAND, CA 94612
 415.778.8888
 ASBUILTSERVICE.COM

EXISTING FLOOR PLAN
 1000 14TH ST, SUITE 1000
 OAKLAND, CA 94612
 415.778.8888
 ASBUILTSERVICE.COM

AX-110



EXISTING SOUTH ELEVATION



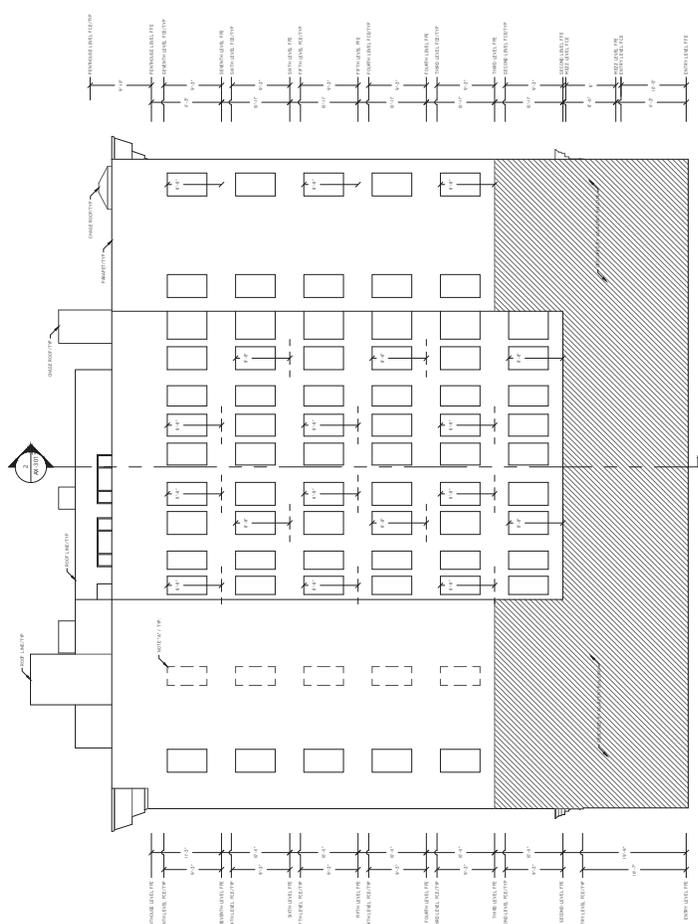
EXISTING WEST ELEVATION

CONSULTING ARCHITECTS
 584 14TH ST
 OAKLAND, CA
 94612
 TEL: 415.778.1000
 FAX: 415.778.1001
 WWW.ASBUILDGROUP.COM

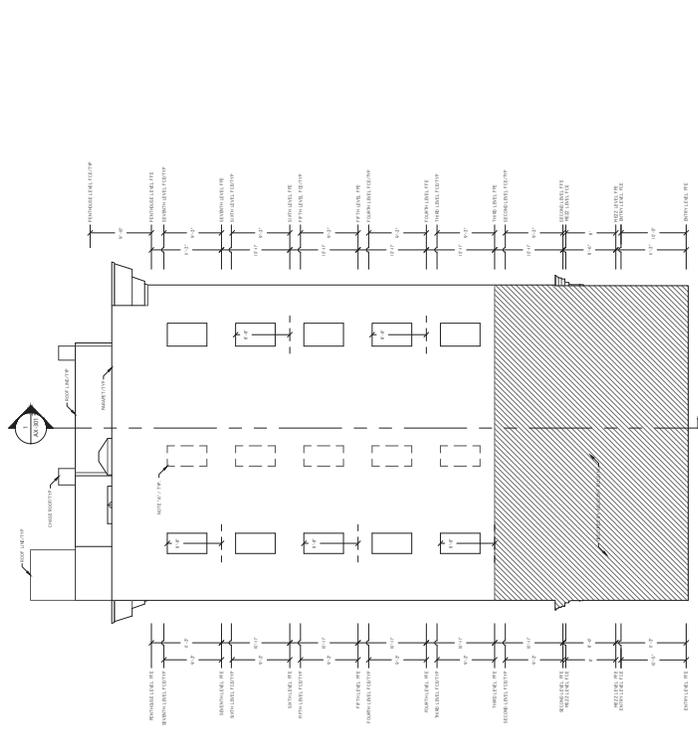
ASBUILD GROUP
 ARCHITECTS
 584 14TH ST
 OAKLAND, CA 94612
 TEL: 415.778.1000
 FAX: 415.778.1001
 WWW.ASBUILDGROUP.COM

EXISTING EXTERIOR ELEVATIONS
 SCALE: 1/8" = 1'-0"
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]

AX-201
 11/15/2011



EXISTING NORTH ELEVATION



EXISTING EAST ELEVATION

CONSULTING ARCHITECTS
 584 14TH ST
 OAKLAND, CA
 94612

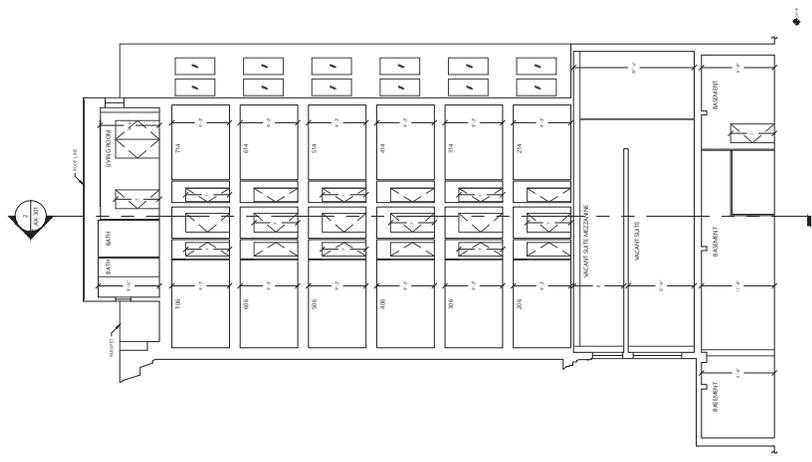
ARCHITECTS
 1000 BAY ST
 OAKLAND, CA
 94612

584 14TH ST
 OAKLAND, CA
 94612

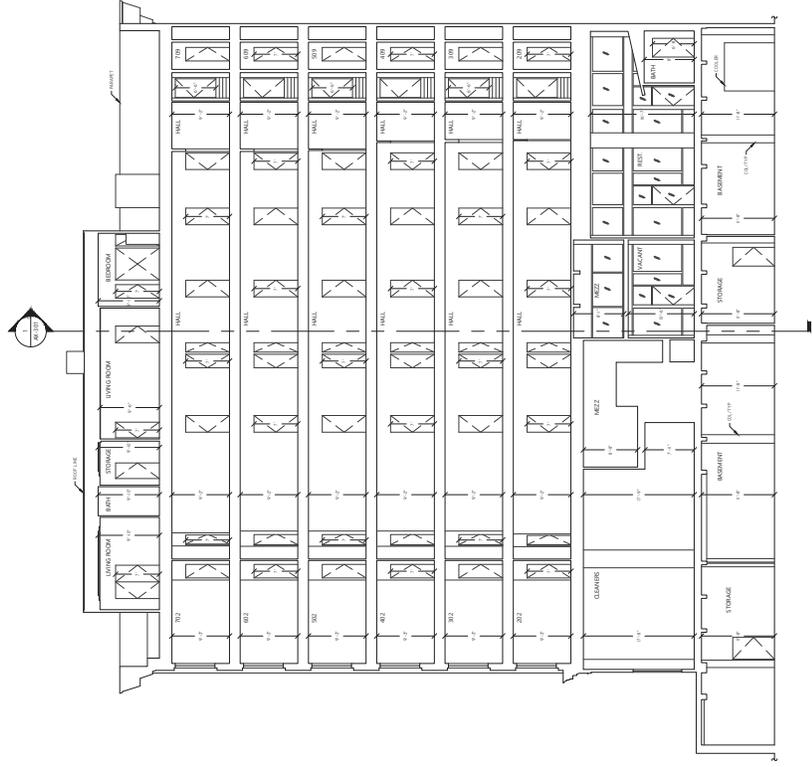
1-800-398-6099
 ASBUILTSERVICE.COM

EXISTING EXTERIOR ELEVATIONS
 1-800-398-6099
 ASBUILTSERVICE.COM

AX-202



1 EXISTING CROSS SECTION



2 EXISTING LONGITUDINAL SECTION

- 1. CONSULT LOCAL BUILDING DEPARTMENT FOR ALL LOCAL CODES.
- 2. CHECK ALL DIMENSIONS AND CONDITIONS BEFORE CONSTRUCTION.
- 3. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE CONSTRUCTION.
- 4. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE CONSTRUCTION.
- 5. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE CONSTRUCTION.
- 6. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE CONSTRUCTION.
- 7. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE CONSTRUCTION.
- 8. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE CONSTRUCTION.
- 9. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE CONSTRUCTION.
- 10. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE CONSTRUCTION.

584 14TH ST
OAKLAND, CA

ASBUILT SERVICE
1000 14TH ST, SUITE 1000
OAKLAND, CA 94612
TEL: 415-778-4099 FAX: 415-778-4099
WWW.ASBUILTSERVICE.COM

EXISTING BUILDING SECTIONS

SCALE: 1/8" = 1'-0"
DATE: 10/15/11
DRAWN BY: [Name]
CHECKED BY: [Name]

AX-301

Exhibit F

THIS DOCUMENT HAS A "VERIFY FIRST" TRUE WATERMARK AND VISIBLE FIBERS DISCERNIBLE FROM BOTH SIDES

CITY OF OAKLAND

BUSINESS TAX CERTIFICATE

ACCOUNT NUMBER

00029479

The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other agency of the City of Oakland and/or any other ordinance, law or regulation of the State of California, or any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per Section 85.04.199A, of the O.M.C. you are allowed a renewal grace period until March 1st the following year.

OAKLAND SUTTER HOTEL LP



EXPIRATION DATE

12/31/2017

BUSINESS LOCATION

584 14TH ST
OAKLAND, CA 94612-1443

BUSINESS TYPE

N Rental-Commercial

NAME

SUTTER HOTEL

MAILING ADDRESS

VICTORIA GARRISON
PO BOX 5247

WALNUT CREEK, CA 94596-1247

A BUSINESS TAX CERTIFICATE IS REQUIRED FOR EACH BUSINESS LOCATION AND IS NOT VALID FOR ANY OTHER ADDRESS.

ALL OAKLAND BUSINESSES MUST OBTAIN A VALID ZONING CLEARANCE TO OPERATE YOUR BUSINESS LEGALLY. RENTAL OF REAL PROPERTY IS EXCLUDED FROM ZONING.

PUBLIC INFORMATION ABOVE THIS LINE TO BE CONSPICUOUSLY POSTED!

THIS DOCUMENT IS ALTERATION PROTECTED AND REFLECTS FLUORESCENT FIBERS UNDER UV LIGHT

THIS DOCUMENT HAS A "VERIFY FIRST" TRUE WATERMARK AND VISIBLE FIBERS DISCERNIBLE FROM BOTH SIDES

**CITY OF OAKLAND
BUSINESS TAX CERTIFICATE**

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ACCOUNT NUMBER

2275090

SUTTER HOTEL

EXPIRATION DATE

12/31/2016

BUSINESS LOCATION

584 14TH ST

OAKLAND, CA 94612-1443

BUSINESS TYPE

P Rental Hotel/Motel



NAME

SUTTER HOTEL

MAILING ADDRESS

PO BOX 5247

WALNUT CREEK, CA, 94596-1247



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A BUSINESS TAX CERTIFICATE IS REQUIRED FOR EACH BUSINESS LOCATION AND IS NOT VALID FOR ANY OTHER ADDRESS.

YOU MAY BE REQUIRED TO OBTAIN A VALID ZONING CLEARANCE TO OPERATE YOUR BUSINESS LEGALLY. RENTAL OF REAL PROPERTY IS EXCLUDED FROM ZONING.

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BUSINESS TAX CERTIFICATE**

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ACCOUNT NUMBER

2273667

OAKLAND SUTTER HOTEL LP

EXPIRATION DATE

12/31/2016

BUSINESS LOCATION

584 14TH ST

OAKLAND, CA 94612-1443

BUSINESS TYPE

N Rental Commercial/Industrial



NAME

SUTTER HOTEL

MAILING ADDRESS

PO BOX 5247

WALNUT CREEK, CA, 94596-1247



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**CITY OF OAKLAND
BUSINESS TAX CERTIFICATE**

**ACCOUNT
NUMBER**

2275090

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SUTTER HOTEL

EXPIRATION DATE

12/31/2015

BUSINESS LOCATION:

584 14TH ST

OAKLAND, CA 94612-1443

BUSINESS TYPE

P Rental Hotel/Motel



NAME

SUTTER HOTEL

MAILING ADDRESS

PO BOX 5247

WALNUT CREEK, CA, 94596-1247



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**CITY OF OAKLAND
BUSINESS TAX CERTIFICATE**

**ACCOUNT
NUMBER**

2273667

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BUSINESS LOCATION

OAKLAND SUTTER HOTEL L.P.
584 14TH ST
OAKLAND, CA 94612-1443

EXPIRATION DATE

12/31/2014

BUSINESS TYPE

N Rental Commercial/Industrial



**NAME
MAILING ADDRESS**

SUTTER HOTEL
PO BOX 5247
WALNUT CREEK, CA, 94596-1247



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**CITY OF OAKLAND
BUSINESS TAX CERTIFICATE**

**ACCOUNT
NUMBER**

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BUSINESS LOCATION

SUTTER HOTEL
584 14TH ST
OAKLAND, CA 94612-1443

EXPIRATION DATE

12/31/2014

BUSINESS TYPE

P Rental Hotel/Motel



**NAME
MAILING ADDRESS**

SUTTER HOTEL
PO BOX 5247
WALNUT CREEK, CA, 94596-1247



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**CITY OF OAKLAND
BUSINESS TAX CERTIFICATE**

**ACCOUNT
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EXPIRATION DATE
12/31/2013

BUSINESS LOCATION

SUTTER HOTEL
584 14TH ST
OAKLAND, CA 94612-1443

BUSINESS TYPE

P Rental Hotel/Motel



NAME
MAILING ADDRESS

SUTTER HOTEL
PO BOX 5247
WALNUT CREEK, CA, 94596-1247



A BUSINESS TAX
CERTIFICATE IS REQUIRED
FOR EACH BUSINESS
LOCATION AND IS NOT
VALID FOR ANY OTHER
ADDRESS.

YOU MAY BE REQUIRED
TO OBTAIN A VALID
ZONING CLEARANCE TO
OPERATE YOUR BUSINESS
LEGALLY. RENTAL OF
REAL PROPERTY IS
EXCLUDED FROM ZONING.

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**CITY OF OAKLAND
BUSINESS TAX CERTIFICATE**

**ACCOUNT
NUMBER**
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EXPIRATION DATE
12/31/2012

BUSINESS LOCATION SUTTER HOTEL
584 14TH ST
OAKLAND, CA 94612-1443

BUSINESS TYPE P Rental Hotel/Motel



NAME SUTTER HOTEL
MAILING ADDRESS PO BOX 5247
WALNUT CREEK, CA, 94596-1247



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**CITY OF OAKLAND
BUSINESS TAX CERTIFICATE**

**ACCOUNT
NUMBER**
2273667

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EXPIRATION DATE
12/31/2012

BUSINESS LOCATION SUTTER HOTEL
584 14TH ST
OAKLAND, CA 94612-1443

BUSINESS TYPE N Rental Commercial/Industrial



NAME SUTTER HOTEL
MAILING ADDRESS PO BOX 5247
WALNUT CREEK, CA, 94596-1247



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**ACCOUNT
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SUTTER HOTEL

EXPIRATION DATE

BUSINESS LOCATION

584 14TH ST
OAKLAND, CA 94612-1443

12/31/2011

BUSINESS TYPE

N Rental Commercial/Industrial



**NAME
MAILING ADDRESS**

SUTTER HOTEL
PO BOX 5247
WALNUT CREEK, CA, 94596-1247



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SUTTER HOTEL

EXPIRATION DATE

BUSINESS LOCATION

584 14TH ST
OAKLAND, CA 94612-1443

12/31/2011

BUSINESS TYPE

P Rental Hotel/Motel



**NAME
MAILING ADDRESS**

SUTTER HOTEL
PO BOX 5247
WALNUT CREEK, CA, 94596-1247



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BUSINESS LOCATION
SUTTER HOTEL
584 14TH ST
OAKLAND, CA 94612-1443

EXPIRATION DATE
12/31/2010

BUSINESS TYPE P Rental Hotel/Motel



MAILING ADDRESS
NAME SUTTER HOTEL
PO BOX 5247
WALNUT CREEK, CA, 94596-1247

Public information above this line
to be conspicuously posted!

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BUSINESS TAX CERTIFICATE**

**ACCOUNT
NUMBER**
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BUSINESS LOCATION
SUTTER HOTEL
584 14TH ST
OAKLAND, CA 94612-1443

EXPIRATION DATE
12/31/2010

BUSINESS TYPE N Rental Commercial/Industrial



MAILING ADDRESS
NAME SUTTER HOTEL
PO BOX 5247
WALNUT CREEK, CA, 94596-1247

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CITY OF OAKLAND

Finance Department
Revenue Management Bureau
250 Frank H. Ogawa Plaza, Suite 1320
Oakland, CA 94612
(510) 238-3704 TDD (510) 238-3254
www.oaklandnet.com

BUSINESS CERTIFICATE VERIFICATION

Date: May 13, 2019



DBA: 584 14TH STREET LLC.
Business Address: 584 14TH ST
OAKLAND, CA 94612-1487

Owner(s) SURI, KARAN
Business Certificate #: 00197159
Expire Date: 12/31/2017
Industry Code: P - HOTEL/MOTEL

To Whom It May Concern:

This letter serves as notice that the above named business has a current business certificate with the City of Oakland, valid through 12/31/2017.

Sincerely,

Shahla Azimi | (510)-238-2972
City of Oakland Business Tax Section.



CITY OF OAKLAND

Finance Department
Revenue Management Bureau
250 Frank H. Ogawa Plaza, Suite 1320
Oakland, CA 94612
(510) 238-3704 TDD (510) 238-3254
www.oaklandnet.com

BUSINESS CERTIFICATE VERIFICATION

Date: May 13, 2019



DBA: 584 14TH STREET LLC.
Business Address: 584 14TH ST
OAKLAND, CA 94612-1487

Owner(s) SURI, KARAN
Business Certificate #: 00197159
Expire Date: 12/31/2018
Industry Code: P - HOTEL/MOTEL

To Whom It May Concern:

This letter serves as notice that the above named business has a current business certificate with the City of Oakland, valid through 12/31/2018.

Sincerely,

Shahla Azimi | (510)-238-2972
City of Oakland Business Tax Section.



CITY OF OAKLAND

Finance Department
Revenue Management Bureau
250 Frank H. Ogawa Plaza, Suite 1320
Oakland, CA 94612
(510) 238-3704 TDD (510) 238-3254
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BUSINESS CERTIFICATE VERIFICATION

Date: May 13, 2019



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Business Address: 584 14TH ST
OAKLAND, CA 94612-1487

Owner(s) SURI, KARAN
Business Certificate #: 00197159
Expire Date: 12/31/2019
Industry Code: P - HOTEL/MOTEL

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Sincerely,

Shahla Azimi | (510)-238-2972
City of Oakland Business Tax Section.

Attachment G

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DECLARATION OF ROSS WALKER

I, Ross Walker, declare as follows:

1. I am the Manager of 584 14th Street, LLC, which is the current owner of the Sutter Hotel. I am over the age of 18 years. I have personal knowledge of the facts stated herein and, if called as a witness, could and would testify competently thereto.

2. 584 14th Street, LLC has owned and operated the Sutter Hotel, located at 584 14th Street, Oakland, since around June 2017.

3. For the entire time 584 14th Street, LLC has owned the Sutter Hotel, it has been operated as a transient (tourist) hotel with daily and weekly rental periods. The only leases entered into with occupants of the Sutter Hotel were for commercial tenants located along the ground floor.

4. 584 14th Street, LLC has not entered into any residential lease agreements, or accepted any payments of rent on a monthly or yearly basis, for the hotel rooms at the Sutter Hotel. All hotel rooms have been rented on a daily or weekly basis.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this was executed on May 29, 2019.


Ross Walker

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DECLARATION OF RAJ SINGH

I, Raj Singh, declare as follows:

1. I am a former beneficial owner of the Sutter Hotel. I am over the age of 18 years. I have personal knowledge of the facts stated herein and, if called as a witness, could and would testify competently thereto.

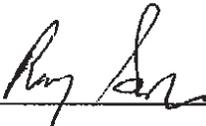
2. I assisted with the operation of the Sutter Hotel, located at 584 14th Street, Oakland, from around August 1987 through June 2017. From late 1987 to November 1995, my brother in law Govinder Singh and his associate Lester Berman owned the Sutter Hotel.

3. I took over ownership of the Sutter Hotel in around November 1995, and was its sole owner and operator from 1995 to 2017.

4. For the entire time I owned the Sutter Hotel, it was operated as a transient (tourist) hotel with daily, weekly, and monthly rental periods. The Sutter Hotel held a transient hotel license issued by the City of Oakland, and transient occupancy taxes were collected and remitted to the City every month. I no longer have complete tax records in my possession, but have produced the records I could find. The Sutter Hotel rooms were predominantly rented on a daily or weekly basis.

5. During the period of 1997 to 2017, I occasionally entered into annual/monthly leases for hotel rooms with the Oakland Housing Authority and a few nonprofit organizations. I entered into approximately 15 of these leases throughout this time period. Under these leases, nonprofits paid the Sutter Hotel to provide a room for clients in their programs.

6. To the best of my recollection, the only leases I entered into directly with tenants (rather than government or nonprofit organizations) were with commercial tenants located along the ground floor of the Sutter Hotel.



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7. In or around 1999, I recall receiving a letter from the City of Oakland confirming that the Sutter Hotel is a "Deemed Approved" transient/tourist hotel.

8. The Sutter Hotel was subject to annual Deemed Approved transient/tourist hotel inspections by City inspectors during my period of ownership. The inspections reviewed the Hotel's bedding, carpeting, cleanliness, general condition, etc.

9. At no time was I told that there were restrictions or limitations on my operation of the rooms at the Hotel. I was never told that the Sutter Hotel was not a transient/tourist hotel, and I was never told not to use Hotel rooms for short-term occupants.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this was executed on May 29th, 2019.



Raj Singh

Attachment H

SUTTER HOTEL PHOTOS

- Exterior
- Lobby
- Seventh Floor Rooms
- Seventh Floor Corridor
- Penthouse Floor

Exterior 1



Exterior 2



Lobby 1



Lobby 2



Seventh Floor Room 1



Seventh Floor Room 2



Seventh Floor Room 3



Seventh Floor Room 4



Seventh Floor Room 5



Seventh Floor Room 6



Seventh Floor Corridor 1



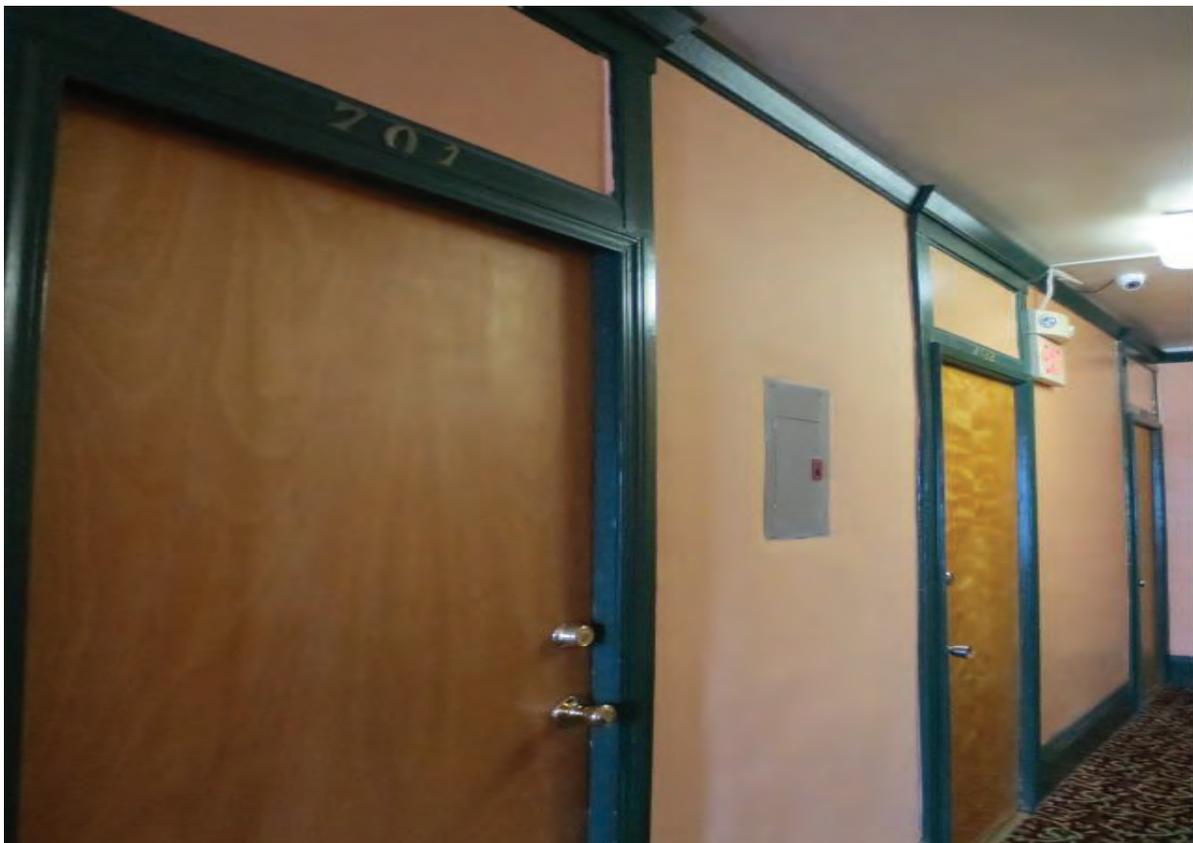
Seventh Floor Corridor 2



Seventh Floor Corridor 3



Seventh Floor Corridor 4



Eighth Floor Penthouse 1



Eighth Floor Penthouse 2



Eighth Floor Penthouse 3



Eighth Floor Penthouse 4



Eighth Floor Penthouse 5



Eighth Floor Penthouse 6



Attachment I

DOWNTOWN DISTRICT
District Contributor

Ser. No. _____
HABS _____ HAER _____ NR3D/4b SHL _____ Loc _____
UTM: A _____ B _____
C _____ D _____

IDENTIFICATION

1. Common name: Hotel Sutter
2. Historic name: Same
3. Street or rural address: 584-88 14th St./1400-16 Jefferson Street
City Oakland Zip 94612 County Alameda
4. Parcel number: 3-69-17
5. Present Owner: Lappalainen, Aarre Address: 584 14th St.
City Oakland Zip 94612 Ownership is: Public _____ Private X
6. Present Use: Hotel Original use: Hotel

DESCRIPTION

- 7a. Architectural style: Early 20th century commercial with Renaissance/Baroque ornamentation
- 7b. Briefly describe the present *physical description* of the site or structure and describe any major alterations from its original condition:

The Hotel Sutter is a 7-story and mezzanine steel-frame brick hotel building on a southwest-facing corner lot at the edge of the Downtown Oakland district. Its three-part vertical composition consists of a top-floor capital with a wide metal(?) modillion-block cornice and inset marble patterns in the brick wall surfaces, divided by a belt course of molding from a simple brick 5-story shaft whose smooth pilasters and slightly recessed spandrels frame groups of 3 double-hung windows, atop a second modillion-block cornice over the 1½-story base. The base, originally glazed bays and transoms and a terra-cotta framed hotel entrance, was remodelled in 1944-6 as a stream-lined bar, with small porthole windows, glass blocks, and tile or vitrolite facing. The transom appears to be covered rather than removed. The building is 6 bays wide on Jefferson Street, 3 bays on 14th. The hotel lobby occupies the east 2 bays on 14th Street. Only the street facades are finished; the east side, visible over lower buildings, reveals a shallow light court and painted wall signs. There is also a corner neon "Hotel" sign 3 stories high.



8. Construction date: Estimated _____ Factual 1913-14
9. Architect C.M. Burrell
10. Builder Muller & Morris
11. Approx. property size (in feet)
Frontage 50 Depth 103.5
or approx. acreage _____
12. Date(s) of enclosed photograph(s)

151-30A 584-88 14th St./1400-16
Jefferson St. 3-82

- 13. Condition: Excellent ___ Good X Fair ___ Deteriorated ___ No longer in existence ___
- 14. Alterations: Extensive to first floor
- 15. Surroundings: (Check more than one if necessary) Open land ___ Scattered buildings ___ Densely built-up X
Residential ___ Industrial ___ Commercial X Other: ___
- 16. Threats to site: None known X Private development ___ Zoning ___ Vandalism ___
Public Works project ___ Other: ___
- 17. Is the structure: On its original site? X Moved? ___ Unknown? ___
- 18. Related features: None

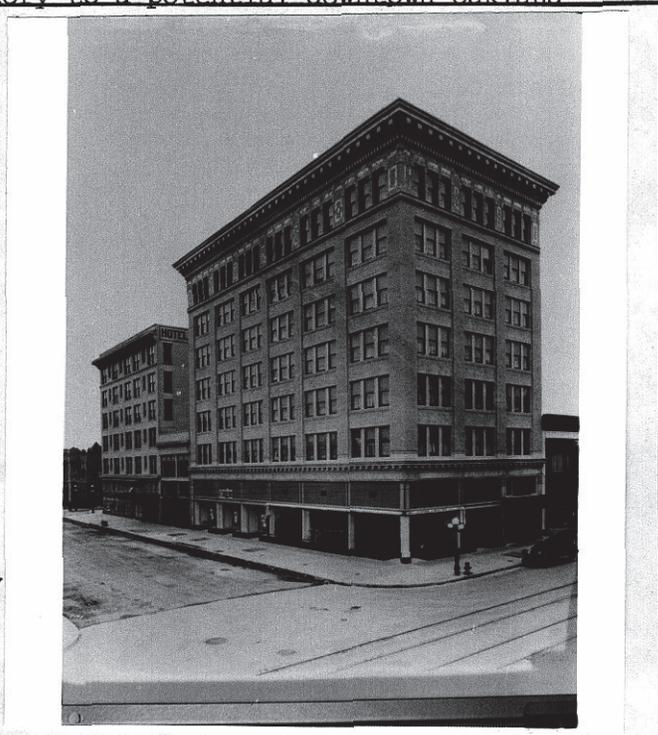
SIGNIFICANCE

19. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site.)
 Permit 32590, issued August 22, 1913, describes this as a \$130,000 7-story Class A steel frame hotel building, architect C.N. Burrell, owners and builders Morris & Muller. Henry C. Morris (d.c.1938) was an "Oakland financier and real estate operator," in partnership through the 1910's and 20's with Frederick A. Muller (b.1875, formerly operator of an Oakland planing mill) in a building construction firm headquartered in the Realty Syndicate Building (1420 Broadway). Oakland architect Clay Burrell (1882-1958) also worked with Morris and Muller on the nearby Hotels Woodrow (644-48 14th Street, 1912) and Oaks (585-89 15th Street, 1914-15), as well as on Muller's family's pickle factory (1917-19: see SHRI form, 200 Grove Street). The Sutter was managed in its first years (1914-16 directories) by J.T. Redmon who also operated the nearby Savoy, Rex, and Avalon - further indication of an interrelated hotel district. The Sutter is architecturally distinguished by its monumental use of Beaux Arts and Chicago style elements. The tallest building in its immediate vicinity, it continues the rhythm of skyscrapers on southwest facing corners established by the bank buildings east of Broadway. It is also part of a notable group of hotels at Jefferson, 14th, and 15th Streets, and the ground floor bar alteration is typical of the development of the neighborhood in the 1940's. The Sutter is contributory to a potential downtown Oakland historic district.

- 20. Main theme of the historic resource: (If more than one is checked, number in order of importance.)
 Architecture 1 Arts & Leisure ___
 Economic/Industrial ___ Exploration/Settlement ___
 Government ___ Military ___
 Religion ___ Social/Education ___

21. Sources (List books, documents, surveys, personal interviews and their dates.)
 Oakland Tribune, March 23 & Nov. 22, 1943;
 Yearbook, 1914, p. 15
 J.M. Guinn, History of California, 1904,
 p. 1417-18.

22. Date form prepared May 31, 1984
 By (name) Staff
 Organization Oakland Cultural Heritage Survey
 Address: City Planning Dept., City Hall
Oakland Zip 94612
 Phone: (415) 273-3941



13. Condition: Excellent ___ Good X Fair ___ Deteriorated ___ No longer in existence ___
14. Alterations: Extensive to first floor
15. Surroundings: (Check more than one if necessary) Open land ___ Scattered buildings ___ Densely built-up X
 Residential ___ Industrial ___ Commercial X Other: ___
16. Threats to site: None known X Private development ___ Zoning ___ Vandalism ___
 Public Works project ___ Other: ___
17. Is the structure: On its original site? X Moved? ___ Unknown? ___
18. Related features: None

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 Religion ___ Social/Education ___
21. Sources (List books, documents, surveys, personal interviews and their dates).
 Oakland Tribune, March 21 & Nov. 22, 1943;
 Yearbook, 1914, p. 15
 J.M. Galpin, History of California, 1904,
 p. 1417-18.
22. Date form prepared May 21, 1984
 By (name) Staff
 Organization Oakland Cultural Heritage Survey
 Address: City Planning Dept., City Hall
 City Oakland Zip 94612
 Phone: (415) 275-1941



DOWNTOWN DISTRICT
District Contributor

Continuation page 191 of 220

Ser. No. _____
HA95 _____ HAER _____ NR 3D/4b _____ SHL _____ Loc B1+, SL
UTM: A _____ B _____
C _____ D _____

IDENTIFICATION

1. Common name: Hotel Sutter
2. Historic name: Same
3. Street or rural address: 584-88 14th St./1400-16 Jefferson Street
City Oakland Zip 94612 County Alameda
4. Parcel number: 3-69-17
5. Present Owner: Lampalainen, Aarre Address: 584 14th St.
City Oakland Zip 94612 Ownership is: Public _____ Private X
6. Present Use: Hotel Original use: Hotel

DESCRIPTION

- 7a. Architectural style: Early 20th century commercial with Renaissance/Baroque ornamentation
- 7b. Briefly describe the present physical description of the site or structure and describe any major alterations from its original condition:

The Hotel Sutter is a 7-story and mezzanine steel-frame brick hotel building on a southwest-facing corner lot at the edge of the Downtown Oakland district. Its three-part vertical composition consists of a top-floor capital with a wide metal(?) modillion-block cornice and inset marble patterns in the brick wall surfaces, divided by a belt course of molding from a single brick 5-story shaft whose smooth pilasters and slightly recessed spandrels frame groups of 3 double-hung windows, atop a second modillion-block cornice over the 14-story base. The base, originally glazed bays and transoms and a terra-cotta framed hotel entrance, was remodelled in 1944-6 as a streamlined bar, with small porthole windows, glass blocks, and tile or vitrolite facing. The transom appears to be covered rather than removed. The building is 6 bays wide on Jefferson Street, 3 bays on 14th. The hotel lobby occupies the east 2 bays on 14th Street. Only the street facades are finished; the east side, visible over lower buildings, reveals a shallow light court and painted wall signs. There is also a corner neon "Hotel" sign 3 stories high.



8. Construction date: 1913-14
Estimated _____ Factual _____
9. Architect C.W. Burrell
10. Builder Muller & Morris
11. Approx. property size (in feet)
Frontage 50 Depth 103.5
or approx. acreage _____
12. Date(s) of enclosed photograph(s) _____

S P E C I F I C A T I O N S .

Of labor and materials required in the erection and completion of a seven story, Class A, steel frame, hotel building, on the Northeast corner of Fourteenth and Jefferson Streets, in the City of Oakland, County of Alameda, State of California, for

H. C. MORRIS and F. A. MULLER,

According to the accompanying plans, prepared for the same by

C. H. Burrell,
Albany Bldg.,
Oakland, Cal.

----- 0 -----

And more particularly described as:-

Address: 584-88 14TH ST/1400 JEFFERSON

A.P. no: 3- 69- 17- 0

UTM: 10/ /

Sanborn 78 Prelim. B+1*

Serial No. 366

Common name: Hotel Sutter

Historic name: Hotel Sutter

Evaluated by Chris Buckley on 03/18/82

Tallied (or re-tallied) by computer; printed on 03/21/94

Description

584-88 14TH ST is a Beaux Arts derivative-Renaissance revival hotel building in the Downtown district. It is seven stories, rectangular plan, on a corner lot. Present use is hotel, Hotel Sutter. The building is in good condition; its integrity is good.

Significance

584-88 14TH ST, the Hotel Sutter, is a very good example of a Beaux Arts derivative-Renaissance revival hotel building. This building appears eligible for the National Register of Historic Places as a primary contributor to the character of the National Register eligible Downtown district. The visual quality of this building helps establish the character of the district. At present this building is not considered eligible for individual listing on the National Register. However if its architectural integrity is carefully restored, its individual eligibility should be reevaluated. It is designated by the City of Oakland as a Study List property (per Study List list dated 6/7/93).

It was built in 1913-14, architect C.W. Burrell and builder Morris & Muller. It is dated by building permit 32590; it was originally valued at \$130,000. Plans are on file with the City of Oakland. Historically the building reflects the city-wide building boom of the Earthquake era, April 1906 to c.1914, and downtown Oakland business and commercial development.

Notes:

1913 \$130,000 5 stores, 1 office. B8974 marquee. B8439+584--SSinfo: 7.0 stories; 35000 sf; ORANGE/STEEL FRAME; SUTTER HOTEL///BLDG=HOTEL; 2ND-7TH FLS=ROOMS; PENTHOUSE=PRI.OWNED; 1ST FL=LOBBY/RECEPT; CONC.COL.W/REINF STEEL BEAM; BSMT STORAGE ONLY; LOTS COSMETIC DAMAGE INSIDE/#29590 on green #map (prob in error)//+SSaddr: 584-88 14TH ST./ /584 14TH ST



3
Tribune Mar. 23, 1948

Hotel Sold In Court Here

Tribune MAR 29 '48

H. Hotels
The Hotel Sutter, 14th and Jefferson Streets, Oakland, owned by the estate of Mrs. H. C. Morris, was sold on a bid of \$102,000 today in the court of Superior Judge John D. Murphey. The buyers are H. J. Armund and Raymond Wootten, local hotel operators.

An original bid of \$85,000 had been received by the court from Harry D. Marshall, but the property went to Armund and Wootten when they boosted the bid \$1000 at a time in court.

Mrs. Morris, widow of H. C. Morris, Oakland financier and real estate operator who died here about five years ago, died May 13, 1942. Attorney George Clark of Berkeley, who is handling the estate, said today that a complete inventory of the estate holdings should total more than \$1,000,000.

The estate is still in probate, but sale of the hotel property was approved by the court. Armund and Raynard handled the purchase negotiations through F. Bruce Warden & Co here.

Morris came to Oakland some 20 years ago from the East, investing a private fortune in real estate and building ventures. Mrs. Morris, formerly her husband's secretary, was a lawyer and later handled the property left when her husband died. The family home was at MacArthur Boulevard and Vernon Street in Oakland.

*437
155
(8.8.65)*

check out.

TRIBUNE

MORRIS AND MEYER
N.E. CORNER FOURTH
JEFFERSON



RS

Attachment J

150 flee 2 hotel fires, only one person hurt

By Harry Harris
The Tribune

Fires at two Oakland hotels yesterday morning forced the evacuation of more than 150 occupants but only one person was slightly injured, authorities said.

The most spectacular, and also the biggest, was a three-alarm fire that erupted about 10:15 a.m. in a fourth floor room at the Hotel Sutter at 14th and Jefferson streets.

Authorities said the fire was started by a "careless smoker."

The old hotel, which is now home to lower-income, long-term residents, was undergoing repairs from last year's Loma Prieta earthquake.

More than 100 residents of the seven-story building were evacuated. At least 25 being alerted and led to safety by three Oakland police officers who spotted the fire and went floor to floor knocking on doors.

Another 40 occupants of the Park Plaza Hotel on Hegenberger Road got an early wakeup call about 5:30 a.m. when they were forced outside into sub-freezing temperatures by a smoky fire that started in a telephone equipment storeroom.

When the first of 53 firefighters arrived at the Sutter Hotel, bright orange flames were leaping out the window of the fourth floor room, the fire's origin. Black smoke was blowing all

over downtown.

Police Officers Rich Andreotti, Gus Galindo and Andre Rachal were driving by when they saw the flames. They rushed inside and started rousting occupants.

Andreotti said the upper floors were "pitch black" from smoke and their concern was making sure everyone was awake and out of their rooms "before the smoke got them."

The officers did have to lead one man who suffered an asthma attack to a fire escape. He was later taken to a local hospital as a precaution.

The fire was contained in about 20 minutes after firefighters wearing breathing apparatus put out the flames in the two rooms.

Assistant Fire Chief Don Matthews put the damage in excess of \$25,000. Most of the occupants were allowed to return to their rooms but the Red Cross had to find shelter for about a dozen people.

The fire at the Park Plaza Hotel was started by a carelessly discarded match in a ground-floor supply, authorities said.

Battalion Chief Neil Honeycutt said the fire had smoldered for a long time but 20 firefighters kept it from extending to other parts of the six-floor building.



By Dexter Long, Special to The Tribune

Smoke billows from the fourth floor of the downtown Hotel Sutter.

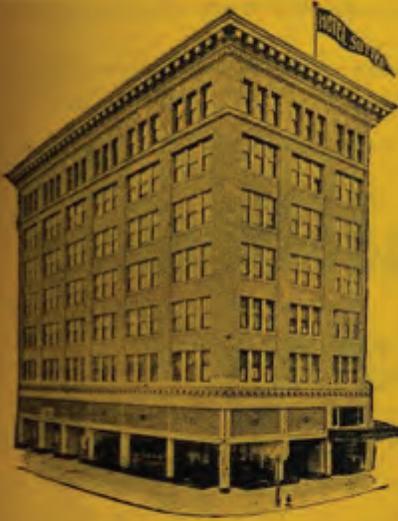
Xmas '90



STRICTLY MODERN

Special Weekly and Monthly Rates to Permanent Guests
1st-Class Restaurant in Connection

Handy to Garage



HOTEL SUTTER

ABSOLUTELY FIREPROOF

**A REAL HIGH CLASS HOTEL
MODERN IN EVERY RESPECT**

Rates \$1.50 to \$3.50 Per Day

S. C. WILLIAMS, Prop.

14th St. at Jefferson

Phone Lakeside 1620

OAKLAND, CALIF.

63

mit/Complaint Histor



PERSONAL MENTION

Text

Why may this text contain mistakes?

Correct this text

PERSONAL MENTION

A. W. Johnson of San Diego is spending a few days in this city. F. W. Wansner of Oakland registered at the Hotel Sutter yesterday. A. N. Harvey and wife of Nevada City are visiting friends in Sacramento. C. H. Frank and F. R. Short of San Francisco are stopping at the Hotel Sutter. Miss F. M. White and Miss A. E. White of Oakland are registered at the Hotel Sacramento. James Parker and M. M. Potts of Butte City registered at the Golden Eagle hotel yesterday. Fred Hartsook, J. R. Allen, C. C. Haskell and son of San Francisco are registered at the Hotel Land. J. Johnson and wife of Fremont, O., who are touring the coast, are stopping at the Golden Eagle hotel. Mrs. F. H. Oakes and her daughter Miss Margaret Oakes of Oakland are stopping at the Golden Eagle hotel. J. S. Danner and wife of Placerville registered at the Hotel Sutter yesterday, en route from Sisson to their home. V. C. Bryant of Berkeley who is in this city on business connected with the coming state fair is registered at the Hotel Sutter. L. A. Irish and wife from Hollywood are stopping at the Hotel Sacramento. G. A. Slacke of San Francisco is at the Hotel Sacramento. Mrs. Sarah A. Bates with her daughters, Mrs. Eliza Devin and Mrs. E. Bucknell, are enjoying their vacation in their bungalow at Oceano beach.

Comments (0)

PERSONAL MENTION

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V. C. Bryant of Berkeley who is in this city on business connected with the coming state fair is registered at the Hotel Sutter.

Page 2 Advertisements Column 1

Text

Why may this text contain mistakes?

Correct this text

Can You Imagine It
 you who hike and sizzle where the heat climbs up to 100? Here the summers are perfect—cooled by ocean breezes. No better vacation resort in all the state—with ideal city life—where the hotels are most satisfactory and the rates reasonable. Write or wire for accommodations today

OAKLAND Hotel St. Mark Hotel Menlo Hotel Oaks Hotel **Oakland** BERKELEY Hotel 01 armont Hotel Sun Pablo **Hotel Sutter** Hotel Touraine Hotel Woodrow Hotel Whil eolton Hotel Berkeley Hotel Carlton the real vacation cities Goto SAN FRANCISCO for a Cool, Interesting and Inexpensive Vacation Stop at HOTEL STEWART Excellent accommodations, homelike comfort and high class service at moderate rate*. The heat known meals in the United States. Room rates furnished 7E*111 r * (i ue j t ' i definite reservation before arrival is advised. The a LWART on Geary Street, just off Union Square is close to everything we-th while. Municipal car Kno passes the door. Stewart Motor Bus meets principal trains and steamers. Chas. A. and Margaret Stewart. Proprietors.

Comments (0)

Please log in to add comments.

Tags (0)

Please log in to add tags.

Where the Mercury averages 59°

Can You Imagine It
 you who hike and sizzle where the heat climbs up to 100? Here the summers are perfect—cooled by ocean breezes. No better vacation resort in all the state—with ideal city life—where the hotels are most satisfactory and the rates reasonable. Write or wire for accommodations today

IDEAL HOTELS *Reasonable Rates*

OAKLAND

Hotel Albion	Hotel St. Mark	Hotel Sun Pablo
Hotel Crellin	Hotel Menlo	Hotel Sutter
Hotel Harrison	Hotel Oaks	Hotel Touraine
Key Route Inn	Hotel Oakland	Hotel Woodrow

BERKELEY

Berkeley Inn	Hotel Claremont	Hotel Whitcomb
Hotel Berkeley	Hotel Carlton	

Oakland and Berkeley
the real vacation cities

PERSONAL MENTION

Text

Why may this text contain mistakes?

Correct this text

PERSONAL MENTION

Mr. and Mrs. E. C. Martin, who were married in **Oakland** on June 2, are spending their honeymoon in this city and are registered at the Hotel Land. The groom is connected with one of the **Oakland** newspapers.

Another pair of newcomers at Oceanic Hotel are Mr. and Mrs. William Veestal, who are also from **Oakland**. With them are Miss Louise Grandi, Mrs. M. Bruce and T. Burke, the entire party enjoying a motor trip to Lincoln and through the surrounding country on Sunday.

Other guests at the Hotel Land are P. G. McKenna, a tourist from Chicago; C. M. Harlan, a Willow Grove stock raiser; J. H. Freeman, a mining man from Lovelock, Nev.; Mr. and Mrs. H. Sparks of Liberty, Mo.; Mr. and Mrs. E. Wilson and little daughter of Walnut Grove; Mr. and Mrs. J. O. Liggett of San Francisco; Mrs. Fva Long, a school teacher of Chico; Mrs. J. W. Gillespie of El Paso, Tex.; Miss M. P. Andrews and Miss M. C.



On Mar 8, 2019, at 11:38 AM, Alexis Pelosi <alexis@pelosilawgroup.com> wrote:

Mark,

Any update? Thanks

Alexis

Alexis M. Pelosi
Principal Attorney
(415) 273-9670 ext. 1 (o)
(415) 290-4774 (c)
alexis@pelosilawgroup.com
www.pelosilawgroup.com

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From: mark hulbert
Sent: Monday, March 4, 2019 10:08 AM
To: Alexis Pelosi
Subject: Re: Oakland Research
Importance: High

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 3315 • OAKLAND, CALIFORNIA 94612

Planning and Building Department
Bureau of Planning

(510) 238-3941
FAX (510) 238-6538
TDD (510) 238-3254

June 26, 2019

584 14th Street, LLC
301 N. Canon Drive, Suite 305
Beverly Hills, CA 90210

Re: **DET190031; 584 14th Street; APN: 003 006901700**

Dear Applicant:

This letter is in response to your submission of supplemental documentation for a Residential Hotel Statement of Exemption following an Incomplete Letter dated May 1, 2019. After a review of the documents your application has been deemed **COMPLETE**. This letter does not constitute either a granting of a Certificate of Status or Certificate of Exemption.

Per the Planning Code, Section 17.153.030E, "The Director shall review the Initial Usage Report or Statement of Exemption and evidence submitted. Within 120 days of receipt of a complete Statement of Exemption or Initial Usage Report, supported by evidence, the Director shall certify the information provided in the Initial Usage Report or certify an Exemption. If the property is deemed a Residential Hotel, the Certificate of Status, including a graphic floor plan, shall be posted permanently in the lobby or entranceway of the Residential Hotel."

If you have any questions, feel free to contact me, **Brittany Lenoir**, Planner 1, at (510) 238-4977, or by e-mail at blenoir@oaklandca.gov.

Sincerely,

Brittany Lenoir
Planner I
Bureau of Planning

CC: Alexis M. Pelosi, alexis@pelosilawgroup.com
jbird@hawkinsway.com
ross.walker@hawkinsway.com

FLOT PLAN

REPORT OF INVESTIGATOR

No. 4.1251

3-6-37 - not started - H
3-18-37 - good pag. - H

APPLICATION

Permit for Alteration

At 584 14 St
(House Number)

A.C. Morris Owner

Balluff Contractor

Cost \$ 300.00 Fee \$ 2.00

Issued _____



Permission is hereby granted to erect, alter or repair the building described in this application in accordance with the Building Ordinances of the City of Oakland, and to the satisfaction of the Building Inspector.

Approved MRS E. U. ROUSSELL
By Building Inspector

Issued _____

F.O.K. _____

R.O.K. _____

W.O.K. _____

L.O.K. _____

PLASTER O.K. _____

FINAL O.K. 4-12-37 _____

PLANS CHECKED

- Zoning
- Setback Line
- Fire Limits
- Area Limit
- Court Areas
- Height Limit
- Garage Area
- Ventilation
- Chimneys and Flues
- Type of Frame
- Exterior Walls
- Floor Construction
- Soil
- Foundation
- Retaining Walls
- Engineering

APPROVED: _____
Plan Checker

AFFIDAVIT

I hereby make affidavit that the information contained in this application and on the plans and specifications is true and contains a correct description of the proposed work. All said work is to be done in accordance with the State Housing Act. I am authorized to act as agent for the owner.

Subscribed and sworn to before me this _____ day of _____ 1937

Deputy City Clerk

WRITE IN INK—FILE TWO COPIES

APPLICATION FOR A BUILDING PERMIT

APPLICATION IS HEREBY MADE TO THE BUILDING DEPARTMENT OF THE CITY OF OAKLAND FOR PERMISSION TO DO THE FOLLOWING WORK AT

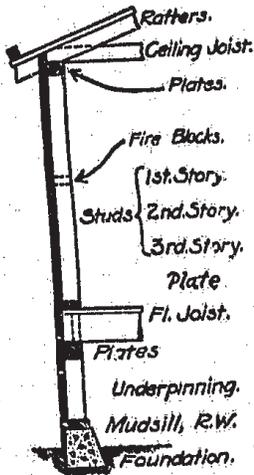
NUMBER 584 14 ST

STREET
AVE.

WRITE PLAINLY FULL DESCRIPTION OF WORK TO BE DONE
ALL NEW CONSTRUCTION MUST BE DESCRIBED AS TO SIZE, SPAN AND SPACING

*Remove 20 rest room stud partitions
Put 2 arches & trim stop front
install Base plugs
2nd & 3rd Bldg*

Roof Covering.



ENTIRE COST OF WORK (THIS MUST INCLUDE EVERYTHING NECESSARY FOR COMPLETE CONSTRUCTION OF WORK) \$ 300.00

BUILDING NOW USED AS Hotel
BUILDING TO BE USED AS " BY "

I HEREBY AGREE TO WAIVE, INDEMNIFY AND KEEP HARMLESS THE CITY OF OAKLAND AND ITS OFFICERS, EMPLOYEES AND AGENTS AGAINST ALL LIABILITIES, JUDGMENTS, COSTS AND EXPENSES WHICH MAY IN ANY WISE ACCRUE AGAINST THE CITY IN CONSEQUENCE OF THE GRANTING OF THIS PERMIT, OR FROM THE USE OR OCCUPANCY OF ANY SIDEWALK, STREET OR SUB-SIDEWALK, OR OTHERWISE BY VIRTUE THEREOF, AND WILL IN ALL THINGS STRICTLY COMPLY WITH THE CONDITIONS UNDER WHICH THIS PERMIT IS GRANTED.

CONTRACTOR OR ARCHT. J. Miller } OWNER H.C. Morris
ADDRESS 1416 Jefferson } ADDRESS 1416 Jefferson
DESIGNER None } BY J. Miller
ADDRESS _____

ORDINANCE 188 I.S., SECTION 88: "WHEN A BUILDING IS READY FOR LATHING OR SHEATHING ON THE INSIDE, THE BUILDING INSPECTOR SHALL BE NOTIFIED. THE ROUGH STUDDING SHALL NOT BE COVERED OR IN ANY WAY CONCEALED FROM VIEW UNTIL INSPECTION HAS BEEN MADE AND THE WRITTEN APPROVAL OF THE BUILDING INSPECTOR OBTAINED."

THE DEPARTMENT WILL CALL UP TELEPHONE NO. 541-2100 IF ANY ALTERATIONS OR CHANGES ARE NECESSARY ON THE PLANS SUBMITTED.

STATE LICENSE NO. _____ CITY LICENSE NO. _____

PLOT PLAN

REPORT OF INVESTIGATOR

No. **B 8270**

R. O. K.

APPLICATION

Permit for *alter*

R. O. K.

At *584-14th St.*
(Block Number)

W. O. K.

Wentworth's through Owner
W. M. Smith Contractor
Cost \$ *200* Fee \$ *29*

L. O. K.

Issued **OCT 31 1945**

PLASTER O. K.

FINAL O. K. *4/21/46*

PLANS CHECKED

- Zoning
- Schack Line
- Fire Limits
- Area Limit
- Court Areas
- Height Limit
- Garage Area
- Ventilation
- Chimneys and Flues
- Type of Frame
- Exterior Walls
- Floor Construction
- Soil
- Foundation
- Reinforcing Walls
- Engineering

AFFIDAVIT

I hereby make affidavit that the information contained in this application and on the plans and specifications is true and contains a correct description of the proposed work. All said work is to be done in accordance with the State Housing Act. I am authorized to act as agent for the owner.

Subscribed and sworn to before me this _____ day of _____ 194_____

Deputy City Clerk

APPROVED: _____ Plan Checker

Permission is hereby granted to erect, alter or repair the building described in this application in accordance with the Building Ordinances of the City of Oakland, and to the satisfaction of the Building Inspector.

Approved **E. U. ROUSSELL**
Chief Building Inspector

By *[Signature]*
THIS PERMIT DOES NOT COVER ANY ELECTRICAL OR PLUMBING WORK.

WRITE IN INK—FILE TWO COPIES

APPLICATION FOR A BUILDING PERMIT

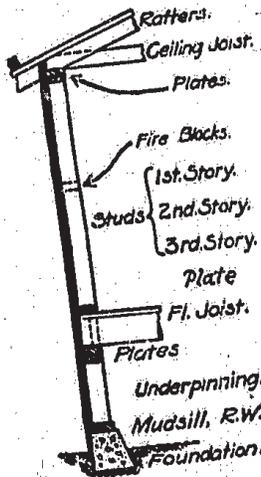
APPLICATION IS HEREBY MADE TO THE BUILDING DEPARTMENT OF THE CITY OF OAKLAND FOR PERMISSION TO DO THE FOLLOWING WORK AT _____ Street Ave.

Number 7 E. Cor. Jefferson and 14th Streets

WRITE PLAINLY FULL DESCRIPTION OF WORK TO BE DONE
All new construction must be described as to size, span and spacing

Remove partition in lobby, between Gent's side and Parlor (now bearing partitions)

Roof Covering



\$200.00

Entire cost of work _____
(This must include everything for complete construction of work)

Building now used as Hotel By Hotel Sutter

Building to be used as Hotel
I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit, or from the use or occupancy of any sidewalk, street or sub-sidewalk or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

Contractor W. M. Louie (if any) Owner Wastens & Armand

Address 283 9th Oakland, Cal. Address Hotel Sutter

Architect Same By J. P. Reid

Address _____
Ordinance 1485 N.S., Section 86: "When a building is ready for lathing or sheathing on the inside, the Building Inspector shall be notified. The rough STUDDING SHALL NOT BE COVERED or in any way concealed from view until inspection has been made and the written approval of the Building Inspector obtained."
The department will call up Telephone No. TE-1657 if any alterations or changes are necessary on the plans submitted.

STATE LICENSE No. 2239 CITY LICENSE No. 1223f

Form C10

PLOT PLAN

REPORT OF INVESTIGATOR

No. B 8439

APPLICATION

Permit for *Alter*

At *584-14th St*
(House Number)

M. Hooper Owner
W. G. Fairlee Contractor

Cost \$ *1000* Fee \$ *40*

Issued *NOV 13 1945*

Copy Tear and etc 11/13/45 ggg
R. O. K.

R. O. K.

W. O. K.

L. O. K.

PLASTER O. K.

FINAL O. K. *11/13/45 ggg*

PLANS CHECKED

AFFIDAVIT

I hereby make affidavit that the information contained in this application and on the plans and specifications is true and contains a correct description of the proposed work. All said work is to be done in accordance with the State Housing Act. I am authorized to act as agent for the owner.

Subscribed and sworn to before me this _____ day of _____ 194____
Deputy City Clerk

- Zoning
- Setback Line
- Fire Limits
- Area Limit
- Court Areas
- Height Limit
- Garage Area
- Ventilation
- Chimneys and Flues
- Type of Frame
- Exterior Walls
- Floor Construction
- Soil
- Foundation
- Retaining Walls
- Engineering

APPROVED: _____ Plan Checker

Permission is hereby granted to erect, alter or repair the building described in this application in accordance with the Building Ordinances of the City of Oakland, and to the satisfaction of the Building Inspector.

Approved *E. U. ROUSSELL*
Chief Building Inspector

By *WMO*
THIS PERMIT DOES NOT COVER ANY ELECTRICAL OR PLUMBING WORK.

WRITE IN INK—FILE TWO COPIES

APPLICATION FOR A BUILDING PERMIT

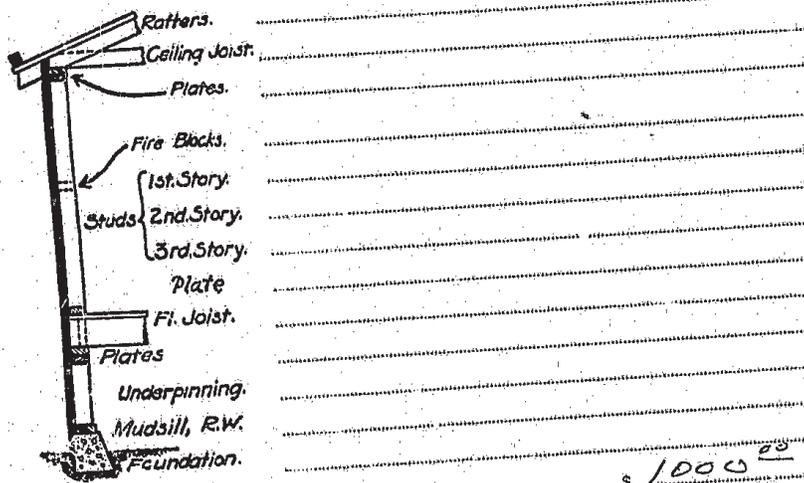
APPLICATION IS HEREBY MADE TO THE BUILDING DEPARTMENT OF THE CITY OF OAKLAND FOR PERMISSION TO DO THE FOLLOWING WORK AT

Number Hotel suites 14th Jefferson Street Ave

WRITE PLAINLY FULL DESCRIPTION OF WORK TO BE DONE
All new construction must be described as to size, span and spacing

install steel for masonry

Roof Covering.



\$ 1000.00

Entire cost of work
(This must include everything for complete construction of work)

Building now used as Hotel By Hotel

Building to be used as Hotel

I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit, or from the use or occupancy of any sidewalk, street or sub-sidewalk or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

Contractor W.C. Tait Co. (if any) Owner W. Wooten

Address 461 Market St. Address 14th Jefferson St.

Architect Charles S. ... By W.C. Tait Co.

Address ...

Ordinance 1485 N.S., Section 86: "When a building is ready for lathing or sheathing on the inside, the Building Inspector shall be notified. The rough STUDDING SHALL NOT BE COVERED or in any way concealed from view until inspection has been made and the written approval of the Building Inspector obtained."
The department will call up Telephone No. suites 1522 if any alterations or changes are necessary on the plans submitted.

Form C10 STATE LICENSE No. 74151 CITY LICENSE No. 5-31-41

PLOT PLAN

REPORT OF INVESTIGATOR

No.

B 8914

78

Permit Review 11/15/45

APPLICATION

Permit for *Extension to*
Marquette
At *14th Jefferson St*
(House Number)
584-14th Street
B. Weston Owner
Wentzler Contractor
Cost \$ *800.00* Fee \$ *4.00*

F. O. K.

R. O. K.

W. O. K.

L. O. Y.

PLASTER O. K.

FINAL O. K. *5/16/46*

Issued **DEC 18 1945**

78



Permit is hereby granted to erect, alter or repair the building described in this application in accordance with the Building Ordinances of the City of Oakland, and to the satisfaction of the Building Inspector.

Approved **E. U. ROUSSELL**
Chief Building Inspector

By *[Signature]*
THIS PERMIT DOES NOT COVER ANY ELECTRICAL OR PLUMBING WORK

PLANS CHECKED

- Zoning
- Setback Line
- Fire Limits
- Area Limit
- Court Areas
- Height Limit
- Garage Area
- Ventilation
- Chimneys and Flues
- Type of Frame
- Exterior Walls
- Floor Construction
- Soil
- Foundation
- Retaining Walls
- Engineering

AFFIDAVIT

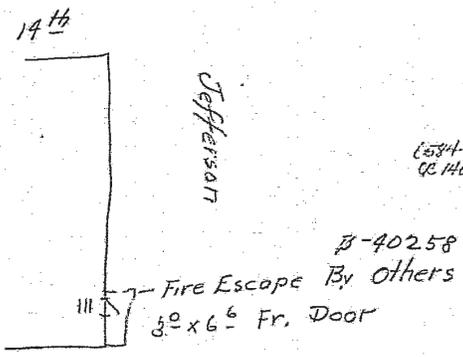
I hereby make affidavit that the information contained in this application and on the plans and specifications is true and contains a correct description of the proposed work. All said work is to be done in accordance with the State Housing Act. I am authorized to act as agent for the owner.

Subscribed and sworn to before me this _____ day of _____ 194_____

Deputy City Clerk

APPROVED: _____ Plan Checker

PLOT PLAN



Remove Window and
add doors & Steps
6 Floors.

B 40258

(584-88 Ad. Lt)
96 H.C.C. 16 Jefferson St.

Inspected No. B40466

APPLICATION FOR A PERMIT TO
ALTER, REPAIR, ADD TO OR
WRECK A BUILDING

Case No. _____
Via. Co. _____

Owner B. Woodin

Contractor L.V. Cantrell

Job Location No. 584 14th St.

14th & Jefferson

Cost \$ 1220.00 Fee \$ 12.-

Cost of work to be checked before final inspection

JAN 23 1952
Date Jan. 21, 1952

R.O.K. _____

info 2-1-52 PKY

R.O.K. _____

W.O.K. _____

L.O.K. _____

PLASTER O.K. _____

Permission is hereby granted to alter, repair, add to or wreck the building or structure described in this application in accordance with Ordinance No. 2749 C.M.S., and all other Ordinances related thereto in the City of Oakland, and to the satisfaction of the Building Inspector.

Approved M. P. KITCHEL
Building Inspector.

By PKY

FINAL O.K. 2-1-52 PKY

*WARNING: This proposed construction may be in violation of National Production Authority Orders, or other Federal restrictions or prohibitions. You are cautioned to consult with appropriate Federal authorities before commencing the work authorized by this permit.

Above Warning Noted: _____
Permittee

Case No.
Plan. Com.

City Manager's
Permit

WRITE IN INK — FILE TWO COPIES

Application to Alter, Repair, Add to Or Wreck a Building
CITY OF OAKLAND, BUILDING DEPARTMENT

Number 589 14th Avenue Street

- 1. Type of Building I, II, III, IV, V
- 2. Type of Occupancy A, B, C, D, E, F, G, H, I, J
- 3. City Zone A, B, C, D, E, F, G, H, I
- 4. Fire Zone 1, 2, 3, 4
- 5. If in Port Area, file three applications.
- 6. Present use of building Hotel Sutter Families..... Rooms.....
(Store, Dwelling, Apartment House, Hotel or other purposes)
- 7. Proposed use of Building..... Families..... Rooms.....
(Store, Dwelling, Apartment House, Hotel or other purposes)
- 8. State how many buildings now on lot and give use of each.....
(Store, Dwelling, Apartment House, Hotel or other purposes)
- 9. Size of existing Building.....x.....Number of stories high.....

For Office Use Only

10. Describe briefly all proposed construction work:
Remove window and install door and steps on six floors - one hand rail required. Hall will be 3' w. wide - 3 steps - 8" max. riser, 9" max. tread
OK. J. J. 1/21/52

Footing: Width.....Depth in Ground.....Width of Wall.....Mudsill.....
11. Size of Studs.....@.....Size of Floor Joists.....@.....
Size of Rafters.....@.....Roof Covering.....

12. VALUATION OF PROPOSED WORK:
Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, fire sprinkler, electric wiring and elevator equipment therein or thereon, \$.....
COST OF WORK TO BE CHECKED BEFORE FINAL INSPECTION

I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, em- ployees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit or from the use or occupancy of any sidewalk, street or sub-sidewalk, or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

Contractor (if any) L. V. Cantrell
Address 1833 El Dorado Ave. Berk
Certified Architect..... State License No.....
Licensed Engineer..... State License No.....

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all City ordinances and State laws regulating building construction.
Signature of R. Woodin
Owner.....
Address Hotel Sutter
Authorized Agent 14th & Jeff

Do not lath, sheath, or otherwise conceal any portion of walls or ceiling until the inspection card has been signed by the ELECTRICAL and PLUMBING INSPECTORS. Following the approval of the ELECTRICAL and PLUMBING INSPECTORS, call the BUILDING INSPECTOR before proceeding further with the work.

The Department will call up Telephone No. 296-2323 if any alterations or changes are necessary on the plans submitted. 5726

CONTRACTOR'S STATE LICENSE No. 103251 AND CITY LICENSE No. 11768

If the work herein described is not commenced within sixty (60) days after the issuing of this permit, this permit becomes null and void as provided in Section 19 of Part 1 of Ordinance 2745 C.M.S.

*take approval
to Housing*

FOR OFFICE USE ONLY

HOUSING DIVISION *William F. Adams*
 FIRE MARSHAL APPROVAL *W.F. Adams*
 CITY MANAGER PERMIT NO. _____
 MOVING PERMIT NO. _____
 POINT OF OAKLAND APPROVAL _____
 PLUMBING PERMIT NO. _____
 HEALTH DEPT. APPROVAL _____
 S OF E & A ITEM NO. _____
 H A & A RES. NO. _____
 ZONING OR PLANNING NO. _____

BUILDING & HOUSING DEPARTMENT - CITY OF OAKLAND
 WRITE IN INK - FILE ALL COPIES

DATE FILED _____
 DATE ISSUED Jun 13 1969 PERMIT NO. 028037 Inspected
APPLICATION FOR PERMIT TO:
 ALTER ADD TO _____
 REPAIR WRECK NEW CONSTR. OTHER

JOB LOCATION 584-14th St
 OWNER'S NAME Mr. B. Wiest
 OWNER'S ADDRESS Same As Above
 OWNER'S PHONE NO. TE-1620

FIELD CHECK BY _____ DATE _____
 Approved YES _____ NO _____
 REMARKS (conditions noted) _____

FOR OFFICE USE ONLY

584-14th St

VALUE: \$250.00
 Address Fee \$ _____
 General Fee \$ 500 Receipt No. _____
 Checking Fee \$ _____

ADDITIONAL COST: TOTAL FEES \$ 500
 Add'l Fee \$ _____
 Add'l Checking Fee \$ _____

TOTAL VALUE: \$ 250.00 TOTAL FEES \$ _____

PLAN FILED Yes No SURVEYS FILED Yes No
 MAP NO. 78 TRACT NAME/NO. _____
 TYPE OF BUILDING I II III IV V H.T. N
 OCCUPANCY GROUP A B C E F G I
 ZONING DISTRICT R-2.3 C M S
 FIRE ZONE 2 3

ADDITION ALTERATION REPAIR

NEW CONSTRUCTION

Size of new building _____ x _____
 Height to highest point _____
 No. of Stories _____
 Specific type of Occupancy _____
 State how many buildings now on lot and give use of each _____
 Footing Width _____ Depth in Ground _____ Width of Wall _____
 Sluds _____ cfr. Floor Joists _____ Mudfill _____
 Rafters _____ cfr. Ceiling Joists _____ cfr. _____
 Roofing _____ cfr. Roof Covering _____

VALUATION OF PROPOSED WORK: \$ _____
 Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, fire sprinkler, electric wiring and elevator equipment therein or thereon.

COST OF WORK TO BE CHECKED BEFORE FINAL INSPECTION.
 Permission is hereby granted to do the work described in this application in accordance with the provisions of the Oakland Building Code and related ordinances.

Approved: LAWRENCE A. LANE
 Building Inspector
 By: [Signature]

TO BE SIGNED ONLY WHEN ISSUED TO OWNER.		CONSTRUCTION LEADER (if none, write none)	
I hereby certify that I am the applicant for a Building Permit, and that in the performance of the work for which such permit is issued, I will not employ any person or persons in any manner so as to become subject to the provisions of the Labor Code of the State of California relating to workmen's compensation insurance.		Name	<u>None</u>
Signature of Owner	_____	Branch	_____
City	_____	Street Address	_____
State	_____	City	_____
Zip	_____	State	_____

Present use of building Hotel Families _____ Rm. _____
 Proposed use of building Hotel Families _____ Rm. _____

Size of existing building _____ Number of stories high _____

Describe briefly all proposed construction work: Install one Partition in Room 209 to gain Access to Fire Escape. Partition to be constructed with original 5x8 steel beam and metal studs.

Contractor: (if any) L.V. Walker Certified Architect
 Address: 1948 - 42nd Ave. Oakland
 Phone No. 861-6787 Licensed Civil Engineer
 State License No. 129236 City License No. Dec. 1969

I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit or from the use or occupancy of any sidewalk, street or sub-sidewalk, or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

[Signature]
 Signature of Applicant

339-6 (10-66) DEPARTMENT COPY

FOR INSPECTIONS TELEPHONE 273-3441

PLOT PLAN

APPROVAL REQUIRED BY STREET AND ENGINEERING DEPARTMENT:
There are no PROPOSED STREET OPENINGS, PUBLIC EASEMENTS OF RECORD
or

REMARKS: _____
in this Department which are in conflict with this application.

By: _____
STREET AND ENGINEERING DEPARTMENT
Date: _____

FORMS OK

FIREPLACE OK

WIRE (EXT.) OK

LATH (INT.) OK

GYPSUM OK
PLASTER

ROUGH OK

6-16-69 *ME*

FINAL OK

6-26-69 *ME*

FOR OFFICE USE ONLY

HOUSING DIVISION _____
 FIRE MARSHAL APPROVAL _____
 SPECIAL ACTIVITY PERMIT NO. _____
 MOVING PERMIT NO. _____
 PORT OF OAKLAND APPROVAL _____
 PLUMBING PERMIT NO. _____
 HEALTH DEPT. APPROVAL _____
 B O F E & A ITEM NO. _____
 H A R A B RES. NO. _____
 ZONING OR PLANNING NO. _____

BUILDING & HOUSING DEPARTMENT - CITY OF OAKLAND
 WRITE IN INK - FILE ALL COPIES

DATE FILED FEB -3 1976 PERMIT NO. (87821)
 DATE ISSUED _____
 APPLICATION FOR PERMIT TO:
 ALTER _____ ADD TO _____ NEW CONSTR. _____
 REPAIR _____ WRECK _____ OTHER _____
 JOB LOCATION 584 14th St.
 OWNER'S NAME Bill BASINET
 OWNER'S ADDRESS 410 Bldg.
 OWNER'S PHONE NO. 832-1628
 FIELD CHECK BY _____ DATE _____
 Approved YES _____
 REMARKS (conditions noted) _____

584-88 14th St (Roof)
 Receipt No.

VALUE: B. R. Tax \$ _____
 SMIP \$ 20
 Address Fee \$ _____
 General Fee \$ 24
 Checking Fee \$ 14.40
 TOTAL FEES \$ 38.40
 ADDITIONAL COST: Add'l Fee \$ _____
 Add'l _____
 Date _____
 Checking Fee \$ _____
 Add'l SMIP \$ _____
 TOTAL VALUE: TOTAL FEES \$ _____
 PLAN FILED Yes _____ No _____ SURVEYS FILED Yes _____ No _____
 MAP NO. 78 TRACT NAME/NO. _____
 TYPE OF BUILDING (1) II III IV V HT. 1 hr. N
 OCCUPANCY GROUP A B C D E (F) (H) I J
 ZONING DISTRICT 2 C M S
 FIRE ZONE (2) 3

NEW CONSTRUCTION

Size of new building _____ Number of Families _____
 Height to highest point _____ Size of Lot _____
 No. of Stories _____ Material of Exterior Walls _____
 Specific type of Occupancy _____
 State how many buildings now on lot _____
 and give use of each _____
 Footing Width _____ Depth to Ground _____ Width of Wall _____ Mudfill _____
 Studs _____ ctrs. Floor Joists _____ ctrs. Ceiling Joists _____ ctrs.
 Rafters _____ ctrs. Roof Covering _____

VALUATION OF PROPOSED WORK: \$ 2600.00
 Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing,
 fire sprinkler, electric wiring and elevator equipment therein or thereon.

COST OF WORK TO BE CHECKED BEFORE FINAL INSPECTION.
 Permission is hereby granted to do the work described in this application in accordance with the provisions of the Oakland Building Code and related ordinances.

Approved: DAVID W. KATHMAN
 Chief Building Inspector
 By: CHIC

TO BE SIGNED ONLY WHEN ISSUED TO OWNER. I hereby certify that I am the applicant for a Building Permit, and that in the performance of the work for which such permit is issued, I will not employ any person or persons in any manner so as to become subject to the provisions of the Labor Code of the State of California relating to workmen compensation insurance.	CONSTRUCTION LENDER (If none, write none)		
	Name _____	City _____	State _____ Zip _____
Signature of Owner _____	Branch _____	Street Address _____	

ADDITION ALTERATION REPAIR
 Present use of building HOTEL Families 103 Rms. _____
 Proposed use of building HOTEL Families 103 Rms. _____
 Size of existing building _____ Number of stories high 7
 Describe briefly all proposed construction work: REMOVE 8 WOODEN DOORS
AND REPLACE WITH ALUMINUM 4" INSERT SLIDING
REMOVE AND REPLACE 2-3'0" 6" EXT. DOORS AND
REPLACE CLOSE OFF 1-3'17" AREA
CLOSE OFF 1-4'17" AREA Per: House
 Contractor: (if any) LAM'S CONSTRUCTION Certified Architect
 Address 1623 MACARTHUR BLVD. Licensed Civil Engineer
 Phone No. 562-8624
 State License No. 18188 City License Exp. JUN 31 1976
 I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any way accrue against the City in consequence of the granting of this permit or from its use or occupancy of any sidewalk, street or sub-tidewalk, or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.
E.A. Jani
 Signature of Applicant

FOR INSPECTIONS TELEPHONE 233-3441

FORM 338-B (REV. 6-73) DEPARTMENT COPY

APPROVAL REQUIRED BY OFFICE OF PUBLIC WORKS:
There are no PROPOSED STREET OPENINGS, PUBLIC EASEMENTS OF RECORD

or
in this Office which are in conflict with this application.
REMARKS:

OFFICE OF PUBLIC WORKS

By _____ Date _____

PLOT PLAN

FORMS OK

FIREPLACE OK

WIRE (EXT.) OK *2-20-76 CWS*

LATH (INT.) OK

ROUGH OK *2-6-76 CWS*

GYPSUM SD. OK *2-20-76 CWS*
PLASTER OK

*2-25-76 Job complete means
to them.*

*2-9-76 Willbourn siding
in east pm CWS*

FINAL OK *3-10-76 CWS*

Ed Lewis CITY DEPARTMENT OF BUILDING AND HOUSING, OAKLAND, CALIFORNIA
 41005 APPLICATION FOR REPORT OF RESIDENTIAL BUILDING RECORD
 Sections 100, 108.1 and 108.3 of Oakland Housing Code
 PLEASE INCLUDE FEE AT TIME OF APPLICATION

Please TYPE or PRINT all information

DEPARTMENT USE ONLY	
Report Number	93055
Date Submitted	3/4/74
Fee Receipt No.	93055
Date Completed	3/8/74
By	Mrs. Thibeaux

- Address of RESIDENTIAL BUILDING to be Reported on is:
584 - 14th Street, Oakland, California
(This application is for one residential building only)
- Name of Owner: Bayard Wooten
 Address: 584 - 14th Street, Oakland, Ca.
- Name of Applicant: Bayard Wooten
(Shall be authorized Agent or Owner)
- Total number of Habitable Buildings on Premises: one
- Total Number of Accessory Buildings on Premises: one
- Existing Basement or Cellar Yes No Existing Attic Yes No
- Habitable Basement or Cellar Yes No Habitable Attic Yes No
- Building type (wood frame, stucco, brick, etc.) Steel, concrete, brick
(Class "A")
- Number of Dwelling Units or Apartments: 102
- Number of Housekeeping Units: Apt. One
(cooking and sleeping in one room)
- Number of Hotel or Sleeping Rooms: 102
- TOTAL Number of Kitchens: one
- TOTAL Number of Habitable Rooms (Exclude bath, toilet, laundry, utility rooms and closets): 102

14. CERTIFICATE
 I certify that I am the APPLICANT named herein, that I have familiarized myself with the Residential Building with respect to preparing and filing this application; that the answers herein contained are in all respects true and accurate to the best of my knowledge and belief.

Date: 3/4/74 Signature: /s/ Bayard Wooten
 Telephone No. 832-2075 Mailing Address: c/o Martin & Wood Realty Co.
308 - 13th Street
 Number Street
Oakland, 94612, California
 City Zone State

PLEASE DO NOT WRITE BELOW THIS LINE (Department use only) PLEASE LEAVE FORM INTACT WITH CARBONS

REPORT OF RESIDENTIAL BUILDING RECORD

This is NOT to be construed that Residential Building complies with all applicable laws of the City and only sets forth the Report as of the DATE COMPLETED shown above

- Report on Residential Building Located at: 584/588 - 14th Street
- Zone District: C-51 Fire District: 1
- Date of Original Building Construction: 2/26/1913 Type: Hotel
- Original Occupancy or Use: Seven-story, Steel Frame Hotel.
- Building Permits Issued: Permit No. 32590 Date 2/26/13 Special Conditions (Variances, etc.) NONE Date: ---
 Original A66241 Date 2/11/37 Alters. B3072 Date 7/10/44
 Alters. A66491 Date 3/3/37 Alters. (re-frame) R3229 Date 6/9/45
 Alters. B8270 Date 10/31/45
 Alters. B8439 Date 11/13/45
- Survey on File. No Yes Plans on File No Yes Alters. (extension) B8914 Date 12/18/45
(to Marquee)
- Certificate of Occupancy Issued No Yes Date: --- Number: --- See next page for other permits.
- Total Number of Habitable Buildings on Premises: ONE (compare with Item No. 4 of Application)
- Total Number of Accessory Buildings on Premises: NONE (compare with Item No. 5 of Application)
- TOTAL Number of Habitable Rooms: One-hundred & two (compare with Item 13 of Application)
- City License Issued No Yes For: Hotel.

CAUTION: A license issued shall not be construed to mean a permit to operate Residential Building of that Residential Building complies with all applicable laws of the City.

13. PRESENT AUTHORIZED OCCUPANCY OR USE (Insofar as ascertainable from City Records)
One-hundred and two guest-rooms and six habitable apartment rooms in the Penthouse of the Seven-story Hotel. NOTE: Outstanding Housing Letter dated 9/18/68. Violations have not been corrected

This Report of Residential Building Record shall not be construed as authority to violate, cancel, alter or set aside any of the provisions or requirements of any laws or ordinances of the City of Oakland nor shall such issuance thereafter prevent acquiring corrections of such violations, or any applicable law or ordinance of the City of Oakland. This report contains information insofar as ascertainable from City records.

If this is unlawful for the owner, or the authorized agent of the owner, to sell this Residential Building without first delivering to the Buyer this Report of Residential Building Record prior to the consummation of sale, the receipt postal card is for the BUYER'S convenience.

Housing Division By: Ed Lewis
 HOUSING DIVISION OFFICIAL
Mrs. Thibeaux

Kent & Jacks
41005

CITY DEPARTMENT OF BUILDING AND HOUSING, OAKLAND, CALIFORNIA
APPLICANT FOR REPORT OF RESIDENTIAL BUILDING RECORD
Sections 106, 108.1 and 108.3 of Oakland Housing Code
PLEASE INCLUDE FEE AT TIME OF APPLICATION

DEPARTMENT USE ONLY
Report Number 11702
Date Submitted Oct. 10, 1975
Fee Receipt No. 11702
Date Completed Oct. 20, 1975
By Nyann Cater

Please TYPE or PRINT all information

1. Address of RESIDENTIAL BUILDING to be Reported on is: 584 - 14th Street
2. Name of Owner: B. Wooten
3. Name of Applicant: Fanciel Financial Center Realty
4. Total number of Habitable Buildings on Premises: 1
5. Total Number of Accessory Buildings on Premises: 1
6. Existing Basement or Collar Yes No
7. Habitable Basement or Collar Yes No
8. Number of Stories: 7
9. Building type (wood frame, stucco, brick, etc.) Existing Attic Yes No
10. Owner occupied Yes No
11. Number of Dwelling Units or Apartments: 103 rooms
12. Number of Hotel or Sleeping Rooms: 103
13. TOTAL Number of Habitable Rooms (Exclude bath, toilet, laundry, utility rooms and closets): 103
14. CERTIFICATE
I certify that I am the APPLICANT named herein, that I have familiarized myself with the Residential Building with respect to preparing and filing this application and that the answers herein contained are in all respects true and accurate to the best of my knowledge and belief.
Date 10-10-75
Signature /s/ James E. Johnson
Mailing Address 362 Kearny St. San Francisco, Calif.
Telephone No. 992-0992

PLEASE DO NOT WRITE BELOW THIS LINE (Department use only) PLEASE LEAVE FORM INTACT WITH CARBONS
REPORT OF RESIDENTIAL BUILDING RECORD
This is NOT to be construed that Residential Building complies with all applicable laws of the City and only sets forth the Report as of the DATE COMPLETED shown above
584 - 14th Street

1. Report on Residential Building Located at: 584 - 14th Street
2. Zone District: C-51 Fire District: 1
3. Date of Original Building Construction: 2-26-13 Type: Hotel
4. Original Occupancy or Use: Seven-Story, Steel Frame Hotel
5. Building Permits Issued: Permit No. 32590 Date 2-26-13
Original Alterations A66241 Date 2-10-37
Alteration A66491 Date 3-3-37 (See attached)
Repairs A98943 Date 5-19-43
6. Special Conditions (Variances, etc.): NONE
7. Survey on File No Yes Plans in File No Yes
8. Certificate of Occupancy Issued No Yes Date: _____ Number: _____
9. Total Number of Habitable Buildings on Premises: One (compare with item No. 4 of Application)
10. Total Number of Accessory Buildings on Premises: None (compare with item No. 5 of Application)
11. TOTAL Number of Habitable Rooms: Unknown (compare with item 13 of Application)
12. City License Issued No Yes For: Hotel
13. PRESENT AUTHORIZED OCCUPANCY OR USE (insofar as ascertainable from City Records)
Seven-Story, Steel Frame Hotel.

NOTE: Outstanding Housing Letter dated 9-29-75.
This Report of Residential Building Record shall not be construed as authority to violate, cancel, alter or fail to abide any of the provisions or requirements of any laws or ordinances of the City of O., and nor shall such issuance thereafter prevent corrections of such violations, or any applicable law or ordinance of the City of Oakland. This report contains information insofar as ascertainable from City Records.
It shall be unlawful for the owner or the authorized agent of the owner, to sell this Residential Building without first delivering to the buyer this Report of Residential Building Record prior to the consummation of sale. The recipient must read it for the BUYER'S convenience.

Housing Division By: Nyann Cater
HOUSING DIVISION OFFICIAL
Nyann Cater

CROSS REFERENCE SHEET

Name or Subject 564-88 14th Street

File No. 0

Regarding Additional information

Date

SEE

Name or Subject 1400-16 Jefferson Street

File No.

File cross reference form under name or subject at top of the sheet and by the latest date of papers. Describe matter for identification purposes. The papers themselves should be filed under name or subject after "SEE."

CITY DEPARTMENT OF BUILDING AND HOUSING, OAKLAND, CALIFORNIA
 APPLICATION FOR REPORT OF RESIDENTIAL BUILDING RECORD
 Sections 108, 108.1 and 108.3 of Oakland Housing Code
 PLEASE INCLUDE FEE AT TIME OF APPLICATION

4008
 Kent + Jacks
 41005
 BR 3-4-74

Please TYPE or PRINT all information

DEPARTMENT USE ONLY	
Report Number	11702
Date Submitted	OCT 10 1975
Fee Receipt No.	
Date Completed	
By	

1. Address of RESIDENTIAL BUILDING to be Reported on is:
584-14th Street
(This application is for one Residential Building only)

2. Name of Owner: B. Weaten
 Address: 584-14th St. Oakland

3. Name of Applicant: Emperial Center Realty
(shall be authorized Agent or Owner)

4. Total number of Habitable Buildings on Premises: 1 5. Total Number of Accessory Buildings on Premises: _____

6. Existing Basement or Cellar Yes No 7. Habitable Basement or Cellar Yes No
 Existing Attic Yes No Habitable Attic Yes No 8. Number of Stories 7

9. Building type (wood frame, stucco, brick, etc.) Steel E concrete 10. Owner occupied Yes No

11. Number of Dwelling Units or Apartments 103 Rooms Number of Housekeeping Units None
(cooking and sleeping in one room)

12. Number of Hotel or Sleeping Rooms 103 TOTAL Number of Kitchens None

13. TOTAL Number of Habitable Rooms (Exclude bath, toilet, laundry, utility rooms and closets) 103

14. CERTIFICATE
 I certify that I am the APPLICANT named herein, that I have familiarized myself with the Residential Building with respect to preparing and filing this application; that the answers herein contained are in all respects true and accurate to the best of my knowledge and belief.

Date 10-10 1975 Signature James E. Johnson

Telephone No. 992-0992 * 397-3783 please call when ready to pick up Mailing Address 367 Kearny St.
 Number 367 Street Kearny
 City San Francisco State Calif. ZIP 94108

330-78 (9/61)

CITY DEPARTMENT OF BUILDING AND HOUSING, OAKLAND, CALIFORNIA
APPLICATION FOR REPORT OF RESIDENTIAL BUILDING RECORD

Sections 108, 108.1 and 108.3 of Oakland Housing Code
PLEASE INCLUDE FEE AT TIME OF APPLICATION

*Ed Sawyer
41005
127 - 9-18-68
Shil open*

Please TYPE or PRINT all information

1. Address of RESIDENTIAL BUILDING to be Reported on is:

584 14th Street Oakland, Calif.
(This application is for one Residential Building only)

2. Name of Owner: Bayard Wooten

Address: 584 14th Street Oakland, Calif.

3. Name of Applicant: Bayard Wooten
(shall be authorized Agent or Owner)

4. Total number of Habitable Buildings on Premises: One 5. Total Number of Accessory Buildings on Premises: one

6. Existing Basement or Cellar Yes No 7. Habitable Basement or Collar Yes No 8. Number of Stories: SEVEN
Existing Attic Yes No Habitable Attic Yes No

9. Building type (wood frame, stucco, brick, etc.): Steel, Concrete, Brick (Class A) 10. Owner occupied Yes No

11. Number of Dwelling Units or Apartments: 102 Number of Housekeeping Units: One
(cooking and sleeping in one room)

12. Number of Hotel or Sleeping Rooms: 102 TOTAL Number of Kitchens: One

13. TOTAL Number of Habitable Rooms (Exclude bath, toilet, laundry, utility rooms and closets): 102

14. CERTIFICATE

I certify that I am the APPLICANT named herein, that I have familiarized myself with the Residential Building with respect to preparing and filling this application that the answers herein contained are in all respects true and accurate to the best of my knowledge and belief.

Date: March 4 1974

Signature: Bayard Wooten

Telephone No. 832-2075

Mailing Address: c/o Martin & Wood Realty Co.
308 13th Street, Oakland, Calif. 94612
Number Street

DEPARTMENT USE ONLY	
Report Number	<u>93055</u>
Date Submitted	<u>MAR 4 1974</u>
Fee Receipt No.	<u>93055</u>
Date Completed	<u>3/8/74</u>
By	<u>R. Thibault</u>

March 8, 1974

REPORT OF RESIDENTIAL RECORD CONTINUED...

Regarding: 584/588 - 14th Street

Building Permits Issued: Permit No.

Fire Escape B40258 Date 1/02/52

Alterations B40466 Date 1/21/52

Alterations C48837 Date 2/13/69

CITY OF OAKLAND
BUILDING AND HOUSING DEPARTMENT

JACK E. TAYLOR, ADMINISTRATOR

BUILDING DIVISION
LAWRENCE A. LANE
BUILDING INSPECTOR

CITY HALL
OAKLAND, CALIFORNIA 94612
273-3381

HOUSING DIVISION
ENRICO LA BARBERA
URBAN RENEWAL

September 18, 1968

Code No. 19 Downtown
Address 584 - 14th Street
Occ. H-F2 F. Zone 1 Stories 7
Type III Z. Zone C-50 Survey CS

Mr. Baynard Wooten
584 - 14th Street
Oakland, California, 94612

Dear Mr. Wooten:

Your property at 584 - 14th Street, Oakland, California, was surveyed on August 20, 1968, by personnel of this Department. Similar surveys are being conducted throughout the City for the purpose of bringing about a healthier, safer and more pleasing urban environment, by the elimination of undesirable and/or illegal housing and building conditions.

The survey revealed the existence of certain code violations. These violations are listed on the attached page(s) and are numbered 1 through #16.

The attached list of violations includes suggested methods of corrections. Other legal and appropriate means of correcting or abating the cited violations may be used. These matters and any other problems connected with the survey should be discussed with your Urban Renewal Representative, Mr. Robert Andersen, who may be reached at 273-3381 between 8:30 and 9:30 a.m., Monday through Friday. Our office is on the 6th floor of the City Hall, Room 615, Oakland.

Your attention is called to Section 211 of the Oakland Housing Code which provides for your right to appeal to the Housing Advisory and Appeals Board. It is recommended that this matter be fully discussed with your Urban Renewal Representative who will be most happy to fully advise you on the standard operational procedure of application to this Board.

The possession of a valid permit is essential to the satisfactory correction of most building, plumbing, heating and electrical violations.

A progress check of your property will be made on October 10, 1968, or soon afterwards. At this time you will be required to present a reasonable timetable for the elimination of any violations that have not as yet been corrected.

Please do not hesitate to call upon us for further information or assistance.

cc: Nathan Goldwater
Goldwater and Hurcell
Central Building
Oakland, California

RSB
RKA (2)
BLGG, DIV.

EL:RSB:11
H-7 Date File
807-8 (11/68)

RECEIVED

SEP 18 1968

Building and Housing Department
Building Division

Sincerely,
ENRICO LA BARBERA
Housing Division Official

Subdividing Urban Renewal Representative

Mr. Baynard Wooten
584 - 14th Street
September 16, 1968
Page two

(RE: 584 - 14th Street)

The survey inspection was completed of the seven-story, Type III, 50' x 104' masonry-sided building occupying the entire lot, and which was erected as a hotel, under building permit #32590 issued on February 26, 1913. At the time of the survey the building was being occupied as originally intended.

The following deficiencies were noted and must be corrected:

1. The electric fuses in the fuse panel boxes (all floors) are unapproved for use with the size of wire being used. Section 1103.5 OHC, Table 210-25 NEC. Replace the existing fuses to conform with these requirements. (Type S non-temperable fuses recommended.)
2. The electric wall switch in the bathroom of Room #707 is readily accessible from the tub or shower. Sections 1103.3 OHC and 410-95 NEC. Relocate or properly ground.
3. Electrical violations of a hazardous nature exists throughout the structure. These violations consist of unapproved pull chain, unapproved stapled wiring and illegal outlets, defective outlets and defective light fixtures. Sections 1103.5 OHC and 110-a OEC. Correct immediately these hazardous conditions.
4. The traps serving hand basins (numerous locations) are defective. Sections 1102 OHC and 318, 319 OPC. Repair or replace.
5. The use of the units (covers) are prohibited for cooking purposes. Section 601.1 OHC. Discontinue the use of this area for cooking purposes.
6. The following conditions are of a maintenance nature and are in violation of Section 1001.1 OHC as to maintenance and repair:
 - a. The walls and ceilings in various rooms, (including portions of public hallways and public bath and toilet rooms) are not maintained in an approved manner. (Paint peeling, etc.) Correct.
 - b. Room carpeting (numerous rooms) and portions of the public hall carpeting are in a state of deterioration and disrepair.
 - c. Several windows warrant repair to sash and replacement of broken glass (now in process of correcting).
7. An accumulation of rubbish and debris existing in the cellar area, (old furniture, etc.) Section 1002.4 OHC. Remove.
8. The elevator shaft is open in the cellar area and is not enclosed as required. Enclose with proper materials of construction. Section 807.1 OHC. Correct.

Mr. Baynard Wooten
584 - 14th Street
September 16, 1968
Page three

(RA: 584 - 14th Street)

9. The public hallway at the 2nd floor level lacks the required minimum one-hour fire-resistant construction due to a window and a non-approved type door opening from the vertical shaft abutting the hall. Section 507.1 OHC. Enclose with proper materials of construction or in case of door provide approved 1 3/8" solid core door.
10. The laundry chute is open at all floor levels. Section 807.1 OHC. Properly seal off or close chute opening door at each floor.
11. The building is in violation of Section 803.8 OHC, in that rooms (guest rooms, etc.) abut public corridors and are equipped with transoms over doorways. Permanently close all transoms and cover the transoms with either 5/8" gypsum board or 3/4" plywood.
12. The residential portion is in violation of Section 802.4 OHC, in that the continuous exit to the fire escapes on the west side of the structure is obstructed by locked guest rooms. Provide an approved passageway to the west side fire escapes.
13. The residential portion of the building is in violation of Section 804.2 OHC in that red lights are missing or improperly located in the hallways. Install red lights that are required fire escape signs denoting change in exit direction and fire escape. Proper white light shall also be provided to illuminate required signs.
14. The door from the stairway leading to the roof is locked. Section 803.10 OHC. No scuttle or penthouse door in any hotel shall at any time be locked with a key, but may be fastened by an accessible movable bolt or lock.
15. The water closet compartments on most floors are not distinctly marked to designate sex. Section 901.3 OHC. Provide required signs.
16. An open waste line exists in the fire extinguisher cabinet, 7th floor. Section 319 OHC. Properly cap.

Several guest rooms and the penthouse were not open for inspection when this survey was made. Should any violations or deficiencies exist in these areas, they shall become a component part of this report and shall be corrected in an approved manner.

Upon completion of all required work, a Certificate of Occupancy will be issued by this Department. Your Representative, name _____, will make periodic call-back visits to assist you and answer any questions you may have regarding this report.

Realizing the inconvenience to owners and tenants in housing surveys, we thank you for your cooperation during the survey was in progress.

CITY OF OAKLAND
BUILDING AND HOUSING DEPARTMENT
JACK E. TAYLOR, ADMINISTRATOR
CITY HALL
OAKLAND 12, CALIFORNIA
XXXXXXXXXXXX
CR 3-3381

BUILDING DIVISION
LAWRENCE A. LANE
BUILDING INSPECTOR

RECEIVED

FEB 20 1963

HOUSING DIVISION

ENRICO LA BARBERA
Building and Housing Department

February 19, 1963
Code no. 19-1
Address 584 - 14th St
Occ. F-2 P. Zone 1 St. Ids 7
Type H-1 Z. Zone G Survey CS

B. Wooten
584 - 14th Street
Oakland, California

Dear Mr. Wooten:

Your property at 584 - 14th Street, Oakland, California, was surveyed on February 11, 1963, by personnel of this Department. Similar surveys are being conducted throughout the City for the purpose of bringing about a healthier, safer and more pleasing urban environment, by the elimination of undesirable and/or illegal housing and building conditions.

The survey revealed the existence of certain code violations. These violations are listed on the attached page(s) and are numbered 1 through 14.

The attached list of violations includes suggested methods of corrections. Other legal and appropriate means of correcting or abating the cited violations may be used. These matters and any other problems connected with the survey should be discussed with your Urban Renewal Representative, Mr. Russell A. O'Connell, who may be reached at CR 3-3381 between 8:30 and 9:30 a.m., Monday through Friday. Our office is on the 6th floor of the City Hall, room 615, Oakland.

Your attention is called to Section 211 of the Oakland Housing Code which provides for your right to appeal to the Housing Advisory and Appeals Board. It is recommended that this matter be fully discussed with your Urban Renewal Representative who will be most happy to fully advise you on the standard operational procedure of application to this Board.

The possession of a valid permit is essential to the satisfactory correction of most building, plumbing, heating and electrical violations.

A progress check of your property will be made on March 10, 1963, or soon afterwards. At this time you will be required to present a reasonable timetable for the elimination of any violations that have not as yet been corrected.

Please do not hesitate to call upon us for further information or assistance.

cc: Bldg. Div. ✓
RCW
VAD
Date file
Form letter H-7

Sincerely,

ENRICO LABARBERA
Housing Division Official

RCW:VAD:sa

RUSSELL A. O'CONNEL
Urban Renewal Representative

Page two
B. Wooten Re: 584 - 14th St.
February 19, 1967

Comment:

Subject hotel and stores were built in 1913-15 on a 50' X 103.75' lot. No significant change is indicated. At present there are 102 guest rooms and six (6) habitable apartment rooms in the penthouse.

Violations:

1. The exterior trim and sash of several windows and doors of the penthouse and of several windows on other floors lack weather protection. Sections 401.19 (a), 1402 and 1001.1 OHC. Provide weather protection. Your attention is directed to the beginning deterioration of exposed wood due to lack of proper maintenance. It is recommended that the exterior masonry siding be repainted.
2. The window in the women's water closet on the 7th floor is not operable. Section 701.3 and 1001.1 OHC. Repair or replace.
3. The water closet compartments on most floors are not distinctly marked to designate sex. Section 901.3 OHC. Provide required signs.
4. The electric fuses serving all floors are unapproved for use with the size of wire being used. Table 310-12 NEC, Section 230-1 OEC requires the use of 15 and 20 ampere fuses with number 14 and 12 wire respectively for proper overcurrent protection. Replace the existing fuses to conform with these requirements. (Type S non-removable fuse recommended.)
5. Electrical violations of a hazardous nature exist throughout the structure. These violations consist of defective outlets and stapled cords. Sections 1103.5 OHC and 110 (a) OEC. Correct immediately these hazardous conditions.
6. The fixtures in the sink in the penthouse are defective. Sections 1102 OHC and 8-10.01 OPC. Replace or remove and cap drain opening to prevent sewer gas from escaping.
7. The walls and ceilings in the various rooms are not covered in an approved manner (paint peeling, etc.) Section 1001.5 OHC. Apply required materials as often as necessary to maintain the surfaces in a clean and sanitary condition.
8. The stored materials in the basement have created a fire hazard. Section 1002.7 OHC. Remove and maintain.
9. The residential portion is in violation of Section 802.4 OHC in that the exit ways to the fire escapes on west side are obstructed by locked guest rooms. Provide an approved passageway to the west fire escapes.

Page three
B. Woolen
February 19, 1963

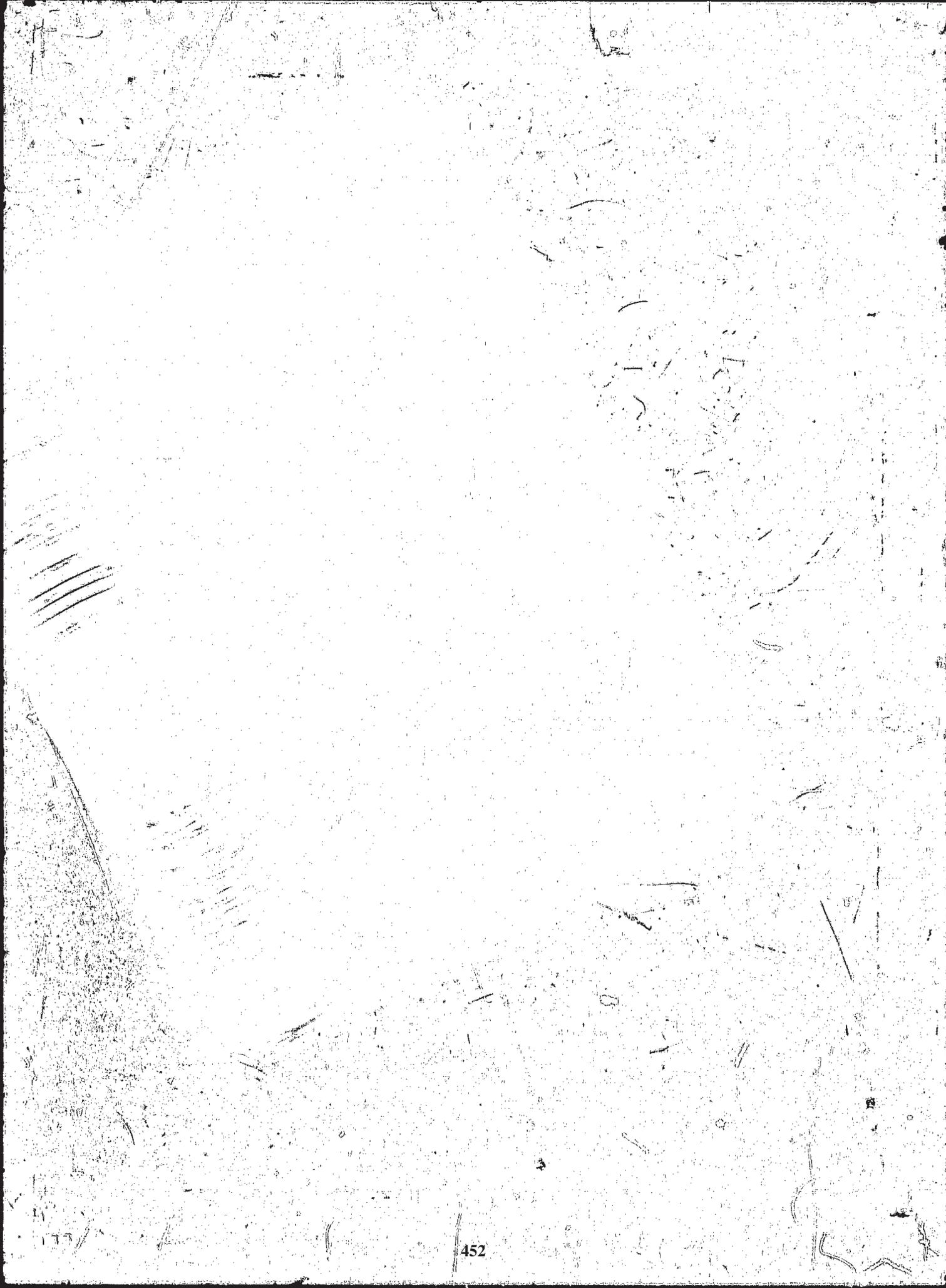
Ret: 584 - 14th St.

10. The building is in violation of Section 803.8 OMC in that guest rooms contain transoms. Permanently close all transoms and cover the transoms with either 5/8" gypsum board or 3/4" plywood.
11. The residential portion of the building is in violation of Section 804.2 OMC in that red lights are missing or improperly located in the hallways. Install red lights that are near required fire escape stairs, such lights and signs to be readily visible from each hallway, and insure that such red lights burn from sunset to sunrise.
12. The residential portion of the building is in violation of section 805.2 OMC in that the stairway door to the roof is not of one-hour fire-resistant construction. Provide such door.
13. The residential portion of the building is in violation of Section 807.1 OMC in that the laundry chute, a vertical opening is not enclosed for fire protection. Properly close off the unused laundry chute at the second floor, and repair the ceiling in this room.
14. The pull chains for the light switches over most of the wash basins (lavatories) lack an insulating link. (Sections 1103.5 OMC and 110.1a OEC. Provide proper pull chains with insulating links.

It is further recommended that stricter maintenance be applied to the building in general as many minor deficiencies were pointed out to you at the time of the survey in addition to the major deficiencies listed herein.

Realizing the inconvenience to owners and tenants in conducting housing surveys, we thank you for your cooperation during the time that the survey was in progress.

You are again reminded that the Urban Renewal Representative must be advised of your intentions to correct all violations with proper permits if they have not already been corrected prior to the re-survey date of March 19, 1963.



CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

TO: City of Oakland, Building and Housing Department
14th and Washington Streets, City Hall
Oakland, California 94512

7/30/75
(date)

REQUEST TO INSPECT PUBLIC RECORDS FOR 584 - 4th St. 41400-16 Jaffer
(address) San. St.
Oakland, California

I wish to examine the Building Records (indicate type) records which may exist in the City of Oakland, Building and Housing Department, pertaining to the above address and which records are subject to inspection under the California Public Records Act.

My purpose for making this request is that I would like to
buy the said property.

I wish to examine the records on: _____ 1970
(date)

(please print name)

(signature)

(address)

(City, State)

Phone: 452-1715

The City of Oakland, Building and Housing Department's public records are available for inspection between the hours of 9:00 a.m., and 4:00 p.m. each working day.

Due to our operating procedures, the above are the only times when records will be available for inspection. If copies are requested, a charge of \$1.00 per page will be made. This Department will make public records available for your inspection on the date requested or at the earliest possible date. Please enclose a self-addressed and stamped envelope, so we may notify you that the record is available subject to inspection under the California Public Records Act and when the records can be made available.

I have examined the file on 7/30/75
(date)

Signed: J. M. Water

City Form

TO: City of Oakland, Building and Housing Department
14th and Washington Streets, City Hall
Oakland, California 94612

6-16-75
(date)

REQUEST TO INSPECT PUBLIC RECORDS FOR 584-14th St. Oakland
(address)
Oakland, California

I wish to examine the Building Records (indicate type) records which may exist in the City of Oakland, Building and Housing Department, pertaining to the above address and which records are subject to inspection under the California Public Records Act.

My purpose for making this request is FOR SALE OF PROPERTY

I wish to examine the records on: _____ 1970
(date)

(please print name)

(signature)

(address)

(City, State)

Phone: _____

The City of Oakland, Building and Housing Department's public records are available for inspection between the hours of 9:00 a.m., and 4:00 p.m., each working day.

Due to our operating procedures, the above are the only times when records will be available for inspection. If copies are requested, a charge of \$1.00 per page will be made. This Department will make public records available for your inspection on the date requested or at the earliest possible date. Please enclose a self-addressed and stamped envelope, so we may notify you that the record is available subject to inspection under the California Public Records Act and when the records can be made available.

I have examined the file on _____
(date)

Signed: Anna T. La Tore

Martin J Wood Realty
308-13th St. Oakland

City Form P32-2021

REPORT OF RESIDENTIAL BUILDING RECORD

Item #5:	Permit No.	Date:
Alterations	B3072	7-10-44
Alterations	B6229	6-9-45
Alterations	B0270	10-31-45
Alterations	B8439	11-13-45
Extension to Marquee	B8914	12-18-45
Fire Escape Balcony	B40258	1-2-52
Alterations	B40466	1-21-52
Alterations	C48837	6-13-69

CITY OF OAKLAND



CITY HALL • 14TH AND WASHINGTON STREETS • OAKLAND, CALIFORNIA 94612

Building and Housing Department

Code No. 01001
Address 804 - 14th Street
Occ. 1 F. Zone 2 Stories 7
Type III Z. Zone Survey C

Mr. John Eslic - Executor Estate
of: Raymond Weston
804 - 14th Street
Oakland, California 94612

Dear Mr. Eslic:

Your property at 804 - 14th Street, Oakland, California, was surveyed on May 16, & Sept. 24, 1975 by personnel of this Department. Similar surveys are being conducted throughout the City for the purpose of bringing about a healthier, safer and more pleasing urban environment, by the elimination of undesirable and/or illegal housing and building conditions.

The survey revealed the existence of certain code violations. These violations are listed on the attached page(s) and are numbered 1 through 6

The attached list of violations includes suggested methods of corrections. Other legal and appropriate means of correcting or abating the cited violations may be used. These matters and any other problems connected with the survey should be discussed with your Urban Renewal Representative, Mr. Jeffrey G. Hunt, who may be reached at 273-3381 between 8:30 and 9:30 a.m., Monday through Friday. Our office is on the 6th floor of the City Hall, Room 615, Oakland.

Your attention is called to Section 211 of the Oakland Housing Code which provides for your right to appeal to the Housing Advisory and Appeals Board. It is recommended that this matter be fully discussed with your Urban Renewal Representative who will be most happy to fully advise you on the standard operational procedure of application to this Board.

The possession of a valid permit is essential to the satisfactory correction of most building, plumbing, heating and electrical violations.

A progress check of your property will be made on November 7, 1975 or soon afterwards. At this time you will be required to present a reasonable timetable for the elimination of any violations that have not as yet been corrected.

Please do not hesitate to call upon us for further information or assistance.

Enc: 1. sent (2), sig. (3)
2. sent (1), sig. (1)
3. sent (2), W. Wilson
4. sent (1), Central Building
Oakland, California 94612 (1)
Date File (1)

Sincerely,
ENRICO LA BARBERA
Housing Division Official

RECEIVED
SEP 30 1975
JAMES DEWEY
Supervising Urban Renewal Representative
Building and Housing Department
Building Division

H-7
507-6 (3/72)

Re: 584 - 14th Street

- 2 -

September 29, 1975

The survey inspection was completed of the seven-story, Type III, 50 x 104, brick and masonry-sided building which was erected as a Hotel under building permit # 32590 issued on February 26, 1913. At the time of the survey the building was being occupied as originally intended.

NOTE: This letter indicates only those deficiencies that were visible during the survey. Alterations, repairs, or additions to the structure involving building, electrical, plumbing, or mechanical changes may disclose further work to be completed before this structure meets all applicable codes and is eligible for a Certificate of Occupancy.

The following deficiencies were noted and must be corrected:

- I. The following conditions are in violation of the fire safety regulations pertaining to protection of stairways and corridors in Hotels three (3) or more stories in height. Chapter 8 OMC.
 - a. The interior stairways are not protected in accordance with one of the following alternatives. Provide one of three approved methods. Section H-805 (b) OMC.
 - (1) The proper enclosure of all interior stairways with not less than one hour fire resistive construction on all walls and ceilings.
 - (2) Each story shall be properly separated from the floor below and above by one-hour doors, or walls or both.
 - (3) Provide an automatic fire extinguishing system (sprinklers) as approved by the City of Oakland Fire Marshal.
 - b. The transoms above doors to all guest rooms are improperly covered. All existing openings shall be fixed closed and covered with a minimum of 3/4" plywood or 1/2" gypsum wall board or equivalent material. Section H-803 (b) OMC.
 - c. The door leading to the roof and entrance to the penthouse is locked. Provide an easily openable latch on the roof door with a separated hall or access directly onto the roof. Section H-803 (k) OMC.

Ref: 584 - 14th Street

- 3 -

September 29, 1975

- d. Access to the fire escape is blocked by unauthorized doors on the third through seventh floors. Provide properly marked exits with unobstructed hallways to the fire escape on each floor. Section H-804 OHC.
 - e. The light shaft (inter court) the rear stairway is covered. Remove the cover or provide one-hour fire protective covering over all windows or install wire glass to meet current code. Section H-807 and Section H-805 (b) OHC.
 - f. The small wooden door and window that opens to the inner court next to the men's toilet on the 14th Street side must be protected with one-hour fire resistive material. Provide a door 1 3/4" thick or a 3/4 hour rated door with a self closer, or cover over door and window with one-hour wall. Section H-805 (b) OHC.
 - g. The hallways lack proper directional signs to the fire escape. Provide signs, Section H-804 OHC.
2. The public bath and toilet windows open into covered shafts. Remove the covers to provide proper light and ventilation. Section H-504 OHC.
3. The court adjacent to the rear stairs is covered. Remove the cover. Section H-504 OHC.
4. The following items refer to maintenance. Section H-527 OHC.
- a. The outer and inner courts are littered with debris. Remove debris.
 - b. The walls and ceilings in most rooms, public baths and halls are chipped, display peeling paint and are generally dirty. Clean, repair and restore proper covering.
 - c. The window trim and sash throughout is deteriorated. Repair and putty, reglaze, seal as necessary.
 - d. The grout sealant around most tubs, hand basins, and toilets is deteriorated. RegROUT.
 - e. The tubs, toilets, hand basins and showers inspected were extremely dirty, rusty and in a general state of disrepair. Restore the fixtures to good working order and sanitary condition.

STATE AS 12
1605

Re: 584 - 14th Street

- 4 -

September 29, 1975

- f. There are many taped traps and hand basins. Remove tape and replace with water tight traps as necessary.
 - g. Many of the public and private toilet seats and water closet covers are broken or deteriorated. Replace.
 - h. Floor coverings throughout are torn, dirty, missing or deteriorated. Clean, remove, replace as necessary.
 - i. Several mirrors over hand basins are broken. Replace.
5. The vents serving the kitchen of the closed restaurant are broken, loose and may fall into the outer court. Remove or repair as necessary. Section H-527 OHC.
6. The following are electrical violations. Refer Section H-701 (b) OHC.
- a. The branch circuit panels in the halls contain 30 amp fuses. Replace with 15 and 20 amp fuses.
 - b. There are numerous switches and light fixtures loose and broken. Repair and replace as necessary.
 - c. Several rooms exhibit stapled cord wiring serving unapproved receptacles. Remove all stapled or unapproved wiring.
 - d. Most of the insulating links on pull chain fixtures are missing. Replace links.
 - e. There are unapproved multiple adapters in some light sockets. Remove.
7. Some tenants in occupied rooms are cooking in violation of Section H-509 OHC. Cooking is authorized only in a room designed for that purpose.
8. The fire hoses in the hall are generally deteriorated, with parts missing. Fire extinguishers are missing and inspection tags are outdated. Provide all necessary fire safety equipment. Section H-901 OHC.
- The occupancies and penthouse were not open for inspection when this survey was made. Should any violations or deficiencies exist in these areas they shall become a component part of this report and shall be corrected in an approved manner.

Re: 584 - 14th Street

- 5 -

September 29, 1975

The restaurant and bar were closed. However, the ceiling appeared to be in good repair. Any damage to the occupancy separation (walls and ceilings) should be repaired with suitable material under proper permit when the commercial areas are opened.

The basement area was empty and used for storage only.

IMPORTANT NOTICE -- (Applicable to rental housing)

The conditions set forth in this letter are in violation of local codes dealing with health, safety, or building. If said conditions are not corrected within a six-month period or if you have not received an exemption due to lack of financing for repairs, the City of Oakland will mail a notice of noncompliance to the California State Franchise Tax Board as required by Sections 17299 and 24436.5 of the Revenue and Taxation Code.

Should you have any questions, please call Harvey O. Kent at 273-3361 any weekday from 8 to 9:30 a.m.

HOK:mrh

TO: City of Oakland, Inspectional Services Department
14th and Washington Streets, City Hall
Oakland, California 94612

12-13-77
(date)

REQUEST TO INSPECT PUBLIC RECORDS FOR 581-588 HHS ST ~~14th and Washington~~
(address)
Oakland, California

I wish to examine the Building (indicate type) records which may exist in the City of Oakland, Inspectional Services Department, pertaining to the above address and which records are subject to inspection under the California Public Records Act.

My purpose for making this request is REAL ESTATE APPRAISAL

I wish to examine the records on: 12-13 19 77
(date)

Thomas R. ALLEN
(please print name)

Chas R Allen
(signature)

2716 TELEGRAPH AVE
(address)

Berkeley CA 94706
(city, state)

Phone: 548 1210

The City of Oakland, Inspectional Services Department's public records are available for inspection between the hours of 9:00 a.m., and 4:00 p.m. each working day.

Due to our operating procedures, the above are the only times when records will be available for inspection. If copies are requested, a charge per page will be made in accordance with the master fee schedule. This Department will make public records available for your inspection on the date requested or at the earliest possible date. Please enclose a self-addressed and stamped envelope, so we may notify you that the record is available subject to inspection under the California Public Records Act and when the records can be made available.

I have examined the file on 12-13-77
(date)

Signed: Chas R Allen

TO: City of Oakland, Inspectional Services Department
14th and Washington Streets, City Hall
Oakland, California 94612

May 31, 1977
(date)

REQUEST TO INSPECT PUBLIC RECORDS FOR 584-14th Street Oakland
(address)
Oakland, California

I wish to examine the _____ (indicate type) records
which may exist in the City of Oakland, Inspectional Services Department,
pertaining to the above address and which records are subject to
inspection under the California Public Records Act.

My purpose for making this request is: Assessment Appeals Hearing

I wish to examine the records on: May 31 1977
(date)

Harold K. Friedmann
(please print name)

Harold K. Friedmann
(signature)

3 1/2 Lakeside Ave.
(address)

Oakland Calif.
(City, State)

Phone: 872-6777

The City of Oakland, Inspectional Services Department's public records
are available for inspection between the hours of 9:00 a.m., and 4:00
p.m. each working day.

Due to our operating procedures, the above are the only times when
records will be available for inspection. If copies are requested, a
charge per page will be made in accordance with the master fee schedule.
This department will make public records available for your inspection
on the date requested or at the earliest possible date. Please enclose
a self-addressed and stamped envelope, so we may notify you that the
record is available subject to inspection under the California Public
Records Act and when the records can be made available.

I have examined the file on _____ (date)

Signed: _____

CITY OF OAKLAND
BUILDING AND HOUSING DEPARTMENT
INTER-DEPARTMENTAL CORRESPONDENCE

To: Jim Marshall Attention: Tom O'Brien Date: 3-8-76
From: Curt Switzer Division: City
Re: Address 584-88 - 14th St
Owner Bill Burnett Address _____ Phone 832-1620
Contractor Loni Covert Address 10231 MacArthur Phone 562-8624

Please Reply to Following:

Do you have any objection to a final
on the alteration (new windows & doors in Penthouse)
at the above address -

Signed Curt Switzer
Title Bldg. Insp.

REPLY

No objection to a final on this.

RECEIVED
MAY 1976
BUILDING DEPARTMENT

ORIGINAL—RETURN TO OFFICE OF ORIGIN

339-3 (7/60)

Signed Thomas O'Brien
Title Gen. Insp.
Date 3-10-76

Representative _____ Reference Number _____

BUILDING AND HOUSING DEPARTMENT

1. Address #1 584-588 - 14th St. SW Date 3/8/74
Address #2 _____

2. Zone District C-51 Fire District 4 Sanborn Map Number 78

3. Block Book # _____ Page _____ Lot # _____ Lot Size _____
Tract and Block _____
Owner _____ Address _____
Distance 7 1/2 corner of 14th and Jefferson

4. W.P.A. Survey: Yr. Built _____ Type _____
Stories _____ Room _____ Families _____ Roomers _____ Bath _____ W.C. _____
Garages _____ Basement _____ Cellar _____ Attic _____ Accessory Bldg. _____

5. BOOK #1
Owner ADOLPH & MULLER Amount \$ 130,000
32590 Date 2/26/13 For 75, Steel frame hotel

BOOK #2
Owner M. Freideman Amount \$3,500
A66241 Date 9/11/37 For Alterations - interior & exterior
cement floor in basement, electric wiring Finalled - Cancel

Owner H. C. Morris Amount \$300.00
A66491 Date 3/3/37 For Alterations - remove partitions
cut two arches, alter store front Finalled - Cancel

Owner B. Wooten Amount \$200.00
A98943 Date 5/19/43 For Repairs - To doors and windows
in northhouse Finalled - Cancel

** B3072 H. J. Arnaud & B. Wooten 7/10/44 \$1,000
Alterations - Remove plate glass
windows and replace glass F

B6229 B. Wooten 6/9/45 \$4,000
Complete restaurant & bar F

B8270 Wooten & Arnaud 10/31/45 \$200.00
Alteration, remove partition F

B8439 W. Wooten 11/13/45 \$1,000
Install steel for mezzanine F

B8914 B. Wooten 12/18/45 \$800.00
Owner B. Wooten Amount \$2,183
B40258 Date 1/2/52 For Fire escape balcony one
roof ladder Finalled - Cancel

Owner B. Woodin Amount \$1,220
B40466 Date 1/21/52 For Remove windows and install
door and steps on six floors Finalled - Cancel

Sign Permit Inc Martin Amount \$95.00
40885 Date 5/4/60 For Sign Permit

6. VARIANCES
Zoning # N222 Date _____ For _____
Building # _____ Date _____ For _____
Housing # _____ Date _____ For _____

7. Survey: Yes No _____ Permit # _____ Plans in File: Yes _____ No PERMANENT FILE Permit No. _____

8. CERTIFICATE OF OCCUPANCY
Yes _____ No Date _____ For _____

9. CITY LICENSE
Yes No _____ Type Hotel Knicker Hotel (96rooms) Date 4/28/74
Issued to Wooten, B Address _____

10. ADDITIONAL INFORMATION 115y. Lat. Still open 9-13-68

owner Mr. B. Wooten Unit #250
C 48537 Date 6-13-67 For alter
102 habitable room Finalled
6-26-69

owner B. Wooten Amt. 4,000⁰⁰

B, 6227 Date 6-9-45 For completion of Redament and Ber
finished
4-13-46

owner - Wooten & Arnold Amt. 200⁰⁰

B8270 Date 10-31-45 For a Glass - concrete partition in lobby,
between South side and porch finished
4-25-46

owner - W. Wooten Amt. 1,000⁰⁰

B8439 Date 11-13-45 For

17
6
8

4 17km
6 on a
10 2 approx
floor

Representative _____ Reference Number _____

BUILDING AND HOUSING DEPARTMENT

1. Address #1 584-88 - 14th Street Date OCT 6 1961
Address #2 1400-12-14-16 - Jefferson

2. Zone District G Fire District 4 Sanborn Map Number 78

3. Block Book # 3 Page 207 Lot # 12 Lot Size 50 X 103.75
Tract and Block In Casserly's Tract on 14th Street
84/51 Owner Bayard Wooten Address 584 - 14th Street
Distance NE corner of 14th & Jefferson

4. W.P.A. Survey: Yr. Built 1915 Type Business w/dwellings
Stories 7 Rooms 9 Families 1 Roomers 9 Bath 1 W.C. 1
Garages No Basement yes Cellar --- Attic --- Accessory Bldg. -

5. BOOK #1
Owner Morris Mueller Amount \$130,000
32590 Date 2/26/13 For Seven-story, steel frame hotel
Finalled - Cancel

Owner _____ Amount _____
_____ Date _____ For _____
Finalled - Cancel

BOOK #2
Owner M. Freideman Amount \$3,500
466241 Date 2/11/37 For Alterations - interior & exterior
ceement floor in basement, electric wiring Finalled - Cancel

Owner H. C. Morris Amount \$300.00
A66491 Date 3/3/37 For Alterations - remove partitions
cut two arches, alter store front Finalled - Cancel

Owner B. Wooten Amount \$200.00
A98943 Date 5/19/43 For Repairs - To doors and windows
in penthouse Finalled - Cancel

CARDS
Owner B. Wooten Amount \$2,183
840258 Date 1/2/52 For Fire escape balcony one
roof ladder Finalled - Cancel

Owner B. Woodin Amount \$1,220
840466 Date 1/21/52 For Remove windows and install
door and steps on six floors Finalled - Cancel

Owner Joe Martin Amount \$95.00
40885 Date 5/4/40 For Sign Permit
Finalled - Cancel

6. VARIANCES

Zoning # None Date _____ For _____
Building # None Date _____ For _____
Housing # None Date _____ For _____

7. Survey: Yes _____ No X Permit # _____ plans in file: Yes X NO
Permit No. 36970

8. CERTIFICATE OF OCCUPANCY
Yes _____ No X Date _____ # _____ For _____

9. CITY LICENSE
Yes X No _____ Type _____ Date _____
Issued to B. Wooten Address _____

ADDITIONAL INFORMATION _____

B3072	H. J. Arnaud & B. Wooten	7/10/44	\$1,000 Alterations - Remove plate glass windows and replace glass	F
B6229	B. Wooten	6/9/45	\$4,000 Complete restaurant & bar	F
B8270	Wooten & Arnaud	10/31/45	\$200.00 Alteration, remove partition	F
B8439	W. Wooten	11/13/45	\$1,000 Install steel for mezzanine	F
B8914	B. Wooten	12/18/45	\$800.00 Extension to Marquee	

Representative H. Kent Managers Reference Number 4417

BUILDING AND HOUSING DEPARTMENT

1. Address #1 524 1/2 St. East Date 5/15/75
Address #2 _____

2. Zone District C-51 Fire District 1 Sanborn Map Number 27

3. Block Book # _____ Page _____ Lot # _____ Lot Size _____
Tract and Block _____
Owner _____
Distance _____ Address _____

4. W.P.A. Survey: Yr. Built _____
Stories _____ Room _____ Families _____ Roomers _____ Type _____
Garages _____ Basement _____ Cellar _____ Attic _____ Bath _____ W.C. _____
Accessory Bldg. _____

5. BOOK #1 210-1-1-1 Hall
Owner #32370 Date 3/16/74 Amount 512.00
For Alteration

BOOK #2
Owner M. F. ...
366711 Date 3-10-74 Amount 1.00 Final - Cancel
For Alteration

BOOK #2
Owner H. P. ...
416451 Date 3-3-77 Amount 1.00 Final - Cancel
For Alteration

Owner B. ...
492913 Date 5-17-73 Amount 1.00 Final - Cancel
For Repair

CNRD
Owner H. T. ...
83679 Date 7-11-70 Amount 1.00 Final - Cancel
For Alteration

CARDS
Owner L. ...
80254 Date 2-7-71 Amount 1.00 Final - Cancel
For Alteration

Owner H. ...
88270 Date 10-31-75 Amount 1.00 Final - Cancel
For Alteration

Owner L. ...
82439 Date 11-13-75 Amount 1.00 Final - Cancel
For Alteration

6. VARIANCES
Zoning # 51 Date _____ For _____
Building # _____ Date _____ For _____
Housing # _____ Date _____ For _____

7. Survey: Yes _____ No X Permit # _____ Plans in File: Yes X No _____ Permit No. _____

8. CERTIFICATE OF OCCUPANCY
Yes _____ No X Date _____ # _____ For _____

9. CITY LICENSE
Yes X No _____ Type Hotel
Issued to _____ Address _____ Date _____

10. ADDITIONAL INFORMATION
dated 9-12-72
46305 - ...

807-1 (7/75)

BUILDING AND HOUSING DEPARTMENT

Representative H. Kenner Reference Number 7111?

1. Address #1 504-1411 Street Date 2/1/20
 Address #2 _____

2. Zone District _____ Fire District _____ Sanborn Map Number _____

3. Block Book # _____ Page _____ Lot # _____ Lot Size _____
 Tract and Block _____ Address _____
 Owner _____ Distance _____

4. W.P.A. Survey: Yr. Built _____
 Stories _____ Room _____ Families _____ Type _____
 Garages _____ Basement _____ Cellar _____ Roomers _____
 Attic _____ Bath _____ W.C. _____
 Accessory Bldg. _____

5. BOOK #1
 Owner _____ Date _____ Amount _____
 # _____ For _____ Finaled - Cancel _____

BOOK #2
 Owner _____ Date _____ Amount _____
 # _____ For _____ Finaled - Cancel _____

BOOK #3
 Owner M. L. ... Date 12-12-23 Amount 2,500
 # A 2514 For Return to ... Finaled - Cancel _____

GARDS
 Owner M. L. ... Date 1-2-23 Amount 1,500
 # 18 411 2514 For ... Finaled - Cancel _____

Owner M. L. ... Date 1-2-23 Amount ...
 # ... For ... Finaled - Cancel _____

Owner M. L. ... Date 6-12-29 Amount ...
 # 4 2837 For ... Finaled - Cancel _____

6. VARIANCES
 Zoning # _____ Date _____ For _____
 Building # _____ Date _____ For _____
 Housing # _____ Date _____ For _____

7. Survey: Yes _____ No _____ Permit # _____ Plans in File: Yes _____ No _____ Permit No. _____

8. CERTIFICATE OF OCCUPANCY
 Yes _____ No _____ Date _____

9. CITY LICENSE
 Yes _____ No _____ Type _____
 Issued to _____

10. ADDITIONAL INFORMATION _____ Address _____ Date _____

607-A (2/28)

W. Cater

Representative Kent Frazer 312 Reference Number 41005
BUILDING AND HOUSING DEPARTMENT

1. Address #1 524-14th Street Date 10-17-75
Address #2 _____

2. Zone District C-51 Fire District 1 Sanborn Map Number _____
Tract and Block _____ Page _____ Lot # _____ Lot Size _____

3. Block Book # _____ Owner _____
Distance _____ Address _____

4. W.P.A. Survey: Yr. Built _____
Stories _____ Room _____ Families _____ Roomers _____ Type _____
Garages _____ Basement _____ Cellar _____ Attic _____ Bath _____ W.C. _____
Accessory Bldg. _____

5. BOOK #1 Morris & Muller Amount \$139,000
Owner _____ Date 2-26-73 For 7th steel frame Hotel
32598 _____

BOOK #2 M. Friedman Amount \$5500
Owner _____ Date 2-10-37 For Alterations
A66241 _____ Finaled - Cancel

BOOK #3 H. C. Morris Amount \$300
Owner _____ Date 3-3-37 For Alteration
A66491 _____ Finaled - Cancel
5-22-37

BOOK #4 B. Wooten Amount \$200
Owner _____ Date 5-19-43 For Repairs
A98443 _____ Finaled - Cancel
4-13-37

CARDS H. J. Demand & B. Wooten Amount \$1000
Owner _____ Date 2-10-44 For Alterations
B3072 _____ Finaled - Cancel
12-7-43

CARDS B. Wooten Amount \$4000
Owner _____ Date 6-7-45 For Alteration
B3229 _____ Finaled - Cancel
4-17-46

CARDS B. Wooten & Demand Amount \$200
Owner _____ Date 10-31-45 For Alteration
B2076 _____ Finaled - Cancel
4-13-46

CARDS W. Wooten Amount \$1000
Owner _____ Date 11-13-45 For Alteration
B2134 _____ Finaled - Cancel
4-25-46

6. VARIANCES None Date _____
Zoning # _____ Building # _____ For _____
Housing # _____ Date _____ For _____

7. Survey: Yes _____ No Permit # _____
Plants in File: Yes No Permit No. 33540

8. CERTIFICATE OF OCCUPANCY
Yes _____ No Date _____ # _____ For _____

9. CITY LICENSE
Yes No _____ Type Hotel
Issued to W. Wooten Address _____ Date 4-27-76

10. ADDITIONAL INFORMATION outstanding housing letter dated
9-29-75 Sign Permit # 40885

Page 2

Representative Rent & Jackson 3rd Reference Number 211005

BUILDING AND HOUSING DEPARTMENT

1. Address #1 584-14th St. Date 10-17-75
Address #2 _____

2. Zone District _____ Fire District _____ Sanborn Map Number _____

3. Block Book # _____ Page _____ Lot # _____ Lot Size _____
Tract and Block _____
Owner _____ Address _____
Distance _____

4. W.P.A. Survey: Yr. Built _____ Type _____
Stories _____ Room _____ Families _____ Rcomers _____ Bath _____ W.C. _____
Garages _____ Basement _____ Cellar _____ Attic _____ Accessory Bldg. _____

5. BOOK #1
Owner _____ Amount _____
_____ Date _____ For _____
Finaled - Cancel _____

Owner _____ Amount _____
_____ Date _____ For _____
Finaled - Cancel _____

BOOK #2
Owner _____ Amount _____
_____ Date _____ For _____
Finaled - Cancel _____

Owner _____ Amount _____
_____ Date _____ For _____
Finaled - Cancel _____

CARDS Owner B. Wosten Amount \$800-
B8914 Date 12-18-45 For Extension to garage
Finaled - Cancel 5-8-46

CARDS Owner Mr B. Wosten Amount \$9125-
B40257 Date 7-2-50 For Fire escape balcony
Finaled - Cancel 9-1-52

Owner B. Wosten Amount \$1320-
B40466 Date 7-21-52 For Alteration
Finaled - Cancel 9-2-52

Owner Mr B. Wosten Amount \$350-
C48897 Date 6-13-69 For Alteration
Finaled - Cancel 3-26-69

6. VARIANCES
Zoning # _____ Date _____ For _____
Building # _____ Date _____ For _____
Housing # _____ Date _____ For _____

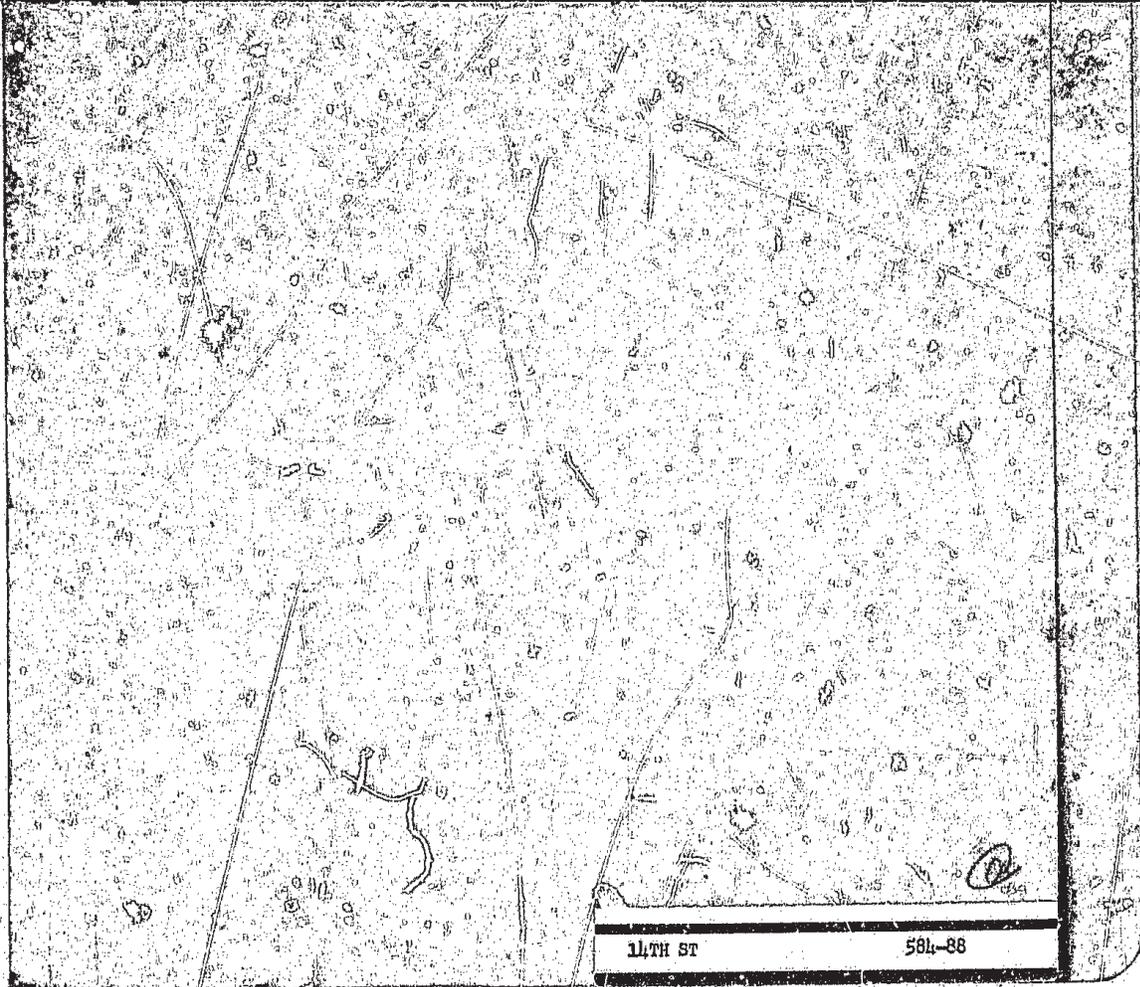
7. Survey: Yes ___ No ___ Permit # _____ Plans in File: Yes ___ No ___ Permit No. _____

8. CERTIFICATE OF OCCUPANCY
Yes ___ No ___ Date _____ # _____ For _____

9. CITY LICENSE
Yes ___ No ___ Type _____ Date _____
Issued to _____ Address _____

10. ADDITIONAL INFORMATION _____

8074 (7/83)



CITY OF OAKLAND



DEVELOPMENT SERVICES DEPARTMENT • 1330 BROADWAY • OAKLAND, CALIF. 94612

TELEPHONE (415) 774-3000

NBW-P1-366

January 6, 1994

TO: SINGH GOVINDER
P O BOX 5247
WALNUT CREEK CA 94596

FROM: Office of Planning and Building
Seismic Safety Division
1330 Broadway, Suite 800
Oakland, CA 94612

SUBJECT: Building Located at: **584-88 14TH ST, OAKLAND**

City of Oakland records indicate that you are the owner of an unreinforced masonry (URM) building located at the subject address. URM buildings are generally buildings constructed without adequate steel reinforcing bars embedded in the masonry walls and are considered the most susceptible to earthquake damage among existing building types.

Recognizing this potential hazard, in 1986, the State of California enacted a law, which mandated that local jurisdictions identify URM buildings and implement a mitigation program to enhance the seismic safety of these buildings.

On July 27, 1993, the Oakland City Council adopted the Unreinforced Masonry Building Ordinance No. 11613 C.M.S. to comply with the state law.

This ordinance was developed after several years of deliberation with a community coalition convened by the Oakland Chamber of Commerce and a detailed socioeconomic study to analyze the impact of various retrofit alternatives. The adopted retrofit standards carefully balance desired public safety and economic limitations.

As the owner of a URM building, you are required to comply with the mandatory provisions of this ordinance. The ordinance and a summary of the ordinance are enclosed. You are required to file an acceptable engineering analysis report (EAR) along with a \$500 filing fee with the City's Seismic Safety Division. The report must include an analysis of potential exterior falling hazards and formatted in accordance with Sections 18-6.10(C)(1) and 18.6.10(D)

of the Ordinance: If your building does not currently comply with the applicable mandatory retrofit standard in Section 18-6.08 or 18-6.09 of the ordinance, you must also file acceptable plans and a building permit application to retrofit your building along with your EAR, and complete the retrofit work within the timeframe specified below. A summary of the building permit process is enclosed.

The Planning Department will require Design Review, prior to Building Permit approval, for Historic Buildings and other buildings that are subject to Design Review. Other planning permits may also be required for certain projects which go beyond compliance with URM Ordinance requirements (i.e. additions, change of use, etc.). To determine if your building has a historic designation, and for information related to Design Review and other planning permits, please contact the permit counter at (510) 238-3443. When calling this number, please state that you are inquiring about an URM building.

The schedule for compliance with the ordinance is based on the priority levels established by Section 18-6.07(A) of the ordinance, and on whether your building is an URM bearing wall building or an URM non-bearing wall building (framed building with URM infill walls and building with only URM veneer). Based on City records, your building has been designated a *priority level 1* and is most likely to be an *URM non-bearing wall* building. However, it is the building owner's responsibility to obtain a qualified engineer or architect to substantiate the actual type of URM construction and to comply with the applicable schedule as follows:

DEADLINE TO COMPLY WITH ORDINANCE

	URM Bearing Wall Building	URM Non-Bearing Wall Building
File EAR and Necessary Building Permit Application	February 1, 1995	February 1, 1997
Complete Mandatory Retrofit Work	February 1, 1996	February 1, 1999

If your building is an URM non-bearing wall building, compliance with the mandatory requirement will remove your building from the City's potentially hazardous URM buildings list.

If your building is an URM bearing wall building, compliance with these requirements will satisfy the mandatory provisions of the ordinance, but your building will remain on the City's potentially hazardous URM buildings list until the building is fully retrofitted to the voluntary standards in Section 18-6.08(B) of the ordinance.

It is the intent of the ordinance's mandatory standard to mitigate only potential exterior falling hazards. The voluntary standards for bearing wall buildings are intended to be the minimum

standards to protect building occupants by reducing the potential of a collapsed building in a severe earthquake.

Building owners, who fail to comply with the mandatory provisions for the City's URM Ordinance, will be subject to monetary penalties and after three years of non-compliance, possible revocation of occupancy for their building.

In addition, State Assembly Bill 1963, which became effective on March 31, 1993, requires that owners of URM buildings be responsible for posting the following sign on their URM buildings:

**THIS IS AN UNREINFORCED MASONRY BUILDING.
UNREINFORCED MASONRY BUILDINGS MAY BE
UNSAFE IN THE EVENT OF A MAJOR EARTHQUAKE.**

This sign shall be posted in a conspicuous place at the entrance of the building. The sign shall be not less than 5" x 7", containing the above statement, printed in not less than 30-point bold type. This sign must be posted until your building has been removed from the City's potentially hazardous URM buildings list. The State law does not require the posting of this sign for URM non-bearing wall buildings with concrete or steel frame.

Owners of URM buildings assigned a priority level 1 or 2 can appeal the priority assignment to the Board of Examiners and Appeals in accordance with Section 18-6.16(B) of the ordinance, if they believe the Building Official made an error in determining the priority level or they can demonstrate their inability to obtain financing to perform the mandatory work within the specified timeframe. The priority levels for this ordinance are based on the use, occupant load, height, soil condition, public traffic, and historic significance of the building. Pedestrian and vehicle traffic levels and the soil conditions for each building are based on various city-wide studies. The permitted use, allowable occupant load, height, and historic designation of each building are based on the specific permit records and site visits for each building. **The appeal form, along with a \$500 filing fee, must be filed with the Seismic Safety Division by May 6, 1994.** Appeal forms can be obtained from the Seismic Safety Division.

The City's Office of Finance is developing a city-wide special assessment district to assist owners in obtaining loans to comply with the ordinance. It is anticipated that all qualified applicants for financing will receive approval to participate in the initial program by April 29, 1994. **Enclosed are the description, schedule, and preliminary application for the proposed loan program. For additional information or questions, contact the Office of Finance at (510) 238-6735.**

Also enclosed are guidelines to assist you in hiring architects and engineers. You may wish to refer to these documents before you contract these services.

For general information on how to select a qualified licensed contractor, you may wish to contract the Contractors State License Board at (510) 577-2429.

Some URM building owners have expressed a desire to work with other owners to develop a cost savings cooperative program for engineering, design, and construction services. If any owners are interested in organizing such a program, please contact the Seismic Safety Division.

Owners, who need further clarification of the URM Ordinance and Finance program, are invited to attend an owner informational meeting.

The meeting will be held at:

**The Oakland Museum, James Moore Theater
1000 Oak Street, Oakland**

Thursday, January 27, 1993, 7:00 p.m. to 9:00 p.m.

Additional information about the owner informational meeting is provided in the enclosed announcement.

Please RSVP to the Seismic Safety Division if you are planning to attend this meeting. This will assist the City in insuring sufficient seating and handout material at the meeting.

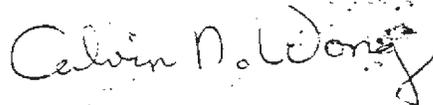
Your building may be exempted from this ordinance if it meets one of the exceptions permitted in Section 18-6.03, or if the building is not an URM building as defined in Section 18-6.06(O) and (P) in the ordinance. If you believe your building meets one of these exemptions, you may submit evidence to the Seismic Safety Division to substantiate your claim.

If you are not the current owner of the subject building, please immediately advise the Seismic Safety Division.

If you have any questions, or wish to RSVP, please contact the Seismic Safety Division at (510) 238-3293 or by Fax at (510) 238-6445.

Your efforts in response to Oakland's seismic hazard mitigation program are greatly appreciated. Through your cooperation, we can greatly enhance the community's public safety from major impending seismic events.

Very truly yours,



CALVIN N. WONG
Seismic Safety Division Manager

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

SINGH GOVINDER
 P O BOX 5247
 WALNUT CREEK CA 94596
 RE: 584-88 14TH ST; SEQ:366

4a. Article Number

RETURN RECEIPT REQUESTED

4b. Service Type

- Registered Insured
- Certified COD
- Express Mail Return Receipt for Merchandise

Date of Delivery

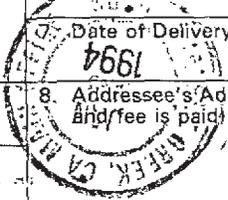
7661

5. Signature (Addressee)

6. Signature (Agent)

[Handwritten Signature]

8. Addressee's Address (Only if requested and fee is paid)



Thank you for using Return Receipt Service.

PS Form 3811, December 1991

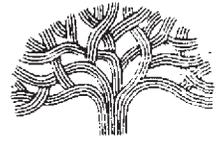
★U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

4.



CITY OF OAKLAND



OFFICE OF PLANNING & BUILDING • 1330 BROADWAY • OAKLAND, CALIFORNIA 94612

Administration	238-7200	Building Services	238-3587	Planning	238-3941
Engineering Services	238-2110	Operations	238-3443	Zoning	238-7206

May 22, 1995

Govinder Singh
584 14th Street
Oakland, California 94612

RE: Building located at 584 14th Street, Oakland

Dear Mr. Singh:

The Seismic Safety Division of the City of Oakland has reviewed and approved the report submitted by Mr. Gregory Miller, S.E. The report indicates that the subject building is a steel framed building with masonry infills, and all the mandatory seismic retrofit requirements were completed under building permit #B9301087. Therefore, we are removing the subject building from the list of buildings subject to the Unreinforced Masonry Buildings Hazard Mitigation Ordinance No. 11613 C.M.S. Furthermore, we confirm that the building has also complied with the requirements of the Earthquake Repair Ordinance No. 11217 C.M.S.

If you have any questions please contact Emad Mirsaeidi at 238-6440 between 8:30 a.m. and 4:00 p.m.

Sincerely,

Philip Grubstick
Manager Plan Check/
Engineering Services

B9204307

THE RIGHT GUYS
GENERAL ENGINEERING CONTRACTORS
LICENSED, INSURED, BONDED
LICENSE 584635

P.O. BOX 5247
WALNUT CREEK, CA 94596
(510) 933-5300
FAX:939-1244

May 19, 1995

Seismic Safety Division
Office of Planning and Building
1330 Broadway
Oakland, Ca. 94612

Re: Engineering Analysis Report
Sutter Hotel
584 14th Street
Oakland.

Gentlemen:

Enclosed is an EAR prepared for the Sutter Hotel at 584 Fourteenth Street. The Sutter is a frame building with masonry infill walls and falls under Section 18-6.09 of the City of Oakland URM Ordinance enacted in the recent past.

This is to inform you that the mandatory retrofit standards required under the Ordinance, for this building, have now been complied with. All parapet masonry and bracing work has been completed and inspected by Valley Inspection Services and the City of Oakland Building Inspection Department under Permit No: B 9301087.

It is herewith requested that you now remove this building from the City's potentially hazardous URM list. Please let us know your decision as soon as possible

Very Sincerely,



Raj Singh

5/19/95

Oakland Building Department
Department of Building Inspection
Oakland, CA 94612

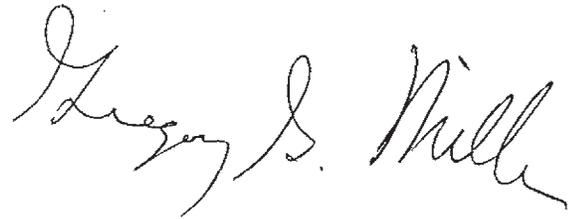
Re: Engineering Report for the Sutter Hotel, 584 14th Street, Oakland, CA

Gentlemen:

The Sutter Hotel was surveyed for possible hazardous conditions due to seismic activity in April, 1994. The building is a seven story steel framed structure with non-load bearing unreinforced brick masonry infill panels. The only hazard noted was a six foot high unreinforced brick parapet at the roof level. This condition was mitigated by adding structural steel beams and posts to laterally support the parapet for lateral loads due to wind and earthquakes. The two enclosed stairwells do not represent a hazard.

Sincerely,

Greg Miller, S.E.



expires 12/31/97

ENGINEERING ANALYSIS REPORT (EAR)

a)Date of Report: May 18, 1995

**b)584 14th Street
Oakland.
APN: 3-69-17**

c)Sutter Hotel

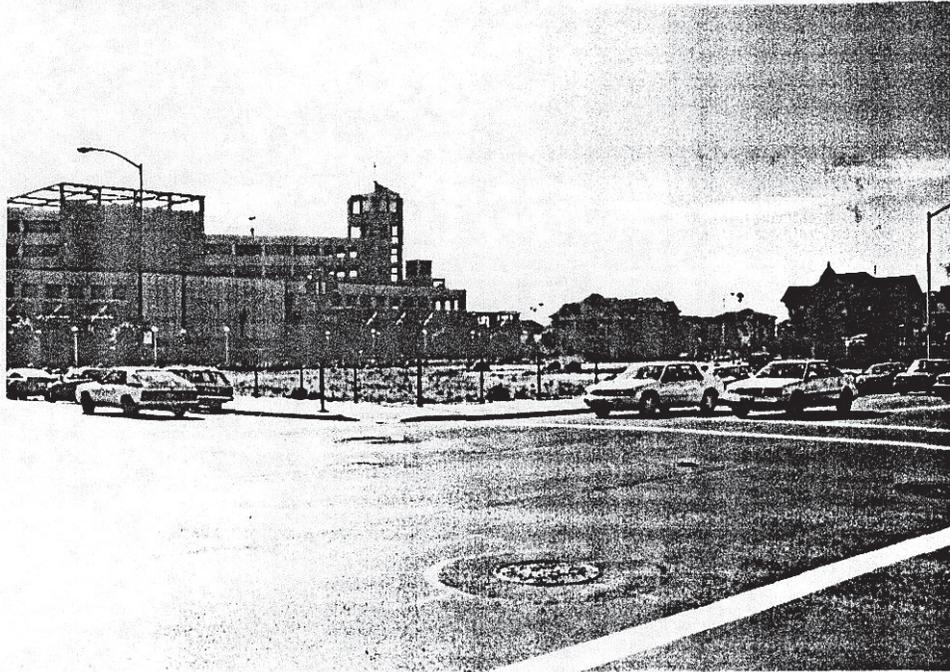
**d)Govinder Singh
584 14th Street
Oakland.
510-451-2555**

g)The building is a residential Hotel consisting of 103 Units with one large commercial unit at street level.

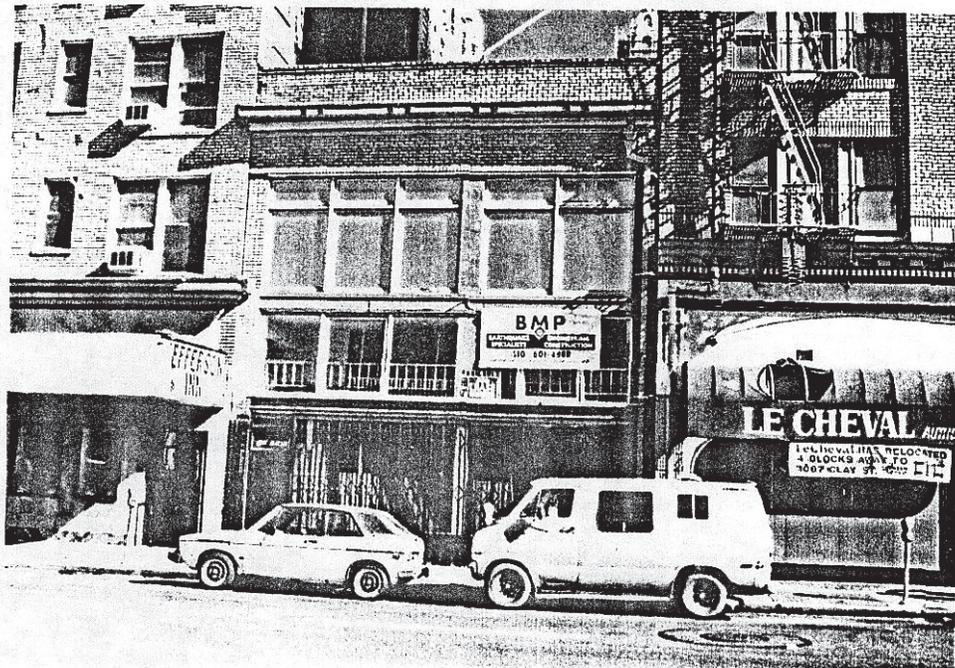
h-j)The date of original design, construction, name of designer, Architect and Contractor are unavailable. Original plans are not available.

k)Scaled plan to show footprint of buiding in relation to property line etc. is attatched.

l)Photos/sketches of elevation to show adjacent buildings are attached.



VIEW FROM SUTTER HOTEL
14TH and JEFFERSON STREETS
SOUTH WESTERLY DIRECTION



COMMERCIAL and RETAIL BUILDING
JEFFERSON STREET
ADJACENT SUTTER HOTEL - NORTH FACE



COMMERCIAL and RETAIL BUILDING
ADJACENT TO SUTTER HOTEL
EAST SIDE-14TH STREET



VIEW OF SUTTER HOTEL
14TH and JEFFERSON STREETS

LIQUOR STORE

JEFFERSON STREET

FEDERAL BUILDING

SIDEWALK

103'-9"

14TH STREET

118'-0"

SUITER HOTEL
584 - 14TH STREET

RETA
&
OFF
1418
JEFF
SON.

RETAIL & OFFICE
570 - 14TH STREET

SITE PLAN

584 - 14TH STREET

SCALE: 1" = 20'-0"

CITY
CENTER
(PROPOSED)

To Fwy
↑
980

LIQUOR
STORE

PARKING
LOT

JEFFERSON ST.

FEDERAL
BUILDING
(CITY CENTER)

14th STREET

584

SUTTER

HOTEL

1418
OFFICE
&
RETAIL

RETAIL
AND
OFFICE

CITY
HALL
←

CITY OF OAKLAND



CITY HALL • ONE CITY HALL PLAZA, • OAKLAND, CALIFORNIA 94612

December 7, 1990

Office of Public Works

T TY 839-6451

TO: BERMAN LESTER A & SINGH GOVINDER
346 N LARCHMONT BL
LOS ANGELES CA 90004

FROM: Office of Public Works
Development Services Department
Seismic Safety Division
1330 Broadway, Suite 800
Oakland, CA 94612

RE: BUILDING LOCATED AT: 584 14TH ST

Dear BERMAN LESTER A & SINGH GOVINDER,

This letter informs you of a State of California law which may apply to your property. Widespread concerns over earthquake safety in California caused the State Legislature to pass the Unreinforced Masonry Law, Senate Bill 547 (SB 547) in 1986. Enclosed is a copy of the law.

The law requires jurisdictions in highly active earthquake areas to identify buildings which were constructed of brick or masonry prior to enactment of building codes containing earthquake requirements. It also requires that the City adopt a mitigation program to enhance their structural safety. These buildings are commonly called unreinforced masonry (URM) buildings, and include structures constructed primarily of brick or masonry (referred to as bearing wall buildings), and structures constructed of steel or concrete frame which have brick or masonry walls (referred to as infill buildings). Buildings constructed with unreinforced masonry have performed poorly in every damaging earthquake and are considered the most susceptible to earthquake damage among existing building types.

In Oakland the law applies to unreinforced masonry buildings constructed, or for which building permits were applied for, prior to November 26, 1948, the effective date of the building code requiring earthquake resistant design of buildings. The City has completed the task of identifying these buildings, and has compiled a PRELIMINARY DRAFT list of 1759 unreinforced masonry buildings in Oakland. The building referenced at the beginning of this letter is on this PRELIMINARY DRAFT list. This letter is an initial notification to recorded owners of such buildings.

If you are not in ownership of the building at 584 14TH ST, please complete the enclosed "Current Owner Information Form" and return it to our office.

The City is in the process of developing an ordinance that will be part of a mitigation program. The ordinance will stipulate such things as structural strengthening requirements and time frame to complete work. It is expected that Oakland's proposed ordinance will be developed by the spring of 1991.

Before an ordinance is adopted by the City, several public hearings and workshops will be held to answer questions and hear comments from the community about the program. You will be notified of the place, date and time of the hearing.

After the ordinance is adopted, a copy will be mailed to you. At that time, you will have an opportunity to determine whether the ordinance applies to your building and evaluate how specific requirements relate to your individual situation. Community workshops will be scheduled with property owners to discuss the provisions of the ordinance and the process for implementation.

If you wish to begin reinforcing your building before the unreinforced masonry ordinance is adopted next year, you may initiate such a building improvement by filing an application for a building permit under the City's "Interim Seismic Upgrade Ordinance". Please contact the Seismic Safety Division for a copy of the interim ordinance.

The City is developing the proposed URM ordinance in conjunction with a coalition of groups including: the Oakland Chamber of Commerce, the Oakland Association of Realtors, the American Institute of Architects; and representatives from engineering, architectural, historic preservation, real estate, and property owner organizations. As part of this effort, the City is exploring financial assistance opportunities which would help owners with the cost of building modifications.

If there are any questions regarding the City's URM program or the SB 547 law, please call the Seismic Safety Division in the Office of Public Works at 287-6435. The office hours are from 8:00 a.m. to 4:00 p.m., Monday thru Friday. The division is located at 1330 Broadway, 8th Floor, Suite 800.

Sincerely,

Randall A. Lum
Deputy Public Works Director
and Building Official

encles.

DOWNTOWN DISTRICT
District Contributor

Ser. No. _____
HABS _____ HAER _____ NR3D/4b SHL _____ Loc _____
UTM: A _____ B _____
C _____ D _____

IDENTIFICATION

1. Common name: Hotel Sutter
2. Historic name: Same
3. Street or rural address: 584-88 14th St./1400-16 Jefferson Street
City Oakland Zip 94612 County Alameda
4. Parcel number: 3-69-17
5. Present Owner: Lappalainen, Aarre Address: 584 14th St.
City Oakland Zip 94612 Ownership is: Public _____ Private X
6. Present Use: Hotel Original use: Hotel

DESCRIPTION

- 7a. Architectural style: Early 20th century commercial with Renaissance/Baroque ornamentation
- 7b. Briefly describe the present *physical description* of the site or structure and describe any major alterations from its original condition:

The Hotel Sutter is a 7-story and mezzanine steel-frame brick hotel building on a southwest-facing corner lot at the edge of the Downtown Oakland district. Its three-part vertical composition consists of a top-floor capital with a wide metal(?) modillion-block cornice and inset marble patterns in the brick wall surfaces, divided by a belt course of molding from a simple brick 5-story shaft whose smooth pilasters and slightly recessed spandrels frame groups of 3 double-hung windows, atop a second modillion-block cornice over the 1½-story base. The base, originally glazed bays and transoms and a terra-cotta framed hotel entrance, was remodelled in 1944-6 as a stream-lined bar, with small porthole windows, glass blocks, and tile or vitrolite facing. The transom appears to be covered rather than removed. The building is 6 bays wide on Jefferson Street, 3 bays on 14th. The hotel lobby occupies the east 2 bays on 14th Street. Only the street facades are finished; the east side, visible over lower buildings, reveals a shallow light court and painted wall signs. There is also a corner neon "Hotel" sign 3 stories high.



8. Construction date: Estimated _____ Factual 1913-14
9. Architect C.M. Burrell
10. Builder Muller & Morris
11. Approx. property size (in feet)
Frontage 50 Depth 103.5
or approx. acreage _____
12. Date(s) of enclosed photograph(s)

151-30A 584-88 14th St./1400-16
Jefferson St. 3-82

- 13. Condition: Excellent ___ Good X Fair ___ Deteriorated ___ No longer in existence ___
- 14. Alterations: Extensive to first floor
- 15. Surroundings: (Check more than one if necessary) Open land ___ Scattered buildings ___ Densely built-up X
Residential ___ Industrial ___ Commercial X Other: ___
- 16. Threats to site: None known X Private development ___ Zoning ___ Vandalism ___
Public Works project ___ Other: ___
- 17. Is the structure: On its original site? X Moved? ___ Unknown? ___
- 18. Related features: None

SIGNIFICANCE

19. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site.)
 Permit 32590, issued August 22, 1913, describes this as a \$130,000 7-story Class A steel frame hotel building, architect C.N. Burrell, owners and builders Morris & Muller. Henry C. Morris (d.c.1938) was an "Oakland financier and real estate operator," in partnership through the 1910's and 20's with Frederick A. Muller (b.1875, formerly operator of an Oakland planing mill) in a building construction firm headquartered in the Realty Syndicate Building (1420 Broadway). Oakland architect Clay Burrell (1882-1958) also worked with Morris and Muller on the nearby Hotels Woodrow (644-48 14th Street, 1912) and Oaks (585-89 15th Street, 1914-15), as well as on Muller's family's pickle factory (1917-19: see SHRI form, 200 Grove Street). The Sutter was managed in its first years (1914-16 directories) by J.T. Redmon who also operated the nearby Savoy, Rex, and Avalon - further indication of an interrelated hotel district. The Sutter is architecturally distinguished by its monumental use of Beaux Arts and Chicago style elements. The tallest building in its immediate vicinity, it continues the rhythm of skyscrapers on southwest facing corners established by the bank buildings east of Broadway. It is also part of a notable group of hotels at Jefferson, 14th, and 15th Streets, and the ground floor bar alteration is typical of the development of the neighborhood in the 1940's. The Sutter is contributory to a potential downtown Oakland historic district.

- 20. Main theme of the historic resource: (If more than one is checked, number in order of importance.)
 Architecture 1 Arts & Leisure ___
 Economic/Industrial ___ Exploration/Settlement ___
 Government ___ Military ___
 Religion ___ Social/Education ___

21. Sources (List books, documents, surveys, personal interviews and their dates).
 Oakland Tribune, March 23 & Nov. 22, 1943;
 Yearbook, 1914, p. 15
 J.M. Guinn, History of California, 1904,
 p. 1417-18.

22. Date form prepared May 31, 1984
 By (name) Staff
 Organization Oakland Cultural Heritage Survey
 Address: City Planning Dept., City Hall
Oakland Zip 94612
 Phone: (415) 273-3941





Address History with Inspection Log

CONTACT_TYPE = Complainant, Neighbor, Tenant/Occupant, Applicant, Lienee
 CONTACT_TYPE = Blank
 STREET_NBR = 584
 STREET_NAME : Begins With 14TH
 STREET_TYPE : Begins With
 APN = ----
 DATE_OPENED >= 1/1/1995
 DATE_OPENED <= 5/3/2019
 RECORD_TYPE_SUBTYPE <> Soft Story Retrofit Validation
 RECORD_TYPE_TYPE <> Lien

Record ID: 0000827

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: LIGHTS GO OUT/LEAKS IN CEILING/ELEVATOR MAY NOT BE UP TOCODE/ROACHES

Date Opened: 1/28/2000

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
1/31/2000		1st Inspection	Unable to Verify	

Record ID: 0002306

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: ANNUAL INSPECTION - HOUSING KEEPING STANDARDSSUTTER HOTEL

Date Opened: 3/14/2000

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
-----------------	----------------	-----------------	-----------------	-----------------

Record ID: 0009157

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: FIRE ESCAPE IS NOT OPERABLE ON 8TH FLOOR-GARBAGE BEING STORED INBASEMENT-POSSIBLE BUIDLING WORK W/O PERMIT

Date Opened: 9/19/2000

Record Status: Abated

Record Status Date: 10/20/2000

Job Value: \$0.00

Requestor: ROBERT MUSARD

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
9/20/2000		OMC - BLIGHT ABATEMENT OMC- Injurious OMC-1	Viol. verified / not corrected	
9/20/2000		OMC - BLIGHT ABATEMENT OMC- Injurious OMC-1	Referred to another Agency	
10/20/2000		1st Inspection	Violation Verified	Auto scheduled from "62" result of insp 09/20/00

Record ID: **0009814**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: 584,586,588-14TH ST;NEW SPACE 586-DRY CLEANING BUSINESS INSTALLEDWITHOUT REQUIRED ZONING&BULDING,PLUMB,MECH PMT;NEW WOODEN STAIRS SPACE

Date Opened: 10/17/2000

Record Status: Violation Verified

Record Status Date:

Job Value: \$0.00

Requestor: PORTER-STAFF

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
10/18/2000	DAVID CARRILLO	1st Inspection	No Violations	
10/18/2000	DAVID CARRILLO	1st Inspection	Violation Verified	
11/3/2000	DAVID CARRILLO	1st Inspection	Violation Verified	Scheduled from date specified on DAR
12/4/2000	DAVID CARRILLO	1st Inspection	Violation Verified	Reinsp requested from insp result 81 on 11/03/00
6/19/2001	DAVID CARRILLO	1st Inspection	Violation Verified	NO BLDG INSPECTION PROGRESS, NEEDS FOLLOW UP, SEE M.MILLET
6/27/2001		1st Inspection	No Entry	Scheduled inspection voided by result code 98 on 11/29/01
10/19/2001	DAVID CARRILLO	1st Inspection	Violation Verified	
10/26/2001		1st Inspection	Violation Verified	Reinsp requested from insp result 93 on 10/19/01
11/5/2001		1st Inspection	Violation Verified	Reinsp generated from insp result 93 on 10/26/01
11/13/2001	DAVID CARRILLO	1st Inspection	Violation Verified	Reinsp generated from insp result 82 on 11/05/01
11/21/2001		1st Inspection	Violation Verified	Reinsp generated from insp result 93 on 11/13/01
11/29/2001		OMC - BLIGHT ABATEMENT OMC- Injurious OMC-1	Complaint ABated	Reinsp generated from insp result 82 on 11/21/01
1/28/2002		1st Inspection	No Entry	Scheduled inspection voided by result code 98 on 11/29/01
11/26/2002		1st Inspection	No Entry	MEET HOLLIS ON SITE TO POSSIBLY REASSIGN CASE PER M.MILLET
12/4/2002		1st Inspection	No Entry	Reinsp generated from insp result 86 on 11/26/02
12/12/2002		1st Inspection	Unable to Verify	Reinsp generated from insp result 85 on 12/04/02

Record ID: **0010421**

Address: 584 14TH ST, #302

APN: 003 006901700

Unit #: 302

Description: RAT INFESTATION - HOT WATER IS NOT ADEQUATE

Date Opened: 11/9/2000

Record Status: Abated

Record Status Date: 11/10/2000

Job Value: \$0.00

Requestor: T/SOWERS, DEBRA

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
11/10/2000		1st Inspection	No Entry	T/DEBRA 562-2904

Record ID: [0105970](#)

Address: 584 14TH ST, ##303

APN: 003 006901700

Unit #: #303

Description: RAT'S COMING OUT THROUGH THE WALLS, ROACHES.

Date Opened: 7/12/2001

Record Status: Abated

Record Status Date: 9/17/2002

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
7/13/2001		1st Inspection	No Entry	Scheduled inspection voided by result code 98 on 09/17/02
7/13/2001	DAVID CARRILLO	1st Inspection	Violation Verified	
8/10/2001		1st Inspection	No Entry	Scheduled inspection voided by result code 98 on 09/17/02
8/16/2002		1st Inspection	No Entry	RESCHEDULED FOR 9/17/02
9/17/2002		1st Inspection	Violation Verified	CHECK COMPLAINT STATUS

Record ID: [0202037](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: ANNUAL HOTEL/MOTEL INSPECTION

Date Opened: 3/13/2002

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
4/5/2002		1st Inspection	Unable to Verify	

Record ID: [0305672](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: ELEVATOR IS NOT WORKING

Date Opened: 8/12/2003

Record Status: Abated

Record Status Date: 8/13/2003

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
8/13/2003		1st Inspection	No Entry	

Record ID: [0402557](#)

Address: 584 14TH ST, #401

APN: 003 006901700

Unit #: 401

Description: DIRT UNDER THE BASEBOARD OF THE SINK, CHIPPED LEAD PAINT, NO CARPET IS MOUNTED & FILTHY. CERAMIC IS CHIPPED IN THE SINK, RUSTY WATER.

Date Opened: 5/14/2004

Record Status: Intake - Completed

Record Status Date:

Job Value: \$0.00

Requestor: GERRET SASHINGER

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
5/17/2004		OMC - BLIGHT ABATEMENT OMC- Injurious OMC-1	Inspection re- scheduled	LEFT MESSAGE FOR MANAAGER ON ONE AVAILABLE TO SHOW
6/15/2004		OMC - BLIGHT ABATEMENT OMC- Injurious OMC-1	Inspection re- scheduled	Reinsp generated from insp result 82 on 05/17/04
7/2/2004		OMC - BLIGHT ABATEMENT OMC- Injurious OMC-1	Inspection re- scheduled	Reinsp generated from insp result 82 on 06/15/04
8/10/2004		1st Inspection	Unable to Verify	Reinsp generated from insp result 82 on 07/02/04

Record ID: [0405996](#)

Address: 584 14TH ST, #411

APN: 003 006901700

Unit #: 411

Description: SUTTER HOTEL - WATER DOES NOT WORK, MICE, & ELECTRICAL PROBLEMC

Date Opened: 11/30/2004

Record Status: Abated

Record Status Date: 12/3/2004

Job Value: \$0.00

Requestor: CALVIN MORRIS

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
12/3/2004		1st Inspection	Violation Verified	CALVIN MORRIS 472-6070

Record ID: [0502376](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: BATHROOMS NOT WORKING PROPERLY, FIREHOSES MISSING, STRUCTURAL PROBLEMSHEATER NOT WORKING.

Date Opened: 6/1/2005

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
6/3/2005		1st Inspection	No Entry	NO COMMENT
6/30/2005		1st Inspection	No Entry	Reinsp requested from insp result 82 on 06/03/05
7/22/2005		1st Inspection	Unable to Verify	Reinsp requested from insp result 82 on 06/30/05

Record ID: [0503005](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: ANNUAL DEEMED APPROVED HOTEL/MOTEL INSPECTION - SUTTER HOTELCONTACT: MGR. 510-451-2555.

Date Opened: 6/27/2005

Record Status: Closed

Record Status Date: 7/18/2012

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
7/26/2005	PERMIT TRACKING CODE	OHC - UND DWELL UNIT (-57) OHC- SubstandardOHC-1	Inspection voided	Inspection voided 07/18/12 - complaint closed 07/18/12
8/17/2005	ALAN D ALBEE	1st Inspection	Violation Verified	

8/23/2005 PERMIT TRACKING OHC - UND DWELL Inspection voided Inspection voided 07/18/12 - complaint closed 07/18/12
 CODE UNIT (-57) OHC-SubstandardOHC-1

Record ID: 0606066

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: RESIDENTIAL HOTEL; EXEMPT FROM DEEMED APPROVED HOTEL/MOTEL ANNUAL INSPECTIONS; REMOVE FROM LIST.

Date Opened: 8/23/2006

Record Status: Abated

Record Status Date: 9/26/2006

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
9/26/2006	WING LOO	1st Inspection	No Entry	

Record ID: 0801137

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: ELEVATOR BROKEN AT HOTEL/FAULTY WIRING IN ROOM 504/LOW WATER PRESSURE

Date Opened: 2/14/2008

Record Status: Abated

Record Status Date: 4/7/2008

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
2/15/2008	DAVID C MILES	1st Inspection	No Entry	Scheduled inspection voided by result code 97 on 04/07/08
3/27/2008	DAVID C MILES	1st Inspection	No Entry	Scheduled inspection voided by result code 97 on 04/07/08
3/27/2008	DAVID C MILES	1st Inspection	Unable to Verify	LEFT VOICEMAIL MESSAGE
4/7/2008	DAVID C MILES	1st Inspection	No Entry	COMPLAINT WITHDRAWN BY MS. WINDER
4/9/2008	DAVID C MILES	1st Inspection	No Entry	VIOLATION NOT VERIFIED COMPLAINT WITHDRAWN

Record ID: 0802917

Address: 584 14TH ST, #504

APN: 003 006901700

Unit #: 504

Description: TENANT COMPLAINT. FAULTY WIRING.

Date Opened: 4/25/2008

Record Status: No Violation Found

Record Status Date:

Job Value: \$0.00

Requestor: MS. WINDER

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
4/28/2008	EUGENE MARTINELLI	OMC - BLIGHT ABATEMENT OMC-Injurious OMC-1	Complaint Not Applicable	NO VIOLATION FOUND

Record ID: 0806953

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: SUTTER HOTEL- ROOM 400- THE HOT WATER WILL NOT TURN OFF.

Date Opened: 9/26/2008

Record Status: No Violation Found

Record Status Date:

Job Value: \$0.00

Requestor: ROBERT BURTON

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
9/29/2008	EUGENE MARTINELLI	OMC - BLIGHT ABATEMENT OMC- Injurious OMC-1	Complaint Not Applicable	NO VIOLATION FOUND

Record ID: [**1103196**](#)

Address: 584 14TH ST, #604

APN: 003 006901700

Unit #: 604

Description: TENANT COMPLAINT- WEAK ELECTRICITY IN UNIT, PLUMBING PROBLEMS, BROKENHANDRAILS IN STAIRWAYS, FRAMES MISSING ON WINDOWS

Date Opened: 4/29/2011

Record Status: Abated

Record Status Date: 6/16/2011

Job Value: \$0.00

Requestor: AVERY MITCHELL

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
5/2/2011	WING LOO	1st Inspection	No Entry	Scheduled inspection voided by result code 98 on 06/16/11
6/16/2011	WING LOO	1st Inspection	Violation Verified	CORRECTED BY OWNER

Record ID: [**1105156**](#)

Address: 584 14TH ST, #408

APN: 003 006901700

Unit #: 408

Description: TENANT COMPLAINT- POOR WATER PRESSURE, RAT HOLES IN UNIT.

Date Opened: 7/15/2011

Record Status: Abated

Record Status Date: 7/19/2011

Job Value: \$0.00

Requestor: MARQUIS CHATMAN

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
7/18/2011	MARTIN FLORES	1st Inspection	No Entry	Scheduled inspection voided by result code 97 on 07/19/11
7/19/2011	MARTIN FLORES	1st Inspection	No Entry	

Record ID: [**1200358**](#)

Address: 584 14TH ST, #203

APN: 003 006901700

Unit #: 203

Description: ELECTRICAL ISSUES INSIDE UNIT

Date Opened: 1/31/2012

Record Status: Abated

Record Status Date: 7/27/2012

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
2/2/2012	PERMIT TRACKING CODE	1st Inspection	No Entry	Inspection voided 07/27/12 - NA disposition on 07/27/12

Record ID: [**1200642**](#)

Address: 584 14TH ST, #206

APN: 003 006901700

Unit #: 206

Description: WINDOWS DO NOT LOCK; ELECTRICITY IS FAULTY; ISSUES WITH TRASH BACKING UP TRASH SHUTE

496

Date Opened: 2/22/2012
 Record Status: Abated
 Record Status Date: 3/5/2012
 Job Value: \$0.00
 Requestor: MARQUIS CHATMAN

:
 Business Name:
 License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
2/23/2012	MARTIN FLORES	1st Inspection	Unable to Verify	NO COMMENT
3/5/2012	MARTIN FLORES	1st Inspection	No Entry	NON ACTIONALBE

Record ID: [1201243](#)

Address: 584 14TH ST, #206

APN: 003 006901700

Unit #: 206

Description: WINDOWS DO NOT LOCK; ELECTRICITY IS FAULTY; ISSUES WITH TRASH BACKINGUP IN TRASH SHUTE; BED BUGS

Date Opened: 3/26/2012

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor: MARQUIS CHATMAN

:
 Business Name:
 License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [1202924](#)

Address: 584 14TH ST, #317

APN: 003 006901700

Unit #: 317

Description: CARPET IS DIRTY & HAS ODORS, GARBAGE ROOM HAS GARBAGE OVERFLOWING

Date Opened: 6/18/2012

Record Status: Notice to Proceed

Record Status Date: 8/14/2012

Job Value: \$0.00

Requestor:

:
 Business Name:
 License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
8/16/2012	MARTIN FLORES	1st Inspection	No Entry	
8/29/2012	MARTIN FLORES	1st Inspection	Violation Verified	Reinsp generated from insp result 86 on 08/16/12

Record ID: [1203568](#)

Address: 584 14TH ST, #307

APN: 003 006901700

Unit #: 307

Description: WINDOWS DO NOT LOCK; ELECTRICITY IS FAULTY; ISSUES WITH TRASH BACKINGUP IN TRASH SHUTE; BED BUGS

Date Opened: 7/20/2012

Record Status: Abated

Record Status Date: 8/14/2012

Job Value: \$0.00

Requestor: MARQUIS CHATMAN

:
 Business Name:
 License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
7/23/2012	ANTHONY L HARBAUGH	1st Inspection	No Entry	Scheduled inspection voided by result code 97 on 08/14/12
8/14/2012	ANTHONY L HARBAUGH	1st Inspection	No Entry	

Record ID: [1203732](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: CREATED TO RELEASE THE DECLARATION OF SUBSTANDARD PUBLIC NUISANCEDOCUMENT RECORDED 04/22/1994 RECORDATION # 94158998

Date Opened: 7/27/2012

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: **1205712**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: ANNUAL DEEMED APPROVED HOTEL/MOTEL INSPECTION

Date Opened: 10/25/2012

Record Status: Abated

Record Status Date: 11/14/2012

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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11/14/2012	WING LOO	1st Inspection	No Entry	SRO EXEMPT
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Record ID: **1301188**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: REMODELING LAUNDRY ROOM: MODIFIED CEILING AND GAS LINES; NEW DRYERS

Date Opened: 3/4/2013

Record Status: Violation Verified

Record Status Date:

Job Value: \$0.00

Requestor: AVERY MITCHELL

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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3/5/2013	DAVID C MILES	1st Inspection	No Entry	Scheduled inspection voided by result code 81 on 04/15/13
3/7/2013	DAVID C MILES	1st Inspection	Violation Verified	
3/15/2013	DAVID C MILES	1st Inspection	Violation Verified	Reinsp generated from insp result 93 on 03/07/13
4/15/2013	DAVID C MILES	1st Inspection	Violation Verified	Reinsp requested from insp result 93 on 03/15/13
5/15/2013	DAVID C MILES	1st Inspection	No Violations	B1300885
6/28/2013	DAVID C MILES	1st Inspection	Unable to Verify	Reinsp requested from insp result 95 on 05/15/13
12/12/2013	DAVID C MILES	1st Inspection	No Violations	PERMIT B1300885 LEEFT VOICEMAIL FOR CHARLES
12/13/2013	ED LABAYOG	1st Inspection	Unable to Verify	
12/30/2013	DAVID C MILES	1st Inspection	Violation Verified	NO COMMENT
1/7/2014	DAVID C MILES	1st Inspection	Violation Verified	PERMIT B1300885
1/14/2014	DAVID C MILES	1st Inspection	Violation Verified	RESCHEDULE TO MATCH NOV
	DAVID C MILES	1st Inspection	Scheduled	Reinsp requested from insp result 93 on 01/07/14
	DAVID C MILES	1st Inspection	Scheduled	
	DAVID C MILES	1st Inspection	Scheduled	Reinsp requested from insp result 82 on 01/14/14

Record ID: **1401782**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: PLUMBING ISSUES, WATER NOT REACHING THE 6TH FLOOR

Date Opened: 5/1/2014

Record Status: Abated

Record Status Date: 5/12/2014

Job Value:

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
5/2/2014	Anthony Harbaugh	1st Inspection	No Entry	No access to verify.
5/12/2014	Anthony Harbaugh	1st Inspection	No Violations	Water was running at time of inspection,

Record ID: **1402634**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: DEEMED APPROVED INSPECTION

Date Opened: 7/10/2014

Record Status: Closed

Record Status Date: 8/24/2014

Job Value:

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: **1503415**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Dumpster/trash receptacles in street blocking parking spaces and overflowing with trash.

Date Opened: 9/24/2015

Record Status: Closed

Record Status Date: 9/24/2015

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
	Gene Martinelli	1st Inspection	Cancelled	

Record ID: **1602109**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: backed up floor drain in the bathroom, feces coming up out of the drain

Date Opened: 6/9/2016

Record Status: Non-Actionable

Record Status Date: 6/10/2016

Job Value: \$0.00

Requestor:

: Cordell Thompson

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
	Wing Loo	1st Inspection	Scheduled	

Record ID: **1603742**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: ANNUAL DEEMED APPROVED INSPECTION

Date Opened: 9/29/2016

Record Status: Non-Actionable

Record Status Date: 11/15/2016

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
11/10/2016	Wing Loo	1st Inspection	Violation Verified	see comments
	Wing Loo	1st Inspection	Cancelled	

Record ID: [1803740](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: room numbers 204, 209, 505, 709- broken lights, heater not functioning, water leak in the bathroom-leaking toilets, damaged ceiling, no elevator, only stairs for access within the building are narrow and blighted with trash, emergency exits are locked, and there are flies coming up the bathtub.

Date Opened: 10/12/2018

Record Status: Non-Actionable

Record Status Date: 11/1/2018

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
10/18/2018	Wing Loo	1st Inspection	Unable to Verify	

Record ID: [9501543](#)

Address: 584 14TH ST, #700

APN: 003 006901700

Unit #: 700

Description: TOILETS OR OVERFLOODING DOOR LOCK FALLING OFF

Date Opened: 2/27/1995

Record Status: Closed

Record Status Date: 3/21/1995

Job Value: \$0.00

Requestor: ROBERT

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [9501564](#)

Address: 584 14TH ST, #712

APN: 003 006901700

Unit #: 712

Description: SOMETHING IS MOVING INSIDE OF THE MATTRESS

Date Opened: 2/27/1995

Record Status: Closed

Record Status Date: 3/6/1995

Job Value: \$0.00

Requestor: MARTHA WILLIAMS

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [9501938](#)

Address: 584 14TH ST, #306

APN: 003 006901700

Unit #: 306

Description: TOILET DOES WORK RATS IN BATHROOMINVESTIGATED AND FOUND SEVERAL VIOLATION

Date Opened: 3/17/1995

Record Status: Closed

Record Status Date: 7/6/1995

Job Value: \$0.00

Requestor: YVONNE JOHNSON

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [9502272](#)

Address: 584 14TH ST, #700

APN: 003 006901700

Unit #: 700

Description: BATHROOM SINK DOES NOT HAVE MIRROR OVER IT. BATHTUB DRAIN LEVER DOES NOT WORK.

Date Opened: 4/5/1995

Record Status: Closed

Record Status Date: 7/19/1999

Job Value: \$0.00

Requestor: ROBERT SWOOPES

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [9602231](#)**Address: 584 14TH ST**

APN: 003 006901700

Unit #:

Description: HOTEL SUTTER- NO LIT EXIT SIGNS; NO FIRE DOORS ON EACH FLOOR; ROACHES, NO LID ON TRASH BINS, MOUSE & RAT TRAPS ON 2ND FL, GARBAGE STORED IN BSMT

Date Opened: 5/6/1996

Record Status: Closed

Record Status Date: 7/16/1999

Job Value: \$0.00

Requestor: JAKKEE BRYSON

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [9605520](#)**Address: 584 14TH ST**

APN: 003 006901700

Unit #:

Description: SUTER HOTEL: ROACHES, DIRTY IN HALLWAYS.

Date Opened: 10/8/1996

Record Status: Closed

Record Status Date: 12/26/1996

Job Value: \$0.00

Requestor: WILMA GRANT

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [9704669](#)**Address: 584 14TH ST**

APN: 003 006901700

Unit #:

Description: ASSIGNED PTS NO. TO SUBSTANDARD CASE #3901. BLDG. OCCUPIED-CURRENTLY HANDLED BY TEAM. FILING CASE.

Date Opened: 6/16/1997

Record Status: Closed

Record Status Date: 6/16/1997

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [9705674](#)**Address: 584 14TH ST**

APN: 003 006901700

Unit #:

Description: ELEVATOR NOT WORKING PROPERTY NOT WORKING PROPERLY - TRANSPORT GARBAGE ON ELEVATORS, NO SMOKE ALARMS, ROACHES, SINK STOPPED UP

Date Opened: 8/4/1997

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor: DONALD PEOPLES

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [9707767](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: NO EMERGENCY LIGHTING IN HALLWAY;NO FIRE EXTINGUISHERS;ROACHES;NO SMOKEALARM WORKING;EARTHQUAKE DAMAGE IN BASEMENT

Date Opened: 12/8/1997

Record Status: Closed

Record Status Date: 2/18/1998

Job Value: \$0.00

Requestor: BRUCE VIDLER

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [9804016](#)

Address: 584 14TH ST, #202

APN: 003 006901700

Unit #: 202

Description: SUTTER HOTEL-SINK STOP UP

Date Opened: 5/26/1998

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor: WILLIE MATTHEWS

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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7/6/1998

1st Inspection

Unable to Verify

Record ID: [9804091](#)

Address: 584 14TH ST, ##207

APN: 003 006901700

Unit #: #207

Description: SINK IN APARTMENT IS FLOODED

Date Opened: 5/27/1998

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor: ELTON CAMPBELL

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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7/10/1998

1st Inspection

Unable to Verify

Record ID: [9808130](#)

Address: 584 14TH ST, ##311

APN: 003 006901700

Unit #: #311

Description: BATHROOM HAS HOLE IN CEILING, WATER IN ROOM

Date Opened: 10/21/1998

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor: LISA JOSEY

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
10/22/1998		1st Inspection	Unable to Verify	

Record ID: [9809590](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: OCCUPIED HOTEL, HOTEL SUTTER, PLUMBING PROBLEM, TOILET STOPAGE,ELECTRICAL PROBLEM, BROKEN WINDOW, PIGEON FEASES.

Date Opened: 12/29/1998

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
1/4/1999		1st Inspection	Unable to Verify	

Record ID: [9809592](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: CONSTRUCTED LAUNDRY ROOM,BUILT NEW FRONT DESK;BUILT UPSTAIRS OFFICEABOVE LAUNDRY ROOM WITHOUT PERMIT

Date Opened: 12/29/1998

Record Status: Open

Record Status Date:

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [9902428](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: PLUMBING FAULTY/SHOWER HAS PAINT CHIPSAND RUSTED/WINDOW NOT SILL/FOULSMELL FROM SINK TOILET BACK UP

Date Opened: 3/29/1999

Record Status: Abated

Record Status Date: 5/20/1999

Job Value: \$0.00

Requestor: WAYNE HAYES

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
3/30/1999		1st Inspection	No Violations	
3/31/1999		1st Inspection	No Violations	
4/16/1999	PERMIT TRACKING CODE	1st Inspection	No Entry	Inspection voided 11/01/00 - complaint abated
4/16/1999		1st Inspection	No Violations	
4/19/1999		1st Inspection	No Violations	Scheduled from date specified on DAR
5/3/1999		1st Inspection	No Violations	
5/20/1999		1st Inspection	Violation Verified	Scheduled from DAR Code four weeks out
5/20/1999		1st Inspection	Violation Verified	Scheduled from DAR Code two weeks out

Record ID: [B0004776](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Repair dry rotted windows, shower walls, tile shower, water proof shower, install new doors in existing opening.

Date Opened: 10/16/2000

Record Status: Expired

Record Status Date: 2/8/2002

Job Value: \$10,000.00

Requestor: THE RIGHT GUYS

:

Business Name:

License #: 584635

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
11/21/2000		ROUGH 03P	CORRECTION NOTICE	C/N TO OPEN WALLS, P&E ROUGHS

Record ID: **B0004982**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Install partition walls to create new dry cleaner's shop; Build new accessible restroom, staircase to second floor, Install coin-op laundry machines.

Date Opened: 10/27/2000

Record Status: Expired

Record Status Date: 2/8/2002

Job Value: \$20,000.00

Requestor: THE RIGHT GUYS

:

Business Name:

License #: 584635

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
11/3/2000		FIELD CHECK 00N	APPROVED	

Record ID: **B0302566**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: FACADE IMPROVEMENT & interior remodel/repair work including new h/c ada bthrm, metal stairs. Scope includes wall parti- tions for lobby & dry cleaner space; plus final B0004776

Date Opened: 5/27/2003

Record Status: Expired

Record Status Date: 7/28/2006

Job Value: \$200,000.00

Requestor: THE RIGHT GUYS

:

Business Name:

License #: 584635

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
5/28/2003		FIELD CHECK 00N	APPROVED	
8/11/2003		FIELD CHECK 00N	NO ACCESS/NO PLANS	RAJ NOT ON SITE - UNABLE TO CONTACT MESSAGE ONLY
8/12/2003		FIELD CHECK 00N	APPROVED	
3/10/2004		FTG/SLAB/EMBED 01P	APPROVED	WALLS OK TO POUR
6/24/2004		ROUGH 03P	PARTIAL APPROVAL	WALL AND CEILING
7/7/2004		WALLBRD/SHINGLE 03N	PARTIAL APPROVAL	1ST FK & DEMISING WALL S/R OK
11/17/2004	STEVE J BRANDEBERRY	ROUGH 03P	APPROVED	STEEL/CONCRETE/ROG 925-933-5300
5/6/2005	STEVE J BRANDEBERRY	FINAL BUILDING 04P	NO ACCESS/NO PLANS	FINAL/RAJ 925-933-5300 RAJ NOT ON SITE
5/10/2005	STEVE J BRANDEBERRY	FINAL BUILDING 04P	CORRECTION NOTICE	SEE C/N
7/5/2005	STEVE J BRANDEBERRY	FINAL BUILDING 04P	PARTIAL APPROVAL	PARTIAL SEE REVISED C/N & JOB CARD

Record ID: **B1202507**

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: C.O. for residential hotel

Date Opened: 7/26/2012

Record Status: Expired

Record Status Date: 2/28/2013

Job Value: \$1,001.00

Requestor: THE RIGHT GUYS

:

Business Name:

License #: 584635

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
7/27/2012	DAVID E VELEZ	Frame	No Status	RAJ 575 571-0048

Record ID: [B1300885](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.

Date Opened: 3/8/2013

Record Status: Expired

Record Status Date: 10/13/2013

Job Value: \$900.00

Requestor: OAKLAND SUTTER HOTEL L.P.

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
3/12/2013	WILLIAM M BERGSTROM	ROUGH 03P	APPROVED	C/N
3/14/2013	WILLIAM M BERGSTROM	FINAL 04M	INSP CANCELLED	CANCEL
3/28/2013		ROUGH 03P	CORRECTION NOTICE	CN- LAUNDRY NEEDS 1 HR RATING

Record ID: [B1400264](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #B1300885.

Date Opened: 1/24/2014

Record Status: Final

Record Status Date: 5/12/2015

Job Value: \$1,000.00

Requestor: OAKLAND SUTTER HOTEL L.P.

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
7/22/2014	Dave Velez	Frame	Partial	Need to complete shaft frame and exterior sheet rock.
8/5/2014	Dave Velez	Frame	Not Pass	Need to complete exterior sheetrock on shaft. Need to pre-fill gaps in sheet rock.
8/12/2014	Dave Velez	Frame	Partial	Shaft frame and outer layer of sheet rock ok
8/15/2014	Ken Palmer	Frame	Partial	Interior layer gyp ok for dryer vent shaft,access opening to be completed after ducts inspected
11/25/2014	Steve Brandeberry	Final Building	Not Pass	Date: 11/25/2014 Need 1 hour rated door in lobby opening for new laundry room In existing un- sprinkled mid rise bldg not required by stupid plan check done without a field check. See job card notes.
5/12/2015	Steve Brandeberry	Final Building	Pass	Date: 5/12/2015 -One hour door not required by plans has been installed. -Final okay.
		Frame	Pending	

Record ID: [B1804834](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).

Date Opened: 11/30/2018

Record Status: On Hold

Record Status Date: 5/6/2019

Job Value: \$4,500,000.00

Requestor: Sandra Chow-LOA

:

Business Name: Stanton Architecture

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [DET160127](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Zoning Determination Letter

Date Opened: 10/6/2016

Record Status: Complete

Record Status Date: 10/6/2016

Job Value: \$0.00

Requestor:

: Nick Baldwin

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [DET190031](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Residential Hotel Statement of Exemption

Date Opened: 4/2/2019

Record Status: Under Review

Record Status Date: 4/12/2019

Job Value: \$0.00

Requestor:

: Alexis Pelosi

Business Name: The Pelosi Law Group

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [DRX120849](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Following inspector's suggestion to add exterior supportive brackets grease duct

Date Opened: 8/7/2012

Record Status: TBD

Record Status Date:

Job Value: \$0.00

Requestor: RAJ SINGH

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [DRX182227](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert dwelling unit 6 rooming units on floor 8; keep existing number of rooming units (102); exterior changes (see plans) - restore ground floor storefront on 14th Street to match existing façades on Jefferson Street; remove fire escape if no longer functional, remove doors and replace with wood, double-hung windows with wood trim to match other windows; windows on interior side will have vent installed on upper portion but sash shall remain wood with lower sash with same dimension as other windows; Residential Hotel Moratorium Exception Request GRANTED on 11/21/2018 (ZW1801160)

Date Opened: 11/14/2018

Record Status: Approved

Record Status Date: 11/27/2018

Job Value: \$0.00

Requestor: Sandra Chow

:

Business Name: Stanton Architecture

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [DS050058](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: New sign for JJ's Fish restaurant.

Date Opened: 6/17/2005

Record Status: Approved

Record Status Date: 6/17/2005

Job Value: \$0.00

Requestor: RON BERNSTEIN

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [DS130148](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Small project design review for new sign (less than 5sf)

Date Opened: 6/6/2013

Record Status: Approved

Record Status Date: 6/6/2013

Job Value: \$0.00

Requestor: REBEKAH DONOVAN

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [E0003614](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Electrical for repairs Related electrical repairs for (e) hotel common area bathrms

Date Opened: 10/16/2000

Record Status: Expired

Record Status Date: 2/8/2002

Job Value: \$0.00

Requestor: THE RIGHT GUYS

:

Business Name:

License #: 584635

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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12/5/2000

ROUGH 03P

INSP CANCELLED

CANCEL

Record ID: [E0302774](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Electrical for interior remodel. 5 receptacles.

Date Opened: 7/29/2003

Record Status: Expired

Record Status Date: 12/28/2004

Job Value: \$0.00

Requestor: THE RIGHT GUYS

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Business Name:

License #: 584635

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [E1300722](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.

Date Opened: 3/8/2013

Record Status: Expired

Record Status Date: 10/13/2013

Job Value: \$0.00

Requestor: OAKLAND SUTTER HOTEL L.P.

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
3/12/2013	JOEL C GARCIA	ROUGH 03P	CORRECTION NOTICE	C/N
3/28/2013		ROUGH 03P	PARTIAL APPROVAL	ROUGH LESS BREAKER & LABELS

Record ID: [E1300723](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.

Date Opened: 3/8/2013

Record Status: Withdraw

Record Status Date: 3/8/2013

Job Value: \$0.00

Requestor: OAKLAND SUTTER HOTEL L.P.

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [E1400244](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #E1300722.

Date Opened: 1/24/2014

Record Status: Final

Record Status Date: 7/1/2014

Job Value: \$0.00

Requestor: OAKLAND SUTTER HOTEL L.P.

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
7/1/2014	Joel Garcia	Final Electrical	Pass	Final OK. Work consists of 2 circuits and 2 receptacles
	Joel Garcia	Frame	Cancelled	

Record ID: [E1900116](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Electrical/ Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).

Date Opened: 1/8/2019

Record Status: On Hold

Record Status Date: 2/28/2019

Job Value: \$0.00

Requestor: Mark Robinson

:

Business Name: Stanton Architecture

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [E9600230](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Change fuses to circuit breakers in three subpanels.

Date Opened: 1/25/1996

Record Status: Final

Record Status Date: 3/3/1997

Job Value: \$0.00

Requestor: THE RIGHT GUYS

:

Business Name:

License #: 584635

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
2/14/1996		FINAL ELECTRICAL 04P	INSP. CANCELLED	CANCEL

2/16/1996	FINAL ELECTRICAL 04P	CORRECTION NOTICE	C/N
3/6/1996	FINAL ELECTRICAL 04P	CORRECTION NOTICE	C/N
10/30/1996	ROUGH 03P	INSP CANCELLED	CANCEL
2/3/1997	FINAL ELECTRICAL 04P	CORRECTION NOTICE	C/N
3/3/1997	FINAL ELECTRICAL 04P	APPROVED	FINAL OK

Record ID: [FDB19-00839](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description:

Date Opened: 4/24/2019

Record Status:

Record Status Date:

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [M0501060](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Mechanical - bath exhaust fan

Date Opened: 6/3/2005

Record Status: Expired

Record Status Date: 4/21/2006

Job Value: \$0.00

Requestor: THE RIGHT GUYS

:

Business Name:

License #: 584635

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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6/30/2005		FINAL MECHANICAL 04P	INSP CANCELLED	SEE JOB CARD
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Record ID: [M1400275](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Mechanical-Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #B1300885.

Date Opened: 4/23/2014

Record Status: Expired

Record Status Date: 12/12/2015

Job Value: \$0.00

Requestor: OAKLAND SUTTER HOTEL L.P.

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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5/19/2014	David Carrillo	Frame	Not Pass	Hand written correction for laundry room. Needs to follow duct installation per pages #15-17 of manual. Dryer duct to be in one hour shaft. And make up air for a total of 800 cfm.
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7/8/2014	William Moriarty	Frame	Not Pass	Previous building inspection results indicate that laundry room is 1 hour rated and exhaust, ventilation, and make-up air would require a 1 hour rated shaft to extend to the roof underside. Duct/s are not shafted and no ventilation to the space is installed.
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8/12/2014	William Moriarty	Frame	Cancelled	
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9/26/2014	David Carrillo	Frame	Pass	Dryer duct in one hour shaft and fire damper o.k. Three foot candy cane on exhaust outlet to come.
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11/25/2014	William Moriarty	M86 FINAL MECHANICAL	Pass	Final mechanical as in-office approval.
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		M86 FINAL	Pending 509	
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MECHANICAL	
Final Mechanical	Pending

Record ID: [M1900102](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:
Description: Mechanical / Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).

Date Opened: 1/8/2019

Record Status: On Hold

Record Status Date: 4/16/2019

Job Value: \$0.00

Requestor: Mark Robinson

:
Business Name: Stanton Architecture

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [OB040021](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:
Description: FACADE IMPROVEMENT & interior remodel/repair work including new h/c ada bthrm, metal stairs. Scope includes wall parti- Reserve meters on Jefferson J-1402; -1404

Date Opened: 1/12/2004

Record Status: Permit Issued

Record Status Date: 1/12/2004

Job Value: \$0.00

Requestor: THE RIGHT GUYS

:
Business Name:

License #: 584635

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [OB040493](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:
Description: reserve for construction per approved traffic plan include meters 14-574;-572;-568

Date Opened: 8/16/2004

Record Status: Permit Issued

Record Status Date: 8/16/2004

Job Value: \$0.00

Requestor: BIGGE CRANE

:
Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [OB040494](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:
Description: reserve meters 14-574;-572;-568

Date Opened: 8/16/2004

Record Status: Permit Issued

Record Status Date: 8/16/2004

Job Value: \$0.00

Requestor: BIGGE CRANE

:
Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [P0002748](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Plumbing for repairs Related plumbing repairs for (e) hotel common area bathrms

Date Opened: 10/16/2000

Record Status: Expired

Record Status Date: 2/8/2002

Job Value: \$0.00

Requestor: THE RIGHT GUYS

:

Business Name:

License #: 584635

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
12/4/2000		ROUGH 03P	INSP CANCELLED	CANCELLED NPIF

Record ID: [P1300584](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.

Date Opened: 3/8/2013

Record Status: Expired

Record Status Date: 10/13/2013

Job Value: \$0.00

Requestor: OAKLAND SUTTER HOTEL L.P.

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
3/12/2013	WILLIAM M MORIARTY	GAS TEST 04N	NO PROGRESS	GAS TEST REQUIRED / LAUNDRY ABS & INCORRECT
3/28/2013	WILLIAM M MORIARTY	ROUGH 03P	CORRECTION NOTICE	C/N ON ABS DWV, GAS CALC & TEST
3/28/2013	WILLIAM M MORIARTY	ROUGH 03P	CORRECTION NOTICE	C/N ON ABS DWV, GAS CALC & TEST

Record ID: [P1400191](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #P1300584.

Date Opened: 1/24/2014

Record Status: Final

Record Status Date: 11/30/2014

Job Value: \$0.00

Requestor: OAKLAND SUTTER HOTEL L.P.

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
3/27/2014	William Moriarty	P32 WATER PIPING/SERVICE	Pass	Plumbing work under this scope of work is completed. ABS pipe removed and replaced with CI pipe. Found mechanical corrections will be required for dryer exhaust, ceiling exhaust ducting, obtain a mechanical permit and have corrections inspected.
8/12/2014	William Moriarty	Frame	Cancelled	
11/30/2014	William Moriarty	Final Plumbing	Pass	Final plumbing inspections completed.

Record ID: [P1900084](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Plumbing/ Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).

Date Opened: 1/8/2019

Record Status: On Hold

Record Status Date: 4/16/2019

Job Value: \$0.00

Requestor: Mark Robinson

:

Business Name: Stanton Architecture

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [SL1702069](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Trenchless Sewer Lateral W723701314

Date Opened: 8/25/2017

Record Status: Final

Record Status Date: 10/19/2017

Job Value: \$0.00

Requestor: Gregory Martin

: Gregory Martin

Business Name:

License #: 672250

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [ZC011662](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Import/export business. Only phone calls at home. No storage at home.

Date Opened: 8/13/2001

Record Status: Approved

Record Status Date: 8/13/2001

Job Value: \$0.00

Requestor: JACQUELINE E. BAILEY

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [ZC031782](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Restaurant (General Food Sales Commercial Activity).

Date Opened: 6/19/2003

Record Status: Approved

Record Status Date: 6/19/2003

Job Value: \$0.00

Requestor: BESSERY HASSAN

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [ZC062656](#)

Address: 584 14TH ST, #603

APN: 003 006901700

Unit #: 603

Description: Home office for handyman.

Date Opened: 10/10/2006

Record Status: Approved

Record Status Date: 10/10/2006

Job Value: \$0.00

Requestor: ARCHIE GATES

:

Business Name:

License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: [ZC141558](#)

Address: 584 14TH ST

APN: 003 006901700

Unit #:

Description: Home office for community service support information center. (Unit #515)

Date Opened: 6/24/2014
 Record Status: Approved
 Record Status Date: 6/24/2014
 Job Value: \$0.00
 Requestor:
 : Anita Loche
 Business Name:
 License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: ZP170086

Address: 584 14TH ST
 APN: 003 006901700
 Unit #:

Description: To review interior alterations to existing transient hotel and site improvements/changes in the PROW.

Date Opened: 9/18/2017
 Record Status: Complete
 Record Status Date: 2/11/2019
 Job Value: \$0.00
 Requestor:
 : SANDRA CHOW /ERIC GONZALEZ STANTON ARCHITECTURE
 Business Name:
 License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Record ID: ZW1801160

Address: 584 14TH ST
 APN: 003 006901700
 Unit #:

Description: SRO Moratorium Exception Determination GRANTED on 11/21/2018 for the following scope of work (see attached documents): SELECTIVE REMODEL OF AN EXISTING 8 STORY RESIDENTIAL HOTEL BUILDING WITH BASEMENT AND MEZZANINE. THE SPECIFIC WORK WILL INCLUDE RECONFIGURING THE EXISTING BASEMENT, GROUND LEVEL, MEZZANINE, AND PENTHOUSE FLOORS. LEVELS 2 - 7 WILL HAVE PRIVATE BATHROOMS ADDED TO THE EXISTING ROOMS AND COMMUNAL KITCHENS ADDED ON EACH FLOOR. A ROOMING UNIT WILL BE REMOVED FROM FLOORS 2 THRU 7 (6 TOTAL); AND A REGULAR DWELLING UNIT ON FLOOR 8 WILL BE CONVERTED TO 6 NEW ROOMING UNITS WITH A COMMUNAL KITCHEN; THE BUILDING SYSTEMS AND LIFE SAFETY WILL BE UPGRADED. NEW STAIRS, ELEVATOR, AND FIRE SPRINKLERS WILL ALSO BE ADDED. THIS RENOVATION WILL NOT REDUCE THE NUMBER OF UNITS AND WILL REMODEL RETAIL TENANT SPACES ALONG 14TH AND JEFFERSON STREET.

Date Opened: 11/26/2018
 Record Status: Complete
 Record Status Date: 11/26/2018
 Job Value:
 Requestor: Sandra Chow
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 Business Name: Stanton Architecture
 License #:

Inspection Date	Inspector Name	Inspection Type	Status / Result	Result Comments
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Permit/Complaint History ≈ 1987 - Current

Address	Record #	Status	Filed Date	Status Date	Description
1414 JEFFERSON	ST 1403222	Non-Actionable	8/27/2014	9/26/2014	Trash dumpsters left out in public view 7 days a week.
1414 JEFFERSON	ST S1300095	Final	6/6/2013	7/8/2013	Install 1 blade sign (non-illuminated)
1410 JEFFERSON	ST DS130148	Approved	6/6/2013	6/6/2013	Small project design review for new sign (less than 5sf)
1410 JEFFERSON	ST ZC130365	Approved	2/13/2013	2/13/2013	restaurant = outright permitted
1410 JEFFERSON	ST OB120256	Permit Issued	3/20/2012	3/20/2012	Reserve meters for film per Film Office map. See map. No impact on traffic lane or sidewalk allowed. Weekend non-metered film rate.
1410 JEFFERSON	ST DS050052	Approved	6/9/2005	6/9/2005	Small design Review to install 14" x 19'-6" individual letter signs for new restaurant (la cucina italiana)
1410 JEFFERSON	ST S0500112	Final	6/9/2005	2/10/2006	install new letter sign for restaurant,"La Cucina Italiana"
1410 JEFFERSON	ST OB050119	Permit Issued	2/1/2005	2/1/2005	reserve meters for film J-1502 thru -1508 plus -1409 thru - 1414 on Jefferson 7 total
1410 JEFFERSON	ST 1 FL E0404571	Final	12/13/2004	12/15/2005	Electrical/Tenant Improvement for a new restaurant.
1410 JEFFERSON	ST 1 FL P0403617	Final	12/13/2004	12/13/2005	Plumbing/Tenant Improvement for a new restaurant.
1410 JEFFERSON	ST 1 FL M0401862	Final	9/23/2004	12/27/2005	Tenant Improvement for a new restaurant. Install new commercial hood.
1410 JEFFERSON	ST 1 FL B0404295	Final	9/23/2004	1/4/2006	Tenant Improvement for a new restaurant.
1410 JEFFERSON	ST ZC042474	Approved	8/25/2004	8/25/2004	Zoning clearance for new restaurant
1414 JEFFERSON	ST OB020603	Permit Issued	9/12/2002	9/12/2002	FILMING
1400 JEFFERSON	ST X0200760	Application Approved	7/25/2002		upgrade downtown oakland circuits
1402 JEFFERSON	ST OB000010	Final	1/5/2000	1/19/2000	RESERVE PARKING METER NOS. J-1402,1404,1406,1408,1410,1412, 1414,1416, J-1502,1504,1506,1508,1510,1512,1514,1516
1400 JEFFERSON	ST OB990399	Final	6/25/1999	7/2/1999	park film production vehicles meter nos. J-1309,11,13,15, 17,1402,3,4,5,6,7,8,10,12,15 & 16, 14-560,2,4,6,8,72,& 74
1400 JEFFERSON	ST OB990326	Final	6/7/1999	6/21/1999	reserve meter nos:14-560,562,564,566,568. j-1301 to 1317, 9 meters.
1400 JEFFERSON	ST X9701456	Permit Issued	12/10/1997	12/10/1997	14-601 to 14-623, 12 meters. for filming purposes.
1414 JEFFERSON	ST P9300269	Final	1/25/1993	10/13/1993	trenching to install electrical conduits. METER RELOCATION
1414 JEFFERSON	ST B8800078	Final	1/7/1988	3/2/1988	CUSTOM BUILD & INSTALL A NEW CANVAS AWNING

Permit/Complaint History ≈ 1987 - Current

Address	Record #	Status	Filed Date	Status Date	Description



Address History (Beginning ≈ 1987)

584, 14TH, ST

APN	Unit #	Record ID	Date Opened	Status	Status Date	Description
003 006901700		FBI19-00839	4/24/2019			
003 006901700		DET190031	4/2/2019	Under Review	4/12/2019 12:00:00 AM	Residential Hotel Statement of Exemption
003 006901700		PI1900084	1/8/2019	On Hold	4/16/2019 12:00:00 AM	Plumbing/ Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).
003 006901700		EI1900116	1/8/2019	On Hold	2/28/2019 12:00:00 AM	Electrical/ Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).
003 006901700		M1900102	1/8/2019	On Hold	4/16/2019 12:00:00 AM	Mechanical/ Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).
003 006901700		BI1804834	11/30/2018	On Hold	5/6/2019 12:00:00 AM	Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).
003 006901700		ZWI1801160	11/26/2018	Complete	11/26/2018 12:00:00 AM	SRO Moratorium Exception Determination GRANTED on 11/21/2018 for the following scope of work (see attached documents): SELECTIVE REMODEL OF AN EXISTING 8 STORY RESIDENTIAL HOTEL BUILDING WITH BASEMENT AND MEZZANINE. THE SPECIFIC WORK WILL INCLUDE RECONFIGURING THE EXISTING BASEMENT, GROUND LEVEL, MEZZANINE, AND PENTHOUSE FLOORS. LEVELS 2 - 7 WILL HAVE PRIVATE BATHROOMS ADDED TO THE EXISTING ROOMS AND COMMUNAL KITCHENS ADDED ON EACH FLOOR. A ROOMING UNIT WILL BE REMOVED FROM FLOORS 2 THRU 7 (6 TOTAL). AND A REGULAR DWELLING UNIT ON FLOOR 8 WILL BE CONVERTED TO 6 NEW ROOMING UNITS WITH A COMMUNAL KITCHEN. THE BUILDING SYSTEMS AND LIFE SAFETY WILL BE UPGRADED. NEW STAIRS, ELEVATOR, AND FIRE SPRINKLERS WILL ALSO BE ADDED. THIS RENOVATION WILL NOT REDUCE THE NUMBER OF UNITS AND WILL REMODEL RETAIL TENANT SPACES ALONG 14TH AND JEFFERSON STREET.

584, 14TH, ST

APN	Unit #	Record ID	Date Opened	Status	Status Date	Description
003 006901700		DRX182227	11/14/2018	Approved	11/27/2018 12:00:00 AM	Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert dwelling unit 6 rooming units on floor 8; keep existing number of rooming units (102); exterior changes (see plans) - restore ground floor storefront on 14th Street to match existing facades on Jefferson Street; remove fire escape if no longer functional, remove doors and replace with wood, double-hung windows with wood trim to match other windows; windows on interior side will have vent installed on upper portion but sash shall remain wood with lower sash with same dimension as other windows; Residential Hotel Moratorium Exception Request GRANTED on 11/21/2018 (ZW1801160)
003 006901700		1803740	10/12/2018	Non-Actionable	11/1/2018 12:00:00 AM	room numbers 204, 209, 505, 709- broken lights, heater not functioning, water leak in the bathroom-leaking toilets, damaged ceiling, no elevator, only stairs for access within the building are narrow and blighted with trash, emergency exits are locked, and there are flies coming up the bathtub.
003 006901700		ZP170086	9/18/2017	Complete	2/11/2019 12:00:00 AM	To review interior alterations to existing transient hotel and site improvements/changes in the PROW.
003 006901700		SL1702069	8/25/2017	Final	10/19/2017 12:00:00 AM	Trenchless Sewer Lateral W723701314
003 006901700		DET160127	10/6/2016	Complete	10/6/2016 12:00:00 AM	Zoning Determination Letter
003 006901700		1603742	9/29/2016	Non-Actionable	11/15/2016 12:00:00 AM	ANNUAL DEEMED APPROVED INSPECTION
003 006901700		1602109	6/9/2016	Non-Actionable	6/10/2016 12:00:00 AM	backed up floor drain in the bathroom, feces coming up out of the drain
003 006901700		1503415	9/24/2015	Closed	9/24/2015 12:00:00 AM	Dumpster/trash receptacles in street blocking parking spaces and overflowing with trash.
003 006901700		1402634	7/10/2014	Closed	8/24/2014 12:00:00 AM	DEEMED APPROVED INSPECTION
003 006901700		ZC141558	6/24/2014	Approved	6/24/2014 12:00:00 AM	Home office for community service support information center. (Unit #515)
003 006901700		1401782	5/1/2014	Abated	5/12/2014 12:00:00 AM	PLUMBING ISSUES, WATER NOT REACHING THE 6TH FLOOR
003 006901700		M1400275	4/23/2014	Expired	12/12/2015 1:13:11 AM	Mechanical-Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #B1300885.
003 006901700		B1400264	1/24/2014	Final	5/12/2015 12:00:00 AM	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #B1300885.
003 006901700		P1400191	1/24/2014	Final	11/30/2014 12:00:00 AM	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #P1300584.
003 006901700		E1400244	1/24/2014	Final	7/1/2014 12:00:00 AM	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #E1300722.
003 006901700		DS130148	6/6/2013	Approved	6/6/2013 12:00:00 AM	Small project design review for new sign (less than 5sf)
003 006901700		E1300723	3/8/2013	Withdraw	3/8/2013 12:00:00 AM	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.
003 006901700		B1300885	3/8/2013	Expired	10/13/2013 12:00:00 AM	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.

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584, 14TH, ST

APN	Unit #	Record ID	Date Opened	Status	Status Date	Description
003 006901700		P1300584	3/8/2013	Expired	10/13/2013 12:00:00 AM	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.
003 006901700		E1300722	3/8/2013	Expired	10/13/2013 12:00:00 AM	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.
003 006901700		1301188	3/4/2013	Violation Verified		REMODELING LAUNDRY ROOM: MODIFIED CEILING AND GAS LINES; NEW DRYERS
003 006901700		1205712	10/25/2012	Abated	11/14/2012 12:00:00 AM	ANNUAL DEEMED APPROVED HOTEL/MOTEL INSPECTION
003 006901700		DRX120849	8/7/2012	TBD		Following inspector's suggestion to add exterior supportive brackets grease duct
003 006901700		1203732	7/27/2012	Open		CREATED TO RELEASE THE DECLARATION OF SUBSTANDARD PUBLIC NUISANCE DOCUMENT RECORDED 04/22/1994 RECORDATION # 94158998
003 006901700		B1202507	7/26/2012	Expired	2/28/2013 12:00:00 AM	C.O. for residential hotel
003 006901700	307	1203568	7/20/2012	Abated	8/14/2012 12:00:00 AM	WINDOWS DO NOT LOCK; ELECTRICITY IS FAULTY; ISSUES WITH TRASH BACKINGUP IN TRASH SHUTE; BED BUGS
003 006901700	317	1202924	6/18/2012	Notice to Proceed	8/14/2012 12:00:00 AM	CARPET IS DIRTY & HAS ODORS, GARBAGE ROOM HAS GARBAGE OVERFLOWING
003 006901700	206	1201243	3/26/2012	Open		WINDOWS DO NOT LOCK; ELECTRICITY IS FAULTY; ISSUES WITH TRASH BACKINGUP IN TRASH SHUTE; BED BUGS
003 006901700	206	1200642	2/22/2012	Abated	3/5/2012 12:00:00 AM	WINDOWS DO NOT LOCK; ELECTRICITY IS FAULTY; ISSUES WITH TRASH BACKINGUP IN TRASH SHUTE
003 006901700	203	1200358	1/31/2012	Abated	7/27/2012 12:00:00 AM	ELECTRICAL ISSUES INSIDE UNIT
003 006901700	408	1105156	7/15/2011	Abated	7/19/2011 12:00:00 AM	TENANT COMPLAINT- POOR WATER PRESSURE, RAT HOLES IN UNIT.
003 006901700	604	1103196	4/29/2011	Abated	6/16/2011 12:00:00 AM	TENANT COMPLAINT- WEAK ELECTRICITY IN UNIT, PLUMBING PROBLEMS, BROKENHANDRAILS IN STAIRWAYS, FRAMES MISSING ON WINDOWS
003 006901700		0806953	9/26/2008	No Violation Found		SUTTER HOTEL- ROOM 400- THE HOT WATER WILL NOT TURN OFF.
003 006901700	504	0802917	4/25/2008	No Violation Found		TENANT COMPLAINT. FAULTY WIRING.
003 006901700		0801137	2/14/2008	Abated	4/7/2008 12:00:00 AM	ELEVATOR BROKEN AT HOTEL/FAULTY WIRING IN ROOM 504/LOW WATER PRESSURE
003 006901700	603	ZC062656	10/10/2006	Approved	10/10/2006 12:00:00 AM	Home office for handyman.
003 006901700		0606066	8/23/2006	Abated	9/26/2006 12:00:00 AM	RESIDENTIAL HOTEL; EXEMPT FROM DEEMED APPROVED HOTEL/MOTEL ANNUALINSPECTIONS; REMOVE FROM LIST.
003 006901700		0503005	6/27/2005	Closed	7/18/2012 12:00:00 AM	ANNUAL DEEMED APPROVED HOTEL/MOTEL INSPECTION - SUTTER HOTELCONTACT: MGR. 510-451-2555.

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584, 14TH, ST

APN	Unit #	Record ID	Date Opened	Status	Status Date	Description
003		DS050058	6/17/2005	Approved	6/17/2005 12:00:00 AM	New sign for JJ's Fish restaurant.
006901700		M0501060	6/3/2005	Expired	4/21/2006 12:00:00 AM	Mechanical - bath exhaust fan
003		05023276	6/1/2005	Open		BATHROOMS NOT WORKING PROPERLY, FIREHOSES MISSING, STRUCTURAL PROBLEMSHEATER NOT WORKING.
006901700		0405996	11/30/2004	Abated	12/3/2004 12:00:00 AM	SUTTER HOTEL - WATER DOES NOT WORK, MICE, & ELECTRICAL PROBLEMC
003	411	0B040493	8/16/2004	Permit Issued	8/16/2004 12:00:00 AM	reserve for construction per approved traffic plan include meters 14-574--572--568
006901700		0B040494	8/16/2004	Permit Issued	8/16/2004 12:00:00 AM	reserve meters 14-574--572--568
003		0402557	5/14/2004	Intake - Completed		DIRT UNDER THE BASEBOARD OF THE SINK, CHIPPED LEAD PAINT, NO CARPET ISMOUNTED & FILTHY. CERAMIC IS CHIPPED IN THE SINK, RUSTY WATER.
006901700	401	0B040021	1/12/2004	Permit Issued	1/12/2004 12:00:00 AM	FACADE IMPROVEMENT & interior remodel/repair work including new h/c ada bthrm, metal stairs. Scope includes wall parti-
003		0305672	8/12/2003	Abated	8/13/2003 12:00:00 AM	Reserve meters on Jefferson J-1402, -1404 ELEVATOR IS NOT WORKING
006901700		E0302774	7/29/2003	Expired	12/28/2004 12:00:00 AM	Electrical for interior remodel. 5 receptacles.
006901700		ZC031782	6/19/2003	Approved	6/19/2003 12:00:00 AM	Restaurant (General Food Sales Commercial Activity).
003		B0302566	5/27/2003	Expired	7/28/2006 12:00:00 AM	FACADE IMPROVEMENT & interior remodel/repair work including new h/c ada bthrm, metal stairs. Scope includes wall parti- tions for lobby & dry cleaner space; plus final B0004776
006901700		0202037	3/13/2002	Open		ANNUAL HOTEL/MOTEL INSPECTION
003		ZC011662	8/13/2001	Approved	8/13/2001 12:00:00 AM	Import/export business. Only phone calls at home. No storage at home.
006901700		0105970	7/12/2001	Abated	9/17/2002 12:00:00 AM	RAT'S COMING OUT THROUGH THE WALLS, ROACHES.
003	#303	0010421	11/9/2000	Abated	11/10/2000 12:00:00 AM	RAT INFESTATION - HOT WATER IS NOT ADEQUATE
006901700	302	B0004982	10/27/2000	Expired	2/8/2002 12:00:00 AM	Install partition walls to create new dry cleaner's shop; Build new accessible restroom, staircase to second floor, Install coin-op laundry machines.
003		0009814	10/17/2000	Violation Verified		584,586,588-14TH ST;NEW SPACE 586-DRY CLEANING BUSINESS INSTALLEDWITHOUT REQUIRED ZONING&BUILDING,PLUMB,MECH PNT;NEW WOODEN STAIRS SPACE
006901700		B0004776	10/16/2000	Expired	2/8/2002 12:00:00 AM	Repair dry rotted windows, shower walls, tile shower, water proof shower, install new doors in existing opening.
006901700		P0002748	10/16/2000	Expired	2/8/2002 12:00:00 AM	Plumbing for repairs Related plumbing repairs for (e) hotel common area bathrms
003		E0003614	10/16/2000	Expired	2/8/2002 12:00:00 AM	Electrical for repairs Related electrical repairs for (e) hotel common area bathrms

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584, 14TH, ST

APN	Unit #	Record ID	Date Opened	Status	Status Date	Description
003 006901700		0009157	9/19/2000	Abated	10/20/2000 12:00:00 AM	FIRE ESCAPE IS NOT OPERABLE ON 8TH FLOOR-GARBAGE BEING STORED INBASEMENT-POSSIBLE BUILDING WORK W/O PERMIT
003 006901700		0002306	3/14/2000	Open		ANNUAL INSPECTION - HOUSING KEEPING STANDARDSUTTER HOTEL
003 006901700		0000827	1/28/2000	Open		LIGHTS GO OUT/LEAKS IN CEILING/ELEVATOR MAY NOT BE UP TOCODE/ROACHES
003 006901700		9902428	3/29/1999	Abated	5/20/1999 12:00:00 AM	PLUMBING FAULTY/SHOWER HAS PAINT CHIPSAND RUSTED/WINDOW NOT SILL/FOULSMELL FROM SINK TOILET BACK UP
003 006901700		9809590	12/29/1998	Open		OCCUPIED HOTEL, HOTEL SUTTER, PLUMBING PROBLEM, TOILET STOPAGE,ELECTRICAL PROBLEM, BROKEN WINDOW, PIGEON FEASES.
003 006901700		9809592	12/29/1998	Open		CONSTRUCTED LAUNDRY ROOM,BUILT NEW FRONT DESK,BUILT UPSTAIRS OFFICEABOVE LAUNDRY ROOM WITHOUT PERMIT
003 006901700	#311	9808130	10/21/1998	Open		BATHROOM HAS HOLE IN CEILING, WATER IN ROOM
003 006901700	#207	9804091	5/27/1998	Open		SINK IN APARTMENT IS FLOODED
003 006901700	202	9804016	5/26/1998	Open		SUTTER HOTEL-SINK STOP UP
003 006901700		970767	12/8/1997	Closed	2/18/1998 12:00:00 AM	NO EMERGENCY LIGHTING IN HALLWAY;NO FIRE EXTINGUISHERS;ROACHES;NO SMOKEALARM WORKING;EARTHQUAKE DAMAGE IN BASEMENT
003 006901700		9705674	8/4/1997	Open		ELEVATOR NOT WORKING PROPERTY NOT WORKING PROPERLY - TRANSPORT GARBAGEON ELEVATORS , NO SMOKE ALARMS,ROACHES, SINK STOPPED UP
003 006901700		9704669	6/16/1997	Closed	6/16/1997 12:00:00 AM	ASSIGNED PTS NO. TO SUBSTANDARD CASE #3901. BLDG. OCCUPIED-CURRENTLYHANDLED BY TEAM. FILING CASE.
003 006901700		9605520	10/8/1996	Closed	12/26/1996 12:00:00 AM	SUTER HOTEL: ROACHES, DIRTY IN HALLWAYS.
003 006901700		9602231	5/6/1996	Closed	7/16/1999 12:00:00 AM	HOTEL SUTTER- NO LIT EXIT SIGNS;NO FIRE DOORS ON EACH FLOOR; ROACHES,NO LID ON TRSH BINS,MOUSE & RAT TRAPS ON 2ND FL.GARBAGE STORED IN BSMT
003 006901700		E9600230	1/25/1996	Final	3/3/1997 12:00:00 AM	Change fuses to circuit breakers in three subpanels.
003 006901700	700	9502272	4/5/1995	Closed	7/19/1999 12:00:00 AM	BATHROOM SINK DOES NOT HAVE MIRROR OER IT. BATHTUB DRAIN LEVERDOESNOT WORK.
003 006901700	306	9501938	3/17/1995	Closed	7/6/1995 12:00:00 AM	TOILET DOES WORK RATS IN BATHROOMINVESTIGATED AND FOUND SEVERAL VIOLATION
003 006901700	700	9501543	2/27/1995	Closed	3/21/1995 12:00:00 AM	TOILETS OR OVERFLOODING DOOR LOCK FALLING OFF
003 006901700	712	9501564	2/27/1995	Closed	3/6/1995 12:00:00 AM	SOMETHING IS MOVING INSIDE OF THE MATTRESS

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Address	Record #	Status	Filed Date	Status Date	Description
584 14TH	ST	FDB19-00839	4/24/2019		
584 14TH	ST	DET190031	4/2/2019	4/12/2019	Residential Hotel Statement of Exemption
588 14th	ST	P1900084	1/8/2019	4/16/2019	Plumbing/ Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).
588 14th	ST	E1900116	1/8/2019	2/28/2019	Electrical/ Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).
52 588 14th	ST	M1900102	1/8/2019	4/16/2019	Mechanical/ / Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).
588 14th	ST	B1804834	11/30/2018	5/6/2019	Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert a dwelling unit into 6 rooming units on floor 8; at existing hotel (SRO).

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Address	Record #	Status	Filed Date	Status Date	Description
584 14TH	ST ZW1801160	Complete	11/26/2018	11/26/2018	SRO Moratorium Exception Determination GRANTED on 11/21/2018 for the following scope of work (see attached documents): SELECTIVE REMODEL OF AN EXISTING 8 STORY RESIDENTIAL HOTEL BUILDING WITH BASEMENT AND MEZZANINE. THE SPECIFIC WORK WILL INCLUDE RECONFIGURING THE EXISTING BASEMENT, GROUND LEVEL, MEZZANINE, AND PENTHOUSE FLOORS. LEVELS 2 - 7 WILL HAVE PRIVATE BATHROOMS ADDED TO THE EXISTING ROOMS AND COMMUNAL KITCHENS ADDED ON EACH FLOOR. A ROOMING UNIT WILL BE REMOVED FROM FLOORS 2 THRU 7 (6 TOTAL); AND A REGULAR DWELLING UNIT ON FLOOR 8 WILL BE CONVERTED TO 6 NEW ROOMING UNITS WITH A COMMUNAL KITCHEN; THE BUILDING SYSTEMS AND LIFE SAFETY WILL BE UPGRADED. NEW STAIRS, ELEVATOR, AND FIRE SPRINKLERS WILL ALSO BE ADDED. THIS RENOVATION WILL NOT REDUCE THE NUMBER OF UNITS AND WILL REMODEL RETAIL TENANT SPACES ALONG 14TH AND JEFFERSON STREET.
588 14th	ST DRX182227	Approved	11/14/2018	11/27/2018	Interior and exterior renovations of 8-story building with basement and mezzanine to add private bathrooms to each unit, add communal kitchen to floors 2 through 8, remove a rooming unit on floors 2 through 7 (6 total); convert dwelling unit 6 rooming units on floor 8; keep existing number of rooming units (102); exterior changes (see plans) - restore ground floor storefront on 14th Street to match existing façades on Jefferson Street; remove fire escape if no longer functional, remove doors and replace with wood, double-hung windows with wood trim to match other windows; windows on interior side will have vent installed on upper portion but sash shall remain wood with lower sash with same dimension as other windows; Residential Hotel Moratorium Exception Request GRANTED on 11/21/2018 (ZW1801160)
584 14TH	ST 1803740	Non-Actionable	10/12/2018	11/1/2018	room numbers 204, 209, 505, 709- broken lights, heater not functioning, water leak in the bathroom-leaking toilets, damaged ceiling, no elevator, only stairs for access within the building are narrow and blighted with trash, emergency exits are locked, and there are flies coming up the bathtub.

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Address	Record #	Status	Filed Date	Status Date	Description
588 14TH	ST ZP170086	Complete	9/18/2017	2/11/2019	To review interior alterations to existing transient hotel and site improvements/changes in the PROW.
584 14TH	ST SL1702069	Final	8/25/2017	10/19/2017	Trenchless Sewer Lateral W723701314
584 14TH	ST DET160127	Complete	10/6/2016	10/6/2016	Zoning Determination Letter
584 14TH	ST 1603742	Non-Actionable	9/29/2016	11/15/2016	ANNUAL DEEMED APPROVED INSPECTION
584 14TH	ST 1602109	Non-Actionable	6/9/2016	6/10/2016	backed up floor drain in the bathroom, feces coming up out of the drain
588 14TH	ST 1503980	No Violation Found	11/3/2015	11/5/2015	Garbage bins obstructing the right of way without permit and left in public view.
584 14TH	ST 1503415	Closed	9/24/2015	9/24/2015	Dumpster/trash receptacles in street blocking parking spaces and overflowing with trash.
588 14TH	ST 1502449	Intake - Completed	7/14/2015	9/21/2015	Garbage bins obstructing the right of way without permit and left in public view. view.
1414 JEFFERSON	ST 1403222	Non-Actionable	8/27/2014	9/26/2014	Trash dumpsters left out in public view 7 days a week.
584 14TH	ST 1402634	Closed	7/10/2014	8/24/2014	DEEMED APPROVED INSPECTION
584 14TH	ST ZC141558	Approved	6/24/2014	6/24/2014	Home office for community service support information center. (Unit #515)
584 14TH	ST 1401782	Abated	5/1/2014	5/12/2014	PLUMBING ISSUES, WATER NOT REACHING THE 6TH FLOOR
584 14TH	ST M1400275	Expired	4/23/2014	12/12/2015	Mechanical-Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #B1300885.
584 14TH	ST E1400244	Final	1/24/2014	7/1/2014	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #E1300722.
584 14TH	ST B1400264	Final	1/24/2014	5/12/2015	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #B1300885.
584 14TH	ST P1400191	Final	1/24/2014	11/30/2014	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration. Renew expired permit #P1300584.
1414 JEFFERSON	ST S1300095	Final	6/6/2013	7/8/2013	Install 1 blade sign (non-illuminated)
1410 JEFFERSON	ST DS130148	Approved	6/6/2013	6/6/2013	Small project design review for new sign (less than 5sf)
584 14TH	ST E1300722	Expired	3/8/2013	10/13/2013	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.

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Address	Record #	Status	Filed Date	Status Date	Description
584 14TH	E1300723	Withdraw	3/8/2013	3/8/2013	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.
584 14TH	P1300584	Expired	3/8/2013	10/13/2013	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.
584 14TH	B1300885	Expired	3/8/2013	10/13/2013	Legalize laundry room code case #1301188; light fixture, gas and plumbing alteration.
584 14TH	1301188	Violation Verified	3/4/2013		REMODELING LAUNDRY ROOM: MODIFIED CEILING AND GAS LINES; NEW DRYERS

1410 JEFFERSON ST ZC130365 Approved 41318 41318 restaurant = outright permitted

584 14TH ST 1205712 Abated 41207 41227 ANNUAL DEEMED APPROVED HOTEL/MOTEL INSPECTION

588 14TH ST M1201158 Expired 41129 41350 Complete M0301185 / T.I. for cafe

584 14TH ST DRX120849 TBD 41128
Following inspector's suggestion to add exterior supportive brackets grease duct

584 14TH ST 1203732 Open 41117
CREATED TO RELEASE THE DECLARATION OF SUBSTANDARD

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584 14TH ST B1202507 Expired 41116
PUBLIC NUISANCEDOCUMENT RECORDED 04/22/1994

584 14TH ST 307 1203568 Abated 41110
RECORDATION # 94158998
41333 C.O. for residential hotel
WINDOWS DO NOT LOCK; ELECTRICITY IS FAULTY; ISSUES

584 14TH ST 317 1202924 Notice to Proceed 41078
41135 WITH TRASH BACKINGUP IN TRASH SHUTE; BED BUGS
CARPET IS DIRTY & HAS ODORS, GARBAGE ROOM HAS GARBAGE OVERFLOWING

584 14TH ST 206 1201243 Open 40994
WINDOWS DO NOT LOCK; ELECTRICITY IS FAULTY; ISSUES
WITH TRASH BACKINGUP IN TRASH SHUTE; BED BUGS
Reserve meters for film per Film Office map. See map. No impact on traffic lane or sidewalk allowed. Weekend non-metered film rate.

1410 JEFFERSON ST OB120256 Permit Issued 40988 40988
WINDOWS DO NOT LOCK; ELECTRICITY IS FAULTY; ISSUES
WITH TRASH BACKINGUP IN TRASH SHUTE

584 14TH ST 206 1200642 Abated 40961 40973 WITH TRASH BACKINGUP IN TRASH SHUTE

584 14TH ST 203 1200358 Abated 40939 41117 ELECTRICAL ISSUES INSIDE UNIT

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Address	Record #	Status	Filed Date	Status Date	Description
584 14TH	408	1105156 Abated	40739	40743	TENANT COMPLAINT- POOR WATER PRESSURE, RAT HOLES IN UNIT.
584 14TH	604	1103196 Abated	40662	40710	TENANT COMPLAINT- WEAK ELECTRICITY IN UNIT, PLUMBING PROBLEMS, BROKEN HANDRAILS IN STAIRWAYS, FRAMES MISSING ON WINDOWS
584 14TH	806953	No Violation Found	39717		SUTTER HOTEL- ROOM 400- THE HOT WATER WILL NOT TURN OFF.
584 14TH	802917	No Violation Found	39563		TENANT COMPLAINT. FAULTY WIRING.
584 14TH	801137	Abated	39492	39545	ELEVATOR BROKEN AT HOTEL/FAULTY WIRING IN ROOM 504/LOW WATER PRESSURE
584 14TH	603 ZC062656	Approved	39000	39000	Home office for handyman.
584 14TH	606066	Abated	38952	38986	RESIDENTIAL HOTEL; EXEMPT FROM DEEMED APPROVED HOTEL/MOTEL ANNUAL INSPECTIONS; REMOVE FROM LIST.
584 14TH	503005	Closed	38530	41108	ANNUAL DEEMED APPROVED HOTEL/MOTEL INSPECTION - SUTTER HOTEL CONTACT: MGR. 510-451-2555.
584 14TH	DS050058	Approved	38520	38520	New sign for JJ's Fish restaurant.
1410 JEFFERSON	DS050052	Approved	38512	38512	Small design Review to install 14" x 19'-6" individual letter signs for new restaurant (La cucina Italiana)
1410 JEFFERSON	S0500112	Final	38512	38758	install new letter sign for restaurant, "La Cucina Italiana"
584 14TH	M0501060	Expired	38506	38828	Mechanical - bath exhaust fan
584 14TH	502376	Open	38504		BATHROOMS NOT WORKING PROPERLY, FIREHOSES MISSING, STRUCTURAL PROBLEMS HEATER NOT WORKING.
1410 JEFFERSON	OB050119	Permit Issued	38384	38384	reserve meters for film J-1502 thru -1508 plus -1409 thru -1414 on Jefferson 7 total
1410 JEFFERSON	E0404571	Final	38334	38701	Electrical/Tenant Improvement for a new restaurant.
1410 JEFFERSON	P0403617	Final	38334	38699	Plumbing/Tenant Improvement for a new restaurant.
584 14TH	411	405996 Abated	38321	38324	SUTTER HOTEL - WATER DOES NOT WORK, MICE, & ELECTRICAL PROBLEMS

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Address	Record #	Status	Filed Date	Status Date	Description
1410 JEFFERSON	1 FL M0401862	Final	38253	38713	Tenant Improvement for a new restaurant. Install new commercial hood.
1410 JEFFERSON	1 FL B0404295	Final	38253	38721	Tenant Improvement for a new restaurant. reserve for construction per approved traffic plan include
584 14TH	OB040493	Permit Issued	38215	38215	meters 14-574;-572;-568
584 14TH	OB040494	Permit Issued	38215	38215	reserve meters 14-574;-572;-568
584 14TH	401 402557	Intake - Completed	38121		DIRT UNDER THE BASEBOARD OF THE SINK, CHIPPED LEAD PAINT, NO CARPET IS MOUNTED & FILTHY. CERAMIC IS CHIPPED IN THE SINK, RUSTY WATER.
584 14TH	OB040021	Permit Issued	37998		FACADE IMPROVEMENT & interior remodel/repair work including new h/c ada bthrm, metal stairs. Scope includes wall
584 14TH	305672	Abated	37845	37998	part- Reserve meters on Jefferson J-1402; -1404
584 14TH	E0302774	Expired	37831	37846	ELEVATOR IS NOT WORKING
584 14TH	ZC031782	Approved	37791	38349	Electrical for interior remodel. 5 receptacles.
588 14TH	E0302260	Final	37791	37791	Restaurant (General Food Sales Commercial Activity). Electrical for T.I. of "Central Cafe" . Health approval on page A.2 of B0303017.
588 14TH	B0303017	Expired	37791	38400	A.2 of B0303017. T.I. for new restaurant "Central cafe" . Health approval on page A.2.
588 14TH	M0301185	Expired	37791	38926	Mechanical for T.I. of "Central Cafe" . Health approval on page A.2 of B0303017.
588 14TH	P0301805	Expired	37791	38926	Plumbing for T.I. of "Central Cafe" . Health approval on page A.2 of B0303017.
584 14TH	B0302566	Expired	37768		FACADE IMPROVEMENT & interior remodel/repair work including new h/c ada bthrm, metal stairs. Scope includes wall
584 14TH	202037	Open	37328	38926	part- tions for lobby & dry cleaner space; plus final B0004776
584 14TH	L015463	Lien Release Recorded	37252	37816	ANNUAL HOTEL/MOTEL INSPECTION

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Address	Record #	Status	Filed Date	Status Date	Description	
584 14TH	ST	ZC011662	Approved	37116	37116	Import/export business. Only phone calls at home. No storage at home.
584 14TH	ST	#303 105970	Abated	37084	37516	RAT'S COMING OUT THROUGH THE WALLS, ROACHES.
584 14TH	ST	302 10421	Abated	36839	36840	RAT INFESTATION - HOT WATER IS NOT ADEQUATE Install partition walls to create new dry cleaner's shop; Build new accessible restroom, staircase to second floor, Install coin-op laundry machines.
584 14TH	ST	B0004982	Expired	36826	37295	584,586,588-14TH ST;NEW SPACE 586-DRY CLEANING BUSINESS INSTALLEDWITHOUT REQUIRED ZONING&BUILDING,PLUMB,MECH PMT;NEW WOODEN STAIRS SPACE
584 14TH	ST	9814	Violation Verified	36816		Plumbing for repairs Related plumbing repairs for (e) hotel common area bathrms
584 14TH	ST	P0002748	Expired	36815	37295	
584 14TH	ST	B0004776	Expired	36815	37295	Repair dry rotted windows, shower walls, tile shower, water proof shower, install new doors in existing opening.
584 14TH	ST	E0003614	Expired	36815	37295	Electrical for repairs Related electrical repairs for (e) hotel common area bathrms
584 14TH	ST	9157	Abated	36788	36819	FIRE ESCAPE IS NOT OPERABLE ON 8TH FLOOR-GARBAGE BEING STORED INBASEMENT-POSSIBLE BUIDLING WORK W/O PERMIT
584 14TH	ST	2306	Open	36599		ANNUAL INSPECTION - HOUSING KEEPING STANDARDSSUTTER HOTEL
584 14TH	ST	827	Open	36553		LIGHTS GO OUT/LEAKS IN CEILING/ELEVATOR MAY NOT BE UP TOCODE/ROACHES
584 14TH	ST	9902428	Abated	36248	36300	PLUMBING FAULTY/SHOWER HAS PAINT CHIPSAND RUSTED/WINDOW NOT SILL/FOULSMELL FROM SINK TOILET BACK UP
584 14TH	ST	9809590	Open	36158		OCCUPIED HOTEL, HOTEL SUTTER, PLUMBING PROBLEM, TOILET STOPAGE,ELECTRICAL PROBLEM, BROKEN WINDOW, PIGEON FEASES.

Permit/Complaint History ≈ 1987 - Current

Address	Record #	Status	Filed Date	Status Date	Description
					CONSTRUCTED LAUNDRY ROOM,BUILT NEW FRONT
584 14TH	ST	9809592 Open	36158		DESK;BUILT UPSTAIRS OFFICEABOVE LAUNDRY ROOM WITHOUT PERMIT
584 14TH	ST #311	9808130 Open	36089		BATHROOM HAS HOLE IN CEILING, WATER IN ROOM
584 14TH	ST #207	9804091 Open	35942		SINK IN APARTMENT IS FLOODED
584 14TH	ST 202	9804016 Open	35941		SUTTER HOTEL-SINK STOP UP
584 14TH	ST	9707767 Closed	35772	35844	NO EMERGENCY LIGHTING IN HALLWAY;NO FIRE EXTINGUISHERS;ROACHES;NO SMOKEALARM WORKING;EARTHQUAKE DAMAGE IN BASEMENT ELEVATOR NOT WORKING PROPERTY NOT WORKING
584 14TH	ST	9705674 Open	35646		PROPERLY - TRANSPORT GARBAGEON ELEVATORS , NO SMOKE ALARMS,ROACHES, SINK STOPPED UP
584 14TH	ST	9704669 Closed	35597		ASSIGNED PTS NO. TO SUBSTANDARD CASE #3901. BLDG.
584 14TH	ST	9605520 Closed	35346	35597	OCCUPIED-CURRENTLYHANDLED BY TEAM. FILING CASE.
584 14TH	ST	9602231 Closed	35191	35425	SUTER HOTEL: ROACHES, DIRTY IN HALLWAYS. HOTEL SUTTER- NO LIT EXIT SIGNS;NO FIRE DOORS ON EACH FLOOR; ROACHES,NO LID ON TRSH BINS,MOUSE & RAT TRAPS
584 14TH	ST E9600230	Final	35089	36357	ON 2ND FL,GARABGE STORED IN BSMT
584 14TH	ST 700	9502272 Closed	34794	35492	Change fuses to circuit breakers in three subpanels.
584 14TH	ST 306	9501938 Closed	34775	36360	BATHROOM SINK DOES NOT HAVE MIRROR OER IT. BATHTUB DRAIN LEVERDOESNOT WORK.
584 14TH	ST 712	9501564 Closed	34757	34886	TOILET DOES WORK RATS IN BATHROOMINVESTIGATED AND FOUND SEVERAL VIOLATION
584 14TH	ST 700	9501543 Closed	34757	34764	SOMETHING IS MOVING INSIDE OF THE MATTRESS
				34779	TOILETS OR OVERFLOODING DOOR LOCK FALLING OFF



**CITY OF OAKLAND
 APPEAL FORM
 FOR DECISION TO PLANNING COMMISSION, CITY
 COUNCIL OR HEARING OFFICER**

PROJECT INFORMATION

Case No. of Appealed Project: DET190031
 Project Address of Appealed Project: 584 14th Street, Oakland CA
 Assigned Case Planner/City Staff: Brittany Lenoir, Robert Merkapp

APPELLANT INFORMATION:

Printed Name: Zacks, Freedman & Patterson, PC Phone Number: 415-956-8100
 Mailing Address: 235 Montgomery St. #400 Alternate Contact Number: _____
 City/Zip Code San Francisco, CA 94104 Representing: 584 14TH STREET, LLC
 Email: ryan@zfplaw.com; sarah@zfplaw.com; emily@zfplaw.com

An appeal is hereby submitted on:

AN ADMINISTRATIVE DECISION (APPEALABLE TO THE CITY PLANNING COMMISSION OR HEARING OFFICER)

YOU MUST INDICATE ALL THAT APPLY:

- Approving an application on an Administrative Decision
- Denying an application for an Administrative Decision
- Administrative Determination or Interpretation by the Zoning Administrator
- Other (please specify) Denial of applictaion for certification for exemption

Please identify the specific Administrative Decision/Determination Upon Which Your Appeal is Based Pursuant to the Oakland Municipal and Planning Codes listed below:

- Administrative Determination or Interpretation (OPC Sec. 17.132.020)
- Determination of General Plan Conformity (OPC Sec. 17.01.080)
- Design Review (OPC Sec. 17.136.080)
- Small Project Design Review (OPC Sec. 17.136.130)
- Minor Conditional Use Permit (OPC Sec. 17.134.060)
- Minor Variance (OPC Sec. 17.148.060)
- Tentative Parcel Map (OMC Section 16.304.100)
- Certain Environmental Determinations (OPC Sec. 17.158.220)
- Creek Protection Permit (OMC Sec. 13.16.450)
- Creek Determination (OMC Sec. 13.16.460)
- City Planner's determination regarding a revocation hearing (OPC Sec. 17.152.080)
- Hearing Officer's revocation/impose or amend conditions (OPC Sec. 17.152.150 &/or 17.156.160)
- Other (please specify) OPC Section 17.153.070D

(Continued on reverse)

(Continued)

- A DECISION OF THE CITY PLANNING COMMISSION (APPEALABLE TO THE CITY COUNCIL)** Granting an application to: **OR** Denying an application to:

YOU MUST INDICATE ALL THAT APPLY:

Pursuant to the Oakland Municipal and Planning Codes listed below:

- Major Conditional Use Permit (OPC Sec. 17.134.070)
- Major Variance (OPC Sec. 17.148.070)
- Design Review (OPC Sec. 17.136.090)
- Tentative Map (OMC Sec. 16.32.090)
- Planned Unit Development (OPC Sec. 17.140.070)
- Environmental Impact Report Certification (OPC Sec. 17.158.220F)
- Rezoning, Landmark Designation, Development Control Map, Law Change (OPC Sec. 17.144.070)
- Revocation/impose or amend conditions (OPC Sec. 17.152.160)
- Revocation of Deemed Approved Status (OPC Sec. 17.156.170)
- Other (please specify) _____

FOR ANY APPEAL: An appeal in accordance with the sections of the Oakland Municipal and Planning Codes listed above shall state specifically wherein it is claimed there was an error or abuse of discretion by the Zoning Administrator, other administrative decisionmaker or Commission (Advisory Agency) or wherein their/its decision is not supported by substantial evidence in the record, or in the case of Rezoning, Landmark Designation, Development Control Map, or Law Change by the Commission, shall state specifically wherein it is claimed the Commission erred in its decision. The appeal must be accompanied by the required fee pursuant to the City's Master Fee Schedule.

You must raise each and every issue you wish to appeal on this Appeal Form (or attached additional sheets). Failure to raise each and every issue you wish to challenge/appeal on this Appeal Form (or attached additional sheets), and provide supporting documentation along with this Appeal Form, may preclude you from raising such issues during your appeal and/or in court. However, the appeal will be limited to issues and/or evidence presented to the decision-maker prior to the close of the public hearing/comment period on the matter.

The appeal is based on the following: *(Attach additional sheets as needed.)*

PLEASE SEE ATTACHED.

Supporting Evidence or Documents Attached. *(The appellant must submit all supporting evidence along with this Appeal Form; however, the appeal will be limited evidence presented to the decision-maker prior to the close of the public hearing/comment period on the matter.*

(Continued on reverse)

(Continued)



Emily L. Brough, Zacks, Freedman & Patterson, PC

October 31, 2019

*Signature of Appellant or Representative of
Appealing Organization*

Date

TO BE COMPLETED BY STAFF BASED ON APPEAL TYPE AND APPLICABLE FEE

APPEAL FEE: \$ _____

Fees are subject to change without prior notice. The fees charged will be those that are in effect at the time of application submittal. All fees are due at submittal of application.

Below For Staff Use Only

Date/Time Received Stamp Below:

Cashier's Receipt Stamp Below:

October 31, 2019

Planning and Building Department
Dalziel Building
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

*Re: DET190031; 584 14th Street; APN: 003 006901700
Letter of Authorization for Agent*

To Whom It May Concern:

We hereby authorize the attorneys of Zacks, Freedman & Patterson, PC to file an appeal of the Residential Hotel Status Determination issued on October 21, 2019.

Signed,

584 14th STREET LLC



By: Joshua Bird
Its: General Counsel

1 RYAN J. PATTERSON (SBN 277971)
2 EMILY L. BROUGH (SBN 284943)
3 SARAH M.K. HOFFMAN (SBN 308568)
4 ZACKS, FREDMAN & PATTERSON, PC
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8 Fax: (415) 288-9755
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10 emily@zfplaw.com
11 sarah@zfplaw.com

12 Attorneys for Appellant,
13 584 14TH STREET, LLC

14 **CITY OF OAKLAND PLANNING COMMISSION**

15 584 14TH STREET, LLC,

16 Appellant,

17 vs.

18 CITY OF OAKLAND, CITY OF OAKLAND
19 PLANNING DEPARTMENT,

20 Respondents.

21 Appeal No.: DET190031

22 **APPELLANT'S BRIEF**

23 Subject Address: 584 14th Street, Oakland CA

1 **MEMORANDUM IN SUPORT OF APPEAL**

2 **A. The Transient Use of the Property Removes it From the Definition of Residential**
3 **Hotel as a Matter of Law.**

4 Pursuant to OPC section 17.153.020 (“§ 17.153.020”), “Residential Hotel” is defined as:

5 . . . any building built before 1960 containing six (6) or more Rooming Units . . .
6 intended or designed to be used, or which are used, rented, or hired out, to be
7 occupied, or which are occupied, for sleeping purposes by guests, **which is also**
8 **the primary residence of those guests**, and where the entrances to the individual
9 units are generally accessed via a shared lobby area.

10 That is, under § 17.153.020, Residential Hotels are limited to use by those individuals with no
11 other primary residence but their Rooming Unit at that Residential Hotel. Here, the subject
12 property (“Property”) cannot be a Residential Hotel as a matter of law, because there is, and has
13 historically been, transient use of the subject property, as shown on the tax statements, business
14 certificates, and all other evidence submitted by Appellant. (Ex. A) Any transient use of the
15 units at the Property necessarily means that such units are not primary residences which is a
16 required element of a property’s use under § 17.153.020’s definition of a Residential Hotel.

17 The City states that the historical use of this Property is “Semi-Transient Residential.”
18 While this is not true, even if it were, because a “Semi-Transient Residential” use is one that
19 includes up to 30% transient use (OPC § 17.10.120), a property with Semi-Transient
20 Residential use cannot also be defined as a Residential Hotel because even the 30% (or less)
21 transient nature of this use necessarily means that all units are not also primary residences.
22 Thus, even if the Property were Semi-Transient Residential (which it is not) it cannot also be a
23 “Residential Hotel” per § 17.153.020 as a matter of law.

24 **B. The Planning Department Abused its Discretion in Finding the Property Falls**
25 **Within the Definition of a Residential Hotel.**

26 **1. The Property Was Deemed Approved as a Hotel and There is No Substantial**
27 **Evidence that it is a Residential Hotel.**

28 Even if the transient use of the Property did not necessarily remove it from §
17.153.020’s definition of a Residential Hotel as a matter of law, the Planning Department
nonetheless abused its discretion in finding that the Property fell into the definition of a
“Residential Hotel” because there is substantial evidence that the Property was “Deemed
Approved” as a “Hotel.”

1 As set forth in Appellant’s Statement of Exemption and attached exhibits (Ex. A), the
2 Property was “Deemed Approved” under OPC section 17.157 in or about 1999. The Deemed
3 Approval process was enacted to approve previously legal nonconforming uses of property,
4 including situations where a Residential Hotel had undergone a change in use, so that it was
5 operated as a Hotel. OPC § 17.157.050 provides that “Deemed Approved Status means the
6 status conferred upon a Deemed Approved Hotel Activity. Deemed Approved Status replaces
7 legal nonconforming status.” In other words, a “Deemed Approved” hotel, including the
8 Property, is legally operating as a transient Hotel rather than a Residential Hotel.

9 The City admits in its Letter of Determination that the Property was Deemed Approved,
10 but erroneously states “[e]vidence that the City conferred deemed approved status on the
11 property does not assist in determining whether the building is a Residential Hotel.” (Ex. B p.4)
12 The Planning Department bases its contention on the fact that the Deemed Approved status
13 under OPC section 17.157 can also apply to “Rooming Houses,” in addition to “Hotels.”
14 “Rooming Houses” are residential facilities that house Permanent Residential Activities (OPC
15 Section 17.10.110) or Semi-Transient Residential Activities (OPC Section 17.10.120). (OPC
16 §§ 8.03.040, 17.157.050) Hotels are any private or public spaces for “transient” occupancy
17 (OPC §§ 17.157.050, 8.03.040, 4.24.020). While it is true that the Deemed Approved status
18 may be given to either Hotels or Rooming Houses, there is substantial evidence that it was
19 Deemed Approved as the former, and not the latter.

20 The Property was not Deemed Approved as a “Rooming House” that houses Permanent
21 Residential Activities, because there is transient use of the Property (Ex. A). (OPC § 17.10.110
22 [“Permanent Residential Activities include the occupancy of living accommodations on a
23 thirty (30) days or longer basis, **with none of the living units under the same ownership or
24 management on the same lot being occupied on a shorter basis . . .** “]) Nor was the
25 Property Deemed Approved as a “Rooming House” that houses “Semi-Transient Residential
26 Activities.” “Semi-Transient Residential Activities” are defined as “the occupancy of living
27 accommodations partly on a thirty (30) days or longer basis and partly for a shorter time
28 period, but **with less than thirty percent (30%) of the living units under the same
ownership or management on the same lot being occupied on a less-than-thirty-days**

1 **basis.”** As shown on Appellant’s 2014-2016 transient tax records, over 30%¹ of its income has
2 consistently been based upon *transient* use of the Property (i.e. under 30 days, OPC §
3 17.10.440), and thus there is substantial evidence that its use does not qualify as Semi-Transient
4 Residential. Rather, its use classification when it was Deemed Approved was not as a Rooming
5 House that housed either permanent or semi-transient residential activities, but as a “Hotel”
6 pursuant to OPC sections 17.157.050 & 4.24.020 (also see, § 17.10.440). This is shown both
7 by the Property’s transient tax statements and under its Deemed Approved status of “Hotel” in
8 its 2002 “Transient Occupancy Registration Certificate.” (Ex. A)

9 **2. Even if the Property was Deemed Approved as a Rooming House, there is**
10 **Substantial Evidence of Transient Use Which Disqualifies it from The Definition**
11 **of a Residential Hotel.**

12 Even if the Property were Deemed Approved as a Rooming House with Semi-Transient
13 Residential Activities, however, there is still not substantial evidence that this use also subjects
14 it to a Residential Hotel use under § 17.153.020. Because there is plainly transient use at the
15 Property, there is substantial evidence that such use disqualifies it from a Residential Hotel,
16 where the use is limited *solely* to primary residences. Thus, the Planning Department abused its
17 discretion in finding the Property is a Residential Hotel.

18 **3. Even if the Property Was Not Deemed Approved, there is Substantial Evidence**
19 **of Transient Use Which Disqualifies it from The Definition of a Residential**
20 **Hotel.**

21 As set forth in Appellant’s Statement of Exemption, there is substantial evidence that the
22 Property was Deemed Approved, which the Planning Department appears to concede. But even
23 to the extent that the Property was not Deemed Approved, there is substantial evidence that
24 there was transient use, both historically, and to date at the Property. (See, Ex. A) Because
25 there is transient use of the Property, there is substantial evidence that such use disqualifies it
26 from a Residential Hotel, where the use is limited *solely* to primary residences. Thus, the
27 Planning Department abused its discretion in finding so.

28 **C. The Planning Department’s Determination that the Property is a Residential Hotel**
Violates Appellant’s Due Process rights.

Under OPC section 17.157.080, a Hotel that is “Deemed Approved” acquires a legal
status which allows the use to continue indefinitely. Deemed Approved Status can only be lost

¹ With the exception of one month.

1 if a public hearing is held and a hearing officer formally revokes the status due to violation of
2 the “Deemed Approved Hotel performance standards.” (CPC §§ 17.157.100-120.) Appellant
3 has neither violated any such standard, nor does the Planning Department contend it has. The
4 Planning Department’s finding that the Property is a Residential Hotel unlawfully revokes the
5 above-stated Deemed Approved status without due process. (Cal. Const. article I, § 7(a))

6 Appellant has statutorily-conferred benefits existing by virtue of its longstanding, and
7 ongoing, lawful operation and usage under the terms of the Planning Code. These benefits
8 include, but are not limited to, the right to rent rooms to individuals who have another, primary
9 residence, and to sell the Property without being required to first offer it to the City.
10 Respondents' application of the Amendments violated the Appellant's due process rights insofar
11 as it failed to offer any meaningful process whereby Appellant could seek redress for
12 deprivation of its statutorily-conferred benefits. (Cal. Const. article I, § 7(a))

13 **D. The Planning Department’s Determination that the Property is a Residential Hotel
14 is an Unlawful Taking of Appellant’s Property.**

15 The U.S. Constitution and California Constitution prohibit the government from taking
16 or damaging private property for the public use unless just compensation is paid. (Cal. Const.
17 article I, § 19; U.S. Const. 5th Amend.; *Knick v. Township of Scott, Pennsylvania* (2019) 139
18 S.Ct. 2162) When a government entity eliminates an otherwise lawful nonconforming use, it
19 may only do so by providing just compensation or a reasonable amortization period. The
20 application of § 17.153 et. seq. (“Amendments”) on Appellant deprives Appellant of its vested
21 rights to operate as lawfully authorized by its property’s existing zoning. Residential Hotels in
22 Oakland have always been allowed by law to rent rooms to occupants who have another,
23 “primary residence.” The proposed Amendments fundamentally change this lawful business
24 model into something different and less profitable. (§ 17.153.020) In other words, the
25 enforcement of the Amendments on Appellant terminates Appellant’s right to engage in its
26 existing business model. This immediate termination of a non-nuisance business, without
27 compensation or a reasonable amortization period, constitutes an unreasonable, unjustified, and
28 unconstitutional exercise of the City's police power.

The Amendments further amended the Planning Code to include a 90-day notice period
before a Residential Hotel Owner may sell its property. This confers on the City a right of first
refusal to purchase any Residential Hotel, and it would prohibit the sale of such private property

1 to anyone other than the City (or a nonprofit chosen by the City) for this time-period This
2 mandatory right of first refusal constitutes an unlawful taking under Constitutional law. The
3 California Supreme Court has ruled that a purchase option is a “sufficiently strong interest in ...
4 property to require compensation if the government takes it in eminent domain,” and that
5 compelling a developer to give a city a purchase option is an “exaction.” (*Sterling Park, L.P. v.*
6 *City of Palo Alto* (2013) 57 Cal.4th 1193, citing *County of San Diego v. Miller* (1975) 13 Cal.3d
7 684, 691-693.) The Supreme Court's reasoning applies with equal force to the right of first
8 refusal here. By applying the Amendments to Appellant, and thereby eliminating the ability of
9 Appellant to freely sell its property, the Planning Department has unlawfully taken Appellant’s
10 property rights without just compensation.

11 **E. The Planning Department’s Determination that the Property is a Residential Hotel**
12 **Violates Appellant’s Equal Protection Rights.**

13 The U.S. and California Equal Protection Clause guarantees that a person may not be
14 denied equal protection of law. (U.S. Constitution, Art. 14, California Constitution § 7.)
15 Appellant is entitled to the protection of this clause. (*Village of Willowbrook v. Olech* (2000)
16 528 U.S. 562; *Sioux City Bridge Co. v. Dakota County* (1923) 260 U.S. 441; *Allegheny*
17 *Pittsburgh Coal Co. v. Commission of Webster Cty.* (1989) 488 U.S. 336.) The Planning
18 Department’s enforcement of the Amendments creates zoning regulations which, if applied,
19 prohibit Appellant from renting rooms to individuals who have another, primary residence, and
20 to sell the Property for a period of 180 days, during which time period Appellant must first offer
21 the Property to the City.

22 In enforcing the Amendments on Appellant, the Planning Department chose not to affect
23 other properties (and their owners) that are functionally similar to properties such as the
24 Property owned by Appellant. Appellant’s units, to the extent they have lawfully operated for
25 decades under the Planning Code, are the functional equivalent of other, non-Residential Hotel
26 units. Among other reasons, the Appellant has paid, and does pay, taxes for any tourist-based
27 usage. The Amendments single out Appellant and other such owners of pre-1960 hotels in the
28 Downtown area for disparate treatment not accorded to similarly situated property owners.
Further, the Planning Department has offered no valid justification for the Amendments, or for
the manner in which they discriminate between Residential Hotel owners and other hotel
owners.

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F. The Planning Department’s Determination that the Property is a Residential Hotel Violates Appellant’s Federal Civil Rights.

The Planning Department enforcement of the Amendments on Appellant violates the Fifth and Fourteenth Amendments of the United States Constitution. (42 USC § 1983) The above-described deprivation of Appellant's vested rights to operate their Property as historically permitted, without notice or an opportunity to be heard, and without regard to the severe economic impact of the Amendments on Appellant's hotel operations, violates its rights to due process of law under the 5th and 14th Amendments to the United States Constitution, and constitute a taking of Appellant’s Property without just compensation. (*Knick, supra*; *Loretto v. Teleprompter Manhattan CATV* (1982) 458 U.S. 419; *Penn Central v. New York* (1978) 438 U.S. 104; *Koontz v St. Johns River Management District* (2013) 133 S.Ct. 2586; *Levin v San Francisco* (N.D. Cal. 2016) 71 F.Supp.3d 1072.)

CONCLUSION

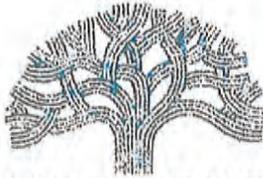
Pursuant to the above, the Planning Commission should reverse the Planning Department’s denial of Appellant’s application for a certification of exemption from the Amendments. Appellant reserves the right to supplement its evidence and arguments up to, and including, at the hearing of this appeal.

Date: October 31, 2019

ZACKS, FREEDMAN & PATTERSON, PC

By: 
EMILY L. BROUGH
Attorneys for Appellant
584 14th STREET LLC

EXHIBIT A



CITY OF OAKLAND

RESIDENTIAL HOTEL STATEMENT OF EXEMPTION

Planning and Building Department

250 Frank H. Ogawa Plaza

2nd Floor, Suite 2114

Oakland, CA 94612

Tel (510) 238-3911

Fax (510) 238-4730

Instructions

As established by Ordinance No. 13509 C.M.S., if you believe you have evidence that your property is not a Residential Hotel, as defined in Planning Code Section 17.153.020 (see page 4 of this form), you must submit this Statement of Exemption form along with required supporting documentation in person to the Zoning Permit Counter on the 2nd floor of 250 Frank H. Ogawa or via mail to the Planning and Building Department by **April 3, 2019**. If more space is needed, the form provides additional pages.

Statement of Exemption form reserves the right to be used by the City of Oakland. If the Planning and Building Department determines that an Initial Use is not permitted under Code Section 17.153.020, the City of Oakland reserves the right to require the applicant to pay the cost of the Statement of Exemption form.

The Pelosi Law Group, Inc.
12 Geary St 8th FL
San Francisco CA 94108-5704

96-505/1232

4/2/19 Date

Pay to the Order of City of Oakland Planning and Building \$ 473.92
four hundred and seventy three dollars and 92/100 Security Features Outside on Back

1. GENERAL INFORMATION

Name of Applicant

Mailing Address

Site Address

Site Assessment

UMPQUA BANK
1-866-4UMPQUA
(1-866-486-7782)
584 14th St LLC
For Statement of Exemption

M. Pelosi MP

⑆ 23205054⑆ 4865573473⑈ 0255

003-0069-017-00

Office Use Only

Receive Date: _____

ATTACHMENT D



RESIDENTIAL HOTEL STATEMENT OF EXEMPTION

Planning and Building Department
 250 Frank H. Ogawa Plaza
 2nd Floor, Suite 2114
 Oakland, CA 94612
 Tel (510) 238-3911
 Fax (510) 238-4730

Instructions

As established by Ordinance No. 13509 C.M.S., if you believe you have evidence that your property is not a Residential Hotel, as defined in Planning Code Section 17.153.020 (see page 4 of this form), you must submit this Statement of Exemption form along with required supporting documentation in person to the Zoning Permit Counter on the 2nd floor of 250 Frank H. Ogawa or via mail to the Planning and Building Department by **April 3, 2019**. If more space is needed than the form provides, additional pages may be attached. Please include the payment of fees (\$473.92) required to process the Statement of Exemption. In order to make the necessary determinations and verify information provided, the City also reserves the right to do inspections of the property, subject to the applicable fees.

If the Planning and Building Director determines that the property is not a Residential Hotel, the fee for filing a Statement of Exemption and any inspection fees will be reimbursed. If the Statement of Exemption is denied, you will need to file an Initial Usage Report form within the remainder of the 180 days allotted for submittal of the Initial Usage Report per Code Section 17.153.030(B)(1).

I. GENERAL INFORMATION	
Name of Applicant: 584 14TH STREET, LLC	Contact Number: 424.291.5807
Mailing Address: 301 N Canon Drive, Suite 305, Beverly Hills, CA 90210	Email Address: JBird@HawkinsWay.com
Site Address: 584 14th Street, Oakland, CA 94612	
Site Assessor's Parcel Number: 003-0069-017-00	
<i>Office Use Only</i>	
Receive Date: _____	

This form is provided for informational purposes only. It is not intended to constitute an offer of insurance or any other financial product. Please contact your insurance agent for more information.

2. PROPERTY OWNER AND APPLICANT INFORMATION

Owner: 584 14TH STREET, LLC
Owner Mailing Address: 301 N Canon Dr., Suite 305
City/State: Beverly Hills, CA Zip: 90210
Phone No.: 424.291.5860 Fax No.: 424.291.5867 E-mail: Ross.Walker@Hawkinsway.com

To be completed only if Applicant is not the Property Owner:

I authorize the applicant indicated below to submit the application on my behalf.

Applicant (Authorized Agent), if different from Owner:

Applicant Mailing Address:

City/State:

Zip: _____

Phone No.:

Fax No.:

E-mail:

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of determinations, as decided by the Planning and Building Director. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature above.

I certify that statements made to me about the time it takes to review and process this application are general. I am aware that the City has attempted to request everything necessary for an accurate and complete review of my proposal; however, that after my application has been submitted and reviewed by City staff, it may be necessary for the City to request additional information and/or materials. I understand that any failure to submit the additional information and/or materials in a timely manner may render the application inactive and that periods of inactivity do not count towards statutory time limits applicable to the processing of this application.

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT ALL THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.


Signature of Owner or Authorized Agent

4/2/2019
Date

3. STATEMENT OF EXEMPTION

The owner has the burden of proving by a preponderance of the evidence that the property is exempt from the provisions of Ordinance No. 13509 C. M.S.

The STATEMENT OF EXEMPTION shall be accompanied by evidence, such as:

- A certified copy of the property's tax returns
- Transient occupancy tax records
- Residential landlord tax records
- Planning and Building Permit records
- Alameda County Assessor records
- Floor plans (following standards described below)
- Any other evidence necessary to prove the property does not meet the afore-mentioned definition of Residential Hotel or that individual units do not meet the definition of a Residential Hotel Unit, as set forth in Section 17.153.020.

Please explain why you believe the provided evidence demonstrates that your property is not a Residential Hotel, as defined in Planning Code Section 17.153.020:

Our property is a "Deemed Approved" tourist hotel use, and under City Planning Code section 17.157.080, a hotel considered "Deemed Approved" acquires legal status that allows that use to continue indefinitely.

Further, "Deemed Approved" status cannot be lost by Planning Department statements or determinations or by statements of property owners related to prior uses. "Deemed Approved" status can only be lost if a public hearing is held and a hearing officer formally revokes the status due to violation of the "Deemed Approved Hotel performance Standards." (CPC §§ 17.157.100-120)

As no public hearing has been held and no hearing officer has revoked the property's "Deemed Approved" status, the property remains a Tourist Hotel use. Facts and evidence that show the property is a "Deemed Approved" tourist hotel are presented in the attached Supplement.

4. **DEFINITIONS** - Planning Code Section 17.153.020, 17.09, 17.10 (for reference only)

“Commercial Activities” include the distribution and sale or rental of goods; the provision of services other than those classified as Civic Activities; and the administrative and research operations of private, profit-oriented firms, other than public utility firms. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

“Commercial Hotel” means a hotel that operates as a Commercial Activity, as defined in Section 17.10.260, which provides lodging to guests that is not used or is not intended to be used as a primary residence.

“Commercial Hotel Unit” means a Rooming Unit or Efficiency Unit, as defined in Section 17.09.040 of the Oakland Planning Code, that operates within a Commercial Hotel or has been granted a Conditional Use Permit for Conversion, as set forth in Section 17.153.050.

“Efficiency dwelling unit” means a dwelling unit containing only a single habitable room other than a kitchen, or containing a total of less than five hundred (500) square feet of floor area.

“Owner” means an owner of record of a Residential Hotel, or an entity or individual with a long-term lease or some form of equitable interest in a Residential Hotel.

“Permanent Residential Activities” include the occupancy of living accommodations on a thirty (30) days or longer basis, with none of the living units under the same ownership or management on the same lot being occupied on a shorter basis; but exclude institutional living arrangements other than state-licensed Residential Care Facilities for six (6) or fewer residents. However, such state-licensed Residential Care Facilities shall be subject to the three hundred (300) foot separation requirement in Section 17.103.010.B. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

“Residential Hotel” is defined in accordance with California Health and Safety Code Section 50519, and means any building built before 1960 containing six (6) or more Rooming Units, as defined in Section 17.09.040, intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by guests, which is also the primary residence of those guests, and where the entrances to the individual units are generally accessed via a shared lobby area. See also the process for Status Determination in Section 17.153.030. Any building or units that are constructed to satisfy the requirements of Section 17.153.050(A) shall be subject to the provisions of this Chapter.

“Residential Hotel Unit” means a Rooming Unit or Efficiency Dwelling Unit, as those terms are defined in Section 17.09.040 of the Oakland Planning Code, intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by guests, which is also the primary residence of those guests, and are located within a Residential Hotel. Any unit that is constructed to satisfy the requirements of Section 17.153.050(A) shall be subject to the provisions of this Chapter.

“Rooming Unit” means a room or suite of rooms, not including a kitchen, designed or occupied as separate living quarters, with or without common boarding provisions, but excluding such rooms where they accommodate a total of three (3) or fewer paying guests within a One Family Dwelling Residential Facility through the main portion of which access may be had to all such rooms; provided that in the case of student dormitories and similar group living arrangements, each two beds shall be deemed a rooming unit.

“Semi-Transient Residential Activities” include the occupancy of living accommodations partly on a thirty (30) days or longer basis and partly for a shorter time period, but with less than thirty percent (30%) of the living units under the same ownership or management on the same lot being occupied on a less-than-thirty (30) day basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

“Transient Habitation Commercial Activities” include the provision of lodging services to transient guests on a less-than thirty (30) day basis, other than in the case of activities classified by Section 17.10.120 Semi-Transient Residential Activities or Section 17.10.125 Bed and Breakfast Residential Activities. Examples include hotels and motels. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

584 14th Street – Statement of Exemption
Supplemental Information

Please explain why you believe the provided evidence demonstrates that your property is not a Residential Hotel, as defined in Planning Code Section 17.153.020:

584 14th Street, the Sutter Hotel (i.e., “Property”) is not a Residential Hotel, as defined in Planning Code Section 17.153.020, because it is a “Deemed Approved” tourist hotel. Evidence in support of this conclusion is attached and summarized below.

To qualify as a “Deemed Approved” use, the Property must have been used as a tourist hotel prior to the enactment of the City of Oakland (City) 1999 zoning ordinance that regulated transient habitation commercial uses and required all new tourist uses to obtain conditional use approval.

Pursuant to City Planning Code section 17.157.080, a hotel considered “Deemed Approved” acquires a legal status which allows the use to continue indefinitely. Deemed Approved Status can only be lost if a public hearing is held and a hearing officer formally revokes the status due to violation of the “Deemed Approved Hotel performance standards.”¹ (CPC §§ 17.157.100-120.)

Substantial evidence exists that the Property is a Deemed Approved tourist hotel. In addition, **more than a decade of City inspection records show that the City has subjected the Property to routine Deemed Approved tourist hotel inspections.** As the City does not maintain a “Deemed Approved” list of transient hotel properties², a review of the Property’s history is the only method to establish the Property’s tourist use as “Deemed Approved.”

We have conducted a thorough document review of the Property. It indicates that the Property has been classified by the City as a “Deemed Approved” tourist hotel for routine Deemed Approved inspections. The documents we located are attached as **Exhibit A** and are summarized as follows:

- 6/27/2005: Property subject to Annual Deemed Approved Hotel/Motel Inspection
- 8/23/2006: Property exempt from Annual Deemed Approved Inspection
- 10/25/2012: Property subject to Annual Deemed Approved Inspection
- 07/10/2014: Property subject to Annual Deemed Approved Inspection
- 09/26/2016: Property subject to Annual Deemed Approved Inspection

As shown in the public records, there were at least four inspections since 2005 where the Property was classified as “Deemed Approved.” One inspection did occur where the Property was slated for exemption from “Deemed Approved” inspection, but this August 23, 2006 inspection was subsequently followed by additional inspections which continued to classify the Property as “Deemed Approved.” Moreover, the August 2006 inspection **did not result in the Property’s removal from the “Deemed Approved” list as a hearing was never held, which would have been required to revoke the Property’s Deemed Approved Status under CPC §§ 17.157.100-120.**

Absent a record of a hearing officer revoking the Property’s Deemed Approved Status, by operation of law, its status continues today.

In addition to the “Deemed Approved” history, the Property is licensed as a tourist hotel and paid Transient Occupancy Tax (TOT) to the City. The City of Oakland Finance Department has also

¹ “Deemed Approved” status cannot be lost by a written determination of the Planning Department or statements by a property owner.

² Evidence of this is included in **Exhibit F**.

confirmed that the Property's Hotel/Motel Business Certificate (#00029506) was issued in 1995, before the 1999 "Deemed Approved" date.³ The Property's business licenses and the payment of the TOT, which is only applied to tourist hotels, reinforces the status of the Property as a tourist hotel. Copies of the business licenses are included as **Exhibit B** and the TOT submittals from 2014-2017 are included as **Exhibit C**.⁴

To further investigate the status of the Property as a "Deemed Approved" tourist hotel, we enlisted assistance from Mark Hulbert of Preservation Architecture, a historical architect and cultural resources consulting firm, to obtain and review historical building permit history and other historical records related to the Property. Through his review of microfiche permit records, he uncovered three building permit related records from 1974-1975, attached as **Exhibit D**, that clearly indicate that the use of the Property was as a tourist hotel. In addition, he reviewed historical advertisements, news clippings and City phone directories from 1922 to 1966 that clearly identify the Property as a traditional transient tourist hotel. Several of these documents are attached as **Exhibit E**.

Based on Mr. Hulbert's review of the Property history and discussions with City Finance Department staff, he concluded that there is substantial evidence that the Property was a tourist hotel prior to 1999. He also concluded that there is no record indicating that the historical tourist use of the Property was changed prior to 1999 to any other use. **Based on this evidence, a tourist hotel use was established prior to 1999, which qualifies the tourist hotel use of the Property as a "Deemed Approved" use.**

By contrast, in our permit review history we have located no evidence that establishes the Property did not qualify as a "Deemed Approved" tourist hotel in 1999 nor any documentation that the Property was converted from a tourist hotel to a non-tourist hotel use.⁵ Regardless, even if there had been a change from a tourist hotel use to a non-tourist hotel use after 1999 – which is not indicated by the evidence – **a change of use cannot cause a property to lose its Deemed Approved Status. A Deemed Approved use has protections beyond the normal rules for legal nonconforming uses.** ("Said business(es) shall no longer be considered a Legal Nonconforming Activity. . . . Deemed Approved Status replaces legal nonconforming status." CPC § 17.157.050.) **Unlike a legal nonconforming use, a property can only lose its Deemed Approved status following a formal notice of violation and public hearing.** There is no record of such proceedings taking place.

We purchased the property in 2017. In talking with the prior owner, he has stated that he recalls receiving a letter in the "late 1990s or early 2000s" from City⁶ indicating the Property was "Deemed Approved." He also has stated that during his ownership the Property was rented daily. This recollection is consistent with the evidence set forth above and taken as whole indicates that the

³ We were unable to locate a copy of the 1995 building license because the prior owner did not keep good records and the City Finance Department purges business tax records after ten years. The 1995 date was provided to Mark Hulbert of Preservation Architecture from City Finance Department staff and is based on the certificate number identified.

⁴ As noted above, the prior owner did not keep good records. For this reason, some of the records included are not "complete" in that they do not cover every year or every month. Regardless, the body of information collected supports that the Property was used as a tourist hotel and is a "Deemed Approved" tourist hotel use.

⁵ As noted in Footnote #1 above, written determination by Planning Department staff or statements by the property owner cannot change a "Deemed Approved" use.

⁶ He is no longer able to locate a copy of the letter, some 20 years later.

Property qualified as a “Deemed Approved” property in 1999 and has operated continuously since then as a tourist hotel.

In sum, the public records that exist clearly indicate that the Property’s tourist hotel use is a “Deemed Approved” use pursuant to the City’s Planning Code. There is no substantial evidence to conclude otherwise. When balancing the rights of the Property owner to continue the “Deemed Approved” tourist hotel use against the lack of evidence to the contrary, the Property’s tourist use should clearly be considered “Deemed Approved.”

Exhibit A



Update Results



CITY OF OAKLAND

Record Detail with Comments

Record ID: [0503005](#)

Description: ANNUAL DEEMED APPROVED HOTEL/MOTEL INSPECTION - SUTTER HOTEL CONTACT: MGR. 510-451-2555.

APN: 003 006901700

Address: 584 14TH ST

Unit #:

Date Opened: 6/27/2005

Record Status: Closed

Record Status Date: 7/18/2012

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Comment Date	Commenter	Comment
6/27/2005 12:00:00 AM	PTS	ANNUAL DEEMED APPROVED HOTEL/MOTEL INSPECTION - SUTTER HOTEL CONTACT: MGR. 510-
1/21/2014 8:39:31 PM	PTS	[8/17/05: No manager was available for inspection scheduled for today at 1:00PM. Inspection cancelled at 12:55PM. Called hotel clerk and informed him that the manager should contact me as soon as possible to make a new appointment. Inspection to be completed within seven days Alan Albee x3207 >>> 08/17/2005 15:32:11 ALBEE#A 0159

For real-time, direct access to information via the Internet, 24 hours a day - <https://aca.accela.com/oakland>



Update Results



CITY OF OAKLAND

Record Detail with Comments

Record ID: 0606066

Description: RESIDENTIAL HOTEL; EXEMPT FROM DEEMED APPROVED HOTEL/MOTEL ANNUAL INSPECTIONS; REMOVE FROM LIST.

APN: 003 006901700

Address: 584 14TH ST

Unit #:

Date Opened: 8/23/2006

Record Status: Abated

Record Status Date: 9/26/2006

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Comment Date	Commenter	Comment
8/23/2006 12:00:00 AM	PTS	RESIDENTIAL HOTEL; EXEMPT FROM DEEMED APPROVED HOTEL/MOTEL ANNUAL INSPECTIONS; REMOVE FROM LIST.

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Update Results



CITY OF OAKLAND

Record Detail with Comments

Record ID: [1205712](#)

Description: ANNUAL DEEMED APPROVED HOTEL/MOTEL INSPECTION

APN: 003 006901700

Address: 584 14TH ST

Unit #:

Date Opened: 10/25/2012

Record Status: Abated

Record Status Date: 11/14/2012

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Comment Date	Commenter	Comment
10/25/2012 12:00:00 AM	PTS	ANNUAL DEEMED APPROVED HOTEL/MOTEL INSPECTION

For real-time, direct access to information via the Internet, 24 hours a day - <https://aca.accela.com/oakland>

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

OAKLAND SUTTER HOTEL L.P.
 PO BOX 5247
 WALNUT CREEK, CA 94596-1247
 RE: 584 14TH STREET
 09/19/12/TC/RDR PROGRAM

1205712

2. Article Number
(Transfer from service label)

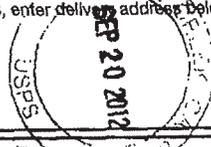
7009 2250 0001 8641 4971

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
 Victoria Singh

D. Is delivery address different from Item 1? Yes
 If YES, enter delivery address below: No



3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes



Update Results



CITY OF OAKLAND

Record Detail with Comments

Record ID: 1402634

Description: DEEMED APPROVED INSPECTION

APN: 003 006901700

Address: 584 14TH ST

Unit #:

Date Opened: 7/10/2014

Record Status: Closed

Record Status Date: 8/24/2014

Job Value:

Requestor:

:

Business Name:

License #:

Comment Date	Commenter	Comment
12/10/2014 1:17:08 PM	SFORD	Ownership verified and a notice was mailed to owner on 07/14/2014
12/10/2014 1:27:33 PM	AMEEKINS	NOTICE OF INSPECTION- HOTEL/MOTEL ROOMING HOUSE PERFORMANCE STANDARDS- RIGHT OF ENTRY MAILED 7/14/14.

For real-time, direct access to information via the Internet, 24 hours a day - <https://aca.accela.com/oakland>



Update Results



CITY OF OAKLAND

Record Detail with Comments

Record ID: [1603742](#)

Description: ANNUAL DEEMED APPROVED INSPECTION

APN: 003 006901700

Address: 584 14TH ST

Unit #:

Date Opened: 9/29/2016

Record Status: Violation Verified

Record Status Date: 11/10/2016

Job Value: \$0.00

Requestor:

:

Business Name:

License #:

Comment Date	Commenter	Comment
10/7/2016 2:09:09 PM	SBROWN	OWNERSHIP VERIFIED THROUGH COUNTY ASSESSOR, NOTICE OF INSPECTION MAILED REG & CERT WITH INSPECTION DATE 11/10/2016 CERT 7015 0640 0003 5386 3683
11/15/2016 3:09:31 PM	WLOO	11/10/16 - met manager Oliver Shevies, [REDACTED]; the following units were inspected: 208, 312,409, 410, 603, 605, 606, 703, 705, 707; all rooms were missing room postings; #703 - damaged plug cover; #603 - lower sash didn't open, use of extension cord; 4th floor rear bath, loose; some rooms have excessive use of roach powder; gave list to manager.
11/15/2016 3:27:27 PM	WLOO	the manager said they are converting all SRO's to hotel rooms; there are 9 units which still have the SRO tenants.

For real-time, direct access to information via the Internet, 24 hours a day - <https://aca.accela.com/oakland>

Exhibit B

POST IN A
CONSPICUOUS
PLACE
NOT TRANSFERRABLE

**TRANSIENT OCCUPANCY
REGISTRATION CERTIFICATE**

CITY OF OAKLAND

ISSUED JULY 25, 2002.

ACCOUNT NUMBER 003-179-002
OPERATOR NAME SUTTER MOTEL
BUSINESS NAME SUTTER MOTEL
ADDRESS 584 14TH STREET, OAKLAND, CA 94612

KIND OF BUSINESS HOTEL

THE ISSUING OF A TRANSIENT OCCUPANCY REGISTRATION CERTIFICATE IS FOR REVENUE PURPOSES ONLY. IT DOES NOT RELIEVE LICENSEE FROM THE RESPONSIBILITY OF COMPLYING WITH THE REQUIREMENTS OF ANY OTHER DEPARTMENT OF THE CITY OF OAKLAND AND/OR ANY OTHER ORDINANCE, LAW OR REGULATION OF THE CITY OF OAKLAND, STATE OF CALIFORNIA, OR ANY OTHER GOVERNMENTAL AGENCY.



POST IN A
CONSPICUOUS
PLACE

BUSINESS TAX CERTIFICATE

CITY OF OAKLAND

The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other agency of the City of Oakland and/or any other ordinance, law or regulation of the State of California, or any other governmental agency. This certificate is void if non-payable instruments are tendered to obtain it. The Business Tax Certificate expires on December 31st, and you have until March 1st of the following year to renew it.



EXPIRES

December 31, 2008

ACCOUNT NUMBER

2275090

BUSINESS NAME

Sutter Hotel

ADDRESS

584 14th St
Oakland, CA 94612-1443

BUSINESS CLASSIFICATION

Hotel, Motels and Tourist Court



YOU MAY BE REQUIRED TO OBTAIN A VALID ZONING CLEARANCE TO OPERATE YOUR BUSINESS LEGALLY. RENTAL OF REAL PROPERTY IS EXCLUDED FROM ZONING.

THIS DOCUMENT HAS A "VERIFY FIRST" TRUE WATERMARK AND VISIBLE FIBERS DISCERNIBLE FROM BOTH SIDES

CITY OF OAKLAND
BUSINESS TAX CERTIFICATE

ACCOUNT NUMBER

2275090

The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other agency of the City of Oakland and/or any other ordinance, law or regulation of the State of California, or any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per Section 85.04.190A of the O.M.C. you are allowed a renewal grace period until March 1st of the following year.

SUTTER HOTEL

EXPIRATION DATE

12/31/2016

BUSINESS LOCATION

584 14TH ST
OAKLAND, CA 94612-1443

BUSINESS TYPE

P - Rental Hotel/Motel



NAME

SUTTER HOTEL

MAILING ADDRESS

PO BOX 5247

WALNUT CREEK, CA, 94596-1247



THIS DOCUMENT IS ALTERATION PROTECTED AND REFLECTS FLUORESCENT FIBERS UNDER UV LIGHT

A BUSINESS TAX CERTIFICATE IS REQUIRED FOR EACH BUSINESS LOCATION AND IS NOT VALID FOR ANY OTHER ADDRESS.

YOU MAY BE REQUIRED TO OBTAIN A VALID ZONING CLEARANCE TO OPERATE YOUR BUSINESS LEGALLY. RENTAL OF REAL PROPERTY IS EXCLUDED FROM ZONING.

PUBLIC INFORMATION ABOVE THIS LINE TO BE CONSPICUOUSLY POSTED!

THIS DOCUMENT HAS A "VERIFY FIRST" TRUE WATERMARK AND VISIBLE FIBERS DISCERNIBLE FROM BOTH SIDES

CITY OF OAKLAND
BUSINESS TAX CERTIFICATE

ACCOUNT NUMBER

2275667

The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other agency of the City of Oakland and/or any other ordinance, law or regulation of the State of California, or any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per Section 85.04.190A of the O.M.C. you are allowed a renewal grace period until March 1st of the following year.

OAKLAND SUTTER HOTEL LP

EXPIRATION DATE

12/31/2016

BUSINESS LOCATION

584 14TH ST
OAKLAND, CA 94612-1443

BUSINESS TYPE

NI - Rental Commercial/Industrial



NAME

SUTTER HOTEL

MAILING ADDRESS

PO BOX 5247

WALNUT CREEK, CA, 94596-1247



THIS DOCUMENT IS ALTERATION PROTECTED AND REFLECTS FLUORESCENT FIBERS UNDER UV LIGHT

A BUSINESS TAX CERTIFICATE IS REQUIRED FOR EACH BUSINESS LOCATION AND IS NOT VALID FOR ANY OTHER ADDRESS.

YOU MAY BE REQUIRED TO OBTAIN A VALID ZONING CLEARANCE TO OPERATE YOUR BUSINESS LEGALLY. RENTAL OF REAL PROPERTY IS EXCLUDED FROM ZONING.

PUBLIC INFORMATION ABOVE THIS LINE TO BE CONSPICUOUSLY POSTED!

THIS DOCUMENT HAS A "VERIFY FIRST" TRUE WATERMARK AND VISIBLE FIBERS DISCERNIBLE FROM BOTH SIDES

CITY OF OAKLAND
BUSINESS TAX CERTIFICATE

**ACCOUNT
NUMBER**

00197159

The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other agency of the City of Oakland and/or any other ordinance, law or regulation of the State of California, or any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per Section 85.04 190A, of the OMC, you are allowed a renewal grace period until March 1st the following year.

584 14TH STREET, LLC

BUSINESS LOCATION

584 14TH STREET
OAKLAND, CA 94612



EXPIRATION DATE

12/31/2017

BUSINESS TYPE

P Hotel, Motel

NAME

584 14TH STREET, LLC

MAILING ADDRESS

HAWKINS WAY ACCOUNTING
11328 LA GRANGE AVENUE
LOS ANGELES, CA 90025

A BUSINESS TAX
CERTIFICATE IS REQUIRED
FOR EACH BUSINESS
LOCATION AND IS NOT VALID
FOR ANY OTHER ADDRESS.

ALL OAKLAND BUSINESSES
MUST OBTAIN A VALID
ZONING CLEARANCE TO
OPERATE YOUR BUSINESS
LEGALLY. RENTAL OF REAL
PROPERTY IS EXCLUDED
FROM ZONING.

PUBLIC INFORMATION
ABOVE THIS LINE TO BE
CONSPICUOUSLY POSTED

THIS DOCUMENT IS ALTERATION PROTECTED AND REFLECTS FLUORESCENT FIBERS UNDER UV LIGHT

Exhibit C



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) _____
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: January 31, 2014

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Account Number: 2275090

Business Name: SUTTER HOTEL

Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
---	--	--

1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 80,421
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 42,375
3. Taxable rents (line 1 minus line 2) \$ 38,046
4. Tax: 14% of line 3 \$ 5326.44
5. Credit (if previously approved by this office) \$ —
6. Net tax (line 4 minus line 5) \$ 5326.44
7. Penalty - 25% for late \$ —
8. Interest - 1% of tax per month for late payment until paid \$ —
9. Payment enclosed - total of lines 6 through 8 \$ 5326.44

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature]

Title: Bookkeeper

Date: 2/19/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) _____
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: Feb 28 2014

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
--	---	---

- 1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 67,245
- 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 34,133
- 3. Taxable rents (line 1 minus line 2) \$ 33,112
- 4. Tax: 14% of line 3 \$ 4635.68
- 5. Credit (if previously approved by this office) \$ -
- 6. Net tax (line 4 minus line 5) \$ 4635.68
- 7. Penalty - 25% for late \$ -
- 8. Interest - 1% of tax per month for late payment until paid \$ -
- 9. Payment enclosed - total of lines 6 through 8 \$ 4635.68

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 3/10/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: March 31, 2014

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** if your previous year's gross rents* were under \$5,000

Account Number: 2275090

Business Name: SUTTER HOTEL

Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 127,265
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 91,883
3. Taxable rents (line 1 minus line 2) \$ 35,382
4. Tax: 14% of line 3 \$ 4953.48
5. Credit (If previously approved by this office) \$ 0
6. Net tax (line 4 minus line 5) \$ 4953.48
7. Penalty - 25% for late \$ -
8. Interest - 1% of tax per month for late payment until paid \$ -
9. Payment enclosed - total of lines 6 through 8 \$ 4953.48

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 4/10/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) _____
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: April 30, 2014

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- | | | |
|--|----|----------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ | <u>83,362</u> |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ | <u>46,778</u> |
| 3. Taxable rents (line 1 minus line 2) | \$ | <u>36,584</u> |
| 4. Tax: 14% of line 3 | \$ | <u>5121.76</u> |
| 5. Credit (If previously approved by this office) | \$ | <u>0</u> |
| 6. Net tax (line 4 minus line 5) | \$ | <u>5121.76</u> |
| 7. Penalty - 25% for late | \$ | <u>—</u> |
| 8. Interest - 1% of tax per month for late payment until paid | \$ | <u>—</u> |
| 9. Payment enclosed - total of lines 6 through 8 | \$ | <u>5121.76</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 5/9/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) _____
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: May 31, 2014

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Account Number: 2275090

Business Name: SUTTER HOTEL

Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- | | | |
|--|-------------------|-------------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ <u>77,117</u> | |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ <u>36,055</u> | |
| 3. Taxable rents (line 1 minus line 2) | | \$ <u>41,062</u> |
| 4. Tax: 14% of line 3 | \$ <u>5748.68</u> | |
| 5. Credit (If previously approved by this office) | \$ <u>0</u> | |
| 6. Net tax (line 4 minus line 5) | | \$ <u>5748.68</u> |
| 7. Penalty - 25% for late | | \$ <u>0</u> |
| 8. Interest - 1% of tax per month for late payment until paid | | \$ <u>0</u> |
| 9. Payment enclosed - total of lines 6 through 8 | | \$ <u>5748.68</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 6/10/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)

in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: JUNE 30, 2014

- Monthly** If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31 st for previous calendar year
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- | | | |
|--|-------------------|-------------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ <u>72,056</u> | |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ <u>31,582</u> | |
| 3. Taxable rents (line 1 minus line 2) | | \$ <u>40,474.</u> |
| 4. Tax: 14% of line 3 | \$ <u>5666.36</u> | |
| 5. Credit (If previously approved by this office) | \$ <u>0</u> | |
| 6. Net tax (line 4 minus line 5) | | \$ <u>5666-36</u> |
| 7. Penalty - 25% for late | | \$ <u>0</u> |
| 8. Interest - 1% of tax per month for late payment until paid | | \$ <u>0</u> |
| 9. Payment enclosed - total of lines 6 through 8 | | \$ <u>5666-36</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 7/10/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

pd ce # 9397
8/10/14
\$6230.84

If this is your final months return, please check here and provide the effective date (month, day, year) _____
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: July 31, 2014

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Account Number: 2275090

Business Name: SUTTER HOTEL

Business Address: 584 14TH ST

IF MONTHLY	IF QUARTERLY	IF ANNUALLY
On or before the 10th day following each calendar month	On or before the last day of the month following close of each calendar quarter	On or before January 31 st for previous calendar year

1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 77,113
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 32,607
3. Taxable rents (line 1 minus line 2) \$ 44,506
4. Tax: 14% of line 3 \$ 6230.84
5. Credit (If previously approved by this office) \$ -
6. Net tax (line 4 minus line 5) \$ 6230.84
7. Penalty - 25% for late \$ -
8. Interest - 1% of tax per month for late payment until paid \$ -
9. Payment enclosed - total of lines 6 through 8 \$ 6230.84

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 8/10/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: August 31, 2014

- Monthly** If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Business Address: 584 14TH ST

Account Number: 2275090

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31 st for previous calendar year
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- | | | |
|--|----|----------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ | <u>99,485</u> |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ | <u>45,990</u> |
| 3. Taxable rents (line 1 minus line 2) | \$ | <u>53,495</u> |
| 4. Tax: 14% of line 3 | \$ | <u>7489.30</u> |
| 5. Credit (if previously approved by this office) | \$ | <u>0</u> |
| 6. Net tax (line 4 minus line 5) | \$ | <u>7489.30</u> |
| 7. Penalty - 25% for late | \$ | <u>—</u> |
| 8. Interest - 1% of tax per month for late payment until paid | \$ | <u>—</u> |
| 9. Payment enclosed - total of lines 6 through 8 | \$ | <u>7489.30</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 8/10/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: September 30, 2014
Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Account Number: 2275090

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- 1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 77,230
- 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 26,632
- 3. Taxable rents (line 1 minus line 2) \$ 50,598
- 4. Tax: 14% of line 3 \$ 7083.72
- 5. Credit (If previously approved by this office) \$ 0
- 6. Net tax (line 4 minus line 5) \$ 7083.72
- 7. Penalty - 25% for late \$ 0
- 8. Interest - 1% of tax per month for late payment until paid \$ 0
- 9. Payment enclosed - total of lines 6 through 8 \$ 7083.72

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 10/10/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTIAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) _____
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: October 31, 2014

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- | | | |
|--|----|----------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ | <u>85,987</u> |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ | <u>29,743</u> |
| 3. Taxable rents (line 1 minus line 2) | \$ | <u>56,244</u> |
| 4. Tax: 14% of line 3 | \$ | <u>7874.16</u> |
| 5. Credit (If previously approved by this office) | \$ | <u>0</u> |
| 6. Net tax (line 4 minus line 5) | \$ | <u>7874.16</u> |
| 7. Penalty - 25% for late | \$ | <u>-</u> |
| 8. Interest - 1% of tax per month for late payment until paid | \$ | <u>-</u> |
| 9. Payment enclosed - total of lines 6 through 8 | \$ | <u>7874.16</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 11/10/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

pd cl # 9477
7420
12/10/14

If this is your final months return, please check here and provide the effective date (month, day, year) _____
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: November 30, 2014

- Monthly** If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31 st for previous calendar year
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1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 80,377.-
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 27,377
3. Taxable rents (line 1 minus line 2) \$ 53,000
4. Tax: 14% of line 3 \$ 7420
5. Credit (if previously approved by this office) \$ -
6. Net tax (line 4 minus line 5) \$ 7420
7. Penalty - 25% for late \$ -
8. Interest - 1% of tax per month for late payment until paid \$ -
9. Payment enclosed - total of lines 6 through 8 \$ 7420

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 12/10/14

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: December 31, 2014

- Monthly** If your previous year's gross rents* were over \$100,000
 - Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
 - Annually** If your previous year's gross rents* were under \$5,000
- Must be completed by the hotel administrator

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- | | | |
|--|-------------------|-------------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ <u>85,226</u> | |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ <u>32,465</u> | |
| 3. Taxable rents (line 1 minus line 2) | | \$ <u>52,761</u> |
| 4. Tax: 14% of line 3 | \$ <u>7386.54</u> | |
| 5. Credit (If previously approved by this office) | \$ <u>—</u> | |
| 6. Net tax (line 4 minus line 5) | | \$ <u>7386.54</u> |
| 7. Penalty - 25% for late | | \$ <u>—</u> |
| 8. Interest - 1% of tax per month for late payment until paid | | \$ <u>—</u> |
| 9. Payment enclosed - total of lines 6 through 8 | | \$ <u>7386.54</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 1/19/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: January 31, 2015

- Monthly** If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31 st for previous calendar year
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- | | | |
|--|-------------------|-------------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ <u>84,335</u> | |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ <u>36,280</u> | |
| 3. Taxable rents (line 1 minus line 2) | | \$ <u>54,055</u> |
| 4. Tax: 14% of line 3 | \$ <u>7567.70</u> | |
| 5. Credit (If previously approved by this office) | \$ <u>-</u> | |
| 6. Net tax (line 4 minus line 5) | | \$ <u>7567.70</u> |
| 7. Penalty - 25% for late | | \$ <u>-</u> |
| 8. Interest - 1% of tax per month for late payment until paid | | \$ <u>-</u> |
| 9. Payment enclosed - total of lines 6 through 8 | | \$ <u>7567.70</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 2/9/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: February 28, 2015

- Monthly** If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31 st for previous calendar year
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- | | |
|---|-------------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ <u>84,029</u> |
| 2. Rent for occupancy by non-transient residents
and/or TOT exemptions (round to nearest dollar) | \$ <u>30,076</u> |
| 3. Taxable rents (line 1 minus line 2) | \$ <u>53,953</u> |
| 4. Tax: 14% of line 3 | \$ <u>7553.42</u> |
| 5. Credit (If previously approved by this office) | \$ <u>—</u> |
| 6. Net tax (line 4 minus line 5) | \$ <u>7553.42</u> |
| 7. Penalty - 25% for late | \$ <u>—</u> |
| 8. Interest - 1% of tax per month for late payment until paid | \$ <u>—</u> |
| 9. Payment enclosed - total of lines 6 through 8 | \$ <u>7553.42</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 3/10/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: March 31, 2015

Must be completed by the hotel administrator

- Monthly If your previous year's gross rents* were over \$100,000
- Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually If your previous year's gross rents* were under \$5,000

Account Number: 2275090

Business Name: SUTTER HOTEL ~
Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 95,379
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 32,211
3. Taxable rents (line 1 minus line 2) \$ 63,168
4. Tax: 14% of line 3 \$ 8843.52
5. Credit (If previously approved by this office) \$ 0
6. Net tax (line 4 minus line 5) \$ 8843.52
7. Penalty - 25% for late \$ 0
8. Interest - 1% of tax per month for late payment until paid \$ 0
9. Payment enclosed - total of lines 6 through 8 \$ 8843.52

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 4/9/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

Handwritten notes: 2504 Day

If this is your final months return, please check here and provide the effective date (month, day, year) in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: April 30, 2015

Monthly If your previous year's gross rents* were over \$100,000 *Must be completed by the hotel administrator*
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL Account Number: 2275090
Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- 1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 88,847
- 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 31,116
- 3. Taxable rents (line 1 minus line 2) \$ 57,731
- 4. Tax: 14% of line 3 \$ 8082.34
- 5. Credit (If previously approved by this office) \$ —
- 6. Net tax (line 4 minus line 5) \$ 8082.34
- 7. Penalty - 25% for late \$ —
- 8. Interest - 1% of tax per month for late payment until paid \$ —
- 9. Payment enclosed - total of lines 6 through 8 \$ 8082.34

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Buck keeper Date: 5/8/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)

In which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: May 31 2015

Must be completed by the hotel administrator

- Monthly If your previous year's gross rents* were over \$100,000
- Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually If your previous year's gross rents* were under \$5,000

Account Number: 2275090

Business Name: SUTTER HOTEL

Business Address: 584 14TH ST

IF MONTHLY	IF QUARTERLY	IF ANNUALLY
On or before the 10th day following each calendar month	On or before the last day of the month following close of each calendar quarter	On or before January 31 st for previous calendar year

1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 88,614
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 27,088
3. Taxable rents (line 1 minus line 2) \$ 61,526
4. Tax: 14% of line 3 \$ 8613.64
5. Credit (If previously approved by this office) \$ -
6. Net tax (line 4 minus line 5) \$ 8613.64
7. Penalty - 25% for late \$ -
8. Interest - 1% of tax per month for late payment until paid \$ -
9. Payment enclosed - total of lines 6 through 8 \$ 8613.64

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 6/10/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)

in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: June 30, 2015

- Monthly** If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

<u>IF MONTHLY</u>	<u>IF QUARTERLY</u>	<u>IF ANNUALLY</u>
On or before the 10th day following each calendar month	On or before the last day of the month following close of each calendar quarter	On or before January 31 st for previous calendar year

1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 96,145
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 31,911
3. Taxable rents (line 1 minus line 2) \$ 64,234
4. Tax: 14% of line 3 \$ 8992.76
5. Credit (If previously approved by this office) \$ —
6. Net tax (line 4 minus line 5) \$ 8992.76
7. Penalty - 25% for late \$ —
8. Interest - 1% of tax per month for late payment until paid \$ —
9. Payment enclosed - total of lines 6 through 8 \$ 8992.76

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 7/8/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: July 31, 2015

- Monthly** If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- | | | |
|--|-------------------|-------------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ <u>103,664</u> | |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ <u>36,148</u> | |
| 3. Taxable rents (line 1 minus line 2) | | \$ <u>67,516</u> |
| 4. Tax: 14% of line 3 | \$ <u>9452.24</u> | |
| 5. Credit (If previously approved by this office) | \$ <u>—</u> | |
| 6. Net tax (line 4 minus line 5) | | \$ <u>9452.24</u> |
| 7. Penalty - 25% for late | | \$ <u>—</u> |
| 8. Interest - 1% of tax per month for late payment until paid | | \$ <u>—</u> |
| 9. Payment enclosed - total of lines 6 through 8 | | \$ <u>9452.24</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 8/10/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: August 31, 2015

- Monthly** If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31 st for previous calendar year
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1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 95,945
2. Rent for occupancy by non-transient residents
and/or TOT exemptions (round to nearest dollar) \$ 26,777
3. Taxable rents (line 1 minus line 2) \$ 69,168
4. Tax: 14% of line 3 \$ 9683.52
5. Credit (If previously approved by this office) \$ —
6. Net tax (line 4 minus line 5) \$ 9683.52
7. Penalty - 25% for late \$ —
8. Interest - 1% of tax per month for late payment until paid \$ —
9. Payment enclosed - total of lines 6 through 8 \$ 9683.52

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 9/9/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: September 30, 2015
Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Account Number: 2275090

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 96,606
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 31,150
3. Taxable rents (line 1 minus line 2) \$ 65,456
4. Tax: 14% of line 3 \$ 9163.84
5. Credit (If previously approved by this office) \$ 0
6. Net tax (line 4 minus line 5) \$ 9163.84
7. Penalty - 25% for late \$ -
8. Interest - 1% of tax per month for late payment until paid \$ -
9. Payment enclosed - total of lines 6 through 8 \$ 9163.84

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 10/8/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)

in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: October 31, 2015

- Monthly** If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31 st for previous calendar year
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1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 98,242
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 25,596
3. Taxable rents (line 1 minus line 2) \$ 72,646
4. Tax: 14% of line 3 \$ 10,170.44
5. Credit (If previously approved by this office) \$ -
6. Net tax (line 4 minus line 5) \$ 10,170.44
7. Penalty - 25% for late \$ -
8. Interest - 1% of tax per month for late payment until paid \$ -
9. Payment enclosed - total of lines 6 through 8 \$ 10,170.44

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 11/10/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)

in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: November 30, 2015

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31 st for previous calendar year
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1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 81,246
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 22,535
3. Taxable rents (line 1 minus line 2) \$ 58,711
4. Tax: 14% of line 3 \$ 8219.54
5. Credit (If previously approved by this office) \$ 0
6. Net tax (line 4 minus line 5) \$ 8219.54
7. Penalty - 25% for late \$ -
8. Interest - 1% of tax per month for late payment until paid \$ -
9. Payment enclosed - total of lines 6 through 8 \$ 8219.54

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 12/18/15

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: December 31, 2015

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- 1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 99,156.80
- 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 32,349.00
- 3. Taxable rents (line 1 minus line 2) \$ 66,807.80
- 4. Tax: 14% of line 3 \$ 9352.98
- 5. Credit (If previously approved by this office) \$ —
- 6. Net tax (line 4 minus line 5) \$ 9352.98
- 7. Penalty - 25% for late \$ —
- 8. Interest - 1% of tax per month for late payment until paid \$ —
- 9. Payment enclosed - total of lines 6 through 8 \$ 9352.98

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: bookkeeper Date: 1/9/16

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: January 31, 2016

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

<u>IF MONTHLY</u> On or before the 10th day following each calendar month	<u>IF QUARTERLY</u> On or before the last day of the month following close of each calendar quarter	<u>IF ANNUALLY</u> On or before January 31 st for previous calendar year
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- | | | |
|--|----|----------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ | <u>84,624</u> |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ | <u>16,910</u> |
| 3. Taxable rents (line 1 minus line 2) | \$ | <u>67,714</u> |
| 4. Tax: 14% of line 3 | \$ | <u>9479.96</u> |
| 5. Credit (If previously approved by this office) | \$ | <u>—</u> |
| 6. Net tax (line 4 minus line 5) | \$ | <u>9479.96</u> |
| 7. Penalty - 25% for late | \$ | <u>—</u> |
| 8. Interest - 1% of tax per month for late payment until paid | \$ | <u>—</u> |
| 9. Payment enclosed - total of lines 6 through 8 | \$ | <u>9479.96</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not **BOTH** received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 2/10/16

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



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CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

FEB

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: February 29, 2016

Monthly If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
 Quarterly If your previous year's gross rents* were between \$5,000 and \$99,999
 Annually If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
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- | | | |
|--|-------------------|-------------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ <u>88,963</u> | |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ <u>28,384</u> | |
| 3. Taxable rents (line 1 minus line 2) | | \$ <u>60,579</u> |
| 4. Tax: 14% of line 3 | \$ <u>8481.06</u> | |
| 5. Credit (If previously approved by this office) | \$ <u>-</u> | |
| 6. Net tax (line 4 minus line 5) | | \$ <u>8481.06</u> |
| 7. Penalty - 25% for late | | \$ <u>-</u> |
| 8. Interest - 1% of tax per month for late payment until paid | | \$ <u>-</u> |
| 9. Payment enclosed - total of lines 6 through 8 | | \$ <u>8481.06</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 3/9/16

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only

17687



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: March 31, 2016
Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Account Number: 2275090

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

IF MONTHLY	IF QUARTERLY	IF ANNUALLY
On or before the 10th day following each calendar month	On or before the last day of the month following close of each calendar quarter	On or before January 31 st for previous calendar year

1. Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 93,997
2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 29,145
3. Taxable rents (line 1 minus line 2) \$ 64,852
4. Tax: 14% of line 3 \$ 9079.28
5. Credit (If previously approved by this office) \$ -
6. Net tax (line 4 minus line 5) \$ 9079.28
7. Penalty - 25% for late \$ -
8. Interest - 1% of tax per month for late payment until paid \$ -
9. Payment enclosed - total of lines 6 through 8 \$ 9079.28

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 4/10/16

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only

4/10/16 was Sunday



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year) in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: April 30, 2016

- Monthly** If your previous year's gross rents* were over \$100,000 Must be completed by the hotel administrator
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY On or before the 10th day following each calendar month	IF QUARTERLY On or before the last day of the month following close of each calendar quarter	IF ANNUALLY On or before January 31 st for previous calendar year
--	--	---

- | | |
|--|---------------------|
| 1. Gross rent* for occupancy of rooms (round to nearest dollar)* | \$ <u>92,218.50</u> |
| 2. Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) | \$ <u>18,435.50</u> |
| 3. Taxable rents (line 1 minus line 2) | \$ <u>73,783.00</u> |
| 4. Tax: 14% of line 3 | \$ <u>10,329.62</u> |
| 5. Credit (If previously approved by this office) | \$ <u>—</u> |
| 6. Net tax (line 4 minus line 5) | \$ <u>10,329.62</u> |
| 7. Penalty - 25% for late | \$ <u>—</u> |
| 8. Interest - 1% of tax per month for late payment until paid | \$ <u>—</u> |
| 9. Payment enclosed - total of lines 6 through 8 | \$ <u>10,329.62</u> |

Note: A separate return must be filed for each reporting period and each business location.

Please make check payable to: "City of Oakland - Transient Occupancy Tax"

Mail original completed return with payment to the above address and make a copy for your records. DO NOT change any of the pre-printed information on this Transient Occupancy Tax Declaration.

A payment is considered delinquent if both the payment and subsequent Transient Occupancy Return are not BOTH received on or before the due date.

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 5/9/16

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)

in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: October 31, 2016

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

IF MONTHLY	IF QUARTERLY	IF ANNUALLY
On or before the 10th day following each calendar month	On or before the last day of the month following close of each calendar quarter	On or before January 31 st for previous calendar year

- Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 80,162
- Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 5,435
- Taxable rents (line 1 minus line 2) \$ 74,727
- Tax: 14% of line 3 \$ 10,461.78

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OAKLAND, CA 94612

Certified Mail Fee \$3.30

Extra Services & Fees (check box, add fee to postage)

- Return Receipt (hardcopy) \$0.00
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- July Signature Restricted Delivery \$0.00

Postage \$0.47

Total Postage and Fees \$3.77

Sent To: City of Oakland - OT Div

Street and Apt. No., or PO Box No. 150 Frank Ogawa Pl. Suite 5342

City, State, ZIP+4® Oakland CA 94612

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

: until paid

Reporting period and each business location.

- Transient Occupancy Tax -

above address and make a copy for your records. DO NOT change Occupancy Tax Declaration.

ment and subsequent Transient Occupancy Return are not BOTH

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 11/10/16

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)

in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: November 30, 2016

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL

Account Number: 2275090

Business Address: 584 14TH ST

IF MONTHLY	IF QUARTERLY	IF ANNUALLY
On or before the 10th day following each calendar month	On or before the last day of the month following close of each calendar quarter	On or before January 31 st for previous calendar year

- Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 77,071
- Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 2,246
- Taxable rents (line 1 minus line 2) \$ 74,825
- Tax: 14% of line 3 \$ 10,475.50

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OFFICIAL USE

Certified Mail Fee \$ _____

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and Fees \$ _____

City of Oakland - Revenue Division
150 Frank H. Ogawa Plaza, Suite 5342
Oakland CA 94612

USPS
WALNUT CREEK CA 94598
DEC - 9 2016

USPS Form 3800, April 2015 PSN 7530-02-000-9017 See Reverse for Instructions

until paid

reporting period and each business location.

Transient Occupancy Tax

above address and make a copy for your records. DO NOT change Occupancy Tax Declaration.

present and subsequent Transient Occupancy Return are not BOTH

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 12/9/16

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only



CITY OF OAKLAND

REVENUE DIVISION
150 Frank H. Ogawa Plaza, Suite 5342
Oakland California 94612

If this is your final months return, please check here and provide the effective date (month, day, year)
in which you discontinued operation of the business location listed below. _____

RETURN OF TRANSIENT OCCUPANCY TAX FOR THE PERIOD ENDING: December 31, 2016

Must be completed by the hotel administrator

- Monthly** If your previous year's gross rents* were over \$100,000
- Quarterly** If your previous year's gross rents* were between \$5,000 and \$99,999
- Annually** If your previous year's gross rents* were under \$5,000

Business Name: SUTTER HOTEL
Business Address: 584 14TH ST

Account Number: 2275090

IF MONTHLY	IF QUARTERLY	IF ANNUALLY
On or before the 10th day following each calendar month	On or before the last day of the month following close of each calendar quarter	On or before January 31 st for previous calendar year

- Gross rent* for occupancy of rooms (round to nearest dollar)* \$ 52,501
- Rent for occupancy by non-transient residents and/or TOT exemptions (round to nearest dollar) \$ 360
- Taxable rents (line 1 minus line 2) \$ 52,141.
- Tax: 14% of line 3 \$ 7299.74

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OAKLAND, CA 94612

Special Use

Certified Mail Fee \$3.30

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$0.00
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$0.00

Postage \$0.47

Total Postage and Fees \$3.77

Sent to City of Oakland - TOT PW
Street and Apt. No., or PO Box No. 150 Frank Ogawa A. Suite 5342
City, State, ZIP+4® Oakland CA 94612

Postmark Here: 01/09/2017

until paid

\$ 7299.74

\$ 7299.74

reporting period and each business location.

Transient Occupancy Tax

above address and make a copy for your records. DO NOT change Occupancy Tax Declaration.

rent and subsequent Transient Occupancy Return are not **BOTH**

I declare under penalty of perjury that to the best of my knowledge all information contained in this statement is true and correct.

Signed: [Signature] Title: Bookkeeper Date: 1/9/17

* GROSS RENT INCLUDES THE TOTAL OF TRANSIENT PLUS RESIDENTAL (NON-TRANSIENT) INCOME.



For Office Use Only

Exhibit D

43/27

APPLICANT'S REPORT OF RESIDENTIAL BUILDING RECORD
 PUBLIC LAW 92-504, 42 U.S.C. 5303a
 PUBLIC LAW 92-505, 42 U.S.C. 5303b

Form TYPE or TYPE of Information

1. Address of RESIDENTIAL BUILDING to be Reported on is: **504 - 14th Street, Oakland, California**

2. Name of Owner: **Rayard Wooten**

3. Name of Applicant: **Rayard Wooten**

4. Total number of Habitable Buildings on Premises: **ONE**

5. Total Number of Accessory Buildings on Premises: **ONE**

6. Existing Basement or Celler Yes No 7. Habitable Basement or Celler Yes No 8. Number of Stories: **seven**

9. Building type (wood frame, stone, brick, etc.): **small, concrete, brick (Class A)**

10. Owner occupied Yes No

11. Number of Dwelling Units or Apartments: **102** Number of Housekeeping Units/Apts.: **ONE**

12. Number of Hotel or Sleeping Rooms: **102** TOTAL Number of Rooms: **ONE**

13. TOTAL Number of Habitable Rooms (Include bath, toilet, laundry, utility rooms and closets): **102**

DEPARTMENT USE ONLY

Report Number: **33050**

Date Submitted: **3/4/74**

Fee Receipt No: **31003**

Date Completed: **3/8/74**

By: **SEA - Whitbeck**

14. CERTIFICATE

I certify that I am the APPLICANT named herein, that I have furnished a report with the Residential Building Code Manual in accordance with the provisions of the Act, and that the information furnished is true and correct to the best of my knowledge and belief.

Date: **3/4/74** Signature: **/s/ Rayard Wooten**

Telephone No.: **832-2079** Mailing Address: **c/o Martin & Wood Realty Co., 304 - 14th Street, Oakland, California 94612**

PLEASE DO NOT WRITE BELOW THE LINE (Department use only) PLEASE LEAVE FORM INTACT WITH CARBON!

REPORT OF RESIDENTIAL BUILDING RECORD

1. Report on Residential Building Located at: **504/505 - 14th Street**

2. Zone District: **C-51** Fire District: **1** 3. Date of Original Building Construction: **2/26/1913** Hotel Type

4. Original Occupancy or Use: **Seven-story, Steel Frame Hotel.**

5. Building Permits Issued, Permit No., Date, & Special Conditions (Violations, etc.):

Original	32500	Date 2/26/13	Alters.	33072	Date 7/10/44
Alters.	366341	Date 2/21/37	Alters. (P&S)	36329	Date 6/9/45
Alters.	366401	Date 3/2/37	Alters.	38370	Date 10/31/45
Alters.	366413	Date 3/13/41	Alters.	38419	Date 11/13/45

6. Survey on File: Yes No 7. Survey on File: Yes No 8. Certificate of Occupancy issued: No Yes Date: **See next page for other permits.**

9. Total Number of Habitable Buildings on Premises: **ONE**

10. Total Number of Accessory Buildings on Premises: **NONE**

11. Total Number of Habitable Rooms: **One-hundred & two**

12. City: **see next page** Yes No 13. PRESENT AUTHORIZED OCCUPANCY OR USE (Specify as applicable from City Records): **One-hundred and two guest-rooms and six habitable apartment rooms in the Penthouse of the seven-story Hotel. NOTE: Outstanding Building Letter dated 7/10/44. Violations have not been corrected.**

REPORTING OFFICER'S SIGNATURE: **SEA - Whitbeck**

Re: 584 - 14th Street

- 2 -

September 29, 1975

The survey inspection was completed of the seven-story, Type III, 50 x 104, brick and masonry-sided building which was erected as a Hotel under building permit # 12590 issued on February 26, 1913. At the time of the survey the building was being occupied as originally intended.

NOTE: This letter indicates only those deficiencies that were visible during the survey. Alterations, repairs, or additions to the structure involving building, electrical, plumbing, or mechanical changes may disclose further work to be completed before this structure meets all applicable codes and is eligible for a Certificate of Occupancy.

The following deficiencies were noted and must be corrected:

1. The following conditions are in violation of the fire safety regulations pertaining to protection of stairways and corridors in Hotels three (3) or more stories in height. Chapter 8 OMC.
 - a. The interior stairways are not protected in accordance with one of the following alternatives. Provide one of three approved methods. Section H-805 (b) OMC.

Mr. Boynard Wooten
527 14th Street
September 16, 1968
Page two

(RE: 504 - 14th Street)

The survey inspection was completed of the seven-story, Type III, 50' x 104' masonry-sided building occupying the entire lot, and which was erected as a hotel, under building permit #32590 issued on February 26, 1913. At the time of the survey the building was being occupied as originally intended.

The following deficiencies were noted and must be corrected:

1. The electric fuses in the fuse panel boxes (all floors) are unapproved for use with the size of wire being used. Section 1103.5 OMC, Table 210-25 NEC. Replace the existing fuses to conform with these requirements. (Type S non-temperable fuses recommended.)
2. The electric wall switch in the bathroom of Room #707 is readily accessible from the tub or shower. Sections 1103.3 OMC and 410-95 NEC. Relocate or properly ground.
3. Electrical violations of a hazardous nature exists throughout the structure. These violations consist of unapproved pull chain, unapproved stapled wiring and illegal outlets, defective outlets and defective light fixtures. Sections 1103.5 OMC and 110-105 NEC.

Exhibit E



HOTEL SUTTER

ABSOLUTELY FIREPROOF

A REAL HIGH CLASS HOTEL
MODERN IN EVERY RESPECT

Rates \$1.50 to \$3.50 Per Day

S. C. WILLIAMS, Prop.

14th St. at Jefferson

Phone Lakeside 1620

OAKLAND, CALIF.

63

mit/Complaint Histor

PERSONAL MENTION

Text

Why may this text contain mistakes? Correct this text

PERSONAL MENTION

A. W. Johnson of San Diego is spending a few days in this city. F. W. Wansner of Oakland registered at the Hotel Sutter yesterday. A. N. Harvey and wife of Nevada City are visiting friends in Sacramento. C. H. Frank and F. R. Short of San Francisco are stopping at the Hotel Sutter. Miss F. M. White and Miss A. E. White of Oakland are registered at the Hotel Sacramento. James Parker and M. M. Potts of Butte City registered at the Golden Eagle hotel yesterday. Fred Hartsook, J. R. Allen, C. C. Haskell and son of San Francisco are registered at the Hotel Land. J. Johnson and wife of Fremont, O., who are touring the coast, are stopping at the Golden Eagle hotel. Mrs. F. H. Oakes and her daughter Miss Margaret Oakes of Oakland are stopping at the Golden Eagle hotel. J. S. Danner and wife of Placerville registered at the Hotel Sutter yesterday, en route from Sisson to their home. V. C. Bryant of Berkeley who is in this city on business connected with the coming state fair is registered at the Hotel Sutter. L. A. Irish and wife from Hollywood are stopping at the Hotel Sacramento. G. A. Slacke of San Francisco is at the Hotel Sacramento. Mrs. Sarah A. Bates with her daughters, Mrs. Eliza Devin and Mrs. E. Bucknell, are enjoying their vacation in their bungalow at Oceano beach.

Comments (0)

PERSONAL MENTION

A. W. Johnson of San Diego is spending a few days in this city.

F. W. Wansner of Oakland registered at the Hotel Sutter yesterday.

A. N. Harvey and wife of Nevada City are visiting friends in Sacramento.

C. H. Frank and F. R. Short of San Francisco are stopping at the Hotel Sutter.

Miss F. M. White and Miss A. E. White of Oakland are registered at the Hotel Sacramento.

James Parker and M. M. Potts of Butte City registered at the Golden Eagle hotel yesterday.

Fred Hartsook, J. R. Allen, C. C. Haskell and son of San Francisco are registered at the Hotel Land.

J. Johnson and wife of Fremont, O., who are touring the coast, are stopping at the Golden Eagle hotel.

Mrs. F. H. Oakes and her daughter Miss Margaret Oakes of Oakland are stopping at the Golden Eagle hotel.

J. S. Danner and wife of Placerville registered at the Hotel Sutter yesterday, en route from Sisson to their home.

V. C. Bryant of Berkeley who is in this city on business connected with the coming state fair is registered at the Hotel Sutter.

Exhibit F

From: [Beth Noah](#)
To: [Alexis Pelosi](#)
Subject: FW: Your Oakland, CA public records request 18-782 has been closed.
Date: Wednesday, May 2, 2018 4:21:26 PM

See Below...no "deemed approved" list

From: Oakland CA Public Records <support@nextrequest.com>
Sent: Wednesday, May 2, 2018 3:14 PM
To: Beth Noah <beth@pelosilawgroup.com>
Subject: Your Oakland, CA public records request 18-782 has been closed.

-- Write ABOVE THIS LINE to post a message that will be sent to staff. --

Oakland, CA Public Records

Record request #18-782 has been closed. The closure reason supplied was:

There is no official "deemed approved" hotel list. Thank you.

[View Request #18-782](#)

Too many emails? [Change your email settings here](#)

Trouble with the request button? Copy the URL below into your web browser:

<http://oaklandca.nextrequest.com/requests/18-782>

Questions about your request? Reply to this email or sign in to contact staff at Oakland, CA.

Technical support: See our [help page](#)

Powered by [NextRequest](#)

EXHIBIT B

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 3315 • OAKLAND, CALIFORNIA 94612

Planning and Building Department
Bureau of Planning

(510) 238-3941
FAX (510) 238-6538
TDD (510) 238-3254

RESIDENTIAL HOTEL STATUS DETERMINATION

October 21, 2019

584 14th Street, LLC
301 N. Canon Drive, Suite 305
Beverly Hills, CA 90210

Re: **DET190031; 584 14th Street; APN: 003 006901700**

Dear Applicant,

This letter provides a determination regarding the status of the preliminarily identified Residential Hotel located at 584 14th Street, currently known as the Sutter Hotel, pursuant to Planning Code Section 17.153.030.

The City received your timely application for a Statement of Exemption on April 2, 2019. After the City issued a follow-up incomplete letter, you provided additional information. Based on the information you have provided as well as additional City records as described in the analysis below, the Bureau of Planning has determined that the building at 584 14th Street is a Residential Hotel, as defined in Planning Code Section 17.153.020, and is subject to the regulations in Planning Code Chapter 17.153. Therefore, the application for the certification of an Exemption has been **DENIED** and you are **required to file an Initial Usage Report** by **January 20, 2020**. Additional details regarding the analysis and requirements are included below.

DISCUSSION

As outlined below, the building at 584 14th Street has had a long history as a Residential Hotel, and has been identified in multiple reports by the Oakland Housing and Community Development Department as being a Residential Hotel:

- The 1985 City of Oakland Cultural Heritage Survey shows that this building was built in 1913 as a hotel. The earliest available Oakland Planning Code, adopted February 5, 1935 and revised to June 1, 1948, provides a definition of Hotel, which "*is a building or portion thereof containing six (6) or more sleeping rooms which are occupied for compensation by individuals and in which rooms no provision is made for cooking.*" The definition does not limit or restrict the length of stay, as is seen in later definitions, and therefore is silent as to whether guests could utilize the sleeping rooms as their primary residence. (Attachment A).

- The Commercial Building Record from Alameda County, which has input dates ranging from 1954 to 2006, labels the property as “Sutter ‘Hotel’ = SRO/APTS” (Attachment B). The single room occupancy (SRO) units are indicated as being on floors two through seven, with the apartment units on the eighth floor.
- A 1985 report entitled “Residential Hotels in Downtown Oakland” and prepared by the City of Oakland Office of Community Development identifies the Sutter Hotel as being a Residential Hotel. At the time this report was created, the Sutter Hotel was combined with another Residential Hotel, the Dragon Hotel. This report found that the Sutter/Dragon Hotel had 167 total rooms and 162 available rooms for rent. The Residential Hotel Survey included in the report documents that 85.9% of individuals staying at the Sutter Hotel were for purposes other than for business or tourist purposes; that 0 of the 167 rooms included a kitchen; that 13 tenants (9.6%) had stayed for longer than 1 year; and that the number of non-transient residents had increased since 1980. The report further states that the owner at that time gave notice of an intent to convert the building to a tourist hotel in mid-1985. (Attachment C).
- In 1992, the owner of 584 14th Street, Govinder Singh, signed a Regulatory Agreement with the California Department of Housing and Community Development, for rehabilitation of the building. This Agreement defines 584 14th Street as a “rental housing development” and described it as having 102 SROs and one 3-bedroom unit. Under the Regulatory Agreement, the assisted units were subject to rent restrictions and were available for eligible households under the terms of written rental agreements on a form approved by the California Department of Housing and Community Development (Attachment D).
- The Sutter Hotel is also identified in the 2004 Report by Community and Economic Development for Residential Hotels in Central Oakland, and was documented to have 86 available rooms and 106 total rooms (Attachment E).
- A statement from prior owner Raj Singh, included as an attachment to the supplemental information letter sent May 30, 2019, confirms that the Sutter Hotel was used for daily, weekly, and monthly rentals. Specifically, from 1997-2017, Mr. Singh entered into approximately 15 annual and monthly leases with the Oakland Housing Authority and nonprofit organizations to provide rooms for their clients.
- City Records show a number of Residential Rent Adjustment Program (RRAP) Hearing Decisions that support finding that the Sutter Hotel has operated as a Residential Hotel (Attachment F). For example, the hearing decision for T01-0266 (October 3, 2002) describes the property as a Residential Hotel with 102 units and relates to a tenant who resided in Room #404 of the Sutter Hotel for at least three months. Similarly, the hearing decision for T02-0170 (November 14, 2002) describes the property as a Residential Hotel with 102 units and relates to a tenant residing in Room #501 who complains that their rent was not decreased after staying in the unit for longer than 30 days to adjust for the fact that hotel taxes would no longer be collected. These RRAP hearing decisions coincide with the time that the property was owned by Raj Singh.
- City Records additionally show several Three-Day Notices to Pay Rent or Quit delivered to tenants at the Sutter Hotel. Within these records, there is evidence that many, if not all, of the tenants were staying for a longer than monthly basis. In particular, tenants occupied Room #606 for at least 14 weeks in 2012, tenants occupied Room #303 for at least 14 months in 2012-2013, and a tenant occupied Room #314 for at least 10 weeks in 2014.

- Evidence of long-term rentals can also be seen in the Transient Occupancy Tax records. An individual who occupies a hotel room for more than 30 consecutive days is considered a permanent resident for purposes of paying the Transient Occupancy Tax and is exempt from the tax beginning on Day 31. To clarify, per the Oakland Municipal Code, Section 5.34.010, related to "Hotel Rates and Registration Requirements":

"Transient" means any person who, for any period of not more than thirty consecutive days, either at his own expense or at the expense of another, obtains the right to use space for sleeping or overnight accommodations in any hotel as defined in subsection A of this section for which a charge is made therefor.

Monthly Transient Occupancy Tax records from 2010 to 2017 were submitted, and many months during this period show rent for occupancy by non-transient residents to be a majority of the gross rent for occupancy of rooms. From February 2010 through August 2010, more than 50% of gross rent was paid by non-transient residents every month. After falling into the 40% range from September 2010 to May 2011, the percent of gross rent paid by non-transient residents per month remained above 50%--and sometimes as high 65%, 70%, or 75%--from June 2011 through August 2013. The portion of gross rent paid by non-transient residents per month remained substantial (between 20% and 72%) from September 2013 through April 2016. Records are incomplete from April 2016 to September 2016, but records show a precipitous decline in non-transient residents per month by October 2016.

- Various building records, provided as Appendix A to the Statement of Exemption application, indicate that the Sutter Hotel has been used as a Residential Hotel.
 - An application for an alteration permit dated June 13, 1969 describes the proposed use of the building at "Hotel" with an occupancy group designation of "H." (Appendix A, p. 11). Under the 1961 Uniform Code, a Type H occupancy includes hotels, apartment houses, dormitories, and lodging houses, and thus does not distinguish between stays by transient and non-transient residents.
 - The City Department of Building and Housing issued a Report of Residential Building Record for the property in March 1974 (Appendix A, p. 15). This report, issued to residential buildings, describes the building as containing 102 dwelling units or apartments and/or 102 hotel or sleeping rooms.
 - An Engineering Analysis Report dated May 18, 1995 for the Sutter Hotel describes the building as a Residential Hotel consisting of 103 units (Appendix A, p. 57).
 - Building Record ID 0606066 dated August 23, 2006, Annual Hotel/Motel Inspection describes the Sutter Hotel as a Residential Hotel (Appendix A, p. 70). Additional records from the Inspection Log for 584 14th Street show several complaints filed by tenants regarding the condition of the building. The Sutter Hotel continued to receive Hotel/Motel Inspections prior and after this date, including Enforcement Record IDs: 0503005 dated June 27, 2005, 1205712 dated October 25, 2012, 1402634 dated July 10, 2014, and 1603742 dated September 29, 2016.
 - Building Record ID B1202507 indicates that a Certificate of Occupancy for a residential hotel was requested for the property on July 26, 2012 (Appendix A, p. 79).
 - Zoning Clearance Records ZC011662, ZC062656, and ZC141558, requests for residents of the Sutter Hotel to set up a home office within their rooming units at the property, indicate that several tenants were using their units as their primary residence (Appendix A, p. 87).

- A 1990 article in the Oakland Tribune regarding a fire at the Sutter Hotel states that the building is “now home to lower-income, long-term residents” and that more than 100 residents of the building were evacuated during the fire.
- A 2015 Report prepared by the City of Oakland Housing and Community Development Department entitled “Downtown Oakland’s Residential Hotels” identifies the Sutter Hotel as a Residential Hotel. The Residential Hotel Survey conducted on June 22, 2015 and providing support for the 2015 Report states that the Sutter Hotel had 102 total rooms, 95 of which were occupied. Although no new monthly residents were accepted at that time, the report identifies 38 rooming units occupied for more than one year, and five rooming units occupied for more than five years. These statistics were based on an interview with Peter Allen, the desk clerk (Attachment G).
- In 2018, an application for interior and exterior alterations was submitted under DRX182227. Due to a Moratorium under Ordinance No. 13415 C.M.S, a request for exceptions/exemptions to the moratorium needed to be submitted to the Housing and Community Development Department and the Bureau of Planning for review to confirm the alterations would not result in the displacement of existing residents or the loss of residential hotel units. Attachment H shows the application, plans, and responses from the Housing and Community Development Department and Bureau of Planning recognizing the Sutter Hotel as a Residential Hotel.
- Evidence that the City conferred deemed approved status on the property does not assist in determining whether the building is a Residential Hotel. When enacted, the City’s Deemed Approved Hotel and Rooming House Regulations, Planning Code Chapter 17.157, automatically conferred deemed approved status on all existing legal nonconforming hotels as well as to all legal nonconforming rooming houses within the city. Thus, buildings conferred with deemed approved status included buildings serving permanent populations as well as short-term guests. In practical effect, the designation of a non-conforming property as deemed approved made no substantive changes with respect to the uses to which the property may lawfully be put, and therefore does not influence the analysis of what that historic underlying use was. The Deemed Approved Regulations further make clear that the right to maintain non-conforming uses applies to properties previously conferred deemed approved status. This right continues after adoption of the Residential Hotel Regulations such that 584 14th Street may continue its previously recognized activity, Semi-Transient Residential, consistent with the definition existing at the time the building was deemed approved.

In sum, there is substantial evidence demonstrating that since at least 1985 tenants were occupying units on a longer than 30-day basis. This conflicts with the current definition of hotel, which is intended for Transient Habitation Commercial Activities, determined by a length of stay of less than 30 days. In addition, due to longer than 30-day length of stay, many of these tenants are utilizing the Sutter Hotel as their primary residence which is also consistent with the definition of Residential Hotel.

CONCLUSION

The Statement of Exemption to Residential Hotel Demolition, Conversion, and Rehabilitation for the property at 584 14th Street has been denied. Follow-up action includes submitting all required information and documentations for an Initial Usage Report to confirm the following required information as outlined in Section 17.153.030B of the Planning Code (Attachment I):

- a) Floor plans showing all the legal units, communal facilities such as bathrooms, kitchens, laundry facilities or other shared amenities, as well as any ground floor commercial space and lobby area, as of December 13, 2016.
- b) The floor plans shall also indicate the legal number and location of private bathrooms, and the number and location of communal bathrooms, including shower, toilet and sink facilities, as of December 13, 2016.

If no Initial Usage Report is filed within **91 days** from date of this letter, on **January 20, 2020**, this property will be flagged, and a notice will be applied to restrict any planning, building, etc. permits until the Initial Usage Report is submitted and processed. Additional fees will apply to the application for an Initial Usage Report.

If you, or any interested party, seeks to challenge this determination, an appeal **must** be filed by no later than ten calendar (10) days from the date of this letter, by **4:00 pm on October 31, 2019 as stated in O.M.C Section 17.153.070D**. An appeal shall be on a form provided by the Bureau of Planning of the Planning and Building Department, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of **Brittany Lenoir, Planner 1**. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Zoning Manager or wherein his/her decision is not supported by substantial evidence and must include payment of **\$1,622.57** 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 Zoning Manager prior to the close of the previously noticed public comment period on the matter.

Finally, please note that this Determination only addresses the status of the building as a Residential Hotel. Confirmation of the allowable uses as provided for by the Oakland General Plan and the Oakland Planning Code can be sought through a separate Zoning Manager Determination request.

Thank you for the opportunity to review this project. If you have any questions, feel free to contact me, **Brittany Lenoir**, Planner 1, at **(510) 238-4977**, or by e-mail at **blenoir@oaklandca.gov**. Thank you for your prompt response to this request.

Sincerely,



Robert Merkamp
Zoning Manager
Bureau of Planning

Attachments:

- A. 1948 Zoning Code, Excerpt for Definition of "Hotel"
- B. County Commercial Building Record
- C. Excerpt from 1985 Survey of Residential Hotels in Downtown Oakland, page 10, Coding Key, table datasets 8, 12-13, and Appendix II.
- D. Regulatory Agreement – Number CO-R-150, California Natural Disaster Assistance Program
- E. Excerpt from 2004 Residential Hotels in Central Oakland Report, page 3

- F. RRAP Hearing Decision and Three-Day Notice to Pay Rent or Quit
- G. Excerpt from 2015 Downtown Residential Hotel Report, page 6
- H. Exception from Provisions of Ordinance No. 13415 C.M.S for 584 14th Street
- I. Initial Usage Report Application

cc: Alexis M. Pelosi, alexis@pelosilawgroup.com
jbird@hawkinsway.com
ross.walker@hawkinsway.com

EXHIBIT A

ZONING LAWS
ORDINANCES 474-475 C.M.S.

Adopted February 5, 1935

OAKLAND, CALIFORNIA

TEXT OF ORDINANCES AND MAPS
REVISED TO JUNE 1, 1948, INCLUDING SEC. 214

SEC. 7-1.01 (k) "HEIGHT OF BUILDING" is the vertical distance from the average elevation of the adjoining ground level to the lowest point of the finished ceiling of the topmost story.

SEC. 7-1.01 (l) "HOME OCCUPATION" is a use carried on in a dwelling by a resident thereof and which use is merely incidental to the residential use of the dwelling and shall include the practice of a dentist, physician, chiropractor and osteopath when not more than one assistant is employed.

Other home occupations permitted where no assistants are employed shall include a dressmaker, milliner, music teacher, portrait or landscape painter and writer.

No signs advertising a home occupation may be displayed in any residential district other than one name plate not exceeding one square foot in area. (As amended by Ord. No. 2140 C.M.S. passed March 21, 1946.)

SEC. 7-1.01 (m) "HOTEL" is a building or portion thereof containing six (6) or more sleeping rooms which are occupied for compensation by individuals and in which rooms no provision is made for cooking.

SEC. 7-1.01 (n) "LOT" is a parcel of land occupied or capable of being occupied by a building and its accessory buildings together with such open spaces as are required by this Article, and which has its principal frontage upon a street.

"CORNER LOT" is a lot situated at the junction of two (2) or more streets.

"INTERIOR LOT" is a lot other than a corner lot.

"THROUGH LOT" is an interior lot having a frontage on two (2) streets.

SEC. 7-1.01 (o) "NON-CONFORMING USE" is a use that does not conform with the regulations of the district in which it is situated.

SEC. 7-1.01 (p) "STORY" is that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it.

"STORY, HALF" is a story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story.

SEC. 7-1.01 (q) "STREET" is a public or private thoroughfare which affords the principal means of access to abutting property.

SEC. 7-1.01 (r) "STRUCTURE" is anything constructed or erected, having location on the ground or attached to something having location on the ground.

"STRUCTURAL ALTERATION" is any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

SEC. 7-1.01 (s) "USE" is the purpose to which a building or structure or land or anything on land, may be put.

SEC. 7-1.01 (t) "YARD" is an open space on the same lot with a building, unoccupied and unobstructed from the ground upward, and shall be a front yard, a rear yard, or a side yard.

"YARD, FRONT" is a yard extending across the front of the lot between the inner side yard lines. A front yard shall have a depth equal to the shortest distance between the building and the front lot line.

"YARD, REAR" is a yard between the building and the rear lot line and extending across the full width of the lot. A rear yard shall have a depth equal to the shortest distance between the building and the rear lot line.

"YARD, SIDE" is a yard between the building and the side lot line and extending from the street line to the rear yard. A side yard shall have a width equal to the shortest distance between the building and the side lot line.

EXHIBIT B

COMMERCIAL BUILDING RECORD

SUPER HOTEL = 600 APARTS

PARCEL 3-67-17
SHEET 1 OF 3 SHEETS

DESCRIPTION OF BUILDING									
CLASS & SHAPE	CONSTRUCTION	STRUCTURAL	EXTERIOR	FRONT	LIGHTING	APPROXIMATE	ROOMS	FLOORS	ROOM AND FINISH DETAIL
Area	Volume	Foundation	Finish	Material	Wiring	Height	Room No.	Floor No.	Room No. Finish
1000	1000	Concrete	Brick	Brick	Wiring	10	Living Room	1	Living Room
1000	1000	Concrete	Brick	Brick	Wiring	10	Kitchen	1	Kitchen
1000	1000	Concrete	Brick	Brick	Wiring	10	Bath	1	Bath
1000	1000	Concrete	Brick	Brick	Wiring	10	Bed Room	1	Bed Room
1000	1000	Concrete	Brick	Brick	Wiring	10	Hall	1	Hall
1000	1000	Concrete	Brick	Brick	Wiring	10	Stair	1	Stair
1000	1000	Concrete	Brick	Brick	Wiring	10	Roof	1	Roof

BATH & LAVATORY DETAIL									
Room No.	Finish	Pl. No.							
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10

APPROXIMATE COMPUTATION

UNIT COST

TOTAL

600 APARTS

Unit	Area	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost
1	1000	1000	1000000	1000	1000000	1000	1000000
2	1000	1000	1000000	1000	1000000	1000	1000000
3	1000	1000	1000000	1000	1000000	1000	1000000
4	1000	1000	1000000	1000	1000000	1000	1000000
5	1000	1000	1000000	1000	1000000	1000	1000000
6	1000	1000	1000000	1000	1000000	1000	1000000
7	1000	1000	1000000	1000	1000000	1000	1000000
8	1000	1000	1000000	1000	1000000	1000	1000000
9	1000	1000	1000000	1000	1000000	1000	1000000
10	1000	1000	1000000	1000	1000000	1000	1000000
TOTAL	10000	10000	10000000	10000	10000000	10000	10000000

I certify that the information is from a record on file in the Office of Assessor, County of Alameda, as of 12/15/19.

PHONG H. A. ASSESSOR
COUNTY OF ALAMEDA

BY: [Signature]

EXHIBIT C

Table A

RESIDENTIAL HOTELS IN THE CENTRAL DISTRICT

#	HOTEL NAME	NUMBER STREET	# OF ROOMS	# OF AVAILABLE ROOMS
1	ALEDAL GUEST HOME	278 JAYNE	10	10
2	ALICE CLUB HOTEL	1428 ALICE	76	76
3	AVONDALE HOTEL	540 28TH STREET	55	55
4	BALDWIN HOTEL	529 8TH STREET	50	49
5	CLARIDGE HOTEL	634 15TH STREET	198	135
6	FERN'S HOTEL	415 15TH STREET	32	31
7	FREMONT HOTEL	524 8TH STREET	33	31
8	HIREN HOTEL	583 8TH STREET	44	8
9	HARRISON HOTEL	1415 HARRISON	90	89
10	HOTEL MENLO	344 13TH	90	90
11	HOTEL PALM	641 W. GRAND	60	60
12	HOTEL SAN PABLO	1955 SAN PABLO	160	158
13	HOTEL TOURAINÉ	559 16TH STREET	108	106
14	HOTEL TRAVELERS	392 11TH STREET	87	87
15	HOTEL WESTERNER	1954 SAN PABLO	19	19
16	JACKSON RESIDENCE CLUB	1448 JACKSON	22	22
17	LAKE MERRITT LODGE	2332 HARRISON	147	147
18	LAKEHURST RESIDENCE CLUB	1569 JACKSON	72	72
19	LIBERTY HOTEL	805 WASHINGTON	55	45
20	MILTON HOTEL	1109 WEBSTER	58	58
21	SUTTER/DRAGON HOTEL	584 14TH STREET	167	162
22	WILL ROGERS HOTEL	371 13TH STREET	96	96
23	WILSON HOTEL	414 7TH STREET	39	38
24	WOODROW HOTEL	644 14TH STREET	75	75
25	YMCA	2101 TELEGRAPH AVE	160	142

NOTE: "Available rooms" are rooms which are currently available for rent; regardless of whether they are currently occupied.

"Total rooms" includes rooms which are not available for rent.

CODING KEY FOR RESIDENTIAL HOTEL SURVEY

#	NAME	VARIABLE	CODING
0	MANLENG	MANAGER: TIME EMPLOYED	YEARS
1	TOTROOMS	TOTAL ROOMS	
2	VACROOMS	NUMBER OF VACANT ROOMS	
3	AVROOMS	NUMBER OF RENTABLE VACANT ROOMS	
4	OCCUPIED	NUMBER OF OCCUPIED ROOMS	
5	SUPPLY	NUMBER OF RENTABLE ROOMS	
6	VACRATE	VACANCY RATE	
7	PERSONS	NUMBER OF PEOPLE IN HOTEL	
8	ELEVATOR	PRESENCE OF ELEVATOR	NO/YES
9	ELEVWORK	WORKING ELEVATOR	NO/YES
10	LDRENT85	LOWEST DAILY RENT IN 1985	DOLLARS
11	HDRENT85	HIGHEST DAILY RENT IN 1985	DOLLARS
12	ADRENT85	AVERAGE DAILY RENT IN 1985	DOLLARS
13	LWRENT85	LOWEST WEEKLY RENT IN 1985	DOLLARS
14	HWRENT85	HIGHEST WEEKLY RENT IN 1985	DOLLARS
15	AWRENT85	AVERAGE WEEKLY RENT IN 1985	DOLLARS
16	LMRENT85	LOWEST MONTHLY RENT IN 1985	DOLLARS
17	HMRENT85	HIGHEST MONTHLY RENT IN 1985	DOLLARS
18	AMRENT85	AVERAGE MONTHLY RENT IN 1985	DOLLARS
19	LDRENT80	LOWEST DAILY RENT IN 1980	DOLLARS
20	HDRENT80	HIGHEST DAILY RENT IN 1980	DOLLARS
21	ADRENT80	AVERAGE DAILY RENT IN 1980	DOLLARS
22	LWRENT80	LOWEST WEEKLY RENT IN 1980	DOLLARS
23	HWRENT80	HIGHEST WEEKLY RENT IN 1980	DOLLARS
24	AWRENT80	AVERAGE WEEKLY RENT IN 1980	DOLLARS
25	LMRENT80	LOWEST MONTHLY RENT IN 1980	DOLLARS
26	HMRENT80	HIGHEST MONTHLY RENT IN 1980	DOLLARS
27	AMRENT80	AVERAGE MONTHLY RENT IN 1980	DOLLARS
28	KITCHEN	ANY ROOMS WITH OWN KITCHEN?	NO/YES
29	NKIT	NUMBER OF ROOMS WITH OWN KITCHEN	
30	HOTPLATE	HOTPLATES ALLOWED?	NO/YES
31	COMKIT	COMMUNITY KITCHEN?	NO/YES
32	DINING	COMMON DINING AREA?	NO/YES
33	MAIL	CAN TENANTS RECEIVE MAIL?	NO/YES
34	PHONES	PHONES IN ROOMS?	NO/YES
35	SAFE	FIREPROOF SAFE AVAILABLE?	NO/YES
36	MAID	MAID AND LINEN SERVICE?	NO/YES
37	RECROOM	IS THERE A RECREATION ROOM?	NO/YES
38	NBATH	NUMBER OF PRIVATE BATHS	
39	PBATH	% OF UNITS WITH PRIVATE BATH	
40	CHECK	CHECKCASHING SERVICES?	NO/YES
41	SERVCHAN	CHANGE IN SERVICES SINCE '80	NO/YES
42	NTRANS	NUMBER OF TRANSIENT OCCUPANTS	
43	PTRANS	% OF OCCUPANTS WHO ARE TRANSIENT	
44	NONEYR	# OF OCCUPANTS STAYING > 1 YEAR	
45	PONEYR	% OF OCCUPANTS STAYING > 1 YEAR	
46	NFIVEYR	# OF OCCUPANTS STAYING > 5 YEARS	
47	PFIVEYR	% OF OCCUPANTS STAYING > 5 YEARS	
48	NTOUR	# OF TRANSIENTS WHO ARE BUS./TOURIST VISITORS	
49	PTOUR	% OF TRANSIENTS WHO ARE BUS./TOURIST VISITORS	
50	NPERM	# OF OCCUPANTS WHO ARE NOT BUS./TOURIST	

NAME	28 KITCHEN	29 NKIT	30 HOTPLATE	31 COMKIT
ALEDAL GUEST HOME	0	0	0	1
ALICE CLUB HOTEL	0	0	0	0
AVONDALE HOTEL	1	10	0	0
BALDWIN HOTEL	0	0	1	1
CLARIDGE HOTEL	0	0	0	0
FERN'S HOTEL	0	0	0	0
FREMONT HOTEL	0	0	0	1
HARRISON HOTEL	0	0	0	0
HIREN HOTEL	0	0		0
JACKSON RESIDENCE CLUB	0	0	0	1
LAKE MERRIT LODGE	0		0	1
LAKEHURST RESIDENCE CLUB	0		0	1
LIBERTY HOTEL	0		0	0
MENLO HOTEL	0		0	0
MILTON HOTEL	0	0	0	0
PALM HOTEL	0	0	0	0
SAN PABLO HOTEL	0	0	0	0
SUTTER/Dragon HOTEL	0	0	0	0
TOURAINÉ HOTEL	0	0	0	0
TRAVELERS HOTEL	0	0	0	0
WESTERNER HOTEL				
WILL ROGERS HOTEL	1	1	0	0
WILSON HOTEL	0	0	0	1
WOODROW HOTEL	0		0	0
YMCA	0		1	0

Number of responses:	24	18	23	24
(column total / Average:	8.3%	0.61	8.7%	29.2%
column count)				
Minimum:	0	0	0	0
Maximum:	1	10	1	1
Total:	2	11	2	7
GLOBAL AVERAGE:		0.5%	10.5%	

NAME	44 NONEYR	45 PONEYR	46 NFIVEYR	47 PFIVEYR
ALEDAL GUEST HOME	1	11.1%	0	0.0%
ALICE CLUB HOTEL	76	100.0%	61	80.3%
AVONDALE HOTEL	13	30.2%	5	11.6%
BALDWIN HOTEL	40	87.0%	8	17.4%
CLARIDGE HOTEL	20	18.2%	3	2.7%
FERN'S HOTEL	13	41.9%	8	25.8%
FREMONT HOTEL	20	71.4%	0	0.0%
HARRISON HOTEL	30	34.1%	2	2.3%
HIREN HOTEL	0	0.0%	0	0.0%
JACKSON RESIDENCE CLUB	0	0.0%	0	0.0%
LAKE MERRIT LODGE	70	53.4%	14	10.7%
LAKEHURST RESIDENCE CLUB	62	86.1%	50	69.4%
LIBERTY HOTEL	0	0.0%	0	0.0%
MENLO HOTEL	15	18.3%	0	0.0%
MILTON HOTEL	25	44.6%	5	8.9%
PALM HOTEL	30	66.7%	5	11.1%
SAN PABLO HOTEL	14	10.0%	3	2.1%
SUTTER/Dragon HOTEL	13	9.6%	0	0.0%
TOURAINÉ HOTEL	5	5.7%	0	0.0%
TRAVELERS HOTEL	0	0.0%	0	0.0%
WESTERNER HOTEL				
WILL ROGERS HOTEL	25	27.8%	0	0.0%
WILSON HOTEL	28	73.7%	0	0.0%
WOODROW HOTEL	60	82.2%	60	82.2%
YMCA	41	29.9%	12	8.8%

Number of responses:	24	24	24	24
Average:	25.04	37.59%	9.83	13.89%
(column total / column count)				
Minimum:	0	0.00%	0	0
Maximum:	76	100.00%	61	82.19%
Total:	601		236	
GLOBAL AVERAGE:		36.6%		14.4%

NAME	48 NTOUR	49 PTOUR	50 NPERM	51 PPERM
ALEDAL GUEST HOME	2	22.2%	7	77.8%
ALICE CLUB HOTEL	0	0.0%	76	100.0%
AVONDALE HOTEL	10	33.3%	33	76.7%
BALDWIN HOTEL	0	0.0%	46	100.0%
CLARIDGE HOTEL	0	0.0%	110	100.0%
FERN'S HOTEL	0	0.0%	31	100.0%
FREMONT HOTEL	0	0.0%	28	100.0%
HARRISON HOTEL	0	0.0%	88	100.0%
HIREN HOTEL	0	0.0%	8	100.0%
JACKSON RESIDENCE CLUB	0	0.0%	20	100.0%
LAKE MERRIT LODGE	0	0.0%	131	100.0%
LAKEHURST RESIDENCE CLUB	0	0.0%	72	100.0%
LIBERTY HOTEL	0	0.0%	35	100.0%
MENLO HOTEL	0	0.0%	82	100.0%
MILTON HOTEL	10	50.0%	46	82.1%
PALM HOTEL	0	0.0%	45	100.0%
SAN PABLO HOTEL	0	0.0%	140	100.0%
SUTTER/DAGON HOTEL	19	100.0%	116	85.9%
TOURAIN HOTEL	35	100.0%	52	59.8%
TRAVELERS HOTEL	0	0.0%	63	100.0%
WESTERNER HOTEL				
WILL ROGERS HOTEL	0	0.0%	90	100.0%
WILSON HOTEL	0	0.0%	38	100.0%
WOODROW HOTEL	3	42.9%	70	95.9%
YMCA	10	18.2%	127	92.7%

Number of responses:	24	24	24	24
Average:	3.71	15.27%	64.75	94.62%
(column total / column count)				
Minimum:	0	0.00%	7	59.77%
Maximum:	35	100.00%	140	100.00%
Total:	89		1554	
GLOBAL AVERAGE:		25.7%		94.6%

APPENDIX II: CONVERSIONS AND CLOSINGS OF HOTELS IN OAKLAND

1. Excerpt from memorandum to Oakland Planning Commission from Residential Hotel Task Force members Bob Chastain, Ed Lee, Lynette Lee, and Mike Rawson.
2. Advertisement for Jefferson Plaza Hotel (currently the Sutter/Dragon Hotel).

RESIDENTIAL HOTEL ROOMS LOST
or in the PROCESS OF BEING LOST

February 19, 1985

I. Those Recently or Currently Being Vacated

1. Hotel Sherman, 808 Webster Street, 71 rooms, transient hotel but many permanent residents, many elderly who had lived there for years such that the hotel manager took care of funeral arrangements for those who passed away, all tenants moved out and all furniture removed by October 31, 1984.
2. 809 Webster Street, 26 rooms, all permanent residents, some had lived there as long as 7 years all tenants given final notice to vacate by February 15, 1985, or the building owner will "knock it down", as stated in their notice.
3. 371 -12th Street, 24 rooms, permanent residents, all tenants evicted by January 1985.
4. Hotel Fremont, 524 -8th Street, 36 rooms and 1 apartment, all permanent residents, all tenants given notice to vacate by March 1, 1985.
5. Hotel Sutter, on 14th Street. Owners have given notice that they plan to convert to a tourist hotel in mid 1985.
6. The Leamington Hotel, had become a residential/transient hotel in its later years. The new owners received City assistance in getting a UDAG to convert it to an office building. All tenants moved out prior to construction.
7. 1448 Jackson, 25 rooms, majority permanent residents, new owners evicted all tenants, did some remodelling, and now being rented as student housing.

II. Attempts

1. The Claridge Hotel- In 1983 the owner sought City assistance in getting a UDAG to upgrade and convert to a tourist hotel. The City Council voted against it.

III. Less Recent Evictions and Conversions

1. The Hotel Ebony, Franklin Street between 8th and 9th, approximately 24 rooms, vacated years ago, new plans to convert in to office space.
2. 357 -12th Street, 24 unit rooming house, tenants vacated in

1977, converted to office space.

3. In addition to these, there are many others lost over the years. For example, it is suspected that the offices above Wonder Bakery, on Webster at the corner of 8th, were once a rooming house. So was the empty building next to the Moulin Rouge Theatre. This building has been purchased by a lawyer who plans to eventually convert it into his law office.

We do not know for what reason the California Hotel, representing 143 rooms and six apartments, was vacated.

Chinatown alone, over the last three decades, has suffered a net loss of 534 units, (not counting those stated in Section I above, we have not had time to research how many of these were rooming houses or hotels) while downtown Oakland has suffered a net loss of over 1500 units in the area including Chinatown, Old Oakland, and the area near City Hall, during that same time period.

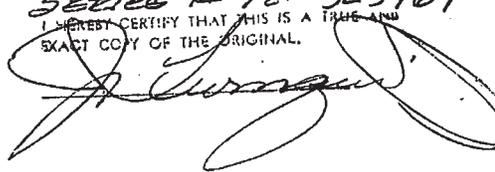
No replacement housing was provided for the units lost through the Victorian Row/Old Oakland project, the Convention Center, development of BART Stations, Nimitz Freeway, etc..

EXHIBIT D

Free recording in accordance with
California Government Code
Sections 6103 and 27383

Recording requested by
and when recorded mail to:

Department of Housing and Community Development
California Natural Disaster Assistance Program-Rental
Attention: Deborah Menendez
P.O. Box 952054 (CALDAP-R)
Sacramento, CA 94252-2054

RECORDED-10-6-92
SERIES # 92-323969
I HEREBY CERTIFY THAT THIS IS A TRUE AND
EXACT COPY OF THE ORIGINAL.


REGULATORY AGREEMENT - NUMBER CO-R-150
CALIFORNIA NATURAL DISASTER ASSISTANCE PROGRAM
(For Projects with 17 or More Units)

This Regulatory Agreement (hereinafter the "Agreement"), dated September 30, 1992 is made and entered into by and between the Department of Housing and Community Development, a public agency of the State of California (hereinafter "Department"), and Govinder Singh (hereinafter "Borrower").

RECITALS

Borrower has applied to the Department for a loan for the rehabilitation or acquisition and rehabilitation, of a rental housing development located at 584 14th Street, City of Oakland, County of Alameda, California (hereinafter the "Development"). The Department has provided said loan under the California Natural Disaster Assistance Program (hereinafter the "Program") pursuant to Sections 50661.5, 50661.7 and 50671.5 of the California Health and Safety Code and the guidelines established thereunder.

Borrower and the Local Agency have entered into a Rehabilitation Loan Agreement dated September 30, 1992, regarding the Development and the financial assistance to be provided therefore. Borrower agrees to abide by all provisions of the Rehabilitation Loan Agreement with respect to the Development. Borrower has also agreed to enter into this Agreement as an inducement to the Department to provide the financial assistance specified in the Rehabilitation Loan Agreement, and has agreed to be regulated and restricted as provided therein.

Borrower shall also execute a promissory note evidencing its obligation to repay the Program funds, including interest, advanced by the Department for the rehabilitation or acquisition and rehabilitation of the Development. Said promissory note will be secured by

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a deed of trust naming the Department as beneficiary. Borrower agrees to be bound by all terms and conditions of the promissory note and deed of trust.

NOW, THEREFORE, the parties hereto agree as follows:

1. Recitals. The foregoing recitals are a part of this Agreement.
2. Property. Borrower has agreed to rehabilitate, or acquire and rehabilitate and the Department has made a commitment of loan funds for the rehabilitation or acquisition and rehabilitation of the Development located on the real property described in Exhibit A, attached hereto and incorporated herein.
3. Compliance with Program Requirements. The Borrower agrees that at all times its acts regarding the Development and the use of funds provided herein shall be in conformity with all provisions of the Program including the statutes, rules and regulations and such policies and procedures of the Department pertaining thereto. The Borrower acknowledges that it is familiar with such applicable provisions for the purpose of enabling the Borrower to fully comply with such provisions.
4. Term of Agreement. The term of this Agreement shall commence on the date set forth above and remain in full force and effect and shall apply to the Development through and including the date which is twenty (20) years following that date regardless of any prepayment of the Program loan or sale, assignment, transfer or conveyance of the Development, unless terminated earlier by the Department pursuant to the terms of this Agreement or extended by the mutual consent of the parties.
5. Initial Assisted Unit Schedule.
 - a. Assisted Units shall at least be equal to the proportion of Development costs financed under the Program to the total eligible Development costs. Upon initial occupancy following the completion of rehabilitation, the Borrower shall rent Assisted Units only in accordance with the Initial Schedule of Assisted Units set forth in Exhibit B attached hereto and incorporated herein.
 - b. Where a loan under this section funds only the rehabilitation of a rental housing development, Assisted Units shall remain restricted only until such time as the initial occupant following the completion of rehabilitation voluntarily vacates the Assisted Unit. An occupant shall be deemed to have voluntarily vacated a unit when:
 - (i) the occupant voluntarily terminates the rental agreement or abandons the leased premises or

(ii) the tenancy is terminated for good cause as specified in herein.

- c. Where a loan under this section funds both rehabilitation and acquisition or refinancing of a Rental Housing Development, all Units are designated as Assisted Units and shall remain restricted as provided in this section for the entire original term of the loan.

6. Tenant Selection Standards.

- a. Any loan under the Program for the rehabilitation of units where the Borrower maintains all of the Assisted Units at affordable rents for lower income households, the Borrower shall rent units in the Development only to persons who meet the income criteria as defined by Section 50079.5 of the Health and Safety Code. The only exception to the income criteria applies to those initial tenants that were displaced from the Development as a result of the natural disaster or the rehabilitation, and then return to the rehabilitated unit.
- b. First priority for occupancy shall be given to tenants displaced from the rehabilitated property by the natural disaster or repairs required by damage caused by the natural disaster. Second priority shall be given to persons displaced from other housing units damaged by the natural disaster or disaster-related repairs. These priorities are required until the end of the first year following initial occupancy after rehabilitation.

7. Non-Discrimination. Borrower shall not discriminate against any prospective tenant on the basis of race, religion, sex, age, disability, marital status, nor any other arbitrary factor in violation of any state, federal or local law governing discrimination in rental housing.

8. Rental Agreement and Occupancy Procedures.

- a. Each eligible household selected to occupy a unit in the Development shall enter into a written rental agreement with the Borrower on a form approved by the Department and containing such provisions as are required by the Program Guidelines.
- b. The Borrower may establish reasonable rules of conduct and occupancy. Such rules shall be consistent with State law. Said rules shall be in writing and shall be given to each tenant upon occupancy. Any change shall become effective no less than 30 days after giving written notice thereof to each household.
- c. The rental agreement shall provide that Borrower shall not terminate the tenancy except for good cause as described below.

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d. The following shall constitute good cause for termination of tenancy:

- (i) material noncompliance with the rental agreement or material failure to carry out obligations under State law.

"Material noncompliance with the rental agreement" includes one or more substantial violations of the rental agreement or habitual minor violations of the rental agreement which:

- (1) Interfere with the use, possession or quiet enjoyment of their units by other tenants of the Development;
- (2) Adversely affect the health or safety of any person;
- (3) Substantially interfere with the management, maintenance or operation of the Development; or
- (4) Result from the failure or refusal to pay rent or other charges due in a timely fashion.

Nonpayment of rent or any other financial obligation under the rental agreement after a three-day notice to pay rent or quit will constitute material noncompliance with the rental agreement, but payment during such a period will constitute a minor violation.

- (ii) The death of the tenant or abandonment of the premises by the tenant.

9. Rents.

- a. For not less than one year of occupancy following the completion of rehabilitation, Borrower shall charge rents for Assisted Units in accordance with the terms of the rent schedule set forth in Exhibit B. Maximum rent for each of the Assisted Units in the Development shall not exceed the rent charged immediately prior to the natural disaster, plus any allowable rent increases permitted by the Department.
- b. Borrowers shall submit to the Department all proposed rent adjustments, after one year of initial occupancy, and annually thereafter. The rents for the Assisted Units may be increased by the Borrower at a rate not to exceed the most recently published annual average percentage change in the U.S. Department of Labor Bureau of Labor Statistics, Consumer Price Index, Residential Rent for all Urban Consumers for the West (CPI). In the event this particular CPI index is no longer published, Department shall select a similar index for this purpose. Borrowers may appeal to Department for a

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greater adjustment in rents if necessary to ensure the fiscal integrity of the rental housing development. Borrowers shall submit all requests for rent adjustments, including all information and documentation as Department may require, at least 60 days prior to the anticipated implementation of the rent increase. In the event that the Department does not act on a request for a rent increase within 60 days from receipt of the request, the request shall be deemed approved.

- c. If the rehabilitated units are located in a community that has adopted a rent stabilization ordinance that would require a lower increase in rents, the local provisions shall apply. Additionally, if a Borrower is participating in the Housing and Urban Development (HUD) Section 8 Moderate Rehabilitation Program, then HUD's standards for allowable rent increases shall prevail.

10. Non-Assisted Units and Common Area.

- a. Borrower shall establish and implement a rent structure and operations budget for non-Assisted Residential Units which ensures the fiscal integrity of the Development.
- b. Borrower shall maintain and repair both Assisted and non-Assisted Units equally without regard to their designation as Assisted or non-Assisted.
- c. Tenant selection practices for non-Assisted Units shall comply with State and Federal anti-discrimination laws.
- d. Borrower shall ensure that the exterior walls, windows, lighting, walkways, mailboxes, landscaping, commercial space, equipment, and other common areas of the Development be safe, clean, well maintained, and in good working order.

11. Optional Low-Income Restrictions.

- a. Borrowers who agree to maintain 100 percent (100%) of the rental units in the Development affordable to and occupied by, lower income households (as defined in Section 50079.5 of the Health and Safety Code) may be eligible to have a portion of the loan amount forgiven. Affordable rents must be maintained for a minimum of ten years. Loan forgiveness is only applicable to the rehabilitation portion of the loan amount, and accrued interest thereon. Any acquisition cost or refinancing expenses are not eligible for forgiveness. The percentage of loan forgiveness is based on the ratio of the original loan term to the number of years during which the rents are maintained at affordable levels. Example:

Original Loan Term	Number of Years Affordable	Percentage of Forgiveness
20	10	50%
	15	75%
	20	100%
30	10	30%
	15	50%
	30	100%

- b. If a Borrower maintains the rehabilitated units at affordable rents for not less than 10 years and subsequently sells the project to a nonprofit organization, the loan forgiveness percentage amount shall not be less than the ratio of 15 years to the original term of the loan.
- c. Eligible households, regardless of income level, must be allowed to reoccupy their units upon completion of the rehabilitation. However, when the initial tenant voluntarily vacates the unit, the Borrower is required to fill the unit with a lower income household. If the income of a tenant upon recertification exceeds the upper limit for lower-income households, Borrower shall terminate the tenant's tenancy effective six months from the date of recertification.
- d. Affordable rents for the purposes of this section shall mean those rents described in Section 7683 of the California Administrative Code as set forth in part below:

"(1) Rents for units reserved for occupancy by lower income households shall not exceed 30 percent of 60 percent of the monthly area median income for the household size specified in subsection (a) (2) below at the time of initial occupancy. Rents for units reserved for occupancy by very low-income households shall not exceed 30 percent of 50 percent of the monthly area median income for the household size specified in subsection (a) (2) below at the time of initial occupancy. In no case shall rents for any assisted unit in a residential hotel exceed 30 percent of 50 percent of the area median income at the time of initial occupancy. The term "area median income" shall mean the same as used in Section 50093 of the Health and Safety Code."

BORROWER DOES X DOES NOT
 exercise the low-income option with the
 restrictions and benefits described
 above. M Borrower's Initials

12. Maintenance and Management.

- a. The Borrower is responsible for all maintenance, repair, and management functions, including without limitation, selection of tenants, recertification of family income, evictions, collection of rents, routine and extraordinary repairs and replacement of capital items.
- b. The Borrower shall maintain a Management Plan which is to be submitted to and approved by the Department prior to Program loan closing. All amendments to the Management Plan shall require prior Department approval.
- c. The Management Plan shall: 1) detail actions to be taken by Borrower to affirmatively market vacant units in a manner which will maximize the opportunity of all persons, regardless of race, sex, religion, national origin, marital status, or place of residence to reside in the Development; 2) specify reasonable criteria for determination of tenant eligibility; 3) require that eligible tenants be selected based on criteria set forth in the Program Guidelines; 4) require ineligible applicants to be notified of the reason for their ineligibility; 5) specify procedures through which applicants deemed to be ineligible may appeal this determination; 6) require maintenance of a waiting list of eligible applicants; and 7) in cases where the Borrower maintains all of the Assisted Units at affordable rents for lower income households, specify procedures for obtaining information regarding prospective tenants' incomes as necessary to certify that such income does not exceed the lower or very-low income limit.
- d. With the prior approval of the Department, the Borrower may contract with a private or public entity for performance of the functions required in subparagraph (a) above and Paragraph 11 of the Regulatory Agreement. However, such an arrangement shall not relieve the Borrower of responsibility for proper performance of these functions.
- e. Any contract executed pursuant to subparagraph (d) shall contain a provision allowing the Borrower to terminate the contract, without penalty, upon not less than 30 days prior written notice. Upon a determination by the Department that the contractor performing the functions required in subparagraph (a) has failed to operate the Development in accordance with this Agreement, the Borrower shall exercise such right of termination forthwith and shall make immediate arrangements for the continuing performance of the functions required by this Agreement.

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13. Hazard and Liability Insurance. The Borrower shall at all times keep the Development insured against loss by fire and such other hazards, casualties, liabilities and contingencies as set forth in the attached Exhibit C. All insurance policies and renewals thereof shall be issued by a carrier and in a form acceptable to the Department. Property insurance policies shall name the Department as an additional loss payee and liability insurance policies shall name the Department as additionally insured.
14. Annual Operating Budget.
- a. The fiscal year for the Project shall commence on July 1 and conclude on June 30.
 - b. Prior to closing of the Program loan the Borrower shall provide to the Department for its approval a First Year Operating Budget for the Development on a form provided by the Department. Such budget shall show all anticipated income and expenses for management, operations, reserves and maintenance for the first year.
 - c. Not less than 60 days prior to the beginning of each subsequent fiscal year of the Development, the Borrower shall submit to the Department a Proposed Operating Budget in a form provided by the Department. The Proposed Operating Budget shall set forth the Borrower's estimate of the Development's income and operating expenses for the upcoming year and proposed rent adjustments.
15. Operating Reserve Account. Commencing no later than the end of the second month following the completion of rehabilitation, the Borrower shall establish an Operating Reserve Account. Borrower may transfer funds from this account only to alleviate cash shortages resulting from unusually high maintenance expenses, seasonal fluctuations in utility costs, abnormally high vacancies, and other unforeseen expenses. The Borrower shall not withdraw or transfer funds from this account for any other purpose without the prior written approval of the Department. The Borrower shall make monthly deposits from project income to the Operating Reserve Account in amounts as specified in the Initial Year Operating Budget and subsequent approved annual operating budgets.
16. Replacement Reserve Account. Commencing no later than the end of the second month following the completion of rehabilitation, the Borrower shall establish a segregated interest-bearing Replacement Reserve Account in a F.D.I.C. or F.S.L.I.C. insured financial institution. During the first fiscal year of the Development, the Borrower shall make monthly deposits from project income to the Replacement

Reserve Account in an amount not less than 0.6 percent (0.6%) of replacement value excluding land. Withdrawals from the Replacement Reserve Account shall be made only for capital improvements such as replacing structural elements, furniture, fixtures or equipment of the Development which are reasonably required to preserve the property.

17. Accounting Records. Borrower shall maintain an accrual basis, general ledger accounting system that accurately and fully shows all assets, liabilities, income and expenses of the Development. All records and books relating to this system shall be kept for at least seven years in a fireproof and locked file or safe and shall be subject to Department inspection and audit pursuant to Paragraph 13 (b) of the Regulatory Agreement.
18. Annual Report. The Borrower shall file with the Department an annual report, in a form approved by the Department, no later than 60 days after the end of each fiscal year established for the Development. The report shall contain a certification by the Borrower as to such information as the Department may require including, but not limited to, the following:
 - a. The fiscal condition of the Development, including a financial statement for the previous fiscal year that includes a balance sheet and a profit and loss statement indicating any surplus or deficit in operating accounts; a detailed itemized listing of income and expenses; and the amount of any fiscal reserves. Such financial statement shall be prepared in accordance with the requirements of the Department.
 - b. A description of any major repair or maintenance work undertaken or needed in the previous and current fiscal years. Such statement shall describe what steps the Borrower has taken in order to maintain the Development in a safe and sanitary condition in accordance with applicable housing and building codes.
 - c. The occupancy of the Development indicating:
 - (1) The income of each current resident, if loan forgiveness option has been exercised.
 - (2) The current rents charged each resident in an Assisted Unit, and whether these rents include utilities.
 - d. A summary of the information received from the recertification of tenants' incomes, if loan forgiveness option has been exercised.

- e. Evidence of a currently paid hazard and liability insurance policy pursuant to Paragraph 12 of the Regulatory Agreement.

19. Department Review and Inspections.

- a. At any time during the term of the loan, the Department or its designee with reasonable notice to Borrower may enter and inspect the physical premises and inspect all accounting records pertaining to the rehabilitation or operation of the Development. Upon request by the Department, the Borrower shall notify occupants of upcoming inspections of their units in accordance with State law.
- b. The Department may perform or cause to be performed audits of any and all phases of the Borrower's activities related to the Development. At the Department's request, the Borrower shall provide, at its own expense, an audit of the financial condition of the Development certified by an independent certified public accountant.
- c. The Department may request any other reasonable information that it deems necessary to monitor compliance with requirements set forth in this Agreement. Such information shall be promptly provided by the Borrower.

20. Displacement and Relocation. If the rehabilitation of the Development will result in the temporary displacement of persons, the Borrower shall provide for relocation payments and assistance in accordance with the Relocation Plan which is to be submitted to and approved by the Department prior to closing of the Program loan. Such plan shall ensure at least the following benefits in accordance with the provisions of the Program Guidelines.

- a. The difference between the rent of the damaged unit and the replacement unit for the number of months the tenant will be displaced; and
- b. The rental deposit and/or first and last month's rent that may be required to relocate tenant; and
- c. Reasonable moving costs not to exceed \$500, per household.

21. Restrictions on Sale, Encumbrance, and Other Acts.

- a. The Borrower shall not make any sale, encumbrance, assignment, refinancing, conveyance, or transfer in any other form, of the Development or of any of its interest therein, except with the prior written approval of the Department.
- b. The Borrower shall not add to, reconstruct, or demolish any part of the Development without the prior written approval of the Department.
- c. The Borrower shall not permit the use of the Development for any purpose other than that permitted by this Agreement without the prior written approval of the Department.
- d. The Borrower shall not incur any liability or obligation in connection with the Development, other than for current operating, management and maintenance costs and for the indebtedness evidenced by the Note with the Department, nor incur any liability or obligation whatsoever that is secured in whole or in part by any interest in or lien or encumbrance on the Development, without the prior written approval of the Department.
- e. The Borrower shall not enter into any contract relating to rehabilitating or managing the Development, except as authorized by the Department.
- f. Borrower shall not enter into any master lease or ground lease of the Development or any interest therein without prior written Department approval. Such lease shall allow for termination within 30 days upon request by the Department.
- g. If the Borrower or its successors in interest is a partnership, it shall not discharge or replace any general partner or amend, modify or add to its partnership agreement without prior written Department approval, except that it may transfer limited partnership interests without such approval.

22. Violation of Regulatory Agreement by Borrower. In the event of the violation or breach of any of the provisions of this Regulatory Agreement by the Borrower, the Department may give written notice thereof to the Borrower by certified mail addressed to the Borrower at the address stated in this Regulatory Agreement, or to such other address as may have been designated by the Borrower. If the violation is not corrected to the satisfaction of the Department within 30 days after the date such notice is mailed, the Department may declare in writing a default under this Regulatory Agreement and may at its sole discretion:

- a. Collect all rents, and income in connection with the operation of the Development and use the same and the reserve funds for the operation and maintenance of the Development.

- b. Take possession of the Development and bring any action necessary to enforce any rights of the Borrower growing out of the operation of the Development, and operate the Development in accordance with the terms of this Regulatory Agreement until such time as the Department, in its sole discretion, shall determine that the Borrower is again in a position to operate the Development in accordance with the terms of this Regulatory Agreement.
- c. Apply to any court, State or Federal, for specific performance of this Regulatory Agreement; for the appointment of a receiver to take over and operate the Development in accordance with the terms of this Regulatory Agreement; or for such other relief as may be appropriate. It is agreed by the Borrower that the injury to the Department arising from a default under any of the terms of this Regulatory Agreement would be irreparable and that the amount of compensation which would provide adequate relief to the Department, in light of the purposes of the program, would be impossible to ascertain.
- d. Declare the loan, including all principal and interest thereon, to be immediately due and payable and demand payment thereof.

The Department may in the event of default elect any or all the remedies listed above at its sole discretion. The failure of the Department in the event of breach to declare a default shall not constitute a waiver by the Department of such breach or any subsequent breach.

- 23. Amendment. This Regulatory Agreement shall not be altered or amended except in writing, executed between all the parties.
- 24. Recording Agreement. This Agreement, and all amendments thereto, shall be executed by each of the parties. This Agreement, or memorandum therefore, shall be recorded against the subject Property in the official records of the county in which the Development is situated.
- 25. Binding on Successors-in-Interest. This Agreement shall be binding for the full term hereof on all assigns, successors-in-interest or transferees of Borrower. The term "Borrower" as used in this Agreement shall include all such assigns, successor-in-interest or transferees.
- 26. Hold Harmless. Borrower and its successor in interest agree to indemnify, defend, and hold harmless the Department and its respective agents, employees and officers from any and all claims, losses, liabilities or causes of action (including reasonable

attorneys' fees) arising from or in connection with Borrower's management, maintenance or operation of the Development.

BORROWER

Govinder Singh

By: Govinder Singh

DEPARTMENT

Department of Housing and
Community Development
California Natural Disaster
Assistance Program
P.O. Box 952054
Sacramento, CA 94252-2054

By: *Michael D. Carroll 9/4/92*

Michael D. Carroll
Program Manager

ACKNOWLEDGEMENT:

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO } ..

On this 4th day of September in the year 1992
before me, Rosalie Moreno a Notary Public, State of
California, personally appeared Michael D. Carroll
proved to me on the basis of satisfactory evidence to be the person whose name is
subscribed to this instrument as
Senior Program Manager
of the Department of Housing and Community Development, State of California,
and acknowledged to me that the Department of Housing and Community
Development, State of California, executed it.



Rosalie Moreno
Notary Public

Through the courtesy of -
Fidelity National Title
INSURANCE COMPANY



STATE OF CALIFORNIA) (Acknowledgement)

County of Alameda) ss.

On this 30th day of September, in the year 19 92, before me, J. Turnquist,
a Notary Public in and for the said County and State, residing therein, duly commissioned and sworn, personally
appeared GOVINDER SINGH

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s):

INDIVIDUAL)

Whose name is subscribed to this instrument, and acknowledged
that he (she or they) executed it.

CORPORATION)

Who executed the within instrument as _____ president and
_____ secretary, on behalf of the corporation therein named, and
acknowledged to me that such corporation executed the within
instrument pursuant to its articles and by-laws and a resolution of
its Board of Directors.

PARTNERSHIP)

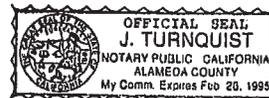
That _____ executed the within instrument on behalf of the part-
nership, and acknowledged to me that the partnership executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in and for said County and State,
the day and year first above written.

J. Turnquist
Notary Public in and for said County and State of California

My commission expires: 2-28-95

FD-1B



**EXHIBIT A
LEGAL DESCRIPTION**

The land is situated in the State of California, City of Oakland, County of Alameda, and is described as follows:

Beginning at the intersection of the Northern line of 14th Street with the Eastern line of Jefferson Street; and thence easterly along said line of 14th Street 50 feet; thence northerly and parallel with said line of Jefferson Street 103 feet 9 inches; thence westerly parallel with said line of 14th Street 50 feet to the eastern line of Jefferson Street; and thence southerly along said last named line 103 feet 9 inches to the point of beginning.

Assessor's Parcel No. 003-0069-017

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**EXHIBIT B
INITIAL SCHEDULE OF ASSISTED UNITS**

RENTS:

<u># of Units</u>	<u>Pre-Disaster Rents</u>	<u>Initial Rents</u>
102 SROs	\$360.00	17 @ \$300.00
One 3-bedroom	\$0	85 @ \$389.00
		\$0

Where the Assisted Units are rent restricted as a condition of local funding program assistance, the initial rent for those Assisted Units and subsequent rent increases, shall be the lower of those permitted under the Department or the local funding program..

Initial rents based upon average pre-disaster rent (\$360.00 based on rent survey) and \$360.00 x 4.6% (1990 CPI increase) x 3.1% (1992 CPI increase) = \$389.00 maximum rent per room.

NOTE: Returning tenants may be entitled to relocation benefits, including limitations on rents. Borrower is solely responsible for providing the assistance and benefits as set forth in state relocation law, commencing with Section 7260 of the Government Code.

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EXHIBIT C

**Department of Housing and Community Development
California Natural Disaster Assistance Program - Rental**

Insurance Requirements

At close of escrow the Department must receive a one year prepaid Certificate of Insurance policy (or a binder followed by a certificate within 30 days of loan closing) evidencing the following coverage:

1. HAZARD (PROPERTY)

Perils: All risks or
Fire & Lightning, Extended Coverage, Vandallism & Malicious Mischief.

Covered Property: Structure; and
All risk contents coverage.

Amount: Replacement value (or less if approved by Department)

Coinurance: Not less than 90%.

Deductible: \$2,500 Max. deductible per occurrence; or
\$1,000 Maximum deductible per occurrence if the completed project value is less than \$300,000.

Endorsement: Lenders Loss Payable Endorsement required insuring the Department.

OTHER PROPERTY INSURANCE

Flood Insurance: Coverage required to 80% of replacement cost if the property is located in a 100-year flood plain.

Steam Boiler & Related Machinery: (When applicable) 80% of replacement cost coverage is required.

2. COMPREHENSIVE GENERAL LIABILITY:

Minimum Amount: \$1,000,000 per occurrence; or
\$2,000,000 per occurrence for buildings with elevators.

3. OTHER COVERAGE:

Loss of Rents: Coverage shall insure 75% of annual gross rents.

Workers Compensation: Required by State law if employees are involved.

ALL POLICIES MUST INCLUDE THE FOLLOWING

Named Insured: Borrower.

Additional Insured: The Department of Housing and Community Development and its officers, agents, employees and servants must be named as additional insureds.

Cancellation Clause: The Department must be notified 30 days prior to cancellation of the insurance policy.

HCD Notification: The Department must be notified prior to cancellation or lapse of coverage or in the event of any claim.

The Department should be identified on all insurance documents as follows:

**The Department of Housing and Community Development
California Natural Disaster Assistance Program - Rental
P.O. Box 952054
Sacramento, CA 94252-2054**

EXHIBIT E

Table 1: Residential Hotels in the Central District

NO.	HOTEL NAME	NUMBER	STREET	TOTAL ROOMS	AVAILABLE ROOMS
1	Alendale Guest Home * †	278	Jayne Street	10	10
2	Alice Arts Center	1428	Alice Street	74	74
3	Asasha Hotel *	2541	San Pablo Avenue	Closed	N/A
4	Avondale Hotel	540	28th Street	52	52
5	Aztec Hotel	583	8th Street	59	59
6	C.L. Dellums Apartments	644	14th Street	72	68
7	California Hotel	3501	San Pablo Avenue	149	149
8	Fern's Hotel †	415	15th Street	32	31
9	Fremont Hotel	524	8th Street	38	38
10	Hamilton Hotel	2101	Telegraph Avenue	92	92
11	Harrison Hotel * †	1415	Harrison Street	90	89
12	Hotel Oakland	270	13th Street	315	315
			West Grand		
13	Hotel Palm	641	Avenue	69	69
14	Hotel Travelers	392	11th Street	88	78
15	Hotel Westerner * †	1954	San Pablo Avenue	19	19
16	Jefferson Inn	1424	Jefferson Street	65	55
17	Lake Merritt Lodge	2332	Harrison Street	157	157
18	Lakehurst Residence	1569	Jackson Street	127	127
19	Madrone Hotel	477	8th Street	31	30
20	The Menlo	344	13th Street	96	96
21	Milton Hotel * †	1109	Webster Street	58	58
22	Moor Hotel *	2351	San Pablo Avenue	Closed	N/A
23	Oaks Hotel	587	15th Street	84	84
24	Old Oakland Hotel	805	Washington Street	38	37
25	Ridge Hotel	634	15th Street	200	200
26	San Pablo Hotel	1955	San Pablo Avenue	144	144
27	Silver Dollar Hotel *	2330	San Pablo Avenue	Unknown	Unknown
28	Sutter Hotel	584	14th Street	106	86
29	Twin Peaks Hotel	2333	San Pablo Avenue	20	20
30	Will Rogers Hotel *	371	13th Street	Closed	N/A
31	Hotel Royal *	2000	San Pablo Avenue	Closed	N/A
NO. OF SRO UNITS				2,285	2,237

* Hotel did not participate in 2002 survey.

† Room count based on 1985 survey.

Note: "Total rooms" includes units that are not available for rent.
 "Available rooms" are rooms that are available for rent, regardless of whether they are currently occupied.

EXHIBIT F

CITY OF OAKLAND
Community and Economic Development Agency
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

**Residential Rent
Adjustment Program (RRAP)**

HEARING DECISION

CASE NUMBER: Tart v. Singh, T02-0170

PROPERTY ADDRESS: 584 14th Street, Room 501, Oakland

HEARING DATE: November 14, 2002

PARTIES PRESENT:

Sumter Tartt	Tenant
Raj Singh	Landlord
P.K. Mukherjee	Landlord

INTRODUCTION

This matter involves a petition filed on June 7, 2002 by Sumter Tartt (Tenant) who contests a rent increase he claims exceeds the Annual Permissible Rent Increase authorized by the Oakland Municipal Code [O.M.C.] Title 8, Chapter 8.22.060 and Resolution No. 71518 C.M.S. Rules and Procedures, 7.4 [Rules].

The persons listed above appeared at the hearing and were given full opportunity to present relevant evidence and argument. Everyone who testified did so under oath.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. **Background Information:** The property is located at 584 14th Street, in Oakland and consists of a residential hotel with 102 units. Tenant Tartt originally moved into room 501 at an initial rent of \$183.44 a week. As this property is a residential hotel, the \$183.44 includes a City of Oakland Hotel Tax that the owners pay to the City of Oakland. After the unit has been occupied for thirty days, the City of Oakland no longer collects a hotel tax on the unit. However, the owners do not adjust the rate of the unit, and after thirty days Mr. Tartt was still charged \$183.44 a week. Mr. Tartt's complaint to the Residential Rent Adjustment Program (RRAP) is that failing to decrease his rent

Hearing Officer, Oakland
Rent Adjustment Program



CITY OF OAKLAND

P.O. BOX 70243, OAKLAND, CA 94612-2043
Department of Housing and Community Development
Rent Adjustment Program

(510) 238-3721
FAX (510) 238-6181
TDD (510) 238-3254

HEARING DECISION

CASE NUMBER: T14-0375, Dahan v. Singh
PROPERTY ADDRESS: 584 14th Street, #607, Oakland, CA
DATE OF HEARING: January 5, 2015
DATE OF DECISION: January 5, 2015
APPEARANCES: Kyrhia Dahan Tenant
No appearance by Owner

SUMMARY OF DECISION

The tenant's petition is dismissed.

CONTENTIONS OF THE PARTIES

The tenant filed a petition on September 2, 2014, alleging that she received rent increases that exceed the *CPI* and are unjustified; that the rent was raised illegally after the unit was vacated; that no written notice of the Rent Program (*RAP Notice*) was given to her together with the rent increase notices; that no *RAP Notice* was given to her at least 6 months prior to the effective date of the rent increase; that her housing services have decreased; that at present there exists a health, safety, fire or building code violation in her unit; that the notice of rent increase based upon capital improvements did not contain the enhanced notice requirements; that her rent was not reduced after the expiration date of a capital improvement rent increase; and, that the proposed rent increase would exceed an overall increase of greater than 30% in 5 years.

The owner filed a timely response to the tenant petition claiming that there had been no rent increase and no decrease in housing services.

///

THE ISSUES

1. Does the Rent Adjustment Program have jurisdiction?

EVIDENCE

The tenant testified that an *Unlawful Detainer* action had been filed against her in Superior Court by the owner of the subject property. In response to the *Unlawful Detainer* the tenant filed documents in court in which she raised the same issues she raised in her tenant petition. These issues include that the owner breached the implied warranty of habitability.

The tenant further testified that a *Judgment*¹ was entered against her in the court proceedings. The *Judgment* specified that the tenant owed the owner of the property \$10,421.43 in back rent, holdover damages and costs. The tenant moved out of the property in November of 2014.

The tenant sought to testify about illegal activities of the owner of the property, that the Court did not allow her to bring forward all of her claims and that fraud was perpetuated by the owner. The tenant's testimony was limited by the Hearing Officer because the RAP does not have jurisdiction of this claim (See below.)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Jurisdiction

Under the Oakland Rent Ordinance, a decrease in housing services is considered to be an increase in rent² and may be corrected by a rent adjustment.³ The decrease may be either the elimination or reduction of an existing service or a serious violation of the housing or building code which affects the habitability of the tenant's unit.

The owner and tenant were parties to an Unlawful Detainer action in Alameda County Superior Court, Case No. RG14-728890. In that case, the owner sought to evict the tenant based upon non-payment of rent. One of the tenant's defenses was that the owner had breached the implied warranty of habitability. Such a defense is recognized under State law:

In an unlawful detainer proceeding involving residential premises after default in payment of rent and in which the tenant has raised as an affirmative defense a breach of the landlord obligations . . . of any warranty of habitability, the court shall determine whether a substantial breach of these obligations has occurred.

¹ Exhibit I.

² O.M.C. Section 8.22.070(F)

³ O.M.C. Section 8.22.110(E)

If the court finds that a substantial breach has occurred, the court (1) shall determine the reasonable rental value of the premises (4) shall order that the monthly rent be limited to the reasonable rental value of the premises until repairs are completed.⁴

Both the Rent Adjustment Ordinance and the Code of Civil Procedure provide that rent for a residential unit may be reduced if the owner has breached the implied warranty of habitability. However, the same issue cannot be litigated in two places. The Superior Court assumed jurisdiction over all issues in the Rent Adjustment case, including the amount of rent owed. Therefore, the tenant petition must be dismissed.

ORDER

1. The tenant's petition is dismissed.
2. Right to Appeal: This decision is the final decision of the Rent Adjustment Program Staff. Either party may appeal this decision by filing a properly completed appeal using the form provided by the Rent Adjustment Program. The appeal must be received within twenty (20) days after service of the decision. The date of service is shown on the attached Proof of Service. If the Rent Adjustment Office is closed on the last day to file, the appeal may be filed on the next business day.

Dated: January 5, 2015



Barbara M. Cohen
Hearing Officer
Rent Adjustment Program

⁴ Code of Civil Procedure, Section 1174.2

PROOF OF SERVICE

Case Number T14-0375

I am a resident of the State of California at least eighteen years of age. I am not a party to the Residential Rent Adjustment Program case listed above. I am employed in Alameda County, California. My business address is 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California 94612.

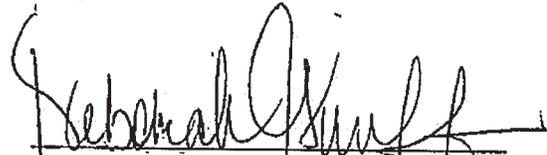
Today, I served the attached **Hearing Decision** by placing a true copy of it in a sealed envelope in City of Oakland mail collection receptacle for mailing on the below date at 250 Frank H. Ogawa Plaza, Suite 5313, 5th Floor, Oakland, California, addressed to:

Rameet Raj Singh
584 14th Street
Oakland, CA 94612

Kyrha Dahan
584 14th Street #607
Oakland, CA 94612

I am readily familiar with the City of Oakland's practice of collection and processing correspondence for mailing. Under that practice an envelope placed in the mail collection receptacle described above would be deposited in the United States mail with the U.S. Postal Service on that same day with first class postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **January 7, 2015** in Oakland, California.


Deborah Griffin
Oakland Rent Adjustment Program

CITY OF OAKLAND
Community and Economic Development Agency
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

**Residential Rent
Adjustment Program (RRAP)**

HEARING DECISION

CASE NUMBER: Hanks v. Singh, T01-0266
PROPERTY ADDRESS: 584 14th Street, room 404, Oakland
HEARING DATE: October 3, 2002
PARTIES PRESENT: Raj Singh, Landlord

INTRODUCTION

This matter involves a petition filed on May 15, 2001 by Naomi Hanks (Tenant) who contests a rent increase she claims exceeds the Annual Permissible Rent Increase authorized by the Oakland Municipal Code [O.M.C.] Title 8, Chapter 8.22.060 and Resolution No. 71518 C.M.S. Rules and Procedures, 7.4 [Rules].

Mr. Singh, one of the owners of the property in question, appeared at the hearing and was given full opportunity to present relevant evidence and argument. He testified under oath. Ms. Hanks did not appear at the hearing.

FINDINGS OF FACT

The property is located at 584 14th Street, in Oakland and consists of a residential hotel with 102 units. Tenant Hanks originally moved into room 404 on February 6, 2001 at an initial rent of \$245.60 a week. The tenant was served with a rent increase notice on April, 16, 2001. In that notice of increase, the landlord proposed to increase the rent from \$245.60 to \$248.00 a week (.9%) effective May 16, 2001.

At the time the tenant moved into the property she was not given notice of the existence and scope of the Rent Adjustment Program (RAP). The landlord had posted a copy of the notice of the Ordinance in the lobby of the hotel but had not delivered it individually to

either this tenant or any other tenant. Additionally, at the time the notice of rent increase was delivered to this tenant, she was not concurrently served with notice of the RAP.

The petition in this case was filed on May 15, 2001. At the hearing the landlord provided evidence that at the time the petition was filed, Ms. Hanks was not current on her rent.

CONCLUSIONS OF LAW

1. Jurisdiction: The HRRRB only has jurisdiction to examine the actions of a landlord when a rent increase is higher than the Annual Permissible Rent Increase. [O.M.C. Chapter 8.22.080 A; Rules 6.2] Here the rent increase contested by Ms. Hanks is less than 3%. Therefore, the tenant's claim must be dismissed.

While the tenant's claim is dismissed there were other issues raised by the landlord and the tenant that are being addressed below so that the parties better understand the Ordinance.

2. Filing and Response Requirements: Pursuant to O.M.C. Chapter 8.22.080 C, a tenant petitioner **who is current on the rent** is allowed 30 days from the date a notice of rent increase is received, or 30 days from the date notice of the existence and scope of the Rent Ordinance is received, **whichever is later**, to file a petition. The tenant petition was filed timely in accordance with the Ordinance because it was filed within 30 days of her receipt of the rent increase notice. However, the landlord provided proof at the hearing that the tenant had not paid her rent in full at the time she filed the petition. Since being current on the rent is required to be eligible to file a petition, the tenant's claim must be dismissed on this basis as well.

3. Notice Requirements: Pursuant to O.M.C. Chapter 8.22.060 E (5), a landlord is required to give notice of the existence and scope of the Rent Ordinance including the tenant's right to petition against rent increases, both (1) on or before the commencement of the tenancy and (2) concurrent with any notice of an increase in rent.

Here, the landlord admitted at the hearing that he does not give notice of the Ordinance directly to his tenants at the time they move in to the building; rather he has one copy of the notice posted in the lobby of the building. While the landlord in this case is faced with an unusual situation in that his tenants are not immediately subject to the law unless they stay more than thirty days, the notice requirements are not met by the simple posting of the notice in the lobby. All tenants must be individually provided with a notice either before or at the time they become covered by the law.

Additionally, the landlord failed to provide the tenant with notice of the Ordinance concurrent with providing her a copy of the rent increase notice. The failure to provide such notice would make the rent increase notice invalid if the tenant's petition did not have to be dismissed.

4. Anniversary Date: The Residential Rent Arbitration Program allows only one rent increase each year for any tenant covered by the law. Raising the rent before the tenant has been residing in the unit for at least one year violates the rule permitting only one rent increase a year. Therefore, the rent increase notice was invalid. However, since the tenant's petition must be dismissed, the HRRRB has no jurisdiction to remedy the violation.

ORDER

Wherefore, all the evidence having been heard and considered, it is the order of this Hearing Officer that:

1. Petition T01-0266 is denied. The tenant's petition is dismissed because the rent increase was not more than 3% and because her rent was not current at the time the petition was filed. The HRRRB has no jurisdiction over the tenant's claims.
2. Right to Appeal: This decision is final unless the Rent Board vacates the decision following an appeal to the Board. Either party may appeal the Hearing Officer's decision within fifteen (15) days after service of the notice of decision by filing with the Rent Adjustment Program a written notice on a form prescribed by the Rent Adjustment Program setting forth the grounds for the appeal. [New OMC. 8.22.120 A. 1]
3. Retaliation: The landlord may not recover possession of a rental unit in retaliation against a tenant for exercising his/her right pursuant to this ordinance.

Dated: November ____, 2002

BARBARA M. COHEN
Hearing Officer, Oakland
Rent Adjustment Program

BMC:bh

THREE DAY NOTICE TO PAY RENT OR QUIT

TO MARIE MAY NG & MARIC FLORES tenant(s) in possession.
WITHIN THREE DAYS, after service upon you of this notice, you are hereby required to pay the rent of the premises hereinafter described, of which you now hold possession, amounting to the sum of \$ 750.00 Dollars which became due on the dates indicated:

<u>DATE</u>	<u>RENT</u>	<u>AMOUNT</u>
7-29-11 thru 8/4/11	250 -	
8-5-11 thru 8/11/11	250 -	
8-12-11 thru 8/18/11	250 -	

2011 AUG 29 AM 9:55

or you are hereby required to deliver up possession of the hereinafter described premises, within THREE DAYS after service on you of this notice, to Front Desk Hotel clerk who is authorized to receive the same, or the undersigned will institute legal proceedings against you to declare the forfeiture of the lease or rent agreement under which you occupy the hereinbelow described property, and to recover possession of said premises with past due rent and damages. The premises herein referred to are situated at:

584-14th St, # 605, Oakland, Ca. 94612

You are further notified that the undersigned does hereby elect to declare the forfeiture of the lease or rental agreement under which you hold possession of the above described premises.

Rent may be paid to Hotel Front Desk clerk at 584-14th St, Oakland, CA
between the hours of 7am - 11 pm
() Mon thru Fri () Mon thru Sat () Mon thru Sun Phone No. (510) 451-2555

IF THE TENANCY TERMINATES PURSUANT TO THIS THREE DAY NOTICE, you have the legal right request an initial inspection of your unit and be present during the inspection. The purpose of this inspection is to allow you the opportunity to correct any deficiencies in the unit in order to avoid deductions from the security deposit. Please contact the Owner/Agent as directed below to request an initial inspection.

If you request the inspection, THE INSPECTION WILL TAKE PLACE ON: CALL TO SCHEDULE _____ (time), which is at least 48 hours after service of this notice. Please contact the Owner/Agent if you wish to reschedule the inspection for another day or time prior to the termination of your tenancy. This Notice serves as you 48 hour notice prior to Owner/Agent's entry into your unit.

This notice is given in good faith with honest intent and with no ulterior motive pursuant to Section 6.A(1) of Oakland Just Cause for Eviction Ordinance.

DATED: 8/19/11 8/19/11 _____ 8/19/11

Advice is available from the Residential Rent Adjustment Board also known as the Rent Board and the Housing Residential Rent and Relocation Board located as of January 2003 at 250 Frank J. Ogawa Plaza, Suite 3315, Oakland CA 94612.

cc: Oakland Rent Board

THREE DAY NOTICE TO PAY RENT OR QUIT

o VIRGINIA TERRY / MARK BROWN tenant(s) in possession.
WITHIN THREE DAYS, after service upon you of this notice, you are hereby required to pay the rent of the premises hereinafter described, of which you now hold possession, amounting to the sum of \$ 3325- Dollars which became due on the dates indicated:

<u>DATE</u>	<u>RENT</u>	<u>AMOUNT</u>
2/22/12 — 3/6/12	\$ 475-	
3/7/12 — 3/20/12	475-	
3/21/12 — 4/3/12	475-	
4/4/12 — 4/17/12	475-	
4/18/12 — 5/1/12	475-	
5/2/12 — 5/15/12	475-	
5/16/12 — 5/29/12	475-	
		<u>\$ 3325-</u>

RECEIVED
CITY OF OAKLAND
RENT ARBITRATION PROGRAM
2012 JUN 15 PM 3:12

or you are hereby required to deliver up possession of the hereinafter described premises, within THREE DAYS after service on you of this notice, to Hotel Front Desk clerk who is authorized to receive the same, or the undersigned will institute legal proceedings against you to declare the forfeiture of the lease or rent agreement under which you occupy the hereinbelow described property, and to recover possession of said premises with past due rent and damages. The premises herein referred to are situated at:

584-14th St # 606, Oakland, Ca. 94612

You are further notified that the undersigned does hereby elect to declare the forfeiture of the lease or rental agreement under which you hold possession of the above described premises.

Rent may be paid to Hotel Front Desk clerk at 584-14th St, Oakland, Ca.
between the hours of 7 AM - 11 PM
() Mon thru Fri () Mon thru Sat (x) Mon thru Sun Phone No. (510) 451-2555

IF THE TENANCY TERMINATES PURSUANT TO THIS THREE DAY NOTICE, you have the legal right request an initial inspection of your unit and be present during the inspection. The purpose of this inspection is to allow you the opportunity to correct any deficiencies in the unit in order to avoid deductions from the security deposit. Please contact the Owner/Agent as directed below to request an initial inspection.

If you request the inspection, THE INSPECTION WILL TAKE PLACE ON: CALL TO SCHEDULE (time), which is at least 48 hours after service of this notice. Please contact the Owner/Agent if you wish to reschedule the inspection for another day or time prior to the termination of your tenancy. This Notice serves as you 48 hour notice prior to Owner/Agent's entry into your unit.

This notice is given in good faith with honest intent and with no ulterior motive pursuant to Section 6.A(1) of Oakland Just Cause for Eviction Ordinance.

DATED: 6/7/12

Ray [Signature]

Advice is available from the Residential Rent Adjustment Board also known as the Rent Board and the Housing Residential Rent and Relocation Board located as of January 2003 at 250 Frank J. Ogawa Plaza, Suite 3315, Oakland CA 94612.

cc: Oakland Rent Board

THREE DAY NOTICE TO PAY RENT OR OUIT

TO SETH SPROGE & SHELLY YOUNG tenant(s) in possession.
WITHIN THREE DAYS, after service upon you of this notice, you are hereby required to pay the rent of the premises hereinafter described, of which you now hold possession, amounting to the sum of \$ 17,364.48 Dollars which became due on the dates indicated:

RECEIVED
CITY OF OAKLAND
RENT ARBITRATION PROGRAM
2013 SEP 20 PM 4:44

<u>DATE</u>	<u>RENT</u>	<u>AMOUNT</u>
June 21, 2012 — Sep 12, 2012	\$ 3255.84	
Sep 13, 2012 — Dec 5, 2012	3255.84	
Dec 6, 2012 — Feb 27, 2013	3255.84	
Feb 28, 2013 — May 22, 2013	3255.84	
May 23, 2013 — Aug 14, 2013	3255.84	
Aug 15, 2013 — Sep 11, 2013	1085.28	
		<u>\$ 17,364.48</u>

or you are hereby required to deliver up possession of the hereinafter described premises, within THREE DAYS after service on you of this notice, to Hotel Front Desk clerk who is authorized to receive the same, or the undersigned will institute legal proceedings against you to declare the forfeiture of the lease or rent agreement under which you occupy the hereinbelow described property, and to recover possession of said premises with past due rent and damages. The premises herein referred to are situated at:

584-14th St # 303, Oakland, California

You are further notified that the undersigned does hereby elect to declare the forfeiture of the lease or rental agreement under which you hold possession of the above described premises.

Rent may be paid to Hotel Front Desk clerk at 584-14th St, Oakland, Ca
between the hours of 7am - 11 pm
 Mon thru Fri Mon thru Sat Mon thru Sun
Phone No. (510) 451-2555

IF THE TENANCY TERMINATES PURSUANT TO THIS THREE-DAY NOTICE, you have the legal right request an initial inspection of your unit and be present during the inspection. The purpose of this inspection is to allow you the opportunity to correct any deficiencies in the unit in order to avoid deductions from the security deposit. Please contact the Owner/Agent as directed below to request an initial inspection.

If you request the inspection, THE INSPECTION WILL TAKE PLACE ON: CALL TO SCHEDULE (time), which is at least 48 hours after service of this notice. Please contact the Owner/Agent if you wish to reschedule the inspection for another day or time prior to the termination of your tenancy. This Notice serves as you 48 hour notice prior to Owner/Agent's entry into your unit.

This notice is given in good faith with honest intent and with no ulterior motive pursuant to Section 6.A(1) of Oakland Just Cause for Eviction Ordinance.

DATED: 9/12/13

[Signature]

Advice is available from the Residential Rent Adjustment Board also known as the Rent Board and the Housing Residential Rent and Relocation Board located as of January 2003 at 250 Frank J. Ogawa Plaza, Suite 3315, Oakland CA 94612.

cc: Oakland Rent Board

THREE DAY NOTICE TO PAY RENT OR QUIT

CITY OF OAKLAND
RENT ARBITRATION PROGRAM
tenant(s) in possession

TO ~~EDDIE~~ EDDIE DICKERSON

WITHIN THREE DAYS, after service upon you of this notice, you are hereby required to pay the rent of the premises hereinafter described, of which you now hold possession, amounting to the sum of \$ 1875 - Dollars which became due on the dates indicated:

<u>DATE</u>	<u>RENT</u>	<u>AMOUNT</u>
4/21/14 - 5/4/14 (2 wks)	\$ 375 -	
5/5/14 - 6/1/14 (4 wks)	\$ 750 -	
6/2/14 - 6/29/14 (4 wks)	\$ 750 -	\$ 1875 -

or you are hereby required to deliver up possession of the hereinafter described premises, within THREE DAYS after service on you of this notice, to Hotel Front Desk Clerk who is authorized to receive the same, or the undersigned will institute legal proceedings against you to declare the forfeiture of the lease or rental agreement under which you occupy the hereinbelow described property, and to recover possession of said premises with past due rent and damages. The premises herein referred to are situated at:

584 - 14th St # 314 , Oakland, California

You are further notified that the undersigned does hereby elect to declare the forfeiture of the lease or rental agreement under which you hold possession of the above described premises.

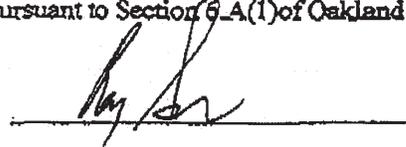
Rent may be paid to Hotel Front Desk Clerk at 584 - 14th St, Oakland, Calif
between the hours of Tue - 11 PM
 Mon thru Fri Mon thru Sat Mon thru Sun Phone No. (510) 451-2555

IF THE TENANCY TERMINATES PURSUANT TO THIS THREE DAY NOTICE, you have the legal right request an initial inspection of your unit and be present during the inspection. The purpose of this inspection is to allow you the opportunity to correct any deficiencies in the unit in order to avoid deductions from the security deposit. Please contact the Owner/Agent as directed below to request an initial inspection.

If you request the inspection, THE INSPECTION WILL TAKE PLACE ON: CALL TO SCHEDULE (time), which is at least 48 hours after service of this notice. Please contact the Owner/Agent if you wish to reschedule the inspection for another day or time prior to the termination of your tenancy. This Notice serves as you 48 hour notice prior to Owner/Agent's entry into your unit.

This notice is given in good faith with honest intent and with no ulterior motive pursuant to Section 6.4(1) of Oakland Just Cause for Eviction Ordinance.

DATED: 6/30/14



Advice is available from the Residential Rent Adjustment Board also known as the Rent Board and the Housing Residential Rent and Relocation Board located as of January 2003 at 250 Frank J. Ogawa Plaza, Suite 3315, Oakland CA 94612.

cc: Oakland Rent Board

THREE DAY NOTICE TO PAY RENT OR OUT

TO CHARLES & JULIE SWIFT tenant(s) in possession.
WITHIN THREE DAYS, after service upon you of this notice, you are hereby required to pay the rent of the premi hereinafter described, of which you now hold possession, amounting to the sum of \$ 590.52 Dolls which became due on the dates indicated:

<u>DATE</u>	<u>RENT</u>	<u>AMOUNT</u>
11/26/08 - 11/26/08	\$ 295.26	\$ 590.52
11/27/08 - 12/3/08	\$ 295.26	

RECEIVED
CITY OF OAKLAND
RENT ADJUSTMENT PROGRAM
2008 DEC 10 PM 3:38

or you are hereby required to deliver up possession of the hereinafter described premises, within THREE DA after service on you of this notice, to Front Desk Clerk who is authorized to receive 1 same, or the undersigned will institute legal proceedings against you to declare the forfeiture of the lease or ren agreement under which you occupy the hereinbelow described property, and to recover possession of said premis with past due rent and damages. The premises herein referred to are situated at:

584-14th St, # 703, Oakland, CA 94612

You are further notified that the undersigned does hereby elect to declare the forfeiture of the lease or rental agreemnt under which you hold possession of the above described premises.

Rent may be paid to Front Desk Clerk at 584-14th Street
Oakland between the hours of 7am - 11 pm
() Mon thru Fri () Mon thru Sat (X) Mon thru Sun Phone No. (510) 451-2555

IF THE TENANCY TERMINATES PURSUANT TO THIS THREE DAY NOTICE, you have the legal right request an initial inspection of your unit and be present during the inspection. The purpose of this inspection is to allc you the opportunity to correct any deficiencies in the unit in order to avoid deductions from the security deposit. Plea contact the Owner/Agent as directed below to request an initial inspection.

If you request the inspection, THE INSPECTION WILL TAKE PLACE ON: CALL TO SCHEDULE _____ (time), which is at least 48 hours after service of this notice. Please contact the Owner/Agent if you wi to reschedule the inspection for another day or time prior to the termination of your tenancy. This Notice serves as yo 48 hour notice prior to Owner/Agent's entry into your unit.

This notice is given in good faith with honest intent and with no ulterior motive pursuant to Section 6.A(1) of Oakland Just Cause for Eviction Ordinance.

DATED: 12/8/08

[Signature]

Advice is available from the Residential Rent Adjustment Board also known as the Rent Board and the Housi Residential Rent and Relocation Board located as of January 2003 at 250 Frank J. Ogawa Plaza, Suite 3315, Oaklan CA 94612.

cc: Oakland Rent Board

EXHIBIT G

\$676.

The average rates in 2002 were \$35 daily, \$199 weekly, and \$544 monthly. (These figures have not been adjusted for inflation.) After adjusting for inflation, daily rates have increased 34%. Weekly rates have actually decreased 4.6%, and monthly rates have decreased 6.4% after adjusting for inflation.

Looking back to the 1985 study, the average rates then were \$18.50 daily, \$77 weekly, and \$246.50 monthly. Over the past 30 years, this represents an inflation-adjusted increase of 51% at the daily rate, 46% at the weekly rate, and 29% at the monthly rate.

Most residents of Oakland's SROs are permanent tenants. A full 85% of current residents have occupied their rooms at least one month, and 65% have been tenants for at least one year. An estimated 26% of residents have been tenants for five years or more.

Several hotels do not accept new guests on a monthly basis. Local residents who do not have permanent housing must shuttle around between different hotels every 30 days or less in order to comply with this policy. (Preexisting permanent tenants must be grandfathered in to this policy. For more information about tenancy regulations, see the "Relevant Legal Statutes for Regulation of SROs" chart.) The maximum stay for new guests at the Hotel Travelers, for example, is 28 days. Because the weekly rate at the Hotel Travelers is \$270, the effective monthly rate is \$1,080 per month. This is a full 50% higher than the average monthly rate for those that do accept monthly guests.

Permanent residents of SROs do not necessarily pay the market average for rent. Oakland's rent adjustment ordinance limits rent increases for permanent residents to the cost of inflation. Depending on when a resident has

Table 1
Downtown Oakland's Residential Hotels

Hotel	Address	Total		Occupied Units	Occupancy Rate
		Total Units	Available Units		
1 Avondale Hotel	540 28th St	55	55	55	100%
2 The C.L. Dellums	644 14th St	72	72	70	97%
3 Claridge (formerly Ridge Hotel)	634 15th St	197	197	130	65%
4 Empyrean Towers (formerly Menlo Hotel)	344 13th St	96	96*	96*	unknown
5 Fremont Hotel	524 8th St	41	39*	39*	unknown
6 Grand Hotel (formerly Palm Hotel)	641 W. Grand Ave	77	32	32	100%
7 Harrison Hotel	1415 Harrison St	81	81	78	96%
8 Hotel Travelers	392 11th St	70	65	65	100%
9 Lakehurst Residential Hotel	1569 Jackson St	120	120	95	79%
10 Madrone Hotel	477 8th St	31	23	23	100%
Malonga Casquelourd Center for the Arts (formerly Alice Arts Center)					
11	1428 Alice St	75	75	45+	60%+
12 Milton Hotel	1109 Webster St	40	20	20	100%
13 Old Oakland	805 Washington St	37	35	35	100%
14 San Pablo Hotel	1955 San Pablo Ave	144	144	137	95%
15 Silver Dollar Hotel	2329 San Pablo Ave	20	20	18	90%
16 Sutter Hotel	584 14th St	102	100	95	95%
17 The New Fern's Hotel	415 15th St	33	30	30	100%
18 Twin Peaks Hotel	2333 San Pablo Ave	20	20	9	45%
Totals		1311	1224	1072	88%

* Estimated number, based on visual observations or news accounts.
† Recently renovated. Still in the process of securing tenants.

moved in, market rents may have increased faster than inflation, and the resident may thus be paying below-market rent.

An individual paying more than 30% of his or her gross income in rent is typically classified as "rent-burdened," and an individual

EXHIBIT H



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 5313 • OAKLAND, CALIFORNIA 94612-2034

Community and Economic Development Agency
Housing Development

(510) 238-3502
FAX (510) 238-3691
TDD (510) 238-3254

November 29, 2018

Sandra Chow
Stanton Architecture
1501 Mariposa Street, Ste 328
San Francisco, CA 94107

Re: Exception from Provisions of Ordinance No. 13415 C.M.S. for 584 14th Street

Dear Ms. Chow:

Thank you for your petition dated 9/25/2018 (“**Petition**”) (**Attachment A**) requesting an exception to Ordinance No. 13415 C.M.S. (“**Moratorium**”) in order to perform a remodel of the Sutter Hotel, located at 584 14th Street (“**Building**”). As stated in a letter written to you on June 7, 2018 from the City of Oakland (“**June 7th Letter**”) (**Attachment B**), Staff has determined that the subject property is considered a Residential Hotel, as defined in Sections 3.c and b in the Residential Hotel Moratorium (13410/13415 C.M.S.). For the reasons explained in the findings that follow, and subject to certain conditions included in this response, the City will proceed with processing Application No. DRX182227 (“**Application**”). This letter supersedes a previous exception letter (**Attachment C**) issued by the City of Oakland on November 21, 2018, providing important clarifications regarding the Conditions.

The findings regarding the Application below are based entirely on information and representations provided by the applicant in the Application and Petition. If the applicant has knowledge that any facts recited below are incorrect, the applicant is required to alert the City within ten (10) calendar days of the issuance of this determination letter.

Findings Regarding Permit No. DRX182227

Permit No. DRX182227, which supersedes ZP170086 that was referenced in the Petition, and seeks approval for interior and exterior modifications, including a restored ground floor storefront, new bathrooms in every Rooming Unit, removing one Rooming Unit on floors 2 through 7 (total of six), adding a communal kitchen to floors 2 through 7, converting a one-bedroom penthouse unit into six new Rooming Units and a communal kitchen, and reconfiguring the mezzanine and ground floor retail/lobby areas. Apart from the Rooming Units being converted to communal kitchens, no wall on the perimeter of any unit are proposed for demolition and the overall number of Rooming Units would remain the same - 102 Rooming Units.

The proposed scope of work ***is excepted*** from the Moratorium’s restrictions on rehabilitation, demolition and conversion, because of the following:

- Rehabilitation – The Moratorium restricts rehabilitation of Residential Hotel Units, as set forth in Sections 3(f), 4(c) and 4(d), as a broad range of actions, including reconfiguration, reconstruction, renovation, repair or other improvements. However, it excludes actions that *do not result in displacement of existing residents for more than two (2) weeks,*

According to the Petition in Attachment A on page 2, the applicant checks the box “No” when answering the question “Do you anticipate that any resident(s) may be displaced for any length of time by the proposed work?”. Therefore, as long as this statement remains true and correct, the proposed scope of work would not be considered rehabilitation. Condition of Petition Approval #4 would also therefore apply (see next page).

- Demolition – The Moratorium restricts the Demolition of Residential Hotel Units, as set forth in Sections 3(d) and 4(b), as an action that *reduces the number* of Residential Hotel Units

According to the proposed plans, and as described above, there is no proposed reduction in the total number of Residential Hotel Units in the Sutter Hotel. While existing Rooming Units will be demolished, new Rooming Units will also be created, and there will be no net loss of Rooming Units after completion of the project (a total of 102 Residential Hotel Units would remain), therefore the proposed scope of work would not be considered Demolition.

- Conversion – The Moratorium restricts the Conversion of Residential Hotel Units, as set forth in Sections 3(c) and 4(a), as any action that converts one or more existing Residential Hotel Units to be used for other Residential or Commercial Activities, as defined in the Oakland Planning Code.

As noted in the June 7th Letter (Attachment B), the Bureau of Planning considers the current land use activity to be Semi-Transient Residential based on City records, coupled with the history of use at the property and the hotel’s Transient Occupancy Tax and Rent Adjustment Program filings. According to the letter from the Pelosi Group dated January 31, 2018, there is evidence that the Sutter Hotel started operating as a Transient Habitation Commercial Activity in 2002. However, since July 28, 2000, the City required the granting of a Conditional Use Permit, with special findings, to begin a Transient Habitation Commercial Activity in the C-51 zone. A Conditional Use Permit has continued to be required for Transient Habitation Commercial Activity when the site was rezoned to CBD-P in July 21, 2009. City of Oakland records indicate that the City has never granted a Conditional Use Permit for Transient Habitation Commercial Activities for the site. Semi-Transient is defined in Section 17.10.120 of the Oakland Planning Code:

“Semi-Transient Residential Activities include the occupancy of living accommodations partly on a weekly or longer basis and partly for a shorter time period, but with less than thirty percent (30%) of the living units under the same ownership or management on the same lot being occupied on a less-than-weekly basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons...” [emphasis added]

*The proposed scope of work constitutes physical changes to the building and the applicant does not describe the proposed length of stay for future residents. On page 2 of the submitted Form (Attachment A), the applicant does add a note that 30% of the units are meant to be Semi-transient. By approving Application No. DRX182227, the City is allowing for the continuation of the Semi-Transient Residential land use activity, and is **not** approving conversion to a Transient Habitation Commercial land use activity.*

Conditions of Petition Approval

The Conditions of Petition Approval are in addition to any conditions of approval imposed by the Planning and Building Department or any other City department with jurisdiction over the Building, and any and all conditions of approval imposed in connection with Application No. DRX182227 are hereby incorporated by reference.

- 1) All work to be conducted pursuant to the Application shall be conducted in accordance with all provisions of the Oakland Municipal Code, except as otherwise explicitly modified by this Petition approval, as well as applicable state and federal laws.
- 2) Prior to commencing any work related to the Application, the applicant shall obtain Building Permit approval for the individual permits.
- 3) None of the work to be conducted pursuant to the Application may result in the displacement of any existing residents for more than two (2) weeks.
- 4) The work to be conducted shall maintain the same number of Residential Hotel Units, pursuant to the Application.
- 5) If any substantial or major revisions need to be made to the scope of work in order to conform with Building Codes, or for any other reason, the proposals will need to be re-evaluated based on the regulations in place at the time.
- 6) The proposed project shall only receive a certificate of occupancy for any of the Residential Hotel Units upon verification that 102 Residential Hotel Units remain in the building.
- 7) Per the letter previously issued to the applicant on June 7, 2018, a maximum of 30% of the units are allowed to be occupied on a less than weekly basis at this time.
- 8) The City shall have the authority to revoke the Petition or any subsequent permits and approvals issued in accordance with the Petition in the event that the applicant fails to comply with any of the above conditions or in the event that the City determines that the factual basis for granting the Petition is incorrect or materially different from what is included in these findings.

As noted above, the Conditions of Petition Approval are in addition to any conditions the Planning and Building Department imposes in connection with the issuance of permits, and this approval does not indicate that the City has approved the Application. Rather, the City has approved your Petition to except the Application from the Moratorium. Accordingly, you may continue to work with the City's Planning and Building Department to finalize information they may need to process and approve the Application.

Should you wish to challenge the determination on your Petition, you must appeal to the City Council within ten (10) calendar days of the date from which this determination was issued by following the procedures established under Section 6(c) of the Moratorium.

Sincerely,



Michele Byrd, Director
Housing & Community Development Department

cc: William A. Gilchrist, Director, Planning and Building Department
Sabrina B. Landreth, City Administrator

Attachments:

- A. Petition for Exception to Moratorium
- B. Letter to Applicant from the City of Oakland, Dated June 7, 2018
- C. Previous Letter of Exception from the City of Oakland, Dated November 21, 2018 (voided)



**EXCEPTIONS/ EXEMPTIONS
TO MORATORIUM
ESTABLISHED BY
ORDINANCE NO. 13415 C.M.S.**

Housing & Community Development Dept.

250 Frank H. Ogawa Plaza
5th Floor, Suite 5313
Oakland, CA 94612
Tel (510) 238-3015
Fax (510) 238-2087
TDD (510) 238-3254

Instructions

If you would like to file a petition for relief for an exemption from the moratorium established by the adoption of Ordinance No. 13415 C.M.S. or you would like to claim an exception to the Ordinance, please complete the form below. Please submit this form along with any supporting documentation to Attention: Director of the Housing and Community Development Department at 250 Frank H. Ogawa Plaza, Suite 5313. If more space is needed than the form provides, an additional page(s) may be attached.

If you are filing a petition for relief for an exemption, please include the payment of fees required (\$1,622.67 made payable to the City of Oakland).

Notice to Applicants: If an existing resident(s) is displaced by the proposed work, property owners may be required to pay relocation assistance under the Code Compliance Relocation Ordinance (O.M.C. 15.60.070) and the resident(s) may have rights under Oakland’s Just Cause for Eviction Ordinance (O.M.C. 8.22.300, et seq.).

Name of Applicant: SANDRA CHOW	Contact Number: 415.865.9600
Mailing Address: STANTON ARCHITECTURE, 1501 MARIPOSA ST, STE 328, SAN FRANCISCO, CA 94107	
Site Address: 584 14TH STREET, OAKLAND, CA 94612	
Assessor’s Parcel Number: 3-69-17	
<p>Please indicate if you have an existing or pending permit/application or if you are filing for an exception/exemption for proposed work.</p> <p>1. <input type="checkbox"/> Permit #: _____ <input checked="" type="checkbox"/> Application #: <u>ZP170086</u> <input type="checkbox"/> Proposed Work Status: <u>COMPLETED</u> Scope: <u>THIS PROJECT PROPOSES A SELECTIVE REMODEL OF AN EXISTING 8 STORY BUILDING WITH BASEMENT AND MEZZANINE. THE SPECIFIC WORK WILL INCLUDE RECONFIGURING THE EXISTING BASEMENT, GROUND LEVEL, MEZZANINE, AND PENTHOUSE FLOORS. LEVELS 2 - 7 WILL HAVE PRIVATE BATHROOMS ADDED TO THE EXISTING ROOMS AND COMMUNAL KITCHENS ADDED ON EACH FLOOR. THE BUILDING SYSTEMS AND LIFE SAFETY WILL BE UPGRADED. NEW STAIRS, ELEVATOR, AND FIRE SPRINKLERS WILL ALSO BE ADDED.</u></p>	
<p>2. <input type="checkbox"/> Permit #: _____ <input type="checkbox"/> Application #: _____ <input type="checkbox"/> Proposed Work Status: _____ Scope: _____</p> <p>Description: _____ _____ _____</p>	

3. Permit #: _____ Application #: _____ Proposed Work
 Status: _____ Scope: _____

 Description: _____

4. Permit #: _____ Application #: _____ Proposed Work
 Status: _____ Scope: _____

 Description: _____

5. Permit #: _____ Application #: _____ Proposed Work
 Status: _____ Scope: _____

 Description: _____

Current Number of Residential Hotel Units at Specified Site: 102 (30% semi-transient)	Proposed Number of Residential Hotel Units at Specified Site: 102 (30% semi-transient)	Number of Impacted Tenants: 0
---	--	---

Do you anticipate that any resident(s) may be displaced for any length of time by the proposed work?
 No
 Yes. The anticipated duration of the displacement is _____.

Reason for submitting this form: (Please check the appropriate box)
 I am claiming an **EXCEPTION** to the ordinance applies under Section 5 of Ordinance No. 13415 C.M.S.
 I am filing a petition for relief to be considered for an **EXEMPTION** from the moratorium under Section 6.

If claiming an EXCEPTION:
 Please specify which of the following exceptions to the ordinance apply by checking the appropriate box and describe how the exception applies (indicate the permit/application number(s) or if the work is proposed, wherever applicable).
 Owner possesses an established, vested right not to be subject to the Ordinance pursuant to Section 17.114.030 of the Oakland Planning Code.
 Please indicate the applicable permit/application number(s) and date(s) of issuance and/or describe how this exception otherwise applies: _____
 ZP170086 - 06/07/2018 PLANNING MEMO: ORDINANCE DOES NOT APPLY SINCE PROJECT WILL NOT DISPLACE ANY EXISTING RESIDENTS FROM RESIDENTIAL HOTEL UNITS AND THERE WILL NOT BE ANY LOSS OF RESIDENTIAL HOTEL UNITS.

- The residential hotel has been or will be turned into an Affordable Housing Project (as determined by the City of Oakland Housing and Community Development Department).**

Please describe when the residential hotel became an Affordable Housing Project or explain when this will occur: _____

- The residential hotel must comply with a City order to (1) repair or demolish an unsafe, uninhabitable or substandard condition; (2) rebuild due to destruction by fire, earthquake, or other natural disaster; or (3) comply with administrative nuisance abatement proceedings.**

Please detail specifically what work must be done and why: _____

- The Chief Building Official has determined the proposed repairs (1) are necessary for health and safety purposes; OR (2) do not result in displacement of existing residents from residential hotel units or the loss of residential hotel units.**

Please detail specifically what work must be done for health and safety purposes OR how the applicant will ensure the work will not result in displacement of existing residents: _____

If filing a petition for relief to be considered for an EXEMPTION:

Please use the space below to provide a complete and specific statement of how the moratorium as applied to the applicant would be unlawful under and/or in conflict with Federal, State, or local law or regulation, OR how it would amount to a hardship to the property owner.

(Large empty rectangular area for document content)

Please check the appropriate box:

- 2 # of additional pages have been attached
- No additional space needed

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



09/25/2018

Signature of Applicant

Date

Office Use Only

Receive Date: _____

Written Determination Dated: _____

Administrative Determination:

- Exception Confirmed NO Exception Available

Notes:

- Exemption Approved Exemption Denied

Notes:

Signature of Recommending Party

Signature of Supervisor (if necessary)

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 2114 • OAKLAND,
CALIFORNIA 94612

Planning and Building Department
Bureau of Planning

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

June 7, 2018

Sandra Chow
Stanton Architecture
1501 Mariposa Street, Suite 328
San Francisco, CA 94107

Re: Sutter Hotel

Dear Ms. Chow,

This letter is in response to your most recent plan submittal, received by the Bureau of Planning April 27, 2018, for renovations of the Sutter Hotel at 584-588 14th Street that show new bathrooms in every unit, adding a kitchen to every floor, and creating eight new penthouse units. Apart from the units being converted to kitchens, no wall on the perimeter of any unit are proposed for demolition.

Staff has determined that the subject property is considered a Residential Hotel, as defined in Sections 3.c and b in the Residential Hotel Moratorium (13410/13415 C.M.S.). However, the proposed scope of work is exempt from the Residential Hotel Moratorium (13410/13415 C.M.S.), assuming that the remaining permanent resident in the hotel is not displaced because of any work performed at the Sutter for any period longer than two weeks.

The emergency moratorium set forth under Oakland Ordinance Numbers 13410/13415 C.M.S., which together established and then extended a temporary moratorium on the conversion, demolition, reconfiguration and rehabilitation of residential hotels, was initially adopted on December 13, 2016 and will remain effective through December 11, 2018 or whenever permanent regulations are adopted and become effective, whichever comes first. Section 5 of 13415 C.M.S. states that the ordinance shall not apply to: "...Any repairs that, as determined by the Chief Building Official, ...do not result in displacement of existing residents from residential hotel units or the loss of residential hotel units." According to evidence presented in the January 31, 2018 letter from the Pelosi Law Group, there was only one resident of the Sutter Hotel as of the effective date of the ordinance (the resident still resides there). Although six units will be lost because of the

Sutter Hotel
June 7, 2018
Page 2

installation of a kitchen on every floor, the eight additional penthouse rooming units will result in a net increase of two rooming units after completion of the project.

City records, coupled with the history of use at the property and the hotel's Transient Occupancy Tax and Rent Adjustment Program filings, reflect that the Sutter is considered a Semi-Transient Residential Activity type. According to the letter from the Pelosi Group dated January 31, 2018, there is evidence that the Sutter Hotel started operating as a Transient Habitation Commercial Activity in 2002. However, since July 28, 2000, the City has required the granting of a Conditional Use Permit, with special findings, to begin a Transient Habitation Commercial Activity in the C-51 zone. A Conditional Use Permit has continued to be required for this activity when the site was rezoned to CBD-P. City of Oakland records indicate that the City has never granted a Conditional Use Permit for Transient Habitation Commercial Activities for the site. Accordingly, the Sutter is currently authorized to operate with up to a maximum of 30% of the rooming units designated for the provision of lodging services to transient guests on a less-than-weekly basis. Any use of more than 30% of the rooming units at the Sutter for provision of lodging on a less-than-weekly basis is illegal and should cease operation.

Please contact me at (510)238-3878 or ngray@oaklandnet.com if you have any questions.

Sincerely,



Neil Gray
Planner IV

Cc: Christina Ferracane
Ed Manasse
Peter Spoerl



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NO. DATE ISSUE

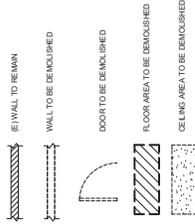
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LEVEL 0 DEMOLITION PLAN

STATUS

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 SHEET NO.

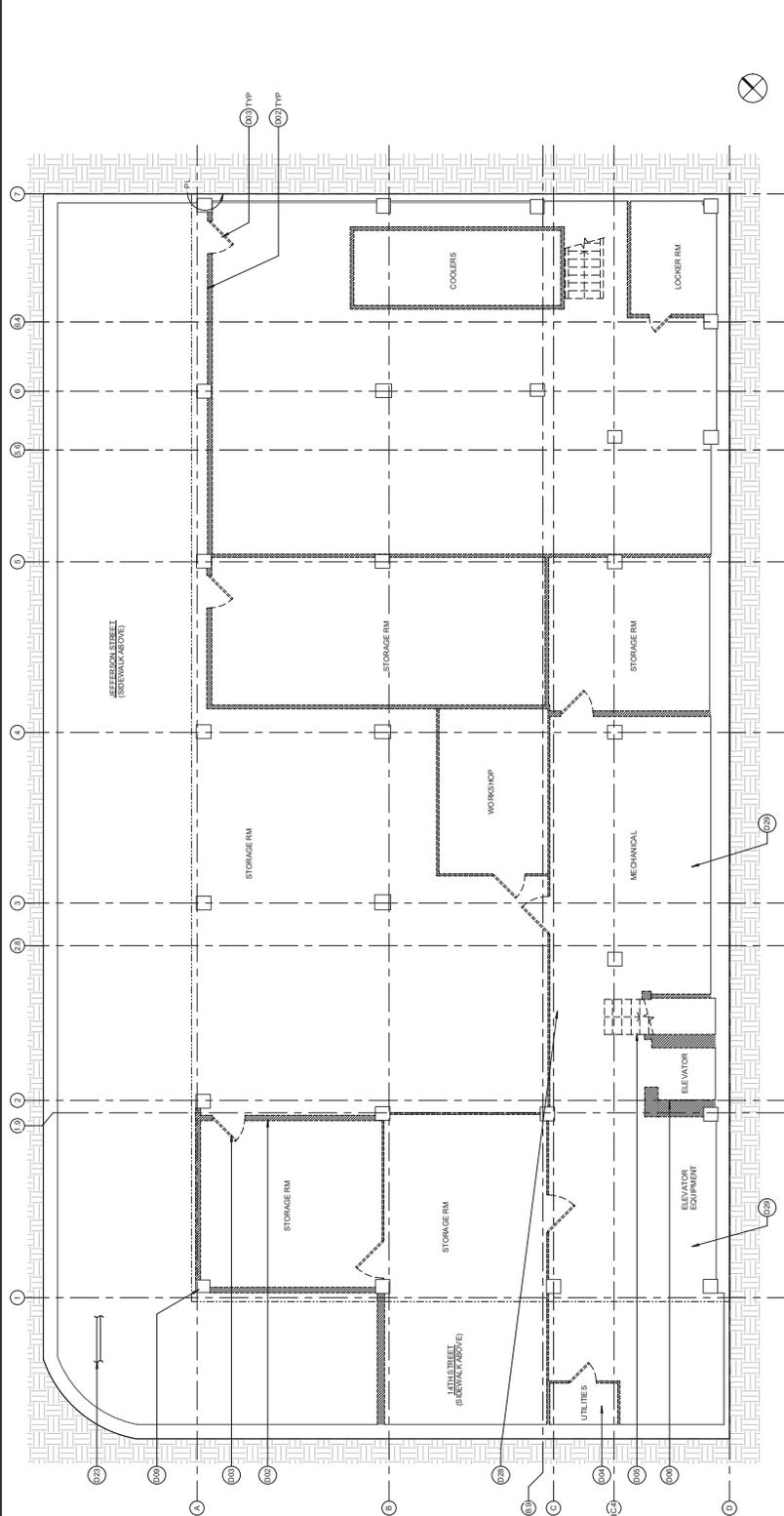
A200

LEGEND



NOTES

- D01 REMOVE EXISTING WALL PARTITION ENTIRELY FROM FLOOR TO CEILING TO
- D02 REMOVE EXISTING DOOR FRAME AND HARDWARE. PROTECT AND SALVAGE
- D03 REMOVE EXISTING DOOR FRAME AND HARDWARE. PROTECT AND SALVAGE
- D04 EXISTING CASSETTE TO REMAIN
- D05 REMOVE EXISTING DOOR FRAME AND HARDWARE. PROTECT AND SALVAGE
- D06 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D07 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D08 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D09 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D10 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D11 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D12 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D13 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D14 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D15 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D16 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D17 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D18 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D19 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT
- D20 REMOVE EXISTING ELEVATOR, ELEVATOR EQUIPMENT OVERHEAD AND SWIFT



LEVEL 0 DEMOLITION PLAN
 3/16" = 1'-0"



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NO. DATE ISSUE

DRAWING TITLE
LEVEL 1 DEMOLITION PLAN

STATUS

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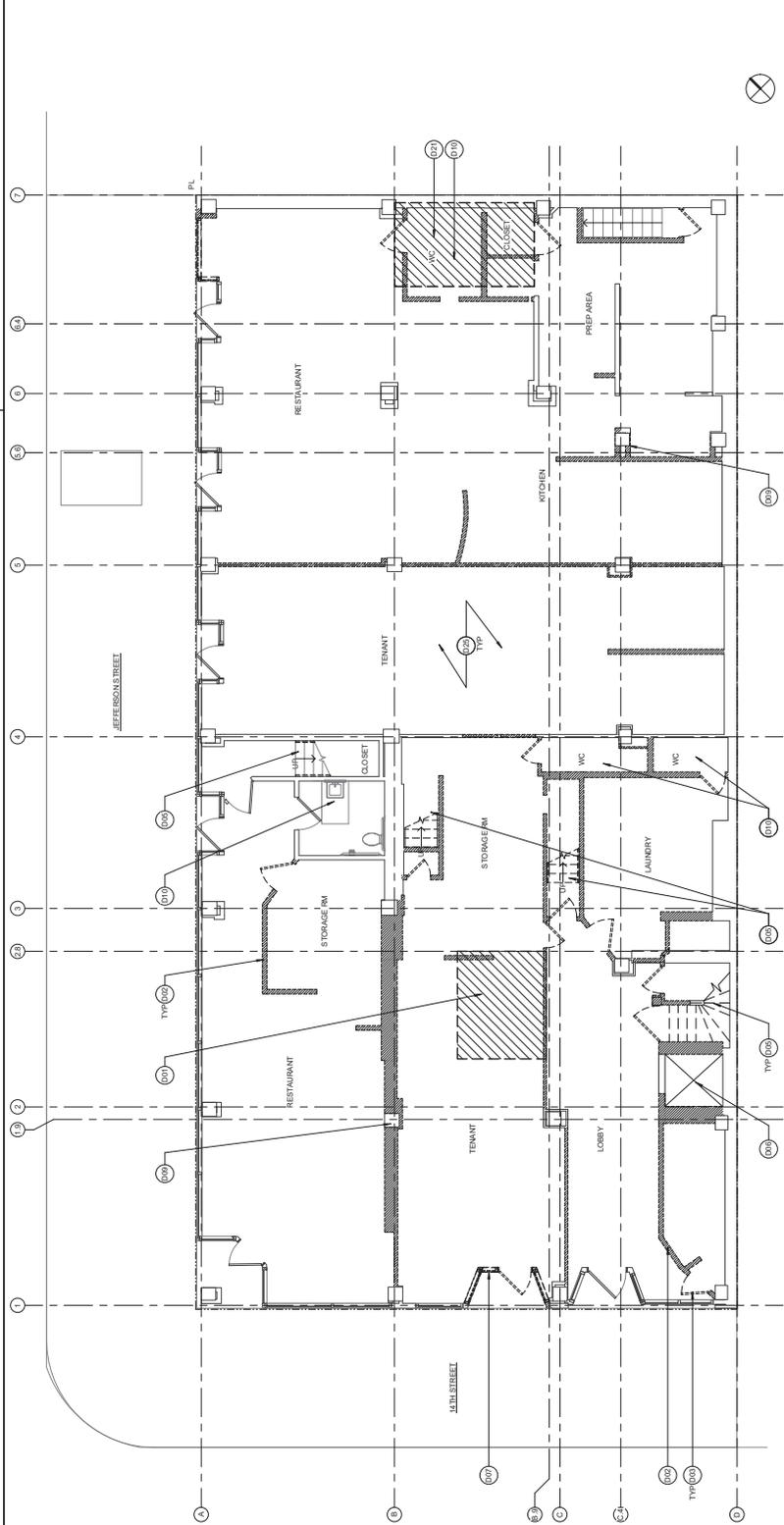
A201

LEGEND

- WALL TO BE DEMOLISHED
- WALL TO BE DEMOLISHED
- DOOR TO BE DEMOLISHED
- FLOOR AREA TO BE DEMOLISHED
- CEILING AREA TO BE DEMOLISHED

NOTES

- D01 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR OPENING AND ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D02 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D03 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D04 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D05 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D06 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D07 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D08 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D09 REMOVE COLUMN SURROUND TO EXISTING CONCRETE. COORDINATE WITH D08.
- D10 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D11 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D12 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D13 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D14 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.
- D15 DEMOLISH FLOOR AREA TO THE EXTENT SHOWN FOR NEW ELEVATOR COORDINATE OPENING WITH THE SECTION. DRAWINGS TO THE EXTENT SHOWN.



LEVEL 1 DEMO PLAN
 3/16" = 1'-0"



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NO. DATE ISSUE

DRAWING TITLE
LEVEL 1 MEZZANINE DEMOLITION
 PLAN
 STATUS

JOB NO. 16013
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 SHEET NO.

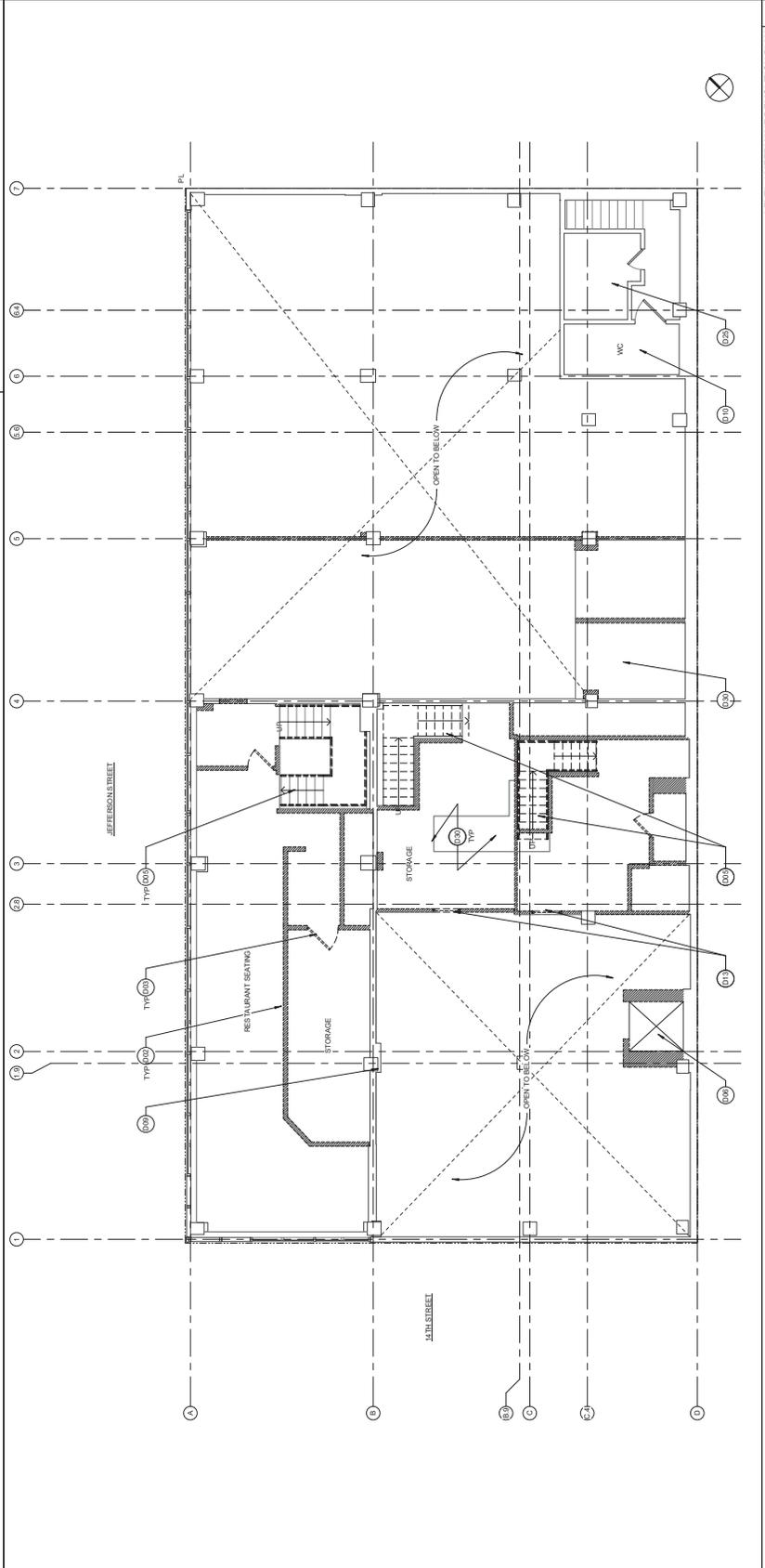
A202

LEGEND

- (E) WALL TO REMAIN
- WALL TO BE DEMOLISHED
- DOOR TO BE DEMOLISHED
- FLOOR AREA TO BE DEMOLISHED
- CEILING AREA TO BE DEMOLISHED

NOTES

- 002 REMOVE EXISTING WALL PARTITION IN ITS ENTIRETY FROM FLOOR TO CEILING TO THE EXTENT SHOWN.
- 003 REMOVE EXISTING WINDOW FRAME AND MORTAR. PROTECT AND SALVAGE ADJACENT FINISH AND SURFACES AS NEEDED. REPAIR WALL, FLOOR AND CEILING FINISHES TO MATCH EXISTING FINISHES.
- 005 REMOVE EXISTING STAIR RISERS ENTIRELY FROM FLOOR TO CEILING INCLUDING ALL TREADS TO MATCH EXISTING FINISHES. HANGERS AND COLUMN. REPAIR WALLS TO MATCH EXISTING FINISHES. COORDINATE WITH STRUCTURAL DRAWINGS FOR EXTENT TO BE REMOVED.
- 006 REMOVE COLUMN SURROUND TO EXISTING CONCRETE. COORDINATE WITH STRUCTURAL DRAWINGS FOR EXTENT TO BE REMOVED.
- 007 REMOVE EXISTING NON-BEARING MEZZANINE FLOOR EXCEPTS ALL EXISTING DEAD WALL, WINDOW AND WINDOW FRAME.
- 008 REMOVE EXISTING MEZZANINE FLOOR EXCEPTS ALL EXISTING PREPARE SUBFLOOR TO RECEIVE NEW FLOOR.
- 009 DEMOLISH EXISTING NON-BEARING MEZZANINE FLOOR EXCEPTS ALL EXISTING PREPARE SUBFLOOR TO RECEIVE NEW FLOOR.
- 010 PROTECT EXISTING MEZZANINE FLOOR EXCEPTS ALL EXISTING FLOOR EXTENSION.



LEVEL 1 MEZZANINE DEMOLITION PLAN
 3/16" = 1'-0" 1

SA
STANTON
ARCHITECTURE
 1501 MARKET STREET, SUITE 228
 SAN FRANCISCO, CA 94107
 T. 415.865.8000
 F. 415.865.8099
 WWW.STANTONARCHITECTURE.COM

SUTTER
HOTEL
 584 14TH ST
 OAKLAND, CA 94612



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NO. DATE ISSUE

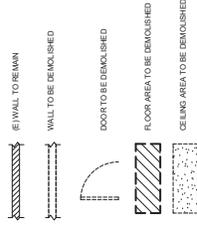
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LEVEL 8 DEMOLITION PLAN

STATUS

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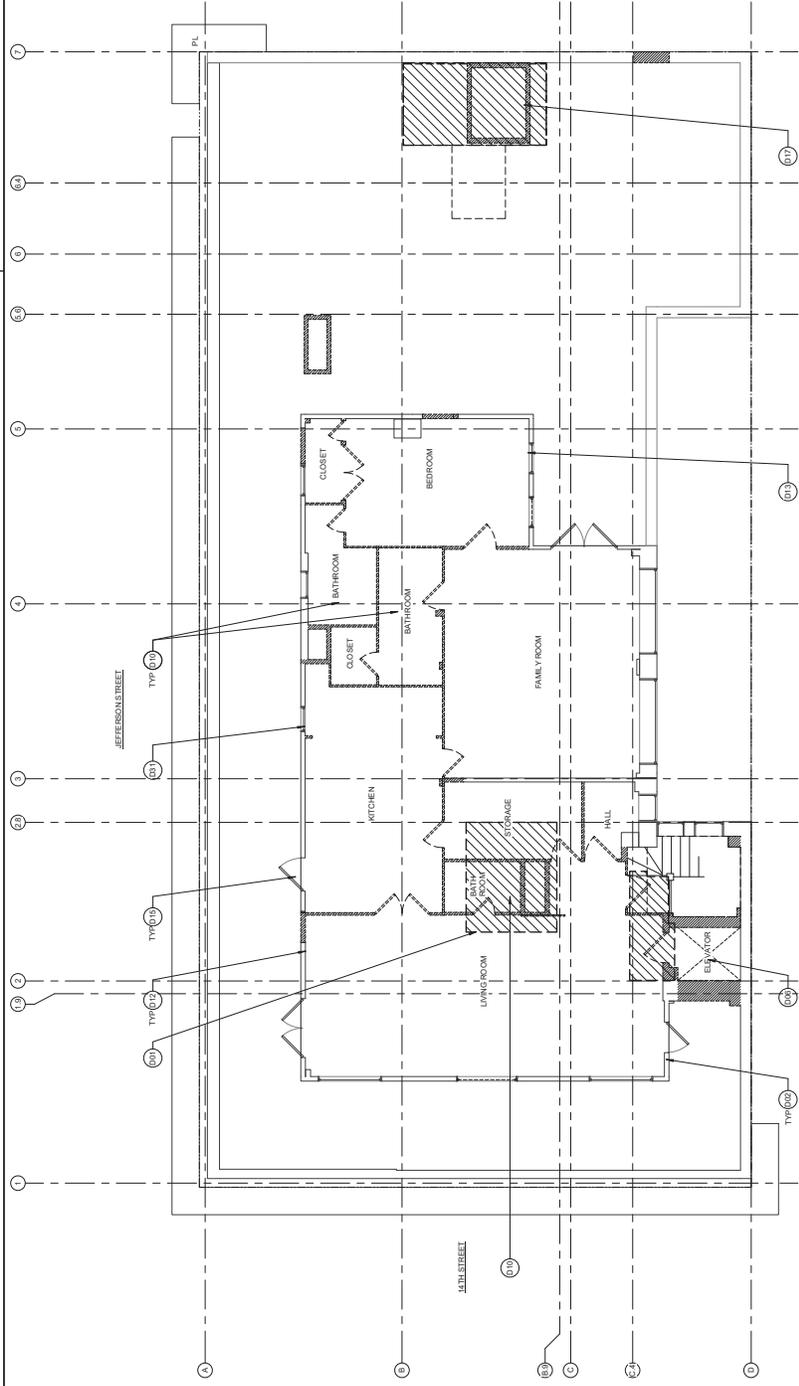
A204

LEGEND



NOTES

- D01 DEMOLISH FLOOR AREA TO THE EXISTING SHOWN FOR NEW ELEVATOR OPENING AND
- D02 REMOVE EXISTING WALL PARTITION IN ITS ENTIRETY FROM FLOOR TO CEILING TO
- D03 DEMOLISH EXISTING ELEVATOR, ELEVATOR EQUIPMENT COVERAGE AND SHUNT.
- D04 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D05 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D06 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D07 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D08 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D09 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D10 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D11 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D12 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D13 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D14 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D15 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D16 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D17 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D18 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D19 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D20 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.
- D21 DEMOLISH EXISTING FLOORING, FLOORING AND CONNECTIONS.



LEVEL 8 DEMOLITION PLAN
 3/16" = 1'-0"
1



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NO. DATE ISSUE

DRAWING TITLE
 LEVEL 0 PLAN

STATUS

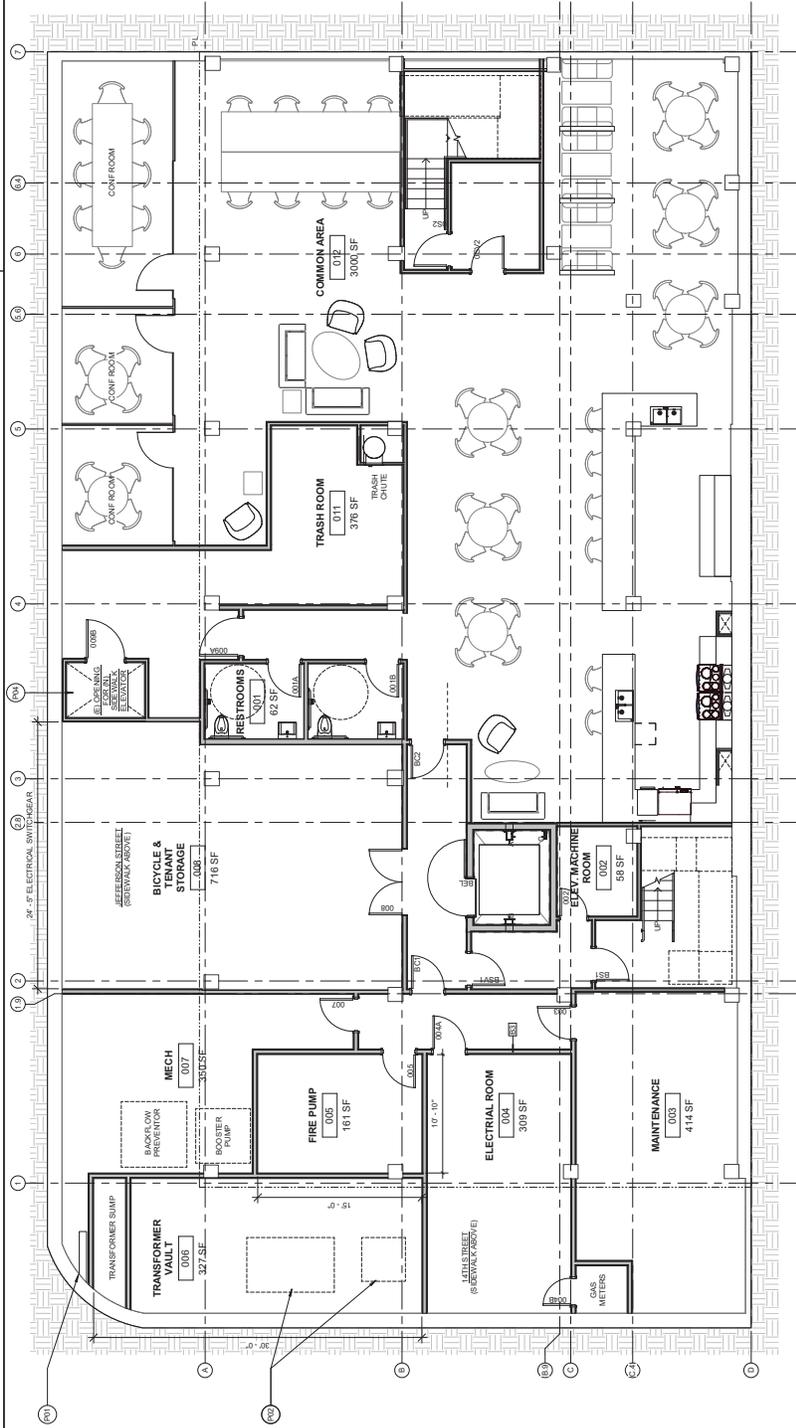
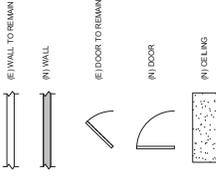
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 SHEET NO.

A210

NOTES

- P01 (R) SEWER CONNECTION TO BE REUSED, VERIFY LOCATION IN FIELD AND PROTECT
- P02 (R) OVERPASS IN SIDEWALK ABOVE FOR TRANSFORMER VAULT ACCESS MATCHES
- P03 (R) OPENING FOR IN SIDEWALK (SEE VERTICAL MODEL TBD)

LEGEND



LEVEL 0 PLAN
 3/16" = 1'-0" 1

SA
STANTON
ARCHITECTURE
 1501 MARKET STREET, SUITE 328
 SAN FRANCISCO, CA 94107
 T. 415.865.8600
 F. 415.865.9698
 WWW.STANTONARCHITECTURE.COM

SUTTER
HOTEL
 584 14TH ST
 OAKLAND, CA 94612



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NO. DATE ISSUE

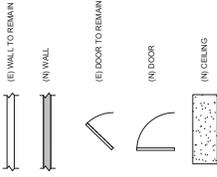
DRAWING TITLE
 LEVEL 8 PLAN

STATUS

JOB NO. 16013
 DRAWN BY SC
 SHEET NO.

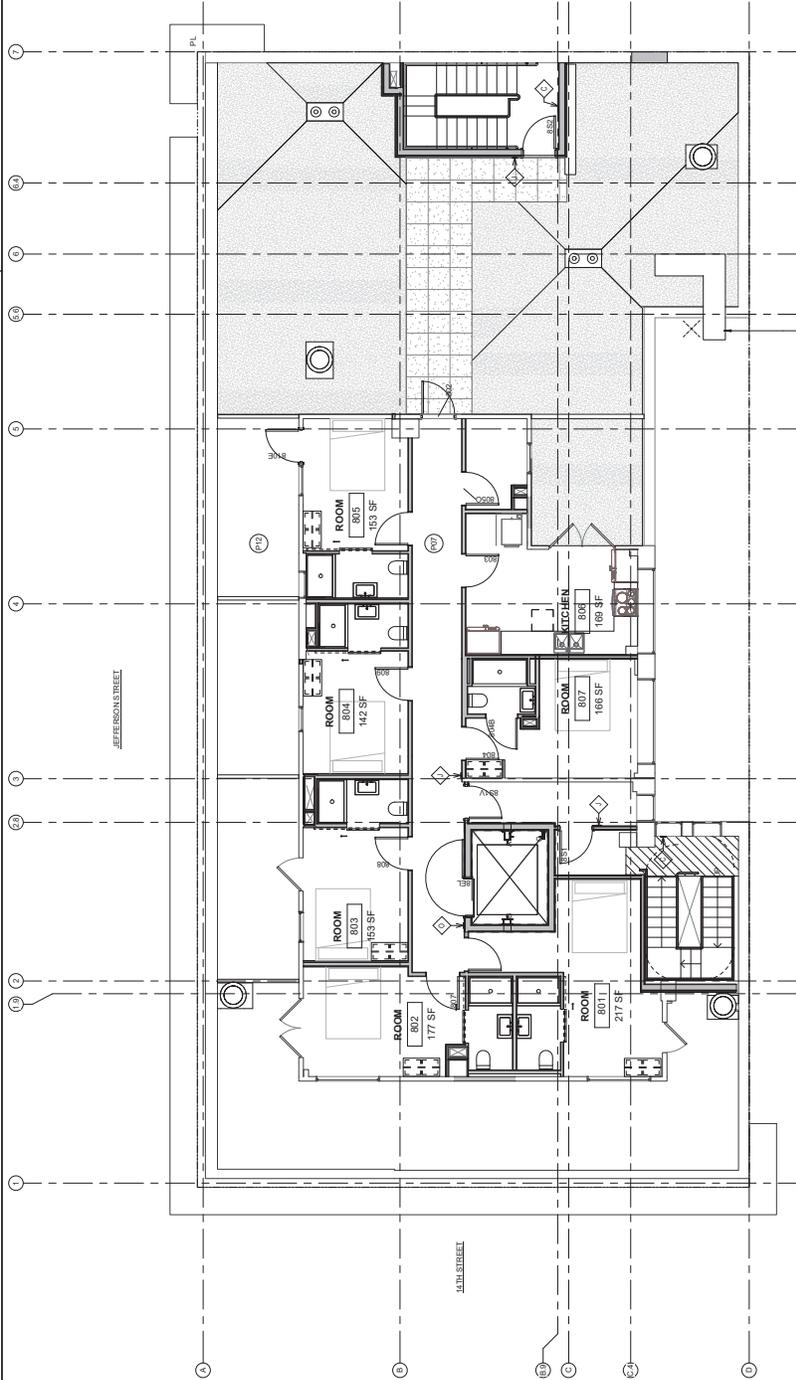
A214

LEGEND



NOTES

- 007 (N) TO COM-FINISH AS SCHEDULED. SEE FINISH SCHEDULE.
- 008 (N) TO COM-FINISH AS SCHEDULED. SEE FINISH SCHEDULE.
- 010 PROVIDE SHIRT TO ROOF FLOOR TYPE, THOOD.



LEVEL 8 PLAN 1
 3/16" = 1'-0"

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 2114 • OAKLAND,
CALIFORNIA 94612

Planning and Building Department
Bureau of Planning

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

June 7, 2018

Sandra Chow
Stanton Architecture
1501 Mariposa Street, Suite 328
San Francisco, CA 94107

Re: Sutter Hotel

Dear Ms. Chow,

This letter is in response to your most recent plan submittal, received by the Bureau of Planning April 27, 2018, for renovations of the Sutter Hotel at 584-588 14th Street that show new bathrooms in every unit, adding a kitchen to every floor, and creating eight new penthouse units. Apart from the units being converted to kitchens, no wall on the perimeter of any unit are proposed for demolition.

Staff has determined that the subject property is considered a Residential Hotel, as defined in Sections 3.c and b in the Residential Hotel Moratorium (13410/13415 C.M.S.). However, the proposed scope of work is exempt from the Residential Hotel Moratorium (13410/13415 C.M.S.), assuming that the remaining permanent resident in the hotel is not displaced because of any work performed at the Sutter for any period longer than two weeks.

The emergency moratorium set forth under Oakland Ordinance Numbers 13410/13415 C.M.S., which together established and then extended a temporary moratorium on the conversion, demolition, reconfiguration and rehabilitation of residential hotels, was initially adopted on December 13, 2016 and will remain effective through December 11, 2018 or whenever permanent regulations are adopted and become effective, whichever comes first. Section 5 of 13415 C.M.S. states that the ordinance shall not apply to: "...Any repairs that, as determined by the Chief Building Official, ...do not result in displacement of existing residents from residential hotel units or the loss of residential hotel units." According to evidence presented in the January 31, 2018 letter from the Pelosi Law Group, there was only one resident of the Sutter Hotel as of the effective date of the ordinance (the resident still resides there). Although six units will be lost because of the

Sutter Hotel
June 7, 2018
Page 2

installation of a kitchen on every floor, the eight additional penthouse rooming units will result in a net increase of two rooming units after completion of the project.

City records, coupled with the history of use at the property and the hotel's Transient Occupancy Tax and Rent Adjustment Program filings, reflect that the Sutter is considered a Semi-Transient Residential Activity type. According to the letter from the Pelosi Group dated January 31, 2018, there is evidence that the Sutter Hotel started operating as a Transient Habitation Commercial Activity in 2002. However, since July 28, 2000, the City has required the granting of a Conditional Use Permit, with special findings, to begin a Transient Habitation Commercial Activity in the C-51 zone. A Conditional Use Permit has continued to be required for this activity when the site was rezoned to CBD-P. City of Oakland records indicate that the City has never granted a Conditional Use Permit for Transient Habitation Commercial Activities for the site. Accordingly, the Sutter is currently authorized to operate with up to a maximum of 30% of the rooming units designated for the provision of lodging services to transient guests on a less-than-weekly basis. Any use of more than 30% of the rooming units at the Sutter for provision of lodging on a less-than-weekly basis is illegal and should cease operation.

Please contact me at (510)238-3878 or ngray@oaklandnet.com if you have any questions.

Sincerely,



Neil Gray
Planner IV

Cc: Christina Ferracane
Ed Manasse
Peter Spoerl

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 5313 • OAKLAND, CALIFORNIA 94612-2034

Community and Economic Development Agency
Housing Development

(510) 238-3502
FAX (510) 238-3691
TDD (510) 238-3254

Sandra Chow
Stanton Architecture
1501 Mariposa Street, Ste 328
San Francisco, CA 94107

Re: Exception from Provisions of Ordinance No. 13415 C.M.S. for 584 14th Street

Dear Ms. Chow:

Thank you for your petition dated 9/25/2018 ("**Petition**") (**Attachment A**) requesting an exception to Ordinance No. 13415 C.M.S. ("**Moratorium**") in order to perform a remodel of the Sutter Hotel, located at 584 14th Street ("**Building**"). As stated in a letter written to you on June 7, 2018 from the City of Oakland ("**June 7th Letter**") (**Attachment B**), Staff has determined that the subject property is considered a Residential Hotel, as defined in Sections 3.c and b in the Residential Hotel Moratorium (13410/13415 C.M.S.). For the reasons explained in the findings that follow, and subject to certain conditions included in this response, the City will proceed with processing Application No. DRX182227 ("**Application**").

The findings regarding the Application below are based entirely on information and representations provided by the applicant in the Application and Petition. If the applicant has knowledge that any facts recited below are incorrect, the applicant is required to alert the City within ten (10) calendar days of the issuance of this determination letter.

Findings Regarding Permit No. DRX182227

Permit No. DRX182227, which supersedes ZP170086 that was referenced in the Petition, and seeks approval for interior and exterior modifications, including a restored ground floor storefront, new bathrooms in every Rooming Unit, removing one Rooming Unit on floors 2 through 7 (total of six), adding a communal kitchen to floors 2 through 7, converting a one-bedroom penthouse unit into six new Rooming Units and a communal kitchen, and reconfiguring the mezzanine and ground floor retail/lobby areas. Apart from the Rooming Units being converted to communal kitchens, no wall on the perimeter of any unit are proposed for demolition and the overall number of Rooming Units would remain the same - 102 Rooming Units.

The proposed scope of work *is excepted* from the Moratorium's restrictions on rehabilitation, demolition and conversion, because of the following:

- Rehabilitation – The Moratorium restricts rehabilitation of Residential Hotel Units, as set forth in Sections 3(f), 4(c) and 4(d), as a broad range of actions, including reconfiguration,

reconstruction, renovation, repair or other improvements. However, it excludes actions that *do not result in displacement of existing residents for more than two (2) weeks,*

According to the Petition in Attachment A on page 2, the applicant checks the box "No" when answering the question "Do you anticipate that any resident(s) may be displaced for any length of time by the proposed work?". Therefore, as long as this statement remains true and correct, the proposed scope of work would not be considered rehabilitation. Condition of Petition Approval #4 would also therefore apply (see next page).

- Demolition – The Moratorium restricts the Demolition of Residential Hotel Units, as set forth in Sections 3(d) and 4(b), as an action that *reduces the number of Residential Hotel Units*

According to the proposed plans, and as described above, there is no proposed reduction in the total number of Residential Hotel Units in the Sutter Hotel. While existing Rooming Units will be demolished, new Rooming Units will also be created, and there will be no net loss of Rooming Units after completion of the project (a total of 102 Residential Hotel Units would remain), therefore the proposed scope of work would not be considered Demolition.

- Conversion – The Moratorium restricts the Conversion of Residential Hotel Units, as set forth in Sections 3(c) and 4(a), as any action that converts one or more existing Residential Hotel Units to be used for other Residential or Commercial Activities, as defined in the Oakland Planning Code.

As noted in the June 7th Letter (Attachment B), the Bureau of Planning considers the current land use activity to be Semi-Transient Residential based on City records, coupled with the history of use at the property and the hotel's Transient Occupancy Tax and Rent Adjustment Program filings. According to the letter from the Pelosi Group dated January 31, 2018, there is evidence that the Sutter Hotel started operating as a Transient Habitation Commercial Activity in 2002. However, since July 28, 2000, the City required the granting of a Conditional Use Permit, with special findings, to begin a Transient Habitation Commercial Activity in the C-51 zone. A Conditional Use Permit has continued to be required for Transient Habitation Commercial Activity when the site was rezoned to CBD-P in July 21, 2009. City of Oakland records indicate that the City has never granted a Conditional Use Permit for Transient Habitation Commercial Activities for the site. Semi-Transient is defined in Section 17.10.120 of the Oakland Planning Code:

"Semi-Transient Residential Activities include the occupancy of living accommodations partly on a weekly or longer basis and partly for a shorter time period, but with less than thirty percent (30%) of the living units under the same ownership or management on the same lot being occupied on a less-than-weekly basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons..." [emphasis added]

The proposed scope of work constitutes physical changes to the building and the applicant does not describe the proposed length of stay for future residents. On page 2 of the submitted Form

*(Attachment A), the applicant does add a note that 30% of the units are meant to be Semi-transient. By approving Application No. DRX182227, the City is allowing for the continuation of the Semi-Transient Residential land use activity, and is **not** approving conversion to a Transient Habitation Commercial land use activity.*

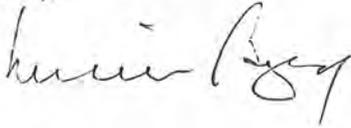
Conditions of Petition Approval

- 1) The Conditions of Petition Approval are in addition to any conditions of approval imposed by the Planning and Building Department or any other City department with jurisdiction over the Building, and any and all conditions of approval imposed in connection with Application No. DRX182227 are hereby incorporated by reference.
- 2) All work to be conducted pursuant to the Application shall be conducted in accordance with all provisions of the Oakland Municipal Code, except as otherwise explicitly modified by this Petition approval, as well as applicable state and federal laws.
- 3) Prior to commencing any work related to the Application, the applicant shall obtain Building Permit approval for the individual permits.
- 4) None of the work to be conducted pursuant to the Application may result in the displacement of any existing residents for more than two (2) weeks.
- 5) None of the work to be conducted pursuant to the Application may result in the reduction in number, size, or quality of any residential units in the Building.
- 6) If any changes need to be made to the specific work proposal in order to conform with Planning and Building Codes, or for any other reason, a new Residential Hotel Moratorium Exception/Exemption Request Form must be filed, so that the revised proposal may be evaluated.
- 7) The proposed project must be phased so that no demolition of Residential Hotel Units (on floors 2 through 7) can occur before the new Residential Hotel Units (on floor 8) receive a certificate of occupancy.
- 8) Per the letter previously issued to the applicant on June 7, 2018, a maximum of 30% of the units are allowed to be occupied on a less than weekly basis at this time.
- 9) The City shall have the authority to revoke the Petition or any subsequent permits and approvals issued in accordance with the Petition in the event that the applicant fails to comply with any of the above conditions or in the event that the City determines that the factual basis for granting the Petition is incorrect or materially different from what is included in these findings.

As noted above, the Conditions of Petition Approval are in addition to any conditions the Planning and Building Department imposes in connection with the issuance of permits, and this approval does not indicate that the City has approved the Application. Rather, the City has approved your Petition to except the Application from the Moratorium. Accordingly, you may continue to work with the City's Planning and Building Department to finalize information they may need to process and approve the Application.

Should you wish to challenge the determination on your Petition, you must appeal to the City Council within ten (10) calendar days of the date from which this determination was issued by following the procedures established under Section 6(c) of the Moratorium.

Sincerely,



Michele Byrd, Director
Housing & Community Development Department

cc: William A. Gilchrist, Director, Planning and Building Department
Sabrina B. Landreth, City Administrator

Attachments:

- A. Petition for Exception to Moratorium
- B. Letter to Applicant from the City of Oakland, Dated June 7, 2018



VOID

EXHIBIT I



RESIDENTIAL HOTEL INITIAL USAGE REPORT

Planning and Building Department

250 Frank H. Ogawa Plaza

2nd Floor, Suite 2114

Oakland, CA 94612

Tel (510) 238-3911

Fax (510) 238-4730

Instructions

As established by Ordinance No. 13509 C.M.S., properties preliminarily identified as Residential Hotels must file an Initial Usage Report. Please submit this Initial Usage Report form along with required supplemental documents in person to the Zoning Permit Counter on the 2nd floor of 250 Frank H. Ogawa or via mail to the Planning and Building Department by **July 2, 2019**. If more space is needed than the form provides, additional pages may be attached. Please include the payment of fees (\$473.92) required to process the Initial Usage Report. In order to make the necessary determinations and verify information provided, the City also reserves the right to do inspections of the property, subject to the applicable fees.

1. GENERAL INFORMATION	
Name of Applicant:	Contact Number:
Mailing Address:	Email Address:
Site Address:	
Site Assessor's Parcel Number:	
<i>Office Use Only</i>	
<i>Receive Date:</i> _____	

Para un intérprete en español u otra ayuda, por favor envíe un correo electrónico cferracane@oaklandnet.com o llame al (510) 238-3903.

你需要手語, 西班牙語, 粵語或國語翻譯服務嗎? 請在會議前五個工作天電郵 dthai@oaklandnet.com 或致電 (510) 238-3584

2. PROPERTY OWNER AND APPLICANT INFORMATION

Owner: _____

Owner Mailing Address: _____

City/State: _____ **Zip:** _____

Phone No.: _____ **Fax No.:** _____ **E-mail:** _____

To be completed only if Applicant is not the Property Owner:

I authorize the applicant indicated below to submit the application on my behalf. _____

Applicant (Authorized Agent), if different from Owner: _____

Applicant Mailing Address: _____

City/State: _____ **Zip:** _____

Phone No.: _____ **Fax No.:** _____ **E-mail:** _____

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of determinations, as decided by the Planning and Building Director. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature above.

I certify that statements made to me about the time it takes to review and process this application are general. I am aware that the City has attempted to request everything necessary for an accurate and complete review of my proposal; however, that after my application has been submitted and reviewed by City staff, it may be necessary for the City to request additional information and/or materials. I understand that any failure to submit the additional information and/or materials in a timely manner may render the application inactive and that periods of inactivity do not count towards statutory time limits applicable to the processing of this application.

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT ALL THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.

Signature of Owner or Authorized Agent

Date

3. INITIAL USAGE REPORT

The **INITIAL USAGE REPORT** shall be accompanied by evidence of legal status, as of December 13, 2016, such as:

- A certified copy of the property's tax returns
- Transient occupancy tax records
- Residential landlord tax records
- Planning and Building Permit records
- Alameda County Assessor records
- Floor plans (following standards described below)
- Other _____

Floor Plans must be submitted to confirm the number, location and size for the following facilities:

- a) Legal dwelling units, including their square footage and dimensions
- b) Communal facilities such as bathrooms, kitchens, laundry facilities or other shared amenities
- c) Ground floor commercial space and lobby area
- d) Number and location of private bathrooms
- e) Communal shower, toilet and sink facilities

Floor Plan Standards

Two (2) stapled and folded sets of full-sized plans and **Two (2)** additional sets of reduced plans (11" x 17") are required for all applications and **Two (2)** electronic sets - one (1) low resolution and one (1) high resolution in PDF format. Fold plans to 9" x 12" maximum size. Plans must be on sheets no greater than 24" x 36".

Include complete floor plan of all floors of entire building

Label all rooms (e.g. bedroom, kitchen, bathroom), and include dimensions of room sizes.

Show the location of all existing doors, windows, and walls.

Include north arrow, date prepared, and scale.

Acceptable drawing scales are: 1/4" = 1', 3/16" = 1', 1/8" = 1', and 1" = 10'. Other scales may be appropriate, but should be discussed with Planning staff before filing. Also, please limit the range of scales used, so Planning staff can more easily analyze your project in relation to adjacent properties.

Include the name and phone number of person preparing the plan(s).

Summary of Characteristics of Property:

1. Number of Residential Hotel Rooming Units: _____
2. Total Number of Rooming Units with Private Bathrooms: _____
3. Number of Residential Hotel Efficiency Units: _____
4. Number of Commercial Hotel Units: _____
5. Number of Other Dwelling Units: _____
6. Total Number of Dwelling Units: _____
7. Total Number of Communal Bathroom Facilities: _____
8. Total Number of Communal Kitchen Facilities: _____

4. DEFINITIONS - Planning Code Section 17.153.020, 17.09, 17.10 (for reference)

“Commercial Activities” include the distribution and sale or rental of goods; the provision of services other than those classified as Civic Activities; and the administrative and research operations of private, profit-oriented firms, other than public utility firms. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

“Commercial Hotel” means a hotel that operates as a Commercial Activity, as defined in Section 17.10.260, which provides lodging to guests that is not used or is not intended to be used as a primary residence.

“Commercial Hotel Unit” means a Rooming Unit or Efficiency Unit, as defined in Section 17.09.040 of the Oakland Planning Code, that operates within a Commercial Hotel or has been granted a Conditional Use Permit for Conversion, as set forth in Section 17.153.050.

“Efficiency dwelling unit” means a dwelling unit containing only a single habitable room other than a kitchen, or containing a total of less than five hundred (500) square feet of floor area.

“Owner” means an owner of record of a Residential Hotel, or an entity or individual with a long-term lease or some form of equitable interest in a Residential Hotel.

“Permanent Residential Activities” include the occupancy of living accommodations on a thirty (30) days or longer basis, with none of the living units under the same ownership or management on the same lot being occupied on a shorter basis; but exclude institutional living arrangements other than state-licensed Residential Care Facilities for six (6) or fewer residents. However, such state-licensed Residential Care Facilities shall be subject to the three hundred (300) foot separation requirement in Section 17.103.010.B. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

“Residential Hotel” is defined in accordance with California Health and Safety Code Section 50519, and means any building built before 1960 containing six (6) or more Rooming Units, as defined in Section 17.09.040, intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by guests, which is also the primary residence of those guests, and where the entrances to the individual units are generally accessed via a shared lobby area. See also the process for Status Determination in Section 17.153.030. Any building or units that are constructed to satisfy the requirements of Section 17.153.050(A) shall be subject to the provisions of this Chapter.

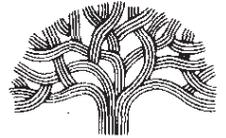
“Residential Hotel Unit” means a Rooming Unit or Efficiency Dwelling Unit, as those terms are defined in Section 17.09.040 of the Oakland Planning Code, intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by guests, which is also the primary residence of those guests, and are located within a Residential Hotel. Any unit that is constructed to satisfy the requirements of Section 17.153.050(A) shall be subject to the provisions of this Chapter.

“Rooming Unit” means a room or suite of rooms, not including a kitchen, designed or occupied as separate living quarters, with or without common boarding provisions, but excluding such rooms where they accommodate a total of three (3) or fewer paying guests within a One Family Dwelling Residential Facility through the main portion of which access may be had to all such rooms; provided that in the case of student dormitories and similar group living arrangements, each two beds shall be deemed a rooming unit.

“Semi-Transient Residential Activities” include the occupancy of living accommodations partly on a thirty (30) days or longer basis and partly for a shorter time period, but with less than thirty percent (30%) of the living units under the same ownership or management on the same lot being occupied on a less-than-thirty (30) day basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

“Transient Habitation Commercial Activities” include the provision of lodging services to transient guests on a less-than thirty (30) day basis, other than in the case of activities classified by Section 17.10.120 Semi-Transient Residential Activities or Section 17.10.125 Bed and Breakfast Residential Activities. Examples include hotels and motels. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

CITY OF OAKLAND



CITY HALL • ONE CITY HALL PLAZA • OAKLAND, CALIFORNIA 94612

Office of City Manager
Robert C. Bobb
City Manager

(510) 238-3301
FAX (510) 238-2223
TTY/TDD (510) 238-3724

April 13, 1999

Public Safety Committee
Oakland, CA

Re: A report and proposal to adopt an enforcement program to address crime, nuisance and housekeeping conditions at hotels, motels and rooming houses, including two ordinances amending: 1) the Municipal Code to adopt operating standards and add specific record keeping requirements and 2) the Planning Code to adopt a Deemed Approved Hotel Program; and including consideration of applying a \$600 Education, Monitoring and Enforcement Program annual fee to hotels, motels and rooming houses

Chairperson Miley and Members of the Committee:

SUMMARY

In response to community concerns, a team of City staff has focused for over two years on reducing crime and nuisances at hotels, motels and rooming houses¹. A series of multi-agency (SMART) inspections have been held utilizing City codes and regulations, primarily the Housing Code. Within the past year, three hotels/motels have been closed, one of which has been demolished. The violations found at these properties were severe – in fact, the Fire Marshall and Building Official posted Eminent Hazard warnings at the properties and required the emergency relocation of all residents.

Many other properties, while not classified as Eminent Hazards, are nevertheless poorly maintained and are the source of blight and public nuisance activity. Experience has revealed that existing City regulations do not adequately address problems at businesses that are marginally better than those that required immediate closure. As a result, staff is proposing the adoption of specific operating standards to be applied to all hotels, motels, and rooming houses (Chapter 8.03 of the Municipal Code) and the creation of a Deemed Approved Hotel Program (Chapter 17.157 of the Planning Code) be created and modeled after the program currently in effect for businesses that sell alcohol.

FISCAL IMPACT

According to Budget and Finance Agency (BFA) tax records, approximately 80-90 hotels, motels, and rooming houses exist citywide. A few additional rooming houses may exist, but do not report Transient Occupancy Tax to BFA because they only rent rooms on a long

¹A rooming house is akin to a hotel or motel in that rooms that do not contain kitchens are rented to guests and residents. Management may be responsible for providing furniture and daily or weekly housekeeping services. Rooming houses generally rent to a more permanent population and fewer short term guests than hotels or motels.

Item D-D.2 PUBLIC SAFETY CMTE. 4-13-99

term basis. Field inspections will need to be made to determine where additional rooming houses exist.

Enforcement of the new operating standards and Deemed Approved program will involve staff from the Code Compliance Division of the Community and Economic Development Agency (CEDA), Oakland Police Department (OPD), and Office of the City Attorney (CAO). All departments currently are investing time in enforcing various aspects of the current codes. As a result, the CAO and Code Compliance Division have indicated they can implement the program without additional staffing resources. Consideration is being given as to how OPD resources can best be utilized in light of the department's crime suppression priorities.

However, it should be recognized that businesses which sell alcohol pay a \$600 fee for the "Education, Monitoring and Enforcement Program" associated with the Deemed Approved Alcohol Regulations. This is used to fund a staff unit focused on alcoholic beverage sales. In exchange for the fee, City staff provide information to licensees during site inspections, at seminars, and through brochures. With over 500 licensees, annual fees collected exceed \$225,000. If a comparable fee and educational program were created for the approximately 80-90 hotels, motels and rooming houses, the annual fees collected would be considerably lower (see Table A) than the program for alcohol and would be insufficient to create a specific unit to work on the program.

Should the Council elect to apply the fee to this program, the proposed uses of the projected revenue would be as follows:

Projected Revenue - Annual Fee

85 businesses x \$600 annual fee = \$51,000 annual revenue

Table A: Use of Fee Revenue				
Use	Salary/O&M/Benefits	FTE	Cost	Rationale
Administrative Hearing Officer		as needed	\$5,000	To hear cases and make determination on conditions or revocation.
Deputy City Attorney II	\$101,725	.10	\$10,200	To assist in hearings and further actions.
Sergeant of Police	\$130,447	.15	\$19,000	To help guide OPD enforcement.
Code Compliance Supervisor	\$118,000	.10	\$11,800	To schedule inspections and assist in hearings.
Training & Educational Materials			\$3,000	
Registration Forms			\$2,000	City will be reimbursed through fees paid by operators.
TOTAL			\$51,000	

If the Council adopts the fee, additional staff time within the Budget and Finance Agency would be needed to collect and process the payments. This is funded through a \$60 late payment that would be added if payments are not made on time.

If a fee were not adopted, the staff time and overhead costs would be absorbed by each of the respective departments implementing the program. The only revenues that would

continue to be needed would be a total of \$7,000 -- \$5,000 for the Administrative Hearing Officer and \$2,000 for registration forms. The cost of the registration form would be returned to the City through fees (currently \$40 for 1,400 forms). The \$7,000 can be funded through the unanticipated revenues collected as a result of audits of many of the hotels and motels (see page 4).

BACKGROUND

For many years, community members across the City have been concerned with crime and nuisances stemming from hotels, motels and rooming houses. Their concerns include prostitution, drug dealing, visual blight, and uninhabitable conditions of rooms. In response, for the past two years, the City has enhanced enforcement at hotels, motels and rooming houses as follows:

- In September 1997, the City Council adopted an ordinance prepared by the City Attorney enhancing the registration requirements used at all businesses that rent to transient guests and making violations of the requirements subject to the City's civil penalties program. The amendments also allow the issuance of administrative citations to hold all responsible parties accountable, including owners as well as operators. This went into effect in January 1998 and requires that all individuals who rent rooms in Oakland provide a form of identification at time of check in. Additionally, businesses must either use the registration form provided by the City or have their computer registration system approved by OPD. Operators have indicated that this requirement has reduced the number of problem guests staying at their properties.
- Beginning in the spring of 1998, a series of multi-agency (SMART) inspections were scheduled at hotels, motels and rooming houses across the City. As a result, two properties in the downtown (Royal Hotel and Silver Dollar Motel) were shut down under an emergency order by the Building Official and Fire Marshall. Along the MacArthur corridor in East Oakland, the City Attorney obtained a court order closing the Farm House Motel due to substandard building conditions. The hotel structure has since been demolished. Numerous other properties received violation notices.
- Zoning regulations have been used as enforcement tools. Since a number of the hotels and motels are legal nonconforming, they must maintain at least 30% of the rooms rented on a short term basis. Using tax records, staff has found several businesses that have "crossed the line" and converted to another use. For example, the Lake Merritt Lodge, 2332 Harrison Street, lost its nonconforming status and is now considered a rooming house. It cannot convert back to a hotel without proper zoning approval. The Twin Peaks Hotel, 2333 San Pablo Avenue lost its status and applied for and received a minor variance to operate a rooming house. Last, the Bel Aire Court, 10031 MacArthur Blvd has converted to permanent residential use without benefit of permit. The owner is on notice that a Major Conditional Use Permit, at a minimum, is needed to legalize the operation.
- The Oakland Police Department has collaborated with the City Attorney to develop training for patrol officers to familiarize them with registration and posting requirements and has developed a process to refer potential code violations to the Code Compliance unit for enforcement action. OPD has also hosted two free training sessions for operators to inform them about registration and eviction procedures. The department is presently preparing a training on identifying and preventing prostitution.

- Since July 1997, the Budget and Finance Agency (BFA) has been auditing hotels and motels for payment of Transient Occupancy Taxes and Business License Taxes. To date, they have audited 41 businesses and found approximately \$230,000 in underpaid taxes². Nearly \$80,000 has been collected to date. Staff is undertaking collection efforts on a number of the businesses at this time.

KEY ISSUES AND IMPACTS

Identified Crime, Nuisance and Blight Conditions Associated with Operation

Complaints related to physical conditions at hotels, motels and rooming houses are subject to enforcement by Code Compliance, while complaints regarding crime and nuisances are generally directed to the police department. Data gathered from the Code Compliance Division has found that nearly 60% of the 80-90 identified properties have been the subject of one or more complaints during the past two years. Three received ten (10) or more complaints during that time period. Given the fact that Code Compliance is only one repository for complaints and that a system to refer potential code violations from OPD to Code Compliance was only recently instituted, the figures cited by Code Compliance are conservative at best.

During the past year, the City has worked with neighborhood groups in many areas to address specific problems with hotel/motel locations. These groups include Adams Point Preservation Society, Beat 22X (Dimond Commercial area) Crime Prevention Council, the MacArthur Corridor (which contributed to the closure of Farm House Motel), the Uptown Neighborhood Crime Prevention Council (Beat 8 - formerly Mosswood Alliance and 37th Street Neighbors), and others. Complaints include prostitution activity in the vicinity, drug dealing, violence on the property, late night noise, and harboring parole violators and other undesirable guests. Specific crime statistics included in Table B (Attachment A) indicate the volume of crime reports written at various hotel, motel or rooming house properties. As noted on the attachment, arrests for prostitution and drug dealing at hotel/motel properties are limited because they generally advertise for customers within one to two blocks of a hotel/motel and then bring them back to the property once a deal has been struck. Therefore, not all arrests associated with hotels/motels actually occur on the premises.

During the early 1990's, drug and prostitution activity at Oakland hotel and motel sites became so prevalent that the Oakland Police Department requested assistance from the City Attorney to take legal action to abate the problems. The City Attorney has filed in excess of ten narcotics nuisance and red light abatement cases against individual motels since 1993. Despite a class action suit filed against the City by a coalition of hotel/motel operators seeking to end civil enforcement against them, injunctions have been obtained in a number of these cases, and several cases are currently pending. The City Attorney has found that, even in cases where OPD has had to exert considerable effort to curb prostitution and drug activity, the owners and operators have typically taken inadequate steps to address the problems at their sites. In several cases, twelve or more drug and prostitution arrests per year were recorded, the owner duly notified of the problem, and still little or no action was taken, forcing the City to file civil litigation. Despite instances where twenty or thirty or more arrests were made, there was no administrative mechanism to force

² The following are in arrears and not making payments toward owed taxes: Asasha Hotel, Farm House Motel, Menlo Hotel, Silver Dollar Hotel, Townhouse Travel Inn, and Westwind Lodge. Additional businesses. Several other businesses have committed to a payment plan and are current on their payments.

the owner or operator to stop renting to known drug dealers and prostitutes.

Civil actions based on narcotics and prostitution nuisance have proven to be less than ideal remedies in relation to conditions at hotel and motel sites for several reasons. First, the litigation heavily impacts police and attorney resources, so that the sheer number of "problem" hotels/motels precludes aggressive civil litigation in every case. Second, the remedy provided by statute, a court order to close the establishment for a limited period, is not broad enough to address problems specific to hotels/motels. And, a motel site with a large number of individual rooms that has been closed by court order could become a bigger source of nuisance activity for the community, since a boarded and fenced property would attract trespassing and vandalism, would become more of a visual blight in the community and would require additional City resources to monitor and maintain.

Need for Change in Regulations

Although progress has been made, City staff and community members remain dissatisfied with the level and rate of change. This is largely due to two factors.

First, while inspectors have increased enforcement power as a result of the City's civil penalties program, they are hard pressed to cite code sections addressing specific minimum maintenance and housekeeping standards even when it is clear that undesirable conditions exist. This is due to the fact that the existing code requirements, primarily the Housing Code, does not adequately address the specific attributes of the hospitality industry. The Housing Code is designed to identify and remedy problems at permanent residences and focuses on the systems (plumbing, heating, electrical, etc.) within a building and its structural integrity. The Blight Code can be useful, but relates primarily to the exterior of the property. Neither successfully addresses the unique characteristics of the hospitality industry. These include:

- housekeeping issues (cleanliness of linens, carpets, bathrooms, etc.);
- room furnishings (beds, lamps, clothing storage, etc.);
- security within guest rooms (deadbolt locks, view ports, etc.); and
- criminal and nuisance behavior (prostitution, drug dealing, noise, etc.).

The second factor is that some operators have found it cost effective to defer maintenance and upkeep, minimally meet the existing requirements, and/or absorb the cost of any reinspection fees that are issued, but are unwilling to make substantial changes. As a result, the overall quality of the operation never rises to the level of satisfaction of the community and City. Staff believe that only if the business owner is truly held accountable, (as is with a Deemed Approved Program) will City inspections be taken seriously and substantial change take place.

Proposed Regulations

Three distinct areas of City regulations are proposed to be amended as follows:

- **Add Chapter 8.03 "Hotel, Motel & Rooming House Operating Standards" to the Oakland Municipal Code** - if adopted, this section would create specific standards related to the hospitality industry. Some of the standards address housekeeping conditions (mold/mildew, linen cleanliness, bathroom cleanliness, mattress condition, etc.), room security (deadbolt locks and viewports), furnishings, exterior maintenance (provision of

landscaping, garbage storage, lighting, etc.) and crime and nuisance activity (prostitution, drug dealing, etc.). The standards were drafted using the Automobile Association of America (AAA) ratings system as a guide. Those provisions of the Housing Code that are applicable to this industry would continue to be in effect. This includes plumbing, heating, and electrical requirements, etc.

- **Amend Chapter 5.34 “Hotel Rates and Registration Requirements” of the Oakland Municipal Code** - this chapter contains the registration requirements that went into effect in January 1998. The proposed amendments would also require business operators to provide guests with receipts differentiating between the room rate and Transient Occupancy Tax collected and that receipts be numbered in sequential order. An exception can be granted for those businesses with computerized registration and billing systems provided that the business can certify that payments are properly recorded and an audit trail is created.
- **Add Chapter 17.157 “Deemed Approved Hotel Regulations” to the Oakland Planning Code** - this chapter would duplicate, with minor amendments, the Deemed Approved program currently in effect for businesses that sell alcohol, thereby establishing a specific enforcement program for those hotel businesses that are legal nonconforming. The Performance Standards that will be applied to the “Deemed Approved” businesses include the Hotel, Motel and Rooming Operating Standards, Hotel Rates and Registration Requirements, the Housing Code, Blight Ordinance, and other applicable regulations. The regulations would provide all legal nonconforming businesses with a new title – “Deemed Approved” – that would be retained provided that the business complied with the identified Performance Standards.

In the event an operator violated the Performance Standards, a public hearing before an independent Administrative Hearing Officer would be held. City staff, the operator and legal counsel and other interested community members could testify at the hearing. If the Hearing Officer finds that the Performance Standards have been violated, he/she could add conditions to the operation of the business. If the conditions are violated and the business continues to be out of compliance with the Performance Standards, a second hearing could be scheduled at which time the Hearing Officer could decide to remove the business’ Deemed Approved status. Revoking a business’ Deemed Approved status does not result in immediate closure. Instead, the City would be required to secure a court order to do so. The only instance a business could be closed absent a court order is if an imminent hazard exists as determined by the Fire Marshal and/or Building Official as is currently authorized under the City’s existing police powers.

At each point in the process, the business owner or interested party could appeal the decision of the Administrative Hearing Officer. Appeals regarding operating conditions would be heard by the City Planning Commission, while appeals to the revocation of the Deemed Approved status could be appealed to the City Planning Commission and then to the City Council. This will provide ample opportunity for the business owner to be heard and for positive change to take place.

Implementation / Inspection Procedures

The effective date of the proposed ordinance will be September 10, 1999, approximately five months after passage. This will allow staff adequate time to be trained in the new operating standards and enforcement procedures. Additionally, the City will offer

comprehensive inspections prior to the effective date of the ordinance in order to make owners aware, in advance, of potential future violations. Since the ordinance will not be in effect, no formal violation notices would be sent based upon the new codes, nor would reinspection fees be charged. This is to assist businesses in meeting the new standards before any enforcement action is needed and will only apply to additional conditions imposed by the new ordinance. Existing code requirements will continue to be enforced during this period.

Enforcement of the ordinance will take effect through an annual inspection of the property, coupled with inspections performed in response to complaints. The annual inspection will likely involve the Code Compliance Division, Fire Marshall, and Oakland Police Department, among others. Out of recognition that other agencies regularly inspect many of the hotels and motels, and hold those businesses to a higher standard than that proposed for adoption by the City of Oakland, the City may allow, pursuant to the development of appropriate administrative guidelines, the acceptance of an independent and established monitoring agency such as AAA or Mobil in lieu of a City inspection when reviewing the business' compliance with the enhanced operating standards in Chapter 8.03. However, the inspector, at his or her discretion, could elect to perform the inspection and, under no circumstance, will another agency's inspection be accepted by the Fire Marshall.

Legal Foundation for Legislation

The City Attorney has reviewed the draft legislation and considers that all constitutional and procedural requirements have been met in the preparation of the ordinances. In particular, hotel/motel operators would be provided procedural due process before any action affecting their property rights would be taken by the City as part of any enforcement process, including the Deemed Approved Program. In fact, the enforcement scheme is modeled after the City's successful Deemed Approved program for alcoholic beverage establishments, which withstood challenge and has been upheld by the California Court of Appeal.

Planning Commission Recommendation

On March 17, 1999, the City Planning Commission unanimously voted to recommend that the City Council adopt the proposed Operating Standards and Deemed Approved Enforcement Program. The issue of the fee was not before the Commission, therefore no position was taken on that issue. The ordinance has been changed to include the Commission recommendation that a standard related to pests and vermin be added. In addition, the Deemed Approved language has been slightly modified to address legal concerns raised at the Commission meeting. The ordinance reviewed by the Commission has been divided into two separate ordinances, one related to Operating Standards and the other related to the Deemed Approved program.

Community Input

Staff has been diligent in working with hotel, motel and rooming house operators in the development of the proposed legislation. Monthly meetings have been held with the operators since September 1998, with the proposed standards and Deemed Approved Program being discussed on at least four occasions. All operators are invited to the meetings and 20-30 participants attended each meeting where the proposed legislation was discussed. In addition, staff has met with the Hotel subcommittee of the Oakland Chamber

of Commerce on two occasions. Multiple changes have been made in response to the feedback received from both groups.

In addition, the proposed operating standards and Deemed Approved Program have been discussed in with Neighborhood Crime Prevention Councils in areas of the City most impacted by hotels and motels. Sentiment toward enhanced standards has been consistently positive and considerable correspondence in favor of the program has been received.

Annual Review of Program

It is recommended that an annual review take place during the first two years of the program. The purpose will be to review the extent of change promoted by the program and operating standards and determine if any modifications should be made.

RECOMMENDATION AND RATIONALE

Crime, nuisances and blight associated with many hotels and motels in Oakland have been longstanding community concerns. The proposed ordinance creating Operating Standards for hotels, motels and rooming houses and establishing a Deemed Approved Hotel Program for legal nonconforming businesses will help address those concerns through regulations crafted specific to the industry. Additionally, successful implementation of the program will provide potential visitors to Oakland an assurance of a minimum quality of stay. This could ultimately help encourage the City's attractiveness as a destination point for travelers.

REQUESTED ACTION

1. Adopt the attached ordinance amending the Municipal Code to establish operating standards and add specific record keeping requirements for hotels, motels and rooming houses.
2. Adopt the attached ordinance amending the Planning Code to create a "Deemed Approved Hotel Program" applied to all legal non-conforming hotels, motels and rooming houses.

AND

- 3a. Direct the City Manager to have the Community and Economic Development Agency incorporate \$14,000 in expenditures (\$7,000 per year for FY 99-01) in the Agency's budget proposal for FY 99-01 for the Deemed Approved Hotel Program in order to fund the services of an Administrative Hearing Officer and the purchase of Hotel Registration forms.

OR

- 3b. Direct the City Manager to prepare legislation to create a \$600 Deemed Approved Program hotel, motel and rooming house fee with associated \$200 reinspection fee and appropriating the revenue collected to the Education, Monitoring and Enforcement program for hotels, motels and rooming houses.

Respectfully submitted,


ROBERT C. BOBB
City Manager

Attachments

- A - Table B: Part I and Other Crimes
- B - Letter from Boston Avenue Neighbors Association
- C - Letter from Johanna Fox
- D - Letter from Ann Nomura

Table B: **PART I & OTHER CRIMES**
January 1997 - December 1998 (24 months)

	300-899 W. Mac Blvd	01-100 Mac Blvd	2300-2499 Mac Blvd	3200-3299 Mac Blvd	10000-10099 Mac Blvd	10400-10499 Mac Blvd	5700-5799 E 14 th Street
Robbery (211, 212.5)	14		5	4	2	3	2
Grand Theft (487)	2		2	2			1
Assault w/deadly weapon (PC 245)	7		5	6	3	2	1
Burglary (PC 459)	15	1	4	1		4	4
Carjacking (PC 215)							1
Auto Theft (PC 10851)	22	2	1	7	2	5	1
Petty Theft (PC 484)	13		2	1	1	3	
Prostitution (PC 647 B)	5				7	13	
Drug Related (PC 11350- 11390)	51	1	16	14	7	16	3
Battery (PC 242-243)	20	1	3	1	6	4	6
Weapon (PC 12021-25)		1					
TOTAL	278	6	38	36	28	50	19
Number of motels	13	1	1	2	1	2	1
Incidents per motel*	21.4	6	38	18	28	25	19

* Note: The crime analysis only includes reports written for activity that occurred on the premises of a hotel or motel. Additional activity is occurring in proximity to these properties that could be tied to a hotel/motel property on a case by case basis, but for the purposes of this report that nexus has not yet been drawn. However, it is important to recognize that prostitutes generally work one block on either side of the hotel/motel and direct their customers to the selected motel. This can also hold true for drug dealers. Therefore, the data in the table is a very conservative representation of activity associated with hotel or motel operations.

LOCATIONS

300-899 West MacArthur Blvd -	Bayview Motel, Capri Motel, Imperial Inn, MacArthur Motel, M/B Motor Inn, Mosswood Motel, Nighis Inn Motel, Palms Motel, Rio Motel, Sleepy Hollow Motel, Townhouse Travel Inn, Townlodge Motel, Westwind Lodge Motel 5
01-100 MacArthur Blvd -	Hillcrest Motel
2300-2499 MacArthur Blvd -	Highlander Motel, Oaks Motel
3200-3299 MacArthur Blvd -	Starlite Motel
10000-10099 MacArthur Blvd -	Farm House Motel (demolished), Harris Motel
10400-10499 MacArthur Blvd -	Melrose Motel
5700-5799 International Blvd -	



BOSTON AREA NEIGHBORS ASSOCIATION
c/o P. O. Box 27355
Oakland, CA 94602

October 21, 1997

Yu-Ming Chou and Yu-Fong Chou
Owners, Hillcrest Motel
45 Joyce Road
Hillsborough, CA 94010-7316

Dear Yu-Ming and Yu-Fong Chou

We are an association representing 22 households who are your neighbors on Boston Avenue, up the block toward the cul-de-sac. We would like to have your cooperation in working to make the area around the motel cleaner and more habitable. Specifically, there are a number of conditions around the motel which we would like you to take care of. They are:

- 1) Residents of the motel continually leave shopping carts on Boston Avenue in the area in front of the motel.
- 2) There is a significant amount of debris left by residents of the motel in the median strip along the West side of Boston Avenue.
- 3) Residents of the motel appear to be dumping garbage in the trash receptacle at the corner of Boston and MacArthur. There appear to be inadequate trash bins on the motel property to accommodate their needs.
- 4) A significant amount of debris is left by residents on the MacArthur side of the motel, including used condoms, beer bottles, and other items which create a nuisance.
- 5) The landscaping on both the Boston Avenue and the MacArthur sides of the motel is often left unkempt and uncared for.

We hope that you will assist us in making Boston Avenue a better place to live, both for yourself, for the residents of the motel, and for us, your Boston Avenue neighbors.

Thanks for your cooperation. Please address your response to the attention of Tito Tayco

Sincerely,

Boston Avenue Neighbors
See Attached Page for Signatures
cc: Diamond Improvement Association - *Print*

Yu-Ming and Yu-Fong Chou
October 21, 1997
Page 2

Mary Lee, Chao Wei Wong
ohar weiwong

Keyn and Darlene Gater,
Keyn and Darlene Gater
Philip Ma
Philip Ma

J. Christensen
J. Christensen
Val Valuch
Val Valuch

Marilyn Miller & Gisela Merker
Marilyn Miller & Gisela Merker
H Schroeder
H Schroeder

Gerri Haslett & Marcel DeGross
Gerri Haslett & Marcel DeGross

Michael & Shelly Huey
Michael & Shelly Huey

S Halston
S Halston
Jonathan Ausgin & Mary Mazzecco
Jonathan Ausgin & Mary Mazzecco

Alberto & Elma Quiroz
Alberto & Elma Quiroz

Thuy Tran & Long Ma
Thuy Tran & Long Ma
Judy, Hector, Linda & Tony Chow
Judy, Hector, Linda & Tony Chow

Tito & Eleanor Tayco
Tito & Eleanor Tayco

Sunday, November 08, 1998

Dick Spees
Council member
City of Oakland
#1 City Hall Plaza
Oakland, CA 94612

Dear Council member Spees :

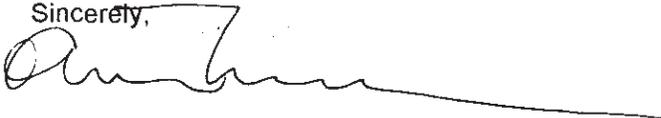
Thank you for sending your staff, Niccolo Deluca, to our Neighborhood Crime Prevention Council meetings. He has been a wonderful resource for our neighborhood. The Hillcrest Motel has come up at all of these meetings.

The Hillcrest Motel is of deep concern to this neighborhood and very little is being done by the City of Oakland to improve the current situation. I work with a woman who lives on Boston Avenue directly across the street from the Hillcrest Motel. In the last year: a bag of guns and drugs were found on her block, she complained of having prostitutes and their clients on her street, she could not get into her house because men were hanging out selling drugs at her front gate, a man passed out in front of her house and she had to call 911, and there were numerous home and car burglaries. She has a daughter and no longer feels that the Dimond is a safe neighborhood for children. She wants to move out of Oakland.

The Hillcrest Motel creates a hazard for our neighborhood and our children. It is located only two blocks from the Sequoia Elementary School. In spite of the many complaints by neighbors, the City of Oakland has no plans to close the Hillcrest Motel or to stop it from bringing prostitution, drugs and crime into our neighborhood.

As a taxpaying, voting, Dimond resident- I want you to close the Hillcrest Motel now.

Sincerely,



Ann Nomura

p.s. The Hillcrest Motel has been discussed at DIA meetings, at NCPC meetings and just between neighbors. Dimond residents are fed up with the Hillcrest Motel.

cc: Traci Corcran
Dimond Neighborhood Association
MacArthur Metro
Oakland Tribune
Montclarion

Item D-D.2
PUBLIC SAFETY CMTE.
4-13-99

ATTACHMENT D

INTRODUCED BY COUNCILMEMBER _____

Patrick Tracy
CITY ATTORNEY

ORDINANCE No. _____ C. M. S.

AN ORDINANCE AMENDING THE OAKLAND MUNICIPAL CODE TO CREATE CHAPTER 8.03 "OPERATING STANDARDS FOR HOTELS, MOTEL AND ROOMING HOUSES" AND ADD SPECIFIC RECORD KEEPING REQUIREMENTS IN CHAPTER 5.34

DRAFT

WHEREAS, tax and revenue records indicate that there are currently over eighty hotels, motels and rooming houses in the City of Oakland; and

WHEREAS, individuals who reside in these facilities are dependent upon the management for the provision of safe and sanitary lodging conditions; and

WHEREAS, the existing Housing Code does not directly address the unique aspects of the hospitality industry and the need to provide for specific minimum standards related to room furnishings, linens, housekeeping services and security; and

WHEREAS, a concentration of illegal activity has been tied to the operation of many of the problem businesses, as evidenced by a pattern of multiple and continuous arrests at and within various businesses for prostitution and narcotics use which has been fully documented by the Oakland Police Department; and

WHEREAS, the Oakland Police Department has expended an inordinate amount of time and resources in policing certain of these businesses, in order to limit or control widespread use of the properties for the purpose of narcotics and prostitution activity; and

WHEREAS, the City Attorney has filed ten or more civil abatement actions against operators of these businesses over the past seven years, in an attempt to enjoin the illegal activities at the problem properties; and

WHEREAS, individual actions for injunctive relief and/or closure are not effective substitutes for proper ongoing and regular maintenance and adequate property management; and

WHEREAS, evidence provided by the community in actions filed by the City Attorney strongly support the conclusion that the operators of problem properties take minimal action to screen or to monitor the activities of their patrons, and allow the open use of the property for drug and prostitution activity all hours of the day and night; and

WHEREAS, the activities of patrons engaged in illegal activities at problem properties affect the health and safety of area residents, create a climate of fear and apprehension, and diminish the value of real property in the surrounding area; and

Item D.1
PUBLIC SAFETY CMTE.
4-13-99

Sunday, March 21, 1999

Dick Spees
City of Oakland
#1 City Hall Plaza
Oakland, CA 94612

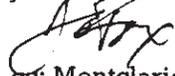
Dear Council Member Spees:

I have recently moved out of the Dimond (the district you were elected to represent) because of the crime on my block. Most of the crime on my street was associated with the Hillcrest Motel. I truly enjoyed the Dimond business district and most of the neighborhood, but as I was living on Boston Avenue less than a block from the Hillcrest Motel. The crime, drug trafficking, drug use, and prostitution associated with the Hillcrest has a profound affect on the surrounding neighborhood. Transient Hillcrest Motel guests loiter in the surrounding streets. I have arrived home at night and been unable to enter my house because of strange men selling drugs in front of my home. A man passed out in front of my house and I had to call 911, friends refused to visit me because they felt unsafe. My daughter could not be allowed outside the house and I worried about her constantly. My car was burglarized, as was my landlord's and our neighbor's home was burglarized. These neighbors are also planning to relocate, out of your district and away from the Hillcrest Motel.

I liked my apartment, my landlord and my neighbors, but I could not put myself and daughter at such risk. If you live near the Hillcrest Motel, you will become a victim of the crime the Motel brings to your doorstep. The Hillcrest Motel makes the Dimond an unsafe and unattractive place to live. As the council member who represents this area, I urge you to act and close this Motel before more neighbors are hurt.

Sincerely,

Johanna Fox



cc: Montclarion
Dimond Neighborhood Association
Jewels Marcus

ATTACHMENT C

DRAFT

WHEREAS, police surveillance undertaken over the past five years shows that prostitution and drug activity at many of the problem sites takes place openly during all hours of the day and night, and in full view of the operators, who take no significant action to curb the unlawful activities; and

WHEREAS, records show the City has determined over the past five years that a number of problem locations are poorly maintained and structurally unsound, or contain unsanitary and dangerous conditions that threaten the health and safety of lodgers; and

WHEREAS, the City has documented numerous and frequent complaints from the community regarding the visual blight associated with certain poorly maintained problem properties; and

WHEREAS, there is a correlation between high levels of drug and prostitution activity and the existence of substandard and public nuisance conditions at the problem properties; and

WHEREAS, in 1986, the Oakland City Council amended the Planning Code to eliminate the "Travel Accommodation Combining" zone which made those hotels or motels outside of the downtown, waterfront and airport areas legal nonconforming businesses; and

WHEREAS, it is in the best interest of the Oakland community and visitors that the City adopt common standards of maintenance, housekeeping, and security that are designed to protect the health, safety and welfare of residents and visitors, reduce crime and nuisances associated with the operation of hotels, motels and rooming houses; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, the Guidelines as prescribed by the California State Secretary for Resources, and the City's Environmental Review Regulations have been satisfied, and that in accordance with Section 15061(b)(3) or Section 15301 of the California Code of Regulations this project is exempt from the provisions of the California Environmental Quality Act; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council determines that this Ordinance complies with California Environmental Quality Act and directs the Review Officer to file a Notice of Exemption with the Alameda County Clerk.

Section 2. Chapter 8.03 of the Oakland Municipal Code is hereby added to read:

"Chapter 8.03

HOTEL, MOTEL AND ROOMING HOUSE OPERATING STANDARDS

8.03.010 Title.

These regulations shall be know as Hotel, Motel and Rooming House Operating Standards.

8.03.020 Purpose.

The general purpose of these regulations are to promote the health, safety, comfort, convenience, prosperity, and general welfare by requiring that businesses that offer shelter to visitors, transient guests, and other residents provide a minimum level of cleanliness, quality, and security.

8.03.030 Scope.

These provisions shall apply to businesses such as hotels, motels, and rooming houses which provide shelter, furniture, linens, and housekeeping services, etc. within the guest room(s) and throughout the property. These provisions shall not apply to permanent residential facilities wherein the owner is responsible for providing the shelter, but does not provide furniture, linens, or housekeeping services or with Residential Care Facilities as defined in Oakland Planning Code (OPC) Section 17.10.210.

8.03.040 Definitions.

For the purposes of this chapter certain words and phrases are defined, and certain provisions shall be construed, as herein set out unless it shall be apparent from the context that they have a different meaning:

"Hotel" means any facility as defined in Oakland Municipal Code (OMC) Section 4.24.020.

"Rooming House" means any Rooming House Residential Facility as defined in Section 17.10.690 that houses a Permanent Residential Activity (OPC Section 17.10.110) or Semi-Transient Residential Activity (OPC Section 17.10.120)

8.03.050 Management Practices.

- A. Room rates. Room rates shall be posted in a prominent location in the reception area and in the guest rooms. Guests shall not be charged in excess of posted rates. A range of rates is acceptable.
- B. Management Accessibility. A property management representative shall be accessible, in person or by telephone, on a 24-hour basis. (Also see OMC Section 5.34.051.)
- C. Guest Complaints. The telephone number and address for the City of Oakland Building Official shall be posted in a prominent location in the reception area and/or guest rooms.

8.030.60 Inspection of Records and Facilities.

- A. Other Records and Hotel Facilities Subject to Inspection, Review and Audit. Upon a showing of probable cause therefor by the Director of Finance or his or her designee, or

by any police officer, code compliance, fire or zoning inspector of the City of Oakland, the City Attorney shall issue an administrative subpoena compelling the inspection of rooms and facilities, and/or the production of guest registers and other records necessary to determine compliance with all applicable regulations, including but not limited to building, fire, health, occupancy, and blight codes, and to verify collection and payment to the City of all taxes owed.

- B. Independent Agency Inspections. The City shall conduct annual or bi-annual inspections of all businesses subject to the regulations specified in this Chapter. The City Manager or designee is authorized to promulgate administrative regulations to allow the acceptance of satisfactory ratings conferred by recognized, independent agencies in lieu of a City inspection, provided that the independent inspection is based upon performance and facility standards equal to or in excess of the standards commemorated in this chapter.

8.03.070 Property Security.

- A. Guest Room Locks. On or after September 10, 1999, the following is required:

Install and maintain an operable dead bolt lock on each main swinging entry door of a dwelling unit. The dead bolt lock shall be installed in accordance with the manufacturer's specifications and shall comply with applicable state and local codes including, but not limited to, those provisions relating to fire and life safety and accessibility for the disabled. When in the locked position, the bolt shall extend a minimum of 13/16 of an inch in length beyond the strike edge of the door and protrude into the doorjamb.

This section shall not apply to horizontal sliding doors. Existing dead bolts of at least one-half inch in length shall satisfy the requirements of this section.

Existing locks with a thumb-turn deadlock that have a strike plate attached to the doorjamb and a latch bolt that is held in a vertical position by a guard bolt, a plunger, or an auxiliary mechanism shall also satisfy the requirements of this section. These locks, however, shall be replaced with a dead bolt at least 13/16 of an inch in length the first time after July 1, 1999 that the lock requires repair or replacement.

- B. Viewports. Each door shall have a viewport or window convenient to the door. Properties with Fire Resistive Construction rated ("Fire Rated") doors, at the time of the adoption of this ordinance, are exempt from this provision to the extent that installing a viewport would negatively affect the fire rating.
- C. Connecting Doors. Each door connecting two guest units that share a common wall shall be equipped with a functional deadbolt lock.
- D. Window Locks. All windows designed to be opened shall have an operable window security or locking device. Louvered windows, casement windows, and all windows more than 12 feet vertically from the ground are excluded from this subdivision, except where the window is within 8 feet horizontally of a roof or any other platform area.
- E. Exit Doors. See Section 15.08.240 of the Oakland Municipal Code.

- C. Bathroom Fixtures. Private bathrooms shall have a functioning water closet (e.g., toilet), lavatory (e.g., sink), shower receptor and/or bathtub. This should not be construed to prevent a sink from being placed in a guest room that does not have full bathroom facilities.
- D. Shared Bathroom Facilities. Guests in facilities with shared bathrooms shall have access to a functioning water closet (e.g., toilet), lavatory (e.g., sink), shower receptor and/or bathtub. Showering or bathing areas shall be able to be securely locked from the inside. Separate facilities shall be provided for men and women or the facilities shall be able to be locked for individual use. Signs shall be posted indicating that "Children under 12 years of age who use this shared bathroom should be accompanied by an adult at all times."
- E. Hot/Cold Water. Hot and cold running water shall be provided for all plumbing facilities.
- F. Telephone Rates. Telephone rates shall be posted in every room that has a private phone and be adhered to by management.
- G. Emergency Telephone Access. Guests shall have 24-hour emergency access to a telephone (a payphone is adequate) on the property. However, such telephone shall not be made generally available to the public so as to become a public nuisance.
- H. Clothes Storage. Space shall be provided in good working order for hanging clothes and/or storing personal belongings.

8.30.100 Exterior of Property.

- A. Windows. Exterior window glass shall be without cracks, chips or holes.
- B. Exterior Lighting. The exterior of the property, including adjacent public sidewalks and parking lots under the control of the operator, shall be illuminated during all hours of darkness during which the property is open for business in a manner so that persons standing in those areas at night are identifiable from the street. However, the required illumination shall be placed so as to minimize interference with the quiet enjoyment of nearby residents of their property.
- C. Painting. See OMC Chapter 8.24 "Property Blight".
- D. Landscaping. All areas on the property designated for landscaping, i.e., lawns, planter beds, and other unsurfaced locations, shall be maintained with properly trimmed living plant materials and without collecting litter or debris.
- E. Directional Signs. Directional signs shall be posted as appropriate to ensure that emergency personnel can find guest rooms in a timely manner.
- F. Exterior Trash/Garbage Storage. All containers used for the storage of trash, garbage, or recycled materials and placed on the exterior of the building(s) shall be maintained in a locked and screened enclosure. Also See OMC Chapter 8.24 "Property Blight" and OMC Section 15.08.230.

8.03.110 Common Areas.

- A. Elevators. Guest service elevators need to be fully functional and pass appropriate agency inspections. The name and telephone of the inspection agency shall be posted in

8.03.080 Housekeeping Conditions in excess of normal "Wear and Tear" (also see Chapter 15.08 "Housing Code")

- A. **Mattress Condition/Cleanliness.** Mattresses shall be free of stains, holes, rips or odors in excess of normal wear and tear, and maintained in a sanitary, non-defective condition (e.g., without broken springs, indentations, sags, etc.).
- B. **Linen Condition/Cleanliness.** Where provided by management, linens shall be free of stains, holes, rips or odors in excess of normal wear and tear and shall be cleaned at change of occupancy or at least once a week when occupancy does not change. Linens shall be cleaned in hot water at least 43°C (110° F) for a minimum of 25 minutes.
- C. **Bathroom Condition/Cleanliness.** Bathroom fixtures (e.g., toilet, bathtub, sink, mirror) shall be maintained without significant cracks, chips, or stains. Floors shall be washed with hot water and a sanitizer at change of occupancy or at least once a week when occupancy does not change. Daily cleaning schedules shall be maintained in the manager's office.
- D. **Carpet Condition/Cleanliness.** Carpeting shall be free of stains, holes, rips or odors in excess of normal wear and tear, and maintained in a sanitary, non-defective condition.
- E. **Floor Condition/Cleanliness.** Floor surfaces shall be made of non-absorbent material. All surfaces and tile grouting shall be maintained without cracks, rips or missing elements.
- F. **Wall Condition/Cleanliness.** Wall surfaces shall be maintained without spots, stains, flakes, chips, holes, etc. and maintained in a clean and sanitary condition.
- G. **Mold/Mildew.** All surfaces, including carpeting and flooring, and fixtures shall be free from mold, mildew, or bubbling conditions.
- H. **Plumbing.** See OMC Section 15.04.
- I. **Electrical Equipment.** For the purposes of this section, electrical equipment shall include furniture items installed by management, including televisions, lamps, etc. See OMC Section 15.08.270.
- J. **Water Leakage/Water Stains.** All fixtures shall be maintained without leaks or drips. Water damage shall be immediately repaired.
- K. **Furniture Condition.** All furniture items provided by management shall be maintained in proper working order.
- L. **Condition of Shades/Draperies/Blinds.** Shades, draperies, blinds, etc. shall be free of stains, holes, rips or odors in excess of normal wear and tear, and maintained in a sanitary, non-defective condition.
- M. ***Vector Control. The premises shall be kept clean in every part and free from garbage, rubbish, rodents, vermin and other offensive matter.***

8.03.090 Room Furnishings.

- A. **Privacy.** Privacy coverings such as shades, draperies or blinds shall be appropriately hung to cover all windows.
- B. **Room Light.** An active, fully functional light switch shall be located at the main entry to the guest unit.

all of the elevators. Elevators shall be operational on a 24-hour-a-day basis (as of January 1, 2000).

- B. Hallway Lighting. Any lobby area or other public space shall be maintained in a sanitary condition, free of garbage or debris.

8.03.120 Criminal and Nuisance Activity.

- A. Nuisance Activity. The operation of the property shall not result in repeated nuisance activities on the property or contribute to nuisance activities in close proximity to the property, including but not limited to disturbance of the peace, illegal drug activity, prostitution, public drunkenness, drinking in public other than at a licensed facility, harassment of passers by, gambling, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests.
- B. Graffiti. All graffiti shall be removed on a continuous basis within 48 hours of application.
- C. Litter. Litter shall be removed daily from the premises, including adjacent public sidewalks and all parking lots under control of the operator. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis to control debris.

8.03.130 Duplicated Regulation.

Whenever any provisions of this Chapter and any other provision of law, whether set forth in this code, or in any other law, ordinance, or resolution of any kind, imposes overlapping or contradictory regulations, or contains restrictions covering any same subject matter, that provision which is more restrictive or imposes higher standards shall control, except as otherwise expressly provided in these regulations.

8.03.140 Separate Offenses.

Each violation of this chapter shall constitute a separate offence.

8.03.150 Enforcement by Alternative Methods of Code Enforcement

Any violation of this article may be prosecuted as a misdemeanor, may be charged as a civil penalty or an infraction, or may be pursued as a violation of the Chapter 17.157 Deemed Approved Hotel Regulations. Additionally, the use of the property may be encumbered, as authorized by the Oakland Municipal Code, Chapter 1, Articles 6, 7 and 8. Enforcement action specifically authorized by this article may be utilized in conjunction with, or in addition to, any other statutory, code, administrative or regulatory procedure applicable to the regulation of buildings, structures, or property. In addition, nothing in this article shall be interpreted to preclude or limit the City from seeking injunctive or other judicial relief.

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8.03.160 Abatement – Imminent Danger

A. Any condition which is reasonably believed to be imminently dangerous to the life, limb, health or safety of the occupants of the property or to the public, upon reasonable notice provided the owner or responsible person, may be immediately abated by the Fire Marshal and/or the Building Official or their designees.

B. Actions taken to abate imminently dangerous conditions may include, but are not limited to, repair or removal of the condition creating the danger and/or the restriction from use of occupancy of the property on which the dangerous condition exists or any other abatement action determined by the Fire Marshal or Building Official to be necessary. In the event use of occupancy is restricted, the owner or his or her agent shall discontinue the use within the time prescribed by the Fire Marshal or Building Official after receipt of such notice.

C. If entry onto property and access to rooms or units constituting an imminently dangerous condition in violation of this article is denied the Building Official and/or the Fire Marshal by the owner of the property or his or her agent, the Building Official and/or the Fire Marshal may seek a court order and/or inspection and abatement warrant from a court of competent jurisdiction to authorize the immediate abatement of the imminently dangerous conditions.

8.03.170 Recovery of Abatement Costs

Costs for any abatement performed by, or on behalf of, the City, including the cost of extraordinary police services provided, shall be recoverable by the City.

Costs incurred in relocating occupants of the property shall be recovered by the City pursuant to the provisions of Chapter 15.08 Oakland Housing Code and the provisions of the City's Relocation Assistance Program."

Section 3. Section 5.34.025 of the Oakland Municipal Code is hereby added to read:

"5.34.025 Guest Receipts.

- A. Receipts. Receipts shall be issued for all cash and non-cash payments at the time paid. Transient Occupancy Tax and any charges other than room rental charges shall be listed separately.
- B. Receipts shall be pre-numbered and in sequential order. Receipts may be in sequential order based upon date/time, when a reservation was made, or based upon date/time of registration.
- C. Room Numbers. Room numbers shall be included on all receipts, bills and registration cards, with any changes noted.
- D. Telephone Charges. Income from telephone charges is taxable and shall be reported.
- E. In the event the hotel utilizes a computerized pre-arrival registration and/or billing procedure, the hotel shall not be required to comply with subdivision (B) of this section; provided, however, that the pre-arrival registration and/or billing procedure must be submitted to and approved by the City Manager or his designee, and the hotel be able to certify that payments are properly tracked and recorded so as to create an audit trail."

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Section 4. That the effective date of this ordinance shall be September 10, 1999.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 1999

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, MILEY, NADEL, REID, RUSSO, SPEES AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

CEDA FLOYD
City Clerk and Clerk of the Council of the
City of Oakland, California

Item D.1
PUBLIC SAFETY CMTE.

4-13-99

INTRODUCED BY COUNCILMEMBER _____

Patrick Tomy
CITY ATTORNEY

ORDINANCE No. _____ C. M. S.

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AN ORDINANCE AMENDING THE OAKLAND
PLANNING CODE TO CREATE A "DEEMED
APPROVED HOTEL PROGRAM" AT CHAPTER 17.157

WHEREAS, tax and revenue records indicate that there are currently over eighty hotels, motels and rooming houses in the City of Oakland; and

WHEREAS, individuals who reside in these facilities are dependent upon the management for the provision of safe and sanitary lodging conditions; and

WHEREAS, a concentration of illegal activity has been tied to the operation of many of the problem businesses, as evidenced by a pattern of multiple and continuous arrests at and within various businesses for prostitution and narcotics use which has been fully documented by the Oakland Police Department; and

WHEREAS, the Oakland Police Department has expended an inordinate amount of time and resources in policing certain of these businesses, in order to limit or control widespread use of the properties for the purpose of narcotics and prostitution activity; and

WHEREAS, the City Attorney has filed ten or more civil abatement actions against operators of these businesses over the past seven years, in an attempt to enjoin the illegal activities at the problem properties; and

WHEREAS, individual actions for injunctive relief and/or closure are not effective substitutes for proper ongoing and regular maintenance and adequate property management; and

WHEREAS, evidence provided by the community in actions filed by the City Attorney strongly support the conclusion that the operators of problem properties take minimal action to screen or to monitor the activities of their patrons, and allow the open use of the property for drug and prostitution activity all hours of the day and night; and

WHEREAS, the activities of patrons engaged in illegal activities at problem properties affect the health and safety of area residents, create a climate of fear and apprehension, and diminish the value of real property in the surrounding area; and

WHEREAS, police surveillance undertaken over the past five years shows that prostitution and drug activity at many of the problem sites takes place openly during all hours of the day and night, and in full view of the operators, who take no significant action to curb the unlawful activities; and

WHEREAS, records show the City has determined over the past five years that a number of problem locations are poorly maintained and structurally unsound, or contain unsanitary and dangerous conditions that threaten the health and safety of lodgers; and

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4-13-99

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WHEREAS, the City has documented numerous and frequent complaints from the community regarding the visual blight associated with certain poorly maintained problem properties; and

WHEREAS, there is a correlation between high levels of drug and prostitution activity and the existence of substandard and public nuisance conditions at the problem properties; and

WHEREAS, in 1986, the Oakland City Council amended the Planning Code to eliminate the "Travel Accommodation Combining" zone which made those hotels or motels outside of the downtown, waterfront and airport areas legal nonconforming businesses; and

WHEREAS, few or none of the legal nonconforming businesses have land use permits with associated conditions that can be revoked for violations of the conditions or public nuisance-related activities; and

WHEREAS, it is in the best interest of the Oakland community and visitors that the City adopt common standards of maintenance, housekeeping, and security that are designed to protect the health, safety and welfare of residents and visitors, reduce crime and nuisances associated with the operation of hotels, motels and rooming houses; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, the Guidelines as prescribed by the California State Secretary for Resources, and the City's Environmental Review Regulations have been satisfied, and that in accordance with Section 15061(b)(3) or Section 15301 of the California Code of Regulations this project is exempt from the provisions of the California Environmental Quality Act; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council determines that this Ordinance complies with California Environmental Quality Act and directs the Review Officer to file a Notice of Exemption with the Alameda County Clerk.

Section 2. Chapter 17.157 of the Oakland Planning Code is hereby added to read:

"Chapter 17.157

DEEMED APPROVED HOTEL & ROOMING HOUSE REGULATIONS

Article I. Title and Scope

17.157.010 Title.

The provisions of this chapter shall be known as the Deemed Approved Hotel regulations.

17.157.020 Purpose of Deemed Approved Hotel regulations.

The general purposes of the Deemed Approved Hotel regulations are to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare by requiring that Hotels and Rooming Houses that were Legal Nonconforming Activities immediately prior to the effective date of the Deemed Approved Hotel regulations comply with the Deemed Approved performance standards at Article III, Section 17.157.060 of this chapter and to achieve the following objectives:

- A. To protect residential, commercial, industrial and civic areas and minimize the adverse impacts of nonconforming and incompatible uses;
- B. To provide opportunities for Deemed Approved Hotel Activities to operate in mutually beneficial relationship to each other and to other commercial and civic services;
- C. To regulate those businesses that provide over night or short term accommodations in order to provide a standard of quality commonly expected of the hospitality industry;
- D. To provide that Deemed Approved Hotel Activities are not the source of undue public nuisances or visual blight in the community;
- E. To provide for properly maintained Deemed Approved Hotel Activities so that negative impacts generated by these activities are not harmful to the surrounding environment in any way;
- F. To monitor that Deemed Approved Hotel Activities do not substantially change in mode or character of operation.
- G. To assure that guests and residents at Deemed Approved Hotel Activities are provided safe, clean, and secure accommodations.

17.157.030 Applicability of Deemed Approved Hotel regulations.

- A. To Which Property Applicable. The Deemed Approved Hotel regulations shall apply, to the extent permissible under other laws, to all Legal Nonconforming Hotels and Rooming Houses within the City.
- B. Duplicated Regulation. Whenever any provisions of the Deemed Approved Hotel regulations and any other provision of law, whether set forth in this code, or in any other law, ordinance, or resolution of any kind, imposes overlapping or contradictory regulations, or contains restrictions covering any same subject matter, that provision which is more restrictive or imposes higher standards shall control, except as otherwise expressly provided in the Deemed Approved Hotel regulations.

C. Relationship to the Zoning Regulations. The Nonconforming Use provisions of the zoning regulations including, but not limited to, OPC Section 17.114.020, 17.114.070(A)(4), 17.114.080(A)(1) and (2), shall apply to the Deemed Approved Hotel regulations.

17.157.040 Administrative Hearing Officer.

There is created a Hotel Administrative Hearing Officer. The Hotel Administrative Hearing Officer shall conduct public hearings and establish findings and conditions intended to encourage and achieve compliance with the Hotel Performance Standards at Section 17.157.060 of particular

sites as appropriate. This section is not intended to restrict the powers and duties otherwise pertaining to other city officers or bodies, in the field of monitoring and ensuring the harmony of Deemed Approved Hotel activities in the city. These parties shall have the powers and duties assigned to them by the City of Oakland codes and ordinances, by the City Charter, or by valid administrative authority.

Article II. Definitions

17.157.050 Definitions.

As used in this chapter:

"Condition of approval" means a requirement which must be carried out by the activity in order to retain its Deemed Approved Status.

"Deemed Approved Hotel Activity" means any Hotel or Rooming House that is legal nonconforming and in existence immediately prior to the effective date of the Deemed Approved Hotel regulations. Said business(es) shall be considered a Deemed Approved Hotel Activity as long as it complies with the Deemed Approved Hotel performance standards as set forth in Section 17.157.060 of this Chapter. Said business(es) shall no longer be considered a Legal Nonconforming Activity.

"Deemed Approved Status" means the status conferred upon a Deemed Approved Hotel Activity. Deemed Approved Status replaces legal nonconforming status.

"Illegal activity" means any activity which has been finally determined to be in noncompliance with the Deemed Approved performance standards in Section 17.157.060. Such an activity shall lose its Deemed Approved Status and shall no longer be considered a Deemed Approved Hotel Activity.

"Hotel" shall mean any activity as described in OMC Section 4.24.020.

"Legal Nonconforming Hotel Activity" shall mean any Hotel or Rooming House which was a nonconforming use pursuant to the Nonconforming Use Regulations in OPC Chapter 17.114 at a time immediately prior to the effective date of the Deemed Approved Hotel regulations. Such an Activity shall be considered a Deemed Approved Activity, and shall no longer be considered a Legal Nonconforming Activity, except such activity shall be subject to those zoning regulations relating to nonconforming uses as specified in OPC Section 17.157.030(C), as of the effective date of the Deemed Approved Hotel regulations.

"Officer" means Administrative Hearing Officer, as provided for at Section 17.157.040.

"Performance standards" means regulations prescribed in the Deemed Approved Performance Standards set forth in Section 17.157.060.

"Permanent Residential Activity" shall mean any activity described in OPC Section 17.10.110.

"Rooming House" shall mean any facility described in OPC Section 17.10.690 housing Semi-Transient Residential Activities and/or Permanent Residential Activities.

"Semi-Transient Residential Activity" shall mean any activity described in OPC Section 17.10.120.

"Transient Habitation Commercial Activity" shall mean any activity described in OPC Section 17.10.440.

Article III. Deemed Approved Performance Standards

17.157.060 Performance Standards and Deemed Approved Hotel Activities.

An activity shall retain its Deemed Approved Status only if it conforms with the provisions of Chapter 5.34 Hotel Rates and Registration Requirements; Chapter 8.03 Hotel, Motel, and Rooming House Operating Standards; Chapter 15.08 Oakland Housing Code, and any applicable provisions of this Code.

Article IV. Deemed Approved Status Procedure

17.157.070 Purpose and applicability.

The purpose of the provisions of this article is to: (A) provide notice of Deemed Approved Status upon Hotels and Rooming Houses that were Legal Nonconforming Activities immediately prior to the effective date of the Deemed Approved Hotel regulations; (B) prescribe the procedure for the imposition of conditions of approval upon those activities; and (C) prescribe the procedure for appealing conditions of approval or the revocation of a Deemed Approved Status.

17.157.080 Automatic Deemed Approved Status.

All Hotels and Rooming Houses that were Legal Nonconforming Activities immediately prior to the effective date of the Deemed Approved Hotel regulation shall automatically become Deemed Approved Hotel Activities as of the effective date of the Deemed Approved Hotel regulations and shall no longer be considered Legal Nonconforming Activities. Each such Deemed Approved Activity shall retain its Deemed Approved Status as long as it complies with the Deemed Approved performance standards at Section 17.157.070.

17.157.090 Notification of owners of Deemed Approved Hotel Activities.

The City shall notify the owner of each Deemed Approved Hotel Activity, and also the property owner if not the same, of the activity's Deemed Approved Status. Such notice shall be sent via certified return receipt mail; shall include a copy of the performance standards of Article III of this chapter; notification that the activity is required to comply with all these same performance standards; that a review fee is required, and the amount of such fee provided in the master fee schedule; and that the activity is required to comply with all other aspects of the Deemed Approved Hotel regulations. Should the notice be returned, then the notice shall be sent via regular U.S. Mail.

17.157.100 Procedure for consideration – Intent.

The provisions of Sections 17.157.100 through 17.157.160 shall outline the process by which Deemed Approved Hotel Activities are required to be reviewed.

17.157.110 Procedure for consideration of violations to performance standards.

As a result of an annual or bi-annual inspection pursuant to OMC Section 8.030.60(B) or upon receiving a complaint from the public, Police Department, or any other interested party that a

Deemed Approved Hotel Activity is in violation of the performance standards at Section 17.157.060, and once it is determined by the city that violations appear to be occurring, then the Deemed Approved Status of the Deemed Approved Hotel Activity in question shall be reviewed by the Administrative Hearing Officer at a public hearing. Notification of the public hearing shall be in accordance with Section 17.157.150.

The purpose of the public hearing is to receive testimony on whether the operating methods of the Deemed Approved Hotel Activity is in violation of the performance standards at Section 17.157.060, are causing undue negative impacts in the surrounding area, and/or whether the property is not being maintained in a manner to be habitable by guests or residents. At the public hearing, the Administrative Hearing Officer shall determine whether the Deemed Approved Activity conforms to the Deemed Approved Performance Standards set forth in Section 17.157.060 and to any other applicable criteria, and may continue the Deemed Approved Status for the activity in question or require such changes or impose such reasonable Conditions of Approval as are in the judgement of the Administrative Hearing Officer necessary to ensure conformity with said criteria and such conditions shall be based on the evidence before the Officer. The decision of the Officer shall be based upon information compiled by staff and testimony from the business owner and all other interested parties. New conditions of approval shall be made a part of the Deemed Approved Status and the Deemed Approved Hotel Activity shall be required to comply with these conditions. The determination of the Officer shall become final ten calendar days after the date of decision unless appealed to the City Planning Commission in accordance with Section 17.157.130.

17.157.120 Procedure for consideration of violations of conditions of approval.

In the event of a violation of any of the provisions set forth in Sections 17.157.010 through 17.157.110 of these regulations, or upon evidence that there has been a failure to comply with any prescribed condition of approval, the Officer may hold a public hearing. Notification of the public hearing shall be in accordance with Section 17.157.150.

The purpose of this public hearing is to receive testimony and determine whether violations to any conditions of approval attached to the site have occurred. The officer may add to or amend the existing conditions of approval based upon the evidence presented; or alternatively may revoke the Deemed Approved Hotel Activity's Deemed Approved Status. The determination of the Administrative Hearing Officer shall become final ten calendar days after the date of decision unless appealed to the City Planning Commission in accordance with Section 17.157.130. The decision of the City Planning Commission shall be final unless appealed to the City Council in accordance with Section 17.157.140.

17.157.130 Appeal to City Planning Commission.

Within ten calendar days after imposition of conditions of approval on a Deemed Approved Hotel Activity or the revocation of Deemed Approved Status, an appeal may be taken to the City Planning Commission by the Deemed Approved Activity owner or any other interested party. In the event the last date of appeal falls on a weekend or a holiday when city offices are closed, the next date such offices are open for business shall be the last date of appeal. Such appeal shall be made on a form prescribed by the city. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Officer or wherein its decision is not supported by the evidence

in the record. The appeal shall be accompanied by such information as may be required to facilitate review. Upon receipt of the appeal and the required appeal fee in accordance with Section 17.157.160 the Secretary of the City Planning Commission shall set a date for consideration thereof. The Secretary of the City Planning Commission shall, not less than ten days prior thereto, give written notice to: the owner of the Deemed Approved Hotel Activity; the property owner; the appellant in those cases where the appellant is not the owner; the adverse party or parties, or to the attorney, spokesperson, or representative of such party or parties; other interested groups and neighborhood associations who have requested notification; and to similar groups and individuals as appropriate, of the date and place of the hearing on the appeal.

In considering the appeal, the City Planning Commission shall determine whether the Deemed Approved Hotel Activity conforms to the applicable Deemed Approved performance standards and/or conditions of approval, and may continue or revoke a Deemed Approved Status; or require such changes in the existing use or impose such reasonable conditions of approval as are, in its judgement, necessary to ensure conformity to said performance standards.

The City Planning Commission shall vote on the appeal within thirty (30) days after its first hearing of the appeal. If the Commission is unable to decide on the appeal at that meeting, it shall appear for a vote on each regular meeting of the Commission thereafter until decided. The decision of the City Planning Commission on the appeal to the conditions of approval imposed by the Administrative Hearing Officer shall be final.

17.157.140 Appeal on the revocation of a Deemed Approved Status to the City Council.

Within ten calendar days after the date of a decision by the City Planning Commission to revoke a Deemed Approved Status, an appeal from said decision may be taken to the City Council by any interested party. In the event the last date of appeal falls on a weekend or a holiday when city offices are closed, the next date such offices are open for business shall be the last date of appeal. Such appeal shall be made on a form prescribed by the City Planning Commission and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record. Upon receipt of the appeal and an appeal fee in accordance with Section 17.157.160, the Council shall set the date for consideration thereof. The City Clerk shall notify the Secretary of the City Planning Commission of the receipt of said appeal and the date set for consideration thereof; and said Secretary shall, not less than ten days prior thereto, give written notice to: the owner of the Deemed Approved Hotel Activity; the property owner; the appellant in those cases where the appellant is not the owner; the adverse party or parties, or to the attorney, spokesperson, or representative of such party or parties; other interested groups and neighborhood associations who have requested notification; and to similar groups and individuals as appropriate, of the date and place of the hearing on the appeal.

In considering the appeal, the Council shall determine whether the Deemed Approved Hotel Activity conforms to the applicable Deemed Approved performance standards and/or conditions of approval, and may approve or disapprove the revocation of the Deemed Approved Status; or require such changes to the existing use or impose such reasonable conditions of approval as are, in its judgement, necessary to ensure conformity to said performance standards.

The decision of the City Council shall be made by resolution and shall be final. The City Council shall vote on the appeal within thirty (30) days after its first hearing on the appeal. If the

Council is unable to decide the appeal at that meeting, it shall appear for a vote on each regular meeting of the Council thereafter until decided.

17.157.150 Notification of public hearing before Administrative Hearing Officer.

The Officer shall notify the owner of each Deemed Approved Activity, and also the property owner if not the same, of the time and place of the public hearing. Such notice shall be sent via certified return receipt mail, and shall include notification that the Deemed Approved Status of the Deemed Approved Hotel Activity will be considered by the Officer. The public hearing shall be noticed by posting notices within three hundred (300) feet of the subject property; notice shall also be given by mail or delivery to all persons shown on the last available equalized assessment roll as owning real property in the city within three hundred (300) feet of the subject property. Such notices shall be given not less than ten days prior to the date set for the hearing, if such is to be held. Fees for notification shall be in accordance with Section 17.157.- and paid for by the Deemed Approved Hotel Activity in question.

- A. Notice on Site. A city-provided notice of a minimum eight and one-half (8 ½) by eleven (11) inches in dimension shall also be posted on the premises of the subject activity, placed in the window of the activity (if a window facing the street is not present, then the placard will be required to be posted onto the exterior of the building). All notices shall advertise the time, date, purpose and location of the public hearing for each particular site. All notices shall be given not less than ten days prior to the date set for the hearing.
- B. Notice by Mail. Notice by mail is deemed given on the date the notice is placed into the U.S. Mail system.

17.157.160 Fee Schedule.

Fee, and regulations pertaining to fees, including the review, notification, appeal, and reinspection of Deemed Approved Hotel Activities shall be in accordance with the city master fee scheduled.

Article V. Enforcement Procedure

17.157.170 Official action.

All officials, departments, and employees of the city vested with the authority to issue permits, certificates, or licenses shall adhere to, and require conformance with, the Deemed Approved Hotel regulations.

17.157.180 Violations and penalties.

- A. Infractions. Any person who violates, causes or permits another person to violate any provision of these regulations is guilty of an infraction unless otherwise provided.
- B. Separate Offenses for Each Day. Any violator shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of these regulations is committed, continued, permitted, or caused by such violator and shall be

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- punished accordingly.
- C. Any Violation a Public Nuisance. In addition to the penalties provided in this section, any use or condition caused or permitted to exist in violation of any of the provisions of this chapter shall be and is declared to be a public nuisance and may be summarily abated as such by the city *after appropriate notice and opportunity to be heard*.
- D. Injunction as Additional Remedy. Any violation of any provision of these regulations shall be and is declared to be contrary to the public interest and shall, at the discretion of the city, create a cause of action for injunctive relief.
- E. Penalties. Any person convicted of an infraction under the provisions of this section shall be punishable by a fine to the maximum permitted under state law. Any violation beyond the second conviction within a one-year period may be charged by the City Attorney or District Attorney as a misdemeanor, and the penalty for conviction shall be punishable by a fine or imprisonment to the maximum permitted under state law.
- F. Liability for Expenses. In addition to the punishment provided by law, a violator is liable for such costs, expenses, and disbursements paid or incurred by the city or any of its contractors in correction, abatement, and prosecution of the violation. Reinspection fees to ascertain compliance with previously noticed or cited violations shall be charged against the owner of the Deemed Approved Hotel Activity. Fees shall be in the amount described in Section 17.157.160 for charged reinspections. The inspection official shall give the owner or other responsible party of such affected premises a written notice showing the itemized cost of such chargeable service and requesting payment thereof. Should the bill not be paid in the required time, the charges shall be placed as a lien against the property.

17.157.190 Enforcement.

The city shall designate the appropriate personnel to enforce the provisions of these regulations."

Section 3. That the effective date of this ordinance shall be September 10, 1999.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 1999

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, MILEY, NADEL, REID, RUSSO, SPEES AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

CEDA FLOYD
City Clerk and Clerk of the Council of the
City of Oakland, California

Item D.2
PUBLIC SAFETY CMTE.
4-13-99