

<b>Location:</b>	Wattling Street (see map on the reverse)
<b>Assessors Parcel Number:</b>	(APN: 033-2169-016-01; 033-2169-016-02; and 033-2170-003-00)
<b>Proposal:</b>	Revisions to a portion of previously-approved phased Planned Unit Development project to reduce the number of units within Areas C, D & E from 61 to 51 townhouse condominium units. (Areas A and B remain the same as previously approved with 18 units and an open space garden).
<b>Applicant Contact Person / Phone Number:</b>	City Ventures - Andrew Warner (415)845-0293
<b>Owners:</b>	Oak Partners LLC c/o Philip Lesser
<b>Planning Permits Required:</b>	Revision to Preliminary Planned Unit Development for a phased project; Final Planned Unit Development to allow 51 townhouse units at a portion of the development site; Amended Vesting Tentative Parcel Map for condominium purposes.
<b>General Plan:</b>	Housing and Business Mix
<b>Zoning:</b>	HBX-2 Housing and Business Mix 2 Zone
<b>Environmental Determination:</b>	Projects consistent with a community plan, general plan or zoning (CEQA Guidelines Section 15183); Infill Exemption (CEQA Guidelines Section 15332)
<b>Historic Status:</b>	The project site is vacant.
<b>Service Delivery District:</b>	4
<b>City Council district:</b>	5
<b>Date Filed:</b>	June 7, 2018
<b>Staff Recommendation:</b>	Decision based on staff report
<b>Finality of Decision:</b>	Appealable to City Council within 10 days
<b>For further information:</b>	Contact case planner <b>Maurice Brenyah-Addow</b> at 510 238-3659 or by e-mail at mbrenyah@oaklandnet.com.

**SUMMARY**

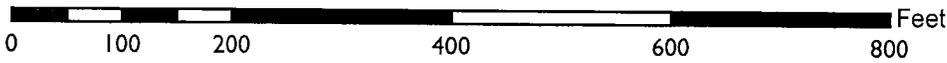
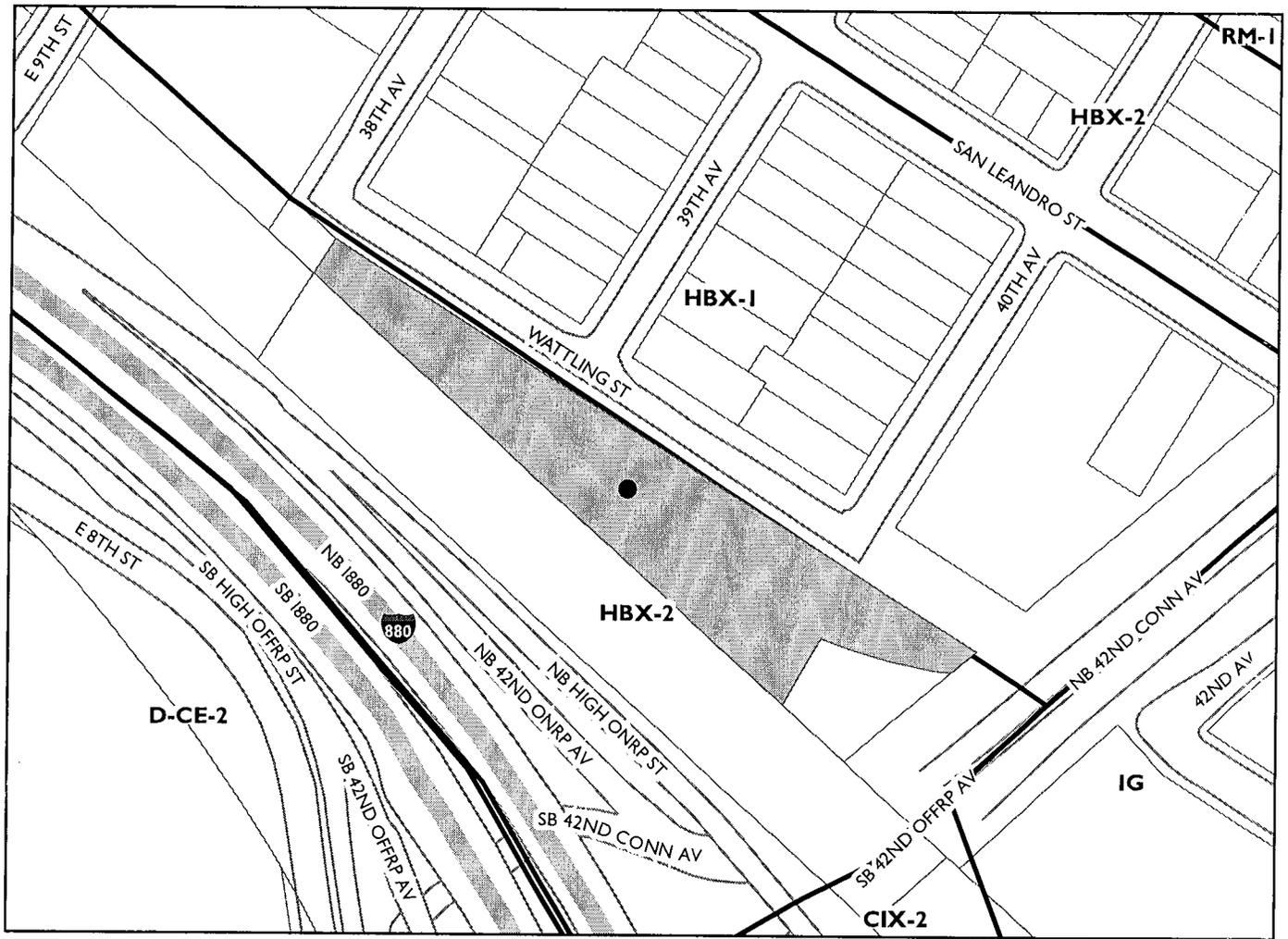
City Ventures has submitted an application to revise a previously-approved phased Planned Unit Development project, build the proposed revision in two phases instead of five, and amend a Tentative Parcel Map to reduce the number of units within Areas C, D & E from 61 to 51 townhouse condominium units. (Areas A and B remain the same as previously approved with 18 units and an open space garden).

The project was originally approved on June 18, 2008 and the applicant has taken advantage of all ministerial options for extensions. The Planning Commission approved additional one-year extensions on January 20, 2016, January 11, 2017, and February 7, 2018. These approvals included an additional Condition of Approval imposing impact fees which is still applicable. The entitlements will now expire on December 31, 2018.

The project site is located on three vacant parcels southwest on Wattling Street and between 37th Avenue and 40th Avenue. The site is currently used for container storage. The architect’s overall intent is to create a scheme that is consistent with the surrounding neighborhood development pattern, while lessening the impact imposed on the area by the nearby railroad tracks and Interstate 880. Since the site is very long and thin, the overall design goal is to create sub-neighborhoods within the project. This is accomplished through imposing a smaller street pattern on the site. The development will serve as a buffer and a transition piece between the industrial area and the more residential oriented area starting on 38th Ave. The single family townhouses between 38th and 40th Ave. are designed to be consistent with the scale of the residential neighborhood across Wattling Street.

(SEE MAP ON REVERSE SIDE)

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PUDF08166-R01  
Applicant: City Ventures - Andrew Warner  
Address: 3927 Wattling Street  
Zone: HBX-2

Overall, staff believes that the proposed revisions to the project are consistent with the previously-approved project and will be a positive contribution to this neighborhood and recommends approval of the proposed revision subject to the findings and conditions.

## **PROJECT SITE AND SURROUNDING AREA**

### **Existing Conditions**

The proposed development is located on three irregularly-shaped parcels southwest on Wattling Street. Specifically, the three parcels total 1.77 acres and are bounded by Wattling Street, 37th Ave., 40<sup>th</sup> Ave., and the Southern Pacific Railroad. The project site is vacant but is being used for container storage. The property does not have a historic rating per the Oakland Cultural Heritage Survey.

### **Surrounding Area**

The area surrounding the project site is a mix of industrial and residential uses. To the northeast of Wattling Street are several warehouse buildings and several small 1-2 story single-family homes. To the east are live / work and warehouse buildings. To the southwest are the Southern Pacific Railroad (50' from the rear property line to the centerline of the tracks) and Interstate 880 (120' from the rear property line) to the west are more warehouse and industrial buildings

## **PROJECT DESCRIPTION**

### **Building Program and Floor Plans**

The proposed revisions reduces the number of residential units within Areas C, D and E from 61 to 51 attached single-family townhomes. A majority of these units are oriented inwards onto pedestrian walkways with shared driveways leading to the garages located on the rear of each row of townhomes. The end units can also be accessed directly from Wattling Street. All the units have a private garage. Parcel 3(Lot 2/Area B) contains the garden with a billboard above that was approved as part of the original project. Parcel 4 (Lot 3/Area A) would include 18 units in a four-story building the would not change from the original approval.

The architect's overall intent is to create a scheme that is consistent with the surrounding neighborhood development pattern, while lessening the impact imposed of the nearby railroad tracks and Interstate 880. Since the site is long and thin, the overall design goal is to create sub-neighborhoods within the project. Specifically, the northwest end of the site is in a heavy industrial area being bound by 37th Ave, railroad tracks, and the State Shingle building. The project incorporates a sound wall along the rear property line to act as a buffer between the site and the more residential oriented area starting on 38th Avenue and the abutting railroad, highway noise and views and the industrial area. The townhouses are organized in a smaller street pattern perpendicular to Wattling and designed to have volumes and elements scaled to fit in with the rest of the neighborhood. The facades have been designed to break up the massing and repetitiveness along Wattling Street. The materials for the project include stucco, horizontal siding, tiles, and fiber cement board and panels.

The unit mix include 3-story single-family townhomes with a combination of two to three bedroom units that range in size from 1,162 to 1,955 sq. ft. The project proposes extensive hardscape and softscape elements throughout the development, including new sidewalk, curb, and gutter. Planting areas and open space are located throughout the development. A 4' wide landscape buffer and street trees are proposed in front of the residential units fronting Wattling Street. The units fronting onto the paseos have

landscaped areas with decorative paving. A 2,404 sq. ft. garden or park is also located on Parcel 3 (Lot 2/Area B) of the site and does not change from the original approval. The landscaping plans show ornamental trees, shrubs, vines, and groundcover.

## **GENERAL PLAN ANALYSIS**

### **Land Use and Transportation Element of the General Plan**

The General Plan designation for the project site is Housing and Business Mix (HBX). The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Therefore, the proposed density conforms to the General Plan density.

The General Plan states that the *intent* of the HBX designation is to “recognize the equal importance of both housing and business. This classification is intended to guide a transition from heavy industry to low impact light industrial and other businesses that can co-exist compatibly with residential development.” The General Plan states that the *desired character* of future development within this classification should be compatible with housing, and development should recognize the mixed business nature of the area. This classification allows mixed housing type density housing, “live-work”, low light industrial, commercial, and service businesses, and compatible community facilities.

The following General Plan Land Use and Transportation Policies and Objectives apply to the proposed project:

*Objective N3:* Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community.

*Policy N3.1* Facilitating Housing Construction

*Policy N3.2* Encouraging Infill Development

**The project site has been used as container storage for years and has been the subject of several complaints including blight, trash and debris, unauthorized access to the property, abandoned vehicles and dumping. The proposal to construct housing on this site would be positive for the neighborhood. The Land Use and Transportation Element considers the construction of new housing to be one of the highest priorities in Oakland to meet the demand of a growing population. In addition, the project site has no existing buildings, is located across the street from a small residential neighborhood and is appropriate for infill development. The project meets the objectives listed above by providing 69 new residential units on several underutilized parcels.**

*Policy T2.1* Encouraging Transit-Oriented Development **Although the project is not technically considered a Transit-Oriented Development, it is located just 6 blocks away (less than a quarter mile) from the Fruitvale BART station. This project would meet the goal of this policy by providing housing near transit consistent with the City’s transit first policy.**

*Policy N6.1* Mixing Housing Types **The project is proposing a mix of condominium units and larger attached townhomes style units that range from one to three bedroom units. This mix of unit types and sizes will provide housing for a range of incomes and family units.**

The proposed project meets the referenced objectives, the general intent of the HBX land use designation, and is a good fit for this area.

**Coliseum Area Redevelopment Project Area Plan**

In addition, the project is located in the Coliseum Area Redevelopment Project Area and is subject to the policies and goals in the Coliseum Area Redevelopment Plan. The following Redevelopment Plan goals apply to the proposed project:

**Goal 1:** The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including among others, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic land uses, substandard alleys and inadequate or deteriorated public improvements, facilities, and utilities.

**Goal 2:** The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.

**Goal 3:** The replanning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

**The project develops an underutilized, vacant property that has had several complaints for trash, blight, dumping, and inoperable vehicles into an integrated residential community. The project will combine several small thin and irregular parcels sufficiently large to allow for comprehensive planning. The project is proposing new curb, gutter, and sidewalk, as well as street trees to improve pedestrian circulation. Staff would include, as typical for all new development projects, a condition requiring half street improvements for vehicular circulation.**

The proposed project meets the referenced objectives, policies, goals, and the general intent of the Coliseum Redevelopment Plan. Staff finds that the project is a good fit for this area.

**ZONING ANALYSIS**

The zoning of the site is designated HBX-2 (Housing and Business Mix 2 Zone). The HBX-2 Zone is intended to “provide development standards for areas that have a mix of industrial, certain commercial and medium to high density residential development. This zone recognizes the equal importance of housing and business.” The maximum residential density for this zone is 1 unit per 930 sq. ft. of lot area. Staff has calculated a maximum density of 83 units. The revision from 79 units down to 69 units proposed project is under the maximum density permitted by the zoning designation.

To create condominium units for the project, a Tentative Parcel Map (TPM9439) was also approved for the project. This map will be amended to address the reduction of units from 61 down to 51 condominium units.

The following table depicts the project’s comparison to HBX-2 zoning requirements.

Zoning Regulation Comparison Table

Criteria	Requirement HBX-2	Proposed	Comment
Lot Area	4,000 sq. ft.	Parcel 1 = 14,968 sq. ft. Parcel 2 = 49,652 sq. ft. Parcel 3 = 2,434 sq. ft. Parcel 4 = 10,149 sq. ft.	All parcels meet the HBX-2 requirements, except parcel 3. Can be waived with the PUD bonuses.
Lot Width	35'	All parcels are over 35' in lot width	Meets the HBX-2 requirements.
Lot Frontage	35'	All parcels are over 35' in lot frontage	Meets the HBX-2 requirements.
Yard – Front Setback	Per HBX Design Guidelines Manual	0-47'	Consistent with the HBX Design Guidelines Manual
Yard – Interior Side Setback	Per HBX Design Guidelines Manual	0-21'	Consistent with the HBX Design Guidelines
Yard – Corner Side Setback	N/A	0'	Consistent with the HBX Design Guidelines
Yard – Rear Setback	Per HBX Design Guidelines Manual	0-10'	Consistent with the HBX Design Guidelines
Height	45'	33'-45'	Meets the HBX-2 requirements.
Open Space	150 sq. ft. / unit =10,350 sq. ft.	Exceeds required 10,350 sq. ft. (Garden, Paseos, Private Decks)	Meets the HBX-2 requirements.
Parking	1 space / unit = 80 spaces	1 spaces / unit = 120 spaces	Consistent with the HBX Design Guidelines with landscaping.
Parking Design	Per HBX Design Guidelines Manual	Garages & Located in a lot off of the street in front of the units	Consistent with the HBX Design Guidelines
Loading	50,000-149,999 sq. ft. resid. = 1 berth	0 berths (Driveway Alleys provide loading areas)	Variance Granted for original project
Residential density	1 unit / 930 sq. ft. = 83 units	69 units	Meets the HBX-2 requirements.
FAR	2.6	Less than 2.6	Meets the HBX-2 requirements.

The criteria for review and approval of this facility at this location includes the following: The Planned Unit Development Criteria (Preliminary and Final) in Section 17.140.080 and 17.140.060, the Design Review Criteria in Section 17.136.050A for the residential development; the Minor Variance Criteria in 17.48.050; and the Tentative Parcel Map Section 16.24.040 and 16.08.030. All applicable criteria are analyzed and appropriate findings are made in the *Findings* Section of this report.

## ENVIRONMENTAL DETERMINATION

Based on the size and location of the project site, as well as the findings of the traffic report and historic analysis, staff has concluded that the project is able to satisfy the in-fill exemption under the California Environmental Quality Act (CEQA), Section 15332. The categorical exemption criterion follows with a brief summary of staff's analysis in bold print:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; **As demonstrated in the General Plan Analysis section of this report, the application is consistent with all applicable General Plan policies and the Housing and Business Mix (HBX) designation. The Zoning Analysis and Required Findings sections demonstrate that, with approval of the PUD's and Variances, the project is consistent with the Zoning Ordinance. In addition, the project is also consistent with many of the goals in the Coliseum Redevelopment Plan.**
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; **The project site encompasses approximately 1.77 acres (77,213 sq. ft.). The site is located within the Coliseum Redevelopment Plan Area and is substantially surrounded by commercial, manufacturing, civic, and residential urban uses.**
- c) The project site has no value as habitat for endangered, rare or threatened species; **The project site is currently occupied by container structures. According to the Phase I report, the site was previously used as truck wrecking yard and truck sales, a lumberyard, contained a railroad spur was also evident. This history covers a period between 1912 and the present. Based on these uses and the surrounding context, staff has concluded that the site contains no known endangered, rare, or threatened species.**
- d) Approval of the project would not result in any significant effects relating to traffic, air quality, noise, or water quality; **A traffic report was completed specifically for this project and submitted in June 2008 (available at the Planning and Zoning office). Traffic impacts from the project were reviewed at several intersections within proximity to the project site. The project is anticipated to generate approximately 417 new net daily trips, 38 AM peak hour trips and 44 PM peak hour trips with a 10% discount for transit use. Staff did not take into account the existing trips to site which is used as container storage so the overall trips could be less. Level of Service (LOS) was calculated for 8 intersections. In the existing condition, all intersections operate at acceptable levels (LOS D or better).**

The trips associated with the project would generate far fewer than the 2,000 vehicle trips per day that the Bay Area Air Quality Management District (BAAQMD) considers the normal minimum traffic volume that should require a detailed air quality analysis. However, given the project's location near I-880 and the Southern Pacific railroad tracks, staff required an air quality analysis to be completed (available at the Planning and Zoning office). The study concluded that the BAAQMD's control measures as stated in the City's standard condition of approval regarding dust abatement and equipment emissions were adequate to address construction related impacts.

The project's adjacency to the railroad and I-880 is within the 500' advisory buffer for health risks per the California Air Resources Board's guidance manual. The architects have included several features in the project drawings that would address this proximity. The air quality study concluded that, with these features, the existing air quality context would not impact the proposed development and cause a health risk. These features are reiterated for importance as conditions of approval. In addition, the study also analyzed Green House Gas Emissions. The project would reduce green house gases by promoting infill development in a major urban area, locating near Fruitvale BART and several ACTransit lines, adding vegetation on a vacant and blighted site, and implementation of several green features already discussed above.

Due to adjacency to I-880 and the railroad, staff required a noise study to be completed (available at the Planning and Zoning office). The study analyzed construction noise, operation noise, traffic noise, interior noise and levels from transportation sources. The study concluded that the project features that would be implemented to reduce air quality impacts also reduce noise levels from existing noise generators on the project. The project's mechanical equipment would be required to meet the performance standards in the Planning Code. Construction noise would be temporary and would comply with the City's standard condition of approval.

The applicant is required to comply with all applicable City regulation and operation procedures as part of the issuance of building or grading permits. As noted above, standard and uniformly applied conditions of approval have been imposed for this project regarding air quality and noise, as well as water quality, and cultural resources.

The proposed revisions reduces the number of units by 10 and therefore the traffic impacts would be relatively less than the original project.

- e) The site can be adequately served by all required utilities and public services. **The project site is located in a highly urbanized area within Oakland and can be adequately served by utility and public services.**
- f) Cumulative Impacts:  
**Staff has also concluded that the project would not cause a cumulative impact. The traffic report's findings indicate that in the 2015 cumulative scenario the studied intersections are starting to fail with most intersections at or approaching LOS E and F. By 2030 all the studied intersections are at LOS F. The report concluded that these LOS levels would occur with or without the project and are caused by background traffic growth and the project would not cause any of the City's traffic thresholds to be exceeded for years 2015 or 2030. Therefore, the project does not result in a cumulative traffic or other impact.**

As a separate and independent basis, the project also satisfies CEQA Guidelines Section 15183 as the project is consistent with the general plan and zoning. Specifically, as a separate and independent basis from the other CEQA findings, pursuant to CEQA section 21083.3 and Guidelines section 15183, the Planning Commission finds: (a) the project is consistent with Land Use and Transportation Element (LUTE) of the General Plan, for which an EIR was certified in March 1998; (b) feasible mitigation measures identified in the LUTE EIR were adopted and have been, or will be, undertaken; (c) the EIR evaluated impacts peculiar to the project and/or project site, as well as off-site and cumulative impacts; (d) uniformly applied development policies and/or standards (hereafter called "Standard Conditions of Approval") have previously been adopted and found to, that when applied to future projects, substantially mitigate impacts, and to the extent that no such findings were previously made, the City Planning

Commission hereby finds and determines that the Standard Conditions of Approval substantially mitigate environmental impacts; and (e) no substantial new information exists to show that the Standard Conditions of Approval will not substantially mitigate the project and cumulative impacts.

**KEY ISSUES AND IMPACTS**

Staff recommend approval of the revisions because the proposed revision reduces the number of approved units for this particular portion of the site from 61 to 51 units and constructs it in one phase. Reducing the total number units by 10 is consistent with the density of the zoning and general plan. The redesigned three-story townhouse building type is also consistent with the previously approved project. The design is a contemporary, multi-unit residential development in a predominantly mixed-use and transitional neighborhood. Staff believes it is consistent with the previous design and therefore appropriate for the site.

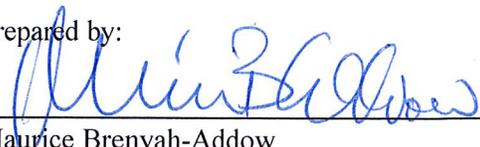
**CONCLUSIONS**

In summary, the proposal seeks to revise a portion of a previously approved residential project in East Oakland. The project meets the primary goal of providing new housing units and infill development on underused or vacant parcels. Furthermore, the project is clearly in conformance with the General Plan and the Coliseum Area Redevelopment Project Area Plan goals and policies. The PUD permits and variances are warranted and are not anticipated to create adverse impacts, pursuant to the attached Findings and Conditions of Approval.

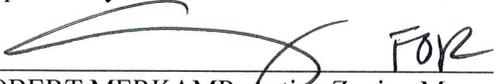
**RECOMMENDATIONS**

1. Affirm staff's environmental determination; and
2. Approve the proposed revision to the Preliminary Planned Unit Development Permit, the Final Planned Unit Development Permits for all phases, Minor Variances, Design Review, and Vesting Tentative Parcel Maps subject to the Conditions of Approval based on the attached findings.

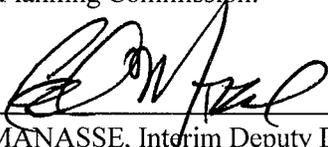
Prepared by:

  
\_\_\_\_\_  
Maurice Brenyah-Addow  
Planner IV

Approved by:

  
\_\_\_\_\_  
ROBERT MERKAMP, Acting Zoning Manager  
Bureau of Planning

Approved for forwarding to the  
City Planning Commission:



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ED MANASSE, Interim Deputy Director  
Department of Planning and Building

**ATTACHMENTS:**

- A. Plans and Elevations
- B. June 18, 2008 Staff Report
- C. Edward L. Pack Associates Inc Revised Noise and Vibration Assessment dated May 21, 2018
- D. Oakland Department of Transportation Conditions of Approval
- E. Oakland Fire Prevention Bureau Conditions of Approval

**FINDINGS FOR APPROVAL:**

The proposed project meets the required findings under Planning Code Sections 17.140.080 (Planned Unit Development Criteria), 17.140.060 (Planning Commission Action for a Final Planned Unit Development for all Phases), Section 17.136.050A (Residential Design Review findings), Section 17.148.050 (Variances findings); and Section 16.24.040 and 16.08.030 (Tentative Parcel Map findings). Required findings are shown in bold type; explanations as to why these findings can be made are in normal type. Required findings are shown in bold type below and are also contained within other sections of this report and the administrative record; explanations as to why these findings can be made are in normal type.

**Section 17.140.080 Preliminary Planned Unit Development Permit**

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

The proposed residential project is located within the Housing and Business Mix General Plan land use designation. The General Plan states that the *intent* of the HBX designation is to “recognize the equal importance of both housing and business. The General Plan states that the *desired character* of future development within this classification should be compatible with housing, and development should recognize the mixed business nature of the area. The project is consistent with this classification that allows mixed housing type density. The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification.

The project is meeting several policies and goals of the General Plan including: Objective N3: Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community; Policy N3.1 Facilitating Housing Construction; and *Policy N3.2 Encouraging Infill Development*. As stated before in the General Plan Analysis Section, the project site has been used as container storage for years and has been the subject of several complaints. The proposal to construct of housing on this would be positive for the neighborhood and the Land Use Element considers the construction of new housing to be one of the highest priorities in Oakland to meet the demand of a growing population. There is a residential neighborhood and live/work facility across the street and therefore the site is appropriate for residential development.

The project is also meeting Policy T2.1 Encouraging Transit-Oriented Development. The project is located just 6 blocks away (less than a quarter mile) from the Fruitvale BART station. This project would meet the goal of providing housing near transit. The project is providing a mix of condominium units and larger attached townhomes style units that range from one to three bedroom units. This mix is consistent with Policy N6.1 which encourages a Mixing Housing Types.

The project is located in the Coliseum Area Redevelopment Project Area, an applicable plan under this finding. The proposed project is consistent with the following goals:

Goal 1: The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including among others, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic

land uses, substandard alleys and inadequate or deteriorated public improvements, facilities, and utilities.

Goal 2: The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.

Goal 3: The re-planning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

The project as outlined is also consistent with the HBX Design Guidelines and with approval of the Variances for courtyard width and residential loading, the project will conform to the Planning Code.

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

The project is located in the Housing and Business Mix General Plan designation and the project is surrounded by these uses. The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. During the adoption process each area was specifically reviewed for conformity with the lot area requirements in the Housing and Business General Plan classification. The architect intent was to create sub-neighborhoods within the project that relate to surrounding neighborhood development pattern. The single family townhouses between 38th and 40th Ave. are designed to have distinct volumes and elements that are consistent with the scale of the residential neighborhood across Wattling Street.

The revised plans show a project that not only is well integrated with the context but within the development itself. The varied articulations and materials help provide visual interest for the townhomes. The garden also provides a transition between these uses. The materials and patterns are used to link various structures within the development to unify the overall design. The project meets intent of the HBX Design Guideline Manual which is to guide and transition to a more intense development pattern, promote designs that exist compatibly with the traditional development patterns, create freedom of styles and varied designs, develop attractive streetscapes, etc. The project is proposing new sidewalk, curb, and gutter where none existed, thereby improving the pedestrian context. Staff believes that the project is appropriate in location, size, and design.

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

The project will be required as a condition of approval to make full street repairs to Wattling Street. In addition, the project is proposing new sidewalk, curb, gutter which are new improvements in that area. Since the site is long, project traffic could use 37<sup>th</sup> Ave., 38<sup>th</sup> Ave., 39<sup>th</sup> Ave., and 40<sup>th</sup> Ave. to exit the project. This would disperse traffic along the local streets. A traffic study was completed for the project as is available at the Planning and Zoning office. The study concluded that the project will not have a traffic impact based on the City of Oakland criteria in the existing condition and cumulative condition.

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

*Findings*

The proposed project site is located in a developed area surrounded by residential and industrial uses that are currently and adequately served by existing utilities and service systems including water supply, wastewater treatment, storm water drainage, and solid waste disposal. The proposed project will also provide additional services for the area and improvements to the existing infrastructure such as new sidewalk, curb, and gutter.

- E. That the location, design, size, and uses will result in an attractive, healthful, efficient, and stable environment for living, shopping, or working, the beneficial effects of which environment could not otherwise be achieved under the zoning regulations.**

The proposed project is an attractive, high quality residential development that will benefit the surrounding area by developing an underutilized parcel. As stated earlier in the report, the site has been used as container storage and has also had multiple complaints lodged for blight, trash and debris, unauthorized access to the property, abandoned vehicles and dumping.

The proposed project would eliminate these types of possible future complaints by creating an attractive development project that is consistent with the Housing and Business Mix General Plan and Zoning regulations. The project's structures are varied yet integrated into a single comprehensive development that is related to the surrounding context. The project is located near several transit options. The revised project conforms to the zoning regulations with the granting of the minor Variances for courtyard width and loading. Staff suggested the PUD permit as a way to accommodate the phased implementation of the project. The project's interior private driveways, paseos and planting plan creates an intimate neighborhood setting. Compliance with the conditions of approval will result in an attractive, efficient, and stable environment for living.

- F. That the development will be well integrated into its setting, will not require excessive earth moving or destroy desirable natural features, will not be visually obtrusive and will harmonize with surrounding areas and facilities, will not substantially harm major views for surrounding residents, and will provide sufficient buffering in the form of spatial separation, vegetation, topographic features, or other devices.**

As stated above the architect's intent was to create a development that responds to the existing context. The site is flat so no sizable amount of grading will occur. There are no natural features to speak of on the site which is used as container storage. The project will not be visually intrusive as it responds to the context of the neighborhood and the backside borders the Southern Pacific Railroad and I-880. Again the current view is of a barren parcel used as container storage and a history of complaints. This is no view to speak of. The project is proposing an extensive planting plan including street trees and planting at the back of the new sidewalk. There is no need to buffer the project from the existing setting because the intent is to integrate into the setting.

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

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

The applicant has submitted detailed drawings consistent with the Final Development Plan requirements for all the Phases. Essentially, the PUD and the FPUD are the same drawings and therefore conform to all applicable criteria and standards for both the PUD and the FPUD regulations. The project meets the General Plan and Coliseum Redevelopment Plan goals and policies and is appropriate for the location.

**Section 17.136.070A (Residential Facilities Design Review Findings)**

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

As stated above in the report, the proposed project is located in a neighborhood with a mix of residential, industrial, and manufacturing activities. There is no specific architectural character or massing except in the lower scale neighborhood to the north. The design of each building and façade articulation responds to the adjacent uses and scale, while lessens the impact imposed on the area by the nearby railroad tracks and Interstate 880. Since the site is very long and thin, the overall design goal is to create sub-neighborhoods within the project. This is accomplished through imposing a smaller street pattern on the site. The proposed townhouse condo development will be a buffer and a transition. The buildings are related to each other through use of forms, materials, color and architectural features which are expressed similarly on each building.

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

The proposed design will preserve as well as enhance the neighborhood character by filling in an existing underutilized lot with a new mixed use development. The proposed design is consistent with the relevant Objectives of the HBX Design Guidelines.

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

The proposed project site is flat and is currently occupied by container storage. The site contains no notable landscaping. Therefore, the project will have no affect on the existing topography or landscape.

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

See response #3

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

The proposed project is consistent with the General Plan land use designation for the site, with Planned Unit Development Permits, and Variance findings, and with the Design Review Criteria as discussed in more detail throughout the report.

**Coliseum Area Redevelopment Project Area Plan**

In addition, the project is located in the Coliseum Area Redevelopment Project Area and is subject to the policies and goals in the Coliseum Area Redevelopment Plan. The following Redevelopment Plan goals apply to the proposed project:

**Goal 1:** The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including among others, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic land uses, substandard alleys and inadequate or deteriorated public improvements, facilities, and utilities.

**Goal 2:** The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.

**Goal 3:** The replanning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

**Section 17.148.050 Minor Variances Findings**

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

a) *Courtyard Dimensions:* Section 17.108.120 requires that when there are living room windows on the same lot facing each other on opposite walls, the zoning regulations require the minimum width of internal courts to equal one foot of width for each foot of height. The proposed project includes courtyards (approx. 20-foot wide paseos and driveways) between the townhouses. The width of the courtyards is 20'. This is approximately 12 feet narrower than the zoning requirement. Strict compliance with this regulation would require more open areas and a lesser unit count. The compliance with this regulation would preclude an effective design solution and operational efficiency for the buildings at the site. Staff believes the courts (paseos and driveways) are wide enough to protect unit privacy, and buffer noise that a variance can be supported. Given the irregularity of the site and the General Plan goal providing housing, staff believes that this small reduction in courtyard width is supportable.

b) *Loading Berths:* For residential floor area between 50,000-149,999 sf, one loading berth is required. The project is not providing any loading berths on site and the applicant is anticipating loading to take place along Wattling Street adjacent to the project or with the driveways. Strict compliance would preclude operational efficiency on the site and require either less housing, less parking, or less open space. The lack of a designated loading space on-site is not expected to cause significant traffic or circulation problems in the vicinity. Loading would be infrequent and only needed to facilitate residents moving in and out of the building. Moving vans could utilize on-street spaces or in the garages at the back of the townhomes or in the driveways.

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

- a) *Courtyard Dimensions:* As stated above, strict compliance with this regulation would require a loss of several units or that the units become significantly smaller. Compliance with the applicable regulation would preclude an effective design solution for so small a variance. Staff believes the courts (paseos and driveways) are wide enough to protect unit privacy, buffer noise and provide adequate access for fire personnel in an emergency. This along with adequate open space is the intent of the regulation. The additional width is not needed to meet the open space requirement since private balconies, a garden, planted walkway, and streetscape improvements are also proposed.
- b) *Loading Berths:* The intent of the loading berth regulation was to provide designated off-street spaces for loading. If the project were to comply with the loading berth requirement, units or parking spaces would need to be removed. Replacement of the removed units would likely increase the building height and would result in an awkward site plan. Loading would only be necessary for residents moving in and out of the units. This would take place infrequently since the units are for-sale and not rental. On-street spaces could be utilized in front of the townhomes or within the multi-unit building or in the driveways. Staff believes that the site plan maximizes the functionality of the project site and granting the loading berth variance would provide an effective design solution for the project.

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

- a) *Courtyard Dimension:* The variance for the minimum court dimension will not affect the livability, character, or appropriate development of adjacent parcels, since this is an internal issue to the project. The lack of approximately 3' in width will not compromise unit privacy, noise buffering and will provide adequate access for fire personnel in an emergency.
- b) *Loading Berths:* According to the traffic study, the lack of designated loading spaces on-site is not expected to cause significant traffic or circulation problems in the vicinity and is not expected to adversely affect the character or livability of the neighborhood. As stated above, loading would be used to accommodate residents moving in and out of the units. Since these units will not be rental, loading is expected to occur infrequently and by moving vans. These vans could use on-street parking, garage spaces, or driveways.

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

a and b) The project meets the intent of the zoning regulations by supporting an appropriate layout that is well-suited to the surrounding properties in mass, scale, height, materials, and development pattern. This compatibility will enhance and benefit the surrounding neighborhood. The variances can be supported and meet the general intent of the zoning regulations. The width of courtyard as shown in the plans will still provide unit privacy and be adequate for emergency personnel to reach

***Findings***

these units. Loading will be only used for residents moving in and out of the building. This will be infrequent since the units will be for-sale.

**16.24.040 Lot Design Standards**

Lot design shall be consistent with the provisions of Section 16.04.010, Purpose, and the following provisions:

**A No lot shall be created without frontage on a public street, as defined by Section 16.04.030, except:**

- 1. Lots created in conjunction with approved private access easements;**
- 2. A single lot with frontage on a public street by means of a vehicular access corridor provided that in all cases the corridor shall have a minimum width of twenty (20) feet and shall not exceed three hundred (300) feet in length. Provided further, the corridor shall be a portion of the lot it serves, except that its area (square footage) shall not be included in computing the minimum lot area requirements of the zoning district.**

All of the Lots have frontage on a public street. Lots 1 and 2 have frontage on Watling Street. Lot 3 has frontage on 37<sup>th</sup> Avenue. The proposed revision does not change any of the approved lot configurations. It only creates 51 condominium units for the proposed townhomes.

**B. The side lines of lots shall run at right angles or radially to the street upon which the lot fronts, except where impractical by reason of unusual topography.**

The side lot lines of the proposed lots run at right angles to the street on which they front except lot 3, which effectively acts as a key lot due to 1) the fact that Watling Street does not extend to 37<sup>th</sup> Avenue; 2) the lot intersects with 37<sup>th</sup> Avenue; and 3) the lot is adjacent to the lot 2's side lot line.

**C. All applicable requirements of the zoning regulations shall be met.**

The proposed parcel conforms to the zoning regulations of the HBX-2 (Housing and Business Mix Commercial Zone) subject to the PUD, the FPUD and Variances that are requested as part of the overall project approval.

**D. Lots shall be equal or larger in measure than the prevalent size of existing lots in the surrounding area except:**

- 1. Where the area is still considered acreage;**
- 2. Where a deliberate change in the character of the area has been initiated by the adoption of a specific plan, a change in zone, a development control map, or a planned unit development.**

The project is proposing to merge three lots and subdivide the site into 4 parcels. The three residential parcels will be used for condominium purposes. However, this project is proposing a PUD which is an exception to this requirement. The applicant is asking for a PUD bonus for the lot size of Parcel 4 the garden parcel. Since this area will be used as a park and development will be restricted, staff believes that application of the bonus would be warranted.

**E. Lots shall be designed in a manner to preserve and enhance natural out-croppings of rock, specimen trees or group of trees, creeks or other amenities.**

*Findings*

The project site is currently used as container storage. The site is devoid of vegetation and other natural features.

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

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

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

The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Each area was specifically reviewed in terms of density. If the project meets the density in the HBX zoning regulations, which the project is, then the project meets the HBX land use classification. The project meets the zoning and is consistent with the general plan with approval of the PUD (including the PUD bonus), FPUD, and the Variances.

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

The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Each area was specifically reviewed in terms of density. If the project meets the density in the HBX zoning regulations, which the project is, then the project meets the HBX land use classification. The project meets the zoning and is consistent with the general plan. There is no specific plan for this area.

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

The site is flat, in an urban area, devoid of natural features and future development can be easily accommodated.

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

The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Each area was specifically reviewed in terms of density. If the project meets the density in the HBX zoning regulations, which the project is, then the project meets the HBX land use classification. The site for the proposed development is flat and devoid of natural features and is suitable for development.

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

The subject property is located in an urban area surrounded by developed residential, commercial, and industrial properties. The site is used for container storage devoid of natural features that would provide habitat to fish or wildlife. No environmental damage would occur with the proposed project.

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

The merger of the parcels and the subsequent subdivision are not expected to cause serious public health problems. The proposed development would be served by public water and sewer service, and would therefore not require the use of on-site sewage disposal or domestic water well. The project site is not located on the state's Cortese List for hazardous waste. There are no buildings on the site.

*Findings*

Therefore asbestos, lead in paint, lead in water, and contaminated equipment are expected. Radon or According the Phase I report, available at the Planning and Zoning office, the radon or other vapor intrusions are not expected to pose a health hazard. The site is located near the railroad and I-880. These facilities could pose air quality and noise on the project. The architects have included several features in the project drawings that would address this proximity. The study concluded that, with these features, the existing air quality context would not impact the proposed development and cause a health risk. These features are reiterated for importance as conditions of approval.

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

Adjacent to the site to the rear are several easements including a high pressure petroleum line, the Southern Pacific Railroad. Storm drain lines are also located to the front of the site along Wattling Street. In addition, the City also holds a 6' sewer easement. The multi-story building will not built with the easement so there is no conflict between the proposed building and access to the sewer. Southern Pacific also holds an easement over Parcel 4 to access the rail line. Gates to the garden and the wall adjacent to the rail line would provide access. Neither of these easement will result in conflicts or restrict use.

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

The subdivision of the lot for condominium purposes does not exclude the possibility of for future passive or natural heating or cooling opportunities.

Proposed Modifications to the conditions of approval as by staff for the proposed revisions are indicated in underlined type for additions and ~~cross-out type~~ for deletions.

## **CONDITIONS OF APPROVAL**

### **1. Approved Use**

#### ***Ongoing***

- a) The project shall be constructed and operated in accordance with the authorized use as described in the revised application materials, staff report, and the plans dated **June 7, 2018** submitted on **June 7, 2018** and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall required prior written approval from the Director of City Planning or designee.
- b) This action by the City Planning Commission (“this Approval”) includes the revision to approvals set forth below. This Approval includes:
  - I. Approval of a Planned Unit Development (PUD), including bonus for lot size for Parcel 4, for the Wattling Residential PUD under OMC Section 17.140
  - II. Approval of a Final Planned Unit Development (FPUD) under OMC Section 17.140
  - III. Approval of Minor Variance for the courtyard dimensions in the multi-unit building and residential loading under OMC Section 17.148
  - IV. Major Design Review for the construction of a new principal facility over 25,000 sq. ft. of new floor area under OMC Section 17.136A
  - V. Vesting Tentative Parcel Map for condominium purposes under OMC Section 16.108 and 16.124.

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

#### ***Ongoing***

- a) Unless a different termination date is prescribed, this PUD, PUDF, Variance, and Design Review Approval shall expire two years from the approval date, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit for this project may invalidate this Approval if the said extension period has also expired.
- b) Based on the submitted five phase plan, failure of the applicant to obtain a building permit for Phase 2 within one (1) year of a certificate of occupancy for Phase 1 shall invalidate this approval. Failure of the applicant to obtain a building permit for Phase 3 within one (1) year of a certificate of occupancy for Phase 2 shall invalidate this approval. Failure of the applicant to obtain a building permit for Phase 4 within one (1) year of a certificate of occupancy for Phase 3 shall invalidate this approval. Failure of the applicant to obtain a building permit for Phase 5 within one (1) year of a certificate of occupancy for Phase 4 shall invalidate this approval. Provided further, that upon written request, the Planning and Zoning Division may grant a one year extension of these deadlines, with additional extensions subject to approval by the City Planning Commission. (As part of the proposed revision, Phases 1 – 4 would be built at the same time).

- c) This approval of the Vesting Tentative Map shall expire two (2) calendar years from the approval date, the effective date of its granting, unless the applicant files a Parcel Map with the City Engineer within two (2) years from the date of this letter. Failure to file a Parcel Map within these time limits shall nullify the previous approval or conditional approval of the Tentative Parcel Map. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Zoning Administrator may grant an extension of this permit, and up to two subsequent extensions upon receipt of a subsequent written request and payment of appropriate fees received no later than the expiration date of the previous extension.

**3. Recordation of the Final Map for Approved Project**

For condominium purposes the final map shall be recorded prior to the certificate of occupancy for the 79 units pursuant to Case File PUD06-606; PUDF08-166. The applicant shall discuss the recordation with Engineering Services, as this department may have a different timeframe for final map submittal.

**4. Scope of This Approval; Major and Minor Changes**

***Ongoing***

- a) The project is approved pursuant to the Planning Code and Subdivision Regulations only. Minor changes to approved use and/or plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved use and/or plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.
- b) The project shall comply with all other applicable codes, requirements, regulations and guidelines, including but not limited to those imposed by the City's Building Services Division and the City's Fire Marshal. The proposal shall specifically comply with the conditions required by Philip Basada of the Fire Prevention Bureau and Tim Low of Engineering Services per the attached memorandums (Attachment B).

**5. Conformance with other Requirements**

***Prior to issuance of a demolition, grading, P-job, or other construction related permit***

- a) The project applicant shall comply with all other applicable federal, state, regional and/or local codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with the other applicable requirements may require changes to the approved use/or plans. These changes shall be processed in accordance with the procedures contained in Condition of Approval 3.
- b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.

**6. Conformance to Approved Plans; Modification of Conditions or Revocation**

***Ongoing***

- a) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.

- b) The City of Oakland reserves the right at any time during construction to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension or other corrective action.
- c) Violation of any term, Conditions or project description relating to the Approvals is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions.

**7. Signed Copy of the Conditions**

*With submittal of a demolition, grading, and building permit*

A copy of the approval letter and Conditions shall be signed by the property owner, notarized, and submitted with each set of permit plans to the appropriate City agency for this project.

**8. Indemnification**

- a) *Ongoing* The project applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Agency, the Oakland City Planning Commission and their respective agents, officers, and employees (hereafter collectively called the City) from any claim, action, or proceeding (including legal costs and attorney's fees) against the City to attack, set aside, void or annul this Approval, or any related approval by the City. The City shall promptly notify the project applicant of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding. The project applicant shall reimburse the City for its reasonable legal costs and attorney's fees.
- b) Within ten (10) calendar days of the filing of a claim, action or proceeding to attack, set aside, void, or annul this Approval, or any related approval by the City, the project applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations and this condition of approval. This condition/obligation shall survive termination, extinguishment, or invalidation of this, or any related approval. Failure to timely execute the Letter Agreement does not relieve the project applicant of any of the obligations contained in 7(a) above, or other conditions of approval.

**9. Compliance with Conditions of Approval**

*Ongoing*

The project applicant shall be responsible for compliance with the recommendations in any submitted and approved technical report and all the Conditions of Approval set forth below at its sole cost and expense, and subject to review and approval of the City of Oakland.

**10. Severability**

*Ongoing*

Approval of the project would not have been granted but for the applicability and validity of each and every one of the specified conditions, and if one or more of such conditions is found to be

invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid conditions consistent with achieving the same purpose and intent of such Approval.

**11. Job Site Plans**

***Ongoing throughout demolition, grading, and/or construction***

At least one (1) copy of the stamped approved plans, along with the Approval Letter and Conditions of Approval, shall be available for review at the job site at all times.

**12. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Management**

***Prior to issuance of a demolition, grading, and/or construction permit and/or as needed***

The project applicant may be required to pay for on-call special inspector(s)/inspections as needed during the times of extensive or specialized plancheck review, or construction. The project applicant may also be required to cover the full costs of independent technical and other types of peer review, monitoring and inspection, including without limitation, third party plan check fees, including inspections of violations of Conditions of Approval. The project applicant shall establish a deposit with the Building Services Division, as directed by the Building Official, Director of City Planning or designee.

**13. Required Landscape Plan for New Construction and Certain Additions to Residential Facilities**

***Prior to issuance of a building permit***

Submittal and approval of a landscape plan for the entire site is required for the establishment of a new residential unit (excluding secondary units of five hundred (500) square feet or less), and for additions to Residential Facilities of over five hundred (500) square feet. The landscape plan and the plant materials installed pursuant to the approved plan shall conform with all provisions of Chapter 17.124 of the Oakland Planning Code, including the following:

- a) Landscape plans shall include a detailed planting schedule showing the proposed location, sizes, quantities, and specific common botanical names of plant species.
- b) Landscape plans for projects involving grading, rear walls on downslope lots requiring conformity with the screening requirements in Section 17.124.040, or vegetation management prescriptions in the S-11 zone, shall show proposed landscape treatments for all graded areas, rear wall treatments, and vegetation management prescriptions.
- c) Landscape plans shall incorporate pest-resistant and drought tolerant landscaping practices. Within the portions of Oakland northeast of the line formed by State Highway 13 and continued southerly by Interstate 580, south of its intersection with State Highway 13, all plant materials on submitted landscape plans shall be fire resistant. The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire resistant and drought tolerant.
- d) All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season.

**14. Landscape Requirements for Street Frontages.**

***Prior to issuance of a final inspection of the building permit***

- a) All areas between a primary Residential Facility and abutting street lines shall be fully landscaped, plus any unpaved areas of abutting rights-of-way of improved streets or alleys, provided, however, on streets without sidewalks, an unplanted strip of land five (5) feet in width shall be provided within the right-of-way along the edge of the pavement or face of curb,

whichever is applicable. Existing plant materials may be incorporated into the proposed landscaping if approved by the Director of City Planning.

- b) In addition to the general landscaping requirements set forth in Chapter 17.124, a minimum of one (1) fifteen-gallon tree, or substantially equivalent landscaping consistent with city policy and as approved by the Director of City Planning, shall be provided for every twenty-five (25) feet of street frontage. On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet, the trees to be provided shall include street trees to the satisfaction of the Director of Parks and Recreation.

**15. Assurance of Landscaping Completion.**

***Prior to Issuance of a Certificate of Occupancy***

The trees, shrubs and landscape materials required by the conditions of approval attached to this project shall be planted before the certificate of occupancy will be issued; or a bond, acceptable to the City, shall be provided for the planting of the required landscaping. The amount of such bond shall equal the greater to the estimated cost of the required landscaping an irrigation, based on a licensed contractor's bid.

**16. Landscape Maintenance.**

***Ongoing***

All required planting, including those in the public right of way, shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required fences, walls and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

**17. Bicycle Parking**

***Prior to the issuance of first certificate of occupancy.***

The applicant shall submit for review and approval of the Planning and Zoning Division, plans that show bicycle storage and parking facilities to accommodate at least one short-term bicycle parking space onsite or on public sidewalk, and five long-term bicycle parking spaces. The plans shall show the design and location of bicycle racks within the secure bicycle storage areas. The applicant shall pay for the cost and installation of any bicycle racks in the public right of way.

**18. Underground Utilities**

***Prior to issuance of a building permit***

The project applicant shall submit plans for review and approval by the Building Services Division and the Public Works Agency, and other relevant agencies as appropriate, that show all new electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities placed underground. The new facilities shall be placed underground along the project applicant's street frontage and from the project applicant's structures to the point of service. The plans shall show all electric, telephone, water service, fire water service, cable, and fire alarm facilities installed in accordance with standard specifications of the serving utilities.

**19. Improvements in the Public Right-of-Way (General)**

***Approved prior to the issuance of a P-job or building permit***

- a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal

Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW.

- b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition.
- c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit.
- d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards.

**20. Improvements in the Public Right-of Way (Specific)**

*Approved prior to the issuance of a grading or building permit*

Final building and public improvement plans submitted to the Building Services Division shall include the following components:

- a) Install additional standard City of Oakland streetlights (Wattling Street. Improvements to Wattling Street shall be required to go to the gutter, curb, sidewalk and ramps on the opposite side of Wattling Street adjacent to the development site between 38<sup>th</sup> Street and 40<sup>th</sup> Street. Curb, sidewalk, ramps, streetlights and other improvements adjacent to Areas A and B (Lots 2 and 3) shall be constructed by future developers).
- b) Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter.
- c) Reconstruct drainage facility to current City standard (Wattling Street).
- d) Provide separation between sanitary sewer and water lines to comply with current City of Oakland and Alameda Health Department standards.
- e) Construct wheelchair ramps that comply with Americans with Disability Act requirements and current City Standards and address path-of-travel within or around the proposed development such that wheelchairs access is provided at Wattling Street and 38<sup>th</sup>, 39<sup>th</sup>, and 40<sup>th</sup> Street intersections.
- f) Remove and replace deficient concrete sidewalk, curb and gutter within property frontage (Wattling Street).
- g) Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and standards. (Wattling Street).

**21. Phased Public Improvement Plan**

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

The applicant shall submit Public Improvement Plans for improvements to be installed with each phase of the development.

**22. Payment for Public Improvements**

*Prior to issuance of a final inspection of the building permit.*

The project applicant shall pay for and install public improvements made necessary by the project including damage caused by construction activity.

**23. Construction Phasing and Management Plan**

***Approved prior to the issuance of a grading or building permit***

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

- a) A site security and safety plan to assure that grading and construction activities are adequately secured during off-work hours.
- b) A construction period litter/debris control plan to ensure the site and surrounding area is kept free of litter and debris.
- c) A plan to provide safe temporary access to occupied units during active construction activities, including path of travel, securing active construction areas and parking.

**24. Compliance Matrix**

***Prior to issuance of a demolition, grading, or building permit***

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division a Conditions compliance matrix that lists each condition of approval, the City agency or division responsible for review, and how/when the project applicant has met or intends to meet the conditions. The applicant will sign the Conditions of Approval attached to the approval letter and submit that with the compliance matrix for review and approval. The compliance matrix shall be organized per step in the plancheck/construction process unless another format is acceptable to the Planning and Zoning Division and the Building Services Division. The project applicant shall update the compliance matrix and provide it with each item submittal.

**25. Dust Control**

***Prior to issuance of a demolition, grading or building permit***

During construction, the project applicant shall require the construction contractor to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic and enhanced dust control procedures required for construction sites. These include:

- a) Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
- b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
- e) Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- f) Limit the amount of the disturbed area at any one time, where feasible.
- g) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- h) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- i) Replant vegetation in disturbed areas as quickly as feasible.
- j) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- k) Limit traffic speeds on unpaved roads to 15 miles per hour.

- l) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.
- m) All "Basic" controls listed above, plus:
- n) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- o) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
- p) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction as well as posted on-site over the duration of construction.
- q) Install appropriate wind breaks at the construction site to minimize wind blown dust.

**26. Construction Emissions**

***Prior to issuance of a demolition, grading or building permit***

To minimize construction equipment emissions during construction, the project applicant shall require the construction contractor to:

- a) Demonstrate compliance with Bay Area Air Quality Management District (BAAQMD) Regulation 2, Rule 1 (General Requirements) for all portable construction equipment subject to that rule. BAAQMD Regulation 2, Rule 1 provides the issuance of authorities to construct and permits to operate certain types of portable equipment used for construction purposes (e.g., gasoline or diesel-powered engines used in conjunction with power generation, pumps, compressors, and cranes) unless such equipment complies with all applicable requirements of the "CAPCOA" Portable Equipment Registration Rule" or with all applicable requirements of the Statewide Portable Equipment Registration Program. This exemption is provided in BAAQMD Rule 2-1-105.
- b) Perform low- NOx tune-ups on all diesel-powered construction equipment greater than 50 horsepower (no more than 30 days prior to the start of use of that equipment). Periodic tune-ups (every 90 days) shall be performed for such equipment used continuously during the construction period.

**27. Days/Hours of Construction Operation**

***Ongoing throughout demolition, grading, and/or construction***

The project applicant shall require construction contractors to limit standard construction activities as follows:

- a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday.
- b) Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division.
- c) Construction activity shall not occur on Saturdays, with the following possible exceptions:
  - i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be

evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.

- ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed.
- d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.
- e) No construction activity shall take place on Sundays or Federal holidays.
- f) Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.
- g) Applicant shall use temporary power poles instead of generators where feasible.

**28. Noise Control**

***Ongoing throughout demolition, grading, and/or construction***

To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures:

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

**29. Noise Complaint Procedures**

***Ongoing throughout demolition, grading, and/or construction***

Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:

- a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours);
- b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours);
- c) The designation of an on-site construction complaint and enforcement manager for the project;
- d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and
- e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

**30. Interior Noise**

***Prior to issuance of a building permit***

If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls) shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval. Final recommendations for sound-rated assemblies will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phase.

**31. Operational Noise-General**

***Ongoing.***

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.

**32. Construction Management**

***Prior to the issuance of a demolition, grading or building permit***

The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements:

- a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.
- b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- c) Location of construction staging areas for materials, equipment, and vehicles at an approved location.
- d) A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services.
- e) Provision for accommodation of pedestrian flow.
- f) Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.

**33. Hazards Best Management Practices**

***Prior to commencement of demolition, grading, or construction***

The project applicant and construction contractor shall ensure that construction of Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:

- a) Follow manufacture's recommendations on use, storage, and disposal of chemical products used in construction;
- b) Avoid overtopping construction equipment fuel gas tanks;
- c) During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d) Properly dispose of discarded containers of fuels and other chemicals.
- e) Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building.
- f) If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

**34. Waste Reduction and Recycling**

The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency.

***Prior to issuance of demolition, grading, or building permit***

Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at [www.oaklandpw.com/Page39.aspx](http://www.oaklandpw.com/Page39.aspx) or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.

***Ongoing***

The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.

**35. Vibration**

***Prior to the issuance of a building permit***

A qualified acoustical consultant shall be retained by the project applicant during the design phase of the project to comment on structural design as it relates to reducing groundborne vibration at the project site to 75VdB. If required in order to reduce groundborne vibration to acceptable levels the project applicant shall incorporate special building methods to reduce groundborne vibration being transmitted into project structures containing residential uses. Potential methods include the following:

- a) Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a “spring isolation” system that consists of resilient spring support that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of ground-borne vibration to the residences above.
- b) Trenching, which involves excavating soil between the railway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project’s structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets (i.e., Styrofoam) or low-density polyethylene). Since trench depths required to reduce groundborne vibration generated by railway operations can be significant (e.g. greater than 30 feet), the project sponsor shall submit for City review and approval any trench proposal.

**36. Lighting Plan**

***Prior to the issuance of an electrical or building permit***

The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the

Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.

**37. Archaeological Resources**

***Ongoing throughout demolition, grading, and/or construction***

- a) Pursuant to CEQA Guidelines section 15064.5 (f), “provisions for historical or unique archaeological resources accidentally discovered during construction” should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.
  
- b) In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out.
  
- c) Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measure measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.

**38. Human Remains**

***Ongoing throughout demolition, grading, and/or construction***

In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction

activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

**39. Paleontological Resources**

***Ongoing throughout demolition, grading, and/or construction***

In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in Section 15064.5 of the CEQA Guidelines. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.

**40. Erosion and Sedimentation Control Plan**

***Prior to any grading activities***

- a) The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.780 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.

***Ongoing throughout grading and construction activities***

- b) The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.

**41. Geotechnical Report**

***Required as part of the submittal of a Final Map***

- a) A site-specific, design level, Landslide or Liquefaction geotechnical investigation for each construction site within the project area shall be required as part of this project and submitted for review and approval by the Building Services Division. Specifically:

- i. Each investigation shall include an analysis of expected ground motions at the site from identified faults. The analyses shall be accordance with applicable City ordinances and polices, and consistent with the most recent version of the California Building Code, which requires structural design that can accommodate ground accelerations expected from identified faults.
  - ii. The investigations shall determine final design parameters for the walls, foundations, foundation slabs, surrounding related improvements, and infrastructure (utilities, roadways, parking lots, and sidewalks).
  - iii. The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer, geotechnical engineer, shall be included in the final design, as approved by the City of Oakland.
  - iv. The geotechnical report shall include a map prepared by a land surveyor or civil engineer that shows all field work and location of the “No Build” zone. The map shall include a statement that the locations and limitations of the geologic features are accurate representations of said features as they exist on the ground, were placed on this map by the surveyor, the civil engineer or under their supervision, and are accurate to the best of their knowledge.
  - v. Recommendations that are applicable to foundation design, earthwork, and site preparation that were prepared prior to or during the projects design phase, shall be incorporated in the project.
  - vi. Final seismic considerations for the site shall be submitted to and approved by the City of Oakland Building Services Division prior to commencement of the project.
  - vii. A peer review is required for the Geotechnical Report. Personnel reviewing the geologic report shall approve the report, reject it, or withhold approval pending the submission by the applicant or subdivider of further geologic and engineering studies to more adequately define active fault traces.
- b) Tentative Tract or Parcel Map approvals shall require, but not be limited to, approval of the Geotechnical Report.

**42. Fire Safety Phasing Plan**

*Prior to issuance of a demolition, grading, and/or construction and concurrent with any p-job submittal permit*

The project applicant shall submit a separate fire safety phasing plan to the Planning and Zoning Division and Fire Services Division for their review and approval. The fire safety plan shall include all of the fire safety features incorporated into the project and the schedule for implementation of the features. Fire Services Division may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase.

**43. Stormwater Pollution Prevention Plan (SWPPP)**

*Prior to and ongoing throughout demolition, grading, and/or construction activities*

The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of

pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

**44. Post-Construction Stormwater Pollution Management Plan**

***Prior to issuance of building permit (or other construction-related permit)***

The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater pollution management plan, for review and approval by the City, to manage stormwater runoff and limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.

- a) The post-construction stormwater pollution management plan shall include and identify the following:
  - i. All proposed impervious surface on the site;
  - ii. Anticipated directional flows of on-site stormwater runoff; and
  - iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and
  - iv. Source control measures to limit the potential for stormwater pollution; and
  - v. Stormwater treatment measures to remove pollutants from stormwater runoff.
  - vi. Hydromodification management measures so that post project stormwater run-off does not exceed the flow and duration of pre-project run-off, if required under the NPDES permit.
- b) The following additional information shall be submitted with the post-construction stormwater pollution management plan:
  - i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and
  - ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e., non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscape-based treatment measures.

All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater pollution management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program.

***Prior to final permit inspection***

The applicant shall implement the approved stormwater pollution management plan.

**45. Maintenance Agreement for Stormwater Treatment Measures**

***Prior to final zoning inspection***

For projects incorporating stormwater treatment measures, the applicant shall enter into the “Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement,” in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following:

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

**46. Regulatory Permits and Authorizations**

***Prior to issuance of a demolition, grading, or building permit***

Prior to construction within the floodway or floodplain, the project applicant shall obtain all necessary regulatory permits and authorizations from the Alameda County Flood Control and Water Conservation District and shall comply with all conditions issued by that agency.

**47. Structures within a Floodplain**

***Prior to issuance of a demolition, grading, or building permit***

- a) The project applicant shall retain the civil engineer of record to ensure that the project’s development plans and design contain finished site grades and floor elevations that are elevated above the Base Flood Elevation (BFE) if established of a 100-year flood event.
- b) The project applicant shall submit final hydrological calculations that ensure that the structure will not interfere with the flow of water or increase flooding.

**48. Stormwater and Sewer**

***Prior to completing the final design for the project’s sewer service***

- a) Confirmation of the capacity of the City’s surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.
- b) Show the diameter of the existing main sewer flowing south from 38<sup>th</sup> Ave. (C-1.4). Provide invert elevation where the private sewer connected to ex. main sewer. Provide calculation showing that the main sewer have capacity to take the proposed sewer discharge assuming the existing main is flowing half full.
- c) Construction over the common sewer and within the sewer easement is not permitted.

**49. Conditions and Restrictions & Homeowner's Association**

***Prior to the first certificate of occupancy.***

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

**50. Meter Shielding**

***Prior to issuance of building permits.***

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

**51. Air Quality Building Features (as reiterated from the project drawings and air quality analysis)**

***Prior to the issuance of a building permit***

The applicant shall submit building permit plans that show the following building features shown in the approved plans:

- a) ~~Orientation of the buildings will remain so that the closest buildings face away from the freeway and the train tracks with all other buildings perpendicular to the freeway as shown in the PUD and FPUD plans.~~ The project shall follow the prescriptions of the "Edward L. Pack Associates Inc Revised Noise and Vibration Assessment dated May 21, 2018" (See Attachment C).
- b) ~~Inoperable windows will be located on the sides of the building that face the freeway and the train tracks.~~
- c) The project will include a noise buffering wall up to 30' high in some locations.
- d) No significant yards between the buffering wall and the buildings.
- e) Buildings will maintain positive pressure.
- f) The project will include a dual-filtration heating and ventilation system, for all the units including the townhomes, which will provide filtration on both the outside air intake and the return air grill, utilizing ASHRAE Dust Spot 85% (MERV 13) filters at both locations. Performance standards will include 1 air exchange per hour of fresh outside filtered air and 4 air changes per hour of recirculation.
- g) The applicant shall prepare an Operation and Maintenance Manual for the heating and ventilation system and the filter. The manual will include operating instructions and a maintenance and replacement schedule. This manual will be included in the CC&R's and distributed to maintenance staff.
- h) The applicant shall prepare a separate Homeowners Manual. The manual shall contain operating instructions and maintenance and replacement schedule for the heating and ventilation system and the filters.
- i) The applicant shall also disclose to the buyers of the air quality analysis dated May 21, 2008 findings.

**52. Noise Building Features (as reiterated from the project drawings and noise analysis)**

***Prior to the issuance of a building permit***

The applicant shall submit building permit plans that show the following building features shown in the approved plans:

- a) The project shall follow the prescriptions of the “Edward L. Pack Associates Inc Revised Noise and Vibration Assessment dated May 21, 2018” (See Attachment C) for Phases 1-4, to be constructed at the same time. A minimum residential building and sound wall setback of 50’ from the train line will be provided for Phase 5.
- b) The sound wall and noise barrier heights would be provided as shown in the Levy Design Architectural drawings for Phase 5.
- c) Building facades along the train line will have double-stud exterior wall assembly with an exterior finish consisting of fiber cement panel over plywood and gypsum board. The interior side would have two layers of gypsum board.
- d) Excluding the aforementioned facades along the train line, all other Building facades (facing or perpendicular) located within 100’ of the train line would have staggered stud or resilient channel exterior wall assembly with the exterior finish consisting of a fiber cement panel over plywood and gypsum board. The interior side would have two layers of gypsum board.
- e) Sound rated windows and exterior doors as identified in Tab11 of the noise analysis dated April 15, 2008 for Phase 5.
- f) An exterior-grade sound absorbing material having a minimum NRC rating of .60 will be provided at 50% of the wall areas forming courtyards in Area A dwellings.
- g) If within 500’ of a freeway, Z duct construction is prohibited.
- h) The project applicant must ensure that the acoustical analysis includes ventilation system noise.
- i) Include performance testing of a sample unit to ensure compliance with the interior noise standards.
- j) The owner of the property shall provide in the CC&R’s a Statement of Disclosure on the lease or title to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise occurrences.
- k) Quality control must be exercised in construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed.

**53. Status of a portion of Wattling Street**

***Ongoing***

~~The project applicant acknowledges that ownership of a portion of Wattling Street (to the east of 40<sup>th</sup> Street) is currently in dispute. The project applicant has chosen at their own risk to proceed to the Planning Commission for a decision. The project applicant acknowledges, that should the dispute not be resolved in the City’s favor, that the project may require changes to the site plan, the number of units, the location of improvements, etc. and that these changes may require a return to the Planning Commission for approval, pursuant to Condition of Approval #4. The Planning Commission would consider the following options to be minor changes:~~

- ~~a. To work out an easement agreement with the adjacent property owner, a setback, and loss of unit, or~~
- ~~b. Or a return to the original design presented to the Design Review Committee.~~

**54. Pre-Construction Meeting with the Neighborhood**

*Prior to issuance of a grading, demolition, or building permit.*

A preconstruction meeting shall be held with the immediate neighbors within 300' of the job site to discuss neighborhood notification, location of staging areas, major deliveries, detours and lane closures etc. Both Planning staff and the building coordinator shall attend this meeting.

**55. Pre-construction Meeting with the City**

*Prior to issuance of a grading, demolition, or building permit.*

A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager with the City's project building coordinator to confirm that conditions of approval that must be completed prior to issuance of a grading, demolition, or building permit have been completed (including pre-construction meeting with neighborhood, construction hours, neighborhood notification, posted signs, etc.). The project applicant shall coordinate and schedule this meeting with City staff.

**56. Impact Fees**

*Prior to issuance of a grading, demolition, or building permit.*

The project approved under Case File REV10-0021 is subject to, and Applicant shall agree to pay, the development impact fees that were adopted by the City Council per Ordinances 13365 and 1366 unless a vested right has been obtained.

**57. Construction of Open Space Garden at Area E**

*Prior to issuance of a grading, demolition, or building permit.*

The project applicant shall revise the site plan and/or reorganize the footprints of the buildings adjacent to the proposed open space garden within Area E to provide a second and wider access pathway(s) suitable for large groups.

**58. Kinder Morgan Pipeline**

*Prior to application for a final map.*

The project applicant shall either create an easement for the portion of the Kinder Morgan Pipeline encroaching into the subject property, or have the pipeline owner move it outside of the subject property. The applicant shall work with the pipeline owner to install warning signs indicating its location and emergency contact information along the pipeline at maximum intervals of 20 feet.

**59. Other Conditions of Approval**

*Prior to application for grading & building permit(s), and final map.*

The project applicant shall comply with the additional Conditions of Approval from Department of Transportation and the Oakland Prevention Bureau (Attachments D and E).

**APPROVED BY:**

City Planning Commission: \_\_\_\_\_ (date) \_\_\_\_\_ (vote)

City Council: \_\_\_\_\_ (date) \_\_\_\_\_ (vote)

**Applicant and/or Contractor Statement**

I have read and accept responsibility for the Conditions of Approval, as approved by Planning Commission action on July 18, 2018. I agree to abide by and conform to these conditions, as well as to all provisions of the Oakland Zoning Code and Municipal Code pertaining to the project.

Signature of Owner/Applicant: \_\_\_\_\_(date)

Signature of Contractor \_\_\_\_\_(date)

<b>Location:</b>	Wattling Street (see map on the reverse)
<b>Assessors Parcel Number:</b>	(APN: 033-2169-016-01; 033-2169-016-02; and 033-2170-003-00)
<b>Proposal:</b>	Construction of a new phased multifamily residential development consisting of 18 condominium units and 61 attached single-family homes. The proposed project also includes construction of a triple-sided static billboard. The billboard will be between 75'-85' tall with 2,016 sq. ft. of signage above a 2,404 sq. ft. garden.
<b>Applicant Contact Person / Phone Number:</b>	Toby Levy c/o Levy Design Partners, Inc / (415) 777-0561
<b>Owners:</b>	Oak Partners LLC c/o Philip Lesser
<b>Planning Permits Required:</b>	Preliminary Planned Unit Development for a phased project; Final Planned Unit Development Permit for all five phases; Major Design Review for the construction of a new principal facility over 25,000 sq. ft. of new floor area; Minor Variances for courtyard dimensions and residential loading; Vesting Tentative Parcel Map for condominium purposes.
	<i>A Franchise Agreement or Relocation Agreement for the Advertising Sign will be required with approval by City Council.</i>
<b>General Plan:</b>	Housing and Business Mix
<b>Zoning:</b>	HBX-2 Housing and Business Mix 2 Zone
<b>Environmental Determination:</b>	Projects consistent with a community plan, general plan or zoning (CEQA Guidelines Section 15183); Infill Exemption (CEQA Guidelines Section 15332)
<b>Historic Status:</b>	The project site is vacant.
<b>Service Delivery District:</b>	4
<b>City Council district:</b>	5
<b>Date Filed:</b>	December 13, 2006
<b>Staff Recommendation:</b>	Decision based on staff report
<b>Finality of Decision:</b>	Appealable to City Council within 10 days
<b>For further information:</b>	Contact case planner <b>Heather Klein</b> at 510 238-3659 or by e-mail at hklein@oaklandnet.com.

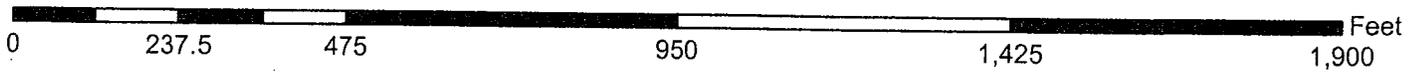
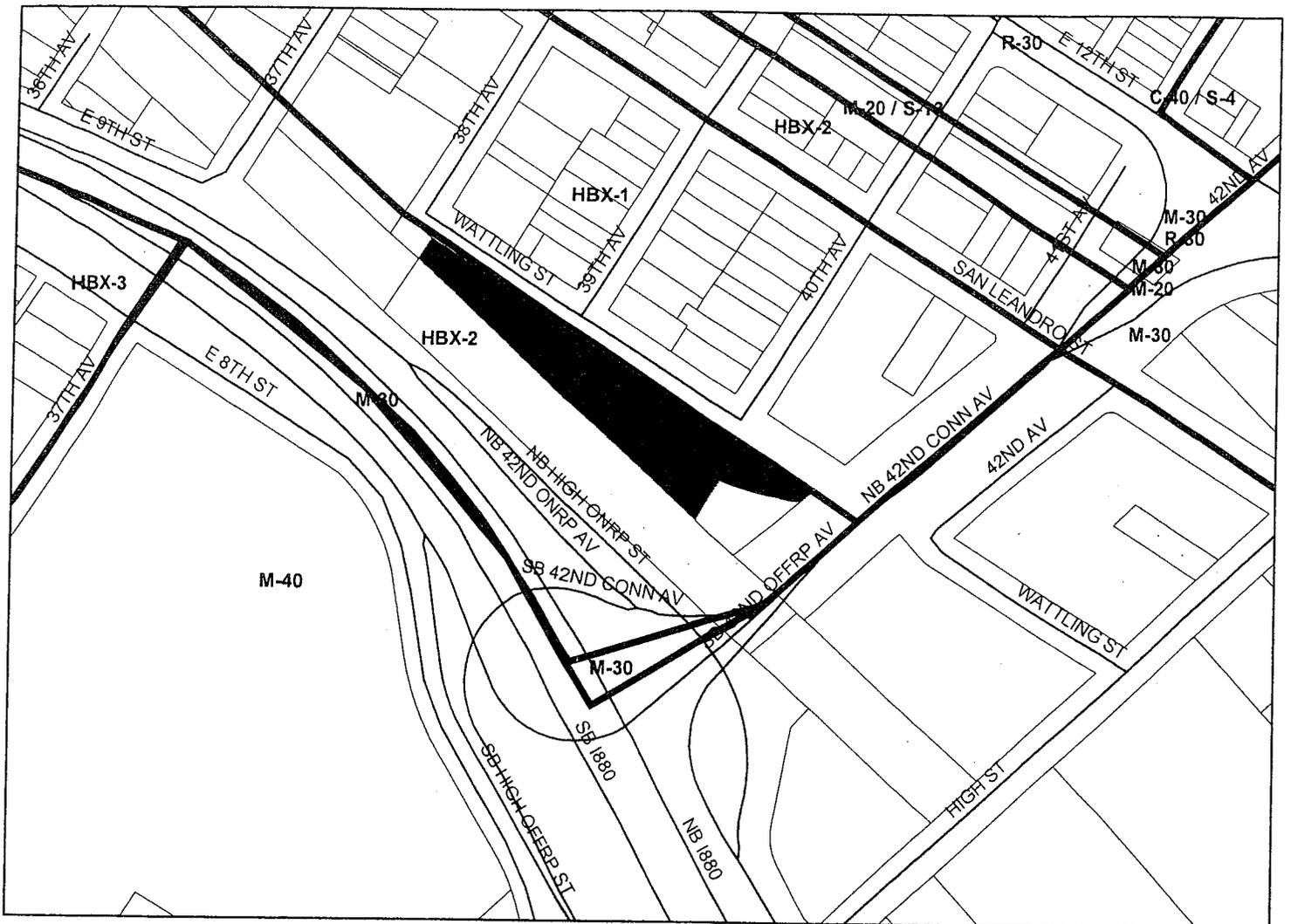
**SUMMARY**

OakPartners, LLC has submitted an application to construct a new phased multifamily residential development consisting of 18 condominium units and 61 attached single-family homes. The applicant is also proposing construction of a triple-sided static billboard above a 2,404 sq. ft. garden.

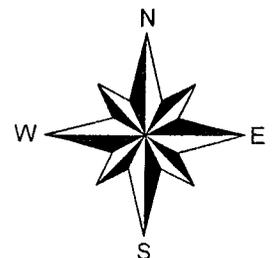
The project site is located on three vacant parcels southwest on Wattling Street and between 37th Avenue and 40th Avenue. The site is currently used for container storage.

The architect's overall intent is to create a scheme that is consistent with the surrounding neighborhood development pattern, while lessening the impact imposed on the area by the nearby railroad tracks and Interstate 880. Since the site is very long and thin, the overall design goal is to create sub-neighborhoods within the project. This is accomplished through imposing a smaller street pattern on the site. The multi-family condo building seeks to act as a buffer and a transition piece between the industrial area and the more residential oriented area starting on 38th Ave. The single family townhouses between 38th and 40th Ave. are designed to be consistent with the scale of the residential neighborhood across Wattling Street.

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PUD06-606  
Applicant: Toby Levy  
Address: Wattling Street  
Zone: HBX-2



Staff has identified the following key issues. Further discussion is provided later in the staff report.

- The ownership of a portion of Wattling Street is in dispute and a quiet title action is currently proceeding in Superior Court of California, County of Alameda. Seven units in Parcel I, Phase 4 front onto this portion of Wattling Street. An unfavorable decision from the Court will likely have a minor impact on the overall project. Phase 1, 2, 3 and 5 would not be affected at all. Changes to Phase 4 would likely include minor changes to site plan, public improvements that jog onto the project site, and/or a reduction in the number of units.
- The applicant is requesting a Preliminary Planned Unit Development (PUD) for a phased project; a Final Planned Unit Development Permit (FPUD) for all phases, and a PUD bonus for the lot area of Parcel 3 which is shown as open space.
- The applicant is requesting several Minor Variances for courtyard dimensions and residential loading.
- The project applicant is proposing a three-sided, static billboard with 2,016 sq. ft. of signage. Construction of the billboard is not subject to a decision by the Planning Commission but will be considered as part of a Franchise or Relocation Agreement with City Council that currently includes removal of 15 billboards in Council District 5. The City Council can require a design review permit for the billboard.

Overall, staff believes that the project will be a positive contribution to this neighborhood and recommends approval of the project subject to the findings and conditions. The required permits and variances are justified given the constraints of this site and the nature of the project.

## **PROJECT SITE AND SURROUNDING AREA**

### **Existing Conditions**

The proposed development is located on three irregularly-shaped parcels southwest on Wattling Street. Specifically, the three parcels total 1.77 acres and are bounded by Wattling Street, 37th Ave., 40<sup>th</sup> Ave., and the Southern Pacific Railroad. The project site is vacant but is being used for container storage. The property does not have a historic rating per the Oakland Cultural Heritage Survey.

### **Surrounding Area**

The area surrounding the project site is a mix of industrial and residential uses. To the northeast of Wattling Street are several warehouse buildings and several small 1-2 story single-family homes. To the east are live / work and warehouse buildings. To the southwest are the Southern Pacific Railroad (50' from the rear property line to the centerline of the tracks) and Interstate 880 (120' from the rear property line) to the west are more warehouse and industrial buildings

## **PROJECT DESCRIPTION**

### **Building Program and Floor Plans**

The proposed project consists of 18 condominium units and 61 attached single-family townhomes on four parcels. Parcel 1 contains seven attached single-family townhomes and a surface parking lot at the rear of the units. Parcel 2 contains 54 attached single-family townhomes. These units are oriented inwards onto pedestrian walkways with a driveway to the garage located on the rear of home. The end units can also be accessed directly from Wattling Street. Seventeen units are located along the property line facing the Southern Pacific Railroad tracks. Approximately half of these units have a private garage, while the other units have uncovered parking located off of the driveways. Parcel 3 contains the garden

with a possible billboard above. Parcel 4 would include 18 units in a four-story building. This parcel would be accessed via a one-way driveway entering off of Wattling Street and existing onto 37<sup>th</sup> Avenue.

The architect's overall intent is to create a scheme that is consistent with the surrounding neighborhood development pattern, while lessening the impact imposed of the nearby railroad tracks and Interstate 880. Since the site is long and thin, the overall design goal is to create sub-neighborhoods within the project. Specifically, the northwest end of the site is in a heavy industrial area being bound by 37<sup>th</sup> Ave, railroad tracks, and the State Shingle building. The multi-family condo building on Parcel 4 seeks to act as a buffer and a transition piece between the industrial area and the more residential oriented area starting on 38<sup>th</sup> Ave. This structure houses flexible units with internal courts. A noise buffering façade layer shields these courts. The single-family townhouses between 38<sup>th</sup> and 42<sup>nd</sup> Ave. are organized in a smaller street pattern perpendicular to Wattling. The units are designed to be in scale with of the rest of the neighborhood. The facades have been designed to work together and also to break up the massing and repetitiveness along Wattling Street. Parallel to the railroad tracks and Interstate 880, the townhouses follow the rear property line, perpendicular to our new streets and thereby create a buffer from railroad and highway noise and views. The materials for the project include concrete block in a split face, stucco, trex-board, and fiber cement board and panels, with wire mesh fences and gates.

The one bedroom condominiums are approximately 725 sq. ft. with either a podium courtyard space or a deck. The 3-story single-family homes are a combination of two to three bedroom units that range in size from 1,032 to 1,502 sq. ft.

The project proposes extensive hardscape and softscape elements throughout the development, including new sidewalk, curb, and gutter. Additional hardscape elements include a wood gazebo, decorative paving, decomposed granite, stepping stones, barbeques, benches, fencing, and ornamental gates. Planting areas and open space are located throughout the development. A 4' wide landscape buffer and street trees are proposed in front of the residential units fronting Wattling Street. The units fronting onto the driveways have small lawn areas. A 2,404 sq. ft. garden or park is also located on the site. The landscaping plans show ornamental fruit trees, shrubs, vines, and groundcovers.

The applicant is also considering construction of a triple-sided static billboard mounted on a single steel pole. The new billboard must be approved by the City Council, as part of a Franchise Agreement or Relocation Agreement, that currently includes removal of 15 billboards in Council District 5.

### **Green Building**

The proposed project would incorporate a number of green building principles and features. The project conserves resources by increasing density, is designed with diverse unit sizes, promotes infill development, and is near transit. The proposed building features that the applicant is considering include passive solar heating, Low-E double-pane windows, compact fluorescent lighting, low energy-using major appliances, low water landscaping and storm water management, and avoiding products with added formaldehyde, decking to be of recycled-content, and rapidly renewable flooring

## **GENERAL PLAN ANALYSIS**

### **Land Use and Transportation Element of the General Plan**

The General Plan designation for the project site is Housing and Business Mix (HBX). The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Therefore, the proposed density conforms to the General Plan density.

The General Plan states that the *intent* of the HBX designation is to “recognize the equal importance of both housing and business. This classification is intended to guide a transition from heavy industry to low impact light industrial and other businesses that can co-exist compatibly with residential development.” The General Plan states that the *desired character* of future development within this classification should be compatible with housing, and development should recognize the mixed business nature of the area. This classification allows mixed housing type density housing, “live-work”, low light industrial, commercial, and service businesses, and compatible community facilities.

The following General Plan Land Use and Transportation Policies and Objectives apply to the proposed project:

*Objective N3:* Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community.

*Policy N3.1* Facilitating Housing Construction

*Policy N3.2* Encouraging Infill Development

**The project site has been used as container storage for years and has been the subject of several complaints including blight, trash and debris, unauthorized access to the property, abandoned vehicles and dumping. The proposal to construct housing on this site would be positive for the neighborhood. The Land Use Element considers the construction of new housing to be one of the highest priorities in Oakland to meet the demand of a growing population. In addition, the project site has no existing buildings, is located across the street from a small residential neighborhood and is appropriate for infill development. The project meets the objectives listed above by providing 79 new residential units on several underutilized parcels.**

*Policy T2.1* Encouraging Transit-Oriented Development **Although the project is not technically considered a Transit-Oriented Development, it is located just 6 blocks away (less than a quarter mile) from the Fruitvale BART station. This project would meet the goal of this policy by providing housing near transit consistent with the City’s transit first policy.**

**Policy N6.1** Mixing Housing Types **The project is proposing a mix of condominium units and larger attached townhomes style units that range from one to three bedroom units. This mix of unit types and sizes will provide housing for a range of incomes and family units.**

The proposed project meets the referenced objectives, the general intent of the HBX land use designation, and is a good fit for this area.

### **Coliseum Area Redevelopment Project Area Plan**

In addition, the project is located in the Coliseum Area Redevelopment Project Area and is subject to the policies and goals in the Coliseum Area Redevelopment Plan. The following Redevelopment Plan goals apply to the proposed project:

**Goal 1:** The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including among others, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic land uses, substandard alleys and inadequate or deteriorated public improvements, facilities, and utilities.

**Goal 2:** The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.

**Goal 3:** The replanning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

**The project develops an underutilized, vacant property that has had several complaints for trash, blight, dumping, and inoperable vehicles into an integrated residential community. The project will combine several small thin and irregular parcels sufficiently large to allow for comprehensive planning. The project is proposing new curb, gutter, and sidewalk, as well as street trees to improve pedestrian circulation. Staff would include, as typical for all new development projects, a condition requiring half street improvements for vehicular circulation.**

The proposed project meets the referenced objectives, policies, goals, and the general intent of the Coliseum Redevelopment Plan. Staff finds that the project is a good fit for this area.

### **ZONING ANALYSIS**

The zoning of the site is designated HBX-2 or Housing and Business Mix 2 Zone. The HBX-2 zone is intended to “provide development standards for areas that have a mix of industrial, certain commercial and medium to high density residential development. This zone recognizes the equal importance of housing and business.” The maximum residential density for this zone is 1 unit per 930 sq. ft. of lot area. Staff has calculated a maximum density of 83 units. The 79-unit proposed project is under the maximum density permitted by the zoning designation.

The following table depicts the project’s comparison to HBX-2 zoning requirements.

**Zoning Regulation Comparison Table**

<b>Criteria</b>	<b>Requirement HBX-2</b>	<b>Proposed</b>	<b>Comment</b>
Lot Area	4,000 sq. ft.	Parcel 1 = 14,968 sq. ft. Parcel 2 = 49,652 sq. ft. Parcel 3 = 2,434 sq. ft. Parcel 4 = 10,149 sq. ft.	All parcels meet the HBX-2 requirements, except parcel 3. Can be waived with the PUD bonuses.
Lot Width	35'	All parcels are over 35' in lot width	Meets the HBX-2 requirements.
Lot Frontage	35'	All parcels are over 35' in lot frontage	Meets the HBX-2 requirements.
Yard – Front Setback	Per HBX Design Guidelines Manual	0-47'	Consistent with the HBX Design Guidelines Manual
Yard – Interior Side Setback	Per HBX Design Guidelines Manual	0-21'	Consistent with the HBX Design Guidelines
Yard – Corner Side Setback	N/A	0'	Consistent with the HBX Design Guidelines
Yard – Rear Setback	Per HBX Design Guidelines Manual	0-10'	Consistent with the HBX Design Guidelines
Height	45'	33'-45'	Meets the HBX-2 requirements.
Open Space	150 sq. ft. / unit = 12,000 sq. ft.	3,500 sq. ft. of group open space and 12,680 sq. ft. of private open space = 16,180 sq. ft.*	Meets the HBX-2 requirements.
Parking	1 space / unit = 80 spaces	1spaces / unit = 80 spaces	Consistent with the HBX Design Guidelines with landscaping.
Parking Design	Per HBX Design Guidelines Manual	Located in a lot off of the street in front of the units	Consistent with the HBX Design Guidelines
Loading	50,000-149,999 sq. ft. resid. = 1 berth	0 berths	Does not meet the HBX-2 requirements. <b>Minor Variance is required.</b>
Residential density	1 unit / 930 sq. ft. = 83 units	80 units	Meets the HBX-2 requirements.
FAR	2.6	99,657 sq. ft. of building floor area = 1.29	Meets the HBX-2 requirements.
Advertising Sign	Prohibited except pursuant to Section 17.104.060	One static tripled sided billboard with 2,016 sq. ft. of signage as part of a relocation agreement	See <b>KEY ISSUES</b> section for a discussion on the billboard.

The criteria for review and approval of this facility at this location includes the following: The Planned Unit Development Criteria (Preliminary and Final) in Section 17.140.080 and 17.140.060, the Design Review Criteria in Section 17.136.050A for the residential development; the Minor Variance Criteria in 17.48.050; and the Tentative Parcel Map Section 16.24.040 and 16.08.030. All applicable criteria are analyzed and appropriate findings are made in the *Findings* Section of this report.

## ENVIRONMENTAL DETERMINATION

Based on the size and location of the project site, as well as the findings of the traffic report and historic analysis, staff has concluded that the project is able to satisfy the in-fill exemption under the California Environmental Quality Act (CEQA), Section 15332. The categorical exemption criterion follows with a brief summary of staff's analysis in bold print:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; **As demonstrated in the General Plan Analysis section of this report, the application is consistent with all applicable General Plan policies and the Housing and Business Mix (HBX) designation. The Zoning Analysis and Required Findings sections demonstrate that, with approval of the PUD's and Variances, the project is consistent with the Zoning Ordinance. In addition, the project is also consistent with many of the goals in the Coliseum Redevelopment Plan.**
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; **The project site encompasses approximately 1.77 acres (77,213 sq. ft.). The site is located within the Coliseum Redevelopment Plan Area and is substantially surrounded by commercial, manufacturing, civic, and residential urban uses.**
- c) The project site has no value as habitat for endangered, rare or threatened species; **The project site is currently occupied by container structures. According to the Phase I report, the site was previously used as truck wrecking yard and truck sales, a lumberyard, contained a railroad spur was also evident. This history covers a period between 1912 and the present. Based on these uses and the surrounding context, staff has concluded that the site contains no known endangered, rare, or threatened species.**
- d) Approval of the project would not result in any significant effects relating to traffic, air quality, noise, or water quality; **A traffic report was completed specifically for this project and submitted in June 2008 (available at the Planning and Zoning office). Traffic impacts from the project were reviewed at several intersections within proximity to the project site. The project is anticipated to generate approximately 417 new net daily trips, 38 AM peak hour trips and 44 PM peak hour trips with a 10% discount for transit use. Staff did not take into account the existing trips to site which is used as container storage so the overall trips could be less. Level of Service (LOS) was calculated for 8 intersections. In the existing condition, all intersections operate at acceptable levels (LOS D or better).**

The trips associated with the project would generate far fewer than the 2,000 vehicle trips per day that the Bay Area Air Quality Management District (BAAQMD) considers the normal minimum traffic volume that should require a detailed air quality analysis. However, given the project's location near I-880 and the Southern Pacific railroad tracks, staff required an air quality analysis to be completed (available at the Planning and Zoning office). The study concluded that the BAAQMD's control measures as stated in the City's standard condition of approval regarding dust abatement and equipment emissions were adequate to address construction related impacts.

The project's adjacency to the railroad and I-880 is within the 500' advisory buffer for health risks per the California Air Resources Board's guidance manual. The architects have included several features in the project drawings that would address this proximity. The air quality

study concluded that, with these features, the existing air quality context would not impact the proposed development and cause a health risk. These features are reiterated for importance as conditions of approval. In addition, the study also analyzed Green House Gas Emissions. The project would reduce green house gases by promoting infill development in a major urban area, locating near Fruitvale BART and several ACTransit lines, adding vegetation on a vacant and blighted site, and implementation of several green features already discussed above.

Due to adjacency to I-880 and the railroad, staff required a noise study to be completed (available at the Planning and Zoning office). The study analyzed construction noise, operation noise, traffic noise, interior noise and levels from transportation sources. The study concluded that the project features that would be implemented to reduce air quality impacts also reduce noise levels from existing noise generators on the project. The project's mechanical equipment would be required to meet the performance standards in the Planning Code. Construction noise would be temporary and would comply with the City's standard condition of approval.

The applicant is required to comply with all applicable City regulation and operation procedures as part of the issuance of building or grading permits. As noted above, standard and uniformly applied conditions of approval have been imposed for this project regarding air quality and noise, as well as water quality, and cultural resources.

- e) The site can be adequately served by all required utilities and public services. **The project site is located in a highly urbanized area within Oakland and can be adequately served by utility and public services.**
  
- f) Cumulative Impacts:  
**Staff has also concluded that the project would not cause a cumulative impact. The traffic report's findings indicate that in the 2015 cumulative scenario the studied intersections are starting to fail with most intersections at or approaching LOS E and F. By 2030 all the studied intersections are at LOS F. The report concluded that these LOS levels would occur with or without the project and are caused by background traffic growth and the project would not cause any of the City's traffic thresholds to be exceeded for years 2015 or 2030. Therefore, the project does not result in a cumulative traffic or other impact.**

As a separate and independent basis, the project also satisfies CEQA Guidelines Section 15183 as the project is consistent with the general plan and zoning. Specifically, as a separate and independent basis from the other CEQA findings, pursuant to CEQA section 21083.3 and Guidelines section 15183, the Planning Commission finds: (a) the project is consistent with Land Use and Transportation Element (LUTE) of the General Plan, for which an EIR was certified in March 1998; (b) feasible mitigation measures identified in the LUTE EIR were adopted and have been, or will be, undertaken; (c) the EIR evaluated impacts peculiar to the project and/or project site, as well as off-site and cumulative impacts; (d) uniformly applied development policies and/or standards (hereafter called "Standard Conditions of Approval") have previously been adopted and found to, that when applied to future projects, substantially mitigate impacts, and to the extent that no such findings were previously made, the City Planning Commission hereby finds and determines that the Standard Conditions of Approval substantially mitigate environmental impacts; and (e) no substantial new information exists to show that the Standard Conditions of Approval will not substantially mitigate the project and cumulative impacts.

## **COMMUNITY MEETING**

The applicant held a community meeting on September 11, 2007. Approximately 25 neighbors and property owners attended the meeting. The community's main concern was parking and traffic in the area. The community also had concerns about the overall density, the size of the open spaces, the design of the multi-unit building, and the billboard. Staff has not received any public comment letters in support or opposition to the project. However, staff did receive one letter from an adjacent neighbor regarding the ownership of the street. This is briefly discussed below.

## **DESIGN REVIEW AND CONFORMITY WITH DESIGN GUIDELINES**

Staff presented the project before the Design Review Committee (DRC) on October 24, 2007. Overall, the DRC appreciated the applicant's willingness to invest in this area. Staff had several issues regarding the design and planning of the project. The committee provided comments, indicated support for the variances and recommended forwarding to the full Planning Commission. A discussion of the changes and how the proposed project meets the HBX Design Guideline Objectives follows.

Design Objective #1 – Create a Development pattern that encloses the street space by defining a street wall and street section while providing transitions from existing patterns and respecting the light and air of residential properties, if present.

There is a discernable setback context on 37<sup>th</sup>, 38<sup>th</sup>, 39<sup>th</sup>, and 40<sup>th</sup> Avenues. There is not that same context on Wattling Street where there is mixture of properties built directly to the property line, large setbacks completely paved, and landscaped setbacks. Therefore, the architect create a new street section with 11' sidewalks, trees 18' O. C., and a 3' landscape strip. Given the context, staff feels that the project should comply with the 5' landscape area per guideline 1.1 and have a smaller sidewalk dimension if this acceptable to the Design and Construction Services Division. The project street wall includes the building facades and the pedestrian/vehicular gates.

Parcels 2 and 3 border the railroad tracks and further on I-880. The project has been designed with the rear units acting as a sound wall to buffer the noise. Parcel 1 has been redesigned to provide the open space and parking in the rear (See Objective #3).

The design guidelines state that new construction should take into account the light and air of single family homes, duplexes, or similar small scale residential development, but that the intense urban development envisioned by the HBX zones will have some impact onto light and air of existing properties. Given the proposed height and orientation of the townhomes, it is unlikely that there will be impacts on sunlight to the adjacent properties to the northeast. Even the height of the multi-unit building will be unlikely to have impacts on residential properties, unless in the winter months, since those buildings are well across the street.

Design Objective #2 – Site Parking to maintain an attractive streetscape and preserve on-street parking.

Although vehicles parallel park along this side of Wattling Street, there are no marked or metered spaces and no curb, gutter and sidewalk. The project provides the required parking on-site and along private driveways located within the interior of the site behind the townhouse units and within a garage for the multi-unit building. Most of the project units are oriented toward the interior, except for those on the end

which face onto Watling Street. This orientation allows access via only six driveways to access the units and therefore preserve as much on-street parking as possible.

The project is proposing new sidewalk, curb, and gutter which will enhance the pedestrian experience along this edge. In addition, new street trees and three foot planter strips with shrubs and groundcovers will provide an attractive streetscape. Again, the end units are oriented toward Watling which provides an attractive and articulated street façade.

Design Objective #3 – Integrate functional open space into the design of the site.

The design objective is met by creating a variety of open spaces that “green” the project site. Some of these spaces are small such as the new tree wells, the 3’ landscape strip along Watling Street and at the corner plantings at the garages. Other areas are larger and more functional including the courtyards and decks within the multi-unit building, the private open spaces in front of the townhomes, the garden, and the open spaces before the units facing the rear property line. These last areas include barbeques, benches, fencing, and ornamental planting. Overall, the project is providing 3,500 sq. ft. of group open space and 12,680 sq. ft. of private open space for a total of 16,180 sq. ft.

The original submittal included seven attached single-family homes to the rear of the lot and a surface parking lot in front on Parcel I. Staff and the DRC was concerned that the proposal did not meet *HBX Guideline #3.1 which states that the project should preserve the collective rear yard open area for residential development.* To address this issue the architect revised the project to move the driveway and parking lot to the rear of the homes. The units now face the street and staff supports this revision.

Design Objective #4 – Use design techniques to scale buildings appropriate to their location.

The project meets the guidelines of the objective by purposefully creating a scheme that is consistent with the surrounding neighborhood development pattern. Parcel 1 is located across Watling Street from a single story live/work building. Parcel 2 is located across the Watling Street from small 1-2 story single-family homes. The proposed townhouse development will retain the lower scale character along Watling Street. These units are 34’ high with canted rooflines to further reduce the scale of the proposed buildings. Parcel 3 containing the multi-unit building is behind the State Shingle Co., a two-story industrial building. The multi-unit building is taller than the industrial building by almost 27’ but it is not located directly on 38<sup>th</sup> Avenue or Watling Street but setback approximately 9’. The height of the industrial building is likely to mask the proposed structure. The height of this building also provides variety within the development.

The original submittal included a multi-unit building that was three-stories over parking. Staff was concerned that the proposal did not meet *HBX Design Objective #4 which states that the project should use “techniques to scale the buildings appropriate to their location.* The DRC thought the height was appropriate but did not like the design which was different in materials and style than the townhomes. The applicant revised the multi-story building so that the roofline slants to reflect the townhome design. This creates articulation along the roofline. In addition, the exterior walkway is now broken up and masked through the use of a wall panel system. Staff supports this revision.

The proposed project will emphasize a human scale and active streetscape by providing new sidewalk, curb, gutter, street trees, and landscape strips. The enlarged end units also clearly define the pedestrian entrance from the vehicular entrance and create a more intimate experience.

Design Objective #5 – Consider a variety of architectural styles.

Within the project itself, the architectural style is fairly contemporary. However, the context is a mix of architectural styles including Victorian, industrial, utilitarian, and bungalow. The height and massing of the project help integrate the project into the neighborhood, while the contemporary style sets it apart. The original submittal showed a combination of concrete masonry block, fiber cement board/panels, and trex board for the buildings. Staff was concerned that these materials did not meet *HBX Design Objective #5 which states that the project should consider a variety of architectural styles. The design review process should encourage the design of visually attractive buildings that add richness and variety.* The DRC reviewed the materials and did not believe that they needed to be changed.

Design Objective #6 – Provide visual interest to street facing elevations.

Staff was concerned that proposal was not articulated enough for a residential project and additional windows should be required. Staff was concerned that the proposal would not meet *HBX Design Objective #6 which states that the project should provide visual interest to street facing areas.* The DRC thought the rooflines of the townhomes was too various. In addition, they thought the rhythm of building, driveway, and pedestrian access was too repetitive and similar in width along the street front. The architect switched the rooflines for the townhomes to read more as a set of pairs. The architect also “popped” out the sides of the units along the pedestrian access to diminish the width and create variety along the street front. Staff supports this revision.

Design Objective #7 – Provide visual emphasis to buildings at street corners.

The corners at 37<sup>th</sup> Ave. and 38<sup>th</sup> Ave. do not play an important urban design role in this particular context given that a portion of the project is behind another parcel and Wattling Street does not continue to 37<sup>th</sup> Ave. Nevertheless, a large expanse of windows on the multi-unit building helps emphasize the entrance and provide visual interest. The change in materials provide interest on the 37<sup>th</sup> Street side.

Design Objective #8 – Provide well designed landscaping and buffering for street fronting yards, parking areas, nonresidential activities, and parking podiums.

Again, the project is proposing new sidewalk, curb, and gutter, new street trees and three foot planter strips with shrubs and groundcovers to provide an attractive streetscape. None of the parking areas are located in the front of the development. The parking area for the multi-unit building is hidden behind the State Shingle Building and a gate.

**KEY ISSUES**

The project is a contemporary, multi-unit residential development in a predominantly mixed-use and transitional neighborhood. Staff has identified a number of planning and design issues for consideration in the next section of this report.

**Ownership of a Portion of Wattling Street in Dispute**

The proposed plans show public improvements including sidewalk, curb, and gutter along a portion of Wattling Street past 40<sup>th</sup> Avenue, as shown in Figure A. Seven units would front onto the proposed sidewalk. This portion of the street is currently fenced off and used as a parking lot for the tenants of 4001 San Leandro Street.

The owner of 4001 San Leandro Street is currently engaged in a quiet title process in Superior Court of California, County of Alameda regarding this portion of Wattling Street. The owner supposedly has documents that were not shared with the City that indicated private parties were in ownership of the street. City of Oakland staff does not believe that the City's right to the street was ever abandoned. Staff issued a Notice to Abate to the owner of 4001 San Leandro Street to abate the illegal fencing and parking in the public right of way. That notice is currently suspended due to the pending court prove-up hearing in on June 28, 2008.

The applicant has been informed that since the matter is in the courts, the ownership of the street remains uncertain. The prove-up hearing does not constitute a decision on ownership of the street, it is only the means by which the City will interject its claim to that portion of the street. Staff does not recommend a decision on the project await a court decision because of the potential length of time to resolve the matter of ownership. Since this parcel is part of Phase 4, there is ample time to resolve this particular issue while continuing with Phases 1-3.

A court decision in favor of the City would result in the removal of the fence, the public improvements being installed, and the project proceeding as shown in the plans. In staff's opinion, an unfavorable decision regarding the ownership of this portion of Wattling Street will have a minor impact on the overall project. Phase 1, 2, 3 and 5 would not be affected at all. Changes to Phase 4 would likely include minor changes to site plan, public improvements that jog onto the project site, and/or a reduction in the number of units. These changes are not anticipated to result in a CEQA impact. Traffic to/from this phase onto the project site would use the nearest driveway shown beyond the portion of Wattling Street in question. Traffic heading away from the site is still anticipated to use 40<sup>th</sup> Avenue. Staff has included Condition of Approval # 52 to address this issue.

#### **PUD Bonuses**

Planning Code section 17.122.100 allows the Waiver or Reduction of Yard and Other Dimensional Requirements, including lot area. Per the Vesting Tentative Map, Parcel 3 is not meeting the minimum lot size of 4,000 sq. ft. Since this area will be used as a park and development will be restricted, staff believes that application of the bonus would be warranted.

#### **Minor Variances**

- *Courtyard Dimensions:* Section 17.108.120 states that there be a minimum courtyard requirement between opposite exterior walls, or portions thereof, of the same or separate buildings on such lot. There are several instances in both the multi-unit building and within the single-family portion of the project that are not meeting this regulation. The intent of the regulation was to increase light and air to the proposed units as well as to provide adequate open space. This is also an objective (Guideline 3.1) of the HBX Design Guidelines Manual. Staff believes that on this irregular site it would be difficult to meet this regulation without decreasing units. The DRC and staff believe that the Variance is supportable.
- *Loading Berths:* Pursuant to Section 17.116.120, one loading berth is required for residential use with floor area between 50,000 and 149,999 sq. ft. The whole project is proposing 99,657 sq. ft. of floor area and the project is not proposing any dedicated on-site loading. A minor variance is requested to delete the loading berth from the project program. Staff believes that a variance for the loading berths can be supported since the project will entail the construction of condominiums and single-family homes not rental units. Loading is anticipated to take place in the mews or along Wattling Street. The removal of the loading berth is not anticipated to result in a significant impact on circulation because

it would be used infrequently to only accommodate moving vans, which could utilize the resident's driveways or the on-street parking spaces.

**Franchise Agreement or Relocation Agreement for the Advertising Sign**

The project applicant is considering construction of a three-sided, static billboard with 2,016 sq. ft. of signage. Staff inadvertently noticed the billboard as requiring a design review permit. Planning Code Section 17.104.060 states that new advertising signs or billboards are prohibited in the City of Oakland unless a franchise agreement or relocation agreement is authorized by the Oakland City Council, and then only under the terms and conditions of such agreements. Only City Council could require a design review permit for the billboard as a condition of the agreement. The proposed billboard will be considered as part of a Franchise or Relocation Agreement with City Council that currently includes removal of 15 billboards in Council District 5.

**CONCLUSIONS**

In summary, the proposal seeks to develop a residential project in East Oakland. The project meets the primary goal of providing new housing units and infill development on underused or vacant parcels. Furthermore, the project is clearly in conformance with the General Plan and the Coliseum Area Redevelopment Project Area Plan goals and policies. The PUD permits and variances are warranted and are not anticipated to create adverse impacts, pursuant to the attached Findings and Conditions of Approval.

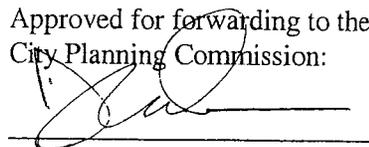
**RECOMMENDATIONS:**

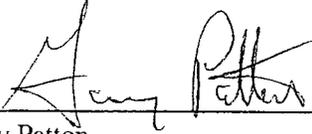
1. Affirm staff's environmental determination; and
2. Approve the Preliminary Planned Unit Development Permit, the Final Planned Unit Development Permits for all phases, Minor Variances, Design Review, and Vesting Tentative Parcel Maps subject to the Conditions of Approval based on the attached findings.

Prepared by:

  
\_\_\_\_\_  
Heather Klein  
Planner III, Major Projects

Approved for forwarding to the  
City Planning Commission:

  
\_\_\_\_\_  
Dan Lindheim  
Director  
Community and Economic Development Agency



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Gary Patton  
Major Projects Manager  
Deputy Director of Development

**ATTACHMENTS:**

- A. Plans and Elevations
- B. Memos from Engineering and Fire Services.

**FINDINGS FOR APPROVAL:**

The proposed project meets the required findings under Planning Code Sections 17.140.080 (Planned Unit Development Criteria), 17.140.060 (Planning Commission Action for a Final Planned Unit Development for all Phases), Section 17.136.050A (Residential Design Review findings), Section 17.148.050 (Variances findings); and Section 16.24.040 and 16.08.030 (Tentative Parcel Map findings). Required findings are shown in bold type; explanations as to why these findings can be made are in normal type. Required findings are shown in bold type below and are also contained within other sections of this report and the administrative record; explanations as to why these findings can be made are in normal type.

**Section 17.140.080 Preliminary Planned Unit Development Permit**

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

The proposed residential project is located within the Housing and Business Mix General Plan land use designation. The General Plan states that the *intent* of the HBX designation is to “recognize the equal importance of both housing and business. The General Plan states that the *desired character* of future development within this classification should be compatible with housing, and development should recognize the mixed business nature of the area. The project is consistent with this classification that allows mixed housing type density. The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification.

The project is meeting several policies and goals of the General Plan including: Objective N3: Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community; Policy N3.1 Facilitating Housing Construction; and *Policy N3.2 Encouraging Infill Development*. As stated before in the General Plan Analysis Section, the project site has been used as container storage for years and has been the subject of several complaints. The proposal to construct of housing on this would be positive for the neighborhood and the Land Use Element considers the construction of new housing to be one of the highest priorities in Oakland to meet the demand of a growing population. There is a residential neighborhood and live/work facility across the street and therefore the site is appropriate for residential development.

The project is also meeting Policy T2.1 Encouraging Transit-Oriented Development. The project is located just 6 blocks away (less than a quarter mile) from the Fruitvale BART station. This project would meet the goal of providing housing near transit. The project is providing a mix of condominium units and larger attached townhomes style units that range from one to three bedroom units. This mix is consistent with Policy N6.1 which encourages a Mixing Housing Types.

The project is located in the Coliseum Area Redevelopment Project Area, an applicable plan under this finding. The proposed project is consistent with the following goals:

Goal 1: The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including among others, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic

land uses, substandard alleys and inadequate or deteriorated public improvements, facilities, and utilities.

Goal 2: The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.

Goal 3: The re-planning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

The project as outlined is also consistent with the HBX Design Guidelines and with approval of the Variances for courtyard width and residential loading, the project will conform to the Planning Code.

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

The project is located in the Housing and Business Mix General Plan designation and the project is surrounded by these uses. The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. During the adoption process each area was specifically reviewed for conformity with the lot area requirements in the Housing and Business General Plan classification. The architect intent was to create sub-neighborhoods within the project that relate to surrounding neighborhood development pattern. The multi-family condo building seeks to act as a buffer and a transition piece between the industrial area and the more residential oriented area starting on 38th Ave. This building relates more to the warehouse and industrial uses such as the Shingle Building right in front of it. The single family townhouses between 38th and 40th Ave. are designed to be consistent with the scale of the residential neighborhood across Wattling Street.

The revised plans show a project that not only is well integrated with the context but within the development itself. The revised rooflines help relate the multi-unit building to the townhomes. The garden also provides a transition between these uses. The materials are repetitive with the development and unify the design. The project meets intent of the HBX Design Guideline Manual which is to guide and transition to a more intense development pattern, promote designs that exist compatibly with the traditional development patterns, create freedom of styles and varied designs, develop attractive streetscapes, etc. The project is proposing new sidewalk, curb, and gutter where none existed, thereby improving the pedestrian context. Staff believes that the project is appropriate in location, size, and design.

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

The project will be required as a condition of approval to make half street repairs to Wattling Street. In addition, the project is proposing new sidewalk, curb, gutter which are new improvements in that area. Since the site is long, project traffic could use 37<sup>th</sup> Ave., 38<sup>th</sup> Ave., 39<sup>th</sup> Ave., and 40<sup>th</sup> Ave. to exit the project. This would disperse traffic along the local streets. A traffic study was completed for the project as is available at the Planning and Zoning office. The study concluded that the project will not have a traffic impact based on the City of Oakland criteria in the existing condition and cumulative condition.

*Findings*

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

The proposed project site is located in a developed area surrounded by residential and industrial uses that are currently and adequately served by existing utilities and service systems including water supply, wastewater treatment, storm water drainage, and solid waste disposal. The proposed project will also provide additional services for the area and improvements to the existing infrastructure such as new sidewalk, curb, and gutter.

- E. That the location, design, size, and uses will result in an attractive, healthful, efficient, and stable environment for living, shopping, or working, the beneficial effects of which environment could not otherwise be achieved under the zoning regulations.**

The proposed project is an attractive, high quality residential development that will benefit the surrounding area by developing an underutilized parcel. As stated earlier in the report, the site has been used as container storage and has also had multiple complaints lodged for blight, trash and debris, unauthorized access to the property, abandoned vehicles and dumping.

The proposed project would eliminate these types of possible future complaints by creating an attractive development project that is consistent with the Housing and Business Mix General Plan and Zoning regulations. The project's structures are varied yet integrated into a single comprehensive development that is related to the surrounding context. The project is located near several transit options. The only PUD bonus, the applicant is requesting is for the lot size of the open space parcel. Other than that, the project conforms to the zoning regulations with the granting of the minor Variances for courtyard width and loading. Staff suggested the PUD permit as a way to accommodate the five phases of the project. The project's interior private driveways and planting plan creates an intimate neighborhood setting. Compliance with the conditions of approval will result in an attractive, healthful, efficient, and stable environment for living environment.

- F. That the development will be well integrated into its setting, will not require excessive earth moving or destroy desirable natural features, will not be visually obtrusive and will harmonize with surrounding areas and facilities, will not substantially harm major views for surrounding residents, and will provide sufficient buffering in the form of spatial separation, vegetation, topographic features, or other devices.**

As stated above the architect's intent was to create a development that responds to the existing context. The site is flat so no sizable amount of grading will occur. There are no natural features to speak of on the site which is used as container storage. The project will not be visually intrusive as it responds to the context of the neighborhood and the backside borders the Southern Pacific Railroad and I-880. Again the current view is of a barren parcel used as container storage and a history of complaints. This is no view to speak of. The project is proposing an extensive planting plan including street trees and planting at the back of the new sidewalk. There is no need to buffer the project from the existing setting because the intent is to integrate into the setting.

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

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

The applicant has submitted detailed drawings consistent with the Final Development Plan requirements for all the Phases. Essentially, the PUD and the FPUD are the same drawings and therefore conform to all applicable criteria and standards for both the PUD and the FPUD regulations. The project meets the General Plan and Coliseum Redevelopment Plan goals and policies and is appropriate for the location.

**Section 17.136.070A (Residential Facilities Design Review Findings)**

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

As stated above in the report, the proposed project is located in a neighborhood with a mix of residential, industrial, and manufacturing activities. There is no specific architectural character or massing except in the lower scale neighborhood to the north. The design of each building and façade articulation responds to the adjacent uses and scale, while lessens the impact imposed on the area by the nearby railroad tracks and Interstate 880. Since the site is very long and thin, the overall design goal is to create sub-neighborhoods within the project. This is accomplished through imposing a smaller street pattern on the site. The multi-family condo building seeks to act as a buffer and a transition. The buildings are related to each other through the repetition of materials and architectural features which are expressed differently on each building.

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

The proposed design will preserve as well as enhance the neighborhood character by filling in an existing underutilized lot with a new mixed use development. The proposed design is consistent with the relevant Objectives of the HBX Design Guidelines.

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

The proposed project site is flat and is currently occupied by container storage. The site contains no notable landscaping. Therefore, the project will have no affect on the existing topography or landscape.

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

See response #3

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

The proposed project is consistent with the General Plan land use designation for the site, with Planned Unit Development Permits, and Variance findings, and with the Design Review Criteria as discussed in more detail throughout the report.

**Coliseum Area Redevelopment Project Area Plan**

In addition, the project is located in the Coliseum Area Redevelopment Project Area and is subject to the policies and goals in the Coliseum Area Redevelopment Plan. The following Redevelopment Plan goals apply to the proposed project:

**Goal 1:** The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including among others, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic land uses, substandard alleys and inadequate or deteriorated public improvements, facilities, and utilities.

**Goal 2:** The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.

**Goal 3:** The replanning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

**Section 17.148.050 Minor Variances Findings**

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

- a) *Courtyard Dimensions:* Section 17.108.120 requires that when there are living room windows on the same lot facing each other on opposite walls, the zoning regulations require the minimum width of internal courts to equal one foot of width for each foot of height. The proposed project includes three courtyards between the units on the 2<sup>nd</sup> floor with decks above on the 3<sup>rd</sup> and 4<sup>th</sup> floors. The width of the courtyards is 20'. This is approximately 3' narrower than the zoning requirement. Strict compliance with this regulation would require a loss of 2 units, that the units surrounding the courtyard become significantly smaller, or the addition of another residential level. These options would preclude an effective design solution and operational efficiency for the building. Staff believes the court is wide enough to protect unit privacy, and buffer noise that a variance can be supported. In addition the parcel with the narrow courtyards is only 31' in width. Given the irregularity of the site and the General Plan goal providing housing, staff believes that this small reduction in courtyard width is supportable.
- b) *Loading Berths:* For residential floor area between 50,000-149,999 sf, one loading berth is required. The project is not providing any loading berths on site and the applicant is anticipating loading to take place along Wattling Street adjacent to the project or with the driveways. Strict compliance would preclude operational efficiency on the site and require either less housing, less parking, or less open space. The lack of a designated loading space on-site is not expected to cause significant traffic or circulation problems in the vicinity.

Loading would be infrequent and only needed to facilitate residents moving in and out of the building. Moving vans could utilize on-street spaces in front of the townhomes, in the multi-unit building or in the driveways.

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

- a) *Courtyard Dimensions:* As stated above, strict compliance with this regulation would require a loss of 2 units or that the units surrounding the courtyard become significantly smaller. The addition of another residential level to replace the lost units or square footage would preclude an effective design solution for so small a variance. Staff believes the court is wide enough to protect unit privacy, buffer noise and provide adequate access for fire personnel in an emergency. This along with adequate open space is the intent of the regulation. The additional width is not needed to meet the open space requirement since private balconies, a garden, planted walkway, and streetscape improvements are also proposed.
- b) *Loading Berths:* The intent of the loading berth regulation was to provide designated off-street spaces for loading. If the project were to comply with the loading berth requirement, units or parking spaces would need to be removed. Replacement of the removed units would likely increase the building height and would result in an awkward site plan. Loading would only be necessary for residents moving in and out of the units. This would take place infrequently since the units are for-sale and not rental. On-street spaces could be utilized in front of the townhomes or within the multi-unit building or in the driveways. Staff believes that the site plan maximizes the functionality of the project site and granting the loading berth variance would provide an effective design solution for the project.

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

- a) *Courtyard Dimension:* The variance for the minimum court dimension will not affect the livability, character, or appropriate development of adjacent parcels, since this is an internal issue to the project. The lack of approximately 3' in width will not compromise unit privacy, noise buffering and will provide adequate access for fire personnel in an emergency.
- b) *Loading Berths:* According to the traffic study, the lack of designated loading spaces on-site is not expected to cause significant traffic or circulation problems in the vicinity and is not expected to adversely affect the character or livability of the neighborhood. As stated above, loading would be used to accommodate residents moving in and out of the units. Since these units will not be rental, loading is expected to occur infrequently and by moving vans. These vans could use on-street parking, or on-site spaces in the multi-unit building or driveways.

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

a and b) The project meets the intent of the zoning regulations by supporting an appropriate layout that is well-suited to the surrounding properties in mass, scale, height, materials, and development pattern. This compatibility will enhance and benefit the surrounding neighborhood. The variances can be supported and meet the general intent of the zoning regulations. The width of courtyard as shown in the plans will still provide unit privacy and be adequate for emergency personnel to reach these units. Loading will be only used for residents moving in and out of the building. This will be infrequent since the units will be for-sale.

**16.24.040 Lot Design Standards**

**Lot design shall be consistent with the provisions of Section 16.04.010, Purpose, and the following provisions:**

**A No lot shall be created without frontage on a public street, as defined by Section 16.04.030, except:**

- 1. Lots created in conjunction with approved private access easements;**
- 2. A single lot with frontage on a public street by means of a vehicular access corridor provided that in all cases the corridor shall have a minimum width of twenty (20) feet and shall not exceed three hundred (300) feet in length. Provided further, the corridor shall be a portion of the lot it serves, except that its area (square footage) shall not be included in computing the minimum lot area requirements of the zoning district.**

All of the Parcels have frontage on a public street. Parcels 1, 2, and 4 have frontage on Watling Street. Parcel 3 has frontage on 37<sup>th</sup> Avenue.

**B. The side lines of lots shall run at right angles or radially to the street upon which the lot fronts, except where impractical by reason of unusual topography.**

The side lot lines of the proposed parcel run at right angles to the street on which they front except Parcel 3. That parcel effectively acts as a key lot due to 1) the fact that Watling Street does not extend to 37<sup>th</sup> Avenue; 2) the parcel intersects with 37<sup>th</sup> Avenue; and 3) the parcel is adjacent to the Parcel 4's side lot line.

**C. All applicable requirements of the zoning regulations shall be met.**

The proposed parcel conforms to the zoning regulations of the HBX-2 (Housing and Business Mix Commercial Zone) subject to the PUD, the FPUD and Variances that are requested as part of the overall project approval.

**D. Lots shall be equal or larger in measure than the prevalent size of existing lots in the surrounding area except:**

- 1. Where the area is still considered acreage;**
- 2. Where a deliberate change in the character of the area has been initiated by the adoption of a specific plan, a change in zone, a development control map, or a planned unit development.**

The project is proposing to merge three lots and subdivide the site into 4 parcels. The three residential parcels will be used for condominium purposes. However, this project is proposing a PUD which is an exception to this requirement. The applicant is asking for a PUD bonus for the lot size of

Parcel 4 the garden parcel. Since this area will be used as a park and development will be restricted, staff believes that application of the bonus would be warranted.

- E. Lots shall be designed in a manner to preserve and enhance natural out-croppings of rock, specimen trees or group of trees, creeks or other amenities.**

The project site is currently used as container storage. The site is devoid of vegetation and other natural features.

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

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

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

The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Each area was specifically reviewed in terms of density. If the project meets the density in the HBX zoning regulations, which the project is, then the project meets the HBX land use classification. The project meets the zoning and is consistent with the general plan with approval of the PUD (including the PUD bonus), FPUD, and the Variances.

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

The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Each area was specifically reviewed in terms of density. If the project meets the density in the HBX zoning regulations, which the project is, then the project meets the HBX land use classification. The project meets the zoning and is consistent with the general plan. There is no specific plan for this area.

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

The site is flat, in an urban area, devoid of natural features and future development can be easily accommodated.

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

The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Each area was specifically reviewed in terms of density. If the project meets the density in the HBX zoning regulations, which the project is, then the project meets the HBX land use classification. The site for the proposed development is flat and devoid of natural features and is suitable for development.

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

The subject property is located in an urban area surrounded by developed residential, commercial, and industrial properties. The site is used for container storage devoid of natural features that would provide habitat to fish or wildlife. No environmental damage would occur with the proposed project.

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

**problems.**

The merger of the parcels and the subsequent subdivision are not expected to cause serious public health problems. The proposed development would be served by public water and sewer service, and would therefore not require the use of on-site sewage disposal or domestic water well. The project site is not located on the state's Cortese List for hazardous waste. There are no buildings on the site. Therefore asbestos, lead in paint, lead in water, and contaminated equipment are expected. Radon or According the Phase I report, available at the Planning and Zoning office, the radon or other vapor intrusions are not expected to pose a health hazard. The site is located near the railroad and I-880. These facilities could pose air quality and noise on the project. The architects have included several features in the project drawings that would address this proximity. The study concluded that, with these features, the existing air quality context would not impact the proposed development and cause a health risk. These features are reiterated for importance as conditions of approval.

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

Adjacent to the site to the rear are several easements including a high pressure petroleum line, the Southern Pacific Railroad. Storm drain lines are also located to the front of the site along Wattling Street. In addition, the City also holds a 6' sewer easement. The multi-story building will not built with the easement so there is no conflict between the proposed building and access to the sewer. Southern Pacific also holds an easement over Parcel 4 to access the rail line. Gates to the garden and the wall adjacent to the rail line would provide access. Neither of these easement will result in conflicts or restrict use.

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

The subdivision of the lot for condominium purposes does not exclude the possibility of for future passive or natural heating or cooling opportunities.

Modifications to the conditions of approval as directed by the City Planning Commission at the **June 18, 2008** meeting or clarification made by staff are indicated in underlined type for additions and ~~cross-out type~~ for deletions.

## **CONDITIONS OF APPROVAL**

### **1. Approved Use**

#### ***Ongoing***

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, staff report, and the plans dated March 12, 2008 and submitted on May 27, 2008, and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall required prior written approval from the Director of City Planning or designee.
- b) This action by the City Planning Commission ("this Approval") includes the approvals set forth below. This Approval includes:
  - I. Approval of a Planned Unit Development (PUD), including bonus for lot size for Parcel 4, for the Wattling Residential PUD under OMC Section 17.140
  - II. Approval of a Final Planned Unit Development (FPUD) under OMC Section 17.140
  - III. Approval of Minor for the courtyard dimensions in the multi-unit building and and residential loading under OMC Section 17.148
  - IV. Major Design Review for the construction of a new principal facility over 25,000 sq. ft. of new floor area under OMC Section 17.136A
  - V. Vesting Tentative Parcel Map for condominium purposes under OMC Section 16.108 and 16.124.

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

#### ***Ongoing***

- a) Unless a different termination date is prescribed, this PUD, PUDF, Variance, and Design Review Approval shall expire two years from the approval date, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit for this project may invalidate this Approval if the said extension period has also expired.
- b) Based on the submitted five phase plan, failure of the applicant to obtain a building permit for Phase 2 within one (1) year of a certificate of occupancy for Phase 1 shall invalidate this approval. Failure of the applicant to obtain a building permit for Phase 3 within one (1) year of a certificate of occupancy for Phase 2 shall invalidate this approval. Failure of the applicant to obtain a building permit for Phase 4 within one (1) year of a certificate of occupancy for Phase 3 shall invalidate this approval. Failure of the applicant to obtain a building permit for Phase 5 within one (1) year of a certificate of occupancy for Phase 4 shall invalidate this approval. Provided further, that upon written request, the Planning and Zoning Division may grant a one year extension of these deadlines, with additional extensions subject to approval by the City Planning Commission.

c) This approval of the Vesting Tentative Map shall expire two (2) calendar years from the approval date, the effective date of its granting, unless the applicant files a Parcel Map with the City Engineer within two (2) years from the date of this letter. Failure to file a Parcel Map within these time limits shall nullify the previous approval or conditional approval of the Tentative Parcel Map. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Zoning Administrator may grant an extension of this permit, and up to two subsequent extensions upon receipt of a subsequent written request and payment of appropriate fees received no later than the expiration date of the previous extension.

**3. Recordation of the Final Map for Approved Project**

For condominium purposes the final map shall be recorded prior to the certificate of occupancy for the 79 units pursuant to Case File PUD06-606; PUDF08-166. The applicant shall discuss the recordation with Engineering Services, as this department may have a different timeframe for final map submittal.

**4. Scope of This Approval; Major and Minor Changes**

*Ongoing*

- a) The project is approved pursuant to the Planning Code and Subdivision Regulations only. Minor changes to approved use and/or plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved use and/or plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.
- b) The project shall comply with all other applicable codes, requirements, regulations and guidelines, including but not limited to those imposed by the City's Building Services Division and the City's Fire Marshal. The proposal shall specifically comply with the conditions required by Philip Basada of the Fire Prevention Bureau and Tim Low of Engineering Services per the attached memorandums (Attachment B).

**5. Conformance with other Requirements**

*Prior to issuance of a demolition, grading, P-job, or other construction related permit*

- a) The project applicant shall comply with all other applicable federal, state, regional and/or local codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with the other applicable requirements may require changes to the approved use/or plans. These changes shall be processed in accordance with the procedures contained in Condition of Approval 3.
- b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.

**6. Conformance to Approved Plans; Modification of Conditions or Revocation**

*Ongoing*

- a) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.

- b) The City of Oakland reserves the right at any time during construction to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension or other corrective action.
- c) Violation of any term, Conditions or project description relating to the Approvals is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions.

**7. Signed Copy of the Conditions**

***With submittal of a demolition, grading, and building permit***

A copy of the approval letter and Conditions shall be signed by the property owner, notarized, and submitted with each set of permit plans to the appropriate City agency for this project.

**8. Indemnification**

- a) ***Ongoing*** The project applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Agency, the Oakland City Planning Commission and their respective agents, officers, and employees (hereafter collectively called the City) from any claim, action, or proceeding (including legal costs and attorney's fees) against the City to attack, set aside, void or annul this Approval, or any related approval by the City. The City shall promptly notify the project applicant of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding. The project applicant shall reimburse the City for its reasonable legal costs and attorney's fees.
- b) Within ten (10) calendar days of the filing of a claim, action or proceeding to attack, set aside, void, or annul this Approval, or any related approval by the City, the project applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations and this condition of approval. This condition/obligation shall survive termination, extinguishment, or invalidation of this, or any related approval. Failure to timely execute the Letter Agreement does not relieve the project applicant of any of the obligations contained in 7(a) above, or other conditions of approval.

**9. Compliance with Conditions of Approval**

***Ongoing***

The project applicant shall be responsible for compliance with the recommendations in any submitted and approved technical report and all the Conditions of Approval set forth below at its sole cost and expense, and subject to review and approval of the City of Oakland.

**10. Severability**

***Ongoing***

Approval of the project would not have been granted but for the applicability and validity of each and every one of the specified conditions, and if one or more of such conditions is found to be

invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid conditions consistent with achieving the same purpose and intent of such Approval.

**11. Job Site Plans**

*Ongoing throughout demolition, grading, and/or construction*

At least one (1) copy of the stamped approved plans, along with the Approval Letter and Conditions of Approval, shall be available for review at the job site at all times.

**12. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Management**

*Prior to issuance of a demolition, grading, and/or construction permit and/or as needed*

The project applicant may be required to pay for on-call special inspector(s)/inspections as needed during the times of extensive or specialized plancheck review, or construction. The project applicant may also be required to cover the full costs of independent technical and other types of peer review, monitoring and inspection, including without limitation, third party plan check fees, including inspections of violations of Conditions of Approval. The project applicant shall establish a deposit with the Building Services Division, as directed by the Building Official, Director of City Planning or designee.

**13. Required Landscape Plan for New Construction and Certain Additions to Residential Facilities**

*Prior to issuance of a building permit*

Submittal and approval of a landscape plan for the entire site is required for the establishment of a new residential unit (excluding secondary units of five hundred (500) square feet or less), and for additions to Residential Facilities of over five hundred (500) square feet. The landscape plan and the plant materials installed pursuant to the approved plan shall conform with all provisions of Chapter 17.124 of the Oakland Planning Code, including the following:

- a) Landscape plans shall include a detailed planting schedule showing the proposed location, sizes, quantities, and specific common botanical names of plant species.
- b) Landscape plans for projects involving grading, rear walls on downslope lots requiring conformity with the screening requirements in Section 17.124.040, or vegetation management prescriptions in the S-11 zone, shall show proposed landscape treatments for all graded areas, rear wall treatments, and vegetation management prescriptions.
- c) Landscape plans shall incorporate pest-resistant and drought tolerant landscaping practices. Within the portions of Oakland northeast of the line formed by State Highway 13 and continued southerly by Interstate 580, south of its intersection with State Highway 13, all plant materials on submitted landscape plans shall be fire resistant. The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire resistant and drought tolerant.
- d) All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season.

**14. Landscape Requirements for Street Frontages.**

*Prior to issuance of a final inspection of the building permit*

- a) All areas between a primary Residential Facility and abutting street lines shall be fully landscaped, plus any unpaved areas of abutting rights-of-way of improved streets or alleys, provided, however, on streets without sidewalks, an unplanted strip of land five (5) feet in width shall be provided within the right-of-way along the edge of the pavement or face of curb,

whichever is applicable. Existing plant materials may be incorporated into the proposed landscaping if approved by the Director of City Planning.

- b) In addition to the general landscaping requirements set forth in Chapter 17.124, a minimum of one (1) fifteen-gallon tree, or substantially equivalent landscaping consistent with city policy and as approved by the Director of City Planning, shall be provided for every twenty-five (25) feet of street frontage. On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet, the trees to be provided shall include street trees to the satisfaction of the Director of Parks and Recreation.

**15. Assurance of Landscaping Completion.**

***Prior to Issuance of a Certificate of Occupancy***

The trees, shrubs and landscape materials required by the conditions of approval attached to this project shall be planted before the certificate of occupancy will be issued; or a bond, acceptable to the City, shall be provided for the planting of the required landscaping. The amount of such bond shall equal the greater to the estimated cost of the required landscaping an irrigation, based on a licensed contractor's bid.

**16. Landscape Maintenance.**

***Ongoing***

All required planting, including those in the public right of way, shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required fences, walls and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

**17. Bicycle Parking**

***Prior to the issuance of first certificate of occupancy.***

The applicant shall submit for review and approval of the Planning and Zoning Division, plans that show bicycle storage and parking facilities to accommodate at least one short-term bicycle parking space onsite or on public sidewalk, and five long-term bicycle parking spaces. The plans shall show the design and location of bicycle racks within the secure bicycle storage areas. The applicant shall pay for the cost and installation of any bicycle racks in the public right of way.

**18. Underground Utilities**

***Prior to issuance of a building permit***

The project applicant shall submit plans for review and approval by the Building Services Division and the Public Works Agency, and other relevant agencies as appropriate, that show all new electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities placed underground. The new facilities shall be placed underground along the project applicant's street frontage and from the project applicant's structures to the point of service. The plans shall show all electric, telephone, water service, fire water service, cable, and fire alarm facilities installed in accordance with standard specifications of the serving utilities.

**19. Improvements in the Public Right-of-Way (General)**

***Approved prior to the issuance of a P-job or building permit***

- a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal

Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW.

- b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition.
- c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit.
- d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards.

**20. Phased Public Improvement Plan**

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

The applicant shall submit Public Improvement Plans for improvements to be installed with each phase of the development.

**21. Payment for Public Improvements**

***Prior to issuance of a final inspection of the building permit.***

The project applicant shall pay for and install public improvements made necessary by the project including damage caused by construction activity.

**22. Construction Phasing and Management Plan**

***Approved prior to the issuance of a grading or building permit***

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

- a) A site security and safety plan to assure that grading and construction activities are adequately secured during off-work hours.
- b) A construction period litter/debris control plan to ensure the site and surrounding area is kept free of litter and debris.
- c) A plan to provide safe temporary access to occupied units during active construction activities, including path of travel, securing active construction areas and parking.

**23. Compliance Matrix**

***Prior to issuance of a demolition, grading, or building permit***

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division a Conditions compliance matrix that lists each condition of approval, the City agency or division responsible for review, and how/when the project applicant has met or intends to meet the conditions. The applicant will sign the Conditions of Approval attached to the approval letter and submit that with the compliance matrix for review and approval. The compliance matrix shall be organized per step in the plancheck/construction process unless another format is acceptable to the Planning and Zoning Division and the Building Services Division. The project applicant shall update the compliance matrix and provide it with each item submittal.

**24. Dust Control**

***Prior to issuance of a demolition, grading or building permit***

During construction, the project applicant shall require the construction contractor to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic and enhanced dust control procedures required for construction sites. These include:

- a) Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
- b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
- e) Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- f) Limit the amount of the disturbed area at any one time, where feasible.
- g) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- h) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- i) Replant vegetation in disturbed areas as quickly as feasible.
- j) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- k) Limit traffic speeds on unpaved roads to 15 miles per hour.
- l) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.
- m) All "Basic" controls listed above, plus:
- n) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- o) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
- p) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction as well as posted on-site over the duration of construction.
- q) Install appropriate wind breaks at the construction site to minimize wind blown dust.

**25. Construction Emissions**

***Prior to issuance of a demolition, grading or building permit***

To minimize construction equipment emissions during construction, the project applicant shall require the construction contractor to:

- a) Demonstrate compliance with Bay Area Air Quality Management District (BAAQMD) Regulation 2, Rule 1 (General Requirements) for all portable construction equipment subject to that rule. BAAQMD Regulation 2, Rule 1 provides the issuance of authorities to construct and permits to operate certain types of portable equipment used for construction purposes (e.g., gasoline or diesel-powered engines used in conjunction with power generation, pumps, compressors, and cranes) unless such equipment complies with all applicable requirements of the "CAPCOA" Portable Equipment Registration Rule" or with all applicable requirements of the

Statewide Portable Equipment Registration Program. This exemption is provided in BAAQMD Rule 2-1-105.

- b) Perform low- NOx tune-ups on all diesel-powered construction equipment greater than 50 horsepower (no more than 30 days prior to the start of use of that equipment). Periodic tune-ups (every 90 days) shall be performed for such equipment used continuously during the construction period.

**26. Days/Hours of Construction Operation**

***Ongoing throughout demolition, grading, and/or construction***

The project applicant shall require construction contractors to limit standard construction activities as follows:

- a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday.
- b) Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division.
- c) Construction activity shall not occur on Saturdays, with the following possible exceptions:
  - i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.
  - ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed.
- d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.
- e) No construction activity shall take place on Sundays or Federal holidays.
- f) Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.
- g) Applicant shall use temporary power poles instead of generators where feasible.

**27. Noise Control**

***Ongoing throughout demolition, grading, and/or construction***

To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning

Division and the Building Services Division review and approval, which includes the following measures:

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

**28. Noise Complaint Procedures**

***Ongoing throughout demolition, grading, and/or construction***

Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:

- a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours);
- b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours);
- c) The designation of an on-site construction complaint and enforcement manager for the project;
- d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and
- e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

**29. Interior Noise**

***Prior to issuance of a building permit***

If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-

rated assemblies (i.e., windows, exterior doors, and walls) shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval. Final recommendations for sound-rated assemblies will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phase.

**30. Operational Noise-General**

***Ongoing.***

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.

**31. Construction Management**

***Prior to the issuance of a demolition, grading or building permit***

The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements:

- a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.
- b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- c) Location of construction staging areas for materials, equipment, and vehicles at an approved location.
- d) A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services.
- e) Provision for accommodation of pedestrian flow.
- f) Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.

**32. Hazards Best Management Practices**

***Prior to commencement of demolition, grading, or construction***

The project applicant and construction contractor shall ensure that construction of Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:

- a) Follow manufacture's recommendations on use, storage, and disposal of chemical products used in construction;
- b) Avoid overtopping construction equipment fuel gas tanks;
- c) During routine maintenance of construction equipment, properly contain and remove grease and oils;

- d) Properly dispose of discarded containers of fuels and other chemicals.
- e) Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building.
- f) If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

### 33. **Waste Reduction and Recycling**

The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency.

#### ***Prior to issuance of demolition, grading, or building permit***

Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at [www.oaklandpw.com/Page39.aspx](http://www.oaklandpw.com/Page39.aspx) or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.

#### ***Ongoing***

The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.

### 34. **Vibration**

#### ***Prior to the issuance of a building permit***

A qualified acoustical consultant shall be retained by the project applicant during the design phase of the project to comment on structural design as it relates to reducing groundborne vibration at the

project site to 75VdB. If required in order to reduce groundborne vibration to acceptable levels the project applicant shall incorporate special building methods to reduce groundborne vibration being transmitted into project structures containing residential uses. Potential methods include the following:

- a) Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a “spring isolation” system that consists of resilient spring support that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of ground-borne vibration to the residences above.
- b) Trenching, which involves excavating soil between the railway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project’s structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets (i.e., Styrofoam) or low-density polyethylene). Since trench depths required to reduce groundborne vibration generated by railway operations can be significant (e.g. greater than 30 feet), the project sponsor shall submit for City review and approval any trench proposal.

**35. Lighting Plan**

***Prior to the issuance of an electrical or building permit***

The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.

**36. Archaeological Resources**

***Ongoing throughout demolition, grading, and/or construction***

- a) Pursuant to CEQA Guidelines section 15064.5 (f), “provisions for historical or unique archaeological resources accidentally discovered during construction” should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.
- b) In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out.

- c) Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measure measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.

**37. Human Remains**

***Ongoing throughout demolition, grading, and/or construction***

In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

**38. Paleontological Resources**

***Ongoing throughout demolition, grading, and/or construction***

In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in Section 15064.5 of the CEQA Guidelines. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.

**39. Erosion and Sedimentation Control Plan**

***Prior to any grading activities***

- a) The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.780 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a

result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.

***Ongoing throughout grading and construction activities***

- b) The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.

**40. Geotechnical Report**

***Required as part of the submittal of a Final Map***

- a) A site-specific, design level, Landslide or Liquefaction geotechnical investigation for each construction site within the project area shall be required as part of this project and submitted for review and approval by the Building Services Division. Specifically:
  - i. Each investigation shall include an analysis of expected ground motions at the site from identified faults. The analyses shall be accordance with applicable City ordinances and polices, and consistent with the most recent version of the California Building Code, which requires structural design that can accommodate ground accelerations expected from identified faults.
  - ii. The investigations shall determine final design parameters for the walls, foundations, foundation slabs, surrounding related improvements, and infrastructure (utilities, roadways, parking lots, and sidewalks).
  - iii. The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer, geotechnical engineer, shall be included in the final design, as approved by the City of Oakland.
  - iv. The geotechnical report shall include a map prepared by a land surveyor or civil engineer that shows all field work and location of the "No Build" zone. The map shall include a statement that the locations and limitations of the geologic features are accurate representations of said features as they exist on the ground, were placed on this map by the surveyor, the civil engineer or under their supervision, and are accurate to the best of their knowledge.
  - v. Recommendations that are applicable to foundation design, earthwork, and site preparation that were prepared prior to or during the projects design phase, shall be incorporated in the project.
  - vi. Final seismic considerations for the site shall be submitted to and approved by the City of Oakland Building Services Division prior to commencement of the project.

vii. A peer review is required for the Geotechnical Report. Personnel reviewing the geologic report shall approve the report, reject it, or withhold approval pending the submission by the applicant or subdivider of further geologic and engineering studies to more adequately define active fault traces.

b) Tentative Tract or Parcel Map approvals shall require, but not be limited to, approval of the Geotechnical Report.

**41. Fire Safety Phasing Plan**

*Prior to issuance of a demolition, grading, and/or construction and concurrent with any p-job submittal permit*

The project applicant shall submit a separate fire safety phasing plan to the Planning and Zoning Division and Fire Services Division for their review and approval. The fire safety plan shall include all of the fire safety features incorporated into the project and the schedule for implementation of the features. Fire Services Division may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase.

**42. Stormwater Pollution Prevention Plan (SWPPP)**

*Prior to and ongoing throughout demolition, grading, and/or construction activities*

The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

**43. Post-Construction Stormwater Pollution Management Plan**

*Prior to issuance of building permit (or other construction-related permit)*

The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater pollution management plan, for review and approval by the City, to manage stormwater runoff and limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.

a) The post-construction stormwater pollution management plan shall include and identify the following:

- i. All proposed impervious surface on the site;
- ii. Anticipated directional flows of on-site stormwater runoff; and

- iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and
  - iv. Source control measures to limit the potential for stormwater pollution; and
  - v. Stormwater treatment measures to remove pollutants from stormwater runoff.
  - vi. Hydromodification management measures so that post project stormwater run-off does not exceed the flow and duration of pre-project run-off, if required under the NPDES permit.
- b) The following additional information shall be submitted with the post-construction stormwater pollution management plan:
- i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and
  - ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e., non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscape-based treatment measures.

All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater pollution management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program.

***Prior to final permit inspection***

The applicant shall implement the approved stormwater pollution management plan.

**44. Maintenance Agreement for Stormwater Treatment Measures**

***Prior to final zoning inspection***

For projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following:

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

**45. Regulatory Permits and Authorizations**

***Prior to issuance of a demolition, grading, or building permit***

Prior to construction within the floodway or floodplain, the project applicant shall obtain all necessary regulatory permits and authorizations from the Alameda County Flood Control and Water Conservation District and shall comply with all conditions issued by that agency.

**46. Structures within a Floodplain**

***Prior to issuance of a demolition, grading, or building permit***

- a) The project applicant shall retain the civil engineer of record to ensure that the project's development plans and design contain finished site grades and floor elevations that are elevated above the Base Flood Elevation (BFE) if established of a 100-year flood event.
- b) The project applicant shall submit final hydrological calculations that ensure that the structure will not interfere with the flow of water or increase flooding.

**47. Stormwater and Sewer**

***Prior to completing the final design for the project's sewer service***

- a) Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.
- b) Show the diameter of the existing main sewer flowing south from 38<sup>th</sup> Ave. (C-1.4). Provide invert elevation where the private sewer connected to ex. main sewer. Provide calculation showing that the main sewer have capacity to take the proposed sewer discharge assuming the existing main is flowing half full.
- c) Construction over the common sewer and within the sewer easement is not permitted.

**48. Conditions and Restrictions & Homeowner's Association**

***Prior to the first certificate of occupancy.***

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

**49. Meter Shielding**

***Prior to issuance of building permits.***

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

**50. Air Quality Building Features (as reiterated from the project drawings and air quality analysis)**

***Prior to the issuance of a building permit***

The applicant shall submit building permit plans that show the following building features shown in the approved plans:

- c) Orientation of the buildings will remain so that the closest buildings face away from the freeway and the train tracks with all other buildings perpendicular to the freeway as shown in the PUD and FPUD plans.
- d) Inoperable windows will be located on the sides of the building that face the freeway and the train tracks.
- e) The project will include a noise buffering wall up to 30' high in some locations.
- f) No significant yards between the buffering wall and the buildings.
- g) Buildings will maintain positive pressure.
- h) The project will include a dual-filtration heating and ventilation system, for all the units including the townhomes, which will provide filtration on both the outside air intake and the return air grill, utilizing ASHRAE Dust Spot 85% (MERV 13) filters at both locations. Performance standards will include 1 air exchange per hour of fresh outside filtered air and 4 air changes per hour of recirculation.
- i) The applicant shall prepare an Operation and Maintenance Manual for the heating and ventilation system and the filter. The manual will include operating instructions and a maintenance and replacement schedule. This manual will be included in the CC&R's and distributed to maintenance staff.
- j) The applicant shall prepare a separate Homeowners Manual. The manual shall contain operating instructions and maintenance and replacement schedule for the heating and ventilation system and the filters.
- k) The applicant shall also disclose to the buyers of the air quality analysis dated May 21, 2008 findings.

**51. Noise Building Features (as reiterated from the project drawings and noise analysis)**

***Prior to the issuance of a building permit***

The applicant shall submit building permit plans that show the following building features shown in the approved plans:

- a) A minimum residential building and sound wall setback of 50' from the train line will be provided.
- b) The sound wall and noise barrier heights would be provided as shown in the Levy Design Architectural drawings.
- c) Building facades along the train line will have double-stud exterior wall assembly with an exterior finish consisting of fiber cement panel over plywood and gypsum board. The interior side would have two layers of gypsum board.
- d) Excluding the aforementioned facades along the train line, all other Building facades (facing or perpendicular) located within 100' of the train line would have staggered stud or resilient channel exterior wall assembly with the exterior finish consisting of a fiber cement panel over plywood and gypsum board. The interior side would have two layers of gypsum board.
- e) Sound rated windows and exterior doors as identified in Tab11 of the noise analysis dated April 15, 2008.
- f) An exterior-grade sound absorbing material having a minimum NRC rating of .60 will be provided at 50% of the wall areas forming courtyards in Area A dwellings.
- g) If within 500' of a freeway, Z duct construction is prohibited.
- h) The project applicant must ensure that the acoustical analysis includes ventilation system noise.
- i) Include performance testing of a sample unit to ensure compliance with the interior noise standards.

- j) The owner of the property shall provide in the CC&R's a Statement of Disclosure on the lease or title to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise occurrences.
- k) Quality control must be exercised in construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed.

**52. Status of a portion of Wattling Street**

***Ongoing***

The project applicant acknowledges that ownership of a portion of Wattling Street (to the east of 40<sup>th</sup> Street) is currently in dispute. The project applicant has chosen at their own risk to proceed to the Planning Commission for a decision. The project applicant acknowledges, that should the dispute not be resolved in the City's favor, that the project may require changes to the site plan, the number of units, the location of improvements, etc. and that these changes may require a return to the Planning Commission for approval, pursuant to Condition of Approval #3 4. The Planning Commission would consider the following options to be minor changes:

- a. To work out an easement agreement with the adjacent property owner, a setback, and loss of unit, or
- b. Or a return to the original design presented to the Design Review Committee.

**53. Pre-Construction Meeting with the Neighborhood**

***Prior to issuance of a grading, demolition, or building permit.***

A preconstruction meeting shall be held with the immediate neighbors within 300' of the job site to discuss neighborhood notification, location of staging areas, major deliveries, detours and lane closures etc. Both Planning staff and the building coordinator shall attend this meeting.

**54. Pre-construction Meeting with the City**

***Prior to issuance of a grading, demolition, or building permit.***

A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager with the City's project building coordinator to confirm that conditions of approval that must be completed prior to issuance of a grading, demolition, or building permit have been completed (including pre-construction meeting with neighborhood, construction hours, neighborhood notification, posted signs, etc.). The project applicant shall coordinate and schedule this meeting with City staff.

**APPROVED BY:**

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

**Applicant and/or Contractor Statement**

I have read and accept responsibility for the Conditions of Approval, as approved by Planning Commission action on June 18, 2008. I agree to abide by and conform to these conditions, as well as to all provisions of the Oakland Zoning Code and Municipal Code pertaining to the project.

Signature of Owner/Applicant: \_\_\_\_\_ (date)  
Signature of Contractor \_\_\_\_\_ (date)

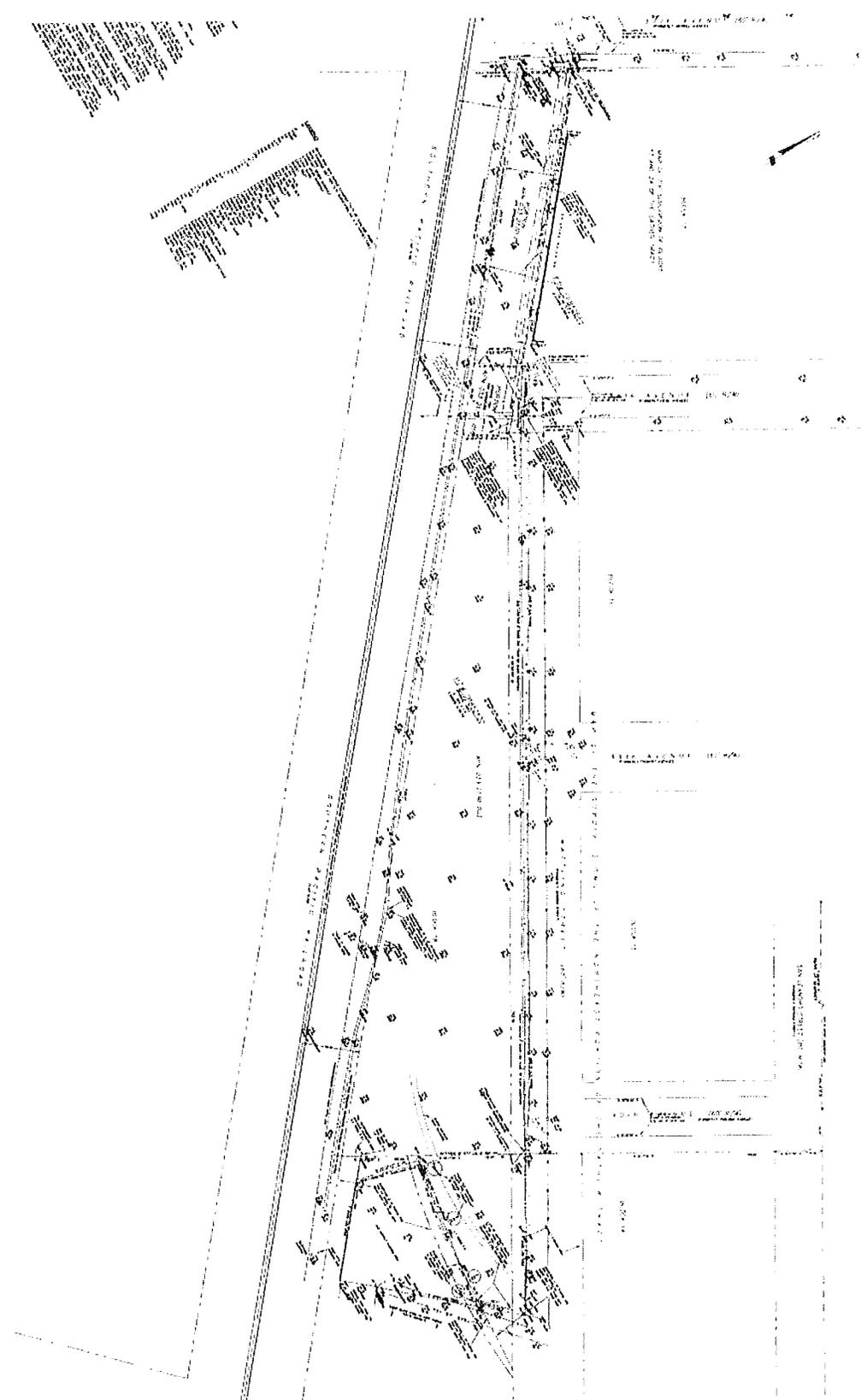












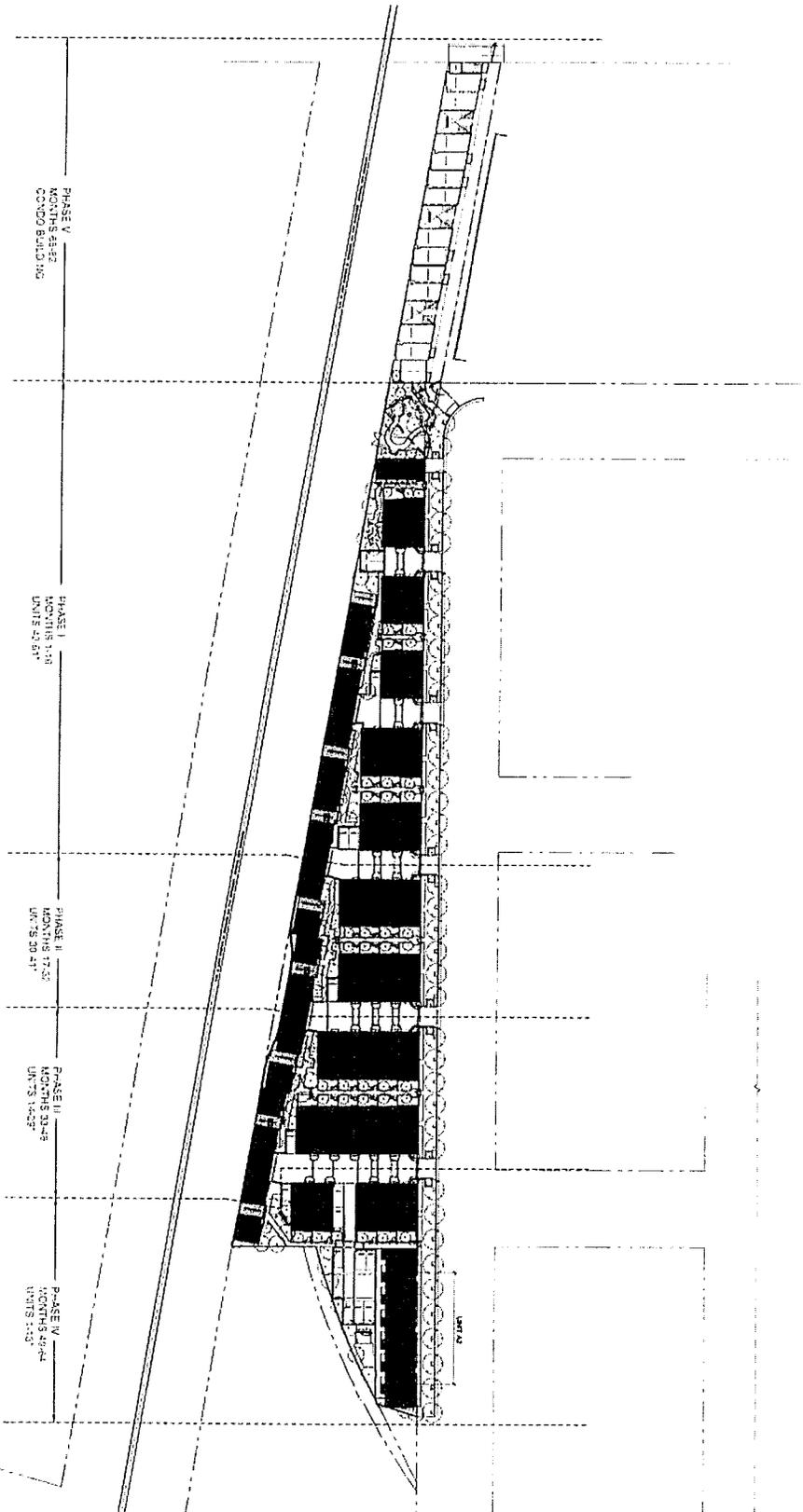
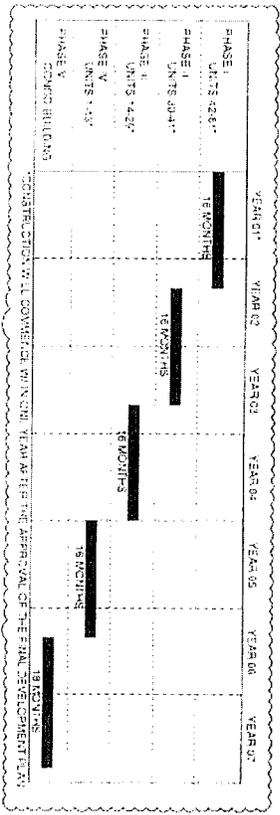
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SURVEY

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CLIENT	...
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**WATTLING ST.**  
79 RESIDENTIAL UNITS

1/20/20



A1.3

PHASING PLAN

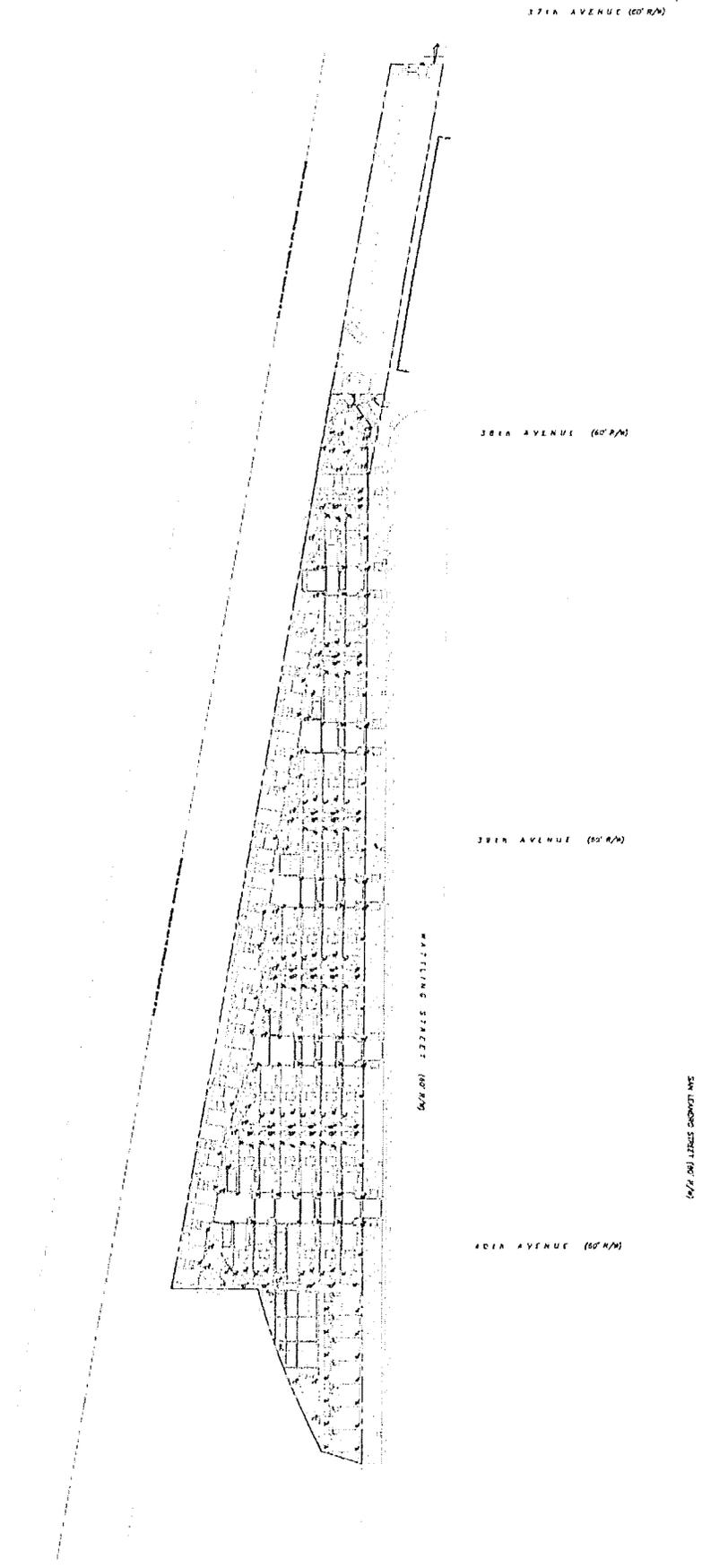
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 CHECKED BY: [Name]  
 PROJECT: [Name]

WATLING ST.  
 79 RESIDENTIAL UNITS

LEVY DEC 07  
 [Small logo]

**LEGEND**

- STREET LIGHTING POLE
- STREET LIGHTING FIXTURE
- STREET LIGHTING FIXTURE WITH LUMINAIRE
- STREET LIGHTING FIXTURE WITH LUMINAIRE AND MOUNTING ARM
- STREET LIGHTING FIXTURE WITH LUMINAIRE AND MOUNTING ARM AND LUMINAIRE



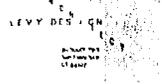
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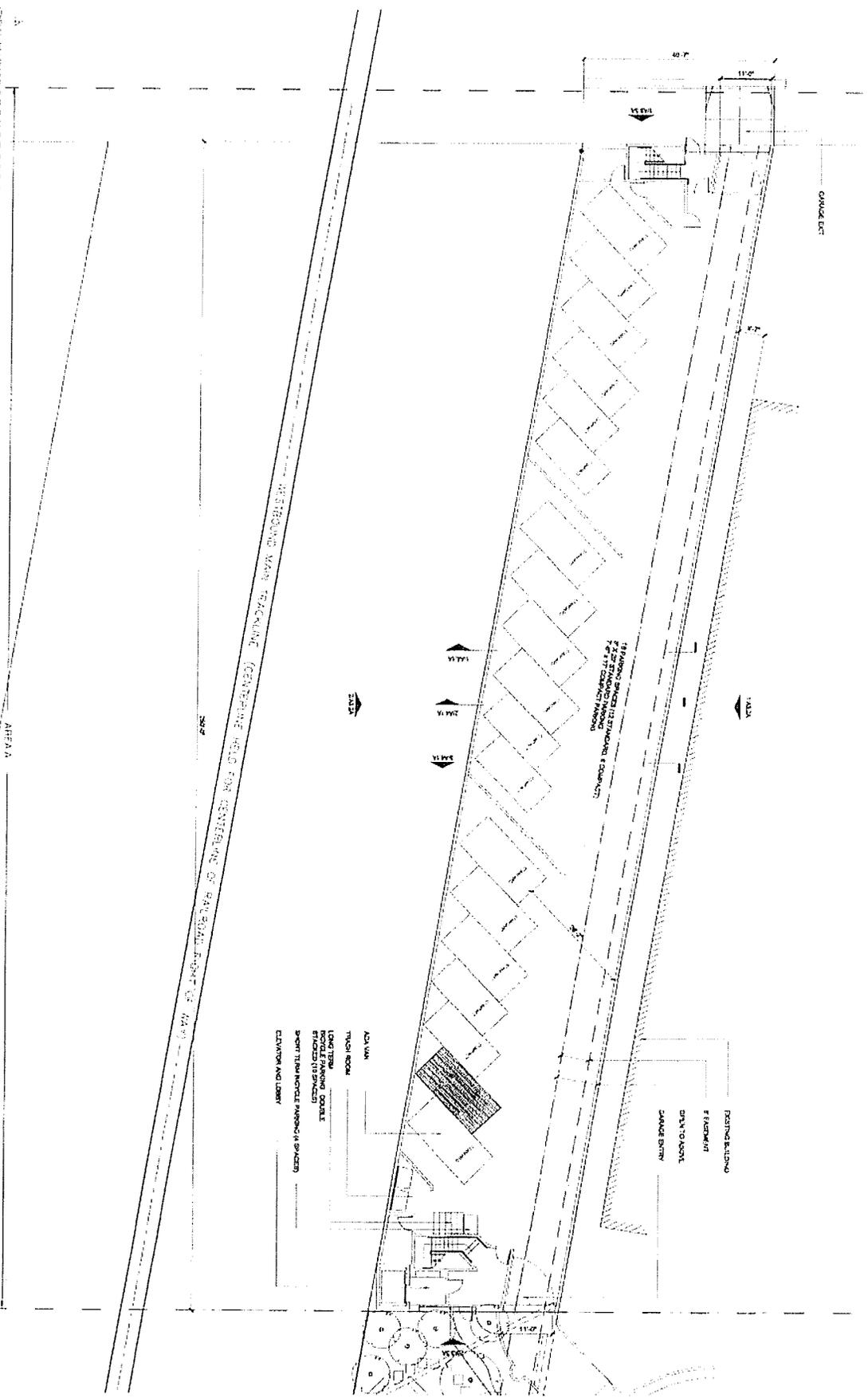
DATE: 10/27/11  
 LIGHTING PLAN

PROJECT:	WATTLING STREET
CLIENT:	ST. LOUIS
DATE:	10/27/11
SCALE:	AS SHOWN
DESIGNER:	LEVY DESIGN GROUP
CHECKER:	LEVY DESIGN GROUP
APPROVER:	LEVY DESIGN GROUP

**WATTLING ST.**  
 LIGHTING PLAN



1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.  
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
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**WATTLE ST.**  
 79 RESIDENTIAL UNITS

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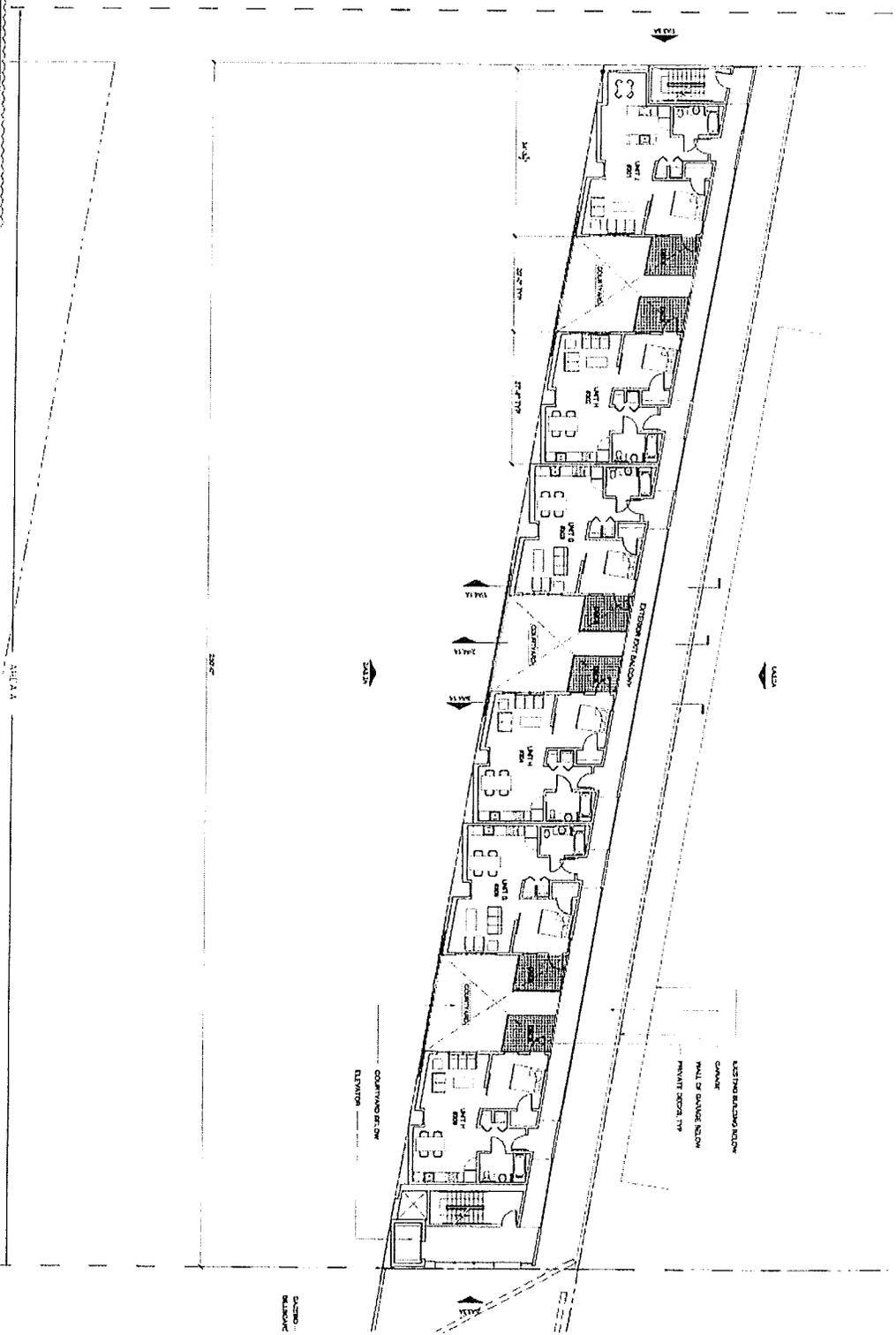
FIRST FLOOR  
 PLAN  
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WATTLE STREET  
 79 RESIDENTIAL UNITS  
 FIRST FLOOR PLAN  
 AREA A



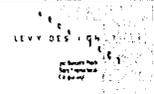


NO.	REVISION	DATE
1	ISSUED FOR PERMITS	01/15/11
2	REVISED PER COMMENTS FROM THE CITY ENGINEER	02/01/11
3	REVISED PER COMMENTS FROM THE CITY ENGINEER	02/15/11
4	REVISED PER COMMENTS FROM THE CITY ENGINEER	03/01/11
5	REVISED PER COMMENTS FROM THE CITY ENGINEER	03/15/11
6	REVISED PER COMMENTS FROM THE CITY ENGINEER	04/01/11
7	REVISED PER COMMENTS FROM THE CITY ENGINEER	04/15/11
8	REVISED PER COMMENTS FROM THE CITY ENGINEER	05/01/11
9	REVISED PER COMMENTS FROM THE CITY ENGINEER	05/15/11
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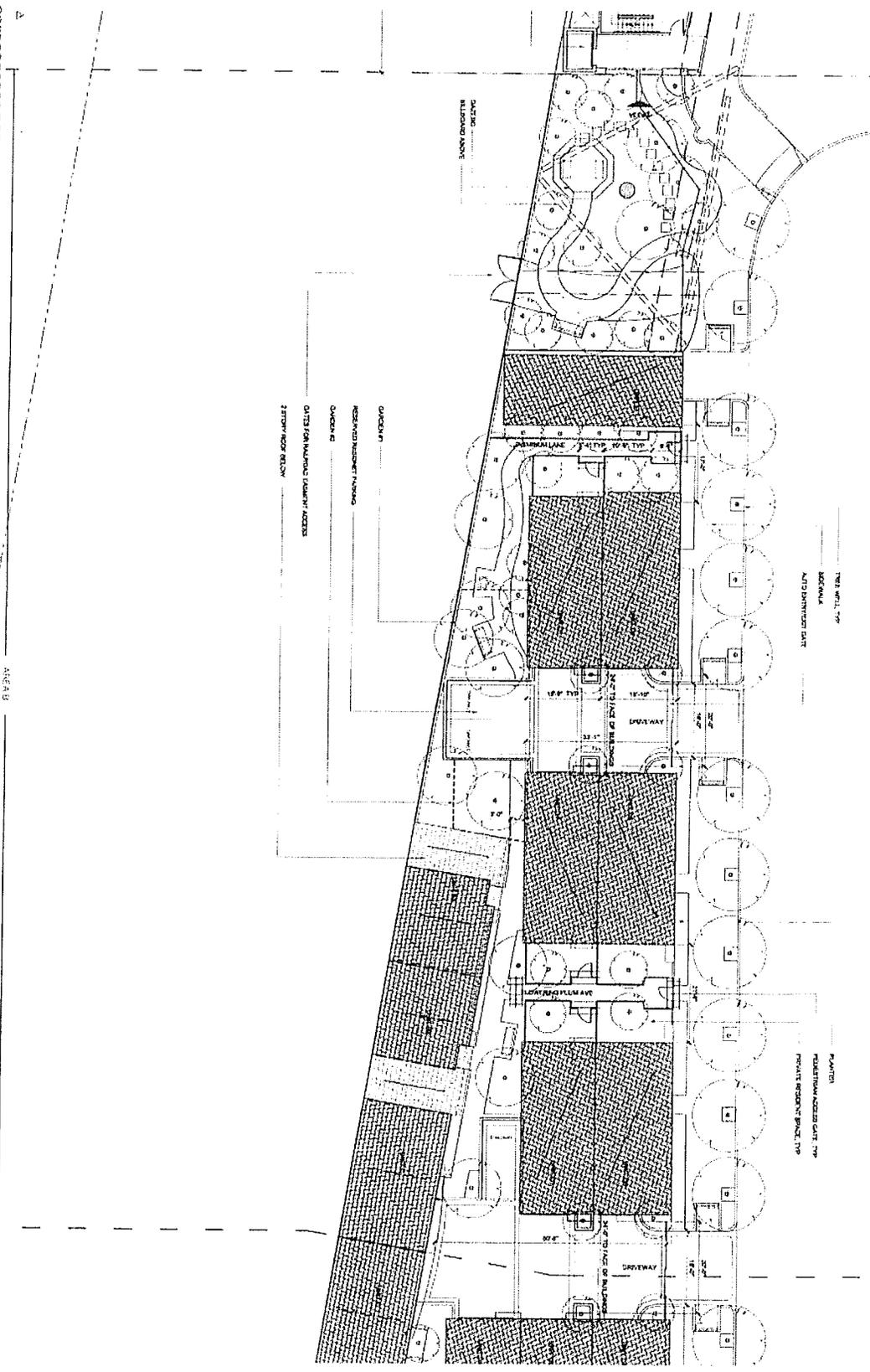
<b>A2.4A</b>	
FOURTH FLOOR PLAN AREA A	
SCALE: 1/8" = 1'-0"	
DATE: 01/15/11	
PROJECT: 400 WATTLING ST. AREA A	
DESIGNER: [Firm Name]	
ARCHITECT: [Firm Name]	
ENGINEER: [Firm Name]	
PLUMBER: [Firm Name]	
ELECTRICIAN: [Firm Name]	
Mechanical: [Firm Name]	
Structural: [Firm Name]	
Interior Design: [Firm Name]	
Landscaping: [Firm Name]	
Signage: [Firm Name]	
Other: [Firm Name]	

**WATTLING ST.**  
79 RESIDENTIAL UNITS





1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
 4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE DRIVEWAY UNLESS OTHERWISE NOTED.  
 5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE SIDEWALK UNLESS OTHERWISE NOTED.  
 6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE STREET UNLESS OTHERWISE NOTED.  
 7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS OTHERWISE NOTED.  
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 9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CITY UNLESS OTHERWISE NOTED.  
 10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE STATE UNLESS OTHERWISE NOTED.  
 11. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE COUNTRY UNLESS OTHERWISE NOTED.  
 12. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE UNIVERSE UNLESS OTHERWISE NOTED.  
 13. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE GODS UNLESS OTHERWISE NOTED.  
 14. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE HEAVENS UNLESS OTHERWISE NOTED.  
 15. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE EARTH UNLESS OTHERWISE NOTED.  
 16. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE SEA UNLESS OTHERWISE NOTED.  
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 27. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE PLANTS UNLESS OTHERWISE NOTED.  
 28. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ANIMALS UNLESS OTHERWISE NOTED.  
 29. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE HUMANS UNLESS OTHERWISE NOTED.  
 30. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE GODS UNLESS OTHERWISE NOTED.



**A2.4B**  
 FOURTH FLOOR PLAN  
 AREA B

DATE	1/15/2011
PROJECT	WATTLING ST. 79 RESIDENTIAL UNITS
CLIENT	WATTLING ST. DEVELOPMENT LLC
ARCHITECT	WATTLING ST. ARCHITECTS
SCALE	1/8" = 1'-0"

**WATTLING ST.**  
 79 RESIDENTIAL UNITS



**FINDINGS FOR APPROVAL:**

The proposed project meets the required findings under Planning Code Sections 17.140.080 (Planned Unit Development Criteria), 17.140.060 (Planning Commission Action for a Final Planned Unit Development for all Phases), Section 17.136.050A (Residential Design Review findings), Section 17.148.050 (Variances findings); and Section 16.24.040 and 16.08.030 (Tentative Parcel Map findings). Required findings are shown in bold type; explanations as to why these findings can be made are in normal type. Required findings are shown in bold type below and are also contained within other sections of this report and the administrative record; explanations as to why these findings can be made are in normal type.

**Section 17.140.080 Preliminary Planned Unit Development Permit**

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

The proposed residential project is located within the Housing and Business Mix General Plan land use designation. The General Plan states that the *intent* of the HBX designation is to “recognize the equal importance of both housing and business. The General Plan states that the *desired character* of future development within this classification should be compatible with housing, and development should recognize the mixed business nature of the area. The project is consistent with this classification that allows mixed housing type density. The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification.

The project is meeting several policies and goals of the General Plan including: Objective N3: Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community; Policy N3.1 Facilitating Housing Construction; and *Policy N3.2 Encouraging Infill Development*. As stated before in the General Plan Analysis Section, the project site has been used as container storage for years and has been the subject of several complaints. The proposal to construct of housing on this would be positive for the neighborhood and the Land Use Element considers the construction of new housing to be one of the highest priorities in Oakland to meet the demand of a growing population. There is a residential neighborhood and live/work facility across the street and therefore the site is appropriate for residential development.

The project is also meeting Policy T2.1 Encouraging Transit-Oriented Development. The project is located just 6 blocks away (less than a quarter mile) from the Fruitvale BART station. This project would meet the goal of providing housing near transit. The project is providing a mix of condominium units and larger attached townhomes style units that range from one to three bedroom units. This mix is consistent with Policy N6.1 which encourages a Mixing Housing Types.

The project is located in the Coliseum Area Redevelopment Project Area, an applicable plan under this finding. The proposed project is consistent with the following goals:

Goal 1: The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including among others, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic

land uses, substandard alleys and inadequate or deteriorated public improvements, facilities, and utilities.

Goal 2: The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.

Goal 3: The re-planning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

The project as outlined is also consistent with the HBX Design Guidelines and with approval of the Variances for courtyard width and residential loading, the project will conform to the Planning Code.

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

The project is located in the Housing and Business Mix General Plan designation and the project is surrounded by these uses. The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. During the adoption process each area was specifically reviewed for conformity with the lot area requirements in the Housing and Business General Plan classification. The architect intent was to create sub-neighborhoods within the project that relate to surrounding neighborhood development pattern. The single family townhouses between 38th and 40th Ave. are designed to have distinct volumes and elements that are consistent with the scale of the residential neighborhood across Wattling Street.

The revised plans show a project that not only is well integrated with the context but within the development itself. The varied articulations and materials help provide visual interest for the townhomes. The garden also provides a transition between these uses. The materials and patterns are used to link various structures within the development to unify the overall design. The project meets intent of the HBX Design Guideline Manual which is to guide and transition to a more intense development pattern, promote designs that exist compatibly with the traditional development patterns, create freedom of styles and varied designs, develop attractive streetscapes, etc. The project is proposing new sidewalk, curb, and gutter where none existed, thereby improving the pedestrian context. Staff believes that the project is appropriate in location, size, and design.

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

The project will be required as a condition of approval to make full street repairs to Wattling Street. In addition, the project is proposing new sidewalk, curb, gutter which are new improvements in that area. Since the site is long, project traffic could use 37<sup>th</sup> Ave., 38<sup>th</sup> Ave., 39<sup>th</sup> Ave., and 40<sup>th</sup> Ave. to exit the project. This would disperse traffic along the local streets. A traffic study was completed for the project as is available at the Planning and Zoning office. The study concluded that the project will not have a traffic impact based on the City of Oakland criteria in the existing condition and cumulative condition.

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

*Findings*

The proposed project site is located in a developed area surrounded by residential and industrial uses that are currently and adequately served by existing utilities and service systems including water supply, wastewater treatment, storm water drainage, and solid waste disposal. The proposed project will also provide additional services for the area and improvements to the existing infrastructure such as new sidewalk, curb, and gutter.

- E. That the location, design, size, and uses will result in an attractive, healthful, efficient, and stable environment for living, shopping, or working, the beneficial effects of which environment could not otherwise be achieved under the zoning regulations.**

The proposed project is an attractive, high quality residential development that will benefit the surrounding area by developing an underutilized parcel. As stated earlier in the report, the site has been used as container storage and has also had multiple complaints lodged for blight, trash and debris, unauthorized access to the property, abandoned vehicles and dumping.

The proposed project would eliminate these types of possible future complaints by creating an attractive development project that is consistent with the Housing and Business Mix General Plan and Zoning regulations. The project's structures are varied yet integrated into a single comprehensive development that is related to the surrounding context. The project is located near several transit options. The revised project conforms to the zoning regulations with the granting of the minor Variances for courtyard width and loading. Staff suggested the PUD permit as a way to accommodate the phased implementation of the project. The project's interior private driveways, paseos and planting plan creates an intimate neighborhood setting. Compliance with the conditions of approval will result in an attractive, efficient, and stable environment for living.

- F. That the development will be well integrated into its setting, will not require excessive earth moving or destroy desirable natural features, will not be visually obtrusive and will harmonize with surrounding areas and facilities, will not substantially harm major views for surrounding residents, and will provide sufficient buffering in the form of spatial separation, vegetation, topographic features, or other devices.**

As stated above the architect's intent was to create a development that responds to the existing context. The site is flat so no sizable amount of grading will occur. There are no natural features to speak of on the site which is used as container storage. The project will not be visually intrusive as it responds to the context of the neighborhood and the backside borders the Southern Pacific Railroad and I-880. Again the current view is of a barren parcel used as container storage and a history of complaints. This is no view to speak of. The project is proposing an extensive planting plan including street trees and planting at the back of the new sidewalk. There is no need to buffer the project from the existing setting because the intent is to integrate into the setting.

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

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

The applicant has submitted detailed drawings consistent with the Final Development Plan requirements for all the Phases. Essentially, the PUD and the FPUD are the same drawings and therefore conform to all applicable criteria and standards for both the PUD and the FPUD regulations. The project meets the General Plan and Coliseum Redevelopment Plan goals and policies and is appropriate for the location.

**Section 17.136.070A (Residential Facilities Design Review Findings)**

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

As stated above in the report, the proposed project is located in a neighborhood with a mix of residential, industrial, and manufacturing activities. There is no specific architectural character or massing except in the lower scale neighborhood to the north. The design of each building and façade articulation responds to the adjacent uses and scale, while lessens the impact imposed on the area by the nearby railroad tracks and Interstate 880. Since the site is very long and thin, the overall design goal is to create sub-neighborhoods within the project. This is accomplished through imposing a smaller street pattern on the site. The proposed townhouse condo development will be a buffer and a transition. The buildings are related to each other through use of forms, materials, color and architectural features which are expressed similarly on each building.

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

The proposed design will preserve as well as enhance the neighborhood character by filling in an existing underutilized lot with a new mixed use development. The proposed design is consistent with the relevant Objectives of the HBX Design Guidelines.

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

The proposed project site is flat and is currently occupied by container storage. The site contains no notable landscaping. Therefore, the project will have no affect on the existing topography or landscape.

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

See response #3

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

The proposed project is consistent with the General Plan land use designation for the site, with Planned Unit Development Permits, and Variance findings, and with the Design Review Criteria as discussed in more detail throughout the report.

**Coliseum Area Redevelopment Project Area Plan**

In addition, the project is located in the Coliseum Area Redevelopment Project Area and is subject to the policies and goals in the Coliseum Area Redevelopment Plan. The following Redevelopment Plan goals apply to the proposed project:

**Goal 1:** The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including among others, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic land uses, substandard alleys and inadequate or deteriorated public improvements, facilities, and utilities.

**Goal 2:** The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.

**Goal 3:** The replanning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

**Section 17.148.050 Minor Variances Findings**

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

- a) *Courtyard Dimensions:* Section 17.108.120 requires that when there are living room windows on the same lot facing each other on opposite walls, the zoning regulations require the minimum width of internal courts to equal one foot of width for each foot of height. The proposed project includes courtyards (approx. 20-foot wide paseos and driveways) between the townhouses. The width of the courtyards is 20'. This is approximately 12 feet narrower than the zoning requirement. Strict compliance with this regulation would require more open areas and a lesser unit count. The compliance with this regulation would preclude an effective design solution and operational efficiency for the buildings at the site. Staff believes the courts (paseos and driveways) are wide enough to protect unit privacy, and buffer noise that a variance can be supported. Given the irregularity of the site and the General Plan goal providing housing, staff believes that this small reduction in courtyard width is supportable.
- b) *Loading Berths:* For residential floor area between 50,000-149,999 sf, one loading berth is required. The project is not providing any loading berths on site and the applicant is anticipating loading to take place along Watling Street adjacent to the project or with the driveways. Strict compliance would preclude operational efficiency on the site and require either less housing, less parking, or less open space. The lack of a designated loading space on-site is not expected to cause significant traffic or circulation problems in the vicinity. Loading would be infrequent and only needed to facilitate residents moving in and out of the building. Moving vans could utilize on-street spaces or in the garages at the back of the townhomes or in the driveways.

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

- a) *Courtyard Dimensions:* As stated above, strict compliance with this regulation would require a loss of several units or that the units become significantly smaller. Compliance with the applicable regulation would preclude an effective design solution for so small a variance. Staff believes the courts (paseos and driveways) are wide enough to protect unit privacy, buffer noise and provide adequate access for fire personnel in an emergency. This along with adequate open space is the intent of the regulation. The additional width is not needed to meet the open space requirement since private balconies, a garden, planted walkway, and streetscape improvements are also proposed.
- b) *Loading Berths:* The intent of the loading berth regulation was to provide designated off-street spaces for loading. If the project were to comply with the loading berth requirement, units or parking spaces would need to be removed. Replacement of the removed units would likely increase the building height and would result in an awkward site plan. Loading would only be necessary for residents moving in and out of the units. This would take place infrequently since the units are for-sale and not rental. On-street spaces could be utilized in front of the townhomes or within the multi-unit building or in the driveways. Staff believes that the site plan maximizes the functionality of the project site and granting the loading berth variance would provide an effective design solution for the project.

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

- a) *Courtyard Dimension:* The variance for the minimum court dimension will not affect the livability, character, or appropriate development of adjacent parcels, since this is an internal issue to the project. The lack of approximately 3' in width will not compromise unit privacy, noise buffering and will provide adequate access for fire personnel in an emergency.
- b) *Loading Berths:* According to the traffic study, the lack of designated loading spaces on-site is not expected to cause significant traffic or circulation problems in the vicinity and is not expected to adversely affect the character or livability of the neighborhood. As stated above, loading would be used to accommodate residents moving in and out of the units. Since these units will not be rental, loading is expected to occur infrequently and by moving vans. These vans could use on-street parking, garage spaces, or driveways.

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

a and b) The project meets the intent of the zoning regulations by supporting an appropriate layout that is well-suited to the surrounding properties in mass, scale, height, materials, and development pattern. This compatibility will enhance and benefit the surrounding neighborhood. The variances can be supported and meet the general intent of the zoning regulations. The width of courtyard as shown in the plans will still provide unit privacy and be adequate for emergency personnel to reach

these units. Loading will be only used for residents moving in and out of the building. This will be infrequent since the units will be for-sale.

**16.24.040 Lot Design Standards**

**Lot design shall be consistent with the provisions of Section 16.04.010, Purpose, and the following provisions:**

**A No lot shall be created without frontage on a public street, as defined by Section 16.04.030, except:**

- 1. Lots created in conjunction with approved private access easements;**
- 2. A single lot with frontage on a public street by means of a vehicular access corridor provided that in all cases the corridor shall have a minimum width of twenty (20) feet and shall not exceed three hundred (300) feet in length. Provided further, the corridor shall be a portion of the lot it serves, except that its area (square footage) shall not be included in computing the minimum lot area requirements of the zoning district.**

All of the Lots have frontage on a public street. Lots 1 and 2 have frontage on Watling Street. Lot 3 has frontage on 37<sup>th</sup> Avenue. The proposed revision does not change any of the approved lot configurations. It only creates 51 condominium units for the proposed townhomes.

**B. The side lines of lots shall run at right angles or radially to the street upon which the lot fronts, except where impractical by reason of unusual topography.**

The side lot lines of the proposed lots run at right angles to the street on which they front except lot 3. which effectively acts as a key lot due to 1) the fact that Watling Street does not extend to 37<sup>th</sup> Avenue; 2) the lot intersects with 37<sup>th</sup> Avenue; and 3) the lot is adjacent to the lot 2's side lot line.

**C. All applicable requirements of the zoning regulations shall be met.**

The proposed parcel conforms to the zoning regulations of the HBX-2 (Housing and Business Mix Commercial Zone) subject to the PUD, the FPUD and Variances that are requested as part of the overall project approval.

**D. Lots shall be equal or larger in measure than the prevalent size of existing lots in the surrounding area except:**

- 1. Where the area is still considered acreage;**
- 2. Where a deliberate change in the character of the area has been initiated by the adoption of a specific plan, a change in zone, a development control map, or a planned unit development.**

The project is proposing to merge three lots and subdivide the site into 4 parcels. The three residential parcels will be used for condominium purposes. However, this project is proposing a PUD which is an exception to this requirement. The applicant is asking for a PUD bonus for the lot size of Parcel 4 the garden parcel. Since this area will be used as a park and development will be restricted, staff believes that application of the bonus would be warranted.

**E. Lots shall be designed in a manner to preserve and enhance natural out-croppings of rock, specimen trees or group of trees, creeks or other amenities.**

The project site is currently used as container storage. The site is devoid of vegetation and other natural features.

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

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

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

The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Each area was specifically reviewed in terms of density. If the project meets the density in the HBX zoning regulations, which the project is, then the project meets the HBX land use classification. The project meets the zoning and is consistent with the general plan with approval of the PUD (including the PUD bonus), FPUD, and the Variances.

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

The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Each area was specifically reviewed in terms of density. If the project meets the density in the HBX zoning regulations, which the project is, then the project meets the HBX land use classification. The project meets the zoning and is consistent with the general plan. There is no specific plan for this area.

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

The site is flat, in an urban area, devoid of natural features and future development can be easily accommodated.

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

The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Each area was specifically reviewed in terms of density. If the project meets the density in the HBX zoning regulations, which the project is, then the project meets the HBX land use classification. The site for the proposed development is flat and devoid of natural features and is suitable for development.

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

The subject property is located in an urban area surrounded by developed residential, commercial, and industrial properties. The site is used for container storage devoid of natural features that would provide habitat to fish or wildlife. No environmental damage would occur with the proposed project.

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

The merger of the parcels and the subsequent subdivision are not expected to cause serious public health problems. The proposed development would be served by public water and sewer service, and would therefore not require the use of on-site sewage disposal or domestic water well. The project site is not located on the state's Cortese List for hazardous waste. There are no buildings on the site.

*Findings*

Therefore asbestos, lead in paint, lead in water, and contaminated equipment are expected. Radon or According the Phase I report, available at the Planning and Zoning office, the radon or other vapor intrusions are not expected to pose a health hazard. The site is located near the railroad and I-880. These facilities could pose air quality and noise on the project. The architects have included several features in the project drawings that would address this proximity. The study concluded that, with these features, the existing air quality context would not impact the proposed development and cause a health risk. These features are reiterated for importance as conditions of approval.

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

Adjacent to the site to the rear are several easements including a high pressure petroleum line, the Southern Pacific Railroad. Storm drain lines are also located to the front of the site along Wattling Street. In addition, the City also holds a 6' sewer easement. The multi-story building will not built with the easement so there is no conflict between the proposed building and access to the sewer. Southern Pacific also holds an easement over Parcel 4 to access the rail line. Gates to the garden and the wall adjacent to the rail line would provide access. Neither of these easement will result in conflicts or restrict use.

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

The subdivision of the lot for condominium purposes does not exclude the possibility of for future passive or natural heating or cooling opportunities.

Proposed Modifications to the conditions of approval as by staff for the proposed revisions are indicated in underlined type for additions and ~~cross-out type~~ for deletions.

## CONDITIONS OF APPROVAL

### 1. Approved Use

#### *Ongoing*

- a) The project shall be constructed and operated in accordance with the authorized use as described in the revised application materials, staff report, and the plans dated June 7, 2018 submitted on June 7, 2018 and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall required prior written approval from the Director of City Planning or designee.
- b) This action by the City Planning Commission (“this Approval”) includes the revision to approvals set forth below. This Approval includes:
  - I. Approval of a Planned Unit Development (PUD), including bonus for lot size for Parcel 4, for the Wattling Residential PUD under OMC Section 17.140
  - II. Approval of a Final Planned Unit Development (FPUD) under OMC Section 17.140
  - III. Approval of Minor Variance for the courtyard dimensions in the multi-unit building and residential loading under OMC Section 17.148
  - IV. Major Design Review for the construction of a new principal facility over 25,000 sq. ft. of new floor area under OMC Section 17.136A
  - V. Vesting Tentative Parcel Map for condominium purposes under OMC Section 16.108 and 16.124.

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

#### *Ongoing*

- a) Unless a different termination date is prescribed, this PUD, PUDF, Variance, and Design Review Approval shall expire two years from the approval date, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit for this project may invalidate this Approval if the said extension period has also expired.
- b) Based on the submitted five phase plan, failure of the applicant to obtain a building permit for Phase 2 within one (1) year of a certificate of occupancy for Phase 1 shall invalidate this approval. Failure of the applicant to obtain a building permit for Phase 3 within one (1) year of a certificate of occupancy for Phase 2 shall invalidate this approval. Failure of the applicant to obtain a building permit for Phase 4 within one (1) year of a certificate of occupancy for Phase 3 shall invalidate this approval. Failure of the applicant to obtain a building permit for Phase 5 within one (1) year of a certificate of occupancy for Phase 4 shall invalidate this approval. Provided further, that upon written request, the Planning and Zoning Division may grant a one year extension of these deadlines, with additional extensions subject to approval by the City Planning Commission. (As part of the proposed revision, Phases 1 – 4 would be built at the same time).

- c) This approval of the Vesting Tentative Map shall expire two (2) calendar years from the approval date, the effective date of its granting, unless the applicant files a Parcel Map with the City Engineer within two (2) years from the date of this letter. Failure to file a Parcel Map within these time limits shall nullify the previous approval or conditional approval of the Tentative Parcel Map. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Zoning Administrator may grant an extension of this permit, and up to two subsequent extensions upon receipt of a subsequent written request and payment of appropriate fees received no later than the expiration date of the previous extension.

**3. Recordation of the Final Map for Approved Project**

For condominium purposes the final map shall be recorded prior to the certificate of occupancy for the 79 units pursuant to Case File PUD06-606; PUDF08-166. The applicant shall discuss the recordation with Engineering Services, as this department may have a different timeframe for final map submittal.

**4. Scope of This Approval; Major and Minor Changes**

***Ongoing***

- a) The project is approved pursuant to the Planning Code and Subdivision Regulations only. Minor changes to approved use and/or plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved use and/or plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.
- b) The project shall comply with all other applicable codes, requirements, regulations and guidelines, including but not limited to those imposed by the City's Building Services Division and the City's Fire Marshal. The proposal shall specifically comply with the conditions required by Philip Basada of the Fire Prevention Bureau and Tim Low of Engineering Services per the attached memorandums (Attachment B).

**5. Conformance with other Requirements**

***Prior to issuance of a demolition, grading, P-job, or other construction related permit***

- a) The project applicant shall comply with all other applicable federal, state, regional and/or local codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with the other applicable requirements may require changes to the approved use/or plans. These changes shall be processed in accordance with the procedures contained in Condition of Approval 3.
- b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.

**6. Conformance to Approved Plans; Modification of Conditions or Revocation**

***Ongoing***

- a) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.

- b) The City of Oakland reserves the right at any time during construction to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension or other corrective action.
- c) Violation of any term, Conditions or project description relating to the Approvals is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions.

**7. Signed Copy of the Conditions**

*With submittal of a demolition, grading, and building permit*

A copy of the approval letter and Conditions shall be signed by the property owner, notarized, and submitted with each set of permit plans to the appropriate City agency for this project.

**8. Indemnification**

- a) *Ongoing* The project applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Agency, the Oakland City Planning Commission and their respective agents, officers, and employees (hereafter collectively called the City) from any claim, action, or proceeding (including legal costs and attorney's fees) against the City to attack, set aside, void or annul this Approval, or any related approval by the City. The City shall promptly notify the project applicant of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding. The project applicant shall reimburse the City for its reasonable legal costs and attorney's fees.
- b) Within ten (10) calendar days of the filing of a claim, action or proceeding to attack, set aside, void, or annul this Approval, or any related approval by the City, the project applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations and this condition of approval. This condition/obligation shall survive termination, extinguishment, or invalidation of this, or any related approval. Failure to timely execute the Letter Agreement does not relieve the project applicant of any of the obligations contained in 7(a) above, or other conditions of approval.

**9. Compliance with Conditions of Approval**

*Ongoing*

The project applicant shall be responsible for compliance with the recommendations in any submitted and approved technical report and all the Conditions of Approval set forth below at its sole cost and expense, and subject to review and approval of the City of Oakland.

**10. Severability**

*Ongoing*

Approval of the project would not have been granted but for the applicability and validity of each and every one of the specified conditions, and if one or more of such conditions is found to be

invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid conditions consistent with achieving the same purpose and intent of such Approval.

**11. Job Site Plans**

***Ongoing throughout demolition, grading, and/or construction***

At least one (1) copy of the stamped approved plans, along with the Approval Letter and Conditions of Approval, shall be available for review at the job site at all times.

**12. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Management**

***Prior to issuance of a demolition, grading, and/or construction permit and/or as needed***

The project applicant may be required to pay for on-call special inspector(s)/inspections as needed during the times of extensive or specialized plancheck review, or construction. The project applicant may also be required to cover the full costs of independent technical and other types of peer review, monitoring and inspection, including without limitation, third party plan check fees, including inspections of violations of Conditions of Approval. The project applicant shall establish a deposit with the Building Services Division, as directed by the Building Official, Director of City Planning or designee.

**13. Required Landscape Plan for New Construction and Certain Additions to Residential Facilities**

***Prior to issuance of a building permit***

Submittal and approval of a landscape plan for the entire site is required for the establishment of a new residential unit (excluding secondary units of five hundred (500) square feet or less), and for additions to Residential Facilities of over five hundred (500) square feet. The landscape plan and the plant materials installed pursuant to the approved plan shall conform with all provisions of Chapter 17.124 of the Oakland Planning Code, including the following:

- a) Landscape plans shall include a detailed planting schedule showing the proposed location, sizes, quantities, and specific common botanical names of plant species.
- b) Landscape plans for projects involving grading, rear walls on downslope lots requiring conformity with the screening requirements in Section 17.124.040, or vegetation management prescriptions in the S-11 zone, shall show proposed landscape treatments for all graded areas, rear wall treatments, and vegetation management prescriptions.
- c) Landscape plans shall incorporate pest-resistant and drought tolerant landscaping practices. Within the portions of Oakland northeast of the line formed by State Highway 13 and continued southerly by Interstate 580, south of its intersection with State Highway 13, all plant materials on submitted landscape plans shall be fire resistant. The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire resistant and drought tolerant.
- d) All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season.

**14. Landscape Requirements for Street Frontages.**

***Prior to issuance of a final inspection of the building permit***

- a) All areas between a primary Residential Facility and abutting street lines shall be fully landscaped, plus any unpaved areas of abutting rights-of-way of improved streets or alleys, provided, however, on streets without sidewalks, an unplanted strip of land five (5) feet in width shall be provided within the right-of-way along the edge of the pavement or face of curb,

whichever is applicable. Existing plant materials may be incorporated into the proposed landscaping if approved by the Director of City Planning.

- b) In addition to the general landscaping requirements set forth in Chapter 17.124, a minimum of one (1) fifteen-gallon tree, or substantially equivalent landscaping consistent with city policy and as approved by the Director of City Planning, shall be provided for every twenty-five (25) feet of street frontage. On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet, the trees to be provided shall include street trees to the satisfaction of the Director of Parks and Recreation.

**15. Assurance of Landscaping Completion.**

***Prior to Issuance of a Certificate of Occupancy***

The trees, shrubs and landscape materials required by the conditions of approval attached to this project shall be planted before the certificate of occupancy will be issued; or a bond, acceptable to the City, shall be provided for the planting of the required landscaping. The amount of such bond shall equal the greater to the estimated cost of the required landscaping an irrigation, based on a licensed contractor's bid.

**16. Landscape Maintenance.**

***Ongoing***

All required planting, including those in the public right of way, shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required fences, walls and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

**17. Bicycle Parking**

***Prior to the issuance of first certificate of occupancy.***

The applicant shall submit for review and approval of the Planning and Zoning Division, plans that show bicycle storage and parking facilities to accommodate at least one short-term bicycle parking space onsite or on public sidewalk, and five long-term bicycle parking spaces. The plans shall show the design and location of bicycle racks within the secure bicycle storage areas. The applicant shall pay for the cost and installation of any bicycle racks in the public right of way.

**18. Underground Utilities**

***Prior to issuance of a building permit***

The project applicant shall submit plans for review and approval by the Building Services Division and the Public Works Agency, and other relevant agencies as appropriate, that show all new electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities placed underground. The new facilities shall be placed underground along the project applicant's street frontage and from the project applicant's structures to the point of service. The plans shall show all electric, telephone, water service, fire water service, cable, and fire alarm facilities installed in accordance with standard specifications of the serving utilities.

**19. Improvements in the Public Right-of-Way (General)**

***Approved prior to the issuance of a P-job or building permit***

- a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal

Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW.

- b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition.
- c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit.
- d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards.

**20. Improvements in the Public Right-of Way (Specific)**

*Approved prior to the issuance of a grading or building permit*

Final building and public improvement plans submitted to the Building Services Division shall include the following components:

- a) Install additional standard City of Oakland streetlights (Wattling Street. Improvements to Wattling Street shall be required to go to the gutter, curb, sidewalk and ramps on the opposite side of Wattling Street adjacent to the development site between 38<sup>th</sup> Street and 40<sup>th</sup> Street. Curb, sidewalk, ramps, streetlights and other improvements adjacent to Areas A and B (Lots 2 and 3) shall be constructed by future developers).
- b) Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter.
- c) Reconstruct drainage facility to current City standard (Wattling Street).
- d) Provide separation between sanitary sewer and water lines to comply with current City of Oakland and Alameda Health Department standards.
- e) Construct wheelchair ramps that comply with Americans with Disability Act requirements and current City Standards and address path-of-travel within or around the proposed development such that wheelchairs access is provided at Wattling Street and 38<sup>th</sup>, 39<sup>th</sup>, and 40<sup>th</sup> Street intersections.
- f) Remove and replace deficient concrete sidewalk, curb and gutter within property frontage (Wattling Street).
- g) Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and standards. (Wattling Street).

**21. Phased Public Improvement Plan**

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

The applicant shall submit Public Improvement Plans for improvements to be installed with each phase of the development.

**22. Payment for Public Improvements**

*Prior to issuance of a final inspection of the building permit.*

The project applicant shall pay for and install public improvements made necessary by the project including damage caused by construction activity.

**23. Construction Phasing and Management Plan**

***Approved prior to the issuance of a grading or building permit***

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

- a) A site security and safety plan to assure that grading and construction activities are adequately secured during off-work hours.
- b) A construction period litter/debris control plan to ensure the site and surrounding area is kept free of litter and debris.
- c) A plan to provide safe temporary access to occupied units during active construction activities, including path of travel, securing active construction areas and parking.

**24. Compliance Matrix**

***Prior to issuance of a demolition, grading, or building permit***

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division a Conditions compliance matrix that lists each condition of approval, the City agency or division responsible for review, and how/when the project applicant has met or intends to meet the conditions. The applicant will sign the Conditions of Approval attached to the approval letter and submit that with the compliance matrix for review and approval. The compliance matrix shall be organized per step in the plancheck/construction process unless another format is acceptable to the Planning and Zoning Division and the Building Services Division. The project applicant shall update the compliance matrix and provide it with each item submittal.

**25. Dust Control**

***Prior to issuance of a demolition, grading or building permit***

During construction, the project applicant shall require the construction contractor to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic and enhanced dust control procedures required for construction sites. These include:

- a) Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
- b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
- e) Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- f) Limit the amount of the disturbed area at any one time, where feasible.
- g) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- h) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- i) Replant vegetation in disturbed areas as quickly as feasible.
- j) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- k) Limit traffic speeds on unpaved roads to 15 miles per hour.

- l) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.
- m) All “Basic” controls listed above, plus:
- n) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- o) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
- p) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction as well as posted on-site over the duration of construction.
- q) Install appropriate wind breaks at the construction site to minimize wind blown dust.

**26. Construction Emissions**

***Prior to issuance of a demolition, grading or building permit***

To minimize construction equipment emissions during construction, the project applicant shall require the construction contractor to:

- a) Demonstrate compliance with Bay Area Air Quality Management District (BAAQMD) Regulation 2, Rule 1 (General Requirements) for all portable construction equipment subject to that rule. BAAQMD Regulation 2, Rule 1 provides the issuance of authorities to construct and permits to operate certain types of portable equipment used for construction purposes (e.g., gasoline or diesel-powered engines used in conjunction with power generation, pumps, compressors, and cranes) unless such equipment complies with all applicable requirements of the “CAPCOA” Portable Equipment Registration Rule” or with all applicable requirements of the Statewide Portable Equipment Registration Program. This exemption is provided in BAAQMD Rule 2-1-105.
- b) Perform low- NOx tune-ups on all diesel-powered construction equipment greater than 50 horsepower (no more than 30 days prior to the start of use of that equipment). Periodic tune-ups (every 90 days) shall be performed for such equipment used continuously during the construction period.

**27. Days/Hours of Construction Operation**

***Ongoing throughout demolition, grading, and/or construction***

The project applicant shall require construction contractors to limit standard construction activities as follows:

- a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday.
- b) Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident’s preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division.
- c) Construction activity shall not occur on Saturdays, with the following possible exceptions:
  - i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be

evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.

- ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed.
- d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.
- e) No construction activity shall take place on Sundays or Federal holidays.
- f) Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.
- g) Applicant shall use temporary power poles instead of generators where feasible.

**28. Noise Control**

***Ongoing throughout demolition, grading, and/or construction***

To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures:

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

**29. Noise Complaint Procedures**

***Ongoing throughout demolition, grading, and/or construction***

Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:

- a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours);
- b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours);
- c) The designation of an on-site construction complaint and enforcement manager for the project;
- d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and
- e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

**30. Interior Noise**

***Prior to issuance of a building permit***

If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls) shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval. Final recommendations for sound-rated assemblies will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phase.

**31. Operational Noise-General**

***Ongoing.***

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.

**32. Construction Management**

***Prior to the issuance of a demolition, grading or building permit***

The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements:

- a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.
- b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- c) Location of construction staging areas for materials, equipment, and vehicles at an approved location.
- d) A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services.
- e) Provision for accommodation of pedestrian flow.
- f) Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.

**33. Hazards Best Management Practices**

***Prior to commencement of demolition, grading, or construction***

The project applicant and construction contractor shall ensure that construction of Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:

- a) Follow manufacture's recommendations on use, storage, and disposal of chemical products used in construction;
- b) Avoid overtopping construction equipment fuel gas tanks;
- c) During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d) Properly dispose of discarded containers of fuels and other chemicals.
- e) Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building.
- f) If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

**34. Waste Reduction and Recycling**

The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency.

***Prior to issuance of demolition, grading, or building permit***

Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at [www.oaklandpw.com/Page39.aspx](http://www.oaklandpw.com/Page39.aspx) or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.

***Ongoing***

The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.

**35. Vibration**

***Prior to the issuance of a building permit***

A qualified acoustical consultant shall be retained by the project applicant during the design phase of the project to comment on structural design as it relates to reducing groundborne vibration at the project site to 75VdB. If required in order to reduce groundborne vibration to acceptable levels the project applicant shall incorporate special building methods to reduce groundborne vibration being transmitted into project structures containing residential uses. Potential methods include the following:

- a) Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a “spring isolation” system that consists of resilient spring support that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of ground-borne vibration to the residences above.
- b) Trenching, which involves excavating soil between the railway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project’s structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets (i.e., Styrofoam) or low-density polyethylene). Since trench depths required to reduce groundborne vibration generated by railway operations can be significant (e.g. greater than 30 feet), the project sponsor shall submit for City review and approval any trench proposal.

**36. Lighting Plan**

***Prior to the issuance of an electrical or building permit***

The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the

Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.

**37. Archaeological Resources**

***Ongoing throughout demolition, grading, and/or construction***

- a) Pursuant to CEQA Guidelines section 15064.5 (f), “provisions for historical or unique archaeological resources accidentally discovered during construction” should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.
  
- b) In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out.
  
- c) Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measure measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.

**38. Human Remains**

***Ongoing throughout demolition, grading, and/or construction***

In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction

activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

**39. Paleontological Resources**

***Ongoing throughout demolition, grading, and/or construction***

In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in Section 15064.5 of the CEQA Guidelines. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.

**40. Erosion and Sedimentation Control Plan**

***Prior to any grading activities***

- a) The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.780 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.

***Ongoing throughout grading and construction activities***

- b) The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.

**41. Geotechnical Report**

***Required as part of the submittal of a Final Map***

- a) A site-specific, design level, Landslide or Liquefaction geotechnical investigation for each construction site within the project area shall be required as part of this project and submitted for review and approval by the Building Services Division. Specifically:

- i. Each investigation shall include an analysis of expected ground motions at the site from identified faults. The analyses shall be accordance with applicable City ordinances and polices, and consistent with the most recent version of the California Building Code, which requires structural design that can accommodate ground accelerations expected from identified faults.
  - ii. The investigations shall determine final design parameters for the walls, foundations, foundation slabs, surrounding related improvements, and infrastructure (utilities, roadways, parking lots, and sidewalks).
  - iii. The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer, geotechnical engineer, shall be included in the final design, as approved by the City of Oakland.
  - iv. The geotechnical report shall include a map prepared by a land surveyor or civil engineer that shows all field work and location of the “No Build” zone. The map shall include a statement that the locations and limitations of the geologic features are accurate representations of said features as they exist on the ground, were placed on this map by the surveyor, the civil engineer or under their supervision, and are accurate to the best of their knowledge.
  - v. Recommendations that are applicable to foundation design, earthwork, and site preparation that were prepared prior to or during the projects design phase, shall be incorporated in the project.
  - vi. Final seismic considerations for the site shall be submitted to and approved by the City of Oakland Building Services Division prior to commencement of the project.
  - vii. A peer review is required for the Geotechnical Report. Personnel reviewing the geologic report shall approve the report, reject it, or withhold approval pending the submission by the applicant or subdivider of further geologic and engineering studies to more adequately define active fault traces.
- b) Tentative Tract or Parcel Map approvals shall require, but not be limited to, approval of the Geotechnical Report.

**42. Fire Safety Phasing Plan**

*Prior to issuance of a demolition, grading, and/or construction and concurrent with any p-job submittal permit*

The project applicant shall submit a separate fire safety phasing plan to the Planning and Zoning Division and Fire Services Division for their review and approval. The fire safety plan shall include all of the fire safety features incorporated into the project and the schedule for implementation of the features. Fire Services Division may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase.

**43. Stormwater Pollution Prevention Plan (SWPPP)**

*Prior to and ongoing throughout demolition, grading, and/or construction activities*

The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of

pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

**44. Post-Construction Stormwater Pollution Management Plan**

***Prior to issuance of building permit (or other construction-related permit)***

The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater pollution management plan, for review and approval by the City, to manage stormwater runoff and limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.

- a) The post-construction stormwater pollution management plan shall include and identify the following:
  - i. All proposed impervious surface on the site;
  - ii. Anticipated directional flows of on-site stormwater runoff; and
  - iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and
  - iv. Source control measures to limit the potential for stormwater pollution; and
  - v. Stormwater treatment measures to remove pollutants from stormwater runoff.
  - vi. Hydromodification management measures so that post project stormwater run-off does not exceed the flow and duration of pre-project run-off, if required under the NPDES permit.
- b) The following additional information shall be submitted with the post-construction stormwater pollution management plan:
  - i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and
  - ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e., non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscape-based treatment measures.

All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater pollution management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program.

***Prior to final permit inspection***

The applicant shall implement the approved stormwater pollution management plan.

**45. Maintenance Agreement for Stormwater Treatment Measures**

***Prior to final zoning inspection***

For projects incorporating stormwater treatment measures, the applicant shall enter into the “Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement,” in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following:

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

**46. Regulatory Permits and Authorizations**

***Prior to issuance of a demolition, grading, or building permit***

Prior to construction within the floodway or floodplain, the project applicant shall obtain all necessary regulatory permits and authorizations from the Alameda County Flood Control and Water Conservation District and shall comply with all conditions issued by that agency.

**47. Structures within a Floodplain**

***Prior to issuance of a demolition, grading, or building permit***

- a) The project applicant shall retain the civil engineer of record to ensure that the project’s development plans and design contain finished site grades and floor elevations that are elevated above the Base Flood Elevation (BFE) if established of a 100-year flood event.
- b) The project applicant shall submit final hydrological calculations that ensure that the structure will not interfere with the flow of water or increase flooding.

**48. Stormwater and Sewer**

***Prior to completing the final design for the project’s sewer service***

- a) Confirmation of the capacity of the City’s surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.
- b) Show the diameter of the existing main sewer flowing south from 38<sup>th</sup> Ave. (C-1.4). Provide invert elevation where the private sewer connected to ex. main sewer. Provide calculation showing that the main sewer have capacity to take the proposed sewer discharge assuming the existing main is flowing half full.
- c) Construction over the common sewer and within the sewer easement is not permitted.

**49. Conditions and Restrictions & Homeowner's Association**

***Prior to the first certificate of occupancy.***

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

**50. Meter Shielding**

***Prior to issuance of building permits.***

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

**51. Air Quality Building Features (as reiterated from the project drawings and air quality analysis)**

***Prior to the issuance of a building permit***

The applicant shall submit building permit plans that show the following building features shown in the approved plans:

- a) ~~Orientation of the buildings will remain so that the closest buildings face away from the freeway and the train tracks with all other buildings perpendicular to the freeway as shown in the PUD and FPUD plans.~~ The project shall follow the prescriptions of the "Edward L. Pack Associates Inc Revised Noise and Vibration Assessment dated May 21, 2018" (See Attachment C).
- b) ~~Inoperable windows will be located on the sides of the building that face the freeway and the train tracks.~~
- c) The project will include a noise buffering wall up to 30' high in some locations.
- d) No significant yards between the buffering wall and the buildings.
- e) Buildings will maintain positive pressure.
- f) The project will include a dual-filtration heating and ventilation system, for all the units including the townhomes, which will provide filtration on both the outside air intake and the return air grill, utilizing ASHRAE Dust Spot 85% (MERV 13) filters at both locations. Performance standards will include 1 air exchange per hour of fresh outside filtered air and 4 air changes per hour of recirculation.
- g) The applicant shall prepare an Operation and Maintenance Manual for the heating and ventilation system and the filter. The manual will include operating instructions and a maintenance and replacement schedule. This manual will be included in the CC&R's and distributed to maintenance staff.
- h) The applicant shall prepare a separate Homeowners Manual. The manual shall contain operating instructions and maintenance and replacement schedule for the heating and ventilation system and the filters.
- i) The applicant shall also disclose to the buyers of the air quality analysis dated May 21, 2008 findings.

**52. Noise Building Features (as reiterated from the project drawings and noise analysis)**

***Prior to the issuance of a building permit***

The applicant shall submit building permit plans that show the following building features shown in the approved plans:

- a) The project shall follow the prescriptions of the “Edward L. Pack Associates Inc Revised Noise and Vibration Assessment dated May 21, 2018” (See Attachment C) for Phases 1-4, to be constructed at the same time. A minimum residential building and sound wall setback of 50’ from the train line will be provided for Phase 5.
- b) The sound wall and noise barrier heights would be provided as shown in the Levy Design Architectural drawings for Phase 5.
- c) Building facades along the train line will have double-stud exterior wall assembly with an exterior finish consisting of fiber cement panel over plywood and gypsum board. The interior side would have two layers of gypsum board.
- d) Excluding the aforementioned facades along the train line, all other Building facades (facing or perpendicular) located within 100’ of the train line would have staggered stud or resilient channel exterior wall assembly with the exterior finish consisting of a fiber cement panel over plywood and gypsum board. The interior side would have two layers of gypsum board.
- e) Sound rated windows and exterior doors as identified in Tab11 of the noise analysis dated April 15, 2008 for Phase 5.
- f) An exterior-grade sound absorbing material having a minimum NRC rating of .60 will be provided at 50% of the wall areas forming courtyards in Area A dwellings.
- g) If within 500’ of a freeway, Z duct construction is prohibited.
- h) The project applicant must ensure that the acoustical analysis includes ventilation system noise.
- i) Include performance testing of a sample unit to ensure compliance with the interior noise standards.
- j) The owner of the property shall provide in the CC&R’s a Statement of Disclosure on the lease or title to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise occurrences.
- k) Quality control must be exercised in construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed.

**53. Status of a portion of Watling Street**

***Ongoing***

~~The project applicant acknowledges that ownership of a portion of Watling Street (to the east of 40<sup>th</sup> Street) is currently in dispute. The project applicant has chosen at their own risk to proceed to the Planning Commission for a decision. The project applicant acknowledges, that should the dispute not be resolved in the City’s favor, that the project may require changes to the site plan, the number of units, the location of improvements, etc. and that these changes may require a return to the Planning Commission for approval, pursuant to Condition of Approval #4. The Planning Commission would consider the following options to be minor changes:~~

- ~~a. To work out an easement agreement with the adjacent property owner, a setback, and loss of unit, or~~
- ~~b. Or a return to the original design presented to the Design Review Committee.~~

**54. Pre-Construction Meeting with the Neighborhood**

*Prior to issuance of a grading, demolition, or building permit.*

A preconstruction meeting shall be held with the immediate neighbors within 300' of the job site to discuss neighborhood notification, location of staging areas, major deliveries, detours and lane closures etc. Both Planning staff and the building coordinator shall attend this meeting.

**55. Pre-construction Meeting with the City**

*Prior to issuance of a grading, demolition, or building permit.*

A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager with the City's project building coordinator to confirm that conditions of approval that must be completed prior to issuance of a grading, demolition, or building permit have been completed (including pre-construction meeting with neighborhood, construction hours, neighborhood notification, posted signs, etc.). The project applicant shall coordinate and schedule this meeting with City staff.

**56. Impact Fees**

*Prior to issuance of a grading, demolition, or building permit.*

The project approved under Case File REV10-0021 is subject to, and Applicant shall agree to pay, the development impact fees that were adopted by the City Council per Ordinances 13365 and 1366 unless a vested right has been obtained.

**57. Construction of Open Space Garden at Area E**

*Prior to issuance of a grading, demolition, or building permit.*

The project applicant shall revise the site plan and/or reorganize the footprints of the buildings adjacent to the proposed open space garden within Area E to provide a second and wider access pathway(s) suitable for large groups.

**58. Kinder Morgan Pipeline**

*Prior to application for a final map.*

The project applicant shall either create an easement for the portion of the Kinder Morgan Pipeline encroaching into the subject property, or have the pipeline owner move it outside of the subject property. The applicant shall work with the pipeline owner to install warning signs indicating its location and emergency contact information along the pipeline at maximum intervals of 20 feet.

**59. Other Conditions of Approval**

*Prior to application for grading & building permit(s), and final map.*

The project applicant shall comply with the additional Conditions of Approval from Department of Transportation and the Oakland Prevention Bureau (Attachments D and E).

**APPROVED BY:**

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

**Applicant and/or Contractor Statement**

I have read and accept responsibility for the Conditions of Approval, as approved by Planning Commission action on July 18, 2018. I agree to abide by and conform to these conditions, as well as to all provisions of the Oakland Zoning Code and Municipal Code pertaining to the project.

Signature of Owner/Applicant: \_\_\_\_\_(date)  
Signature of Contractor \_\_\_\_\_(date)

<b>Location:</b>	Wattling Street (see map on the reverse)
<b>Assessors Parcel Number:</b>	(APN: 033-2169-016-01; 033-2169-016-02; and 033-2170-003-00)
<b>Proposal:</b>	Construction of a new phased multifamily residential development consisting of 18 condominium units and 61 attached single-family homes. The proposed project also includes construction of a triple-sided static billboard. The billboard will be between 75'-85' tall with 2,016 sq. ft. of signage above a 2,404 sq. ft. garden.
<b>Applicant Contact Person / Phone Number:</b>	Toby Levy c/o Levy Design Partners, Inc / (415) 777-0561
<b>Owners:</b>	Oak Partners LLC c/o Philip Lesser
<b>Planning Permits Required:</b>	Preliminary Planned Unit Development for a phased project; Final Planned Unit Development Permit for all five phases; Major Design Review for the construction of a new principal facility over 25,000 sq. ft. of new floor area; Minor Variances for courtyard dimensions and residential loading; Vesting Tentative Parcel Map for condominium purposes.
	<i>A Franchise Agreement or Relocation Agreement for the Advertising Sign will be required with approval by City Council.</i>
<b>General Plan:</b>	Housing and Business Mix
<b>Zoning:</b>	HBX-2 Housing and Business Mix 2 Zone
<b>Environmental Determination:</b>	Projects consistent with a community plan, general plan or zoning (CEQA Guidelines Section 15183); Infill Exemption (CEQA Guidelines Section 15332)
<b>Historic Status:</b>	The project site is vacant.
<b>Service Delivery District:</b>	4
<b>City Council district:</b>	5
<b>Date Filed:</b>	December 13, 2006
<b>Staff Recommendation:</b>	Decision based on staff report
<b>Finality of Decision:</b>	Appealable to City Council within 10 days
<b>For further information:</b>	Contact case planner <b>Heather Klein</b> at 510 238-3659 or by e-mail at <a href="mailto:hklein@oaklandnet.com">hklein@oaklandnet.com</a> .

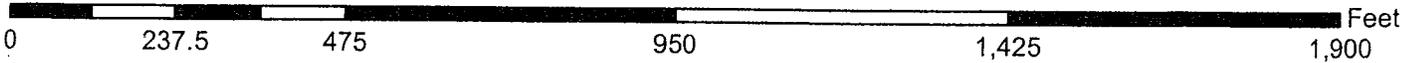
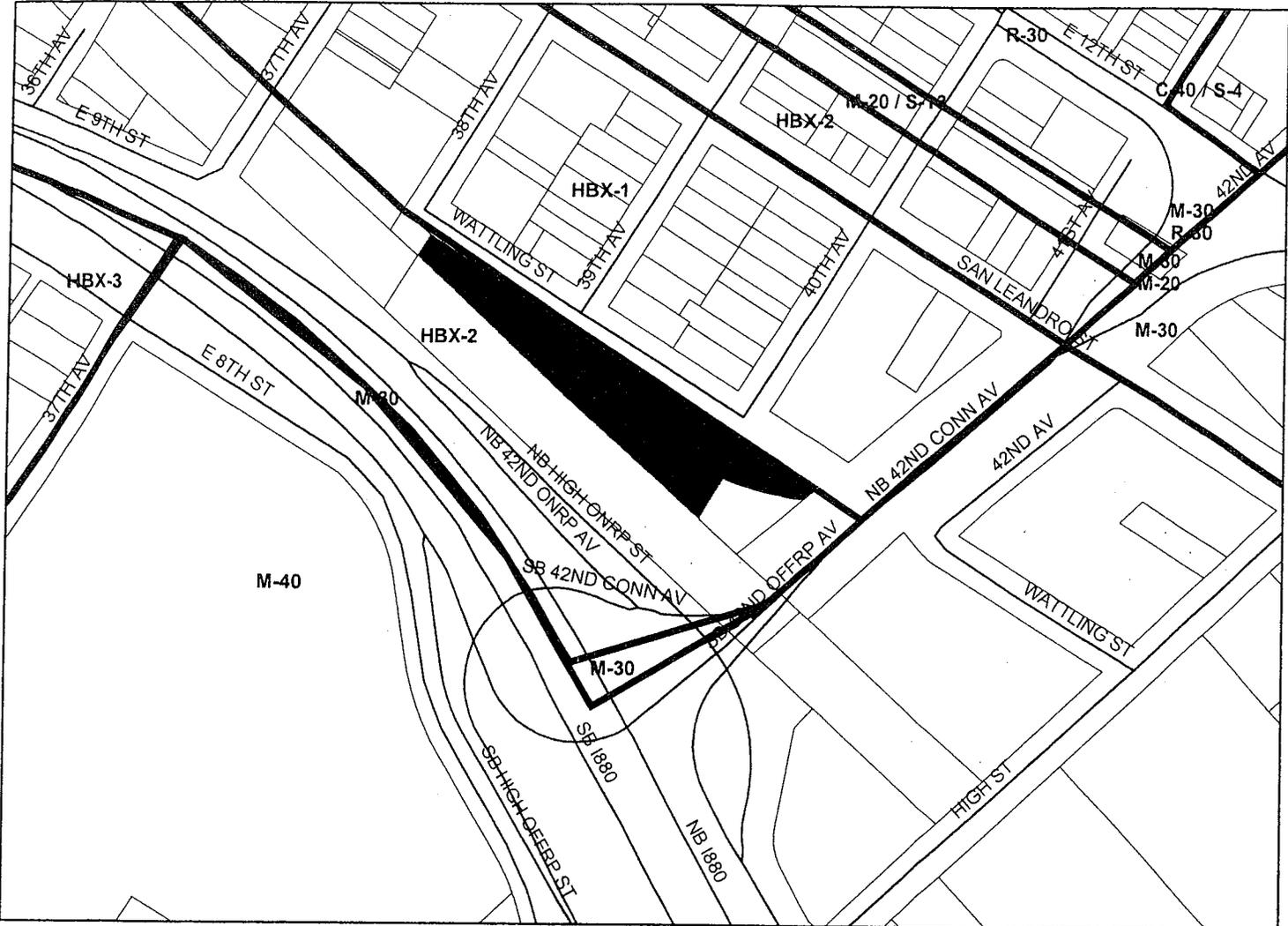
**SUMMARY**

OakPartners, LLC has submitted an application to construct a new phased multifamily residential development consisting of 18 condominium units and 61 attached single-family homes. The applicant is also proposing construction of a triple-sided static billboard above a 2,404 sq. ft. garden.

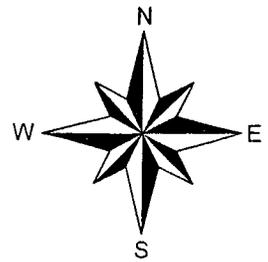
The project site is located on three vacant parcels southwest on Wattling Street and between 37th Avenue and 40th Avenue. The site is currently used for container storage.

The architect's overall intent is to create a scheme that is consistent with the surrounding neighborhood development pattern, while lessening the impact imposed on the area by the nearby railroad tracks and Interstate 880. Since the site is very long and thin, the overall design goal is to create sub-neighborhoods within the project. This is accomplished through imposing a smaller street pattern on the site. The multi-family condo building seeks to act as a buffer and a transition piece between the industrial area and the more residential oriented area starting on 38th Ave. The single family townhouses between 38th and 40th Ave. are designed to be consistent with the scale of the residential neighborhood across Wattling Street.

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PUD06-606  
Applicant: Toby Levy  
Address: Wattling Street  
Zone: HBX-2



Staff has identified the following key issues. Further discussion is provided later in the staff report.

- The ownership of a portion of Wattling Street is in dispute and a quiet title action is currently proceeding in Superior Court of California, County of Alameda. Seven units in Parcel I, Phase 4 front onto this portion of Wattling Street. An unfavorable decision from the Court will likely have a minor impact on the overall project. Phase 1, 2, 3 and 5 would not be affected at all. Changes to Phase 4 would likely include minor changes to site plan, public improvements that jog onto the project site, and/or a reduction in the number of units.
- The applicant is requesting a Preliminary Planned Unit Development (PUD) for a phased project; a Final Planned Unit Development Permit (FPUD) for all phases, and a PUD bonus for the lot area of Parcel 3 which is shown as open space.
- The applicant is requesting several Minor Variances for courtyard dimensions and residential loading.
- The project applicant is proposing a three-sided, static billboard with 2,016 sq. ft. of signage. Construction of the billboard is not subject to a decision by the Planning Commission but will be considered as part of a Franchise or Relocation Agreement with City Council that currently includes removal of 15 billboards in Council District 5. The City Council can require a design review permit for the billboard.

Overall, staff believes that the project will be a positive contribution to this neighborhood and recommends approval of the project subject to the findings and conditions. The required permits and variances are justified given the constraints of this site and the nature of the project.

## **PROJECT SITE AND SURROUNDING AREA**

### **Existing Conditions**

The proposed development is located on three irregularly-shaped parcels southwest on Wattling Street. Specifically, the three parcels total 1.77 acres and are bounded by Wattling Street, 37th Ave., 40<sup>th</sup> Ave., and the Southern Pacific Railroad. The project site is vacant but is being used for container storage. The property does not have a historic rating per the Oakland Cultural Heritage Survey.

### **Surrounding Area**

The area surrounding the project site is a mix of industrial and residential uses. To the northeast of Wattling Street are several warehouse buildings and several small 1-2 story single-family homes. To the east are live / work and warehouse buildings. To the southwest are the Southern Pacific Railroad (50' from the rear property line to the centerline of the tracks) and Interstate 880 (120' from the rear property line) to the west are more warehouse and industrial buildings

## **PROJECT DESCRIPTION**

### **Building Program and Floor Plans**

The proposed project consists of 18 condominium units and 61 attached single-family townhomes on four parcels. Parcel 1 contains seven attached single-family townhomes and a surface parking lot at the rear of the units. Parcel 2 contains 54 attached single-family townhomes. These units are oriented inwards onto pedestrian walkways with a driveway to the garage located on the rear of home. The end units can also be accessed directly from Wattling Street. Seventeen units are located along the property line facing the Southern Pacific Railroad tracks. Approximately half of these units have a private garage, while the other units have uncovered parking located off of the driveways. Parcel 3 contains the garden

with a possible billboard above. Parcel 4 would include 18 units in a four-story building. This parcel would be accessed via a one-way driveway entering off of Wattling Street and existing onto 37<sup>th</sup> Avenue.

The architect's overall intent is to create a scheme that is consistent with the surrounding neighborhood development pattern, while lessening the impact imposed of the nearby railroad tracks and Interstate 880. Since the site is long and thin, the overall design goal is to create sub-neighborhoods within the project. Specifically, the northwest end of the site is in a heavy industrial area being bound by 37th Ave, railroad tracks, and the State Shingle building. The multi-family condo building on Parcel 4 seeks to act as a buffer and a transition piece between the industrial area and the more residential oriented area starting on 38th Ave. This structure houses flexible units with internal courts. A noise buffering façade layer shields these courts. The single-family townhouses between 38<sup>th</sup> and 42<sup>nd</sup> Ave. are organized in a smaller street pattern perpendicular to Wattling. The units are designed to be in scale with of the rest of the neighborhood. The facades have been designed to work together and also to break up the massing and repetitiveness along Wattling Street. Parallel to the railroad tracks and Interstate 880, the townhouses follow the rear property line, perpendicular to our new streets and thereby create a buffer from railroad and highway noise and views. The materials for the project include concrete block in a split face, stucco, trex-board, and fiber cement board and panels, with wire mesh fences and gates.

The one bedroom condominiums are approximately 725 sq. ft. with either a podium courtyard space or a deck. The 3-story single-family homes are a combination of two to three bedroom units that range in size from 1,032 to 1,502 sq. ft.

The project proposes extensive hardscape and softscape elements throughout the development, including new sidewalk, curb, and gutter. Additional hardscape elements include a wood gazebo, decorative paving, decomposed granite, stepping stones, barbeques, benches, fencing, and ornamental gates. Planting areas and open space are located throughout the development. A 4' wide landscape buffer and street trees are proposed in front of the residential units fronting Wattling Street. The units fronting onto the driveways have small lawn areas. A 2,404 sq. ft. garden or park is also located on the site. The landscaping plans show ornamental fruit trees, shrubs, vines, and groundcovers.

The applicant is also considering construction of a triple-sided static billboard mounted on a single steel pole. The new billboard must be approved by the City Council, as part of a Franchise Agreement or Relocation Agreement, that currently includes removal of 15 billboards in Council District 5.

### **Green Building**

The proposed project would incorporate a number of green building principles and features. The project conserves resources by increasing density, is designed with diverse unit sizes, promotes infill development, and is near transit. The proposed building features that the applicant is considering include passive solar heating, Low-E double-pane windows, compact fluorescent lighting, low energy-using major appliances, low water landscaping and storm water management, and avoiding products with added formaldehyde, decking to be of recycled-content, and rapidly renewable flooring

## **GENERAL PLAN ANALYSIS**

### **Land Use and Transportation Element of the General Plan**

The General Plan designation for the project site is Housing and Business Mix (HBX). The HBX zoning designations have been adopted by the City Council to implement the Housing and Business Mix LUTE classification. Therefore, the proposed density conforms to the General Plan density.

The General Plan states that the *intent* of the HBX designation is to “recognize the equal importance of both housing and business. This classification is intended to guide a transition from heavy industry to low impact light industrial and other businesses that can co-exist compatibly with residential development.” The General Plan states that the *desired character* of future development within this classification should be compatible with housing, and development should recognize the mixed business nature of the area. This classification allows mixed housing type density housing, “live-work”, low light industrial, commercial, and service businesses, and compatible community facilities.

The following General Plan Land Use and Transportation Policies and Objectives apply to the proposed project:

*Objective N3:* Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future needs of the Oakland community.

*Policy N3.1* Facilitating Housing Construction

*Policy N3.2* Encouraging Infill Development

**The project site has been used as container storage for years and has been the subject of several complaints including blight, trash and debris, unauthorized access to the property, abandoned vehicles and dumping. The proposal to construct housing on this site would be positive for the neighborhood. The Land Use Element considers the construction of new housing to be one of the highest priorities in Oakland to meet the demand of a growing population. In addition, the project site has no existing buildings, is located across the street from a small residential neighborhood and is appropriate for infill development. The project meets the objectives listed above by providing 79 new residential units on several underutilized parcels.**

*Policy T2.1* Encouraging Transit-Oriented Development **Although the project is not technically considered a Transit-Oriented Development, it is located just 6 blocks away (less than a quarter mile) from the Fruitvale BART station. This project would meet the goal of this policy by providing housing near transit consistent with the City’s transit first policy.**

**Policy N6.1** Mixing Housing Types **The project is proposing a mix of condominium units and larger attached townhomes style units that range from one to three bedroom units. This mix of unit types and sizes will provide housing for a range of incomes and family units.**

The proposed project meets the referenced objectives, the general intent of the HBX land use designation, and is a good fit for this area.

### **Coliseum Area Redevelopment Project Area Plan**

In addition, the project is located in the Coliseum Area Redevelopment Project Area and is subject to the policies and goals in the Coliseum Area Redevelopment Plan. The following Redevelopment Plan goals apply to the proposed project:

**Goal 1:** The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including among others, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic land uses, substandard alleys and inadequate or deteriorated public improvements, facilities, and utilities.

**Goal 2:** The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.

**Goal 3:** The replanning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

**The project develops an underutilized, vacant property that has had several complaints for trash, blight, dumping, and inoperable vehicles into an integrated residential community. The project will combine several small thin and irregular parcels sufficiently large to allow for comprehensive planning. The project is proposing new curb, gutter, and sidewalk, as well as street trees to improve pedestrian circulation. Staff would include, as typical for all new development projects, a condition requiring half street improvements for vehicular circulation.**

The proposed project meets the referenced objectives, policies, goals, and the general intent of the Coliseum Redevelopment Plan. Staff finds that the project is a good fit for this area.

### **ZONING ANALYSIS**

The zoning of the site is designated HBX-2 or Housing and Business Mix 2 Zone. The HBX-2 zone is intended to “provide development standards for areas that have a mix of industrial, certain commercial and medium to high density residential development. This zone recognizes the equal importance of housing and business.” The maximum residential density for this zone is 1 unit per 930 sq. ft. of lot area. Staff has calculated a maximum density of 83 units. The 79-unit proposed project is under the maximum density permitted by the zoning designation.

The following table depicts the project’s comparison to HBX-2 zoning requirements.

Zoning Regulation Comparison Table

Criteria	Requirement HBX-2	Proposed	Comment
Lot Area	4,000 sq. ft.	Parcel 1 = 14,968 sq. ft. Parcel 2 = 49,652 sq. ft. Parcel 3 = 2,434 sq. ft. Parcel 4 = 10,149 sq. ft.	All parcels meet the HBX-2 requirements, except parcel 3. Can be waived with the PUD bonuses.
Lot Width	35'	All parcels are over 35' in lot width	Meets the HBX-2 requirements.
Lot Frontage	35'	All parcels are over 35' in lot frontage	Meets the HBX-2 requirements.
Yard – Front Setback	Per HBX Design Guidelines Manual	0-47'	Consistent with the HBX Design Guidelines Manual
Yard – Interior Side Setback	Per HBX Design Guidelines Manual	0-21'	Consistent with the HBX Design Guidelines
Yard – Corner Side Setback	N/A	0'	Consistent with the HBX Design Guidelines
Yard – Rear Setback	Per HBX Design Guidelines Manual	0-10'	Consistent with the HBX Design Guidelines
Height	45'	33'-45'	Meets the HBX-2 requirements.
Open Space	150 sq. ft. / unit =12,000 sq. ft.	3,500 sq. ft. of group open space and 12,680 sq. ft. of private open space = 16,180 sq. ft.*	Meets the HBX-2 requirements.
Parking	1 space / unit = 80 spaces	1spaces / unit = 80 spaces	Consistent with the HBX Design Guidelines with landscaping.
Parking Design	Per HBX Design Guidelines Manual	Located in a lot off of the street in front of the units	Consistent with the HBX Design Guidelines
Loading	50,000-149,999 sq. ft. resid. = 1 berth	0 berths	Does not meet the HBX-2 requirements. <b>Minor Variance is required.</b>
Residential density	1 unit / 930 sq. ft. = 83 units	80 units	Meets the HBX-2 requirements.
FAR	2.6	99,657 sq. ft. of building floor area = 1.29	Meets the HBX-2 requirements.
Advertising Sign	Prohibited except pursuant to Section 17.104.060	One static tripled sided billboard with 2,016 sq. ft. of signage as part of a relocation agreement	See <b>KEY ISSUES</b> section for a discussion on the billboard.

The criteria for review and approval of this facility at this location includes the following: The Planned Unit Development Criteria (Preliminary and Final) in Section 17.140.080 and 17.140.060, the Design Review Criteria in Section 17.136.050A for the residential development; the Minor Variance Criteria in 17.48.050; and the Tentative Parcel Map Section 16.24.040 and 16.08.030. All applicable criteria are analyzed and appropriate findings are made in the *Findings* Section of this report.

## **ENVIRONMENTAL DETERMINATION**

Based on the size and location of the project site, as well as the findings of the traffic report and historic analysis, staff has concluded that the project is able to satisfy the in-fill exemption under the California Environmental Quality Act (CEQA), Section 15332. The categorical exemption criterion follows with a brief summary of staff's analysis in bold print:

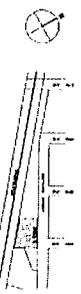
- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; **As demonstrated in the General Plan Analysis section of this report, the application is consistent with all applicable General Plan policies and the Housing and Business Mix (HBX) designation. The Zoning Analysis and Required Findings sections demonstrate that, with approval of the PUD's and Variances, the project is consistent with the Zoning Ordinance. In addition, the project is also consistent with many of the goals in the Coliseum Redevelopment Plan.**
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; **The project site encompasses approximately 1.77 acres (77,213 sq. ft.). The site is located within the Coliseum Redevelopment Plan Area and is substantially surrounded by commercial, manufacturing, civic, and residential urban uses.**
- c) The project site has no value as habitat for endangered, rare or threatened species; **The project site is currently occupied by container structures. According to the Phase I report, the site was previously used as truck wrecking yard and truck sales, a lumberyard, contained a railroad spur was also evident. This history covers a period between 1912 and the present. Based on these uses and the surrounding context, staff has concluded that the site contains no known endangered, rare, or threatened species.**
- d) Approval of the project would not result in any significant effects relating to traffic, air quality, noise, or water quality; **A traffic report was completed specifically for this project and submitted in June 2008 (available at the Planning and Zoning office). Traffic impacts from the project were reviewed at several intersections within proximity to the project site. The project is anticipated to generate approximately 417 new net daily trips, 38 AM peak hour trips and 44 PM peak hour trips with a 10% discount for transit use. Staff did not take into account the existing trips to site which is used as container storage so the overall trips could be less. Level of Service (LOS) was calculated for 8 intersections. In the existing condition, all intersections operate at acceptable levels (LOS D or better).**

**The trips associated with the project would generate far fewer than the 2,000 vehicle trips per day that the Bay Area Air Quality Management District (BAAQMD) considers the normal minimum traffic volume that should require a detailed air quality analysis. However, given the project's location near I-880 and the Southern Pacific railroad tracks, staff required an air quality analysis to be completed (available at the Planning and Zoning office). The study concluded that the BAAQMD's control measures as stated in the City's standard condition of approval regarding dust abatement and equipment emissions were adequate to address construction related impacts.**

**The project's adjacency to the railroad and I-880 is within the 500' advisory buffer for health risks per the California Air Resources Board's guidance manual. The architects have included several features in the project drawings that would address this proximity. The air quality**



1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.  
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FOURTH FLOOR PLAN  
 AREA D

NO.	DESCRIPTION	DATE
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2	ISSUED FOR PERMIT	10/15/11
3	ISSUED FOR PERMIT	10/15/11
4	ISSUED FOR PERMIT	10/15/11
5	ISSUED FOR PERMIT	10/15/11
6	ISSUED FOR PERMIT	10/15/11
7	ISSUED FOR PERMIT	10/15/11
8	ISSUED FOR PERMIT	10/15/11
9	ISSUED FOR PERMIT	10/15/11
10	ISSUED FOR PERMIT	10/15/11

**WATTLING ST.**  
 79 RESIDENTIAL UNITS



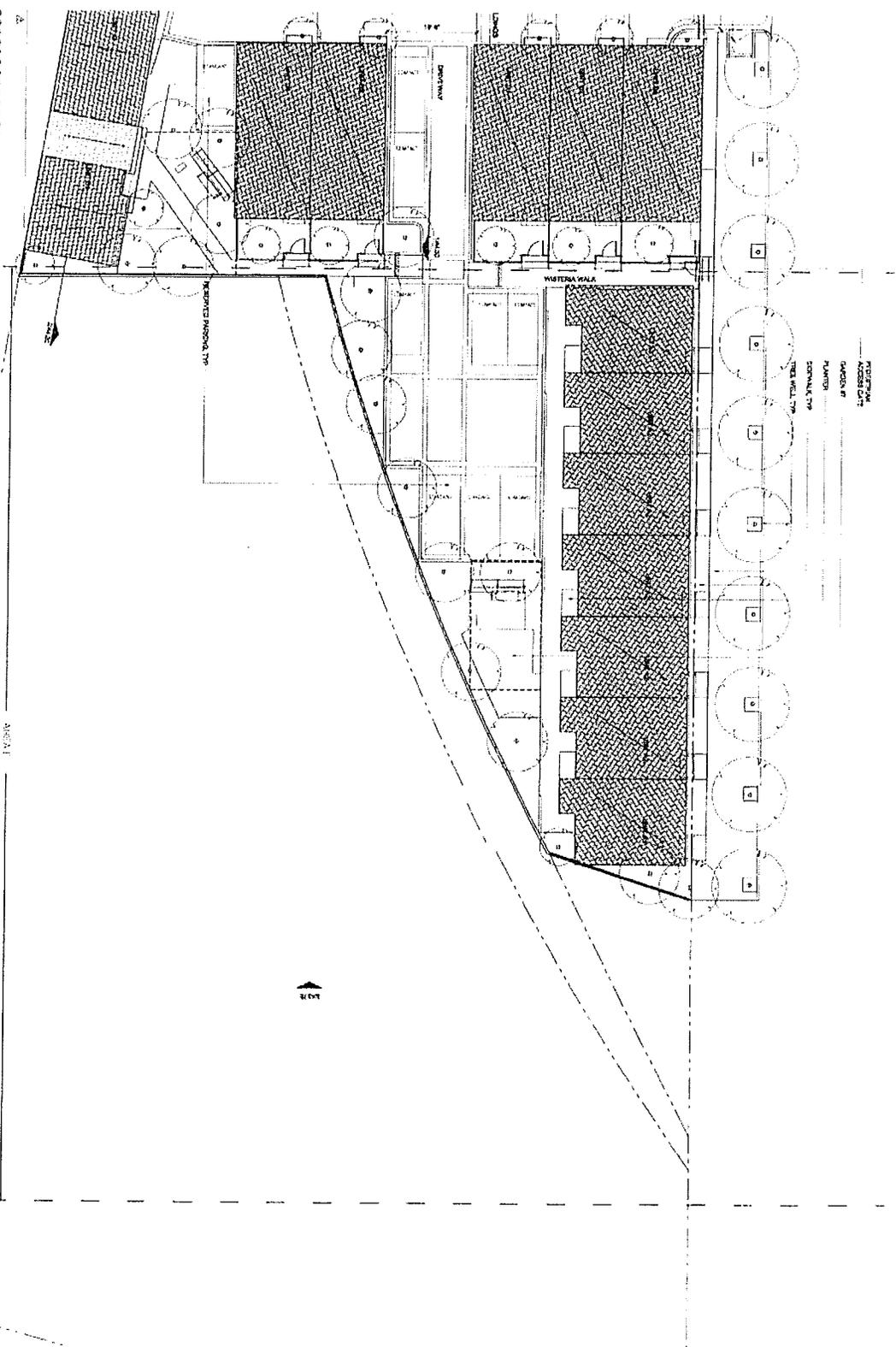
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2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL PLUMBING REGULATIONS.

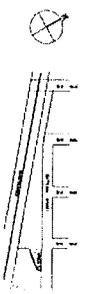
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A2.4E

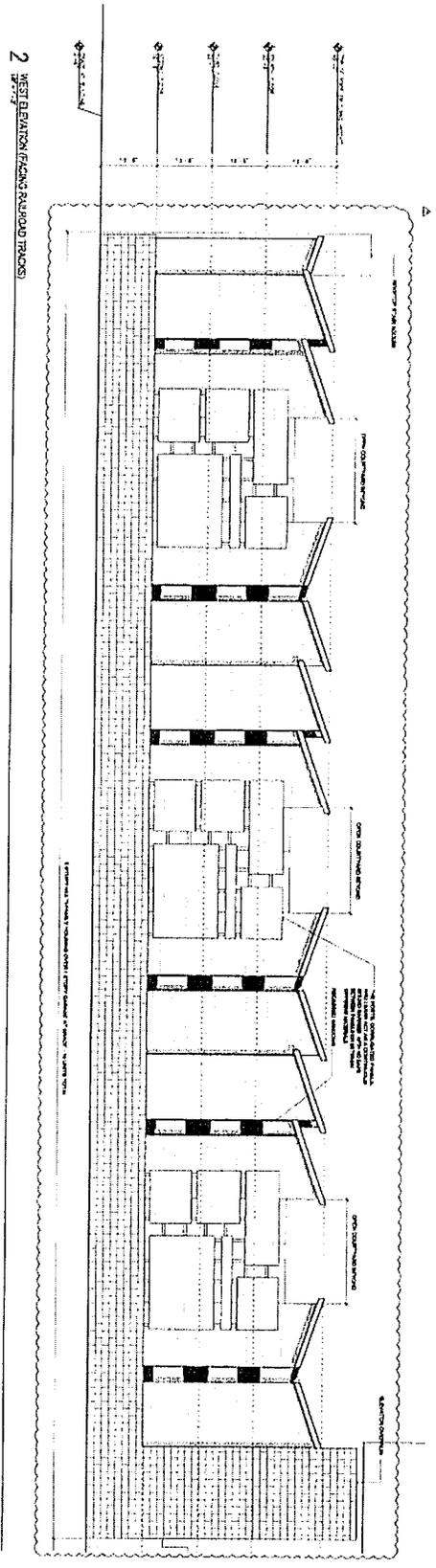
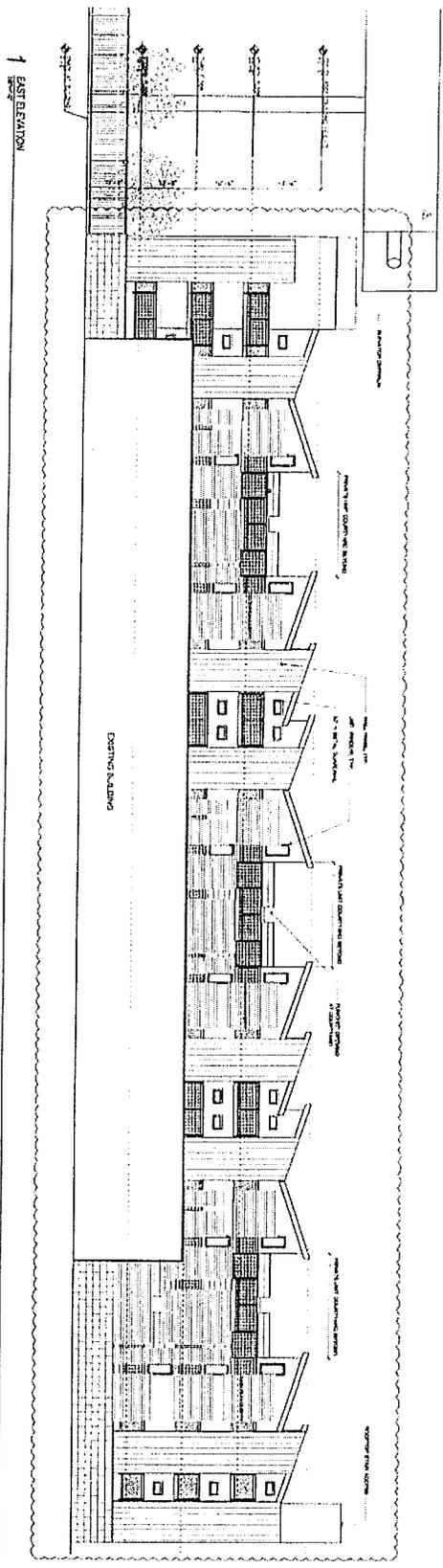
FOURTH FLOOR PLAN  
 AREA: E

NO.	DESCRIPTION	DATE
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3	ISSUED FOR AS-BUILT	10/10/2023

**WATTLING ST.**  
 79 RESIDENTIAL UNITS

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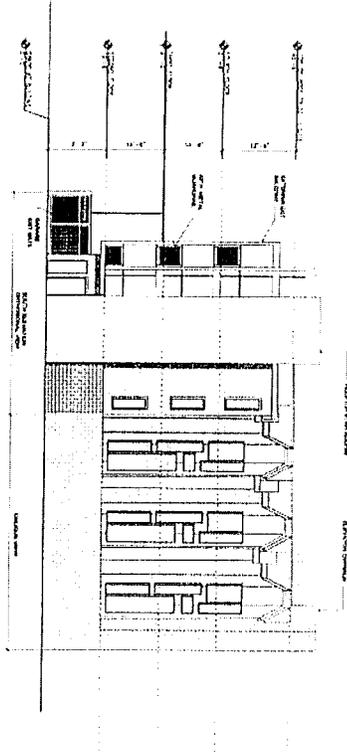


	SOLID WALL
	NEW WINDOW SILL
	NEW WINDOW FRAME
	NEW WINDOW GLASS

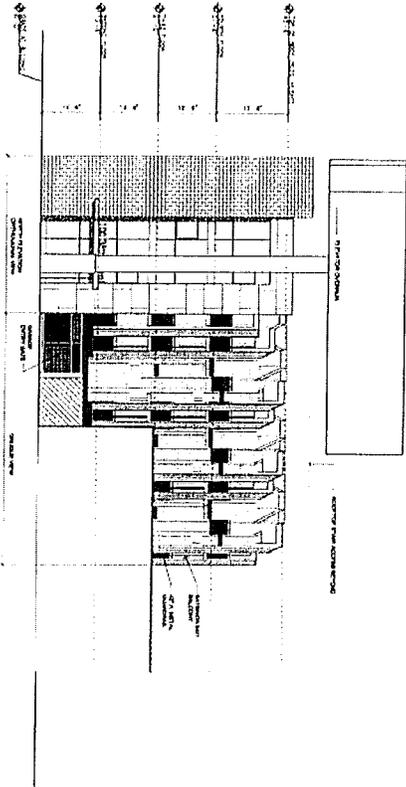
A3.2A  
 BUILDING  
 ELEVATIONS  
 AREA A

**WATTLING ST.**  
 79 RESIDENTIAL UNITS

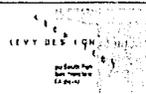




1 SOUTH ELEVATION



2 NORTH ELEVATION

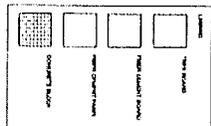


WATTLING ST.  
79 RESIDENTIAL UNITS

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PROJECT: WATTLING ST. RESIDENTIAL UNITS  
SHEET: 1 OF 1

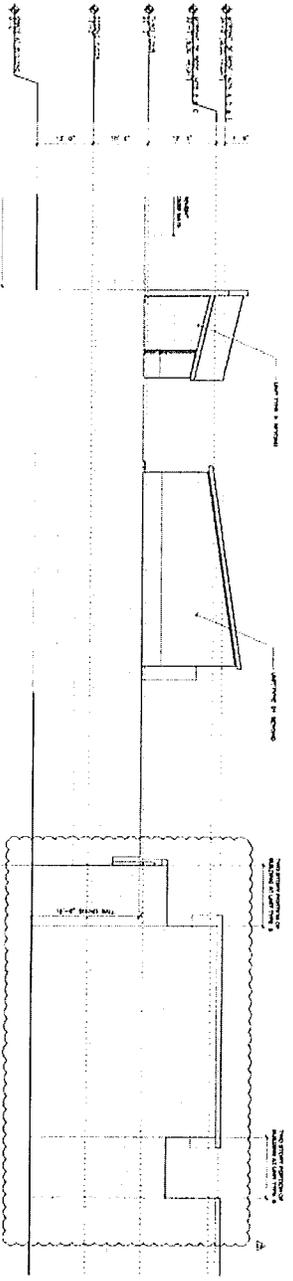
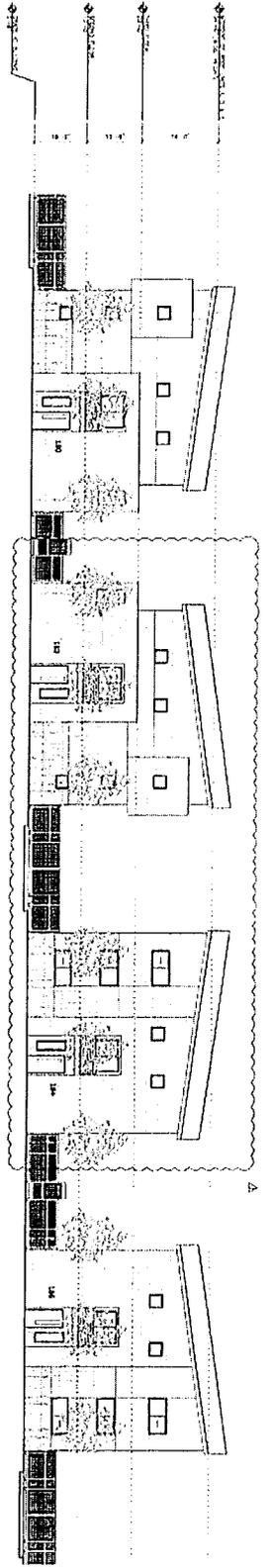
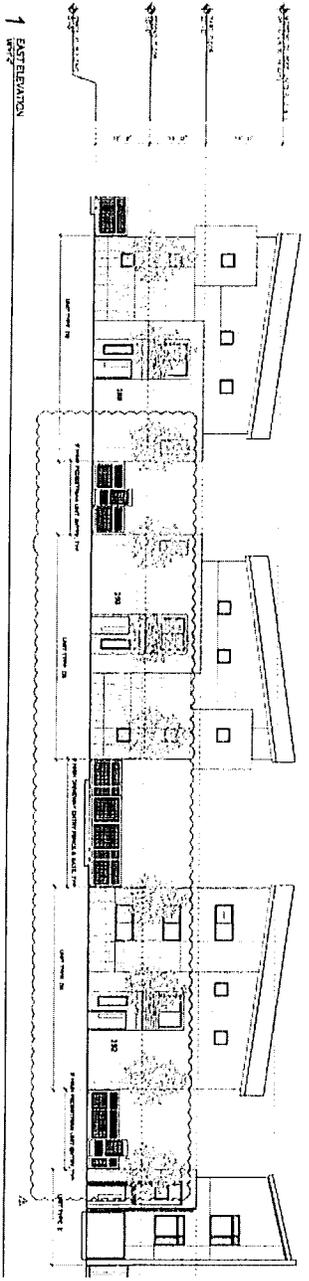
799 5th St  
San Francisco, CA 94103  
Tel: 415.774.1111  
Fax: 415.774.1112  
www.levydesign.com



A3.3A

BUILDING  
ELEVATIONS  
AREA A

WATTLING ST.  
 79 RESIDENTIAL UNITS

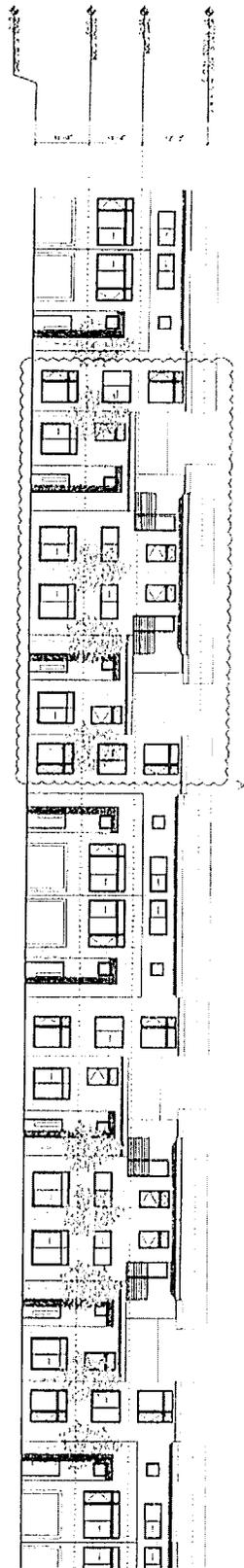


3 WEST ELEVATION (FACING SALMOND BRIDGE)

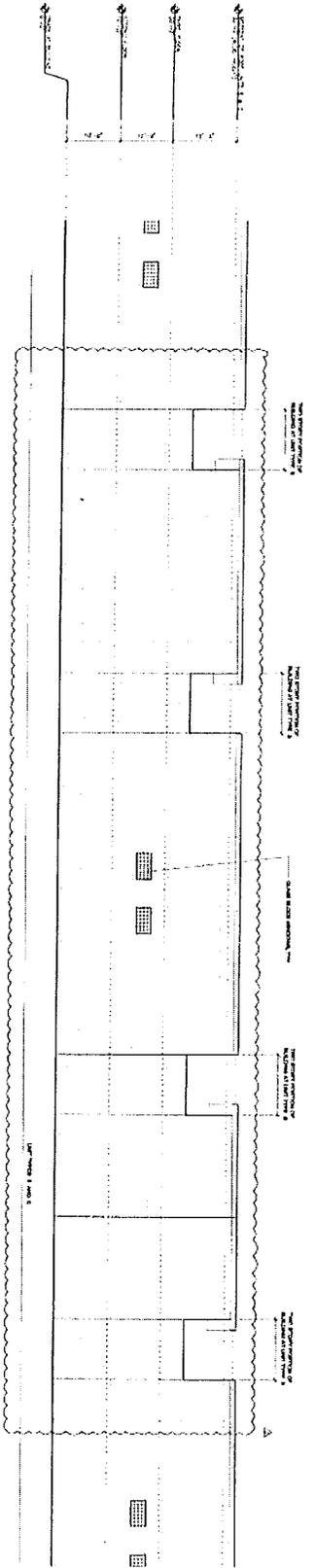
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	LEVEL 3
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	LEVEL 100

SCALE: 1/8" = 1'-0"  
 BUILDING ELEVATIONS  
 AREA B

A3.4B



1 EAST FACING NEW ELEVATION

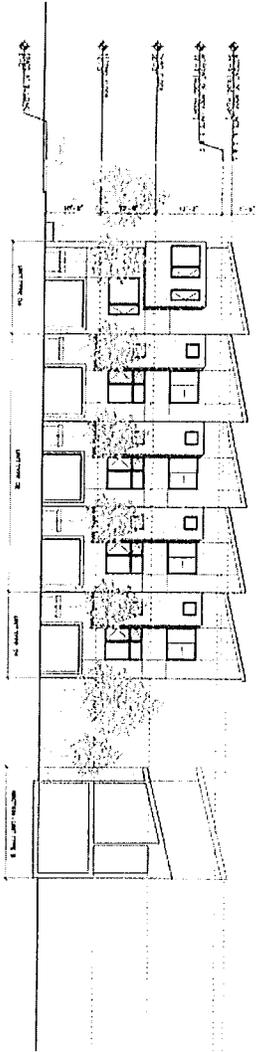
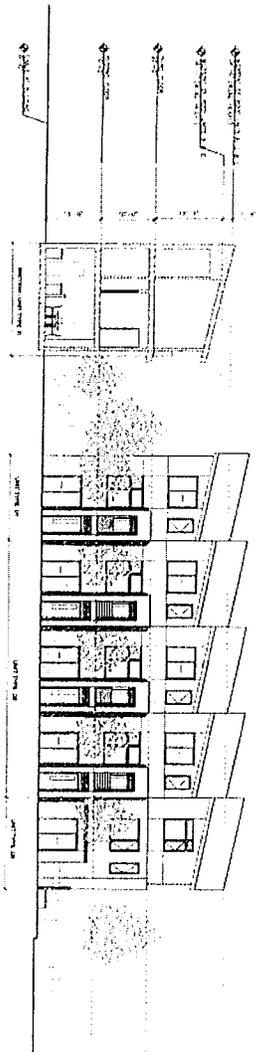


2 WEST ELEVATION

	EXISTING
	NEW
	PROPOSED
	OTHER

WATTLING STREET  
 79 RESIDENTIAL UNITS  
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 APPROVED BY: [Name]

A3.5C



NOTE  
 ELEVATIONS ARE  
 TYPICAL OF  
 OTHER AREAS IN  
 AREAS A AND C

	AREA A
	AREA B
	AREA C
	AREA D

A3.6D

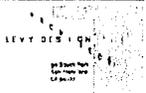
BUILDING  
 ELEVATIONS  
 AREA D

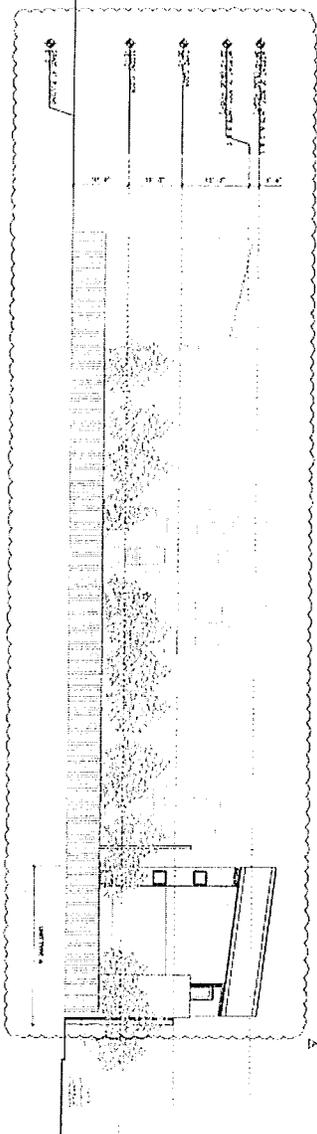
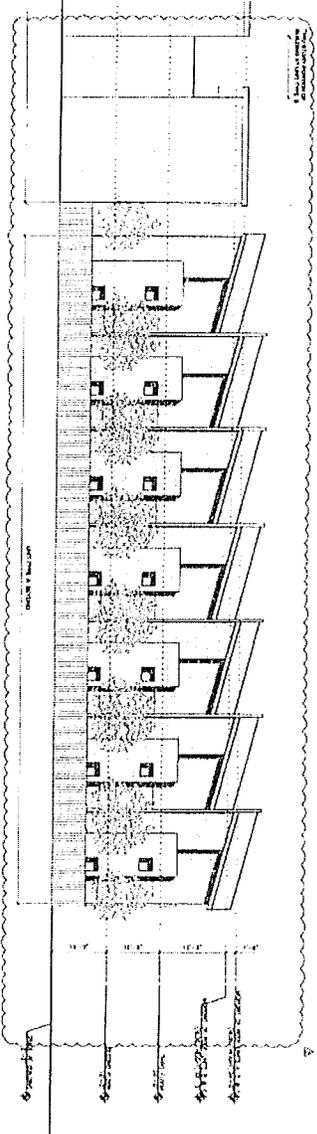
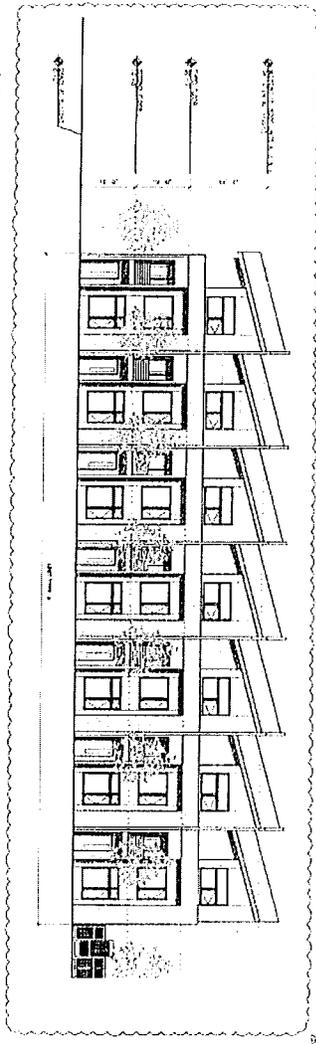
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WATTLING STREET  
 79 RESIDENTIAL UNITS  
 [Additional project information]

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 79 RESIDENTIAL UNITS

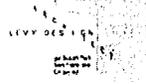




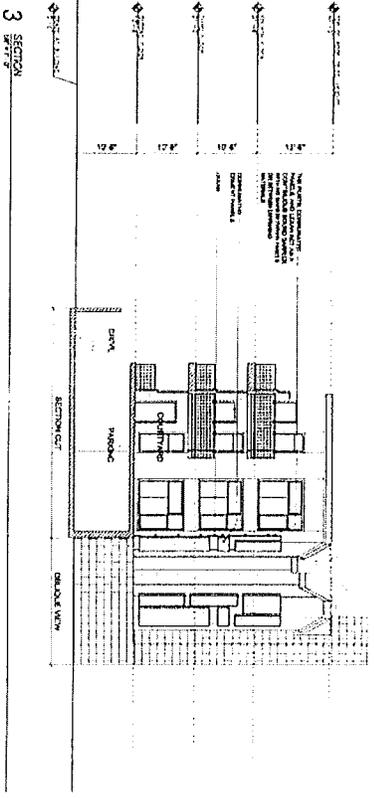
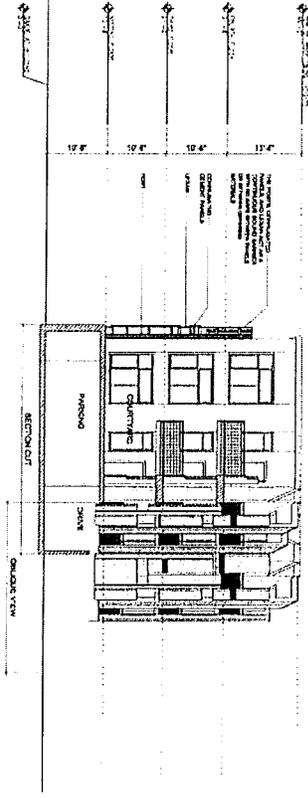
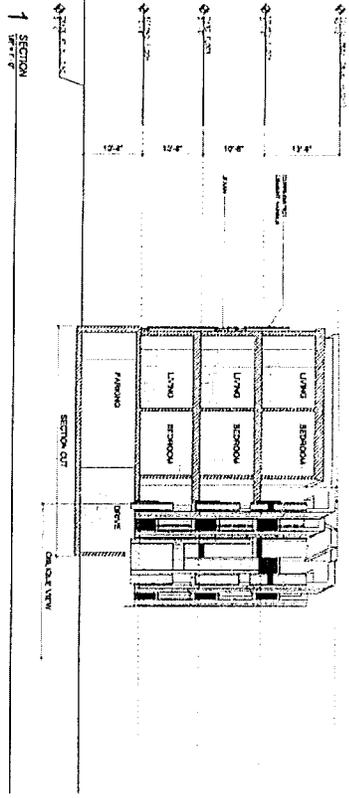
	CONCRETE
	BRICK
	STONE
	WOOD
	GLASS

WATTLING STREET  
 79 RESIDENTIAL UNITS  
 BUILDING ELEVATIONS AREA C  
 A3.7E

WATTLING ST.  
 79 RESIDENTIAL UNITS



WATTLING ST.  
 79 RESIDENTIAL UNITS

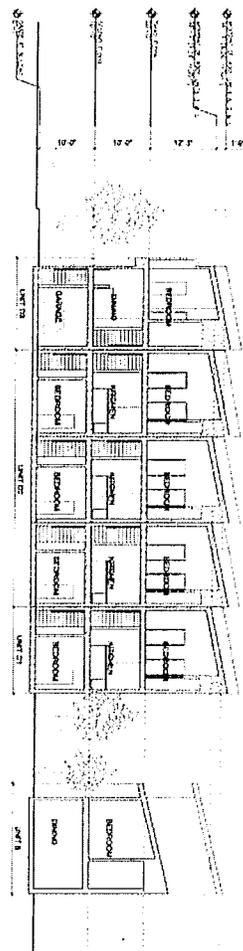


WATTLING STREET  
 79 RESIDENTIAL UNITS  
 1000 WEST 10TH STREET  
 DENVER, CO 80202  
 10/15/10

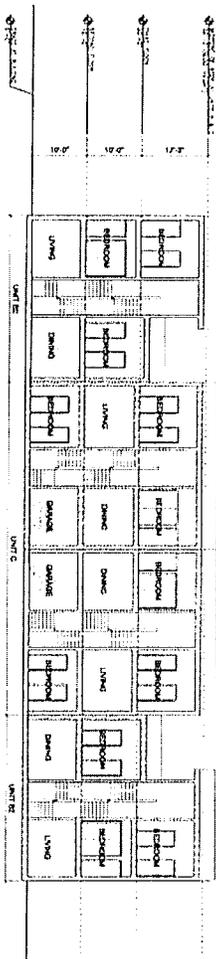
SCALE AS NOTED

BUILDING SECTIONS  
 AREA A

A4.1A



1 SECTION



2 SECTION

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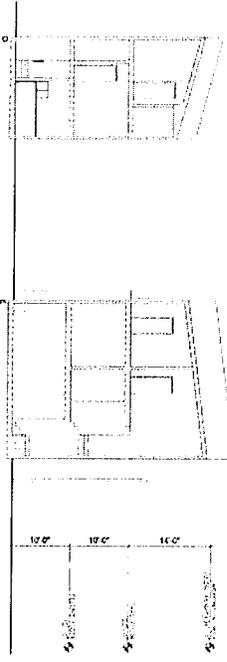
WATTLING ST.  
 79 RESIDENTIAL UNITS

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 79 RESIDENTIAL UNITS  
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 ENGINEER: [Name]  
 CONTRACTOR: [Name]

A4.2C



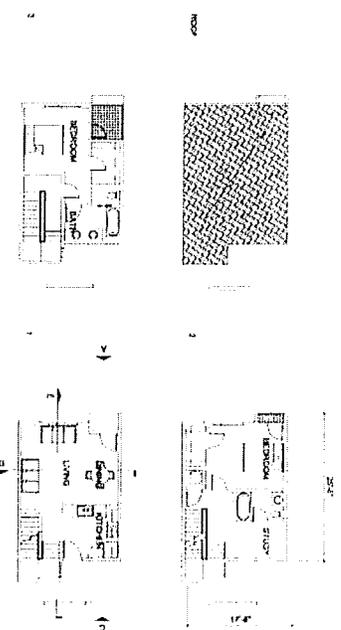
UNIT A1, A2 & A3  
 2 BR/2BA = 1036 SF  
 AREA F



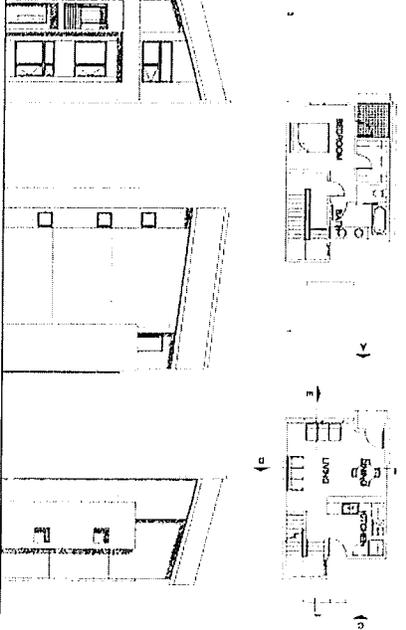
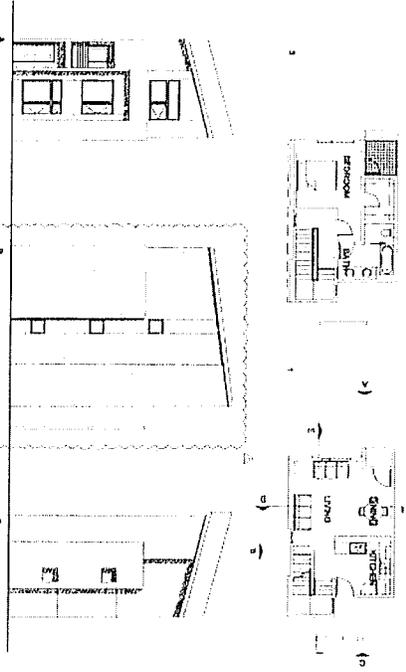
UNIT A3



UNIT A2



UNIT A1

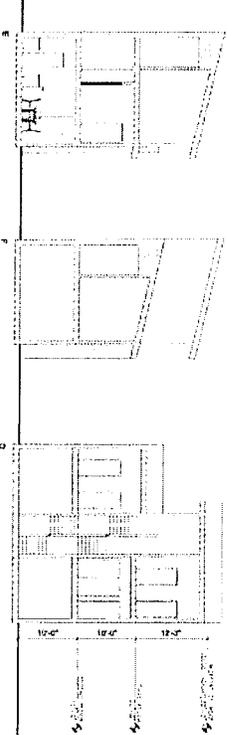


WATTLING ST.  
 79 RESIDENTIAL UNITS

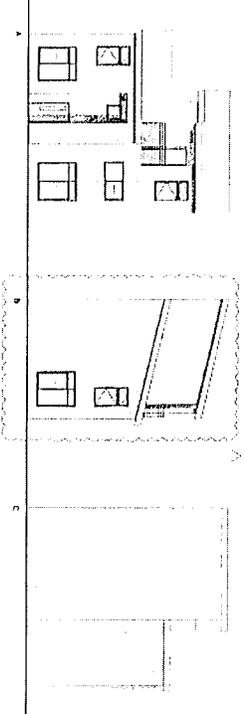
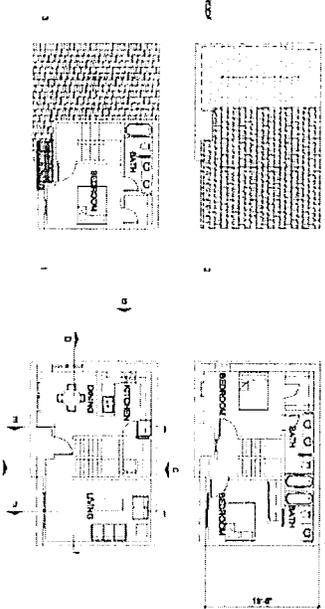


WATTLING STREET  
 79 RESIDENTIAL UNITS  
 1:1/8" = 1'-0"

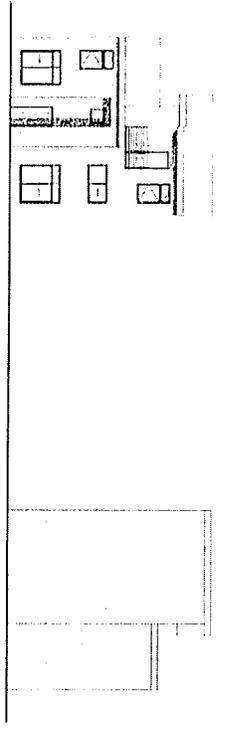
UNIT BA, B2 & B3  
 3 BR/2BA = 1218 SF  
 AREA B-D



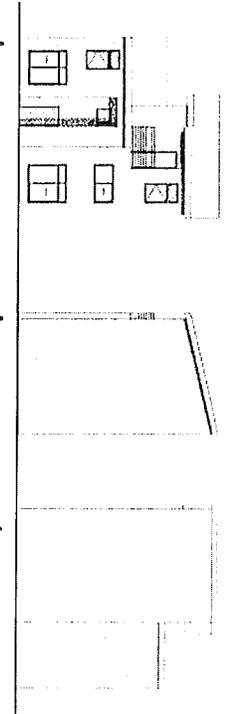
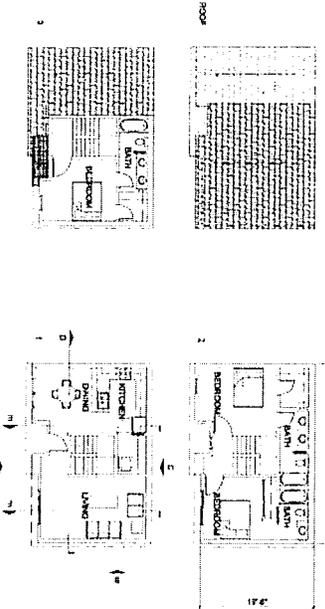
UNIT B3



UNIT B2



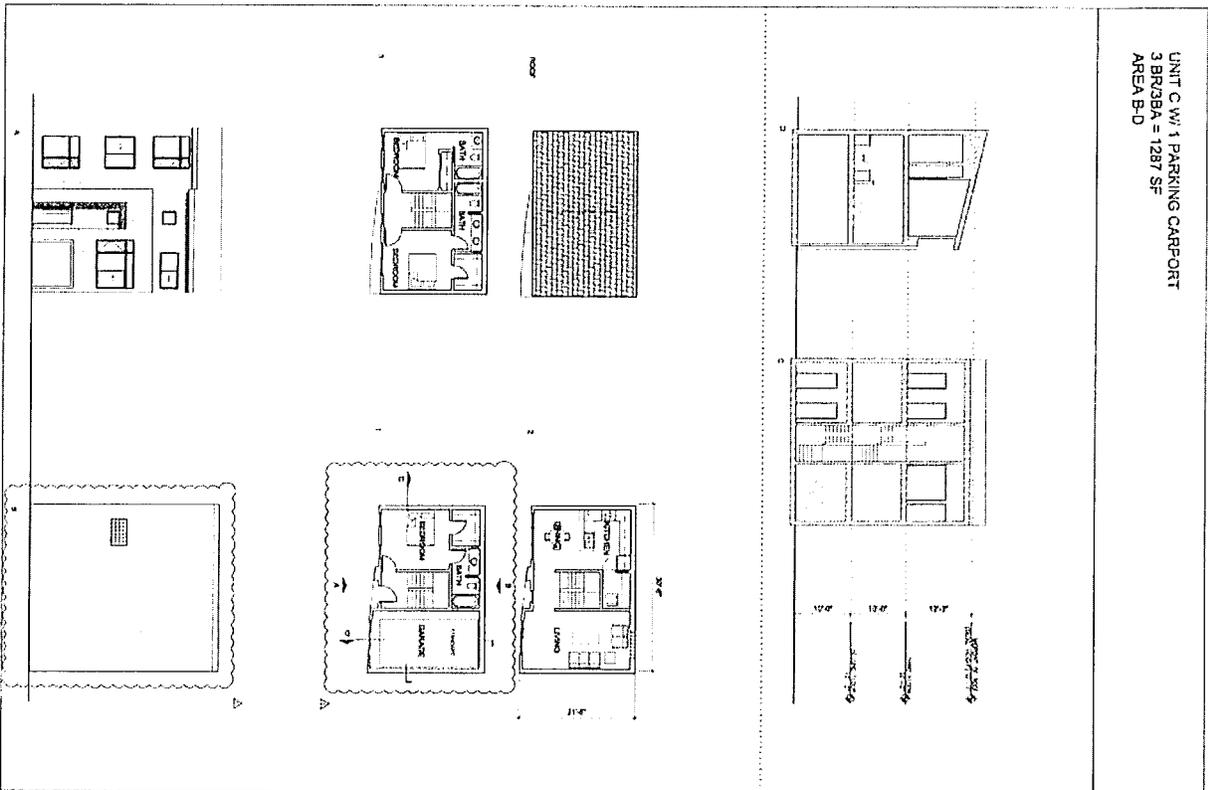
UNIT B1



DATE: 10/15/10  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT: 79 WATTLING ST.  
 SHEET: A6.2

WATTLING ST.  
 79 RESIDENTIAL UNITS

UNIT C w/ 1 PARKING CARPORT  
 3 BR/3BA = 1287 SF  
 AREA B-D



WATTLING ST.  
 79 RESIDENTIAL UNITS

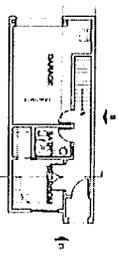
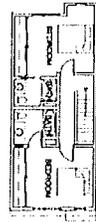
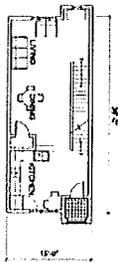
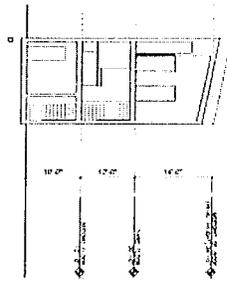
A6.3

UNIT C  
 1287 SF

DATE: 10/1/10  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

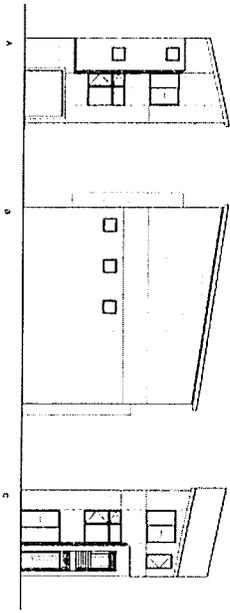
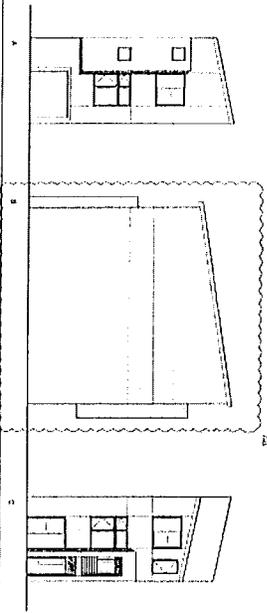
LEWIS DESIGN  
 ARCHITECTS

UNIT D1 & D2  
 3 BR/BA = 1221 SF  
 AREA B-D



UNIT D2

UNIT D1



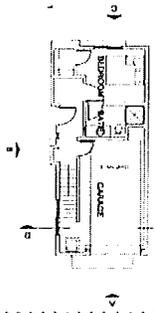
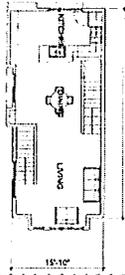
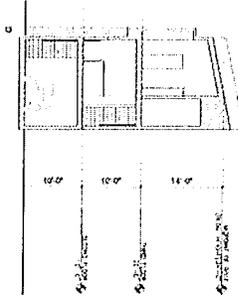
WATTLING ST.  
 79 RESIDENTIAL UNITS

A6.4

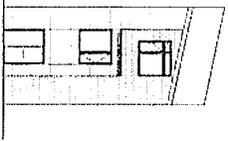
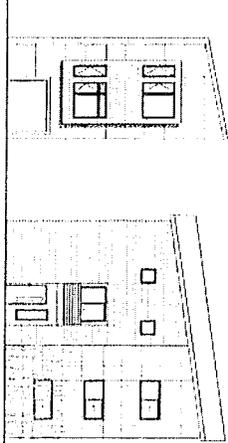
WATTLING STREET  
 79 RESIDENTIAL UNITS  
 UNIT D1 & D2

DATE	12/15/11
SCALE	AS SHOWN
PROJECT	79 WATTLING STREET
OWNER	LEVY DESIGN GROUP
ARCHITECT	LEVY DESIGN GROUP
ENGINEER	LEVY DESIGN GROUP
PLUMBER	LEVY DESIGN GROUP
ELECTRICIAN	LEVY DESIGN GROUP
Mechanical	LEVY DESIGN GROUP
Structural	LEVY DESIGN GROUP
Interior	LEVY DESIGN GROUP
Exterior	LEVY DESIGN GROUP
Site	LEVY DESIGN GROUP
Other	LEVY DESIGN GROUP

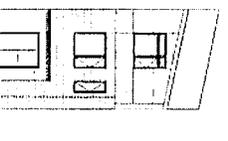
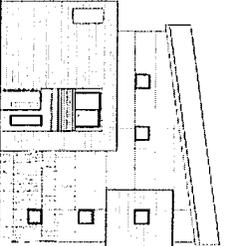
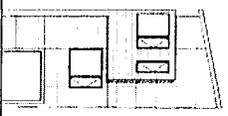
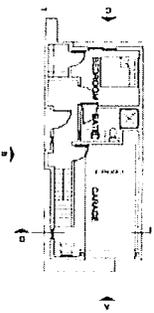
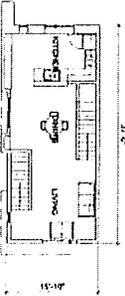
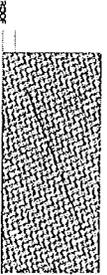
UNIT D3 & D4  
 3 BR/3BA = 1210 SF  
 AREA B-D



UNIT D4



UNIT D3



WATTLING ST.  
 79 RESIDENTIAL UNITS

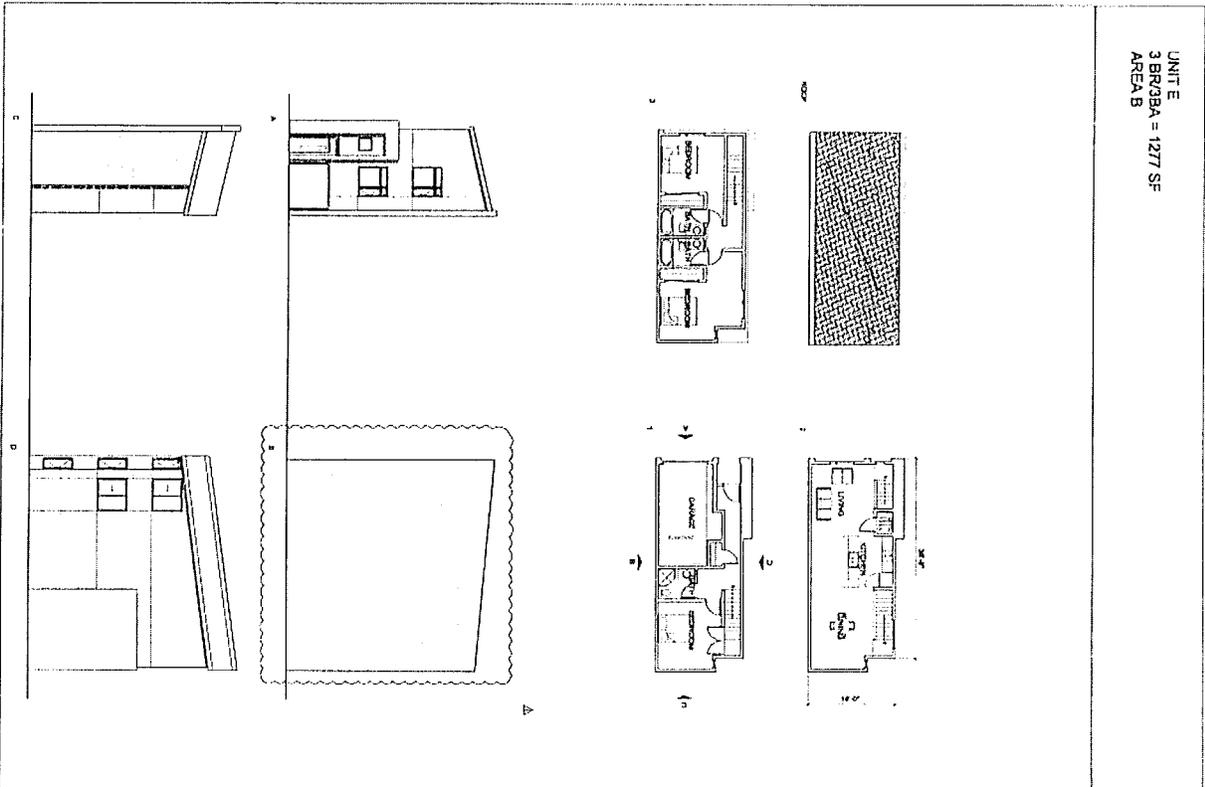
A6.5

UNIT D3 & D4

DATE: 12/1/10  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT: [Name]

WATTLING STREET  
 79 RESIDENTIAL UNITS  
 UNIT D3 & D4  
 ARCHITECTURAL DRAWING  
 12/1/10

UNIT E  
 3 BR/3BA = 1277 SF  
 AREA B



WATTLING ST.  
 79 RESIDENTIAL UNITS

A6.6

UNIT E

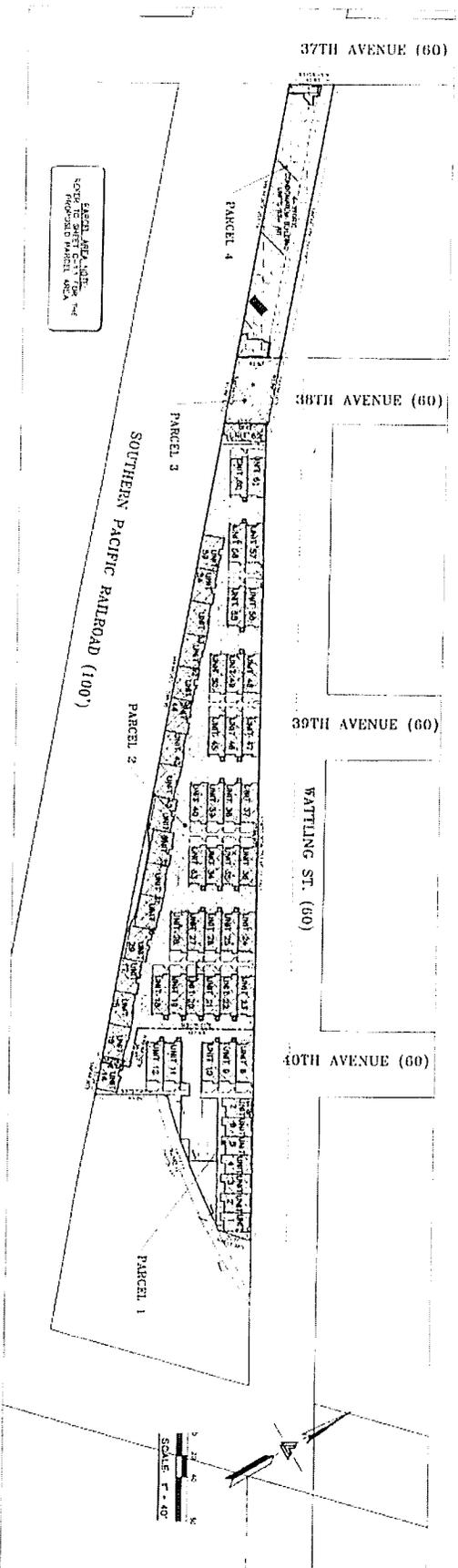
SCALE: 1/8" = 1'-0"

DATE: 11/11/11

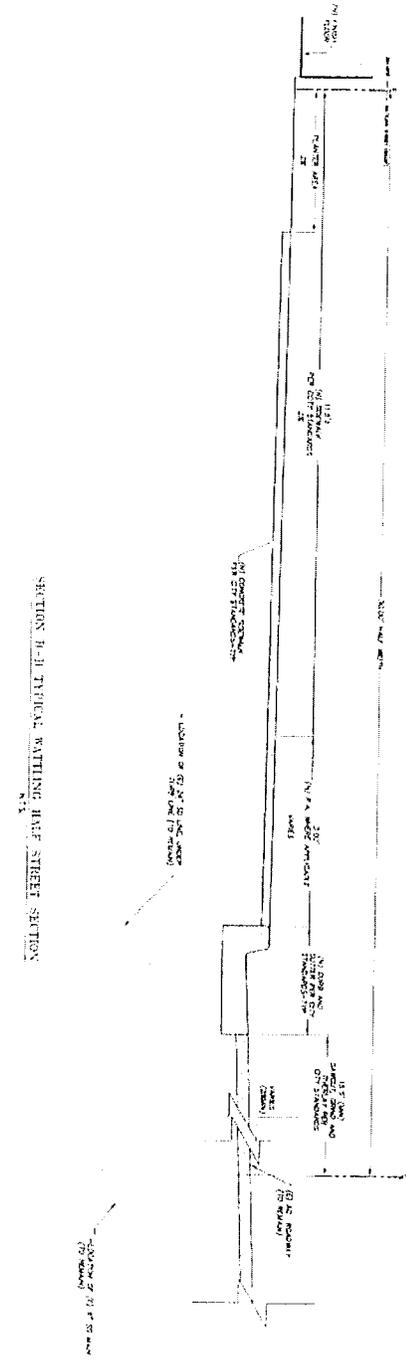
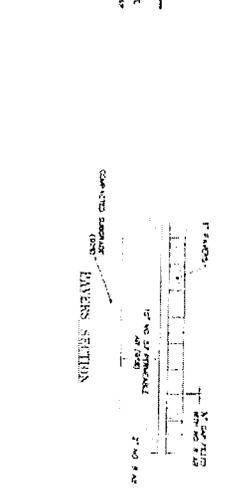
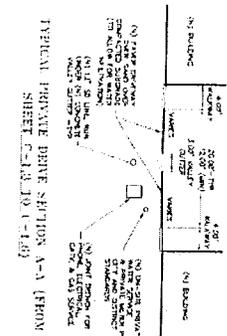
NO.	REVISION	DATE
1	ISSUED FOR PERMIT	11/11/11
2	REVISED PER COMMENTS	11/11/11
3	REVISED PER COMMENTS	11/11/11
4	REVISED PER COMMENTS	11/11/11
5	REVISED PER COMMENTS	11/11/11







BASED MAP AS SHOWN  
 COVER TO SHEET C-112 AND  
 RECORDED PARCEL AREA



NOTES (REFERENCES TO SHEETS C-112 & C-113)  
 1. CONTRACTOR SHALL OBTAIN THE PROPER PERMITS FROM THE CITY OF OAKLAND AND THE CALIFORNIA STATE DEPARTMENT OF PUBLIC WORKS FOR THE CONSTRUCTION OF THIS PROJECT.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OAKLAND AND THE CALIFORNIA STATE DEPARTMENT OF PUBLIC WORKS.  
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA STATE DEPARTMENT OF PUBLIC WORKS.  
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA STATE DEPARTMENT OF PUBLIC WORKS.  
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 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA STATE DEPARTMENT OF PUBLIC WORKS.  
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA STATE DEPARTMENT OF PUBLIC WORKS.

VERTING TENTATIVE  
 PARCEL MAP 9439  
 WATTLING ST.  
 OAKLAND, CA

PARCEL LAYOUT AND DETAILS  
 C-112

WATTLING ST.  
 80 RESIDENTIAL UNITS



DATE: 11/11/11  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO: 9439

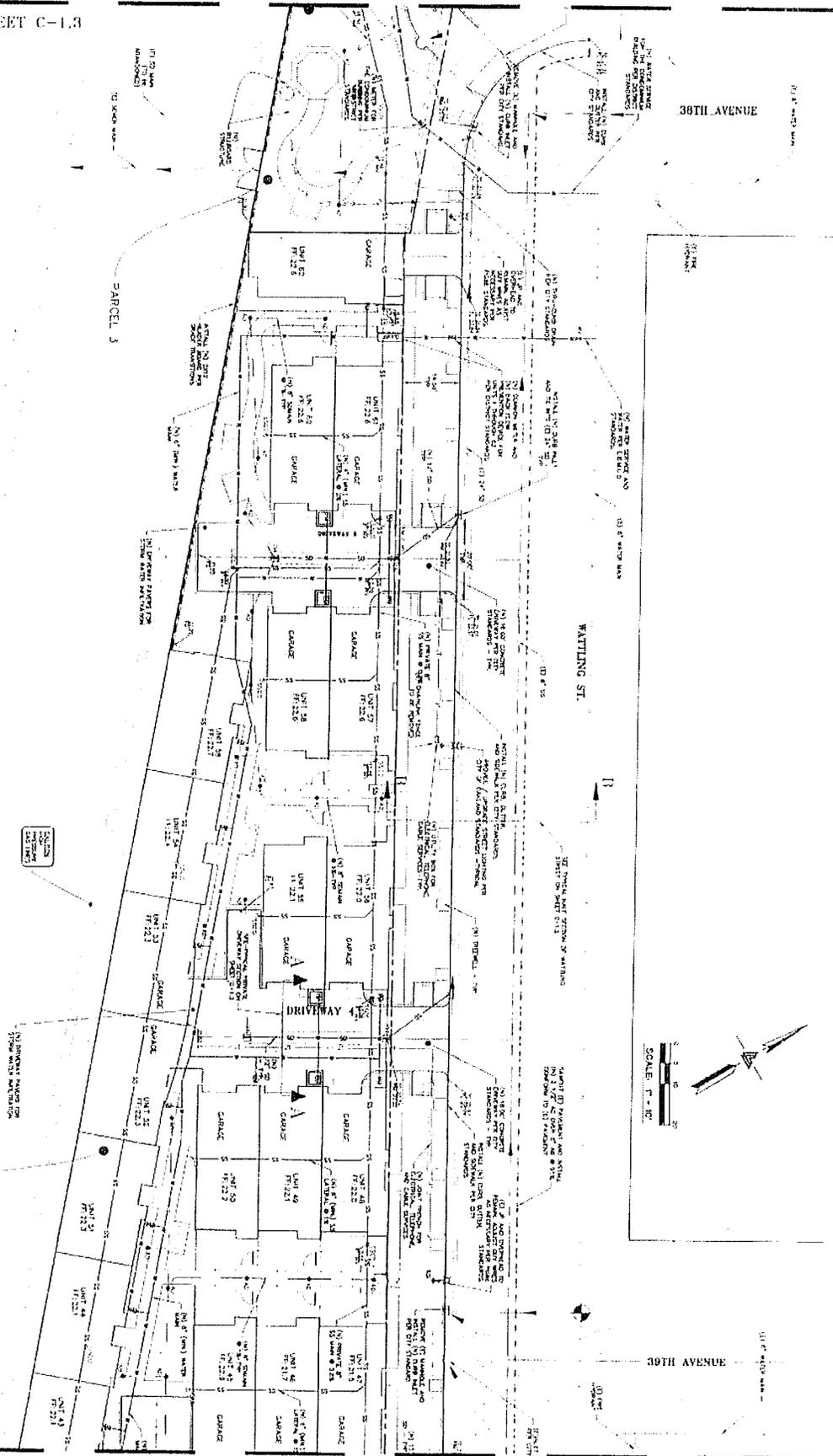


SEE SHEET C-1.3



VESTING TENTATIVE  
PARCEL MAP 9439  
WATTLING ST.  
OAKLAND, CA

SEE SHEET C-1.5



**LEA & BRAZE ENGINEERING, INC.**  
 1000 BROADWAY, SUITE 1000  
 OAKLAND, CA 94612  
 (415) 778-1100  
 www.leaandbraze.com



**PARTIAL  
 CONCEPTUAL  
 GRADING  
 AND  
 DRAINAGE  
 PLAN**

C-1.4

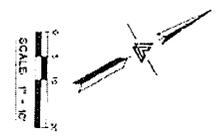
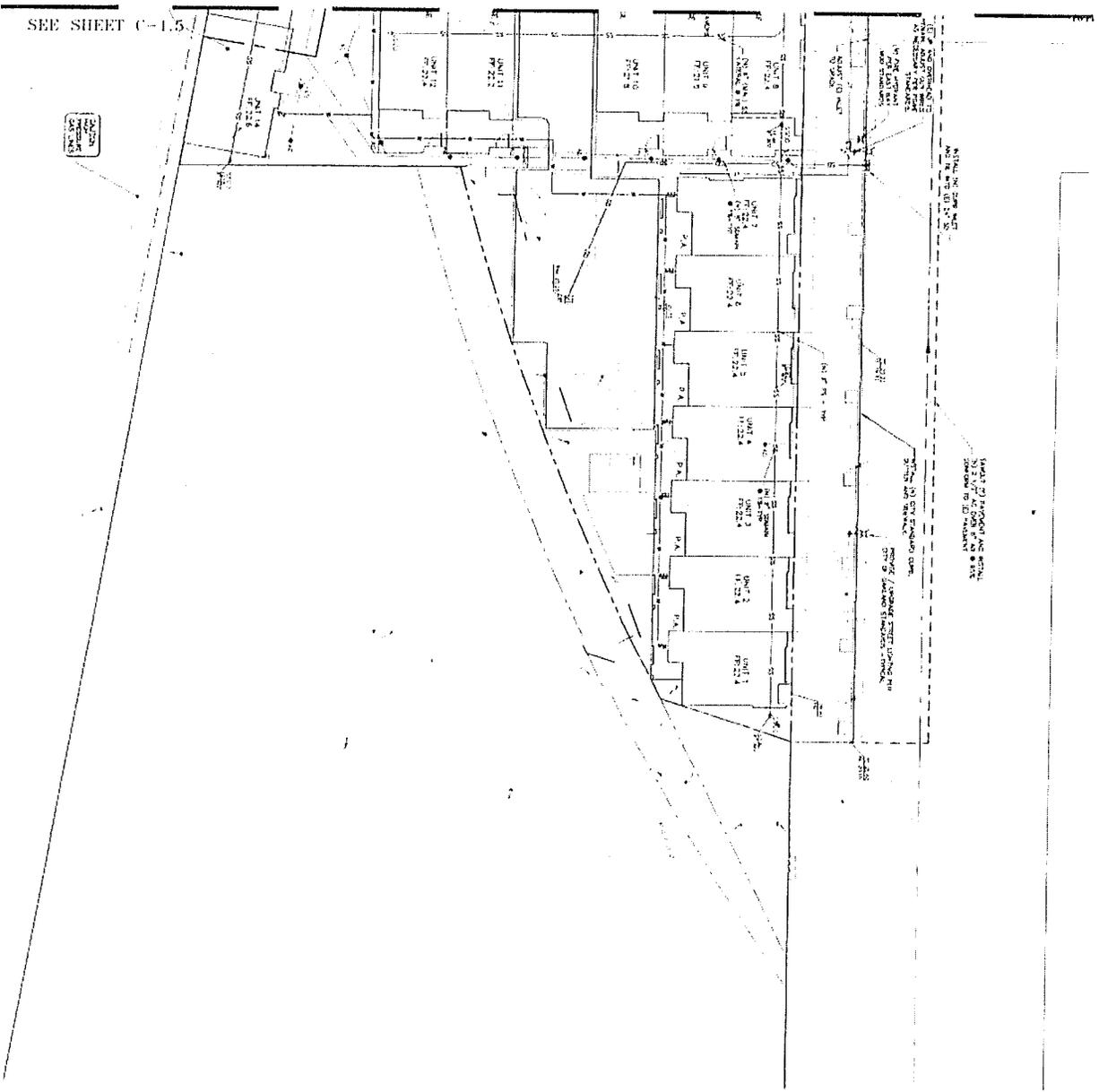
WATTLING ST.  
80 RESIDENTIAL UNITS

DATE: 08/14/2014  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO: [Number]



SEE SHEET C-1.5

SEE SHEET C-1.6



VESTING TENTATIVE  
PARCEL MAP 943B  
WATTLING ST.  
OAKLAND, CA



PARTIAL  
PARCEL MAP  
CONCEPTUAL  
GRADING  
AND  
DRAINAGE  
PLAN

DATE	DESCRIPTION
11/11/11	ISSUED FOR PERMITS
11/11/11	ISSUED FOR PERMITS
11/11/11	ISSUED FOR PERMITS



**LEA & BRAZE ENGINEERING, INC.**  
1000 UNIVERSITY AVENUE, SUITE 100  
OAKLAND, CALIFORNIA 94612  
TEL: (415) 764-1111  
WWW.LEA-AND-BRAZE.COM

**WATTLING ST.**  
80 RESIDENTIAL UNITS

C-16

NO.	REVISION
1	ISSUED FOR PERMITS
2	ISSUED FOR PERMITS
3	ISSUED FOR PERMITS

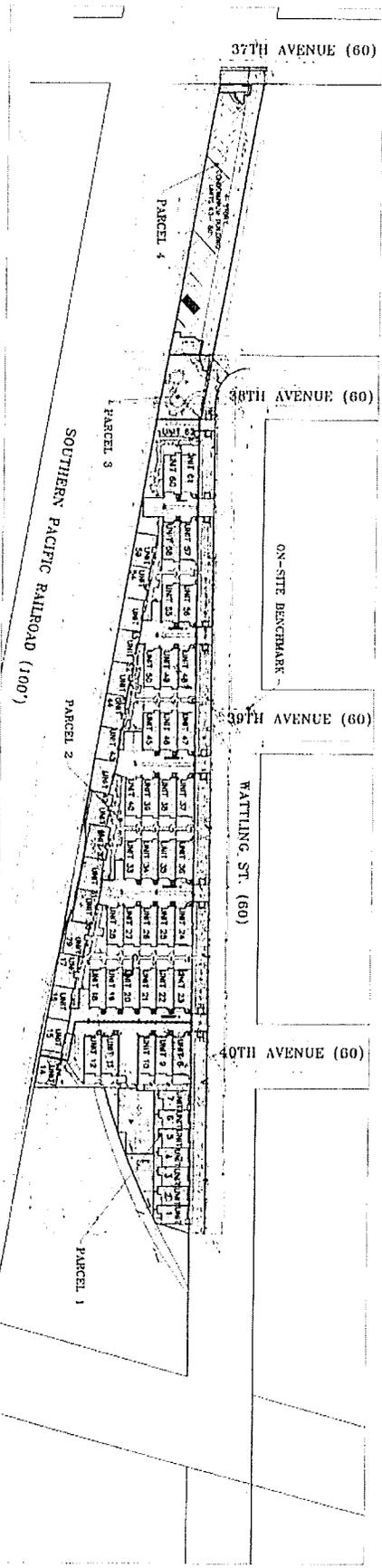
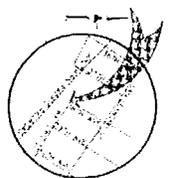


SCALE: 1" = 40'

# PLANNED UNIT DEVELOPMENT- PRELIMINARY IMPROVEMENT PLANS FOR PARCEL MAP 9439

FOR A MAJOR SUBDIVISION INTO FOUR PARCELS  
AND FOR A 80 UNIT CONDOMINIUM  
CITY OF OAKLAND  
COUNTY OF ALAMEDA  
STATE OF CALIFORNIA  
MAY 2007

VICINITY MAP  
AS SHOWN



ADDITIONAL NOTATIONS	
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.	
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**LEGEND**

**ADDITIONAL NOTATIONS**

**LEGEND**

**ADDITIONAL NOTATIONS**

**LEGEND**

**ADDITIONAL NOTATIONS**

**LEGAL DESCRIPTION (CONTINUED)**

**OWNER'S INFORMATION**

**REFERENCES (CONT.)**

**SHEET INDEX (P.L.D.)**

**THE SHEET**

**ADDITIONAL NOTES AND DETAILS**

**PARCEL 1**

**PARCEL 2**

**PARCEL 3**

**PARCEL 4**

**ON-SITE BENCHMARK**

**WATTLE ST. (60)**

**37TH AVENUE (60)**

**38TH AVENUE (60)**

**39TH AVENUE (60)**

**40TH AVENUE (60)**

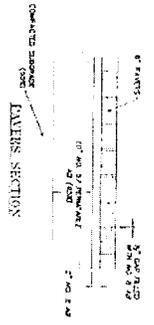
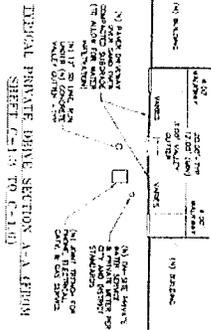
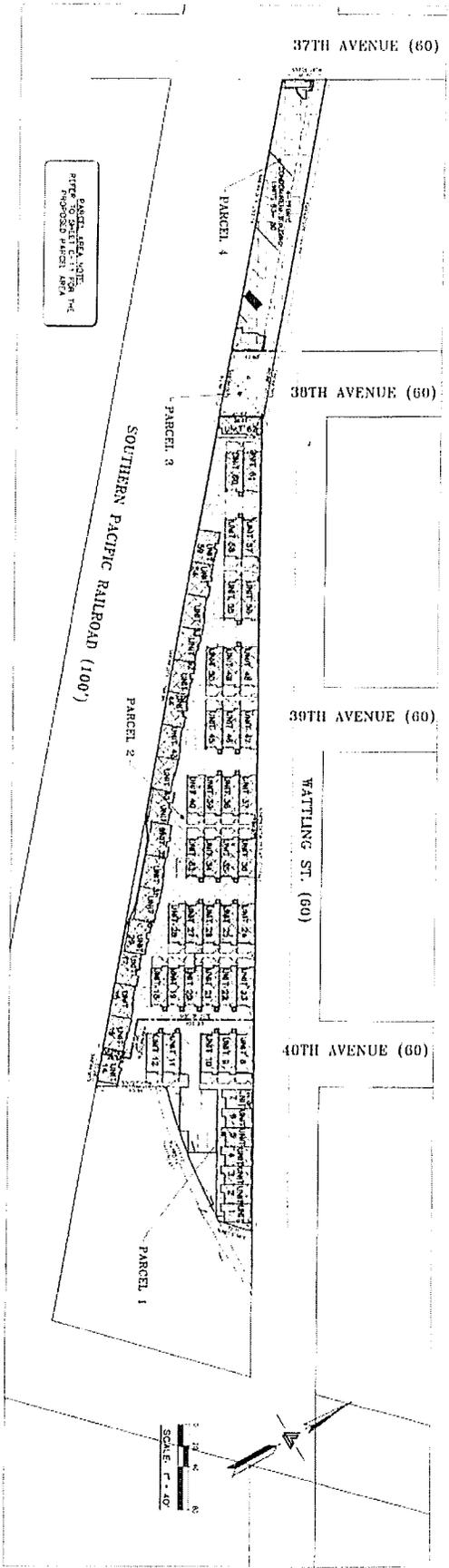
**SOUTHERN PACIFIC RAILROAD (100')**



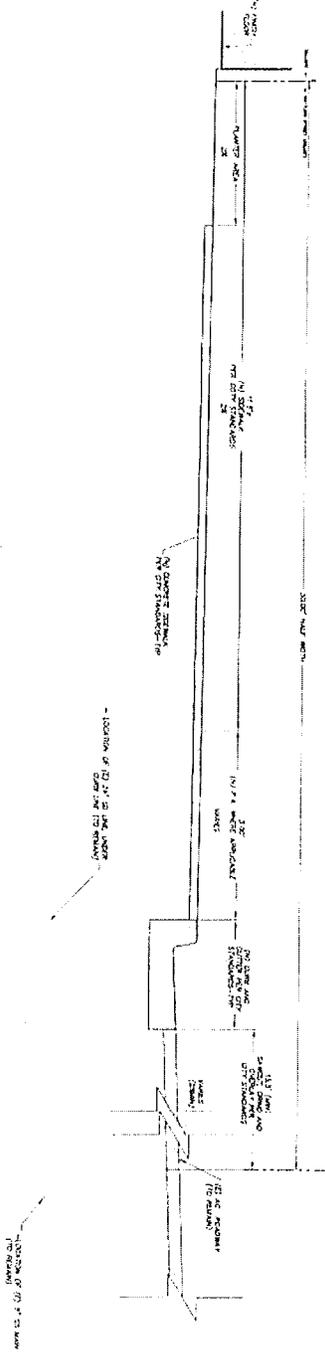
LEA & BRAZE ENGINEERING, INC.  
1000 BAY STREET  
OAKLAND, CA 94612  
TEL: 415-764-1100  
FAX: 415-764-1101  
WWW.LEA-BRAZE.COM

**WATTLE ST.  
80 RESIDENTIAL UNITS**

**C-11 PUD  
SHEET**



SECTION B-B TYPICAL WATLING HALF STREET SECTION



NOTES PERTAINING TO SHEETS C-12-(1-16)

1. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF DENVER AND THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

2. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

3. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

4. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

5. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

6. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

7. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

8. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

9. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

10. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.



C-12 PUD

PARCEL LAYOUT NOTES AND DETAILS



LEA & BRAZE ENGINEERING, INC.

WATTLING ST.  
80 RESIDENTIAL UNITS

1. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

2. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

3. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

4. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

5. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

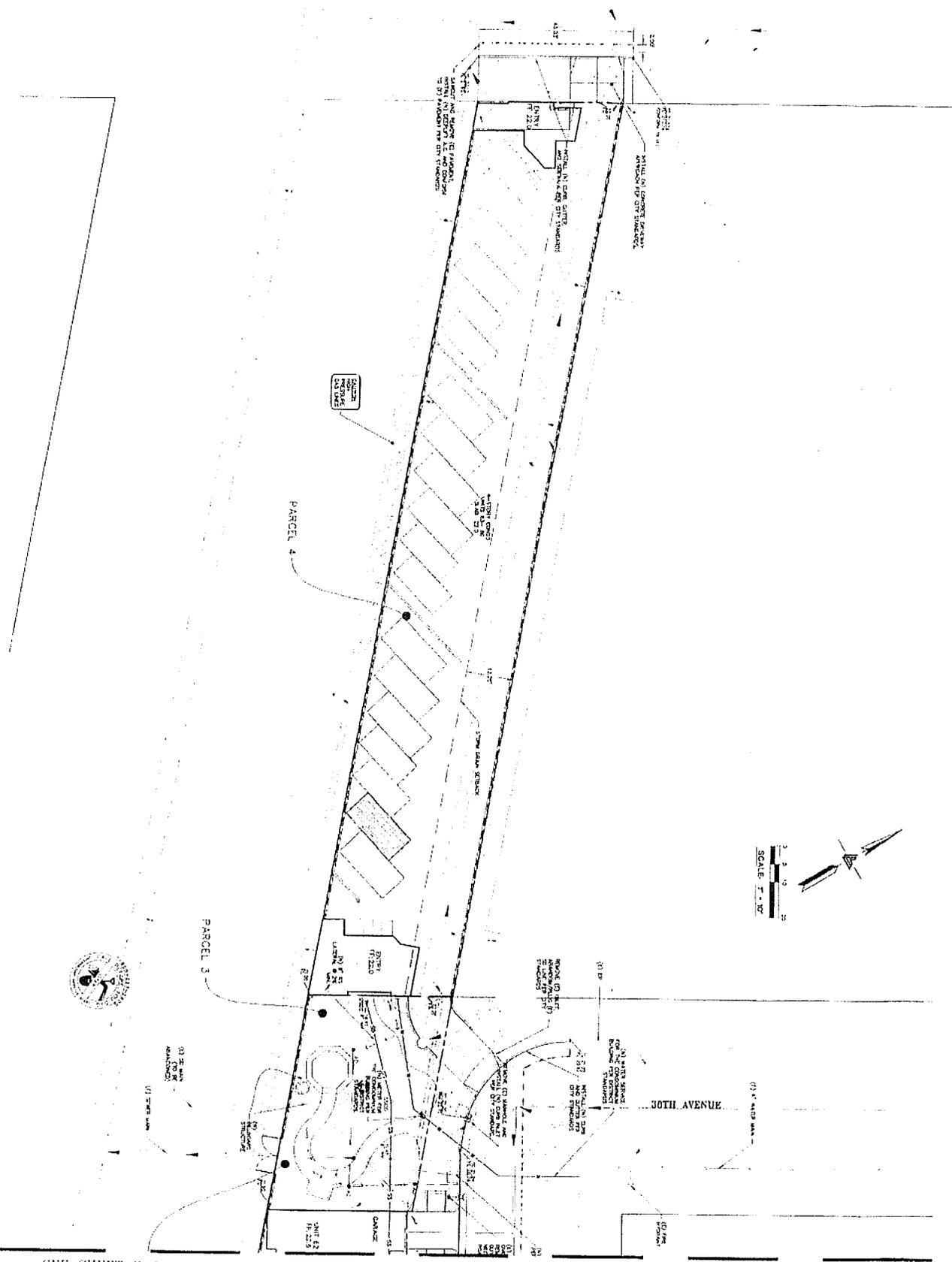
6. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

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10. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.



SEE SHEET C-1.4

C-1.3 PUD

**PARTIAL  
PARCEL 4 & 3  
PRELIMINARY  
GRADING  
AND  
DRAINAGE  
PLAN**

ANTHONY  
10000  
10000  
10000

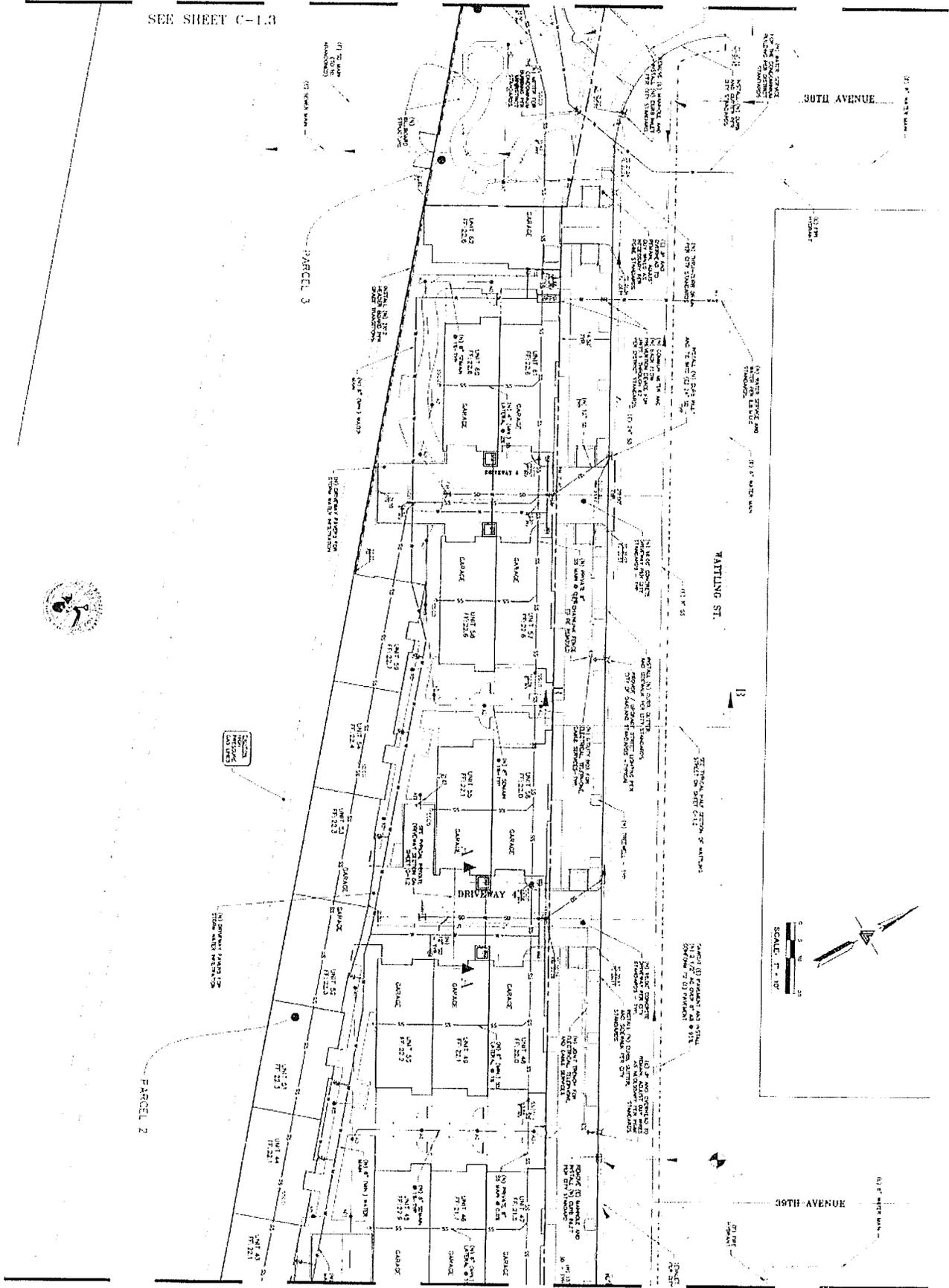


**LEA & BRAZE ENGINEERS, INC.**  
10000  
10000  
10000

**WATTLING ST.  
80 RESIDENTIAL UNITS**

NO.	DESCRIPTION
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SEE SHEET C-1.3



SEE SHEET C-1.5

C-14 PUD

PARTIAL  
PARCEL 3 & 2  
PRELIMINARY  
GRADING  
AND  
DRAINAGE  
PLAN

WATLING STREET  
PROJECT NO. 808  
DATE: 11/11/11



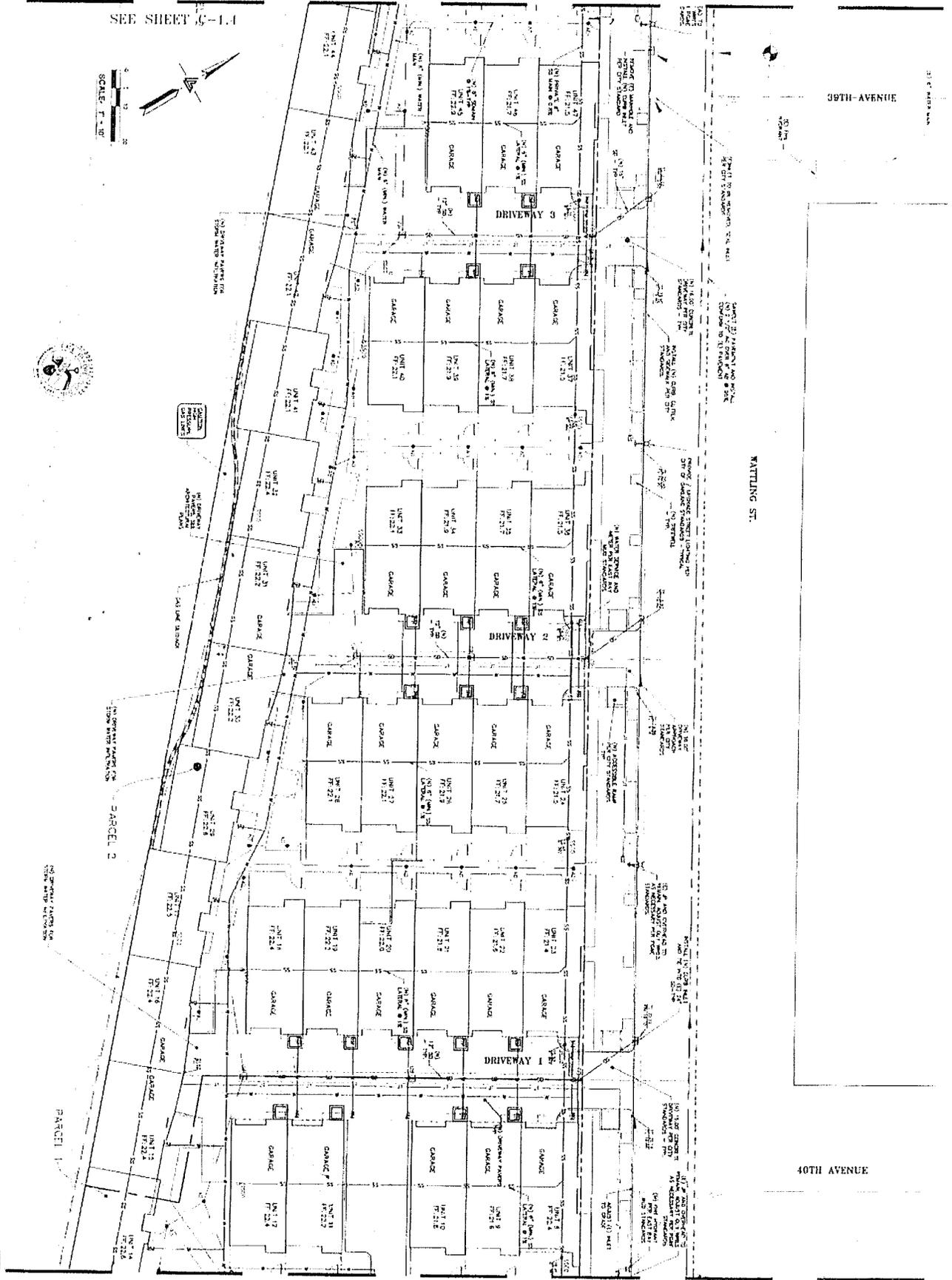
**LEA & BRAZE ENGINEERING, INC.**  
 2401 WEST 10TH AVENUE, SUITE 100  
 DENVER, COLORADO 80202  
 TEL: 303.733.1111 FAX: 303.733.1112  
 WWW.LEA-BRAZE.COM

**WATLING ST.**  
 80 RESIDENTIAL UNITS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	11/11/11
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
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8	REVISION	
9	REVISION	
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80	REVISION	

SEE SHEET C-1.1

SCALE: 1" = 10'



SEE SHEET C-1.6

C-1.5 PUD

PARTIAL  
PARCEL 2 & 1  
PRELIMINARY  
GRADING  
AND  
DRAINAGE  
PLAN



LEA & BRAZE ENGINEERING, INC.  
REGISTERED PROFESSIONAL ENGINEERS

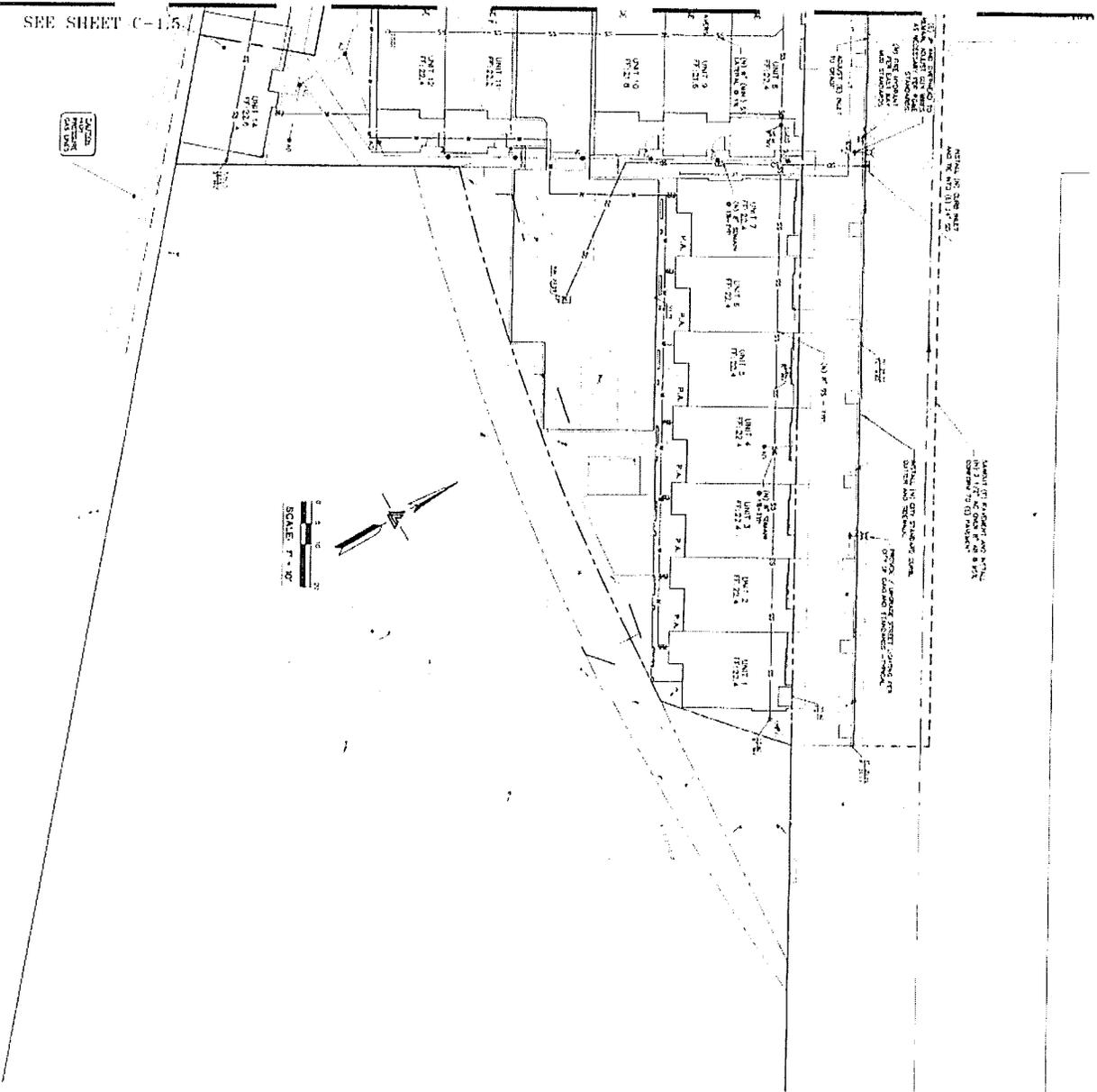
WATTLING ST.  
80 RESIDENTIAL UNITS

DATE: 10/15/2010  
PROJECT: WATTLING ST. 80 RESIDENTIAL UNITS  
SHEET: C-1.5 PUD

SEE SHEET C-1.5

SEE SHEET C-1.5

SCALE 1" = 20'



C-16 PUD

PARTIAL  
PARCEL 1  
PRELIMINARY  
GRADING  
AND  
DRAINAGE  
PLAN

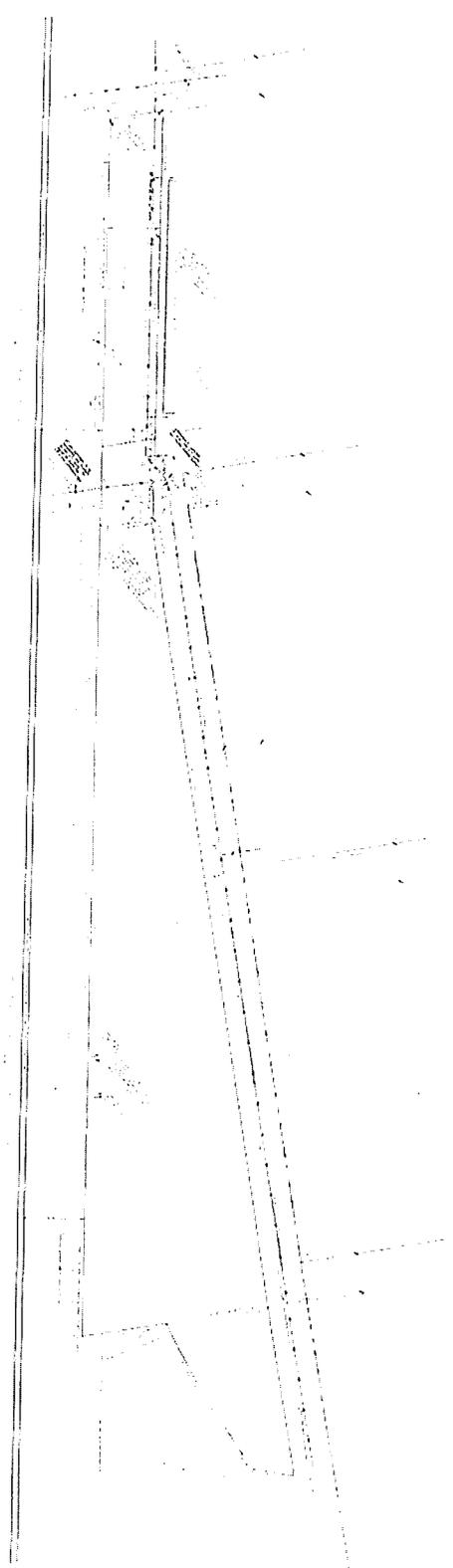
APPROVED FOR THE  
PROVISIONS OF 65 ILCS  
10/1-1.1



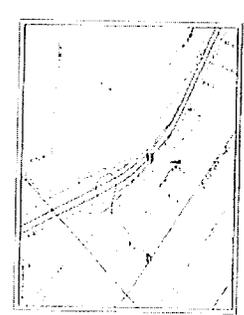
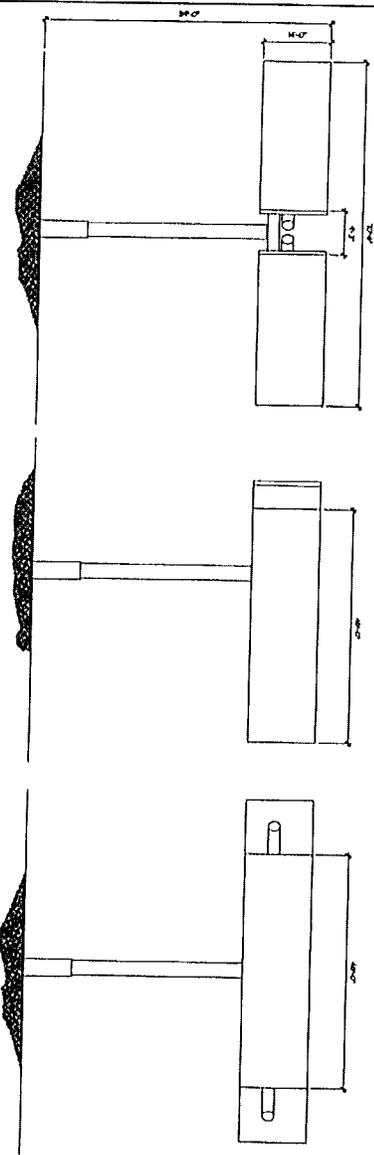
**LEA & BRAZE ENGINEERING, INC.**  
1100 W. FULLERTON AVENUE  
SUITE 100, FULLERTON, ILLINOIS 60130  
TEL: 630-329-1100  
FAX: 630-329-1101  
WWW.LEA-BRAZE.COM

**WATTLING ST.  
80 RESIDENTIAL UNITS**

DATE: 10/1/2010  
PROJECT: WATTLING ST. 80 RESIDENTIAL UNITS  
SHEET: C-16 PUD  
SCALE: 1" = 20'



SECTION T-Y



SOUTH ELEVATION  
36'-0"

SOUTHEAST ELEVATION  
40'-0"

NORTH ELEVATION  
40'-0"

THOMAS P. CHRISTIAN Structural Engineer  
267 Fourth Street / Oakland, California 94607 / 510-452-2488

REGISTERED ENGINEER  
4550 : 5374 W. 47th Avenue  
CLIFTON, CALIFORNIA 94628

DATE: 11/11/09  
1/10/10

Revision  
Sheet No.  
1 of 1

# Current & proposed site viewpoints

of the

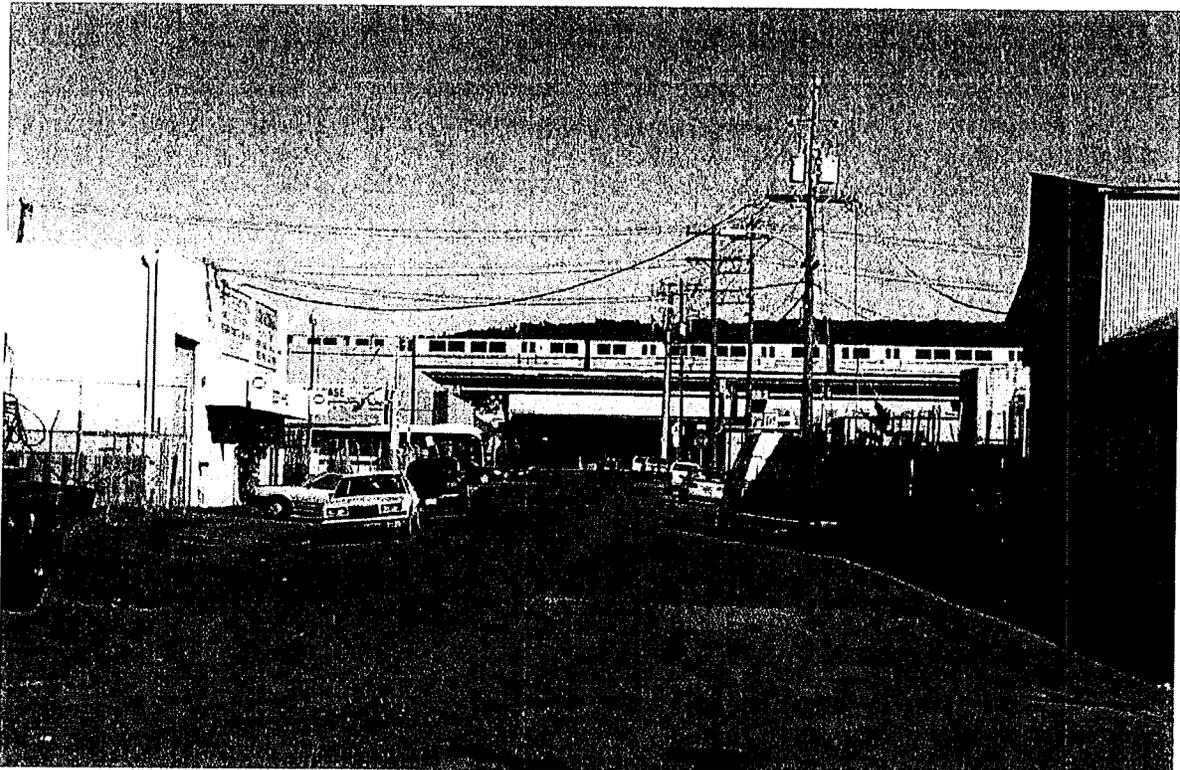
38th Avenue & Wattling Street  
section of the "Fruitvale Orchards"  
Development, Oakland, California



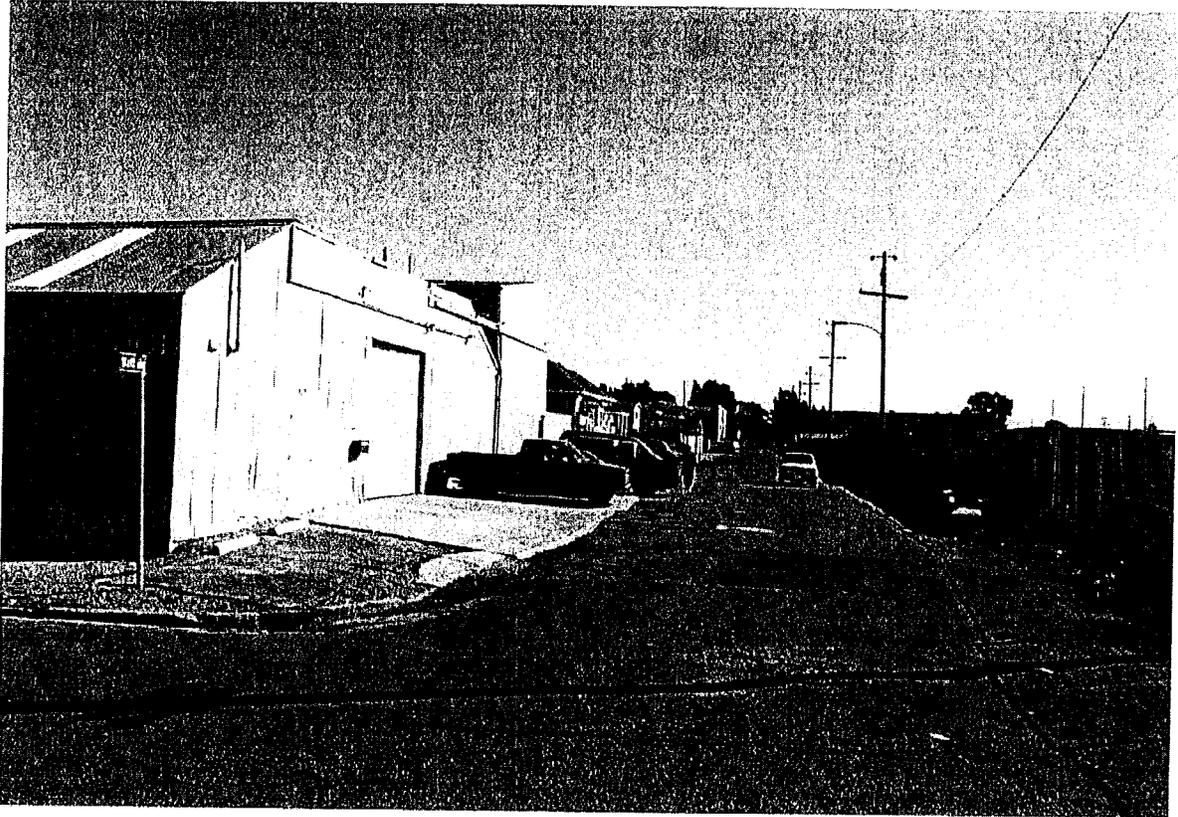
## Existing site & immediate environs



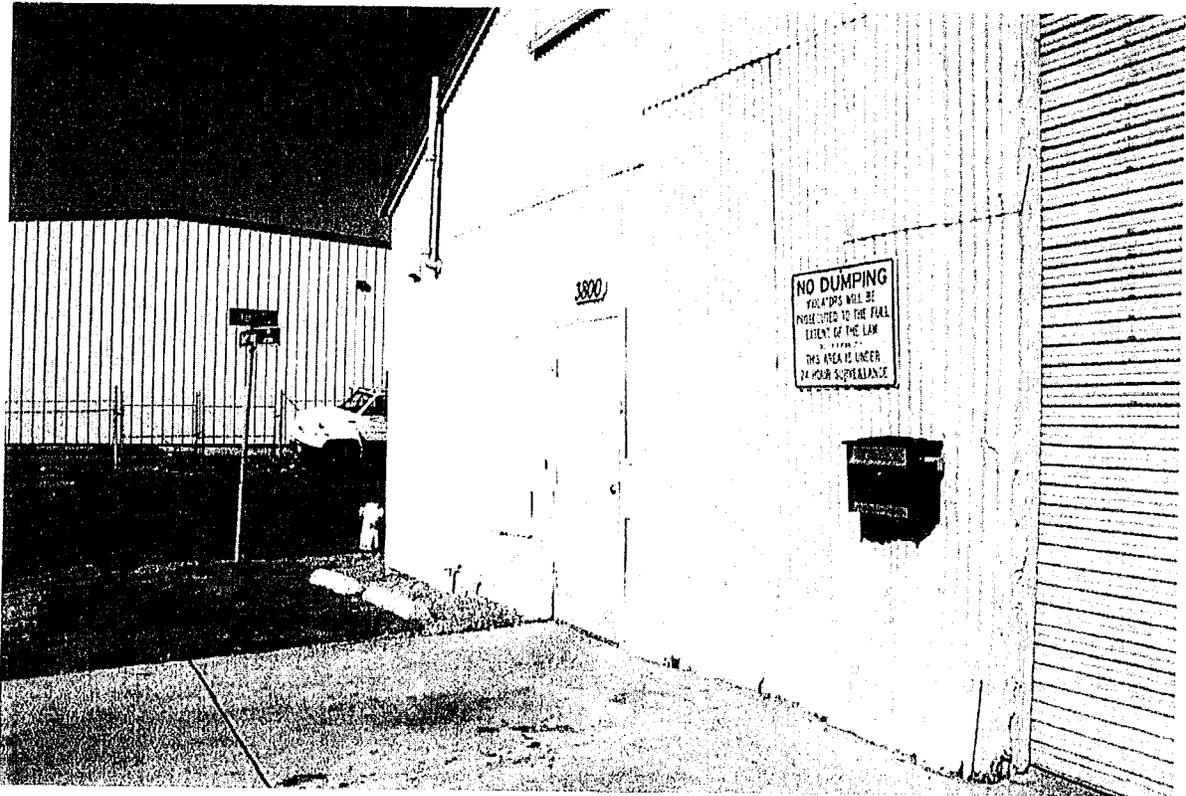
View of site from 38th Avenue & San Leandro Street



Looking from site down 38th Avenue



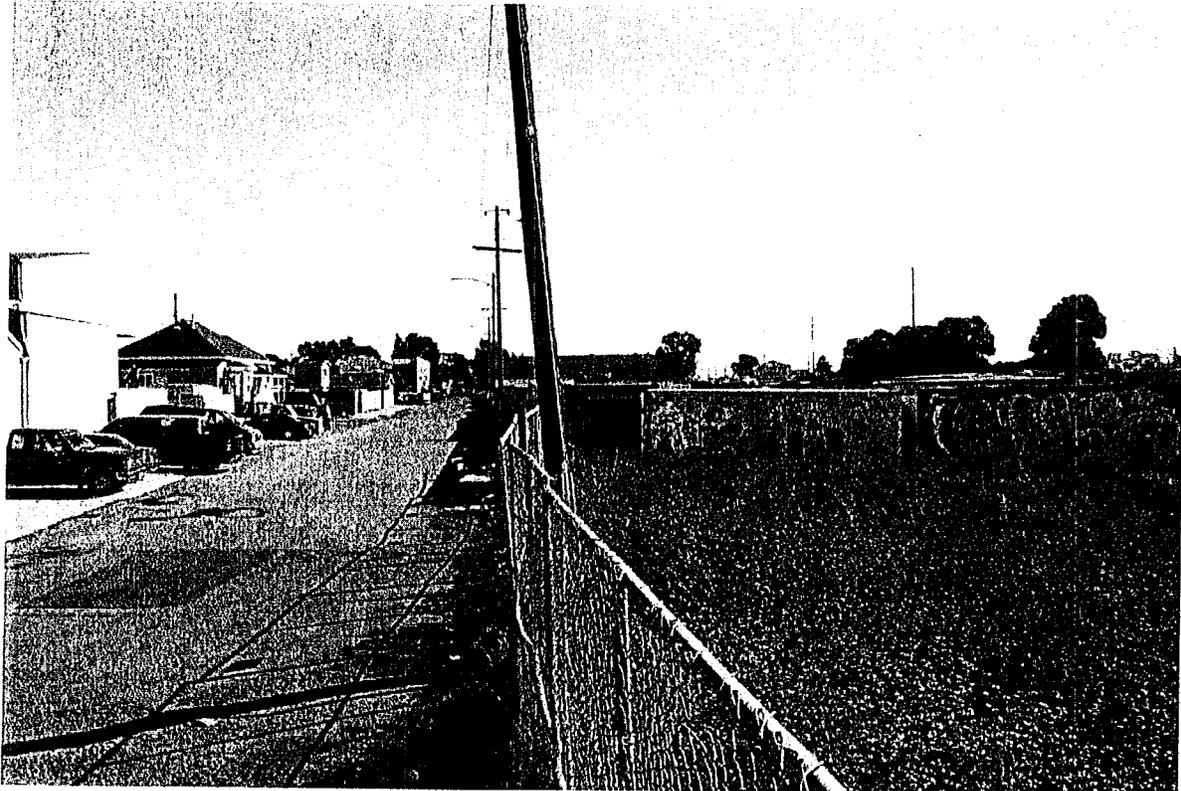
Looking from site down Watling Street



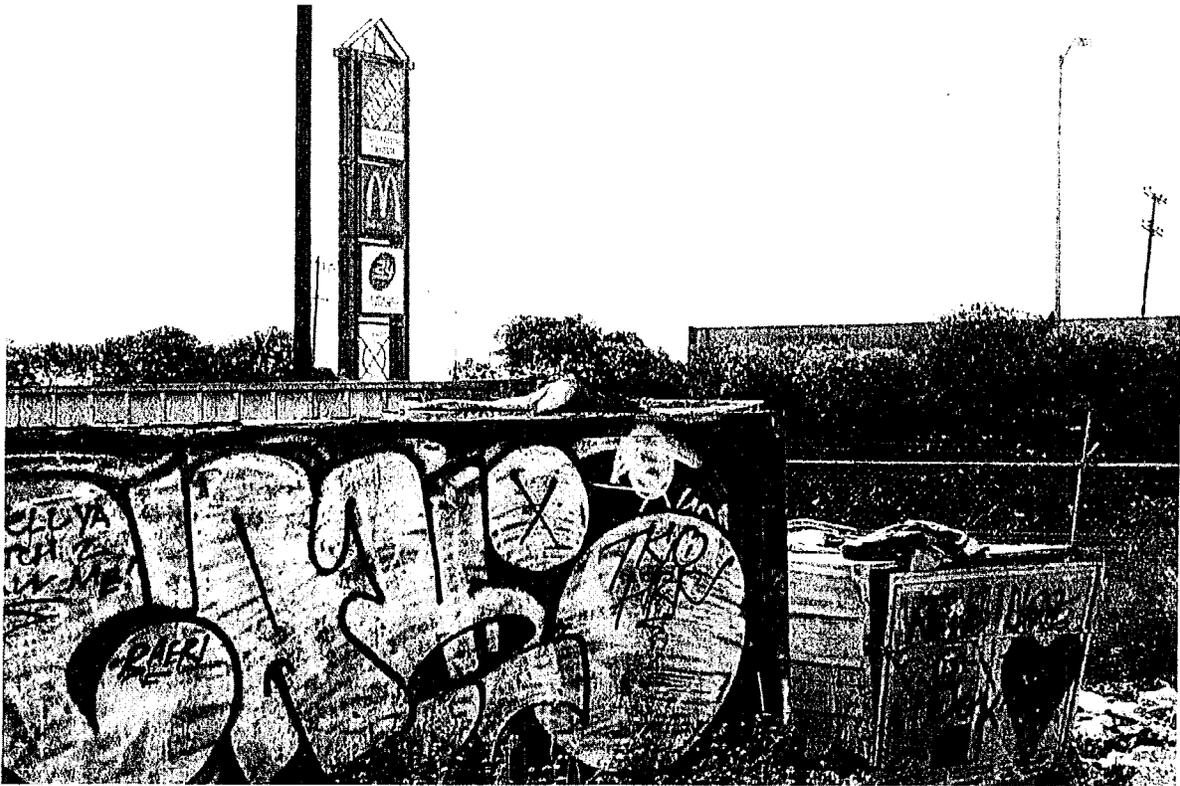
Looking diagonally across the street from site



**Future site of Fruitvale Orchards**

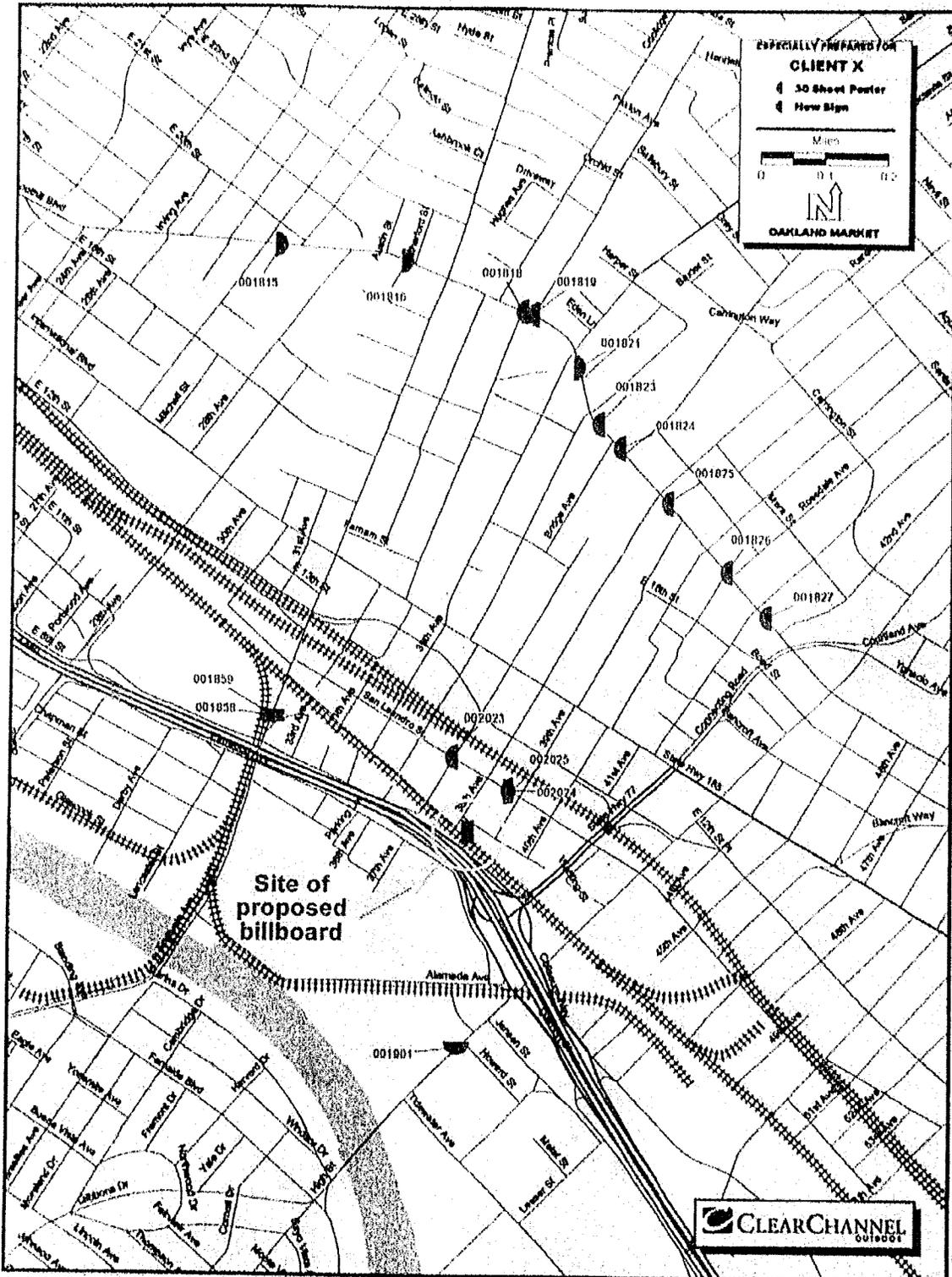


**Future site of garden (foreground) and townhomes (background)**



Close-up of future garden area (existing billboard on opposite side of 880)

# 15 billboards to be removed from the Fruitvale District

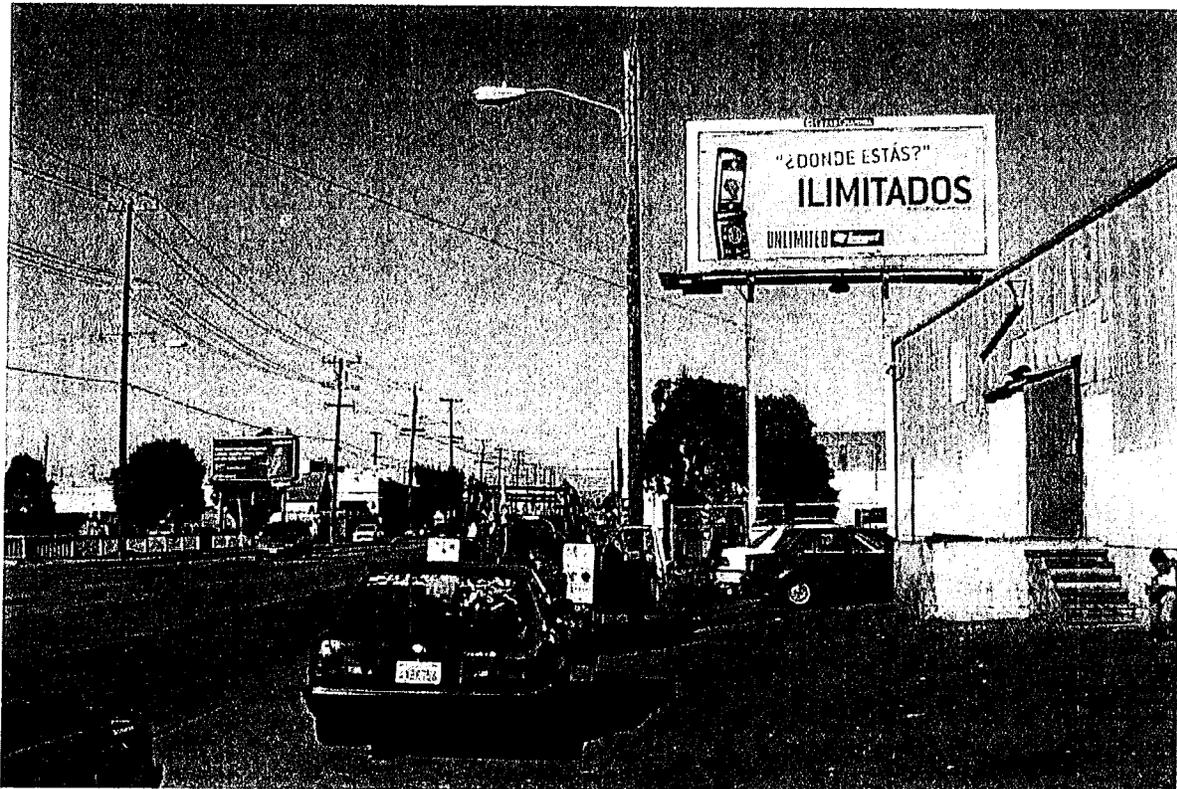


Location of billboards proposed for removal

15 billboards to be removed from the Fruitvale District



San Leandro St. near 39th Avenue (Billboard #002024)



San Leandro St. near 40th Avenue (Billboard #002025)

15 billboards to be removed from the Fruitvale District



San Leandro St. near 37th Avenue (Billboard #002023)

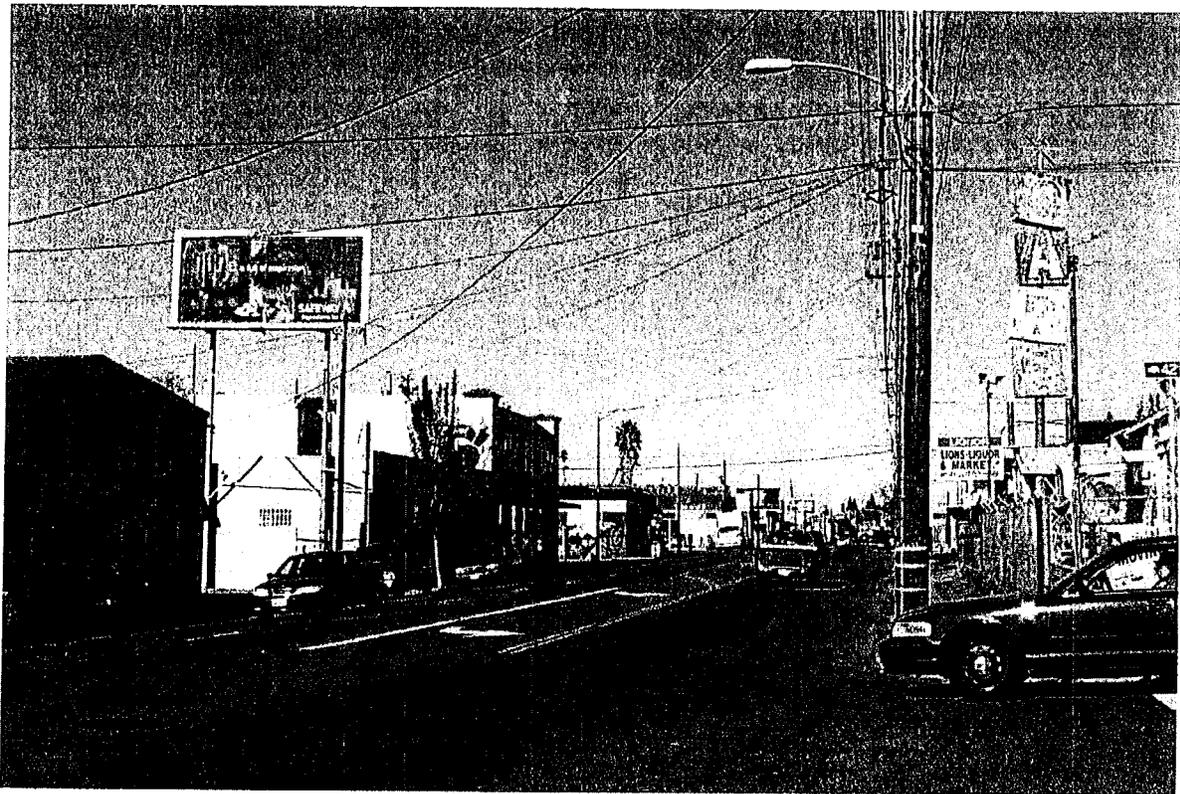


Fruitvale Boulevard near San Leandro Street (Billboard #001858)

15 billboards to be removed from the Fruitvale District

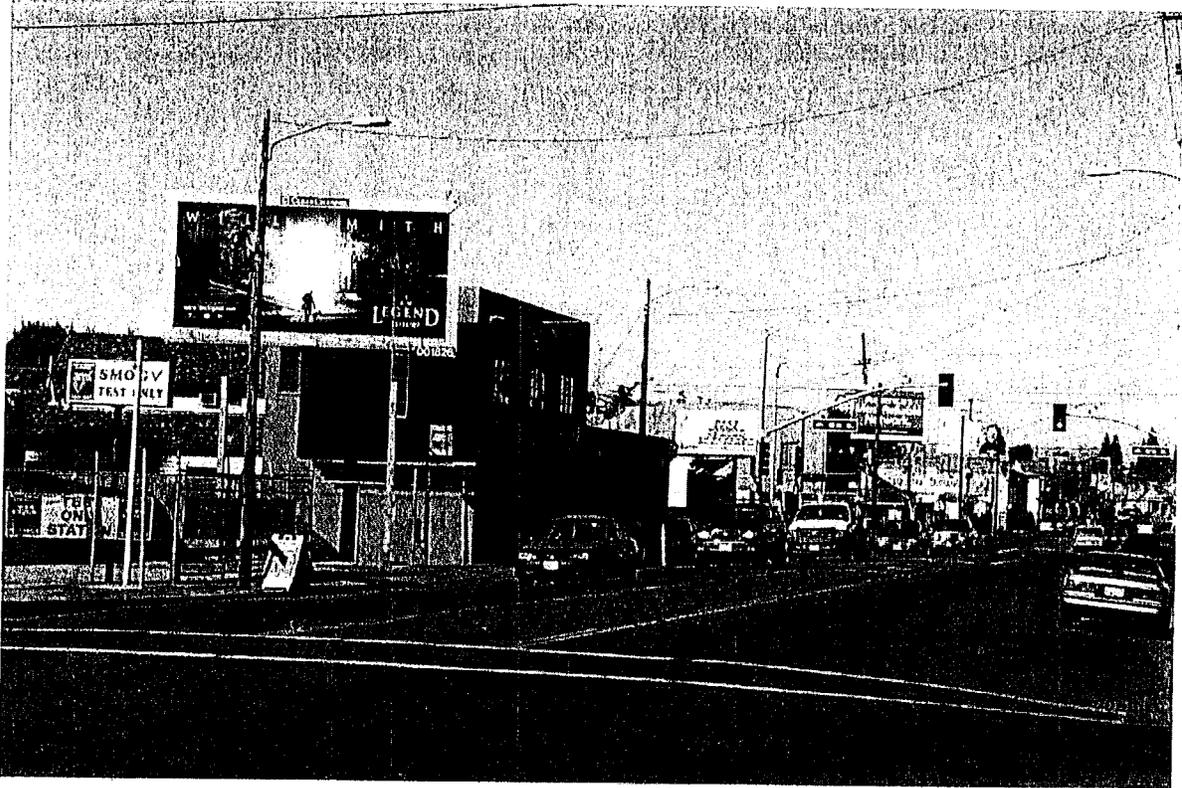


Fruitvale Boulevard near San Leandro Street (Billboard #001859)

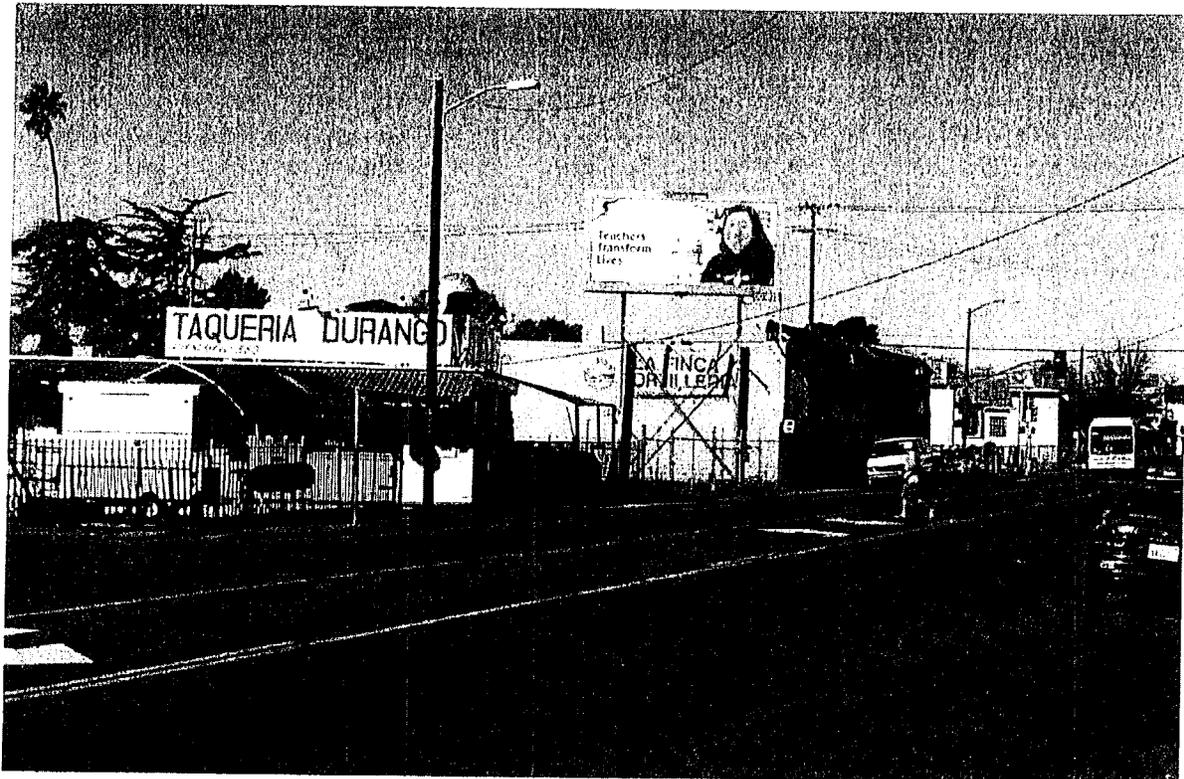


Foothill Boulevard near 42nd Avenue (Billboard #001827)

15 billboards to be removed from the Fruitvale District



Foothill Boulevard near Rosedale Avenue (Billboard #001826)



Foothill Boulevard near 38th Avenue (Billboard #001825)

15 billboards to be removed from the Fruitvale District



Foothill Boulevard near Bridge Avenue (Billboard #001824)



Foothill Boulevard near 36th Avenue (Billboard #001823)

15 billboards to be removed from the Fruitvale District

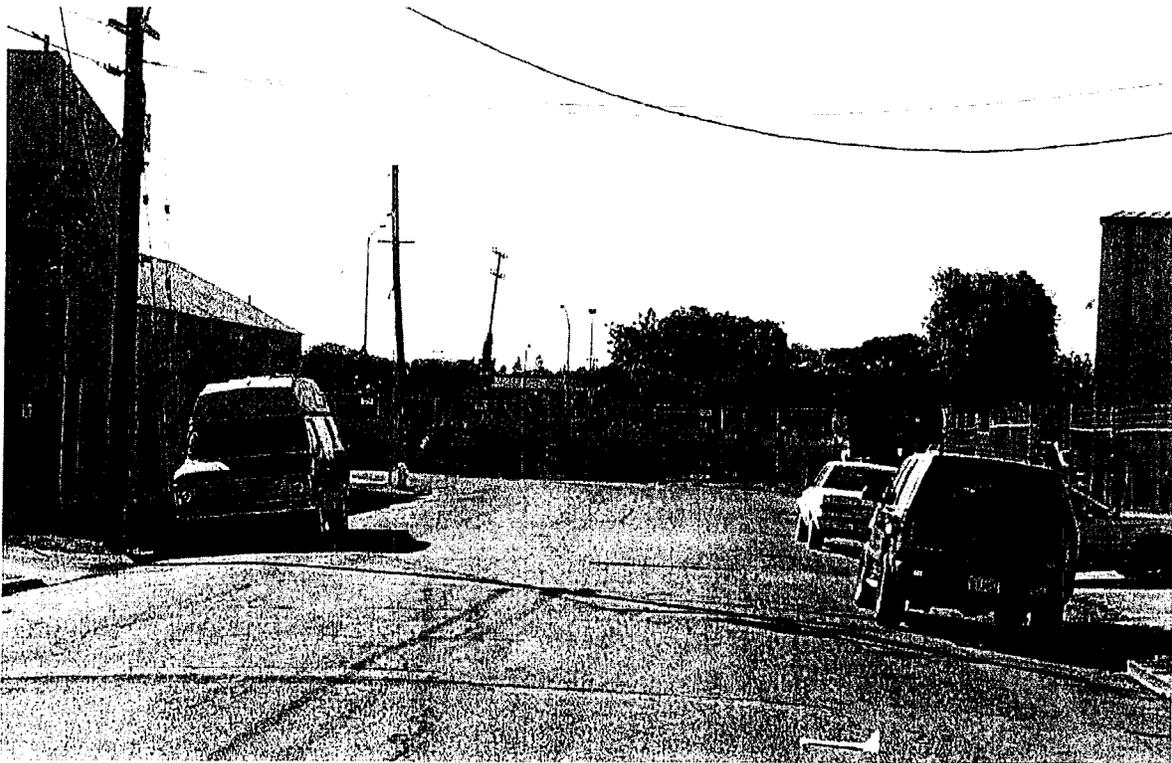


Foothill Boulevard near 35th Avenue (Billboard #001821)

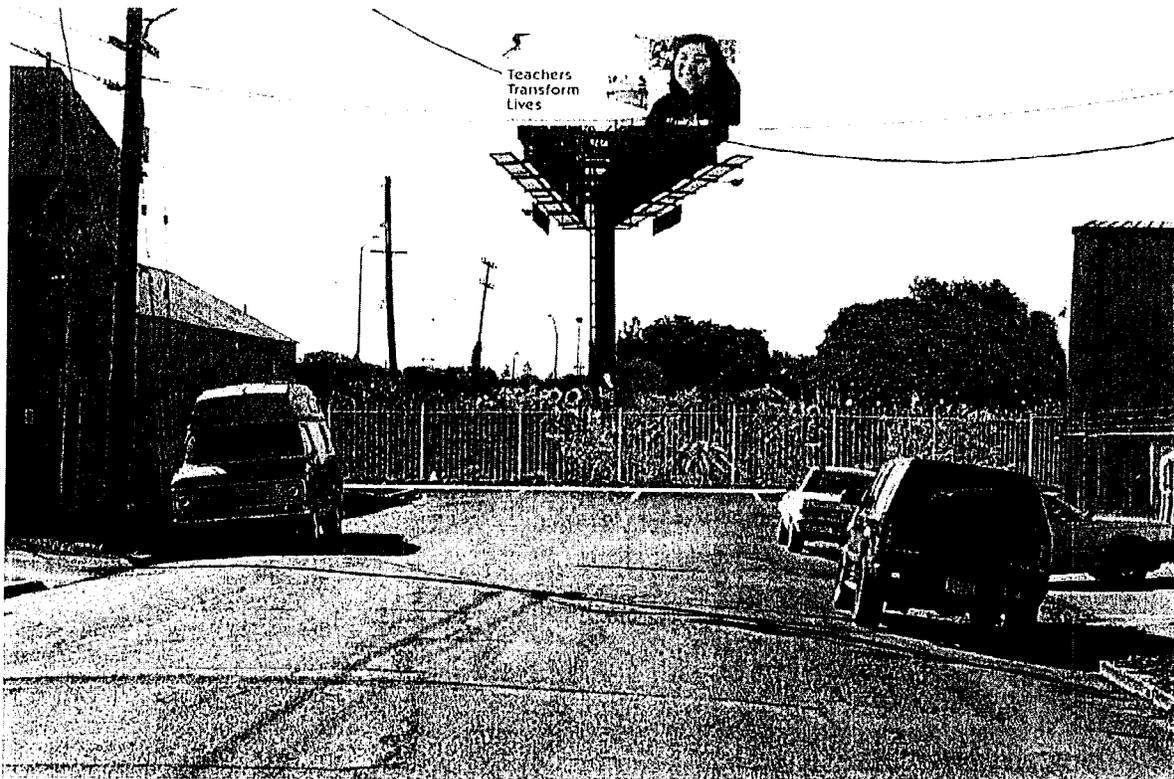


Foothill Boulevard near 34th Avenue (Billboard #001819)

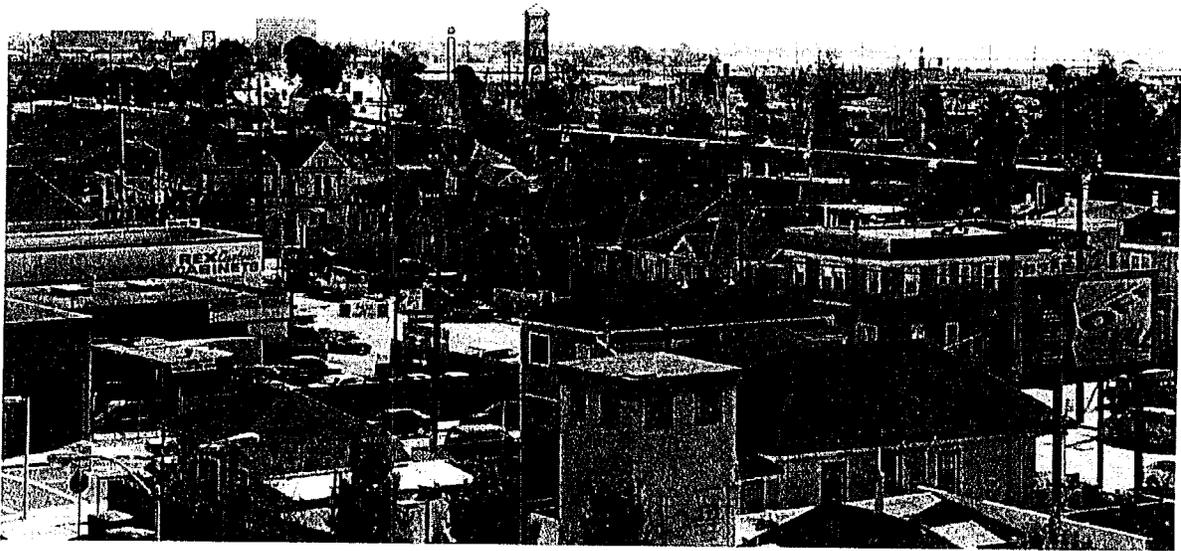
## Current vs. proposed site appearances



Current view from 38th Avenue and San Leandro Street



Proposed view from 38th Avenue and San Leandro Street



**Current view from Fruitvale BART platform**



**Proposed view from Fruitvale BART platform**



Current view from Northbound 880

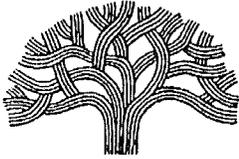


Proposed view from Northbound 880

15 billboards to be removed from the Fruitvale District



Foothill Boulevard near 27th Street (Billboard #001815)



CITY OF OAKLAND  
Oakland Fire Department  
Fire Prevention Bureau

**250 Frank Ogawa Plaza, Suite 3341**

**Oakland, CA 94612**

**(510) 238-3851 - VOICE**

**(510) 238-6739 - FAX**

## MEMORANDUM

**To:** Zoning  
**Attn:** Heather Klein  
**From:** Philip C. Basada, P.E.  
**Date:** 01.22.08, Rev.; 02.16.08, Rev1  
**Re:** TPM 9439 – 3927 Wattling Street – 80-unit housing development, park, and bill board

---

### Summary:

The applicant has applied for a tentative parcel to create a housing development with a park and a bill board on four lots. One side of each of the lots is commonly facing the railway tracks where fire crew and apparatus access is not effectively feasible on proposed buildings with rear exterior walls abutting the railway tracks. Fire apparatus access is impaired where apparatus and crew may need to deploy the ladder due to inadequate road widths within the properties. Fire crew access to rescue openings, i.e. emergency escape windows is feasible at each building's walkway or street frontage or through podium level access, where provided. All residential dwelling occupancies are located at or above the ground floor. There are proposed water mains improvements along Wattling Street and into the proposed housing development.

If the project is to be approved by the Advisory Agency, please attach the following conditions of approval:

1. Public hydrants, each one capable of delivering a minimum fire flow of 1500 gpm at 20 psi are required to within 300 foot spacing between hydrant due to water supply and access constraints to exterior walls of buildings adjacent to the railway tracks. OFD observes 2 public hydrants across the street. The applicant needs to contact EBMUD to obtain a verifiable (confirmed flow test, or) simulated flow of 1500 gpm at 20 psi. Ref.: 2007 CFC Appendix B, 2001 CFC Section 508.
2. All overhead wiring shall be under grounded. Existing and new power and communication cables serving the proposed buildings shall be under grounded to eliminate hazards posed to rescue and fire fighting when operating ladder trucks.
3. Fire Apparatus Access, Off-Street Parking:
  - Fire apparatus access road widths shall adopt the fire department access provisions of the 2007 CFC Appendix D, Section D103. The new Fire Code Appendix III-D shall apply to new and existing roads to allow not only the OFD ladder and engine apparatus from the city's fire stations but also those from other cities where the city's Fire Department

ATTACHMENT B

has mutual response agreements with. Access roads inside the property are less than the specified 26 feet required by the 2007 California Fire Code.

- Follow the City's Public Works Agency's Road Design Standards if the specific design specifications are more restrictive than the new 2007 CFC Appendix D for fire access roads. The following shall be used to consider options for parallel or diagonal parking on public streets:

- 26 feet minimum effective road width: 0 parking on either side of the street.

2007 CFC Appendix D, Section D105.2 also requires the same minimum fire apparatus access road width when the buildings or portions of the buildings served by the access road exceed 30 feet in height.

The above may be modified to include Public Works Agency design standards and fire code exceptions, subject to approval by the Fire Marshal. An effective road width having no less than 26 feet for fire apparatus access and equipment staging shall be maintained. Ref.: 2007 California Fire Code Article 5, Section 503, Appendix D.

#### 4. Vegetation Management

- The Vegetation Management Unit will not be enforcing the rules applicable to the Wildfire Assessment District boundaries. However, certain trees may be regulated as noted below.
- The trees selected shall be maintained to allow fire apparatus ladder access to rescue openings (i.e. rescue windows, porches or private decks) starting at the fourth floor elevation of the proposed building/s. Tree spacing shall consider at least 10 feet of horizontal clear openings between foliage. The building owner/s shall maintain the maximum tree height and openings to allow the Fire Department's boom ladder to operate effectively.

#### 5. Building Permit Plans, Code Variances, Related Fire Code Permits:

- The Fire Prevention Bureau shall review related hazardous materials and fire code permits related to the building permit plans, building and fire code variances.
- Addressable fire alarm systems and multiple water supply feeds to each common residential floor and/or unit will be required as partial mitigation to site access. Coordinate the concepts or approach to fire alarm and automatic extinguishing systems design with the Fire Department prior to the review of automatic sprinkler, standpipe, and fire alarm systems designs for permits.

#### 6. Hazardous Materials.

- The city files looked into have no recorded data on the above project address related to hazardous material contamination of ground soils within the various sites. The project has no planned human occupancy below grade level that could potentially require soils analysis or restrictions due to environmental issues.

# CEDA – Building Services

## Tentative Map Comments

To: Zoning Attn: H KUEHN Date: 9/6/08  
 From: Tin Low 5265  
 Subject: Tentative map 9439 at: 3907 WATLING ST

If the project is to be approved by the Advisory Agency, please resolve the following conditions:

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Expired permit[s] [PTS 113] _____</li> <li><input type="checkbox"/> Code Enforcement actions [PTS 513] _____</li> <li><input type="checkbox"/> City liens/fees unpaid [PTS 215] _____</li> <li><input type="checkbox"/> Contamination present [PTS 211] _____</li> <li><input type="checkbox"/> Creek/watercourse present [PTS 211] _____</li> <li><input type="checkbox"/> Private Sewer Assessment District [PSAD] _____</li> <li><input type="checkbox"/> Assessor's map boundary discrepancy _____</li> <li><input type="checkbox"/> Win2Data ownership discrepancy _____</li> <li><input type="checkbox"/> 1<sup>st</sup> Mortgage lender _____</li> <li><input type="checkbox"/> 2<sup>nd</sup> Mortgage lender _____</li> <li><input type="checkbox"/> Prior merge/subdivide without map _____</li> <li><input type="checkbox"/> Prior Hazardous occupancy _____</li> <li><input type="checkbox"/> Flood Zones [A, B]: _____</li> <li><input type="checkbox"/> Stamp &amp; signature of Surveyor or CE License below 33966 req'd _____</li> <li><input checked="" type="checkbox"/> Existing <u>SPC railroad</u> easement[s] on property _____</li> <li><input type="checkbox"/> Preliminary Soils Report _____</li> <li><input type="checkbox"/> Within Electrical Underground District [OMC 13.12] _____</li> <li><input checked="" type="checkbox"/> Within sewer mitigation area _____</li> <li><input type="checkbox"/> Within Alquist-Priolo Zone [Hayward Fault] _____</li> <li><input type="checkbox"/> Geological report req'd _____</li> </ul> | <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> In Liquefaction/Landslide Zone _____</li> <li><input checked="" type="checkbox"/> Geotechnical report req'd _____</li> <li><input type="checkbox"/> Identified land slide area _____</li> <li><input type="checkbox"/> Geotechnical report req'd _____</li> <li><input type="checkbox"/> Land stability report[s] on file _____</li> <li><input type="checkbox"/> Change of occupancy [seismic upgrade, E/P/M upgrade, etc] _____</li> <li><input type="checkbox"/> Face of curb to property line distance: _____</li> <li><input type="checkbox"/> Encroachments into public r.o.w. _____</li> <li><input type="checkbox"/> Existing encroachments into abutting parcel: _____</li> <li><input type="checkbox"/> Clearances from existing structures to property lines _____</li> <li><input type="checkbox"/> Access easement to public r.o.w. through rear yards req'd _____</li> <li><input type="checkbox"/> Public access easement req'd [5+ lots] _____</li> <li><input checked="" type="checkbox"/> Fire review req'd [hydrant/sprinkler/apparatus access/etc] _____</li> <li><input type="checkbox"/> R.o.w. improvements req'd _____</li> <li><input type="checkbox"/> Condominium conversion [C.O./sound/3R/property report] _____</li> <li><input checked="" type="checkbox"/> Inadequate parking/turn around/driveway spacing _____</li> <li><input type="checkbox"/> Driveway/street gradient exceeds allowable _____</li> <li><input type="checkbox"/> Violation of restrictions imposed on _____</li> <li><input checked="" type="checkbox"/> Other: <u>BUILDING OVER COMMON SEWER NOT ALLOWED.</u></li> </ul> |
|---|---|



## EDWARD L. PACK ASSOCIATES. INC.

1975 HAMILTON AVENUE  
SUITE 26  
SAN JOSE, CA 95125

*Acoustical Consultants*

TEL: 408-371-1195  
FAX: 408-371-1196  
[www.packassociates.com](http://www.packassociates.com)

May 21, 2018  
Project No. 49-013R

Mr. Andrew Warner  
City Ventures  
444 Spear Street  
Suite 200  
San Francisco, CA 94105

Subject: Revised Noise and Vibration Assessment Study for the Planned Multi-Family Development, Wattling Street, Oakland

Dear Mr. Bernstein:

This report presents the results of a noise assessment study for the planned multi-family development along Wattling Street in Oakland, as shown on the Rendered Site Plan, Ref. (a). The noise exposures at the site were evaluated against the standards of the City of Oakland Noise Element, Ref. (b), and the State of California Code of Regulations, Title 24, Ref. (c). The ground-borne vibration levels were also evaluated against criteria established by the Federal Transit Administration, Ref. (d). The analysis of the on-site sound level measurements indicates that the existing noise environment is due primarily to traffic sources on I-880, railroad operations on the adjacent Union Pacific Railroad line which includes Amtrak trains and the BART line. The results of the study indicate that the interior noise exposures will exceed the limits of the standards. Mitigation measures for the interior living spaces will be required. The vibration levels in the residential floors of the planned project structures will be within the limits of the standards. Vibration mitigation measures will not be required. There are no exterior living areas of the project that are under regulation by the Noise Element.

Sections I and II of this report contain a summary of our findings and recommendations, respectively. Subsequent sections contain the site, traffic, railroad and project descriptions, analyses, and evaluations. Attached hereto are Appendices A, B, and C, which include the list of references, descriptions of the applicable standards, definitions of the terminology, descriptions of the acoustical instrumentation used for the field survey, general building shell controls, and the on-site noise measurement data and calculation tables.

**I. Summary of Findings**

**City of Oakland Noise Element**

The noise assessment results presented in the findings were evaluated against the standards of the City of Oakland Noise Element, which utilize the Day-Night Level (DNL) noise descriptor. The Noise Element specifies a limit of 60 decibels (dB) DNL for residential exterior areas. This project contains no common exterior areas.

The Noise Element specifies a limit of 45 dB DNL for interior living spaces

**State of California Code of Regulations, Title 24**

Title 24 also uses the DNL noise descriptor and specifies an interior limit of 45 dB DNL from noise due to exterior sources.

The Title 24 standards also specify minimum noise insulation ratings for common partitions separating different dwelling units and dwelling units from common spaces. The standards specify that common walls and floor/ceiling assemblies must have a design Sound Transmission Class (STC) rating of 50 or higher. In addition, common floor/ceiling assemblies must have a design Impact Insulation Class (IIC) rating of 50 or higher. As design details for the interior partitions of the project were not available at the time of this study, an evaluation of the interior partitions has not been made.

### **Federal Transit Administration**

The Federal Transit Administration (FTA) guidelines recommended vibration limits for residential interiors based on the volume of rail traffic along the project site. Vibration levels are expressed in units of dB re:  $1 \times 10^{-6}$  in/sec (rms velocity). The human response to vibration can vary within wide limits, as it depends on the position and inherent motion of the person perceiving the vibration, as well as the physical and psychological makeup of the particular person. Typically, the human threshold of perception is 65 VdB.

For residences near rail lines that carry more than 70 trains per day, which is considered frequent, the FTA recommends a limit of 72 decibels of vibration (VdB) inside the dwelling. For rail lines that carry between 30 and 70 trains per day, the FTA recommends a limit of 75 VdB at the floors of residential buildings. For rail lines that carry few than 30 trains per day, the FTA recommends a limit of 80 VdB. The FTA guidelines provide adjustment methodologies to vacant site vibration levels to determine the approximate vibration levels in various floor elevations of residential structures.

There are 26 Amtrak and approximately 9 Union Pacific Railroad operations per day on the tracks adjacent to the project site. Thus, there are between 30 and 70 rail operations per day. **The vibration level limit applicable to this project is 75 VdB.** The vibration levels shown below represent the vibration environment for proposed building conditions.

A. Exterior Noise Exposures

The noise exposures shown below include the construction of an 18 ft. high (in reference to the nearest building pad elevations) noise control barrier along the west, south and east property lines.

- The existing exterior noise exposures at the most impacted planned building setback from I-880 (260 ft. from centerline) and the UPRR/Amtrak line (64 ft. from centerline) are 68 dB DNL at first floor elevations, 73 dB DNL at second floor elevations and 82 dB DNL at third floor elevations. Under future conditions, the noise exposures are expected to remain at 68 dB DNL at the first floor elevations, to 73 dB DNL at second elevations and 82 dB DNL at the second and third floors.
- Of the 68 dB DNL at the first floors, 67 dB is due to railroad operations and 58 dB (existing), 59 dB (future) is due to I-880 traffic.
- Of the 73 dB DNL at the second floors, 72 dB is due to railroad operations and 66 dB (existing), 67 dB (future) is due to I-880 traffic.
- Of the 82 dB DNL at the third floors, 81 dB is due to railroad operations and 74 dB (existing), 75 dB (future) is due to I-880 traffic.
- The exterior noise exposures at the most impacted planned building setback from the BART tracks (600 ft.) is 67 dB DNL at all floor elevations.

The noise exposures are up to 22 dB in excess of the Title 24 criterion.

**B. Interior Noise Exposures**

- The interior noise exposures in the most impacted living spaces closest to I-880 and the UPRR/Amtrak line will be up to 53 dB DNL at first floor elevations, 58 dB DNL at the second floor elevations and 67 dB DNL at third floor elevations under existing and future conditions.
- The interior noise exposure in the most impacted living spaces facing the BART tracks will be up to 52 dB DNL.

The noise exposures will be up to 22 dB in excess of the City of Oakland Noise Element and Title 24 standards.

As interior noise exposure excesses will occur, noise mitigation measures will be required. The recommended measures are described in Section II, below.

**C. Ground-borne Vibration**

Table I, below, provides the ground-borne vibration levels measured at the site and the calculated vibration levels at the most-impacted floor elevations. Three northbound and two southbound Amtrak trains and two freight trains were captured during the measurement period. Note that the Amtrak schedules use Eastbound for trains traveling in the northerly direction and Westbound for trains traveling in the southerly direction.

TABLE I			
Railroad Induced Ground-Borne Vibration Levels, VdB			
Elevation	Amtrak NB (EB)	Amtrak SB (WB)	Freight
3 <sup>rd</sup> Fl.	53-59	58	47-56
2 <sup>nd</sup> Fl.	55-61	60	49-58
1 <sup>st</sup> Fl.	57-63	62	51-60
Bare ground	55-61	60	49-58

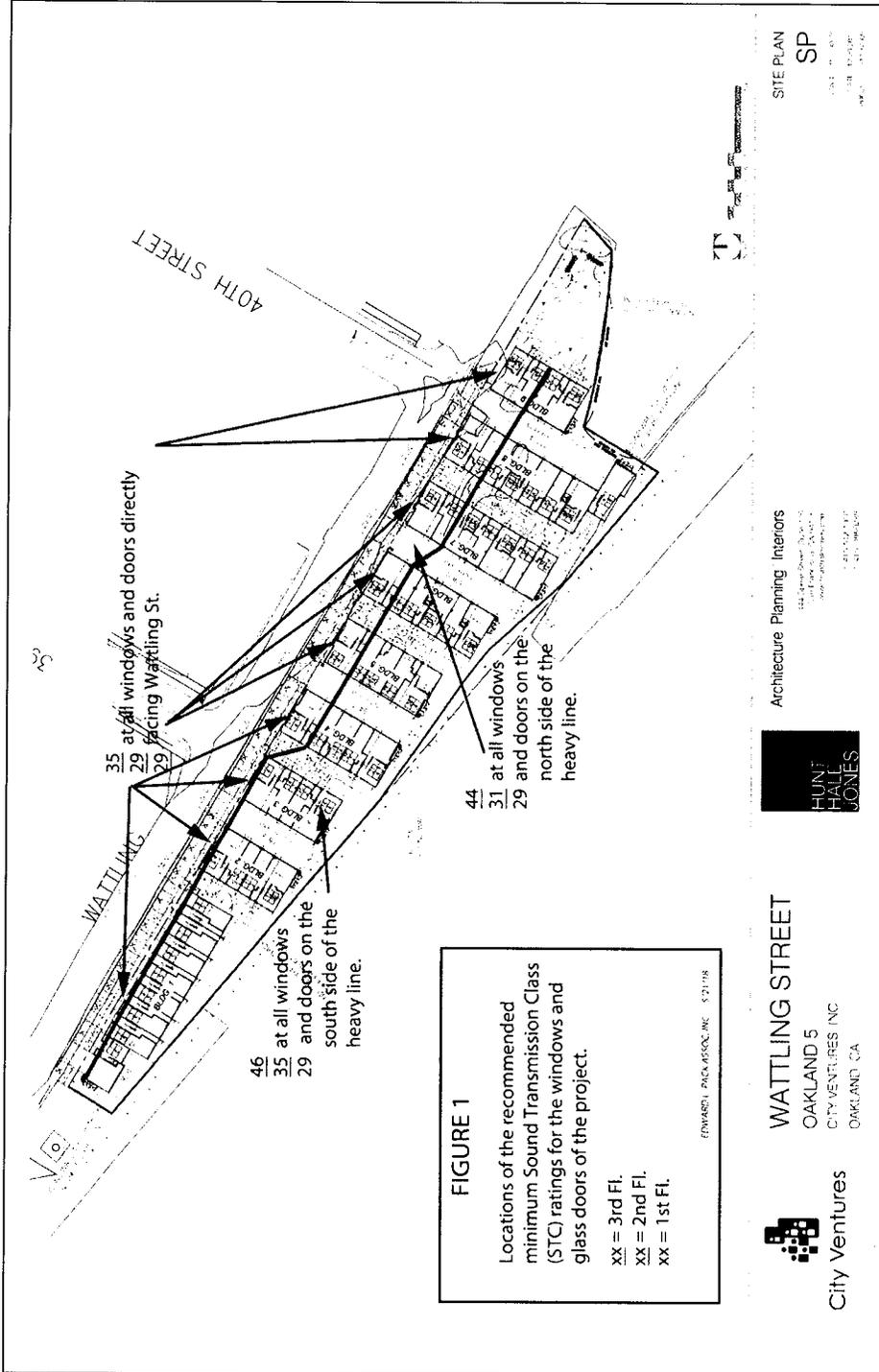
As shown above, the vibration levels in the residential units will be below the 75 VdB limit of the FTA guidelines. Mitigation measures for ground-borne vibration will not be required.

## II. Recommendations

### A. Interior Noise Control

To achieve compliance with the City of Oakland Noise Element and Title 24 standards of 45 dB DNL for interior living spaces, the following noise control measures are required. In addition, general construction measures affecting the building shell are also recommended, and are described in Appendix B.

- Maintain closed at all times windows and glass doors of the project.
- Install windows and glass doors with the minimum Sound Transmission Class (STC) ratings shown on Figure 1.



- Due to the low frequency sound content of rail operations all windows rated higher than STC 36 shall have at least one pane of nom. 7/32" laminated glass and a minimum of a 1/2" air space between the lites. 3/32" (single-strength) glass is not permitted in any of the window assemblies regardless of the STC rating.
- Provide a mechanical ventilation system for all habitable spaces with a closed window condition. The ventilation system shall conform to the Mechanical Code for the necessary air changes per hour and fresh air make up. The ventilation system shall not compromise the acoustical integrity of the building shell.

When windows are maintained closed for noise control, they are to be operable as the requirement does not imply a "fixed" condition. All other windows of the dwelling units and all bathroom windows may have any type of glazing and may be kept opened as desired unless the bathroom is an integral part of a living space without a closeable door.

In addition to the required STC ratings, the windows and doors shall be installed in an acoustically-effective manner. To achieve an acoustically-effective window construction, the sliding window panels must form an air-tight seal when in the closed position and the window frames must be caulked to the wall opening around their entire perimeter with a non-hardening caulking compound to prevent sound infiltration. Exterior doors must seal air-tight around the full perimeter when in the closed position.

Please be aware that many dual-pane window assemblies have inherent noise reduction problems in the traffic noise frequency spectra due to resonance that occurs within the air space between the window lites, and the noise reduction capabilities vary from manufacturer to manufacturer. Therefore, the acoustical test report of all sound rated windows and doors should be reviewed by a qualified acoustician to ensure that the chosen windows and doors will adequately reduce traffic noise to acceptable levels.

The implementation of the above recommended measures will reduce excess noise exposures to achieve compliance with the interior standards of the City of Oakland Noise Element and Title 24.

### **III. Site, Traffic, Railroad and Project Descriptions**

The planned project site is located along I-880 and the UPRR/Amtrak rail line in a mixed use area of Oakland between 38<sup>th</sup> Avenue and 42<sup>nd</sup> Avenue. The site is flat and at-grade with Wattling Street and the railroad and is currently being used as a storage facility. I-880 ranges from relatively at-grade with the site at the northerly end to 8 ft. above the site at the southerly end. Surrounding land uses include single-family and multi-family residential and industrial uses across Wattling Street to the east, industrial uses across 42<sup>nd</sup> Avenue to the south, the UPRR/Amtrak line and I-880 are adjacent to the west and industrial uses are adjacent to the north. Elevated BART tracks are 600 ft. to the east of the site.

The primary sources of noise at the site are traffic sources on I-880, operations on the Union Pacific Railroad/Amtrak line and on the BART line. There are no noise control barriers along freeway or along the railroad tracks. K-rails down the freeway median and along the edges of the near lanes, including the onramp provide a small amount of traffic noise shielding for the first floor elevations at the site. I-880 carries an existing Average Daily Traffic (ADT) traffic volume of 214,000 vehicles, Ref. (e).

Freight traffic on the Union Pacific Railroad line are typically unscheduled. During the noise measurement period there were five daytime freights and 4 nighttime freights. Although there are two sets of tracks along the site, most railroad traffic uses the far tracks for southbound travel and the near tracks for northbound travel. However, it was also noticed during the monitoring period that some southbound trains use the near tracks.

The published Amtrak schedule indicates that there are 13 daytime and 3 nighttime trains in each of the westbound (southerly) and eastbound (northerly) directions for a total of 32 trains per day, Ref. (f). However, recordings of the rail passbys indicate that there were a total of 27 Amtrak trains. Monitoring of the trains also indicated that Amtrak trains did not passby the site per the Amtrak schedule.

BART carries 422 trains per day on elevated tracks located 600 ft. from the easterly border of the site. There are 161 northbound daytime trains and 48 northbound nighttime trains. There are 168 southbound daytime trains and 41 northbound nighttime trains, Ref, (g).

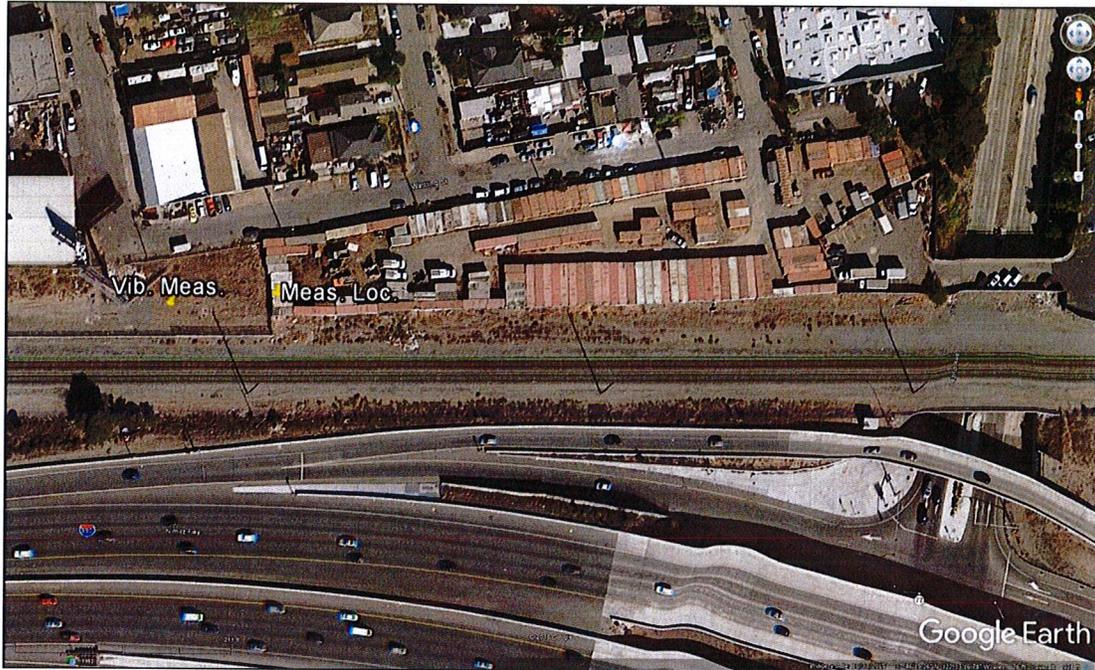
The planned project includes the construction of 155 townhouse style condominiums in 12 three story buildings. An 18 ft. high noise control barrier will be constructed along the west, south and east property lines to shield the first and second floor elevations from freeway traffic and UPPR/Amtrak rail noise. Ingress and egress to the project will be by way of project driveways off of Watling Street.

#### **IV. Analysis of the Noise Levels**

##### **A. Existing Noise Levels**

To determine the existing noise environment at the site, continuous recordings of the sound levels were made at a location 260 ft. from the centerline of I-880 and 64 ft. from the centerline of the two sets of railroad tracks. The location corresponds to the planned minimum setback of the buildings from the freeway and rail line. The measurement location is shown on Figure 2.

The measurements were made on March 28-29, 2017 for a continuous period of 24 hours. The noise level data were recorded and processed using a Larson-Davis Model 831 Precision Integrating Sound Level Meter. The meter yields, by direct readout, a series of descriptors of the sound levels versus time which are commonly used to describe community noise. The measured descriptors included the  $L_1$ ,  $L_{10}$ ,  $L_{50}$ , and  $L_{90}$ , i.e., those levels exceeded 1%, 10%, 50% and 90% of the time. Also measured were the maximum and minimum levels and the continuous equivalent-energy levels ( $L_{eq}$ ), which are used to calculate the DNL's, as described in Appendix B. The results of the measurements are shown in the data tables in Appendix C.



**FIGURE 2 – Noise and Vibration Measurement Locations**

The results of the field survey reveal that the  $L_{eq}$ 's at the measurement location ranged from 64.6 to 75.0 dBA during the daytime and from 62.3 to 81.4 dBA at night.

BART generates a consistent sound level of 78 dBA over a period of 6 seconds with each train passby regardless of direction. The total daytime hourly average noise level is 75.4 dBA  $L_{eq}$ . The total nighttime hourly average noise level is 69.9 dBA  $L_{eq}$ .

Traffic and railroad noise dissipate at the rate of 3 to 6 dB for each doubling of the distance from the source (centerline of the roadway/tracks) to the receiver. Thus, other locations on site at greater distances from the roadway and railroad will have lower noise levels.

Vehicular traffic and railroad noise contain wide spectra of frequency components (from 31.5 to 10,000 Hertz), which are associated with engine, tire, drive-train, exhaust, wheel-rail interaction and other sources. The frequency components are centered primarily in the 100, 250 and 500 Hz octave bands and were used in determining the noise control measures recommended for this project.

**B. Future Noise Levels**

Future traffic volume data were not available from either CalTrans or the City of Oakland. To determine the future I-880 traffic volume, an annual average growth rate was calculated for the past 20 years of traffic volume. The 1995 traffic volume was reported to be 181,000 vehicles ADT, Ref. (h). The existing (2015) traffic volume is 214,000 vehicles ADT. The annual average growth rate over those 20 years was calculated to be 0.84% per year. Applying this growth rate to the future 20 years, the traffic volume for 2035 was calculated to be 253,017 vehicles ADT. This increase in traffic volume yields a 1 dB increase in the I-880 traffic noise levels.

Future rail volumes for the Union Pacific Railroad operations, Amtrak or BART were also not available. For the purposes of this study, we are estimating that the future rail volumes will be similar to current levels with no appreciable increase in the overall railroad noise levels.

**C. Railroad Vibration Levels**

To determine the levels of railroad induced ground vibration, vibration level measurements were made at a location 57 ft. from the center of the nearest track and 71 ft. from the center of the farther track. The measurements were made on March 29, 2017 from 3:50 PM to 8:30 PM.

The measurements were made with a PCB Piezotronics 393A03 accelerometer and a Larson Davis 2900 Dual Channel Real Time analyzer. The analyzer measured real time 1/3-octave band maximum vibration levels, in dB re:  $1 \times 10^{-6}$  in./sec. over the frequency range of 0.8 to 10 kHz. The vibration levels from 8 Hz to 80 Hz were used to assess the impact of ground borne vibration on homes of the project, as recommended by the FTA.

During the measurement period five Amtrak trains, three in the northbound (east) direction and two in the southbound (west) direction passed by the site. In addition, two freight trains, both in the southbound direction, passed by the site. One southbound freight train and one southbound Amtrak train were on the near track.

At 57 ft. from the near track, the Amtrak train vibration levels ranged from 55-61 VdB. At 71 ft. from the far track, the Amtrak vibration level was 60 VdB. The freight train on the near tracks was measured to be 58 VdB and the freight train on the far track was measured to be 49 VdB. Note that both freight trains passed by the site at approximately 15-20 mph.

V. Evaluation of the Noise Levels

A. Exterior Noise Exposures

To evaluate the on-site noise exposures against the standards of the City of Oakland Noise Element, the DNL's for the survey locations were calculated by decibel averaging of the  $L_{eq}$ 's as they apply to the daily time periods of the DNL index. The DNL is a 24-hour noise descriptor that uses the measured  $L_{eq}$  values to calculate a 24-hour time-weighted average noise exposure. A 10 decibel "penalty" is added to noise generated at night to account for the increased human sensitivity to noise during the nighttime hours. Adjustments were made to the measured noise levels to account for the difference in setback distances from the measurement locations using methods established by the Highway Research Board, Ref. (i).

The noise exposure at the measurement location and planned minimum building setback at the first floor elevation was calculated to be 81 dB DNL. Computer modeling of I-880 traffic noise yields a traffic noise exposure of 71 dB DNL, with the railroad noise exposure remaining at 81 dB DNL. Under future traffic conditions, the traffic noise exposure is expected to increase by 1 decibel to 72 dB DNL. Combined with the 81 dB DNL due to rail operations, the total future noise exposure was calculated to be 82 dB DNL.

As I-880 approaches the site, the median and edge K-rails provide noise shielding for the first floor elevation. The traffic noise exposures at the second and third floor elevation were calculated to be 3 decibels higher than at the first floor. Thus, the upper floor noise exposures are 74 and 75 dB DNL under existing and future traffic conditions, respectively.

Table I, below, provides the calculated noise exposures at the most impacted planned building setback for each elevation with and without the planned 18 ft. high noise control barrier.

<b>TABLE I</b>							
<b>Exterior Noise Exposures, dB DNL</b>							
Source	Floor Elev.	Dist.	Exist. Noise w/o Barrier	Future Noise w/o Barrier	Barrier Insertion Loss	Exist. Noise as Planned	Future Noise as Planned
880	3	260 ft.	74	75	0	74	75
880	2	260 ft.	74	75	8	66	67
880	1	260 ft.	71	72	13	58	59
UPRR	3	84 ft.	81	81	0	81	81
UPRR	2	84 ft.	81	81	9	72	72
UPRR	1	84 ft.	81	81	14	67	67
Combined	3	--	82	82	--	82	82
Combined	2	--	82	82	--	73	73
Combined	1	--	81	81	--	68	68

The noise exposures will be up to 22 dB in excess of the Title 24 criterion.

BART generates 1,974 seconds (32.9 minutes) of passby noise (78 dBA) over the daytime period and 558 seconds (9.3 minutes) of passby noise during the nighttime period. 32.9 minutes of noise at 78 dBA is equivalent to an hourly daytime average of 75.4 dBA. 9.3 minutes of noise at 78 dBA is equivalent to an hourly nighttime average of 69.9 dBA. The noise exposure generated by BART operations was calculated to be 67 dB DNL.

**B. Interior Noise Exposures**

To calculate the interior noise exposures in project living spaces, a 15 dB reduction was applied to the exterior noise exposures to represent the attenuation provided by the building shells under an *annual-average* condition. The annual-average condition assumes that windows have standard dual-pane, thermal insulating glass and are kept open up to 50% of time for natural ventilation.

The interior noise exposures in the most impacted living spaces closest the I-880 and the UPRR/Amtrak line under existing conditions will be 53 dB DNL at first floor elevations, 58 dB DNL at second floor elevations and 67 dB DNL at the third floor elevations. Under future traffic conditions, the noise exposures are expected to remain at 53 dB DNL at the first floor elevations, 58 dB DNL at the second floor elevations and 67 dB DNL at the third floor elevations. Thus, the noise exposures will be up to 22 dB in excess of the City of Oakland Noise Element and the Title 24 standards.

In the most impacted living spaces facing the BART tracks, the noise exposures will be up to 52 dB DNL. Thus, the noise exposures in dwelling units facing east will be up to 7 dB in excess of the City of Oakland Noise Element and Title 24 standards.

Mitigation measures will be required for the interior living spaces. The recommended measures are described in Section II of this report.

**D. Ground-Borne Vibration**

To determine the levels of vibration in the project structures, the FTA methodologies uses factors for coupling loss or the way the house or structure is tied to the ground. The FTA Guidelines provides the foundation response or coupling loss in dB of vibration for different types of buildings. A coupling loss factor of -4 dB was applied to the ground level vibration level at the building setback.

In addition to coupling loss, walls and floors resonate, which increases the sensation on vibration within the dwelling units. Typically, 6 decibels of vibration is added to the total vibration level at each floor elevation. Also, as vibrational energy transmits through the building, some energy is lost. The FTA convention recommends a 2 decibel reduction for each floor elevation up to 5 floors in height.

Table II, below, provides the 1/3-octave band measurement data from 8 to 80 Hz, the total vibration level measured at the setback with the distances to the various tracks shown and the total adjusted vibration levels for each floor elevation. The vibration levels shown are considered worst-case as they were calculated for the minimum planned building setback.

As shown in the table, the vibration levels at each floor the proposed buildings will be within the 75 VdB limit of the FTA recommended guidelines. Mitigation measures for ground-borne vibration will not be required.

**TABLE II**  
**ON-SITE GROUND-BORNE VIBRATION LEVELS, VdB**

Train type	Direction	Dist. ft.	Freq. (Hz)										TOTAL	Setback Dist. ft.	Setback VdB	Residential Interior				
			8	10	16	20	25	31.5	40	50	63	80				1st Floor	2nd Floor	3rd Floor		
Freight	SB	71	32.6	38.4	34.7	33.8	33.8	36.4	39.8	39.8	41	41.1	43.8	36.9	34.4	71	49	51	49	47
			1819.7	6918.3	2951.2	2398.8	4365.2	9549.9	12569.3	12569.3	12882.5	12882.5	23988.3	4897.8	2754.2					
Amtrak	NB (EB)	57	29.9	33.3	37.1	36.5	52.7	50.8	50.7	51	49.3	49.3	39.7	33.3	58	57	58	60	58	56
			977.2	2138.0	5128.6	4466.8	186208.7	120226.4	117489.8	125892.5	85113.8	85113.8	9332.5	2136.0	659112.4					
Amtrak	NB (EB)	57	29.2	36.9	36.0	43.4	51.8	52.8	52.4	56.5	53.5	45.0	38.0	61	61	57	61	63	61	59
			831.8	4897.8	3961.1	21877.6	151356.1	190546.1	173780.1	446683.6	223872.1	31622.8	6308.6	1255758.6						
Amtrak	SB(WB)	71	24.1	31.3	29.3	41.7	48.7	54.4	51.6	54.8	52.1	42.2	34.7	60	60	71	60	62	60	58
			257.0	1349.0	851.1	14791.1	74131.0	275422.9	144544.0	301995.2	162181.0	16595.9	2951.2	995069.4						
Amtrak	NB (EB)	57	20.9	26.6	31.7	35.4	43.2	50.9	44.4	47.5	46.5	42.1	30.4	55	55	57	55	57	55	53
			123.0	457.1	1479.1	3467.4	20893.0	123026.9	27542.3	56234.1	44668.4	16218.1	1096.5	295205.8						
Freight	SB(WB)	57	34	40.5	36.8	36.6	40.9	44.1	48.3	53.3	53.9	46.9	38.4	58	58	57	58	50	58	56
			2511.9	11220.2	4786.3	4570.9	12302.7	25704.0	67608.3	213796.2	245470.9	48977.9	6918.3	643867.5						
Amtrak	SB(WB)	57	26.3	31	30.4	42.6	47.9	54.1	51.7	54.9	52.8	45.5	35.8	60	60	57	60	62	60	58
			426.6	1258.9	1096.5	18197.0	61659.5	257039.6	147910.8	305029.5	190546.1	35481.3	3801.9	1026447.8						

This report presents the results of a noise and vibration assessment study for the planned multi-family development along Wattling Street in Oakland. The study findings and recommendations for present conditions are based on field measurements and other data and are correct to the best of our knowledge. However, significant changes in the future traffic volumes, or changes in speed limits, motor vehicle technology, noise regulations, or other future changes beyond our control may produce long-range noise results different from our estimates.

If you have any questions or would like an elaboration on this report, please call me.

Sincerely,

EDWARD L. PACK ASSOC., INC.

A handwritten signature in blue ink, reading "Jeffrey K. Pack", is written over a horizontal line.

Jeffrey K. Pack  
President

Attachments: Appendices A, B, and C

## APPENDIX A

### References:

- (a) Site Plan, Wattling Street Oakland 5 City Ventures, Inc., by Hunt Hale Jones Architects, December 20, 2017
- (b) Noise Element of the City of Oakland General Plan, Community and Economic Development Agency, June 2005
- (c) California Code of Regulations, Title 24, Chapter 2, Section 1207.4 “Sound Transmission”, Revised 2013
- (d) Transit Noise and Vibration Impact Assessment, U.S Department of Transportation, Federal Transit Administration, FTA-VA-90-1003-06, May 2006
- (e) <http://www.dot.ca.gov/hq/traffops/saferesr/trafdata/2015all/Route505-980.html>, State California Department of Transportation, Division of Traffic Operations
- (f) <https://www.amtrak.com/ccurl/119/533 /Capitol-Corridor-Schedule-082216.pdf>
- (g) <http://www.bart.gov/schedules/bystation>
- (h) 1995 Traffic Volumes on California State Highways, State of California Department of Transportation, Division of Traffic Operations, June 1996
- (i) Highway Research Board, “Highway Noise – A Design Guide for Highway Engineers”, Report 117, 1971

## APPENDIX B

### Noise Standards, Terminology, Instrumentation, and General Building Shell Controls

#### 1. Noise Standards

##### A. City of Oakland Noise Element Standards

The noise standards of the City of Oakland General Plan Noise Element, adopted in June, 2005, reference the Land Use Compatibility Table from the State of California Noise Element Guidelines. The standards used by the City of Oakland are in terms of decibels Day-Night Level (dB DNL) and are summarized below.

<u>Land Use</u>	<u>Normally Acceptable Noise Exposure, dB DNL</u>
Residential	60
Transient Lodging	65
Schools, libraries, churches, hospitals, nursing homes	60
Auditoriums, concert halls, amphitheaters	70 (Cond. Accept.)
Sports arenas, outdoor spectator sports	75 (Cond. Accept.)
Playgrounds, neighborhood parks	65
Golf courses, riding stables, water recreation, cemeteries	70
Office buildings, business commercial and professional	65
Industrial, manufacturing, utilities, agriculture	70

The City of Oakland also specifies interior noise limits for various uses.

Residential, institutional, movie theaters	45 dB DNL
Professional Offices, R&D, auditoria, meeting halls	50 dB DNL
Retail, banks, restaurants, sports clubs	55 dB DNL
Manufacturing, warehousing	65 dB DNL

**B. Title 24 Noise Standards**

The California Code of Regulations, Title 24, Chapter 2, Section 1207, "Sound Transmission", applies to all new multi-family dwellings including condominiums, apartments, hotels, motels and dormitories. The standards, which utilize either the Day-Night Level (DNL) descriptor or the Community Noise Equivalent Level (CNEL), whichever is consistent with the local jurisdictional standards, specify that interior noise exposures from exterior sources shall not exceed 45 dB DNL/CNEL in any habitable room.

The Title 24 standards also establish minimum sound insulation requirements for interior partitions separating different dwelling units from each other and dwelling units from common spaces such as garages, corridors, equipment rooms, etc. The common interior walls and floor/ceiling assemblies must achieve a minimum Sound Transmission Class (STC) rating of 50 for airborne noise. Common floor/ceiling assemblies must achieve an Impact Insulation Class (IIC) rating of 50 for impact noise. These ratings are based on laboratory tested partitions. Field tested partitions must achieve ratings of NIC and FIIC 45.

## 2. Terminology

### A. Statistical Noise Levels

Due to the fluctuating character of urban traffic noise, statistical procedures are needed to provide an adequate description of the environment. A series of statistical descriptors have been developed which represent the noise levels exceeded a given percentage of the time. These descriptors are obtained by direct readout of the Sound Level Meters. Some of the statistical levels used to describe community noise are defined as follows:

- $L_1$  - A noise level exceeded for 1% of the time.
- $L_{10}$  - A noise level exceeded for 10% of the time, considered to be an "intrusive" level.
- $L_{50}$  - The noise level exceeded 50% of the time representing the "mean" sound level.
- $L_{90}$  - The noise level exceeded 90 % of the time, designated as a "background" noise level.
- $L_{eq}$  - The continuous equivalent-energy level is that level of a steady-state noise having the same sound energy as a given time-varying noise. The  $L_{eq}$  represents the decibel level of the time-averaged value of sound energy or sound pressure squared and is used to calculate the DNL and CNEL.

**B. Day-Night Level (DNL)**

Noise levels utilized in the standards are described in terms of the Day-Night Level (DNL). The DNL rating is determined by the cumulative noise exposures occurring over a 24-hour day in terms of A-Weighted sound energy. The 24-hour day is divided into two subperiods for the DNL index, i.e., the daytime period from 7:00 a.m. to 10:00 p.m., and the nighttime period from 10:00 p.m. to 7:00 a.m. A 10 dBA weighting factor is applied (added) to the noise levels occurring during the nighttime period to account for the greater sensitivity of people to noise during these hours. The DNL is calculated from the measured  $L_{eq}$  in accordance with the following mathematical formula:

$$DNL = \left[ \left[ (10 \log_{10}(10^{\sum L_{eq}(7-10)})) \times 15 \right] + \left[ \left( (10 \log_{10}(10^{\sum L_{eq}(10-7)}) + 10) \times 9 \right) \right] \right] / 24$$

**C. A-Weighted Sound Level**

The decibel measure of the sound level utilizing the "A" weighted network of a sound level meter is referred to as "dBA". The "A" weighting is the accepted standard weighting system used when noise is measured and recorded for the purpose of determining total noise levels and conducting statistical analyses of the environment so that the output correlates well with the response of the human ear.

### 3. **Instrumentation**

The on-site field measurement data were acquired by the use of one or more of the sound analyzer listed below. The instrumentation provides a direct readout of the L exceedance statistical levels including the equivalent-energy level ( $L_{eq}$ ). Input to the meters was provided by microphones extended to a height of 5 ft. above the ground. The “A” weighting network and the “Fast” response setting of the meters were used in conformance with the applicable standards. The Larson-Davis meters were factory modified to conform to the Type 1 performance standards of ANSI S1.4. All instrumentation was acoustically calibrated before and after field tests to assure accuracy.

Bruel & Kjaer 2231 Precision Integrating Sound Level Meter

Larson Davis LDL 812 Precision Integrating Sound Level Meter

Larson Davis 831 Precision Integrating Sound Level Meter

Larson Davis 2900 Real Time Analyzer

4. **Building Shell Controls**

The following additional precautionary measures are required to assure the greatest potential for exterior-to-interior noise attenuation by the recommended mitigation measures. These measures apply at those units where closed windows are required.

- Unshielded entry doors having a direct or side orientation toward the primary noise source must be 1-5/8" or 1-3/4" thick, insulated metal or solid-core wood construction with effective weather seals around the full perimeter. Mail slots should not be used in these doors or in the wall of a living space, as a significant noise leakage can occur through them.
- If any penetrations in the building shell are required for vents, piping, conduit, etc., sound leakage around these penetrations can be controlled by sealing all cracks and clearance spaces with a non-hardening caulking compound.
- Ventilation openings shall not compromise the acoustical integrity of the building shell.

**APPENDIX C**

**On-Site Noise Measurement Data and Calculation Tables**

## DNL CALCULATIONS

CLIENT: CITY VENTURES  
 FILE: 49-013  
 PROJECT: WATTLING ST.  
 DATE: 3/28-29/2017  
 SOURCE: I-880/UPRR/AMTRAK

TIME	Leq	10 <sup>Leq/10</sup>		
LOCATION 1 I-880/UPRR/AMTRAK				
Dist. To Source 260 ft., 64 ft.				
7:00 AM	67.4	5500041.9		
8:00 AM	64.6	2901309.1		
9:00 AM	69.4	8711701.8		
10:00 AM	75.0	31939124.0		
11:00 AM	74.2	26380559.4		
12:00 PM	65.2	3311669.6		
1:00 PM	71.6	14582064.0		
2:00 PM	69.7	9273955.3		
3:00 PM	64.4	2737467.7		
4:00 PM	71.3	13338623.1		
5:00 PM	72.2	16528711.5		
6:00 PM	68.8	7548836.2		
7:00 PM	67.7	5922090.0		
8:00 PM	75.0	31712099.8		
9:00 PM	71.7	14884217.2	SUM=	195272471
10:00 PM	67.2	5285742.5	Ld=	71.1
11:00 PM	81.4	136899543.5		
12:00 AM	63.4	2203778.8		
1:00 AM	73.8	24143932.0		
2:00 AM	62.3	1692602.6		
3:00 AM	63.2	2093519.4		
4:00 AM	66.2	4196343.2		
5:00 AM	75.2	33489988.6		
6:00 AM	76.4	43226293.7	SUM=	253231744
			Ln=	74.5
	Daytime Level=	82.9		
	Nighttime Level=	94.0		
	<b>DNL=</b>	<b>81</b>		
	24-Hour Leq=	72.7		

**City of Oakland Department of Transportation**

Transportation and Right-of-Way Management Division, Engineering Services

If Project is approved by the Advisory Agency, attach the Engineering Services "Conditions of Approval" provided below.

<b>Planning/Zoning Number(s)</b> PUDF08166		<b>Engineering Staff Contact</b> Chong Hong	
<b>Project Address</b> 3927 Wattling Street		<b>Project Description</b> 1 lot subdivision for condominium purpose	
<b>Tentative Map No.</b> VTPM9439	No. of New Lots	0	No. Condominiums
			51
<input type="checkbox"/> No Map	<input type="checkbox"/> Parcel Map Waiver	<input type="checkbox"/> Merger	<input type="checkbox"/> Lot Line Adjustment LLA
			No. Existing Lots LLA
			No. New Lots LLA
<b><u>GENERAL REQUIREMENTS</u></b>		<b><u>SPECIFIC PROJECT CONDITIONS OF APPROVAL</u></b>	
<p><b><u>SIDEWALKS, CURB AND GUTTERS</u></b></p> <ol style="list-style-type: none"> <li>Existing sidewalks fronting subject property must be compliant with ADA standards.</li> <li>Uplifted, uneven, damaged sidewalks shall be repaired with no more than ¼ inch lift and no more than 2% cross slope.</li> <li>Sidewalk clear width of 5.5 feet minimum is required and must not be less than 50-inches between obstacles, poles, trees, hydrants, pinch points for ADA access.</li> <li>Existing sidewalks, curbs/gutter/driveway approaches damaged, broken or if non-standard shall be repaired.</li> <li>A Curb, Gutter and Sidewalk (CGS) permit is required to repair or construct sidewalk.</li> <li>Infrastructure and improvements to be privately maintained within the right of way and any non-standard features MAY be accepted with an Encroachment Permit.</li> <li>City may revoke encroachment permit at its sole discretion and may charge property owner(s) for use of the right-of-way.</li> </ol>		<p>Applicant shall obtain a PX permit and enter into a P-Job agreement for construction of improvements within the City's right-of-way. Improvement plans shall be prepared by a registered civil engineer and submitted to Public Works Engineering Services for review and approval prior to issuance of a PX permit. Any damaged sidewalk or driveway approach fronting the subject property shall be replaced prior to recording the Parcel Map. Applicant shall obtain permit from Public Works prior to beginning construction within the right-of-way.</p>	
<p><b><u>STREET PAVING AND STRIPING</u></b></p> <ol style="list-style-type: none"> <li>Street and roadway area(s) fronting the development must be resurfaced up to one traffic lane in width 13 ft. or to the centerline of the street, after completion of construction and as required by the Inspector.</li> <li>Evaluation of the street's Pavement Condition Index at time plans are submitted for permit review shall determine any restoration requirements.</li> <li>Existing striping fronting the property and up to 1 block length shall be restored to the satisfaction of the Inspector. Thermoplastic shall be required unless specified otherwise in the plans approved for construction.</li> <li>"Moratorium Streets" are resurfaced or newly constructed streets within the past 5-year period. No trenching or excavation is permitted on any Moratorium Street without the written authorization of the Public Works Director.</li> </ol>		<p>Wattling Street resurface will be required. Engineering Services will determine if any of the improvements shown on the plans submitted for the PX permit require the review and approval of the City's Traffic Engineer prior to issuance of the PX permit.</p> <p>Condition 8, 9, 10 and 11 apply to the project.</p>	
<p><b><u>DRIVEWAYS</u></b></p> <ol style="list-style-type: none"> <li>Driveway approach, length, width, driveway separation, clearances from poles and utilities, type of curb, driveway angle, shall be approved by Bureau of Planning in advance of any review by Engineering Services.</li> <li>Any existing driveway that will no longer be required to serve the property shall be replaced with new sidewalk curb and gutter, with curb striping as required by Inspector.</li> </ol>		<p>Driveway approaches shall be identified on the improvement plans for the PX permit and proposed locations must be approved by Engineering Services. Existing driveway approaches not necessary for the development shall be removed and replaced with new sidewalk, curb and gutter.</p>	
<p><b><u>CURB RAMPS</u></b></p> <ol style="list-style-type: none"> <li>New curb ramps shall meet the latest State of California standards when plans are submitted for review.</li> </ol>		<p>Prior to issuance of building permit, applicant shall obtain PX permit for ADA curb ramp installation.</p>	

<p>15. Curb ramps shall be directional unless approved otherwise in writing by the City Engineer.</p> <p>16. New curb ramps are required at intersections fronting the project site and when the use or occupancy necessitates installation or replacement of curb ramps. Additional curb ramps required by the City Engineer shall be installed by the project sponsor.</p> <p>17. Where a new curb ramp is required for the project the curb ramp located on the opposite side of the roadway, across a marked or un-marked crosswalk, shall also be installed or upgraded to be ADA compliant by the project sponsor.</p>	<p>New ADA ramps shall be installed at the intersection(s) fronting the property and directly across each intersection to the satisfaction of the City Engineer. The improvement plans submitted for the PX permit shall identify all handicap ramps to be installed.</p>
<p><b><u>STREET GEOMETRY AND STRIPING DESIGN</u></b></p> <p>18. New striping, curb painting, bulb-outs, changes to existing dimensions, impact to traffic resulting from development, traffic pattern, circulation, signals, traffic count, street/lane change shall be reviewed and approved by the City's Traffic Engineer.</p> <p>19. Any alteration to geometry of roadway/sidewalk, markings, traffic control signs and devices shall be reviewed and approved by the City's Traffic Engineer.</p> <p>20. Traffic and parking sign posts shall be coated with anti-graffiti coating.</p> <p>21. Traffic Control Plans (TCP) for temporary traffic control measures shall be submitted separately for review and approval by City's Traffic Engineer prior to permit issuance and when the TCP is adjusted and updated during construction.</p>	<p>Engineering Services will determine if any of the improvements shown on the plans submitted for the PX permit require the review and approval of the City's Traffic Engineer prior to issuance of the PX permit.</p>
<p><b><u>SANITARY SEWER</u></b></p> <p>22. Sanitary sewer impact analysis is required when new development results in a net increase of volume of wastewater flow to the City's sanitary sewer system. Sewer flow calculations prepared by developer's engineer must include existing and proposed flows. Developer shall submit analysis with completed application for review. Mitigation fees shall be paid prior to issuance of a Building or PX permit whichever occurs first.</p> <p>23. A "PSL" certificate, Sewer Lateral Permit, and EBMUD Inspection are required for all projects where construction costs are one-hundred thousand dollars (\$100K +) or more.</p> <p>24. A Sewer Lateral permit (SL) is required for any new sewer lateral or rehabilitation of existing lateral. Abandonment of a sewer lateral requires a separate permit.</p> <p>25. Sewer profiles shall be included on the plans approved for construction. If existing utilities are within twelve inches (12") of proposed sewer, engineer shall have existing utility potholed and resolve conflict before approval of plans.</p>	<p>Prior to recording the Parcel Map, the applicant shall provide plans showing the existing utilities. Plans shall identify the on-site and off-site sanitary sewers. Any existing sewer line(s) and laterals shall be televised and as necessary the existing sewer pipes shall be repaired or replaced to meet City of Oakland design standards. New sewer laterals have to be prepared with plan/profile by a registered engineer. Applicant shall submit sewer calculations, plan and profile for review and approval at the time of submitting improvement plans for PX Permit.</p>
<p><b><u>STORM DRAINS</u></b></p> <p>26. Connection of storm drain to sewer line is prohibited. Any unauthorized connection shall be separated from the sanitary sewer.</p> <p>27. Drainage plans shall be submitted for review and approval. Plans shall follow City standard details and design standards. Blind connections or tap connections are prohibited for storm drains.</p>	<p>Applicant shall submit the storm drainage calculations for review and approval at the time of submitting the improvement plans for PX permit.</p>

<p>28. Hydrology and Hydraulic Calculations, shall meet City's Storm Drainage Design Standards.</p> <p>29. Reduction in Peak Flow by 25% or to the extent possible is required.</p>	
<p><u>STORM WATER TREATMENT</u></p> <p>30. Requirements for permanent and temporary storm water pollution prevention, Alameda County Clean Water Program (C.3), shall be included in the Building improvement plans for on-site work. Any approved storm drain from on-site development shall be tied to an inlet structure at the back of curb designating public and private ownership.</p> <p>31. Permanent storm water treatment (BMP's) to service the development shall be privately maintained and included in the O&amp;M Agreement for the project.</p> <p>32. Roof runoff must be directed through an approved treatment device prior to entering the City's storm drainage system.</p> <p>33. Right-of-way shall not be used for storm water treatment features.</p>	<p>Applicant shall submit the storm drainage calculations for review and approval at the time of submitting the improvement plans for PX permit.</p>
<p><u>STREET TREES AND LANDSCAPING (PRIVATE)</u></p> <p>34. Trees and irrigation for the proposed development shall be owned and maintained by the property owner(s).</p> <p>35. Landscape and irrigation plans shall be submitted with the civil plans for work (PX permit) for review and approval by the City's Arborist.</p> <p>36. Landscape, irrigation plans and tree species shall meet City standards for Street Tree Planting.</p> <p>37. Tree shall be spaced twenty feet (20') on center and shall not obstruct street lights. Tree wells shall be 3 ft. x 3ft. or 4 ft. x 4 ft. (minimum) for mature tree height of 25 to 40 feet.</p> <p>38. Tree Grates, Root Barrier and Staking Details for new trees shall be included in the approved plans. Tree Grates must be ADA compliant.</p>	<p>The improvement plans submitted for the PX permit shall include landscape and irrigation plans for any landscaping proposed with the City's right-of-way. Any street trees, tree grates and root barriers shall be reviewed and approved by the City's Arborist as determined by Engineering Services.</p>
<p><u>EASEMENTS AND ENCROACHMENTS</u></p> <p>39. All property lines, existing and proposed easements, shall be clearly shown on the plans for construction (PX permit).</p> <p>40. Easement dedication or vacation requires separate application and permit (PPE permit) if not included on a Final Tract Map or Parcel Map.</p> <p>41. Major Encroachment permits require City Council resolution and Indenture Agreement with County Recorder's Number shown on the Final or Parcel Map.</p> <p>42. Permanent building elements encroaching into the right-of-way normally require a Major Encroachment (ENMJ permit). Other approved encroachments may be part of Minor Encroachment (ENMI permit).</p> <p>43. City may revoke encroachment permit at its sole discretion and may charge property owner(s) for use of the right-of-way.</p>	<p>All emergency access and utility easements for the proposed development shall be clearly identified on the improvement plans submitted for the PX permit. The applicant shall apply for and obtain any necessary encroachment permits prior to issuance of a PX permit. If a major encroachment permit for the proposed building is required, the applicant shall submit to Engineering Services for review and approval all necessary plans and exhibits for the City Council resolution and the recorded major encroachment permit.</p>
<p><u>SITE PLAN</u></p> <p>44. A Site Plan shall be provided with permit plan set and include: north arrow, scale, property boundaries, topography, vegetation, proposed/existing structures,</p>	<p>A site plan shall be submitted with the improvement plans for the PX permit.</p>

<p>utilities, easements, roadways, monuments, wells, and any important key elements.</p>	
<p><u>STREET LIGHTS AND UTILITIES (PW ELECTRICAL)</u>  45. A photometric plan and analysis of existing and proposed street lights is required for all projects requiring a PX permit and as determined by the City Engineer. Design shall meet City Outdoor Lighting Standards.  <a href="http://www2.oaklandnet.com/oakcal/groups/pwa/documents/policy/oak026007.pdf">http://www2.oaklandnet.com/oakcal/groups/pwa/documents/policy/oak026007.pdf</a>  46. Upon review and approval of the photometrics analysis, the project sponsor shall design and include additional streetlights as required by the City and shall also provide 10% spare streetlight fixtures for City's Electrical Maintenance Operations.  47. Pedestrian signal and push buttons for intersection crossings shall be included in the plans for construction when required by the Traffic Engineer.  48. Utility undergrounding shall be clearly identified on all construction permitted plans as approved by the Project Planner, Oakland Fire Department, Public Works Department and Dept. of Transportation.  49. Pull boxes shall be locking.  50. Existing, reinstalled and new Streetlights, Parking Meters and Kiosks shall be included on the plans approved for construction. Separate fees and approvals by Public Works Maintenance is required to remove or install Streetlights, Parking Meters and Kiosk.</p>	<p>The improvement plans shall identify the location and details for all existing and proposed street lights along the street frontage of the proposed project.</p> <p>A photometric analysis shall be submitted for any changes proposed to the existing street lighting and as required by Public Works after review of the improvement plans.</p>
<p><u>SPECIAL ZONES: CDMG Designation (LS/LQ), A-P Zone, Flood Zone, Creek/water course, GAAD, etc.</u>  51. Design, approvals, outside agency permits, and construction methods shall meet all applicable Federal, State, and City's Municipal Code requirements for properties located in hazard zone and flood zone.  52. Peer Review of Soils, Geotechnical, Hydrology, Hydraulic, and Structural Reports, engineering plans, grading, remediation, final map may be required.  53. CDMG Designation and potential for liquefaction(LQ) and/or landslide(LS) shall be clearly identified on individual lots of the Tentative Map, Parcel Map of final Tract Map.</p>	<p>Parcels are in Liquefaction Severity 3 zone. General requirement #51, #52 and #53 apply to this project.</p> <p>The improvement plans shall identify on the cover sheet the flood zone designation and FIRM rate map for the property. The Geotechnical Engineer and reference to soils reports shall also be included on the cover sheet of the improvement plans submitted for review and approval.</p>
<p><u>TENTATIVE MAP, PARCEL MAP, TRACT MAP</u>  54. Fire Access, Emergency Vehicle Access, Shared Access (Agreement or CC&amp;R's), Utility Easements shall be clearly shown and identified on Maps.  55. Setbacks from the property lines, buffer areas, easements, buildings and separation required between structures and buildings shall be identified on Tentative Map.  56. After approval by Planning and Zoning of a Tentative Map a separate application to Engineering Services is required for review and approval of the Parcel or Tract Map by the City Surveyor and City Engineer.  57. Tract Map and Subdivision Improvement Agreement (SIA) requires City Council Approval.  58. Survey Monuments Protection, Surety/Bond may be required prior to approval of Parcel or Final Map.</p>	<p>After approval by Planning and Zoning of a Tentative Map, a separate application to Engineering Service is required for review and approval of the Parcel Map by City Surveyor and City Engineer.</p>

<p><b>CONSTRUCTION</b></p> <p>59. All work within the City's right-of-way or easement requires a valid permit.</p> <p>60. Shoring Plans, Retaining Walls, Streetlight and Traffic Signal Pole Foundations and other structures require a separate Building Permit from the Building Department.</p> <p>61. An Obstruction Permit (OB) may be required prior to issuance of a Grading, Building, PX, CGS or another related permit. OB permits are required for temporary or permanent removal of metered and non-metered parking spaces, sidewalk closure(s), staging of materials, construction dewatering equipment, blocking, placement of storage units, equipment within the right-of-way.</p> <p>62. An approved Traffic Control Plan (TCP) may be required prior to issuance of an OB permit, PX permit or any work requiring Traffic Control Measures within the City's right-of-way.</p>	<p>PX permit is required for offsite improvements. OB permit is required if there is any impacted parking space on street. Traffic Control Plan may be required prior to issuance to OB and PX permit.</p> <p>SL Permit is required for any new or abandoned sewer lateral.</p>
<p><b>OTHER</b></p> <p>63. Projects with "<i>Special</i>" considerations, for example; may require utility undergrounding of overhead utilities, improvements off-site (i.e. new traffic signal), ownership of land/project sponsor TCSE Economics &amp; Workforce Development, a City Capital Project, or may be part of a larger "Master Planned Development" with Development Agreement and/or phased Final Maps.</p>	<p>Conditions may apply at the time of a Building Permit application.</p>

**PER CITY RECORDS AND INFORMATION RECEIVED FOR REVIEW ITEMS NOTED BELOW MAY AFFECT THE DESIGN, REVIEW AND APPROVAL, PERMITTING, MAP APPROVAL PROCESSES.** *(The City assumes No Responsibility for the Accuracy and/or Completeness thereof.)*

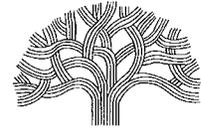
Preliminary Title Report		Vacation / Dedication	
Flood Zone	Applicant to verify	Easement	
Creek Permit / Water Course		Existing Utilities / Overhead	
Land / Boundary Survey		BART	
Lot Dimension(s)		CALTRANS	
Sidewalk Clearance (i.e. 5.5 ft.)		EBMUD	
Sidewalk Curb Ramps		PG&E	
Encroachment		UPRR	UP Right of way shall be added
CDMG Designation		City of Oakland Ownership	
Land Stability	In Liquefaction Severity 3 zone	City of Berkley	
Street Lighting		City of Emeryville	
Traffic Circulation / Bicycle Lane		City of Piedmont	
Traffic Signal		Other	

\*Additional information is provided below:

Applicant shall verify if the project site is on a flood zone or not.

<b>Planning/Zoning Number</b>	<b>Map Number (if applicable)</b>	<b>DATE</b>
PUDF08166	VTPM9439	7/9/2018

# CITY OF OAKLAND



OAKLAND FIRE DEPARTMENT  
FIRE PREVENTION BUREAU  
250 Frank H. Ogawa Plaza • Suite 3341 • Oakland, California 94612-2033

Reviewed by: Anita Tsui P.E.  
Phone (510) 238-3866  
Email: atsui@oaklandnet.com

(510) 238-3854  
FAX (510) 238-6739  
TDD(510) 238- 3254

**Tentative Tract Map  
VTPM 9439**

**3927 Wattling Street  
Oakland, CA**

**OFD # 2018-01815  
Date: 07.12.2018**

## **APPROVED WITH CONDITIONS**

This is a review for OFD code issue only. If the project is to be approved by the advisory agency please attach the following conditions of approval:

1. The approval is a Planned Unit Development for a 51 residential townhome units development.
2. The two petroleum pipelines that are owned and operated by Kinder Morgan Energy Partners LP shall be buried underground, minimum 10 feet clear from all building walls and the pipelines shall be clearly marked.
3. Verify and confirm the existing public fire hydrants shall be provided along all fire department access roads with a maximum travel distance of 150 feet to the buildings, or 300 feet hydrant to hydrant as required in 2016 CFC Appendix C and City Ordinance 13401 amended CFC 507.5.1.
4. Verify and confirm the minimum 75,000 pounds' fire apparatus load.
5. Provide property address. Property address signs for the buildings shall comply with 2016 CFC 505.
6. The street frontages shall have a minimum 26 feet CLEAR road width for fire apparatus access road per 2016 Appendix D. Plans show that Wattling Street does not meet the requirement. Permit application needs to apply for a code variance and submit AMMR when the road width does not meet the required minimum clear road width.
7. Verify and confirm the utility and power lines shall not obstruct aerial fire apparatus access between the roadway and the proposed buildings per 2016 CFC D105. Undergrounding of utilities and power lines is an acceptable means to meet this condition.
8. Provide 2-1/2 inches Fire Department Connections at street frontage of each proposed building on site. Ref.: 2016 City Ord. 13401 amendment to 2016 CFC Chapter 80 adoption 2016 NFPA 13 Section 8.17.2.4.6. Fire Department Connections attached to building walls and/or ground-supported FDC's shall be within 100 feet of existing or new hydrants. Ref.: 2016 NFPA 14.
9. Verify/Obtain separate permits from Fire Prevention Bureau required for installation, permitted activity of:
  - Installation of fire sprinkler systems
  - Installation of fire alarm system
  - Fire safety and evacuation plans
  - PX
  - PZ
  - Hazardous materials, if applicable
10. Provide an approved fire sprinkler system for all new buildings on site per City Ordinance 13401. Separate Permit required from Fire Prevention Bureau for fire sprinkler system. Hydraulic fire flow analysis shall be submitted for review of EBMUD's Water Service and Hydrant Application

**Attachment E**

11. All drains shall discharge to sewer or open planter areas only; not to storm drains per City's retroactive Clean Water Program. Drains to sewer shall comply with California Plumbing Code. NFPA 13 may be used as a guide (i.e., air gap required between drain outlet and plumbing fixture. Coordinate with CEDA Building Services Building Inspector).
12. 20 feet clear width for shared Access Facilities road (driveway) width per City Ordinance 13401 amended 2016 CFC Table D103.5. Plans show it meets the requirement.
13. Verify/Provide emergency responder radio communications coverage. Ref.: 2016 CFC Section 510:

**510.1 Emergency responder radio coverage in new buildings.**

All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

**Exceptions:**

1. Where approved by the building official and the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained in lieu of an approved radio coverage system.
  2. Where it is determined by the fire code official that the radio coverage system is not needed.
  3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.
14. Coordinate with Hazardous Material Unit (Ms. Sheryl Skillern, 510.238.7253, sskillern@oaklandnet.com) for inspections and submittal requirements if any hazardous materials found at the site during evacuation and demolition.
  15. Observe fire safety during demolition and construction work per 2016 CFC Chapter 33.

# OAKLAND 5

## OAKLAND, CALIFORNIA

PROJECT: 51 TOWNHOME STYLE CONDOMINIUMS



### City Ventures

MAY 31, 2018

**APPLICANT:**  
CITY VENTURES  
444 SPEAR STREET, SUITE 200  
SAN FRANCISCO, CA 94105  
CONTACT: ANDREW WARNER  
*Director of Development*  
PHONE: 415.845.0293  
E-MAIL: [andrew@cityventures.com](mailto:andrew@cityventures.com)  
<http://www.cityventures.com>

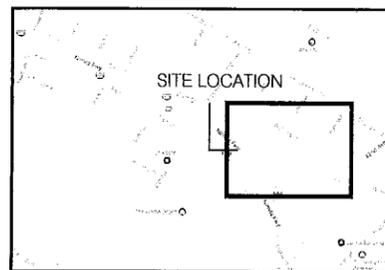
**ARCHITECT:**  
HUNT HALE JONES ARCHITECTS  
444 SPEAR STREET, SUITE 105  
SAN FRANCISCO, CA 94105  
CONTACT: DAN HALE  
*Architect*  
PHONE: 415.568.3833  
E-MAIL: [dhale@hhja.com](mailto:dhale@hhja.com)  
<http://www.hhja.com>

**CIVIL ENGINEER:**  
C & V CONSULTING, INC.  
6 ORCHARD, SUITE 200  
LAKE FOREST, CA 92630  
CONTACT: DANE MCDUGALL  
*Project Manager*  
PHONE: 949-916-3800 EXT. 233  
E-MAIL: [DMcDougall@cvc-inc.net](mailto:DMcDougall@cvc-inc.net)  
<http://www.cvc-inc.net/>

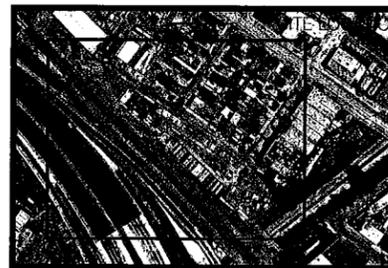
**LANDSCAPE ARCHITECT:**  
VAN DORN ABED LDSP ARCHITECTS, INC  
81 14th Street  
San Francisco, CA 94103  
CONTACT: ZEKI ABED  
*Landscape Architect*  
PHONE: 415-864-1921  
E-MAIL: [zeki@valainc.com](mailto:zeki@valainc.com)  
<http://valainc.com>

**JOINT TRENCH:**  
GIACALONE DESIGN SERVICES, INC  
5820 Stoneridge Mall Road, Suite 345  
Pleasanton, CA 94588  
CONTACT: TOMAS ARCAYA  
*Project Manager*  
PHONE: 925-240-2595  
E-MAIL: [TomasA@DryUtilityDesign.com](mailto:TomasA@DryUtilityDesign.com)  
<http://www.giacalonedesign.com>

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#### VICINITY MAP



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##### CIVIL

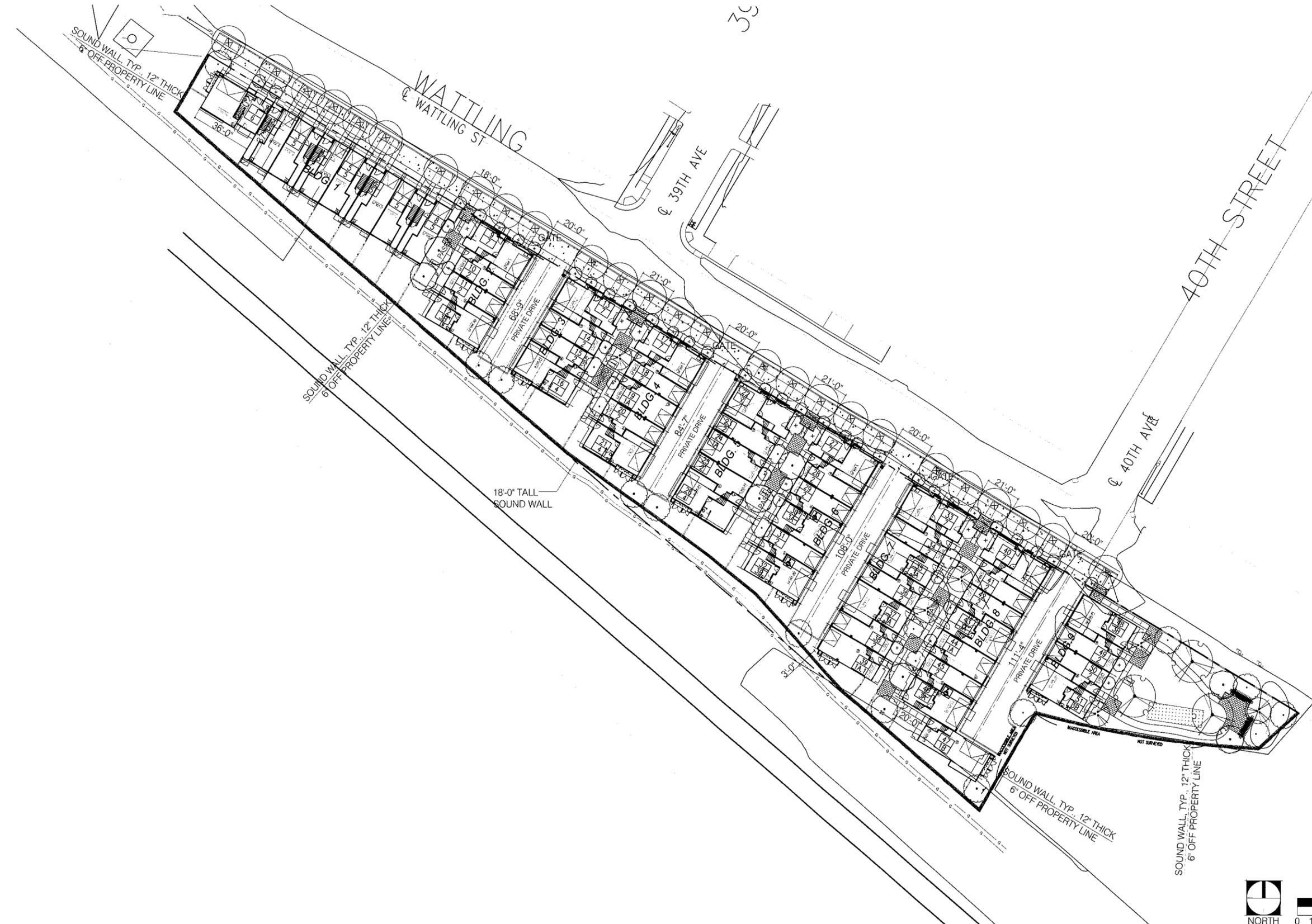
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3 - PRELIMINARY UTILITY PLAN  
4 - STORMWATER MANAGEMENT PLAN  
5 - EXISTING SURVEY

##### DRAWINGS FROM PREVIOUS APPROVED P.D.

A1.1 SITE PLAN  
A2.1A FIRST FLOOR PLAN AREA A  
A2.2A SECOND FLOOR PLAN AREA A  
A2.3A THIRD FLOOR PLAN AREA A  
A2.4 A FOURTH FLOOR PLAN AREA A  
A2.5A FIFTH FLOOR PLAN AREA A  
A2.4B FOURTH FLOOR PLAN AREA B  
A3.2A BUILDING ELEVATIONS AREA A

**ATTACHMENT A**

33



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# WATTLING STREET

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SITE PLAN

SP

SCALE: 1" = 30'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



DRIVE

BUILDING 2

PASEO

BUILDING 1

— CONCRETE BLOCK WALL REFER  
TO LANDSCAPE DRAWINGS.

## WATTLING STREET



PASEO

BUILDING 5

DRIVE

BUILDING 4

PASEO

BUILDING 3

DRIVE

— CONCRETE BLOCK WALL REFER  
TO LANDSCAPE DRAWINGS.

## WATTLING STREET



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STREETSCAPE

SS-1

SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



**LIGHTING LEGEND:**

-  BUILDING LIGHTING
-  FRONT DOOR/PASEO LIGHTING
-  GARAGE LIGHTING



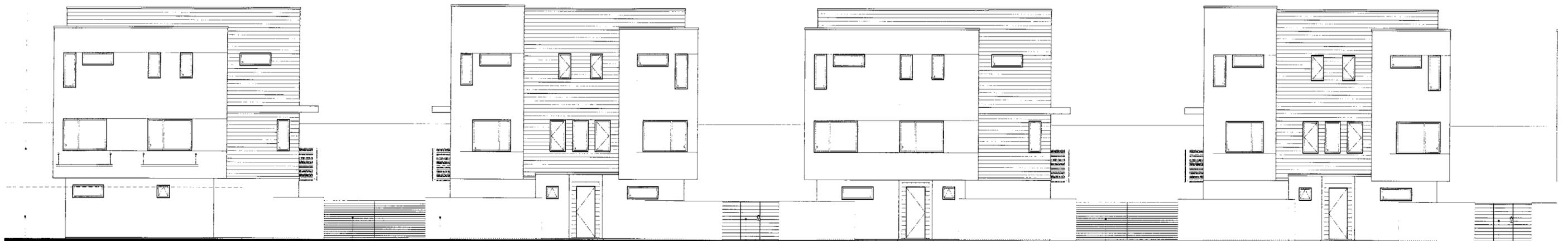
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SITE LIGHTING DIAGRAM  
**SL**  
 SCALE: 1" = 30'-0"  
 DATE: 05.31.2018  
 PROJECT: 317055.00

SOUND WALL



BUILDING 9

DRIVE

BUILDING 8

PASEO

BUILDING 7

DRIVE

BUILDING 6

PASEO

8'-0" TALL WOOD FENCE  
IN FOREGROUND

— CONCRETE BLOCK WALL REFER  
TO LANDSCAPE DRAWINGS.

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STREETSCAPE

### SS-2

SCALE: 1/8" = 1'-0"

DATE: 05.31.2018

PROJECT: 317055.00

PROJECT DATA		
PROJECT NAME: OAKLAND 5		
PROJECT ADDRESS: WATTLING STREET, OAKLAND, CA 94601 PROPOSED ZONING: PLANNED DEVELOPMENT		
GROSS SITE AREA	1.48 AC	64,469 SF
TOTAL DWELLING UNITS	51	

ADJACENT OFF SITE PARKING (NOT COUNTED TOWARD REQUIREMENTS)	PROVIDED
RESIDENTIAL DENSITY	35.1 DUA NET
RESIDENTIAL LOT COVERAGE	50.3 %
RESIDENTIAL HEIGHT	42'-0" MAX.
RESIDENTIAL PARKING	102 SPACES

OCCUPANCY		
RESIDENTIAL	R2/U	
CONSTRUCTION TYPE		
RESIDENTIAL	V-B	

UNIT SUMMARY & TYPICAL SQ. FT.				
UNIT TYPE	TOTAL UNITS	TOTAL LIVING	DECK	GARAGE
PLAN 1A (2 BD - 2.5 BTH)	4	1,162 SF	33 SF	493 SF
PLAN 1B (2 BD - 2.5 BTH)	1	1,179 SF	33 SF	609 SF
PLAN 2 (2 BD - 2.5 BTH)	19	1,162 SF	33 SF	396 SF
PLAN 3A (2 BD - 2.5 BTH)	5	1,345 SF	25 SF	406 SF
PLAN 3B (2 BD - 2.5 BTH)	5	1,345 SF	25 SF	406 SF
PLAN 4 (3 BD - 3.5 BTH)	2	1,493 SF	45 SF	402 SF
PLAN 5 (2-3 BD - 2.5-3.5 BTH)	7	1,452 SF - 1,645 SF	37 SF	397 SF - 207 SF
PLAN 6 (2-4 BD - 3-3.5 BTH)	1	1,955 SF	93 SF	433 SF
PLAN 7 (3 BD - 3.5 BTH)	7	1,527 SF	45 SF	376 SF
TOTAL	51 DU			

BUILDING SUMMARY			
BUILDING	SQ. FT. (W/ GAR.)	UNIT/BLDG	COUNT/BLDG
BUILDING 1	15,331 SQ. FT.	PLAN 5	7
		PLAN 6	1
BUILDING 2	6,762 SQ. FT.	PLAN 2	2
		PLAN 3B	1
		PLAN 7	1
BUILDING 3	6,906 SQ. FT.	PLAN 2	2
		PLAN 4	1
		PLAN 7	1
BUILDING 4	8,561 SQ. FT.	PLAN 1A	1
		PLAN 2	2
		PLAN 4	1
BUILDING 5	8,561 SQ. FT.	PLAN 7	1
		PLAN 1A	1
		PLAN 2	2
BUILDING 6	9,927 SQ. FT.	PLAN 4	1
		PLAN 7	1
		PLAN 2	3
BUILDING 7	11,726 SQ. FT.	PLAN 3A	1
		PLAN 3B	1
		PLAN 7	1
BUILDING 8	13,514 SQ. FT.	PLAN 1A	1
		PLAN 1B	1
		PLAN 2	3
		PLAN 3A	2
BUILDING 9	6,558 SQ. FT.	PLAN 7	1
		PLAN 2	2
TOTAL	87,846 SQ. FT.	PLAN 3B	2
		TOTAL	51 DU

\* NOTE :  
FOR DETAIL SPACE TABULATION OF EACH BUILDING SEE BUILDING PLAN SHEETS



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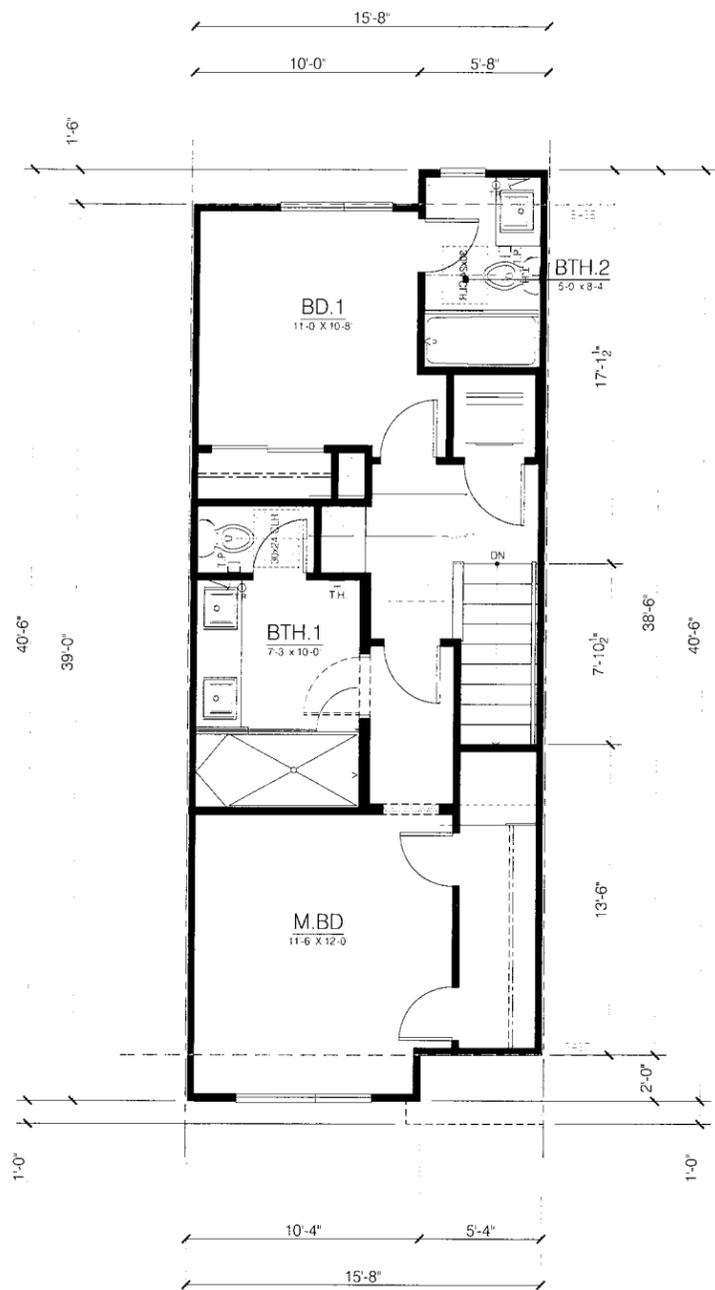
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PROJECT DATA  
PD

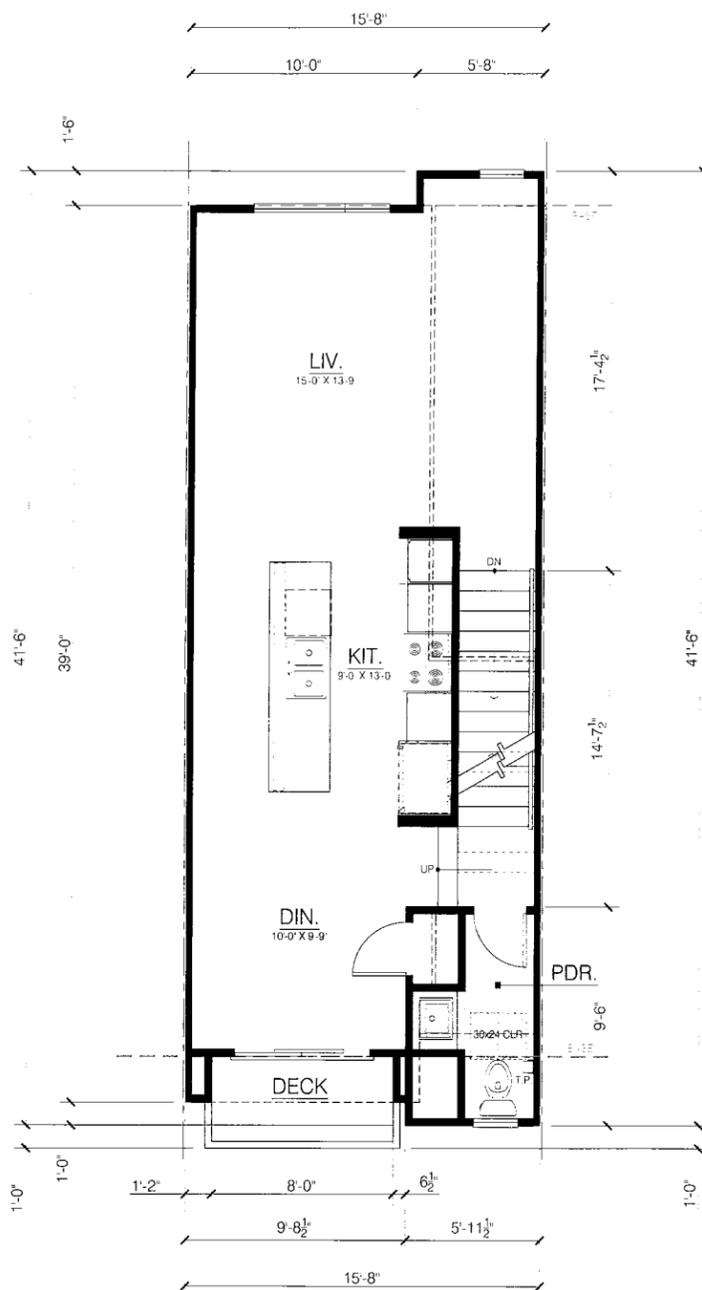
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DATE: 05.31.2018  
PROJECT: 317055.00



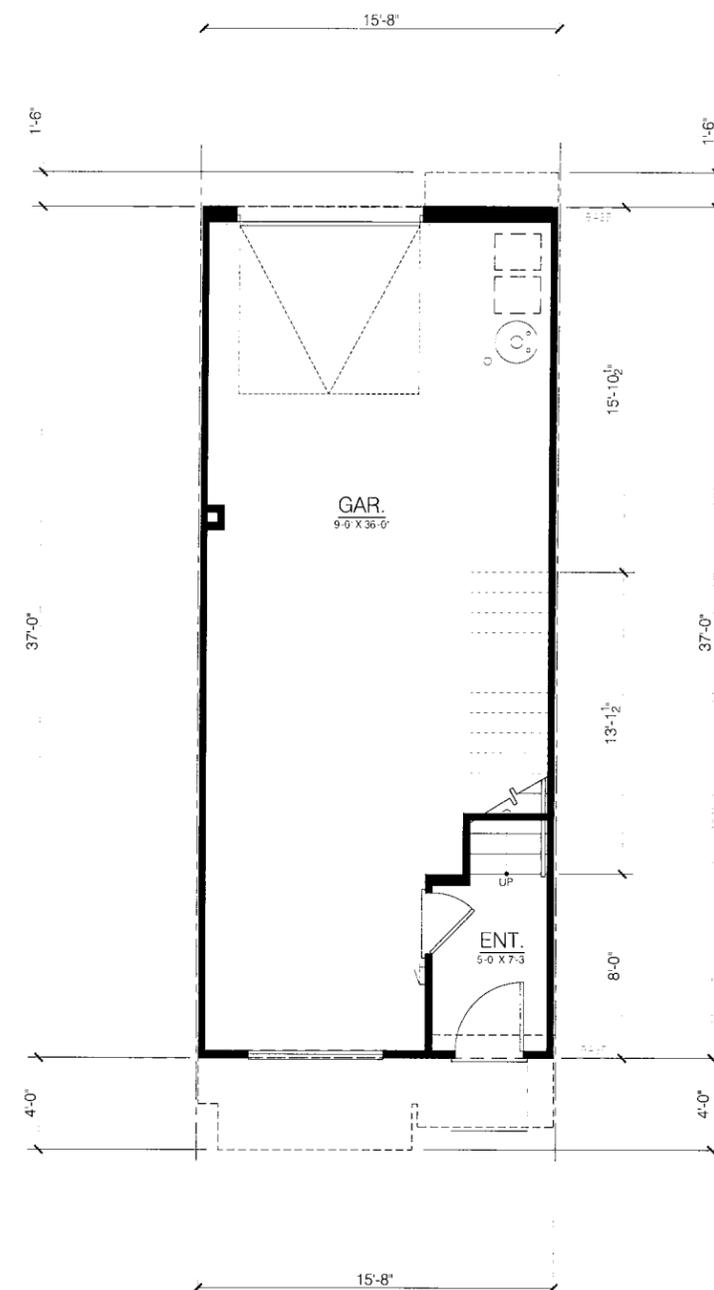
PLAN 1  
UPPER LIVING: 550 SQ. FT.

UPPER FLOOR



PLAN 1  
MAIN LIVING: 566 SQ. FT.  
TOTAL LIVING: 1,162 SQ. FT.

MAIN FLOOR



PLAN 1A  
LOWER LIVING: 46 SQ. FT.  
GARAGE: 493 SQ. FT.

LOWER FLOOR



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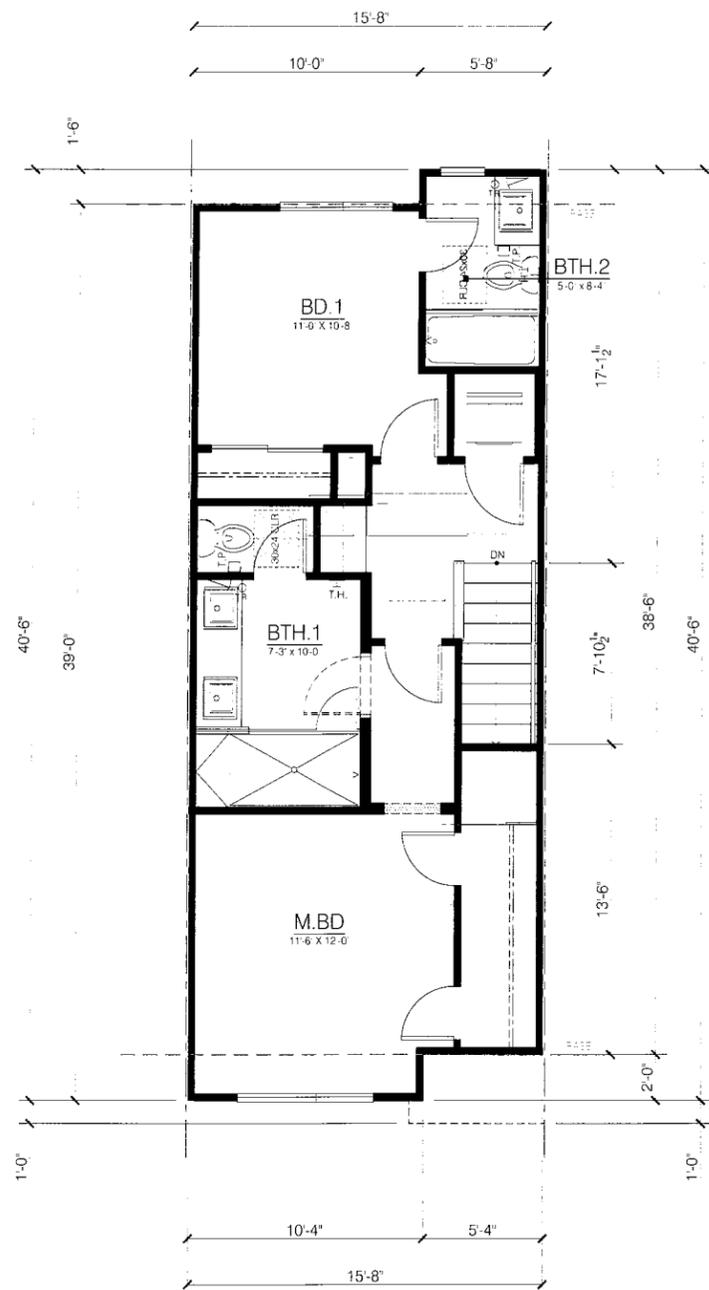
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PLAN 1A - FLOOR PLANS

A1.1

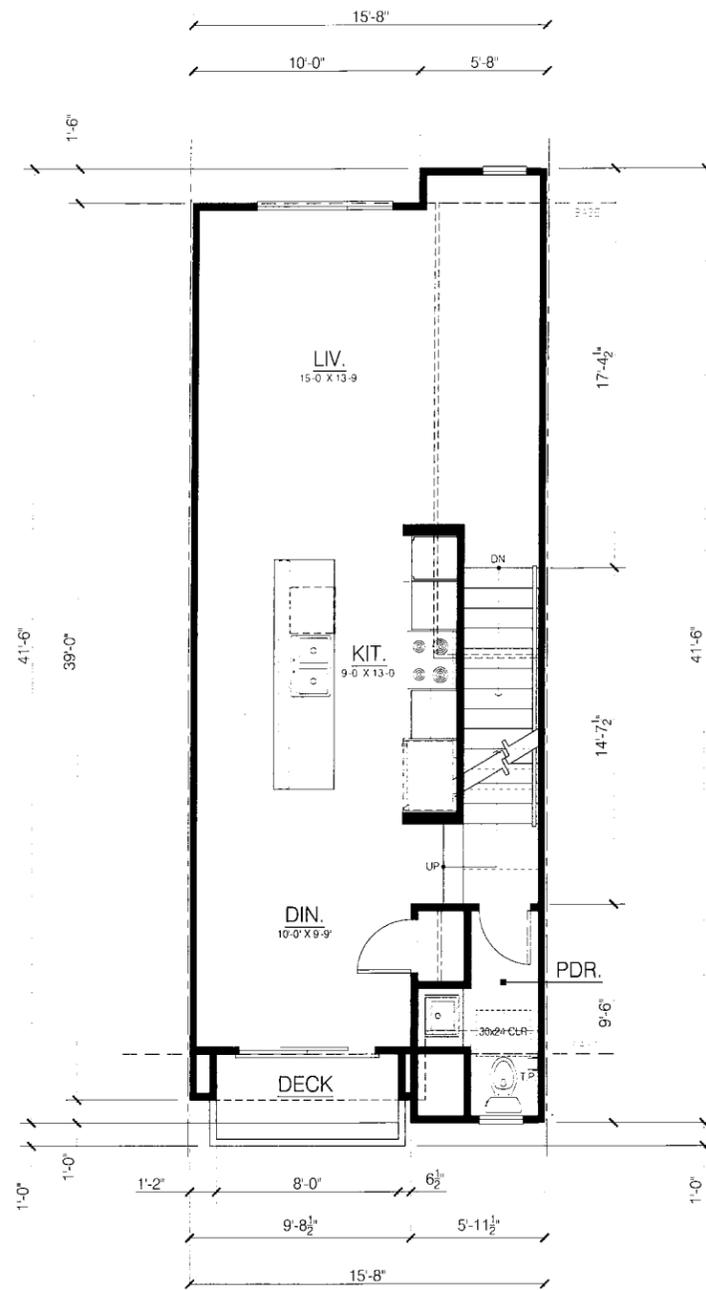
SCALE: 1/4" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



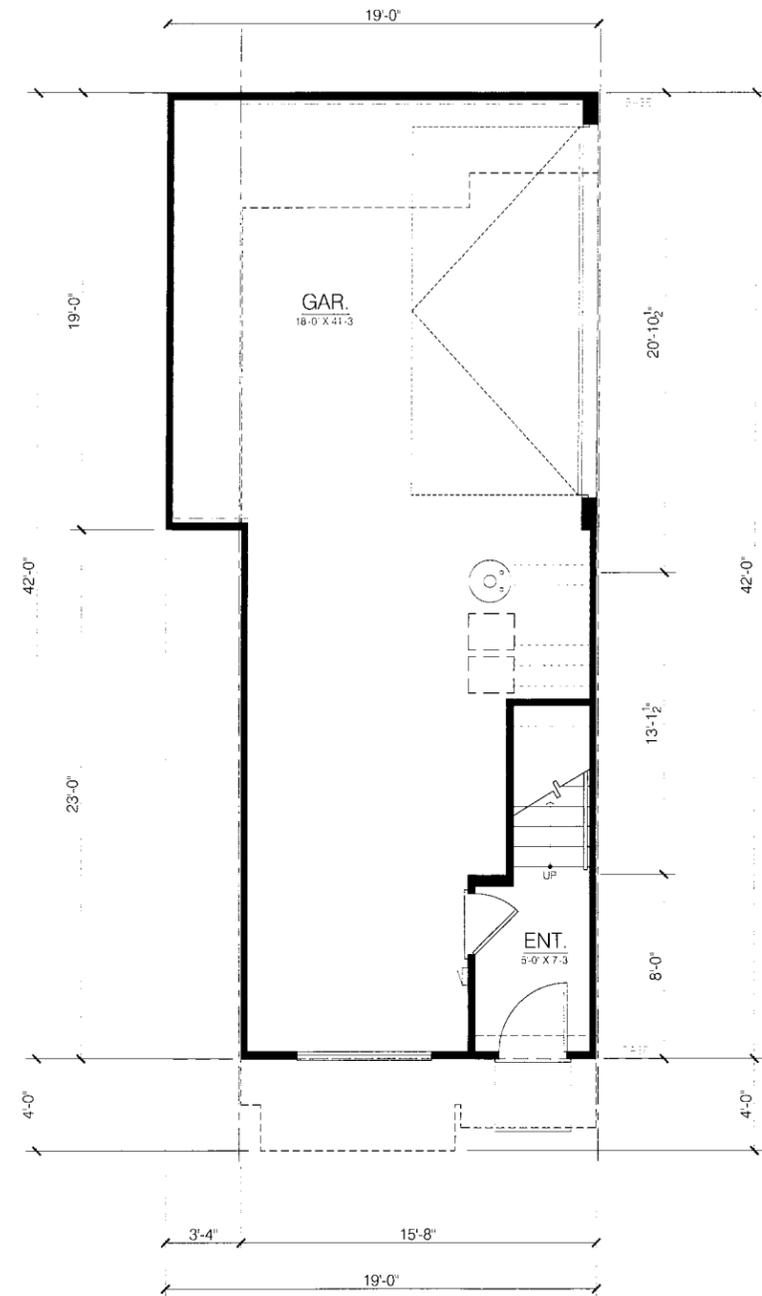
PLAN 1  
UPPER LIVING: 550 SQ. FT.

UPPER FLOOR



PLAN 1  
MAIN LIVING: 566 SQ. FT.  
TOTAL LIVING: 1,179 SQ. FT.

MAIN FLOOR



PLAN 1B  
LOWER LIVING: 63 SQ. FT.  
GARAGE: 609 SQ. FT.

LOWER FLOOR



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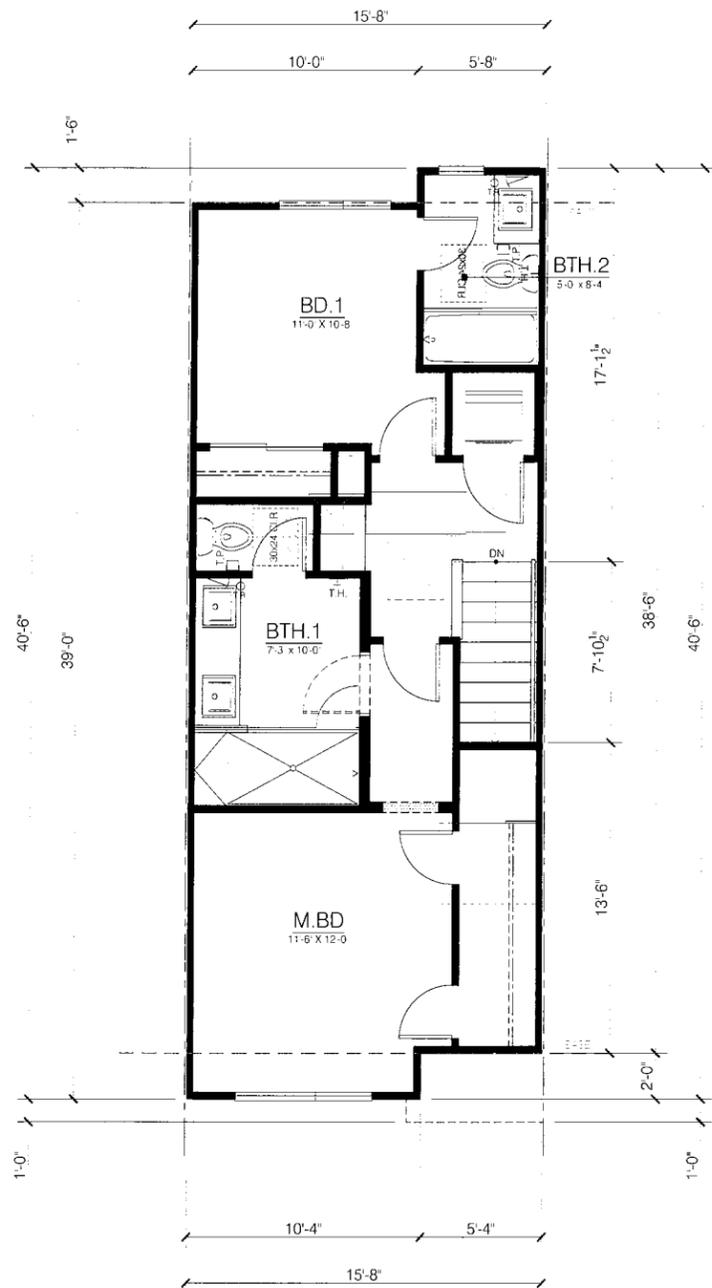
t. 415-512-1300  
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PLAN 1B - FLOOR PLANS

A1.2

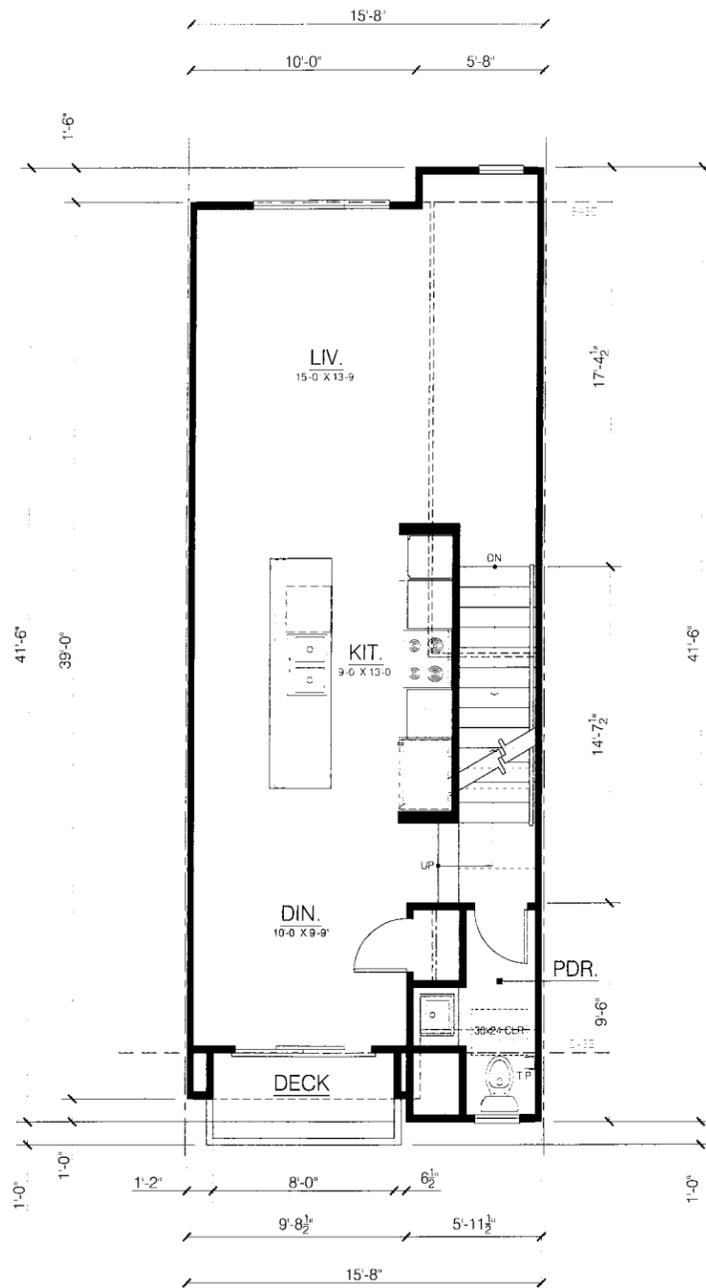
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DATE: 05.31.2018  
PROJECT: 317055.00



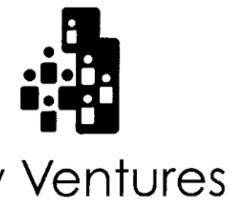
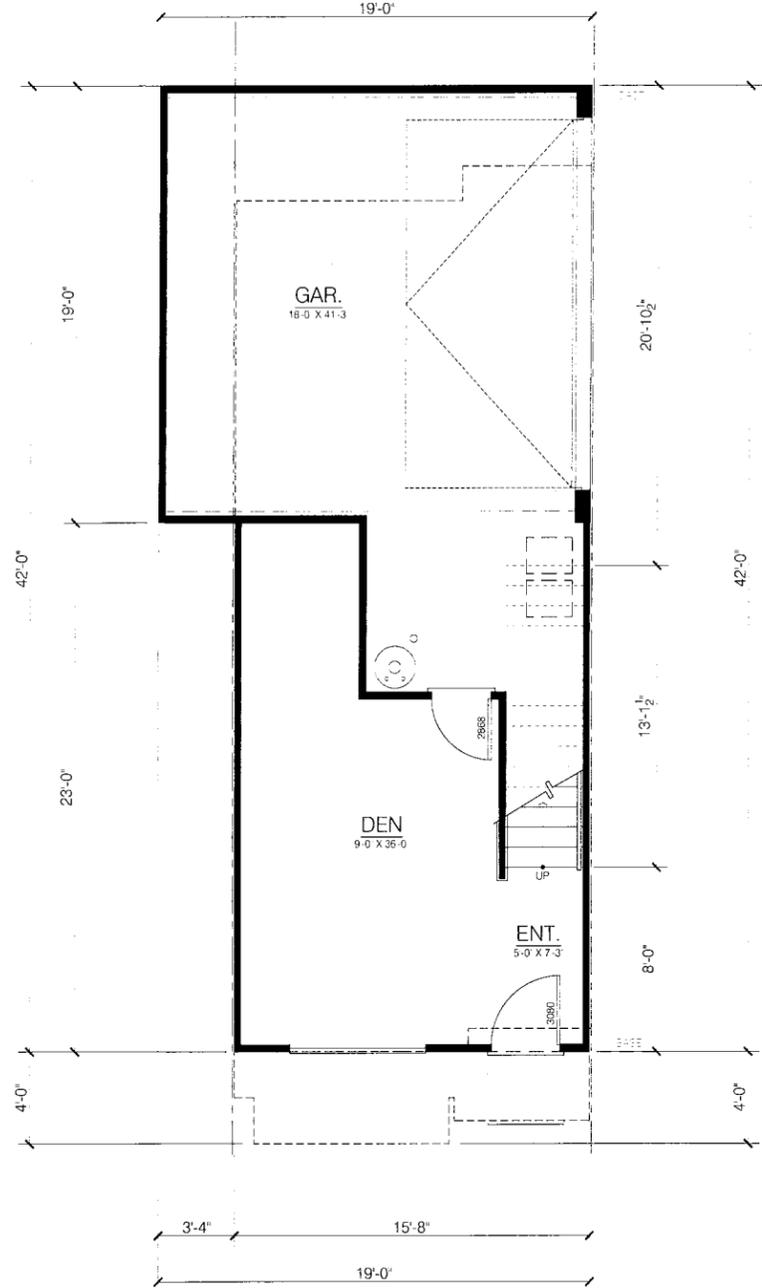
PLAN 1  
UPPER LIVING: 550 SQ. FT.

UPPER FLOOR



PLAN 1B - DEN  
LOWER LIVING: 887 SQ. FT.  
GARAGE: 809 SQ. FT.

LOWER FLOOR

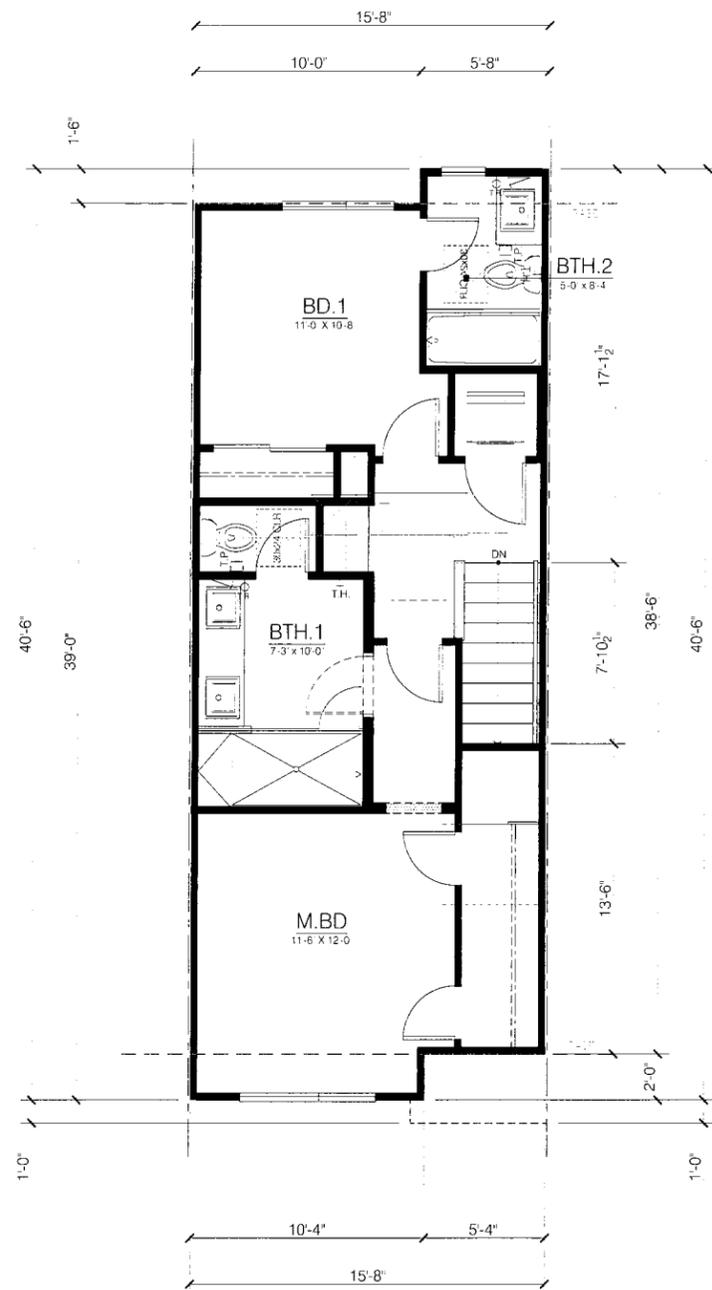


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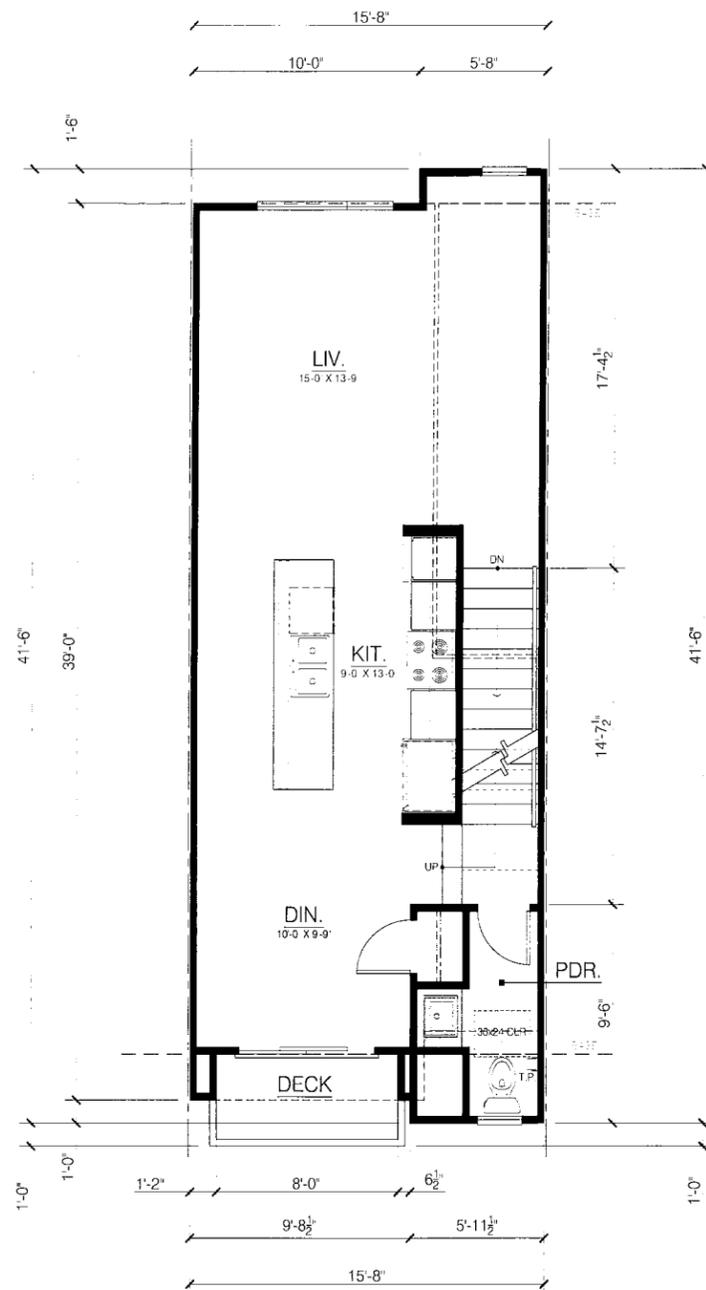
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PLAN 1B (DEN OPT.) - FLOOR PLANS  
**A1.3**  
SCALE: 1/4"=1'-0"  
DATE: 05.31.2018  
PROJECT: 317055.00



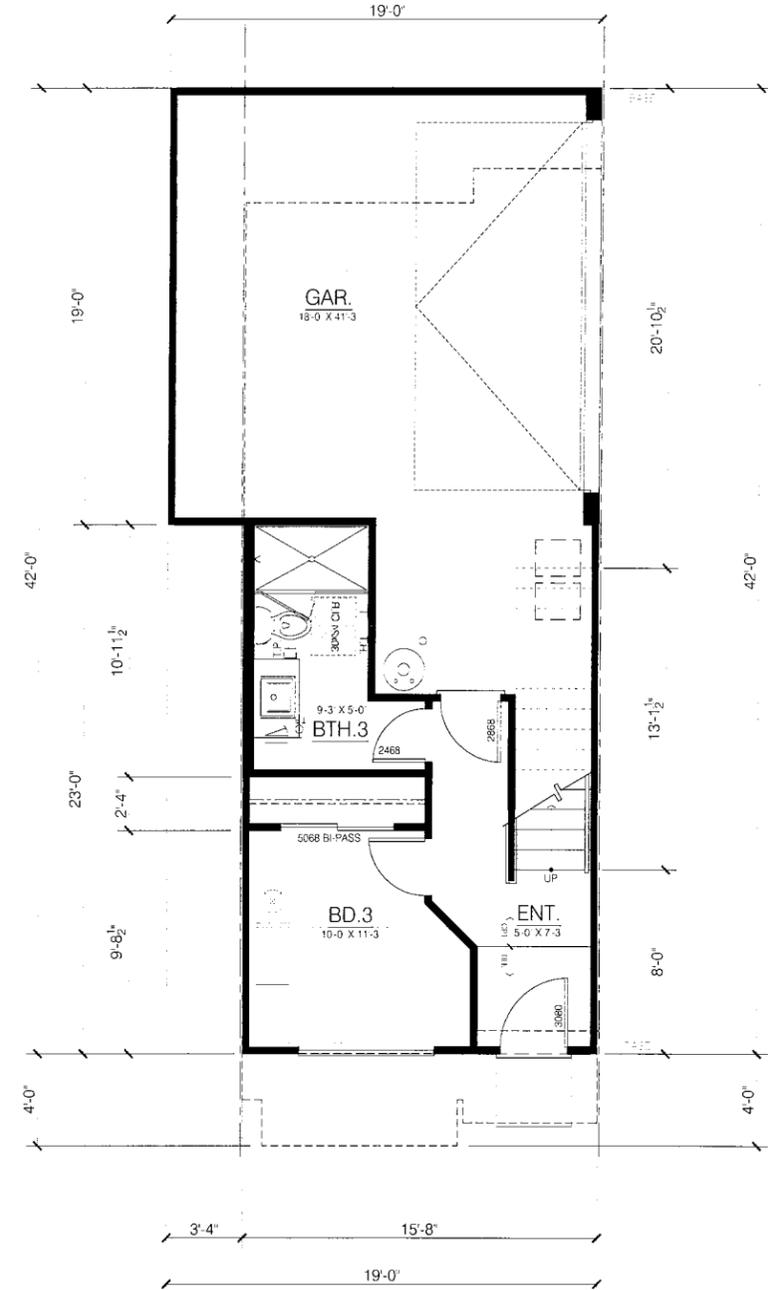
PLAN 1  
UPPER LIVING: 550 SQ. FT.

UPPER FLOOR



PLAN 1  
MAIN LIVING: 566 SQ. FT.  
TOTAL LIVING: 1,162 SQ. FT.

MAIN FLOOR



PLAN 1B - BD. 3  
LOWER LIVING: 885 SQ. FT.  
GARAGE: 809 SQ. FT.

LOWER FLOOR



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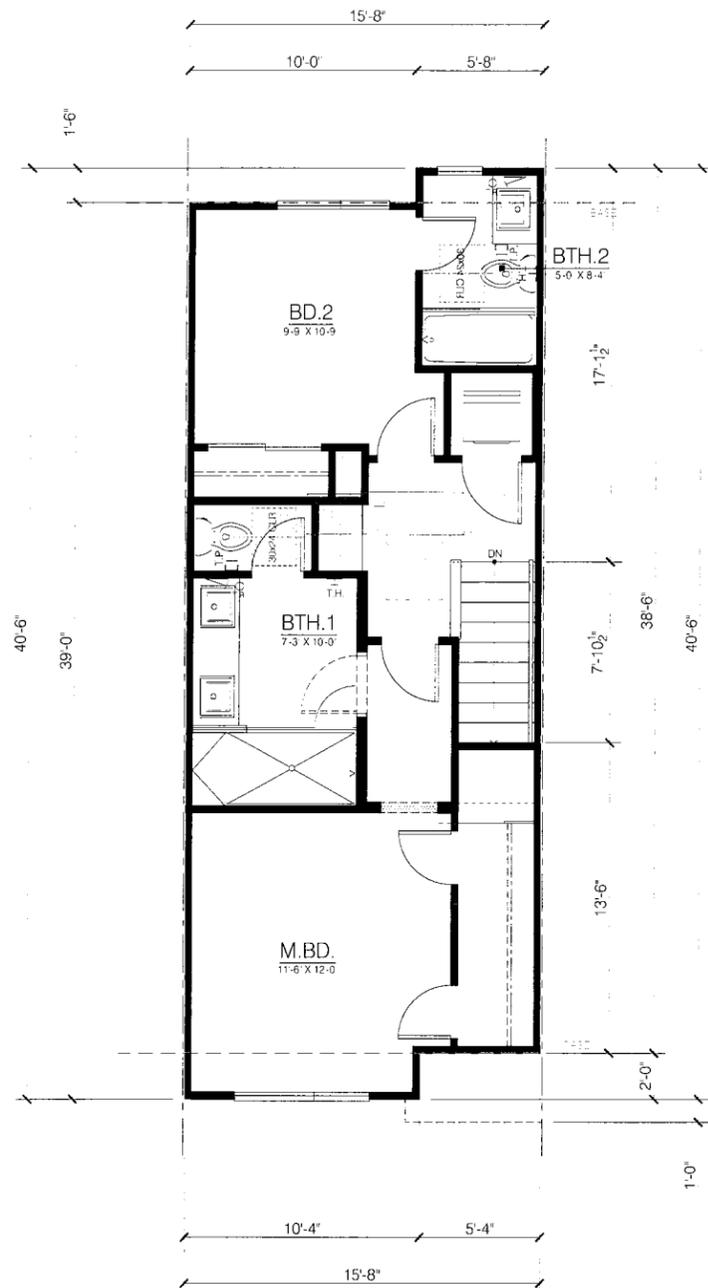
t. 415-512-1300  
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PLAN 1B (BD 3 OPT.) - FLOOR PLANS

A1.4

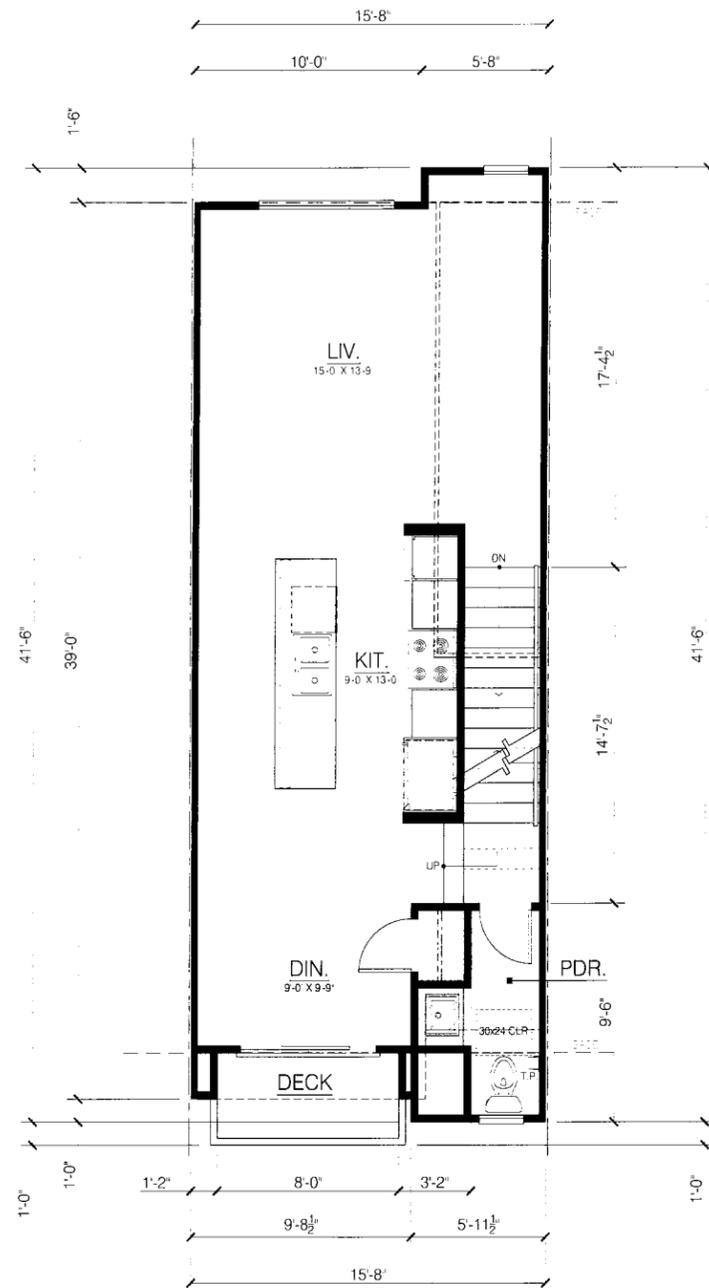
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DATE: 05.31.2018  
PROJECT: 317055.00



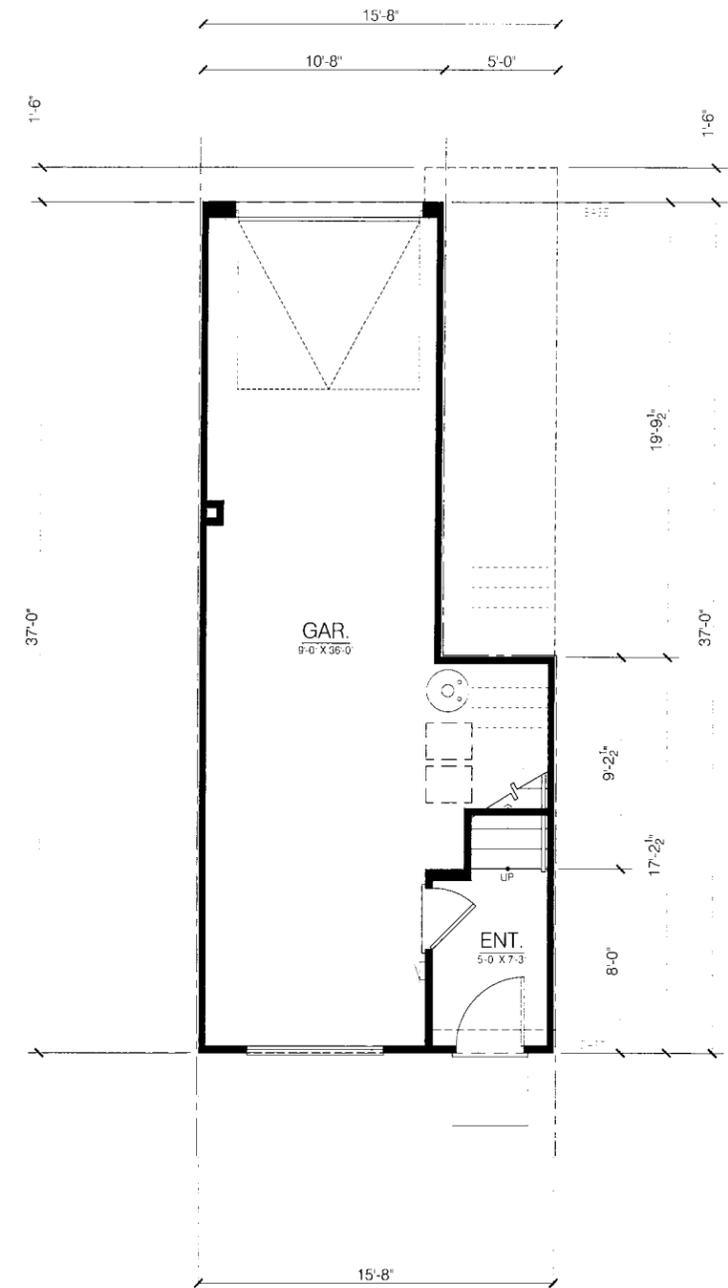
PLAN 2  
UPPER LIVING: 550 SQ. FT.

UPPER FLOOR



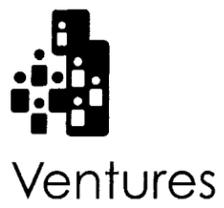
PLAN 2  
MAIN LIVING: 566 SQ. FT.  
TOTAL LIVING: 1,162 SQ. FT.

MAIN FLOOR



PLAN 2  
LOWER LIVING: 46 SQ. FT.  
GARAGE: 396 SQ. FT.

LOWER FLOOR



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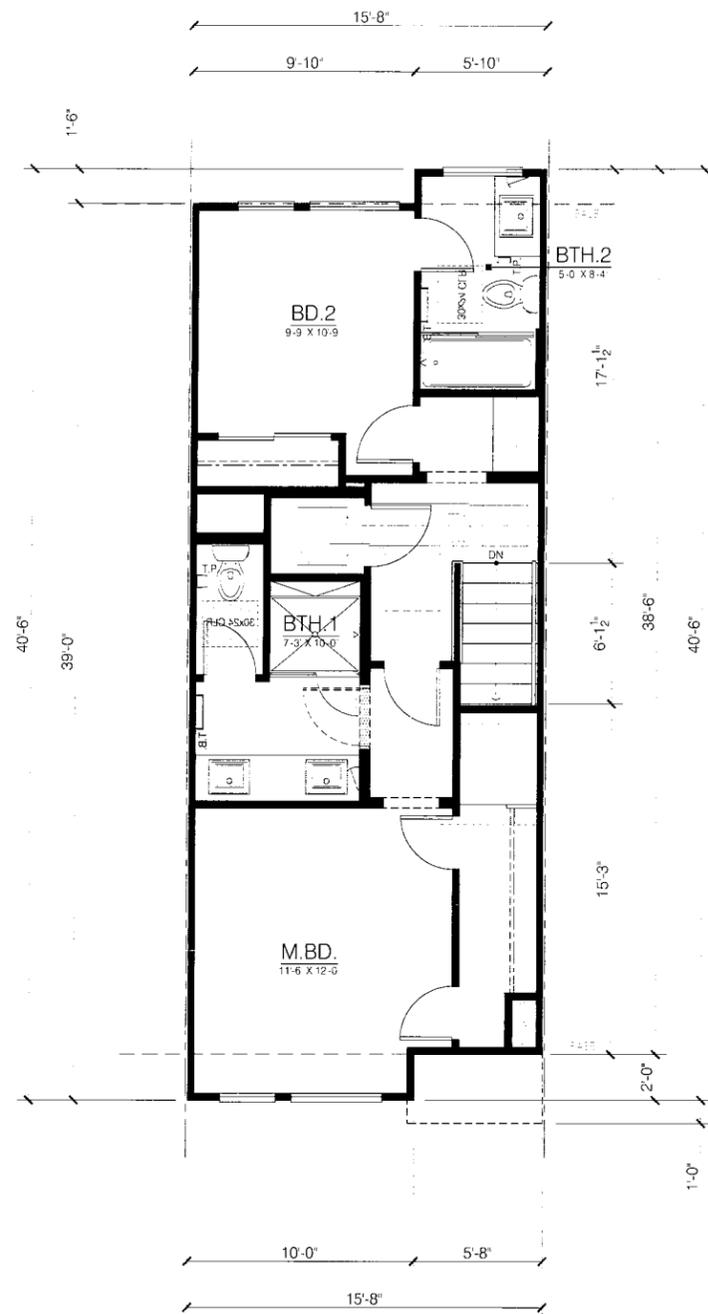
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PLAN 2 - FLOOR PLANS

A2.1

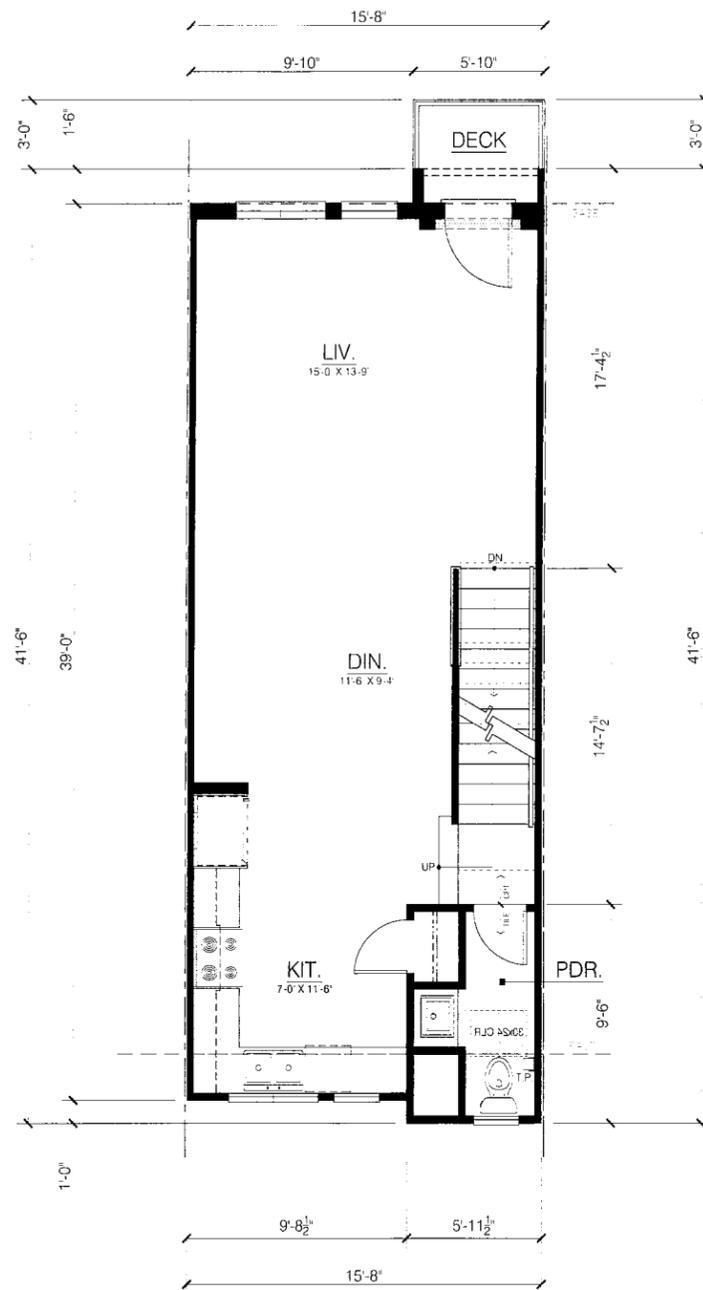
SCALE: 1/4" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



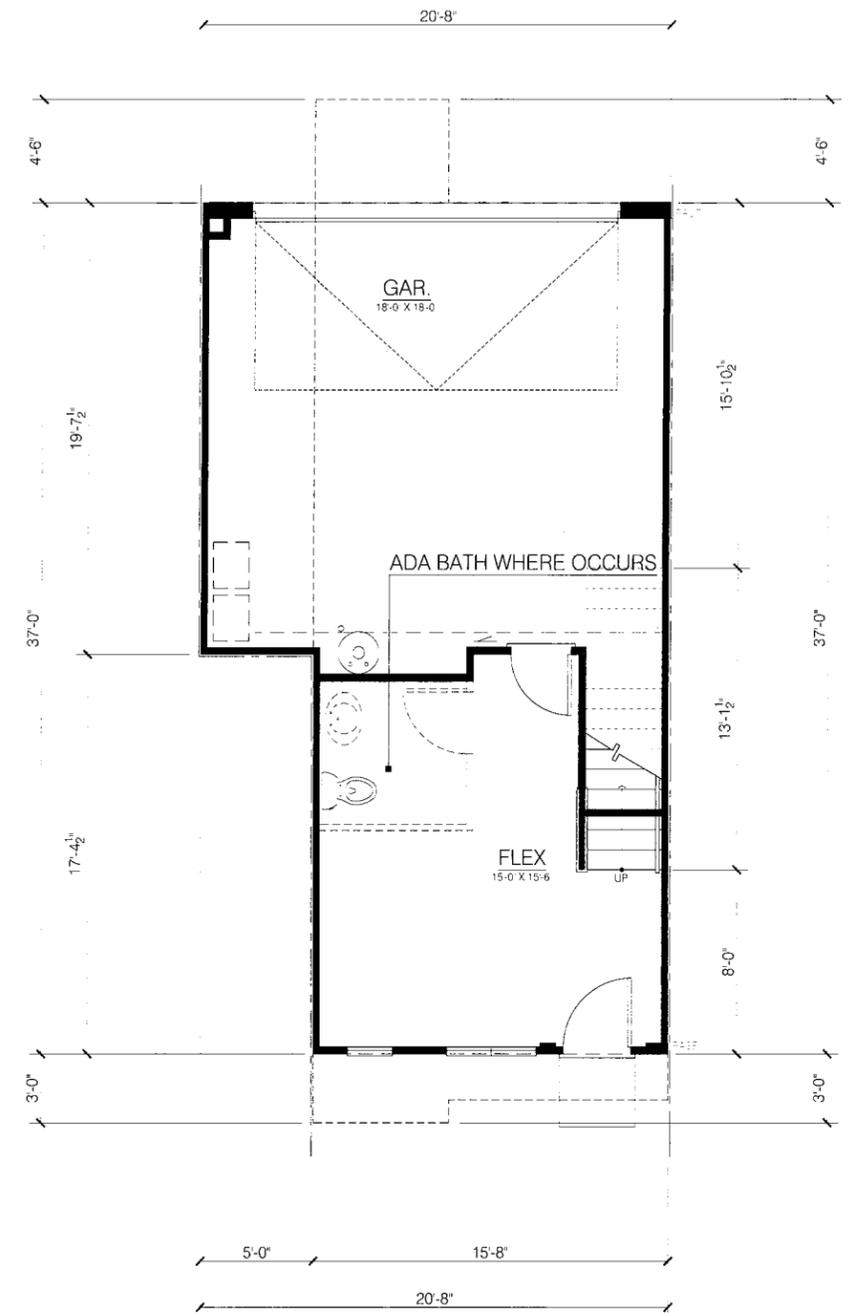
PLAN 3  
UPPER LIVING: 552 SQ. FT.

UPPER FLOOR



PLAN 3  
MAIN LIVING: 569 SQ. FT.  
TOTAL LIVING: 1,345 SQ. FT.

MAIN FLOOR



PLAN 3A  
LOWER LIVING: 224 SQ. FT.  
GARAGE: 406 SQ. FT.

LOWER FLOOR



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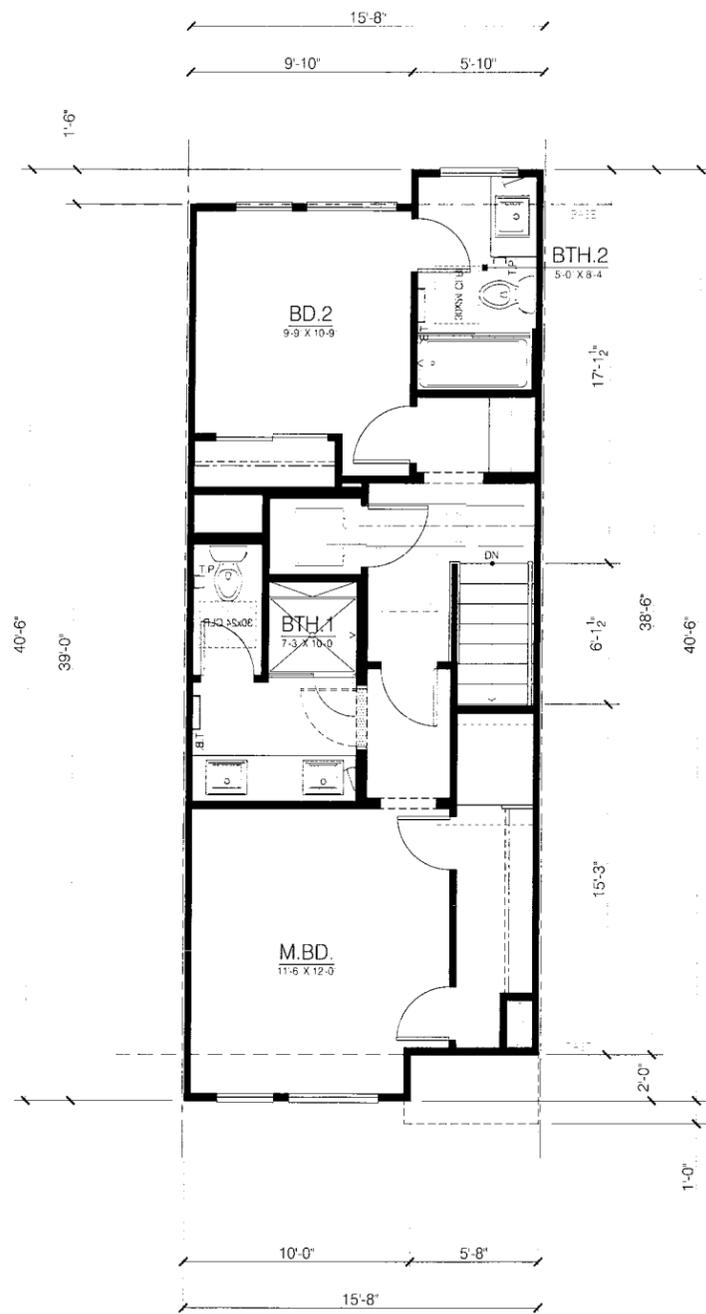
t. 415-512-1300  
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PLAN 3A - FLOOR PLANS

A3.1

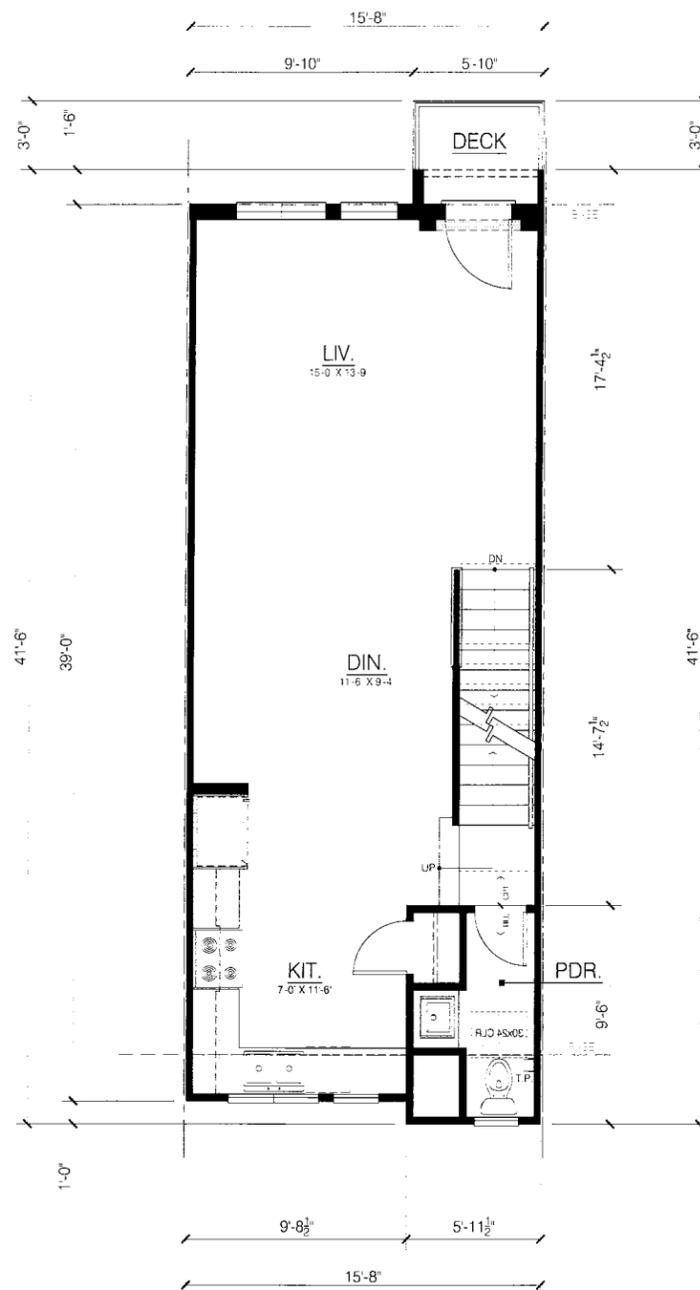
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DATE: 05.31.2018  
PROJECT: 317055.00



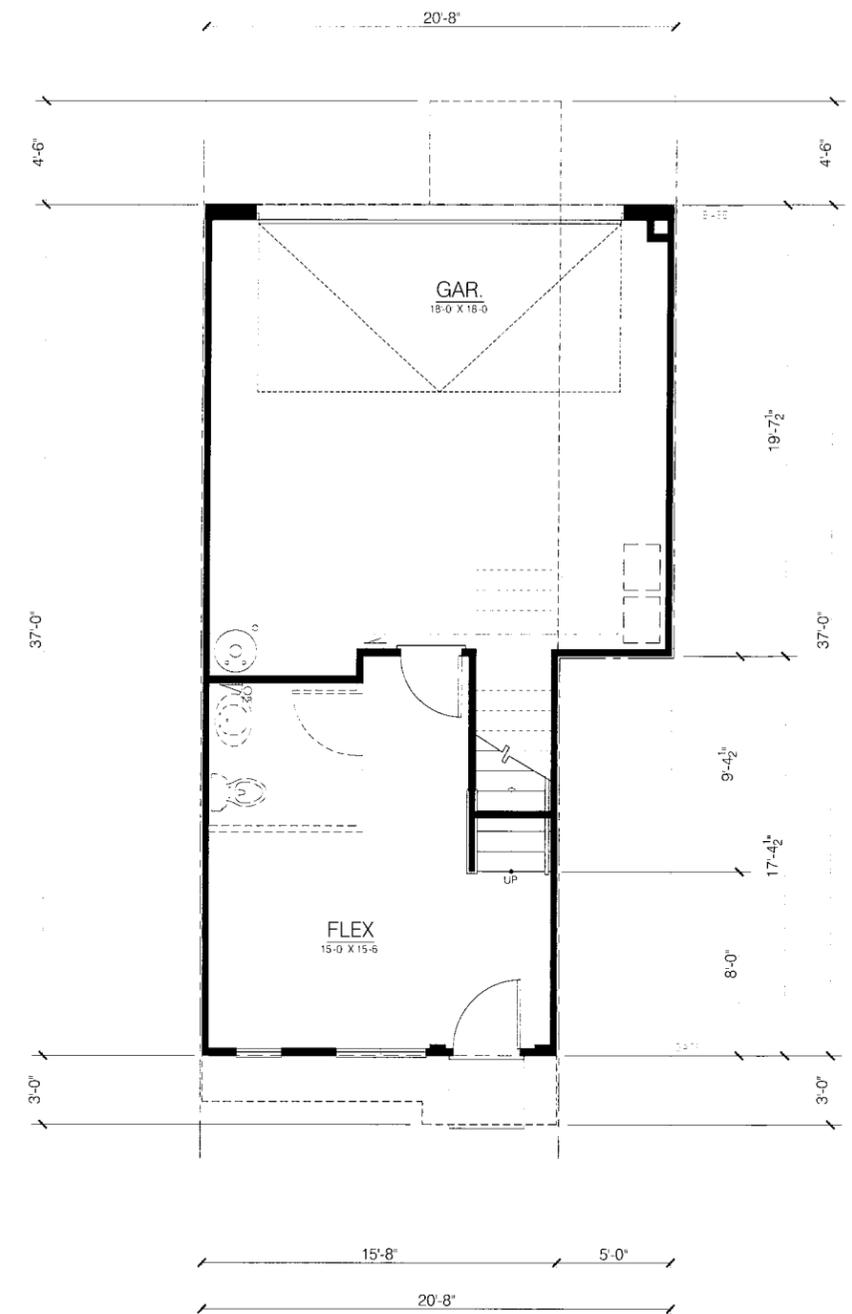
PLAN 3  
UPPER LIVING: 552 SQ. FT.

UPPER FLOOR



PLAN 3  
MAIN LIVING: 569 SQ. FT.  
TOTAL LIVING: 1,345 SQ. FT.

MAIN FLOOR



PLAN 3B  
LOWER LIVING: 224 SQ. FT.  
GARAGE: 406 SQ. FT.

LOWER FLOOR



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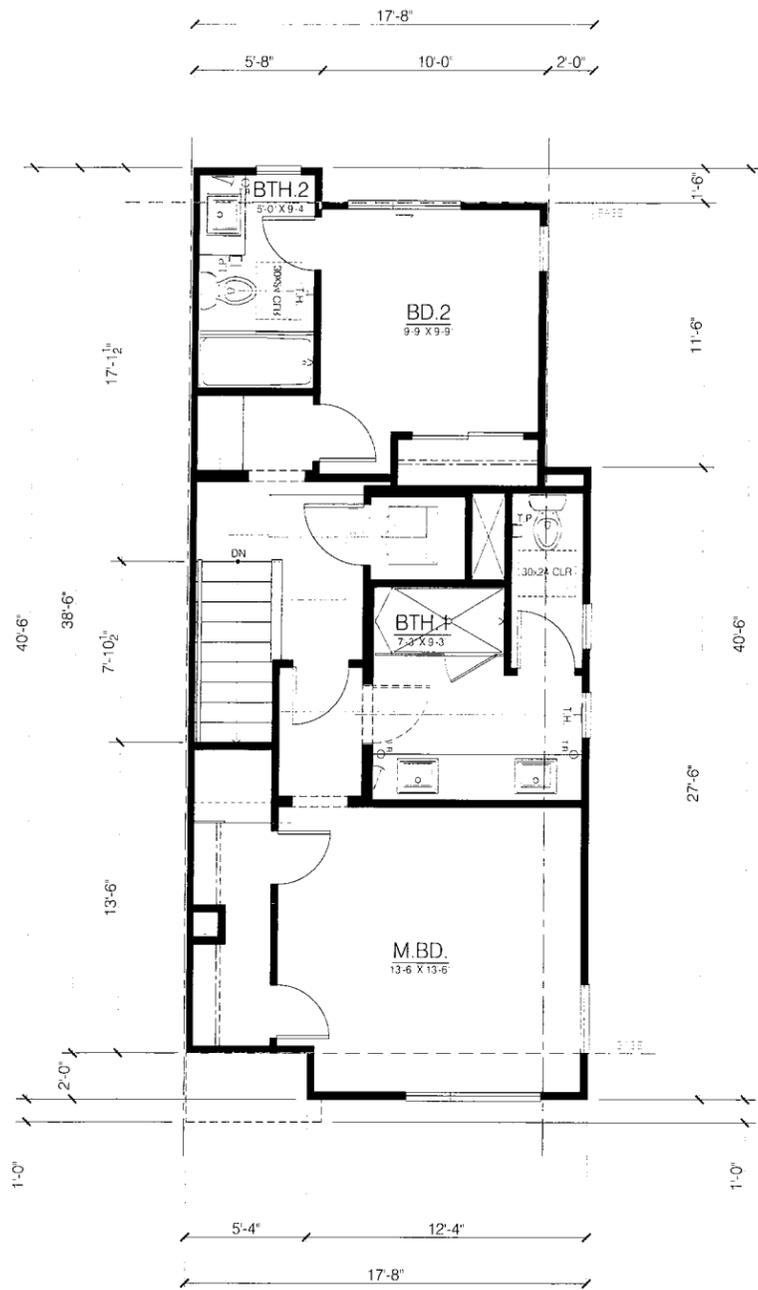
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PLAN 3B - FLOOR PLANS

A3.2

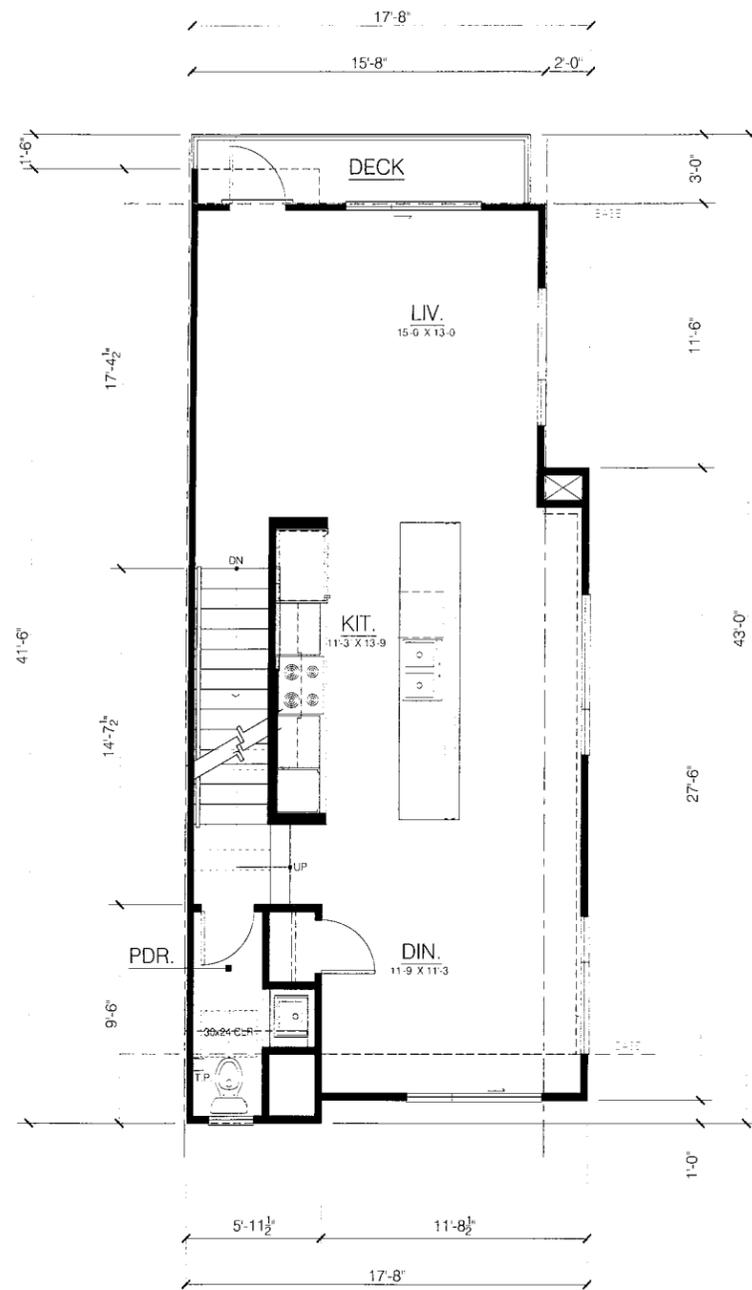
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PROJECT: 317055.00



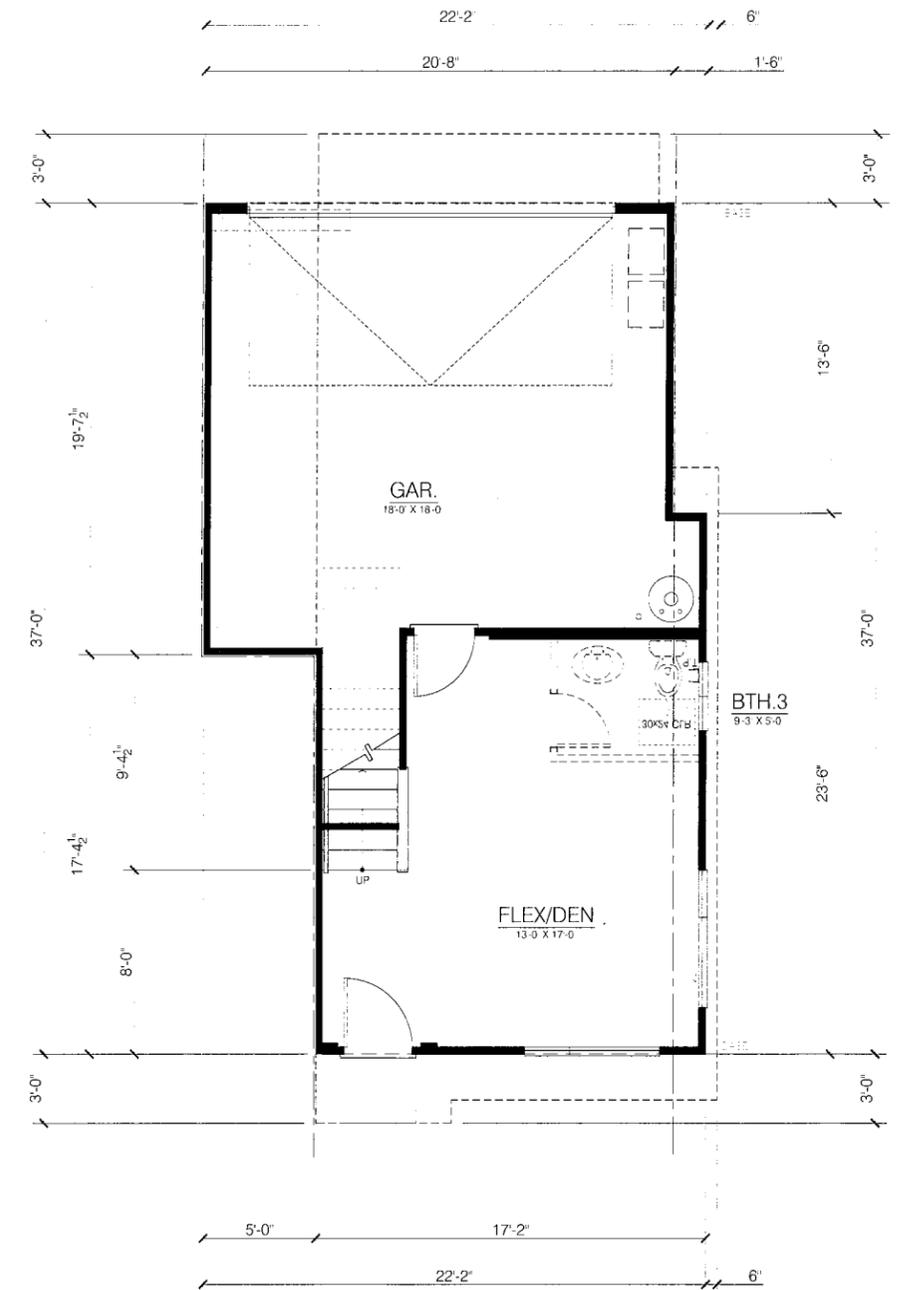
PLAN 4  
UPPER LIVING: 602 SQ. FT.

UPPER FLOOR



PLAN 4  
MAIN LIVING: 627 SQ. FT.  
TOTAL LIVING: 1,493 SQ. FT.

MAIN FLOOR



PLAN 4  
LOWER LIVING: 264 SQ. FT.  
GARAGE: 402 SQ. FT.

LOWER FLOOR



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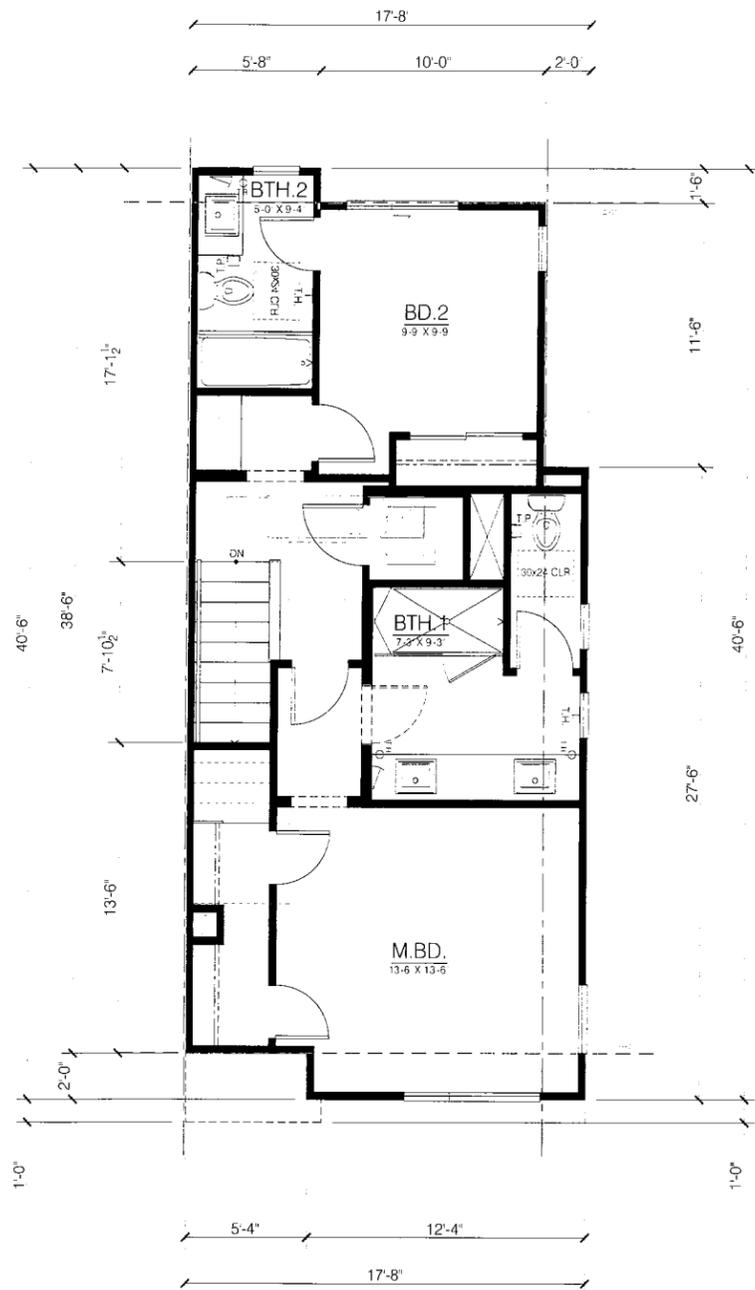
t. 415-512-1300  
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PLAN 4 - FLOOR PLANS

A4.1

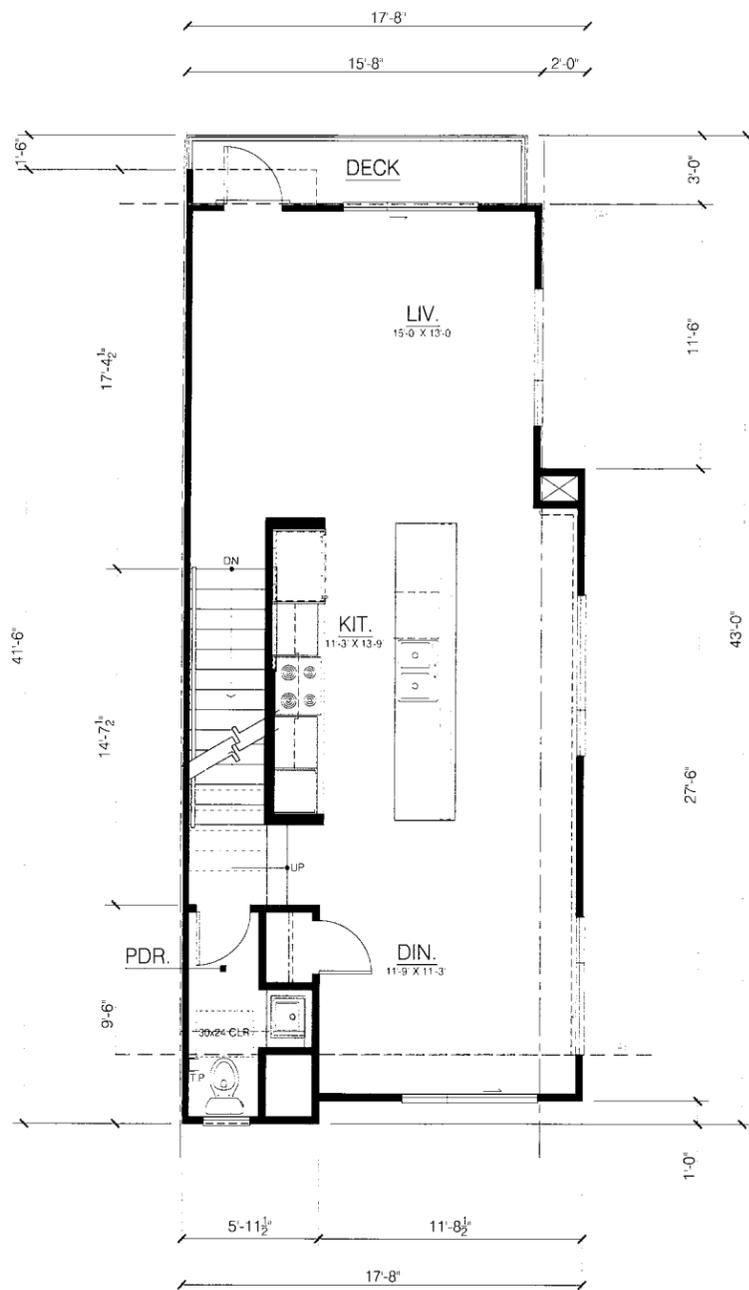
SCALE: 1/4" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



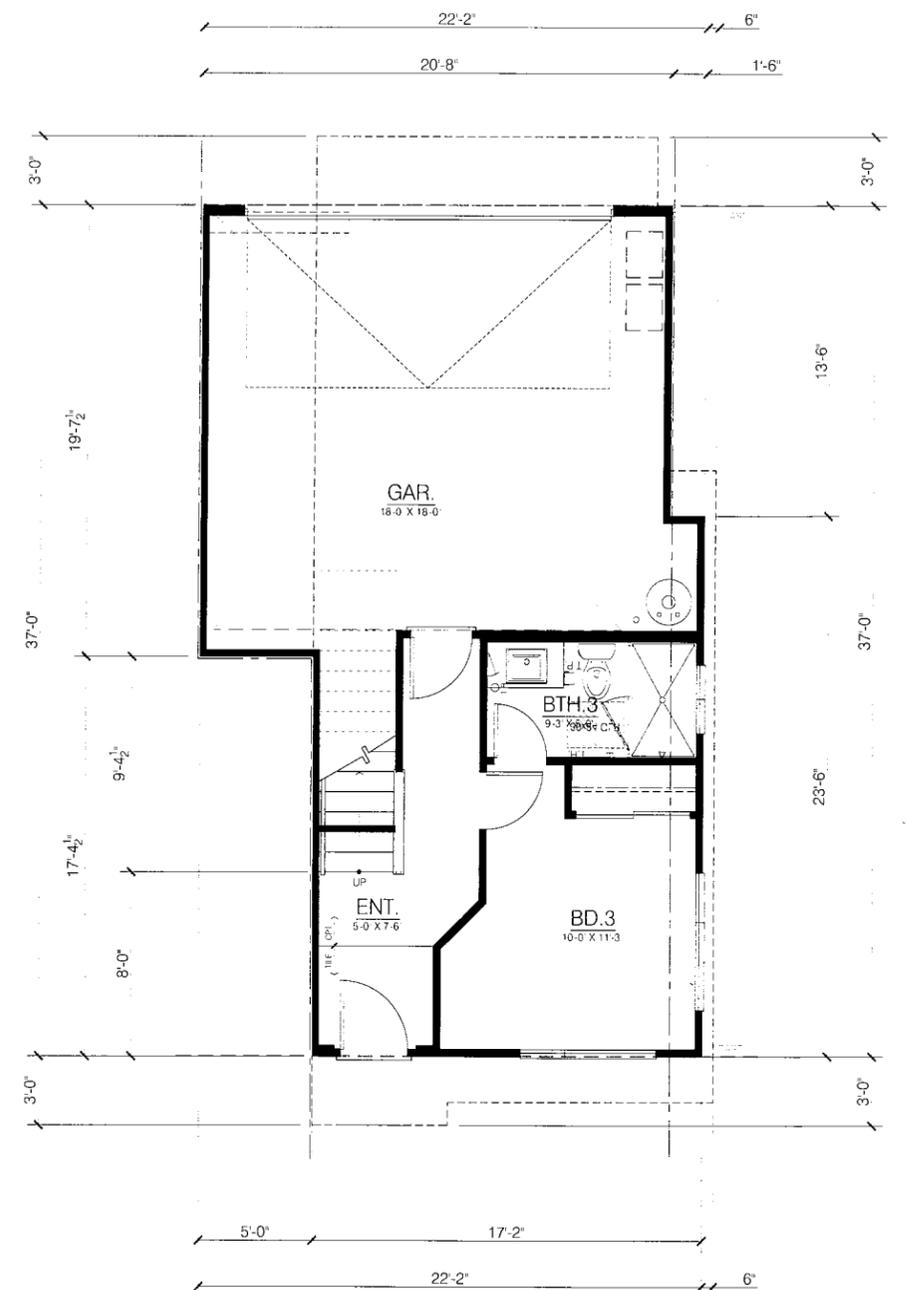
PLAN 4  
UPPER LIVING: 602 SQ. FT.

UPPER FLOOR



PLAN 4  
MAIN LIVING: 627 SQ. FT.  
TOTAL LIVING: 1,493 SQ. FT.

MAIN FLOOR



PLAN 4  
LOWER LIVING: 264 SQ. FT.  
GARAGE: 402 SQ. FT.

LOWER FLOOR



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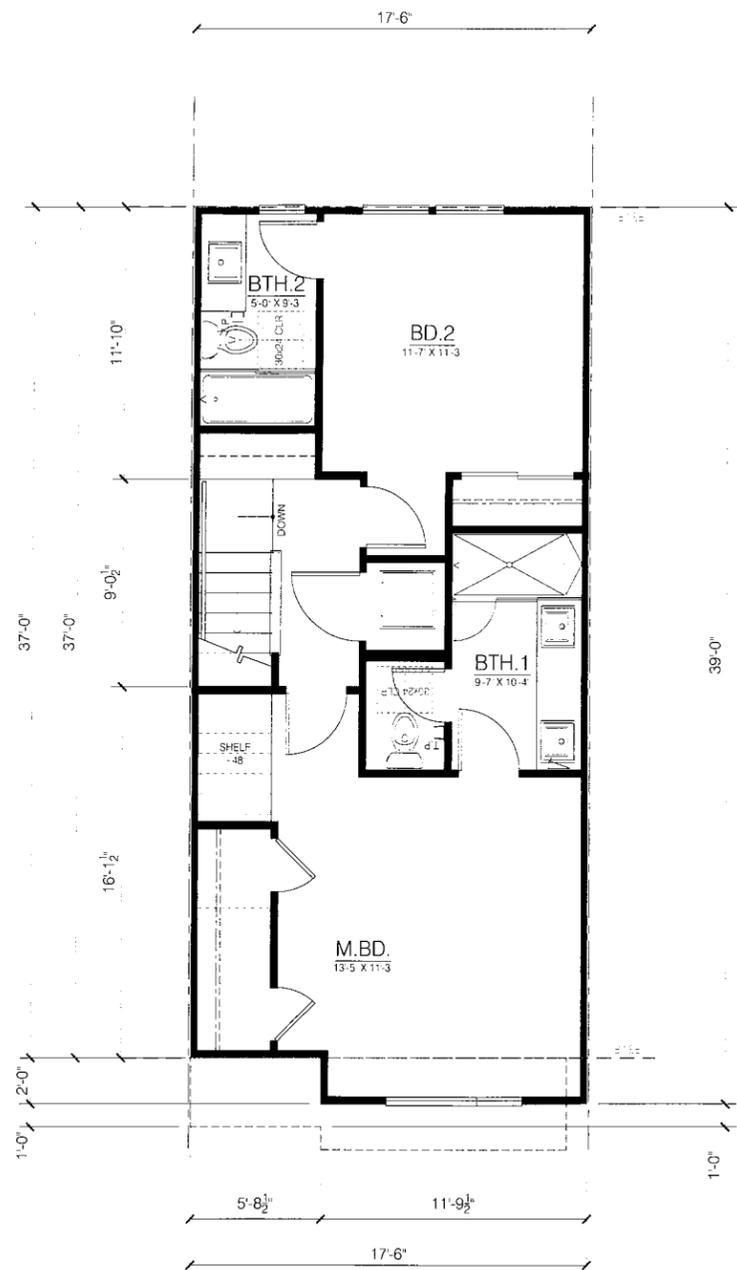
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PLAN 4 (BD 3 OPT) - FLOOR PLANS

A4.2

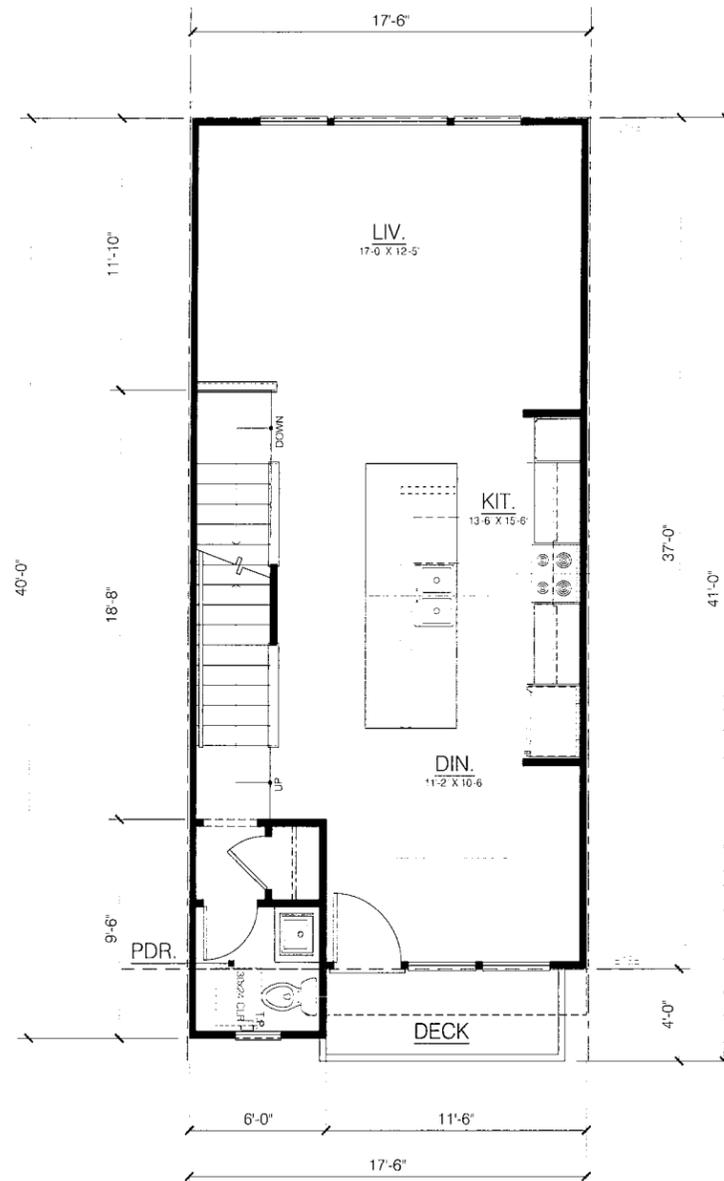
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DATE: 05.31.2018  
PROJECT: 317055.00



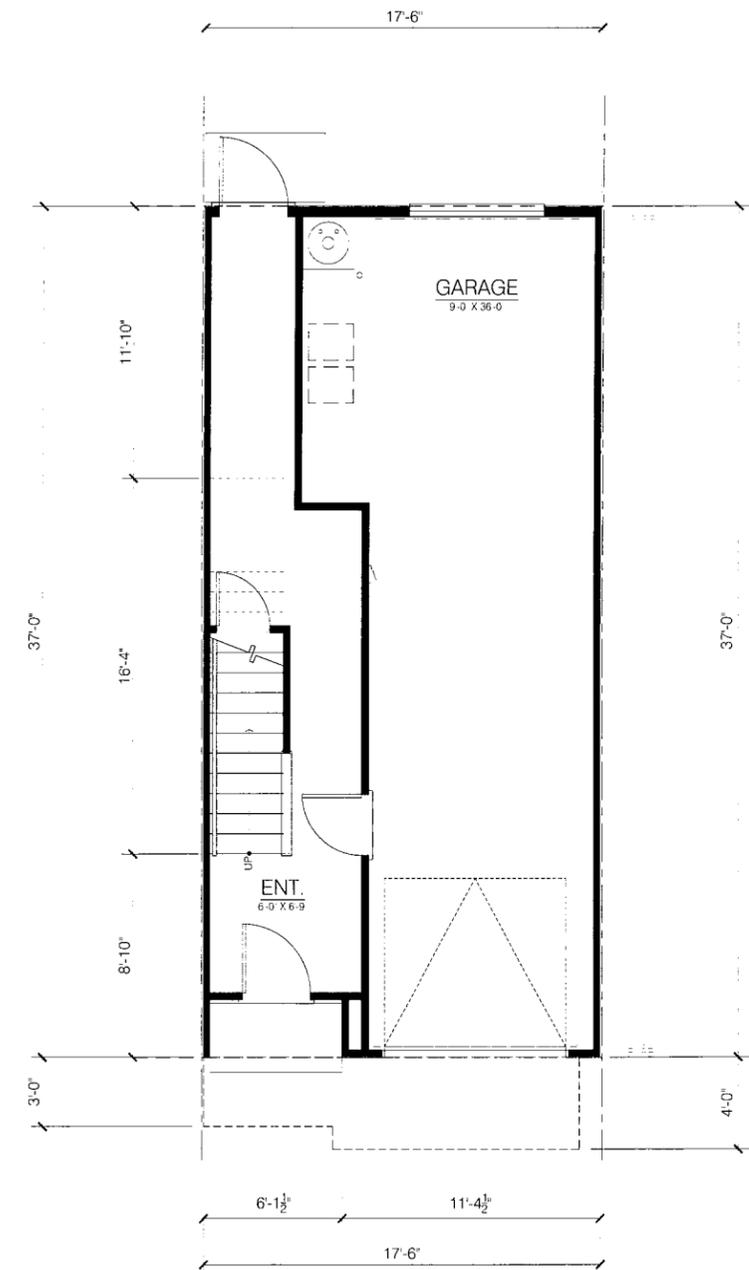
PLAN 5  
UPPER LIVING: 609 SQ. FT.

### UPPER FLOOR



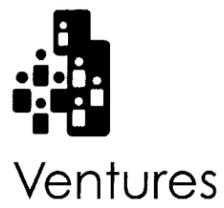
PLAN 5  
MAIN LIVING: 655 SQ. FT.  
TOTAL LIVING: 1,452 SQ. FT.

### MAIN FLOOR



PLAN 5  
LOWER LIVING: 188 SQ. FT.  
GARAGE: 397 SQ. FT.

### LOWER FLOOR



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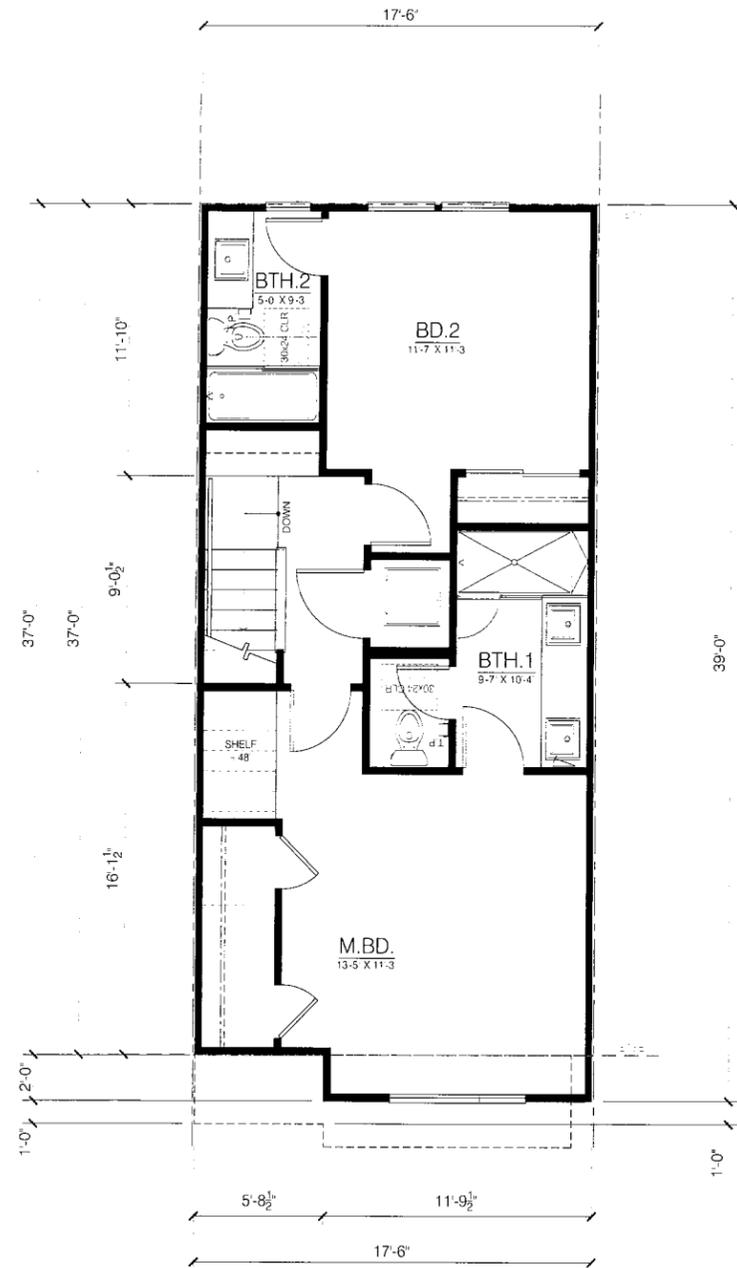
t. 415-512-1300  
f. 415-288-0288

PLAN 5 - FLOOR PLANS

A5.1

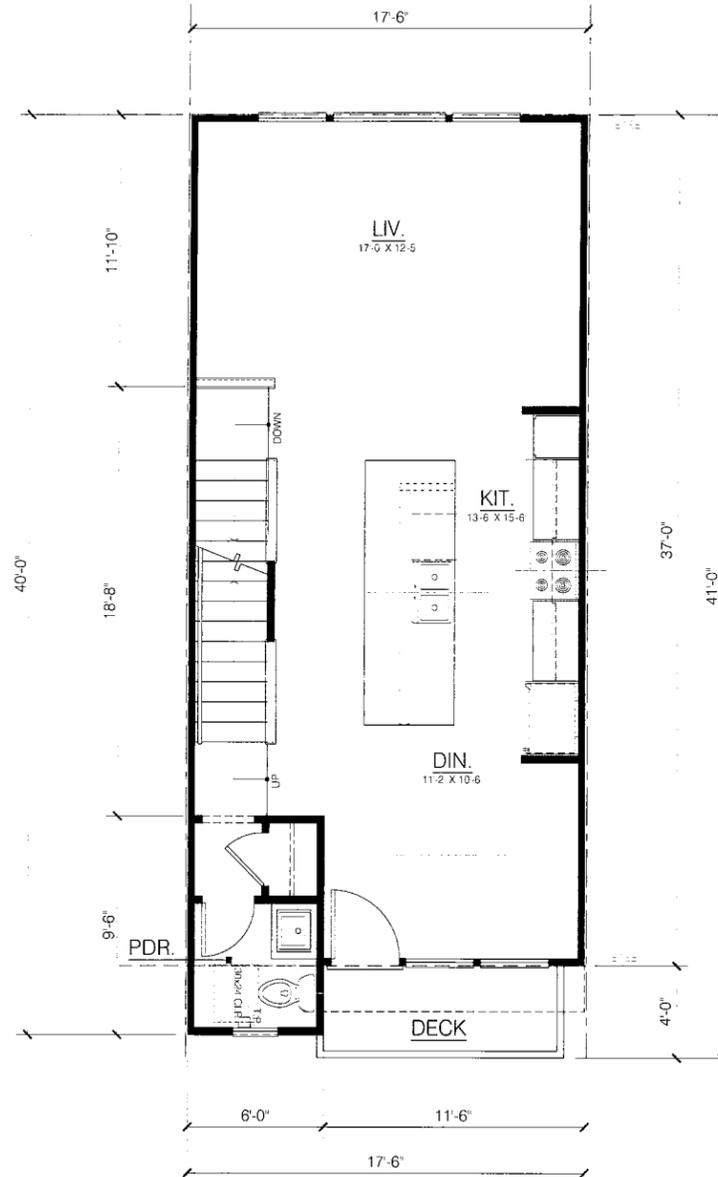
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DATE: 05.31.2018  
PROJECT: 317055.00



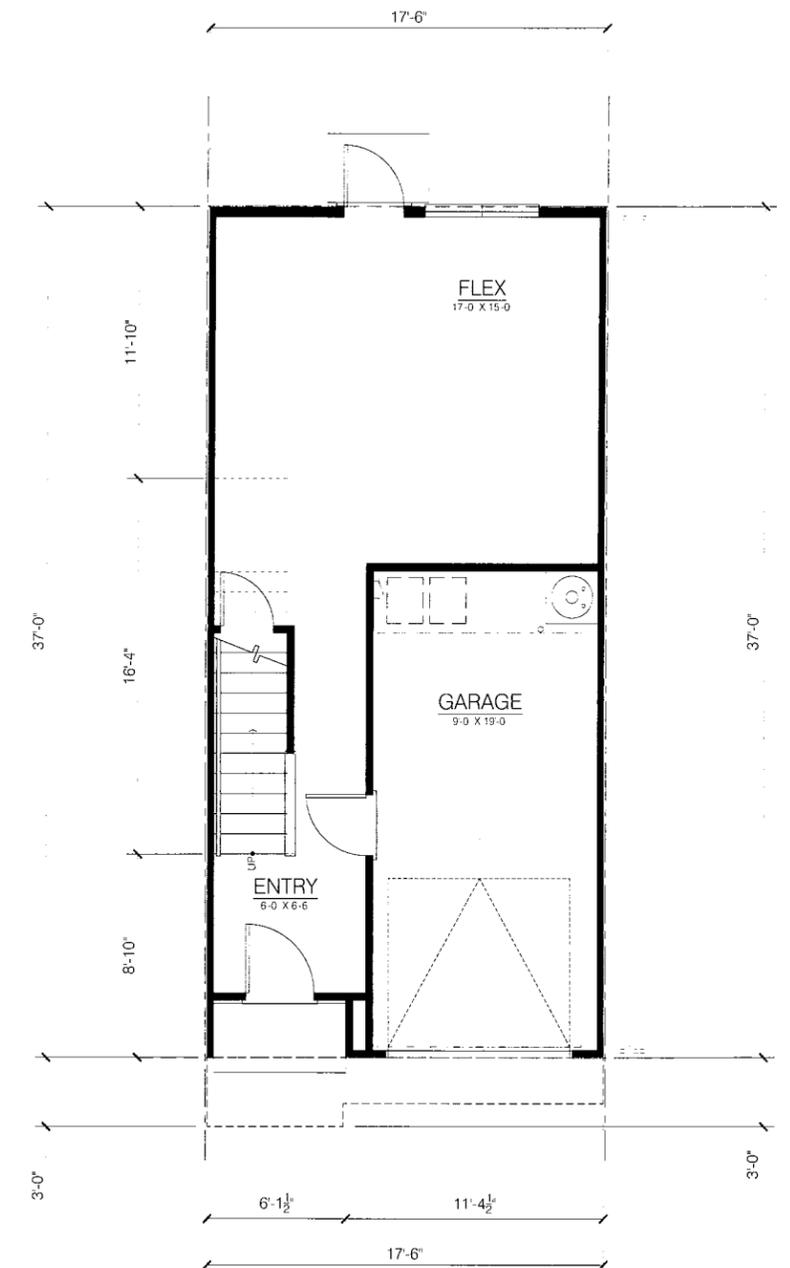
PLAN 5  
UPPER LIVING: 609 SQ. FT.

### UPPER FLOOR



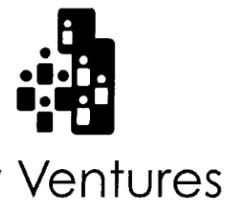
PLAN 5  
MAIN LIVING: 655 SQ. FT.  
TOTAL LIVING: 1,645 SQ. FT.

### MAIN FLOOR



PLAN 5-OPT.  
LOWER LIVING: 381 SQ. FT.  
GARAGE: 207 SQ. FT.

### LOWER FLOOR



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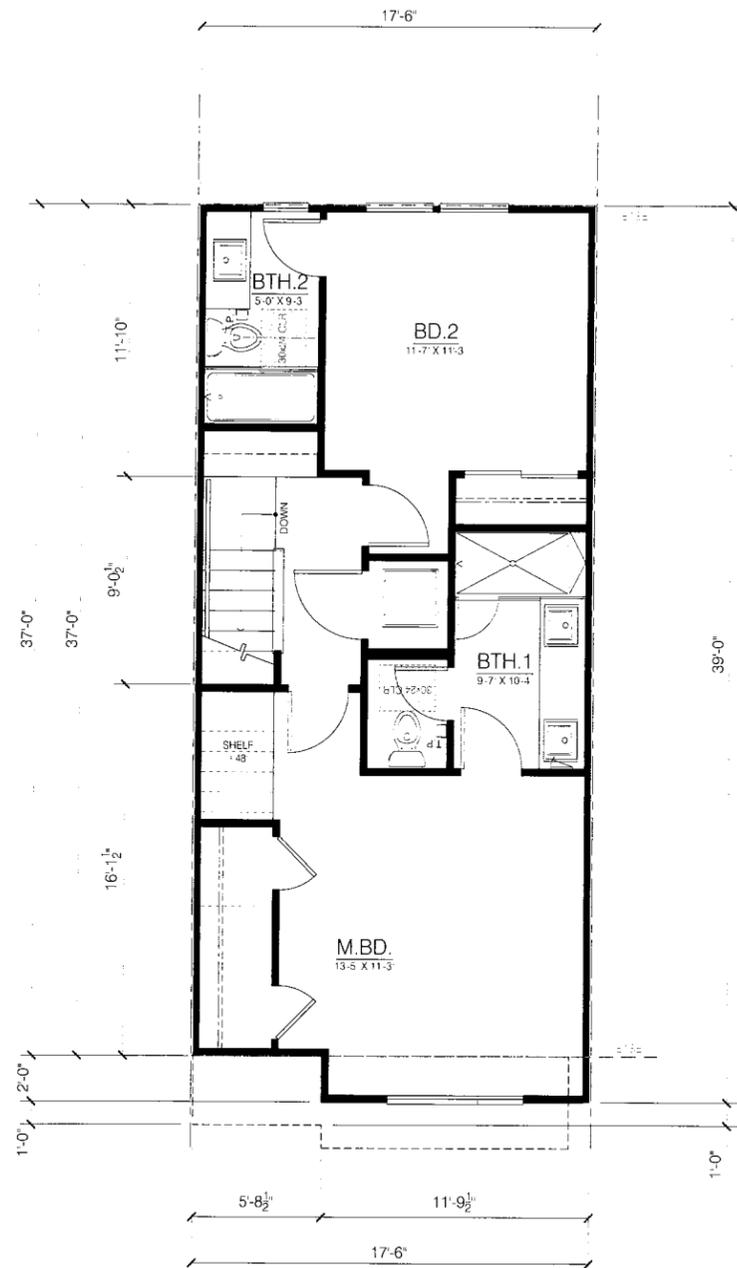
t. 415-512-1300  
f. 415-288-0288

PLAN 5 (OPTIONS) - FLOOR PLANS

A5.2

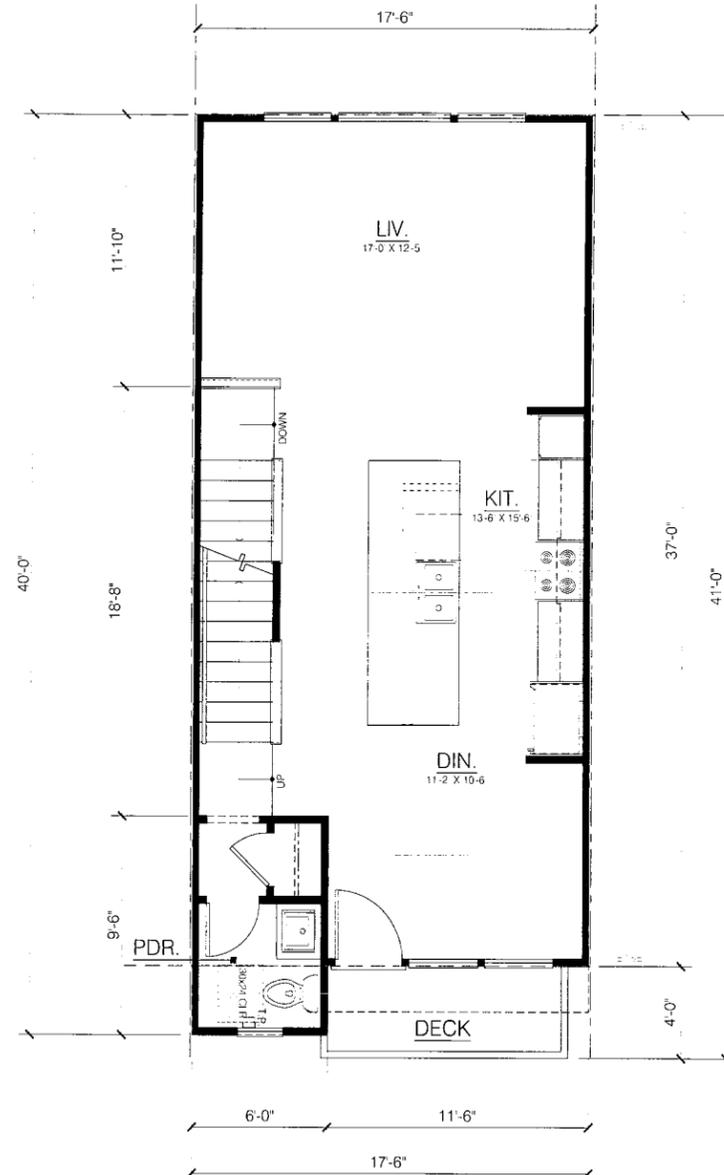
SCALE: 1/4" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



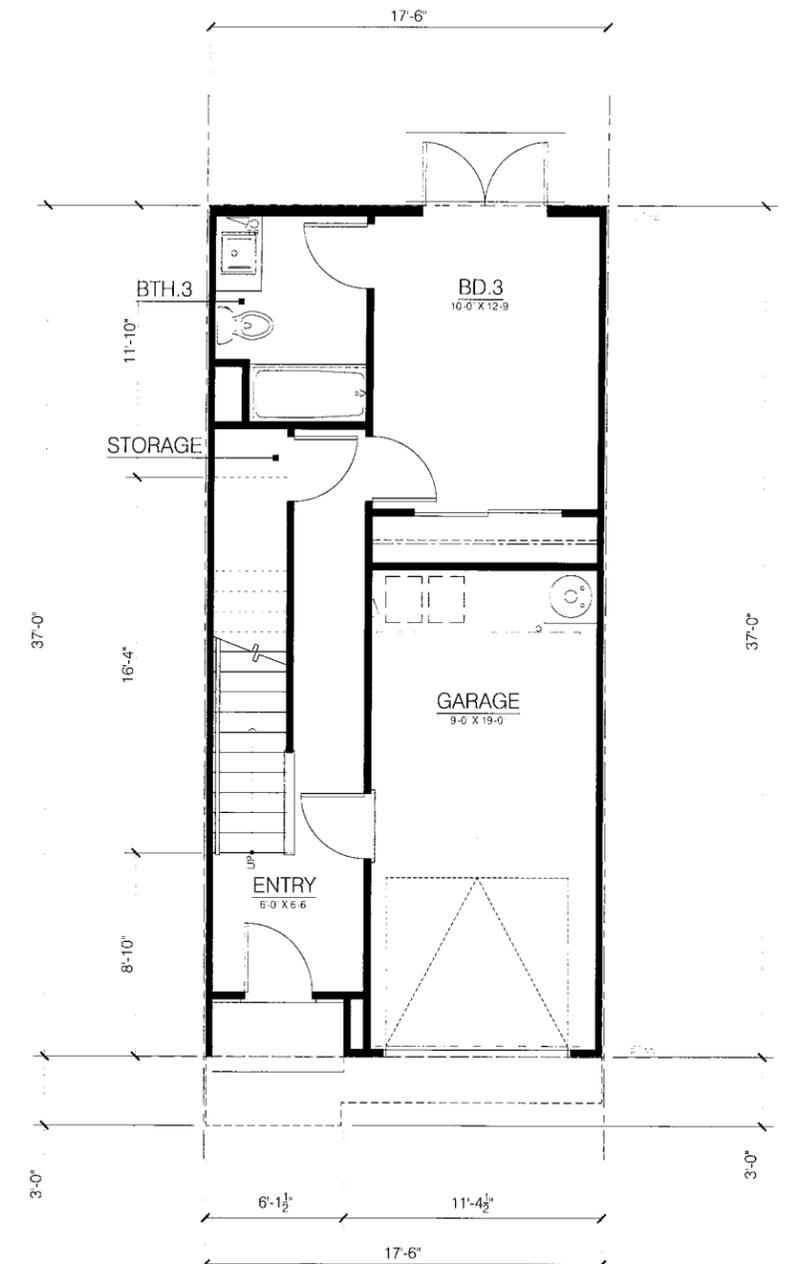
PLAN 5  
UPPER LIVING: 609 SQ. FT.

### UPPER FLOOR



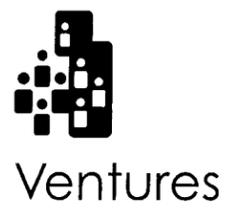
PLAN 5  
MAIN LIVING: 655 SQ. FT.  
TOTAL LIVING: 1,644 SQ. FT.

### MAIN FLOOR



PLAN 5  
LOWER LIVING: 380 SQ. FT.  
GARAGE: 207 SQ. FT.

### LOWER FLOOR



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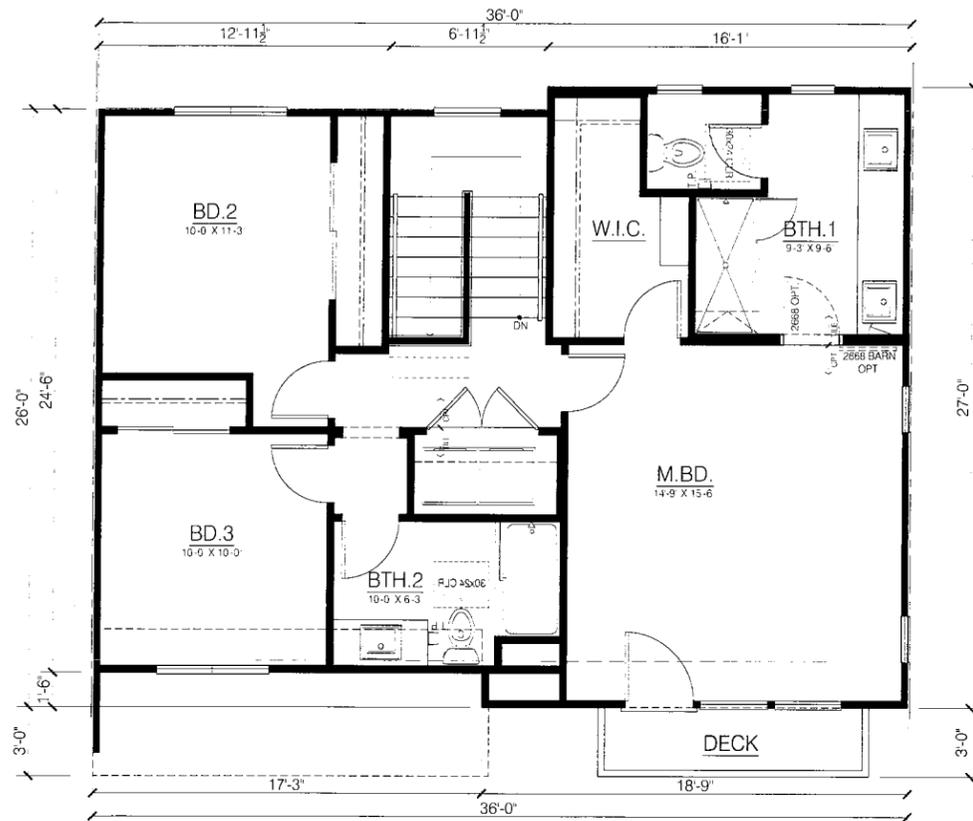
t. 415-512-1300  
f. 415-288-0288

PLAN 5 (BTH. OPT.) - FLOOR PLANS

A5.3

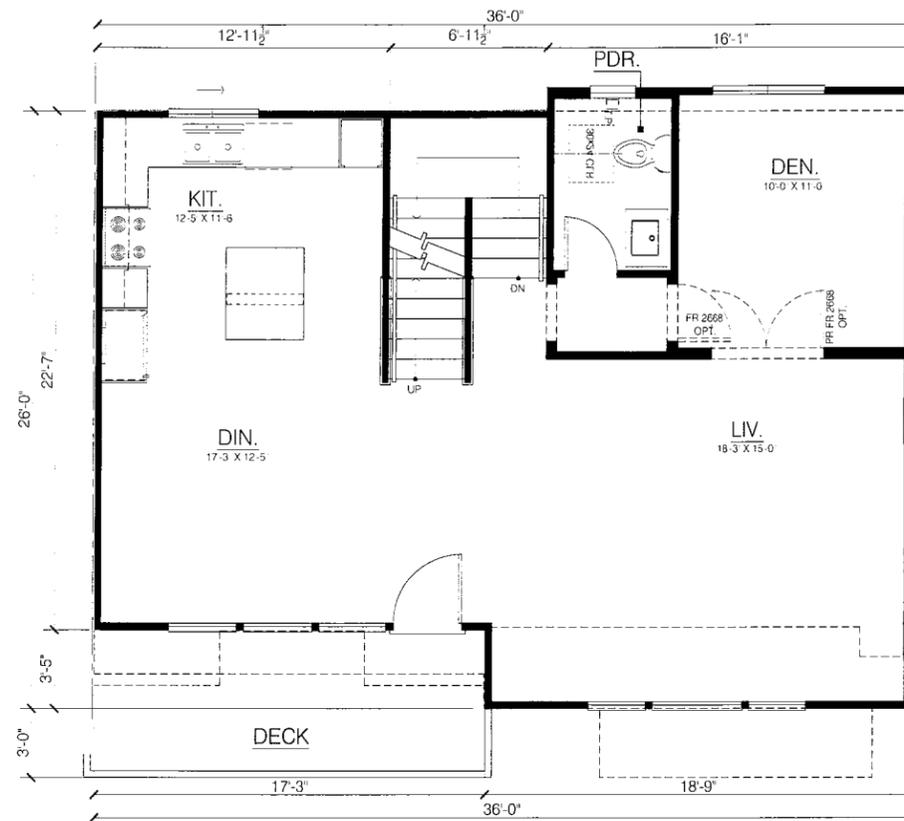
SCALE: 1/4"=1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



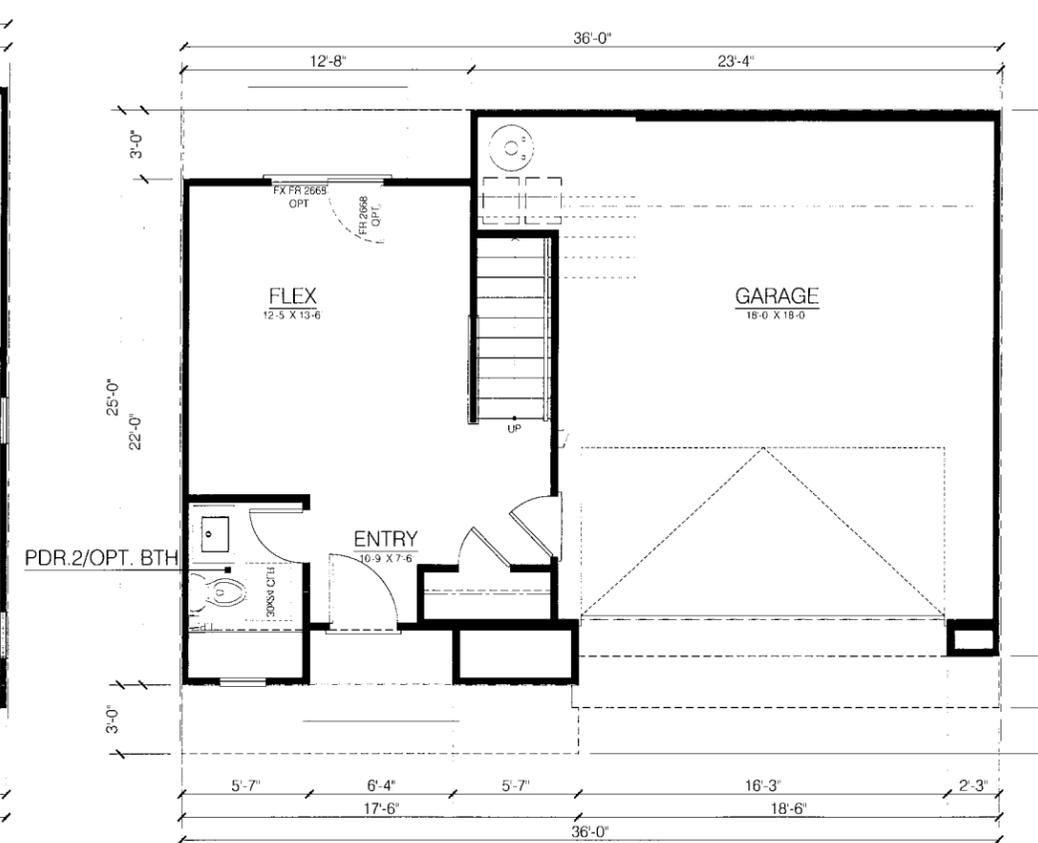
PLAN 6  
UPPER LIVING: 821 SQ. FT.

UPPER FLOOR



PLAN 6  
MAIN LIVING: 842 SQ. FT.  
TOTAL LIVING: 1,954 SQ. FT.

MAIN FLOOR



PLAN 6  
LOWER LIVING: 307 SQ. FT.  
GARAGE: 433 SQ. FT.

LOWER FLOOR



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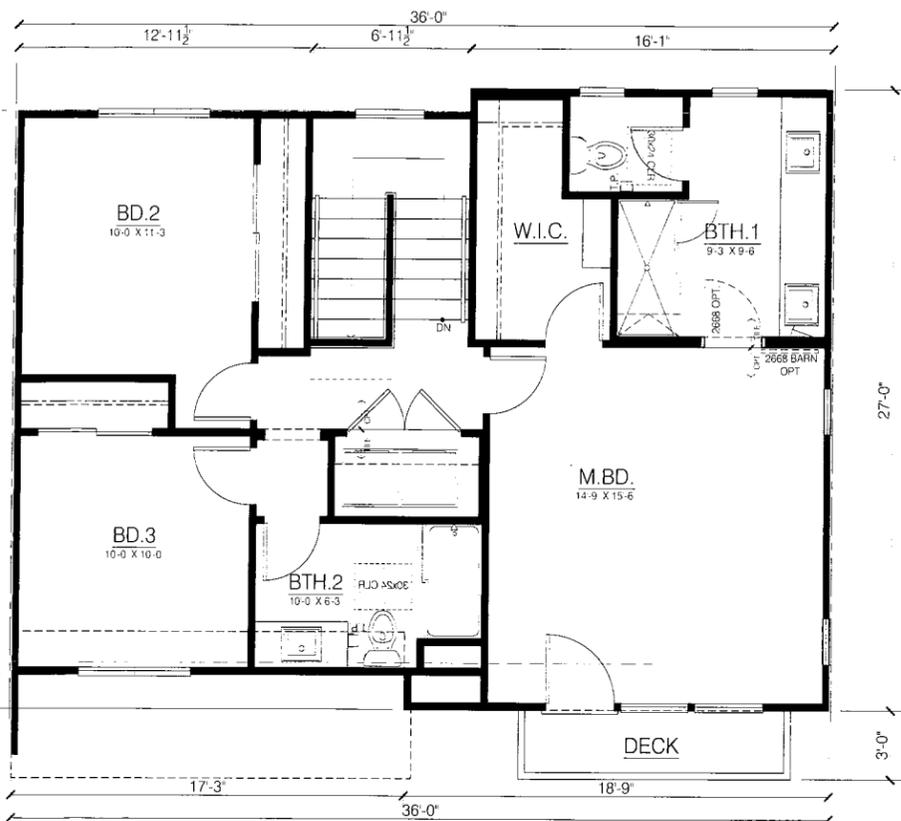
t. 415-512-1300  
f. 415-288-0288

PLAN 6 - FLOOR PLANS

A6.1

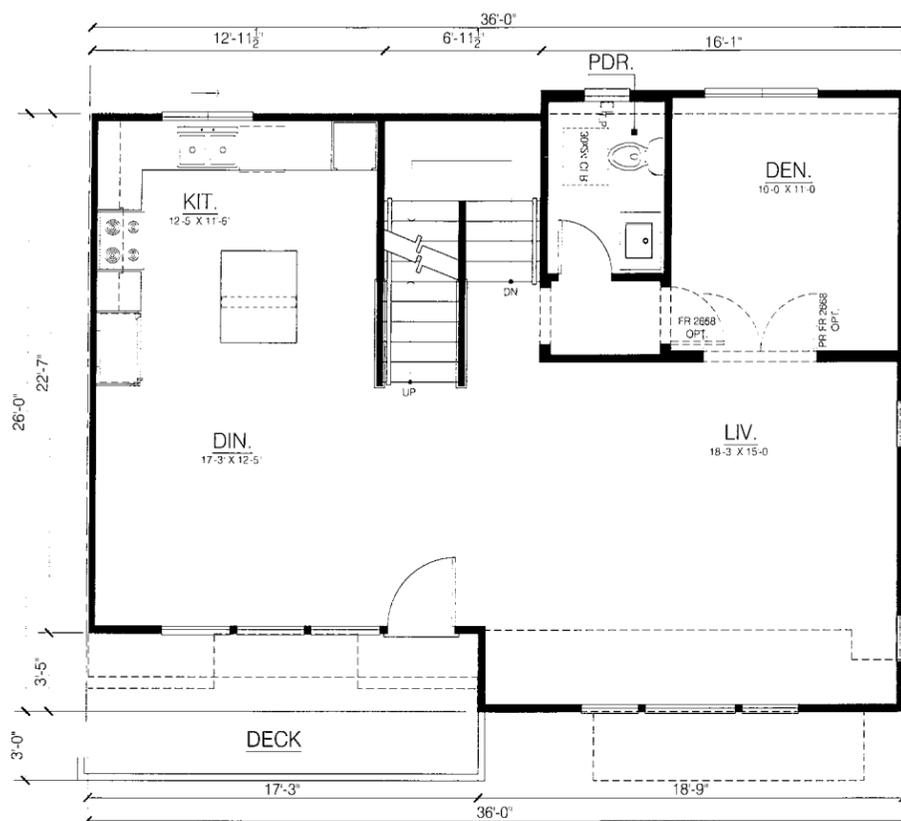
SCALE: 1/4" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



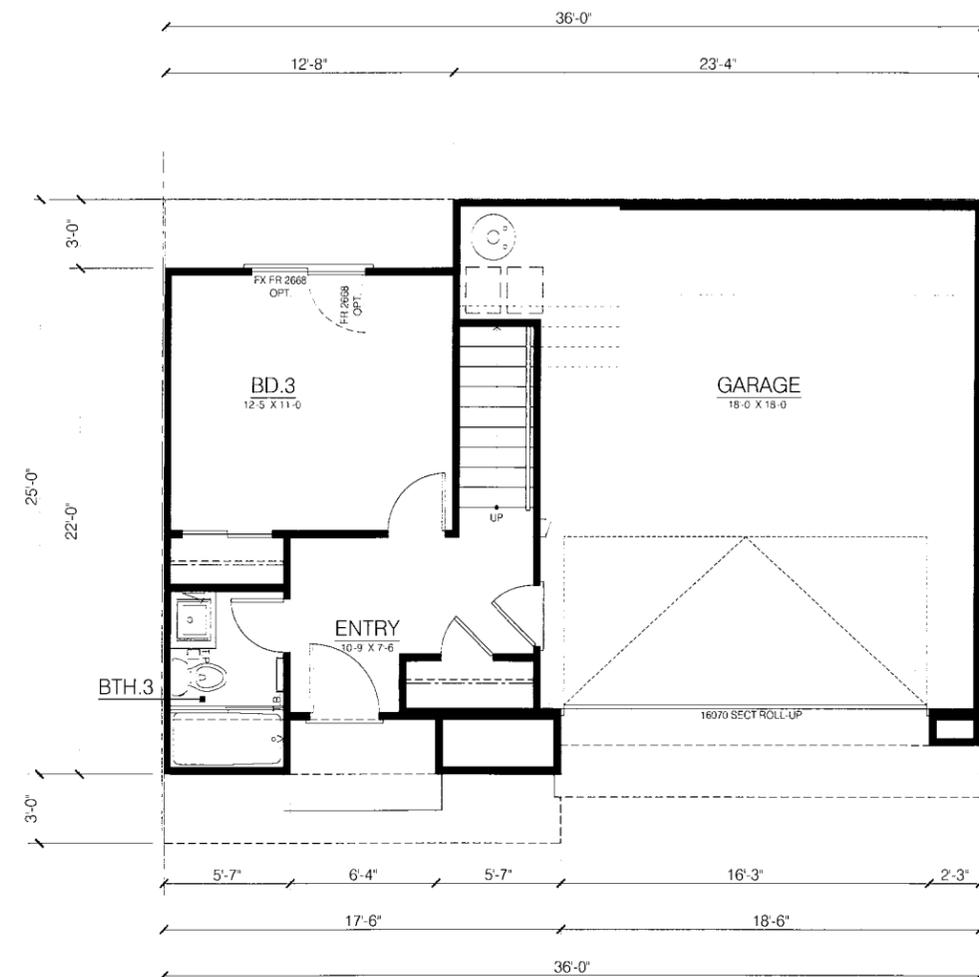
PLAN 6  
UPPER LIVING: 821 SQ. FT.

UPPER FLOOR



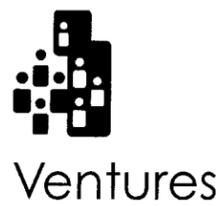
PLAN 6  
MAIN LIVING: 842 SQ. FT.  
TOTAL LIVING: 1,955 SQ. FT.

MAIN FLOOR



PLAN 6-OPT.  
LOWER LIVING: 308 SQ. FT.  
GARAGE: 433 SQ. FT.

LOWER FLOOR



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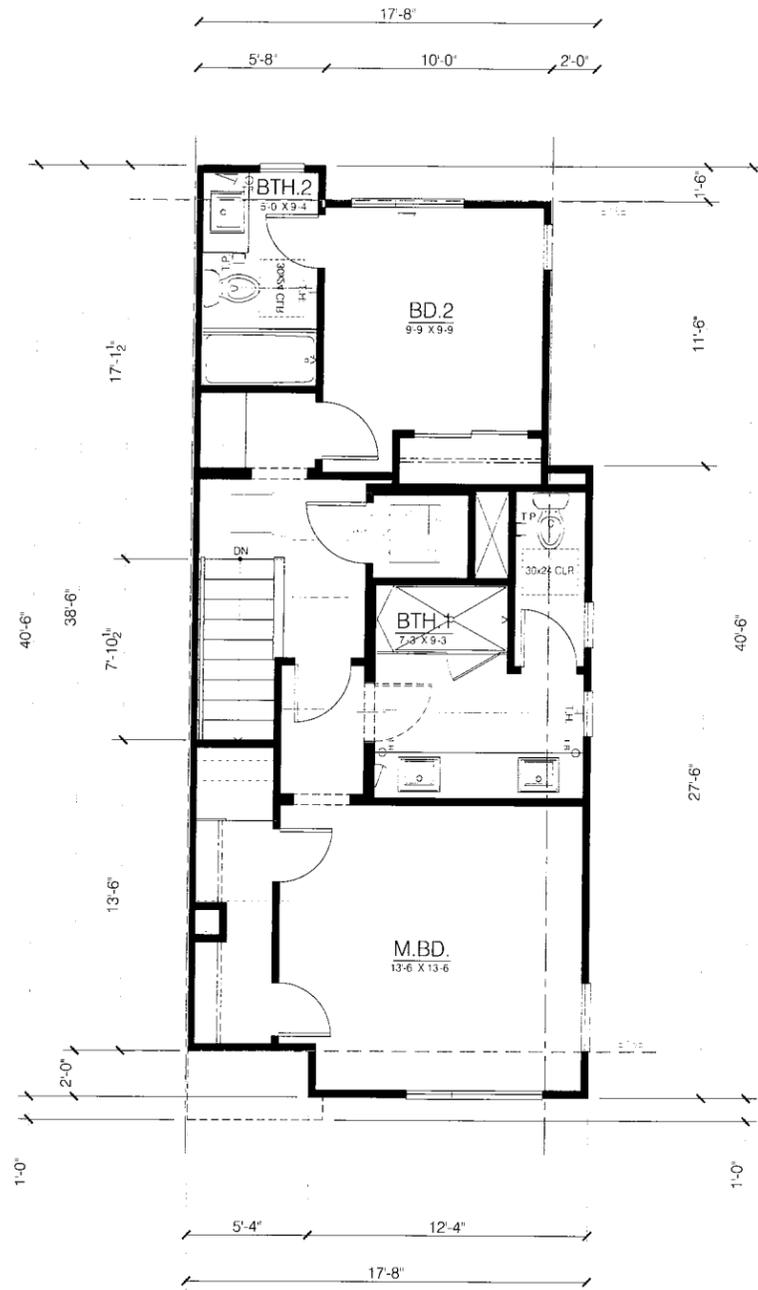
t. 415-512-1300  
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PLAN 6 (OPTIONS) - FLOOR PLANS

A6.2

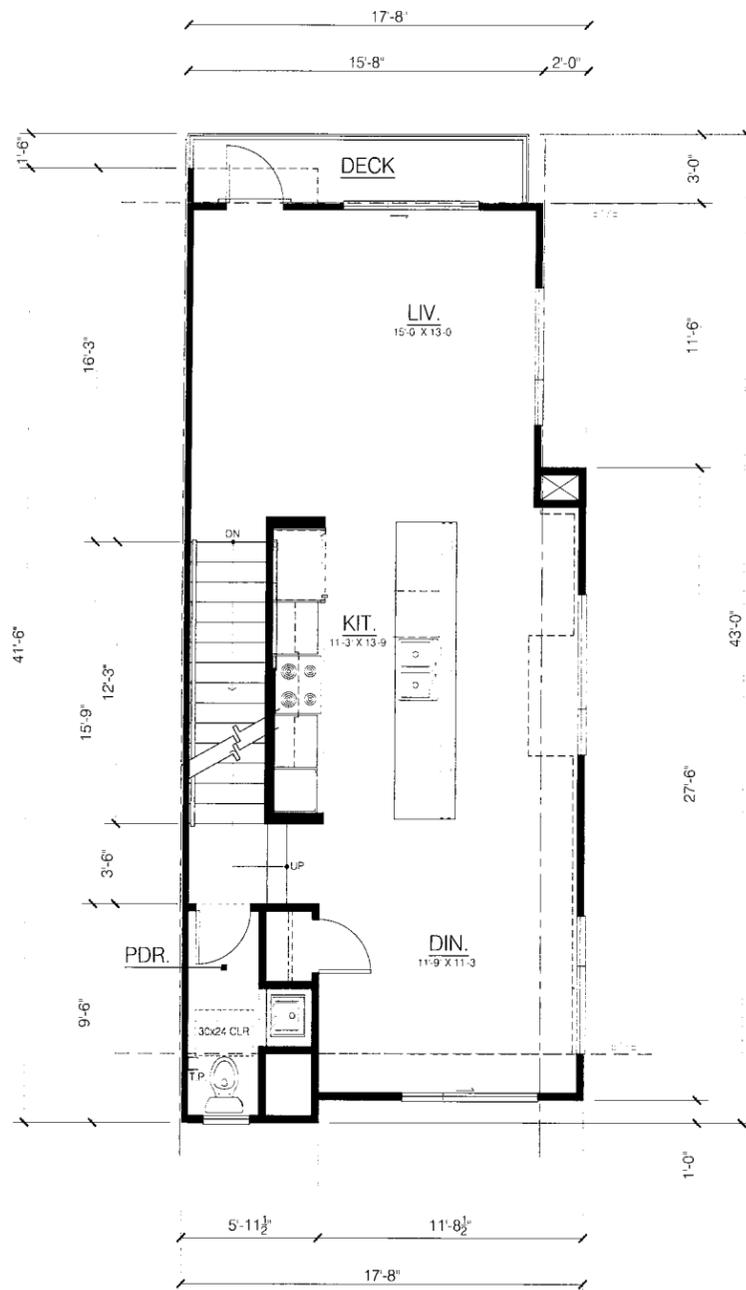
SCALE: 1/4" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



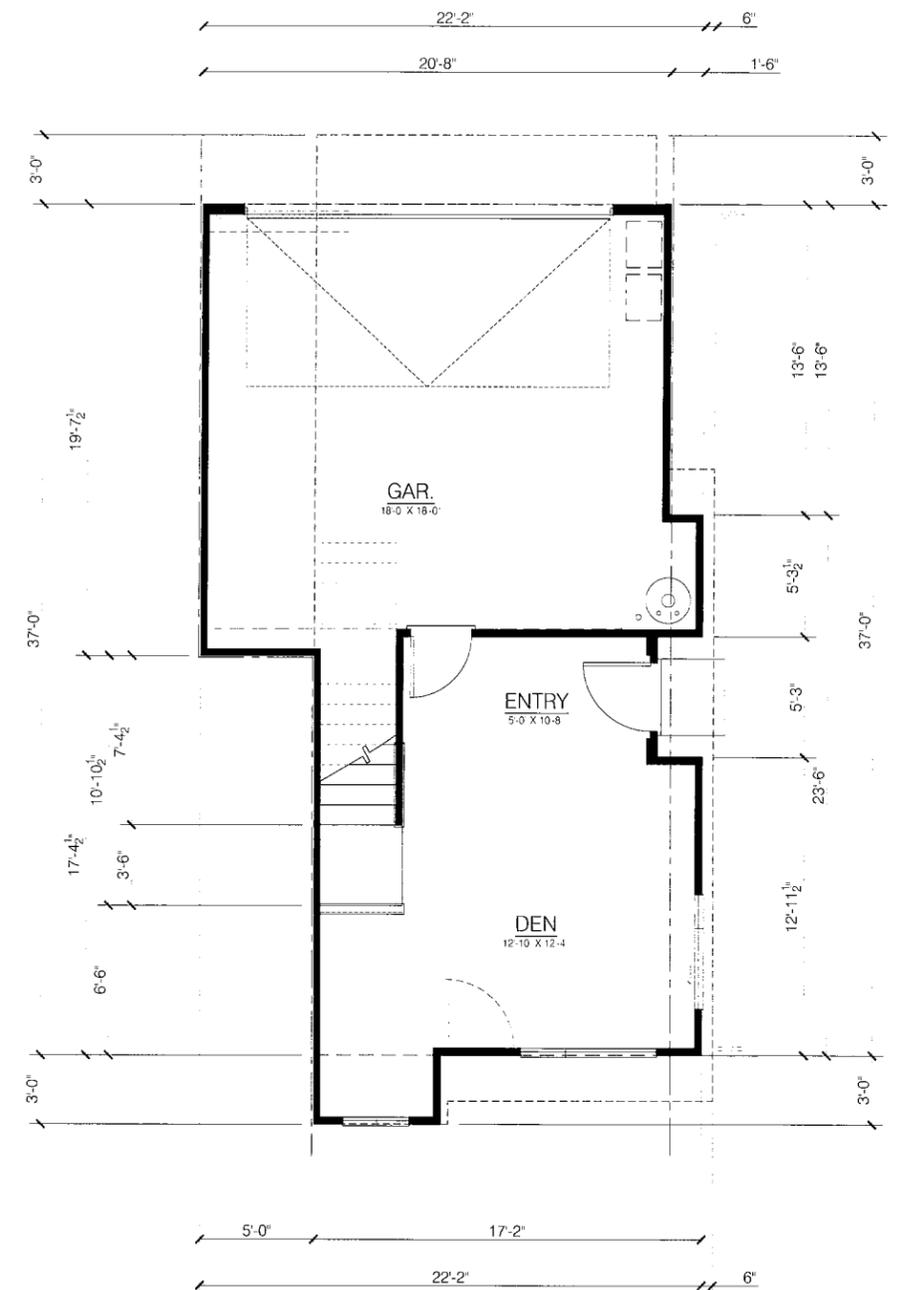
PLAN 7  
UPPER LIVING: 602 SQ. FT.

UPPER FLOOR



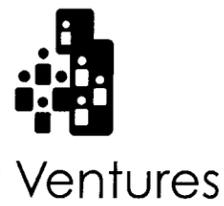
PLAN 7  
MAIN LIVING: 627 SQ. FT.  
TOTAL LIVING: 1,527 SQ. FT.

MAIN FLOOR



PLAN 7  
LOWER LIVING: 298 SQ. FT.  
GARAGE: 376 SQ. FT.

LOWER FLOOR

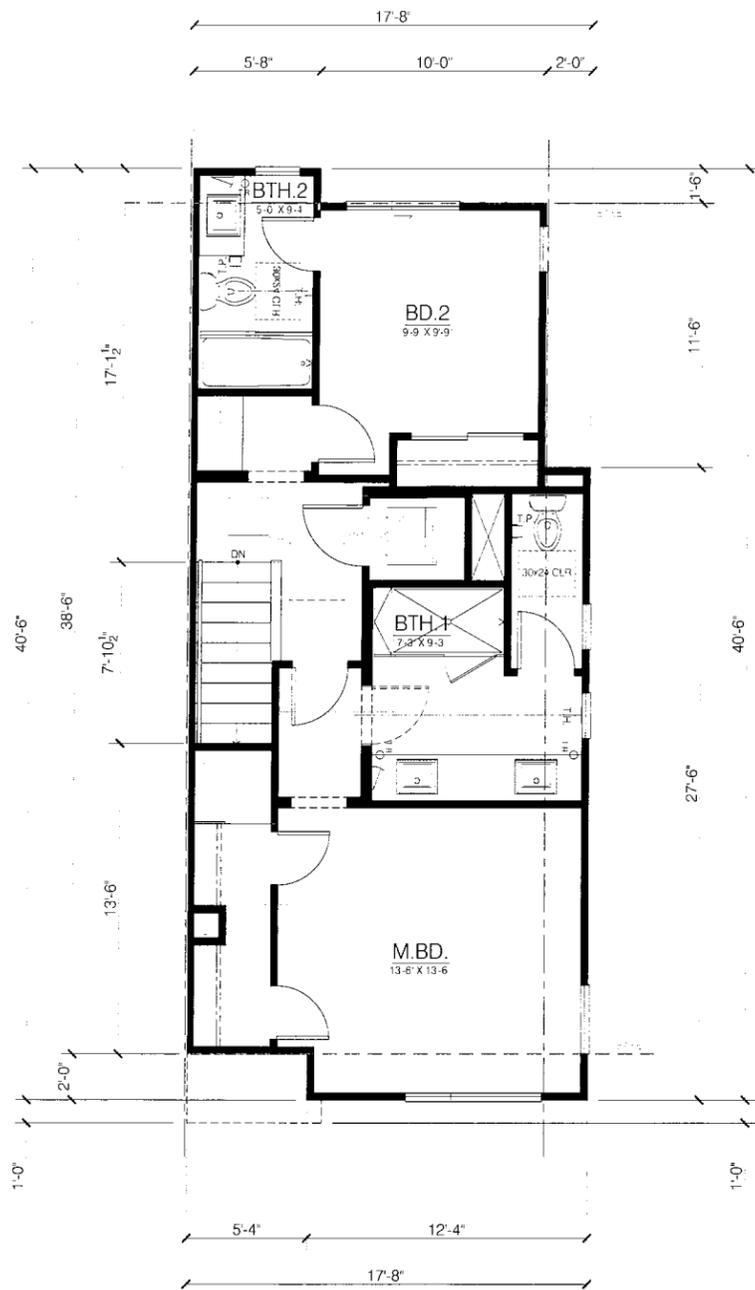


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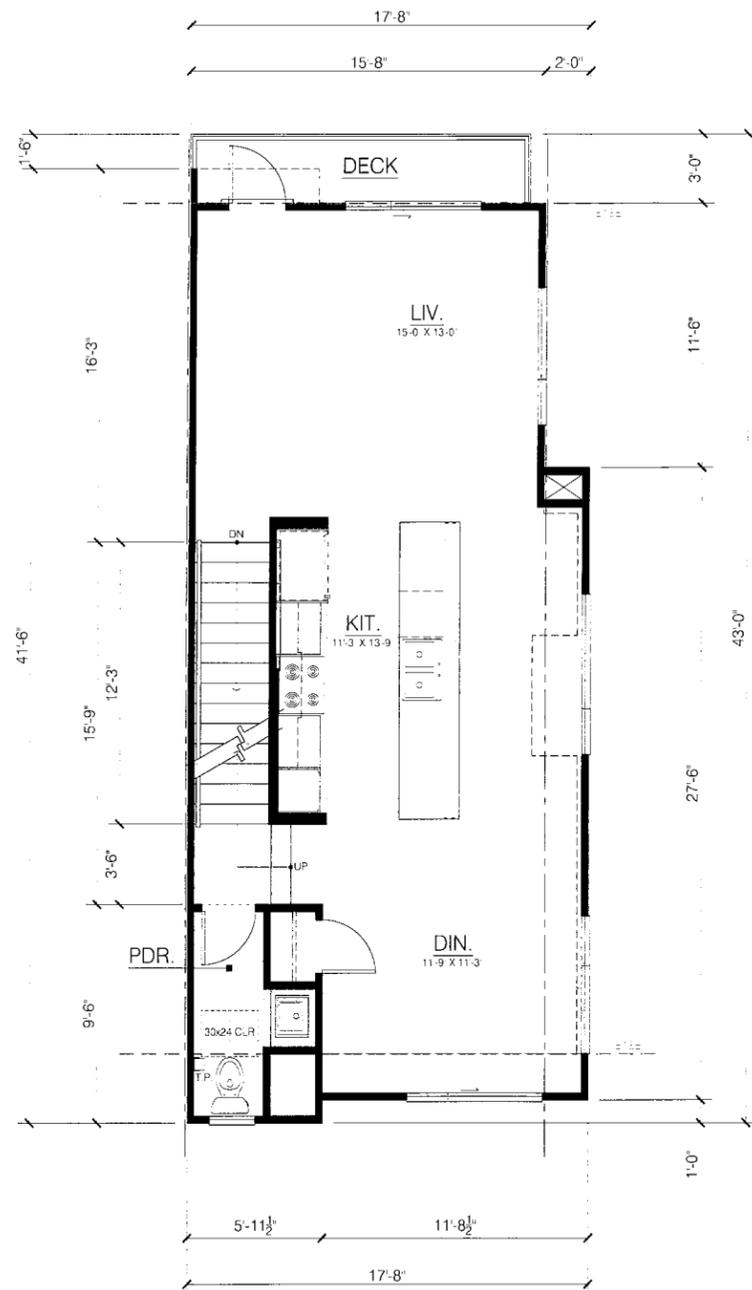
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PLAN 7 - FLOOR PLANS  
**A7.1**  
SCALE: 1/4" = 1'-0"  
DATE: 05.31.2018  
PROJECT: 317055.00



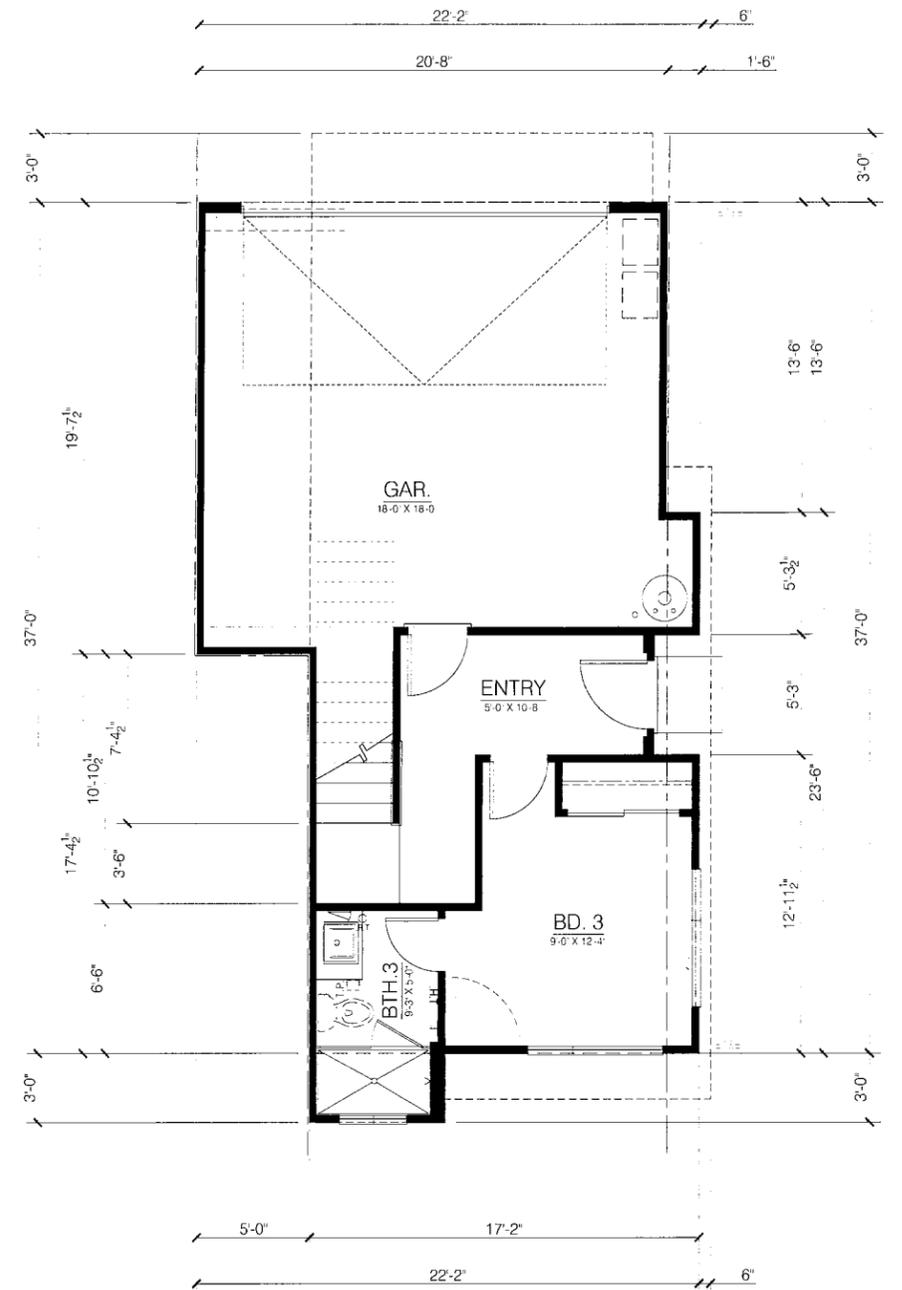
PLAN 7  
UPPER LIVING: 602 SQ. FT.

UPPER FLOOR



PLAN 7  
MAIN LIVING: 627 SQ. FT.  
TOTAL LIVING: 1,527 SQ. FT.

MAIN FLOOR



PLAN 7 - BD. 3  
LOWER LIVING: 298 SQ. FT.  
GARAGE: 376 SQ. FT.

LOWER FLOOR



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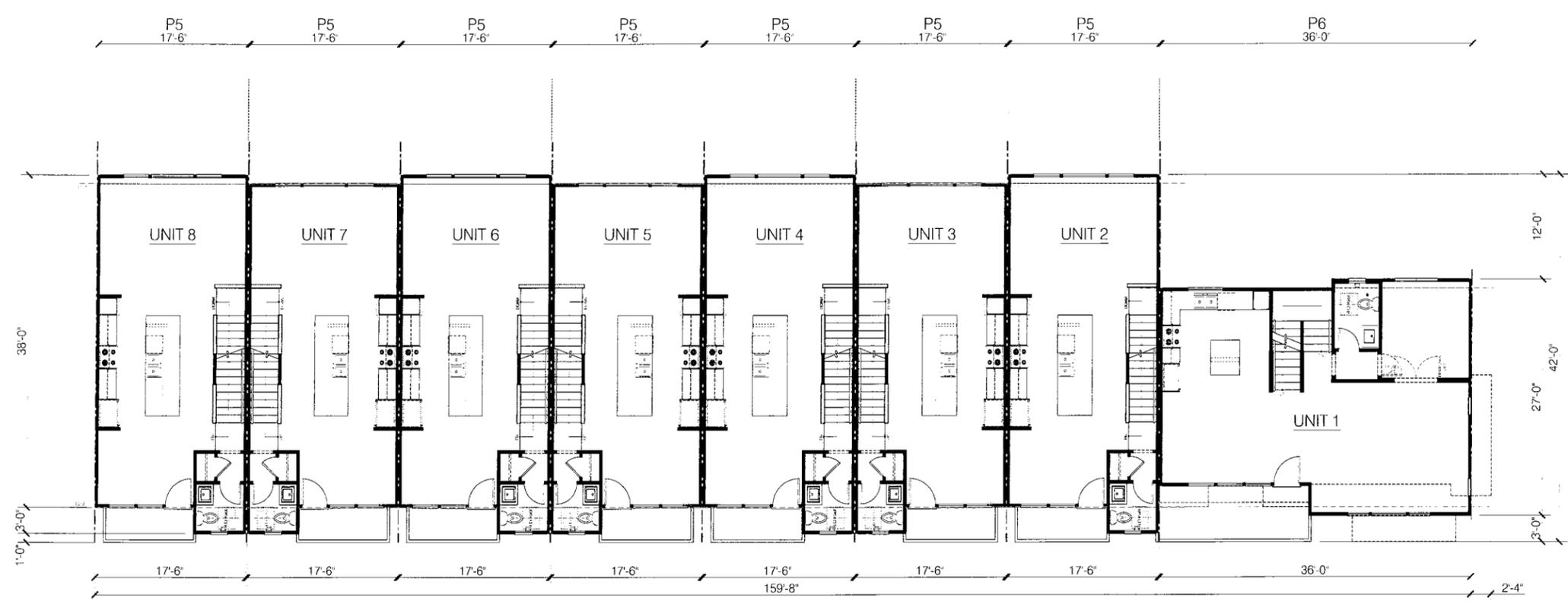
t. 415-512-1300  
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PLAN 7 (BD. 3 OPT.) - FLOOR PLANS

A7.2

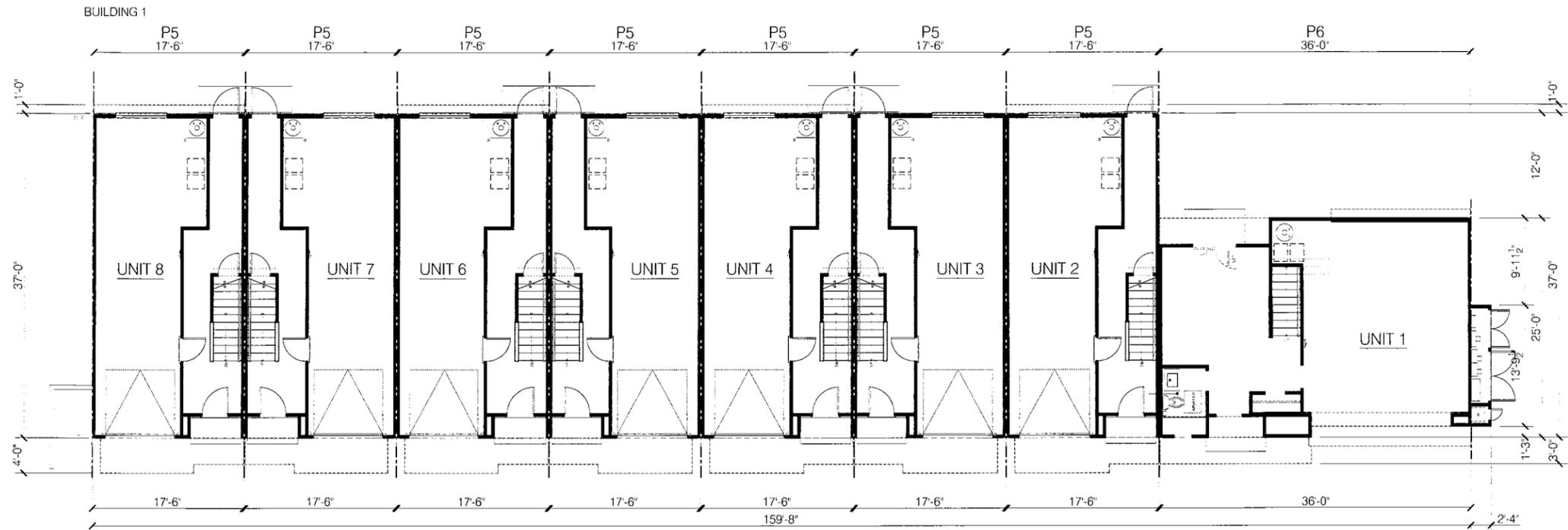
SCALE: 1/4"=1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



MAIN FLOOR

3176 SQ. FT.



GROUND FLOOR

2972 SQ. FT.

TOTAL = 8,971 SQ. FT.



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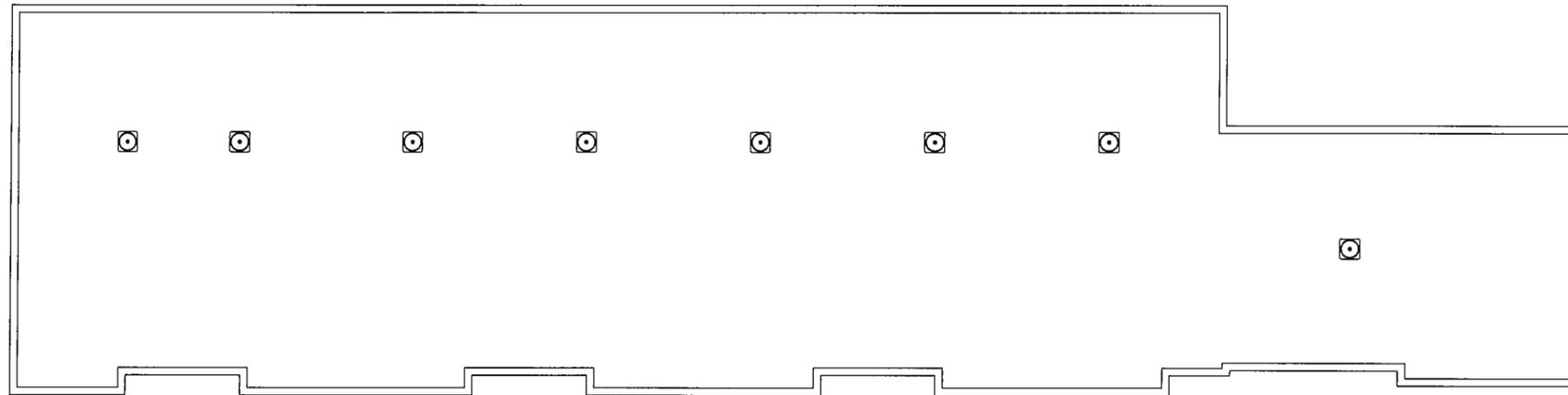
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BUILDING 1 - FLOOR PLANS

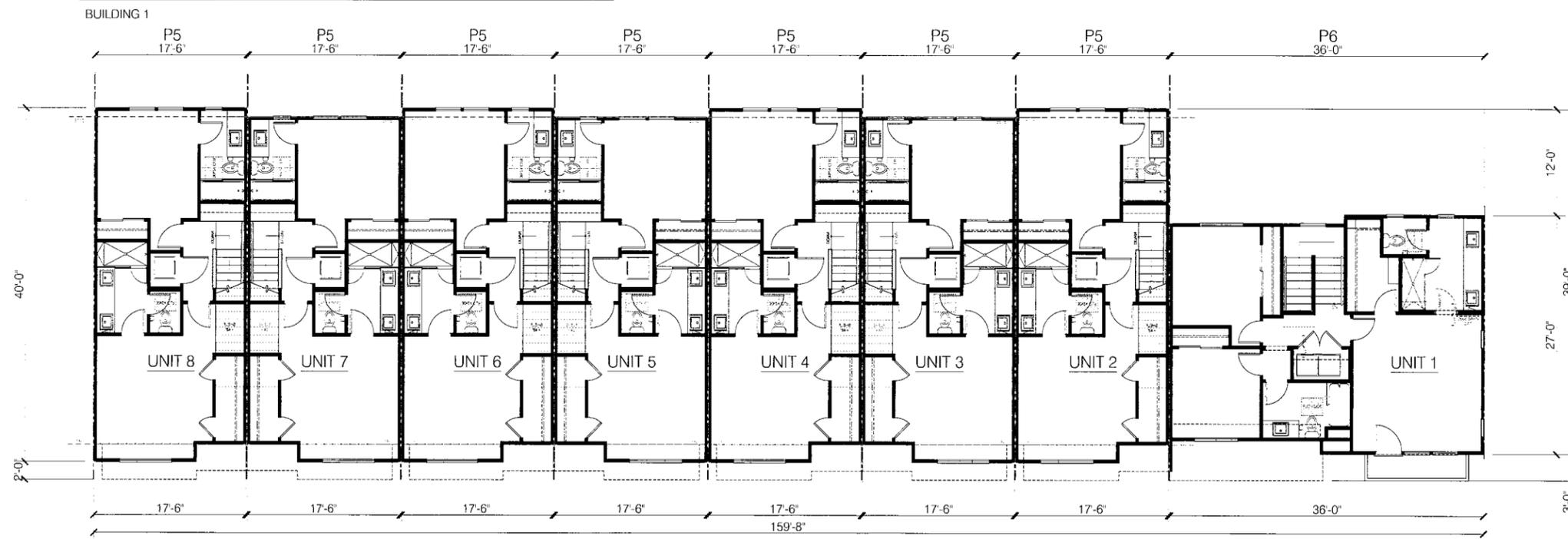
A7.1

SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
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ROOF PLAN



UPPER FLOOR

BUILDING 1

2823 SQ. FT.



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BUILDING 1 - FLOOR & ROOF PLANS

A7.2

SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00

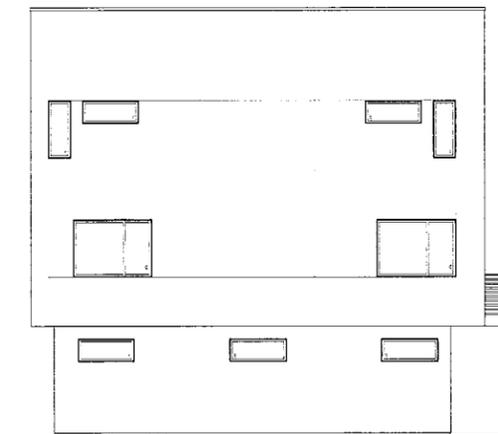


FRONT ELEVATION

BUILDING 1

MATERIALS LEGEND:

1. 3-COAT STUCCO
2. DUAL GLAZED VINYL WINDOWS
3. FIBER GLASS FRONT DOOR
4. UTILITY DOOR
5. METAL ROLL-UP GARAGE DOORS
6. FRENCH DOOR
7. WOOD GUARDRAIL
8. CONTROL JOINT
9. MAN DOOR
10. SLIDING GLASS DOOR
11. JAMES HARDIE SMOOTH LAP SIDING
12. FIBERGLASS FRONT DOOR W/ FROSTED GLASS
13. CONCRETE BLOCK WALL. REFER TO LDSCP DWGS.
14. TILE SURROUND AT ENTRY DOOR
15. METAL RAILING



LEFT ELEVATION

BUILDING 1



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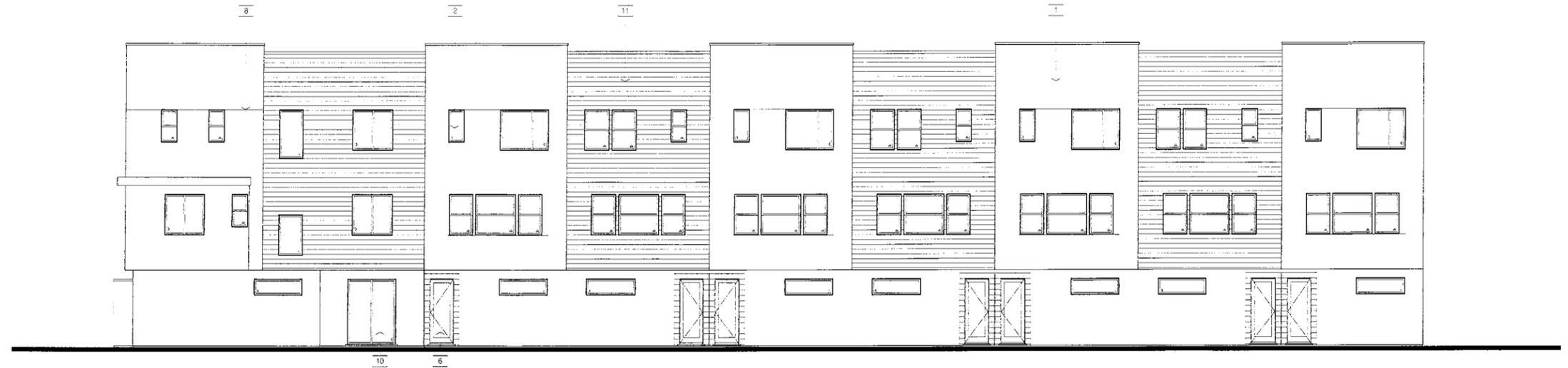
t. 415-512-1300  
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BUILDING 1 - EXTERIOR ELEVATIONS

A7.3

SCALE: 1/8"=1'-0"

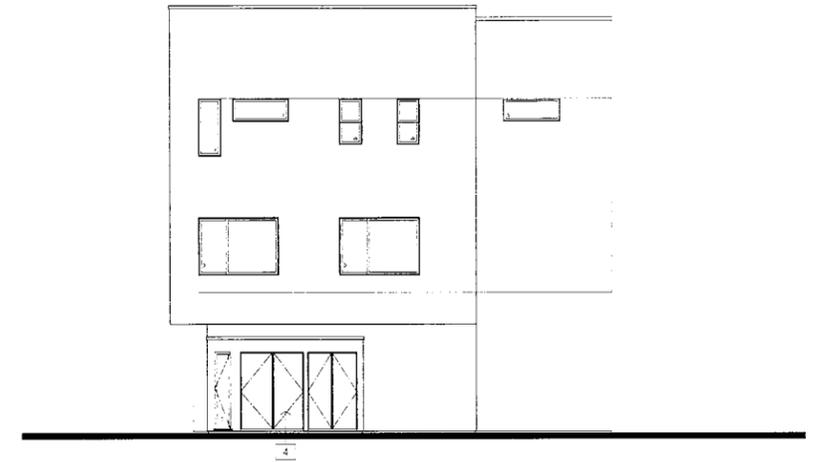
DATE: 05.31.2018  
PROJECT: 317055.00



REAR ELEVATION

BUILDING 1

- MATERIALS LEGEND:
1. 3-COAT STUCCO
  2. DUAL GLAZED VINYL WINDOWS
  3. FIBER GLASS FRONT DOOR
  4. UTILITY DOOR
  5. METAL ROLL-UP GARAGE DOORS
  6. FRENCH DOOR
  7. WOOD GUARDRAIL
  8. CONTROL JOINT
  9. MAN DOOR
  10. SLIDING GLASS DOOR
  11. JAMES HARDIE SMOOTH LAP SIDING
  12. FIBERGLASS FRONT DOOR W/ FROSTED GLASS
  13. CONCRETE BLOCK WALL, REFER TO LDSCP DWGS
  14. TILE SURROUND AT ENTRY DOOR
  15. METAL RAILING



RIGHT ELEVATION A

BUILDING 1



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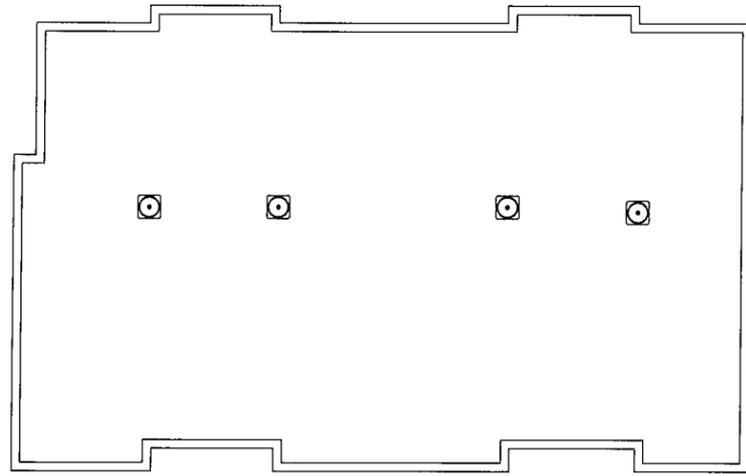
t. 415-512-1300  
 f. 415-288-0288

BUILDING 1 - EXTERIOR ELEVATIONS

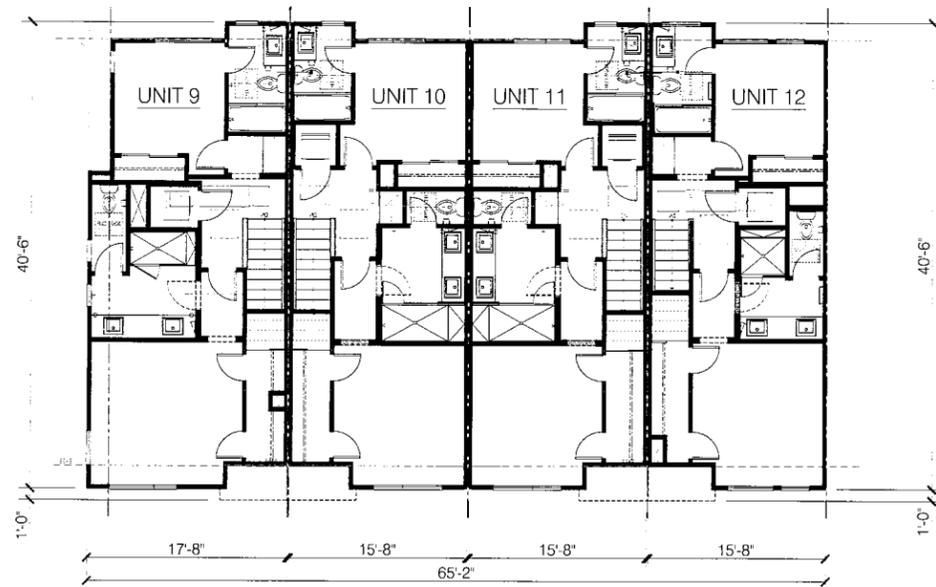
A7.4

SCALE: 1/8" = 1'-0"

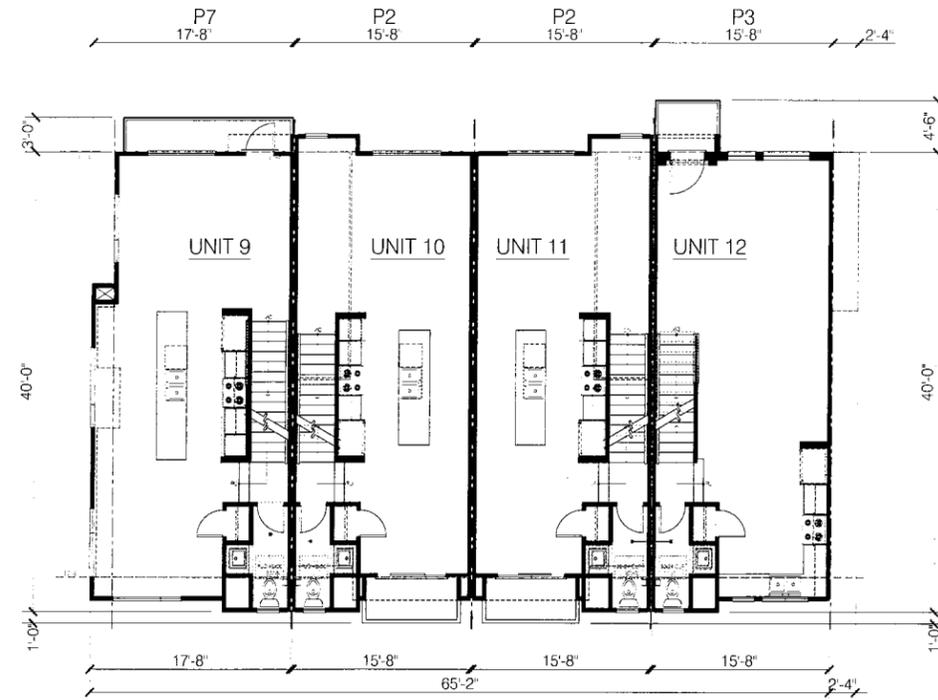
DATE: 05.31.2018  
 PROJECT: 317055.00



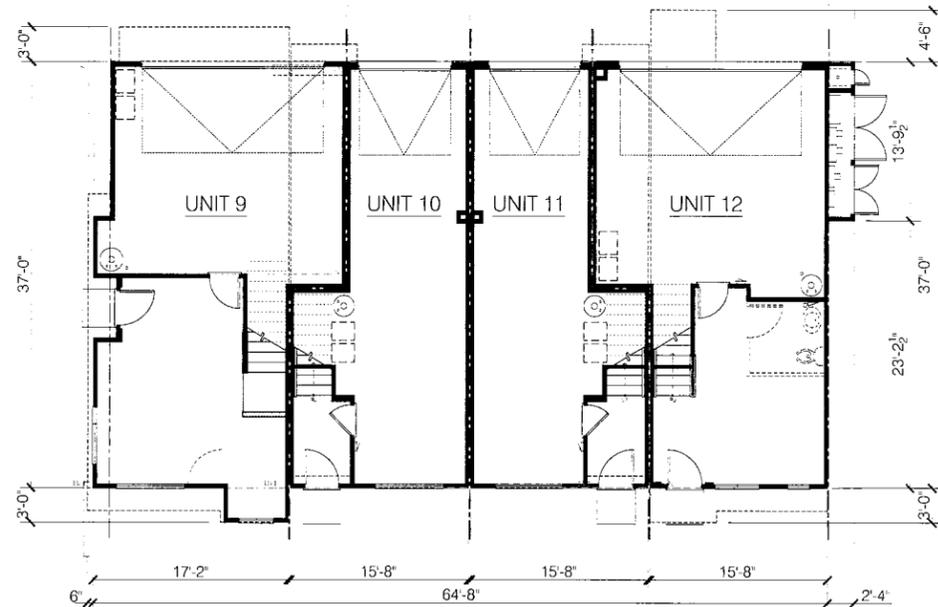
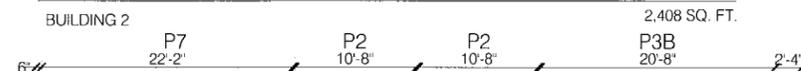
ROOF PLAN



UPPER FLOOR



MAIN FLOOR



GROUND FLOOR



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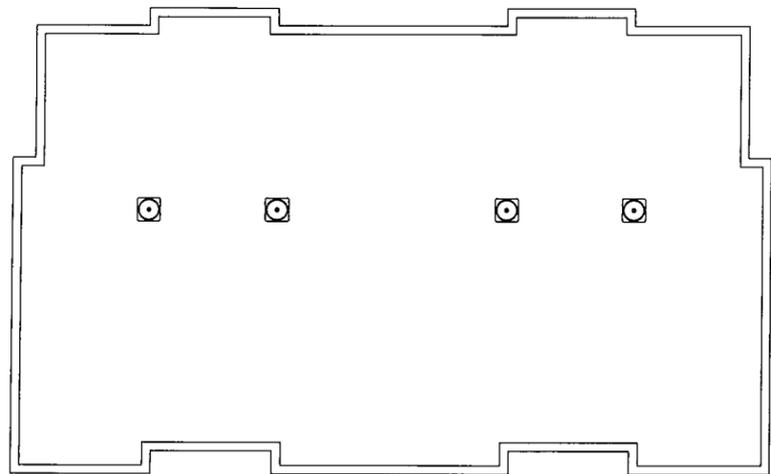
t. 415-512-1300  
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BUILDING 2 - FLOOR & ROOF PLANS

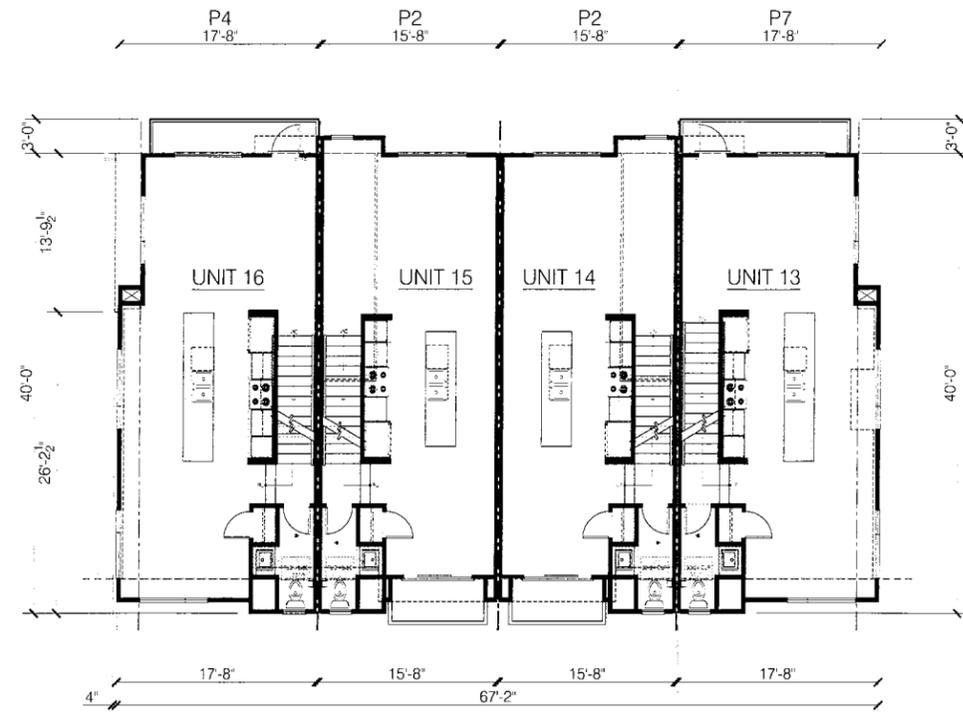
A8.1

SCALE: 1/8" = 1'-0"

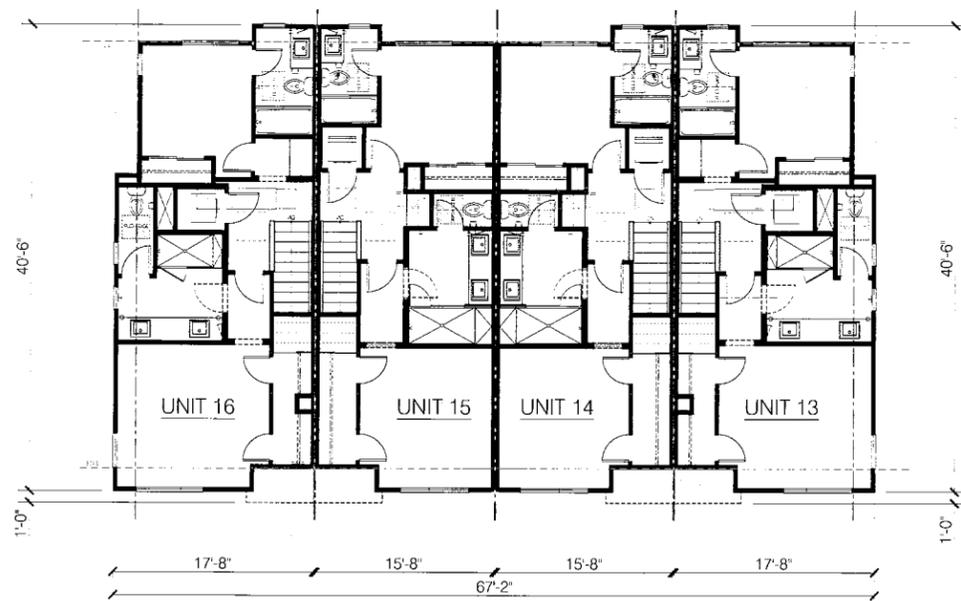
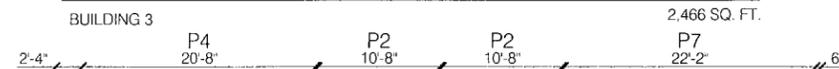
DATE: 05.31.2018  
PROJECT: 317055.00



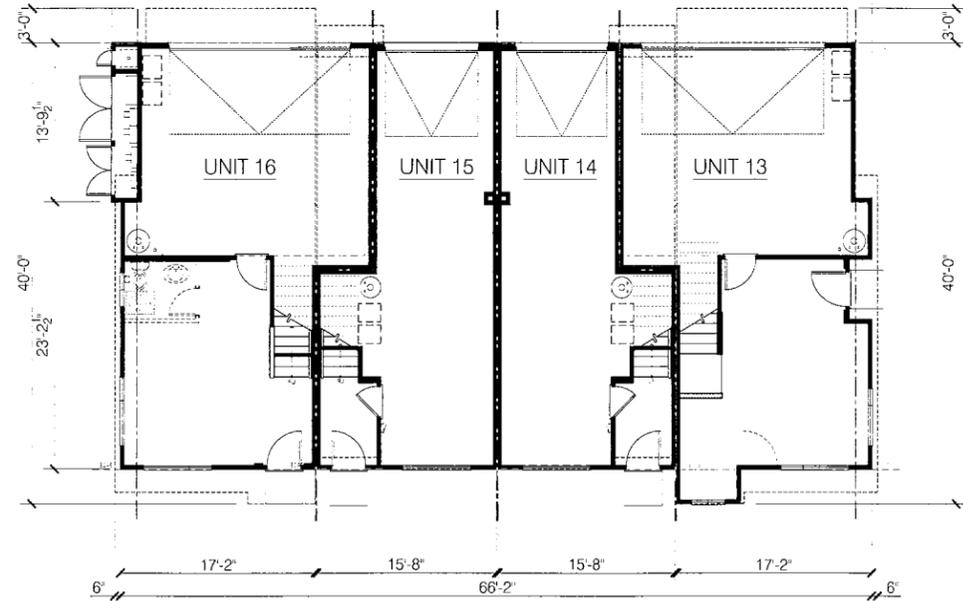
ROOF PLAN



MAIN FLOOR



UPPER FLOOR



GROUND FLOOR



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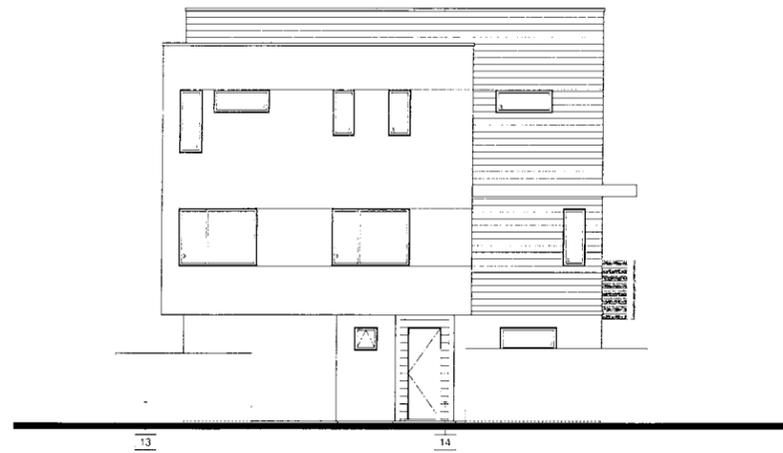
t. 415-512-1300  
f. 415-288-0288

BUILDING 3 - FLOOR & ROOF PLANS

A9.1

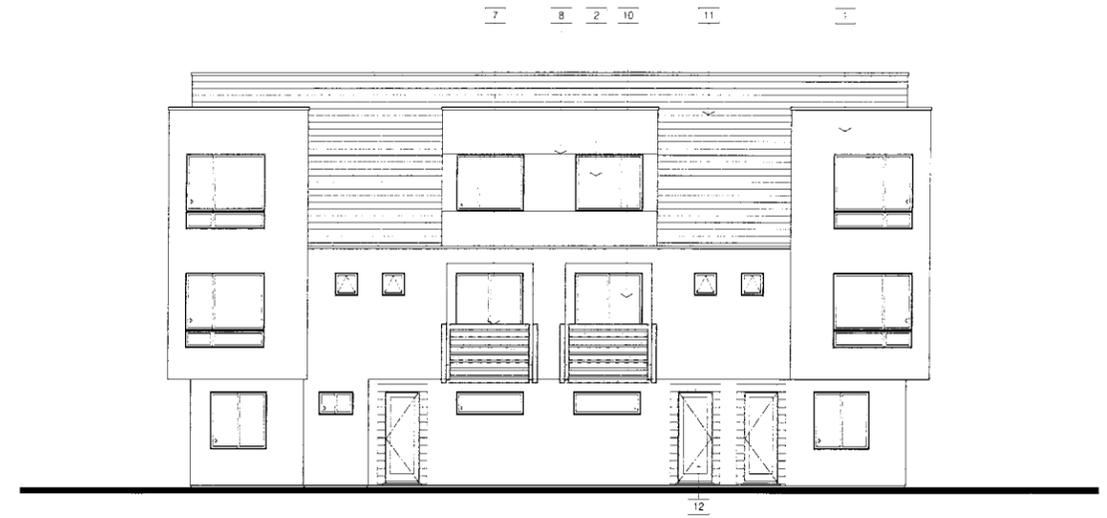
SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



**RIGHT ELEVATION**

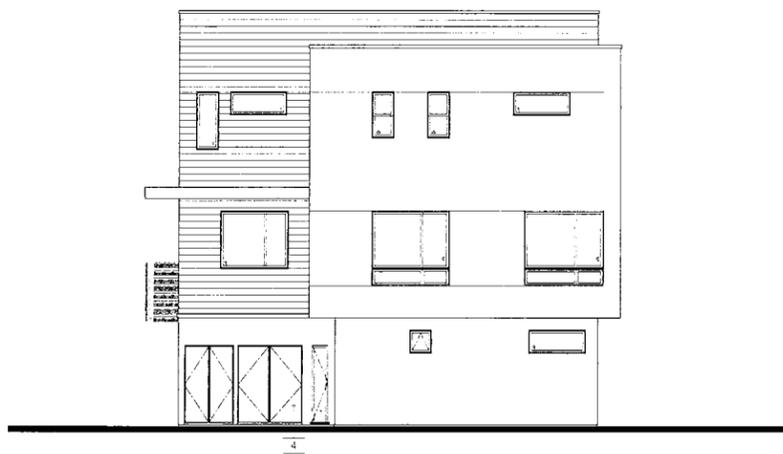
BUILDING 3 (BUILDING 2 & 9 SIM.)



**FRONT ELEVATION**

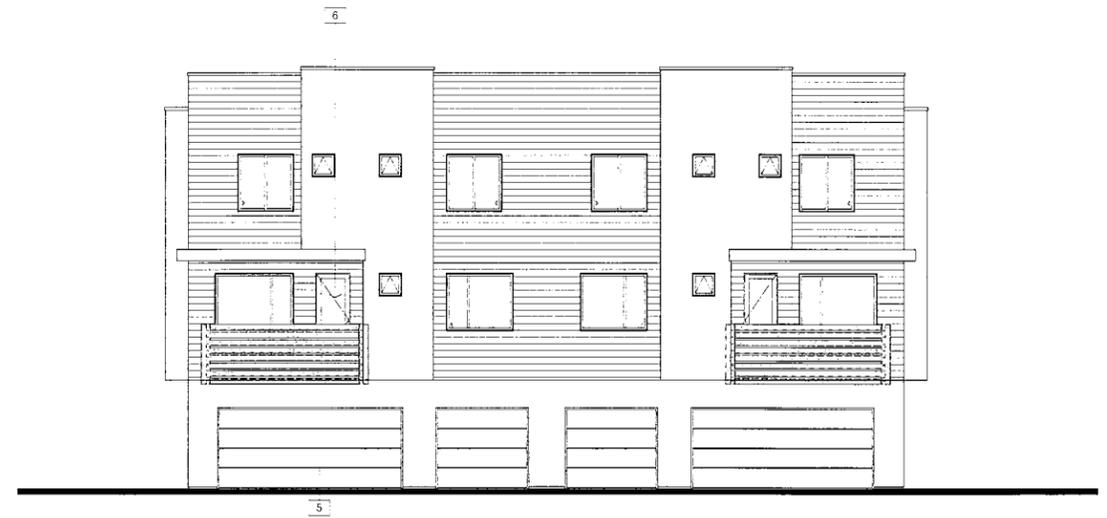
BUILDING 3 (BUILDING 3 (BUILDING 2 & 9 SIM.) & 9 SIM.)

- MATERIALS LEGEND:**
1. 3-COAT STUCCO
  2. DUAL GLAZED VINYL WINDOWS
  3. FIBER GLASS FRONT DOOR
  4. UTILITY DOOR
  5. METAL ROLL-UP GARAGE DOORS
  6. FRENCH DOOR
  7. WOOD GUARDRAIL
  8. CONTROL JOINT
  9. MAN DOOR
  10. SLIDING GLASS DOOR
  11. JAMES HARDIE SMOOTH LAP SIDING
  12. FIBERGLASS FRONT DOOR W/ FROSTED GLASS
  13. CONCRETE BLOCK WALL, REFER TO LDSCP DWGS.
  14. TILE SURROUND AT ENTRY DOOR
  15. METAL RAILING



**LEFT ELEVATION**

BUILDING 3 (BUILDING 2 & 9 SIM.)



**REAR ELEVATION**

BUILDING 3 (BUILDING 2 & 9 SIM.)



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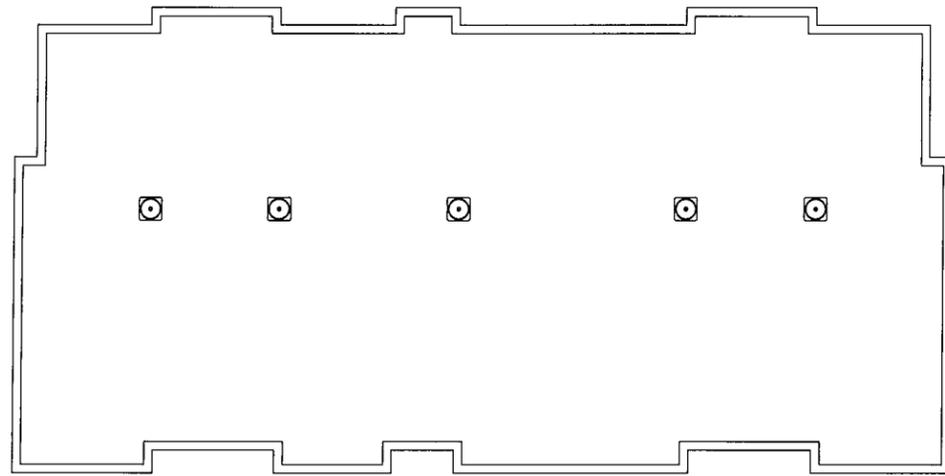
t. 415-512-1300  
f. 415-288-0288

**BUILDING 3 - EXTERIOR ELEVATIONS**

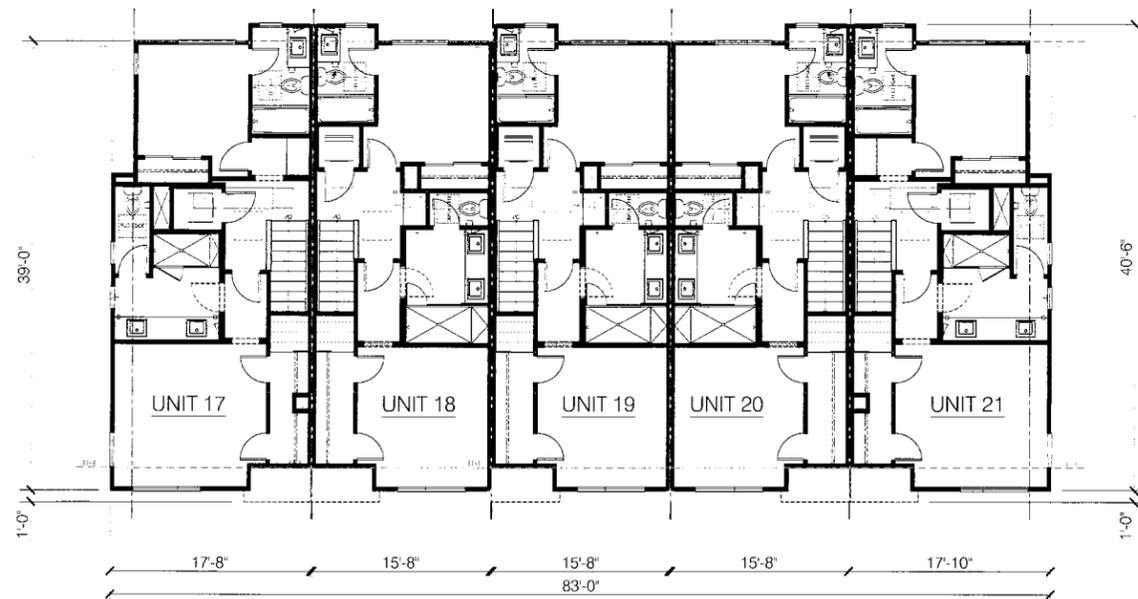
**A9.2**

SCALE: 1/8" = 1'-0"

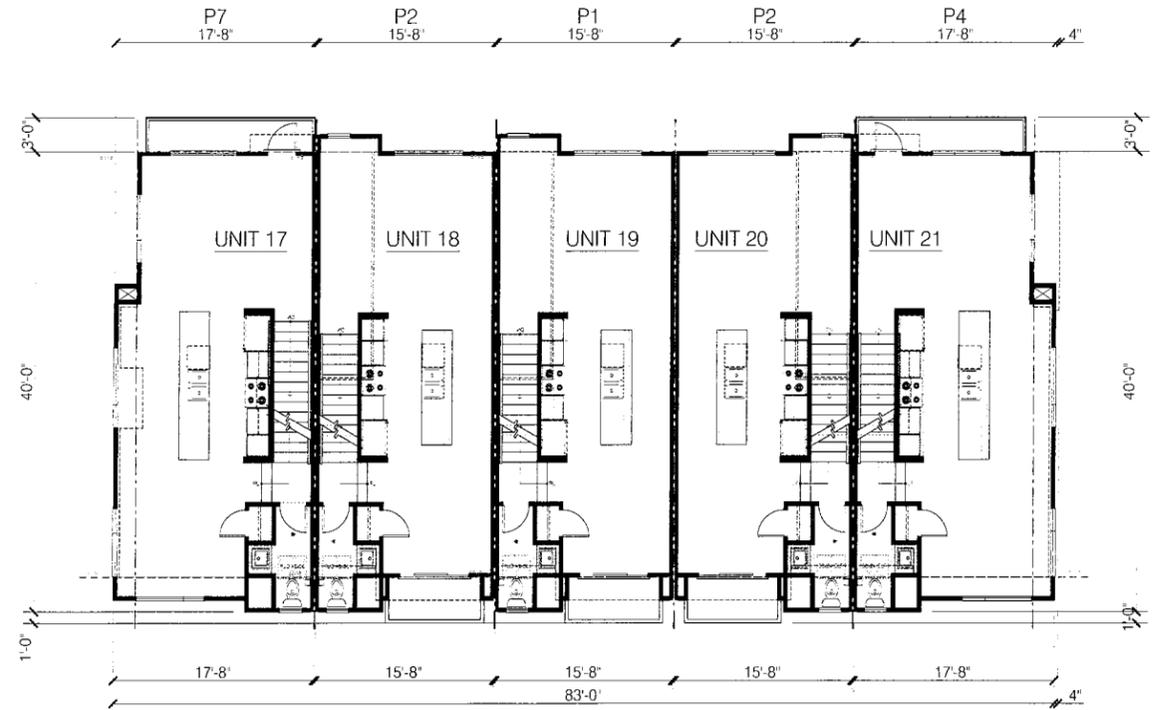
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PROJECT: 317055.00



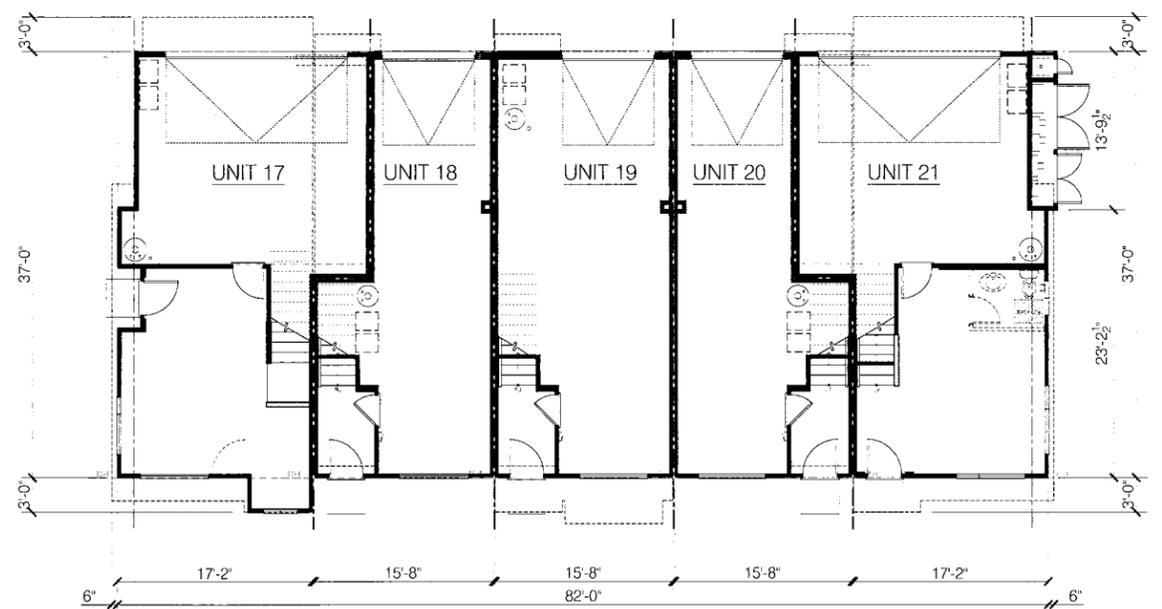
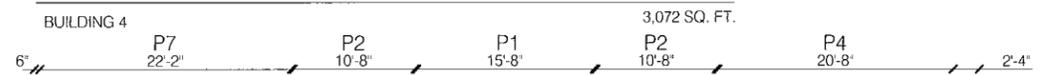
ROOF PLAN



UPPER FLOOR



MAIN FLOOR



GROUND FLOOR



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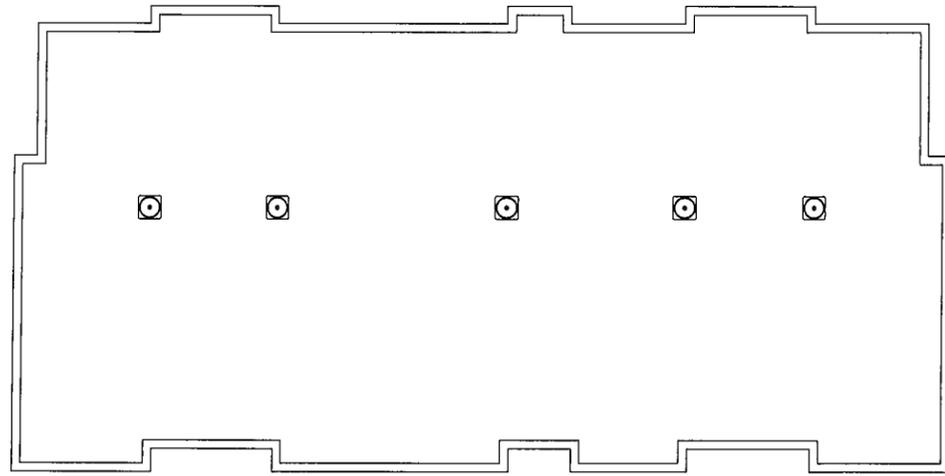
t. 415-512-1300  
f. 415-288-0288

BUILDING 4 - FLOOR & ROOF PLANS

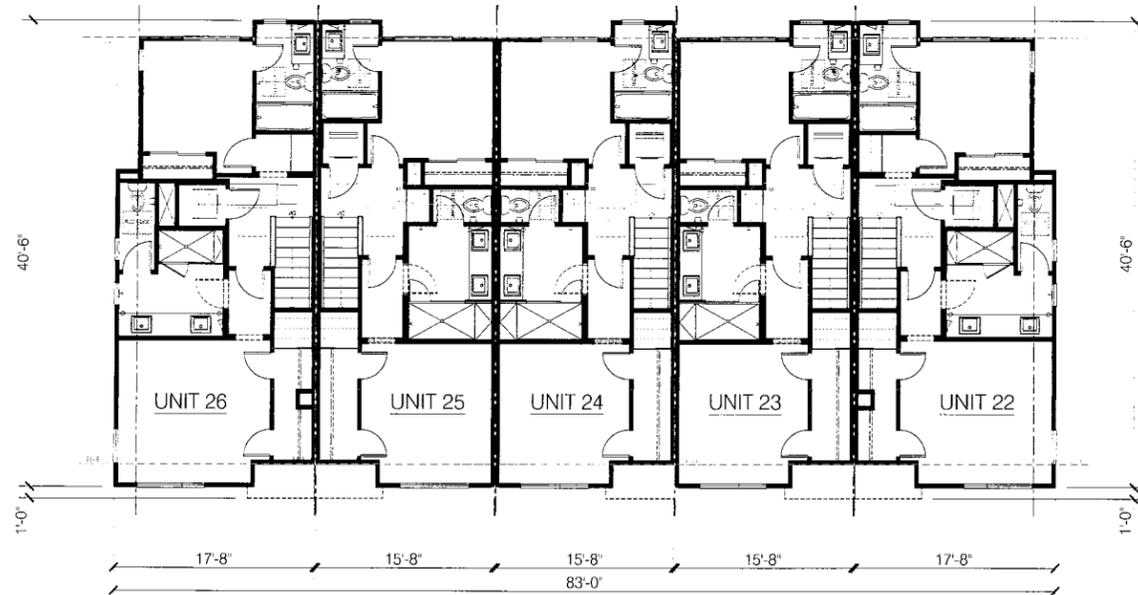
A10.1

SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00

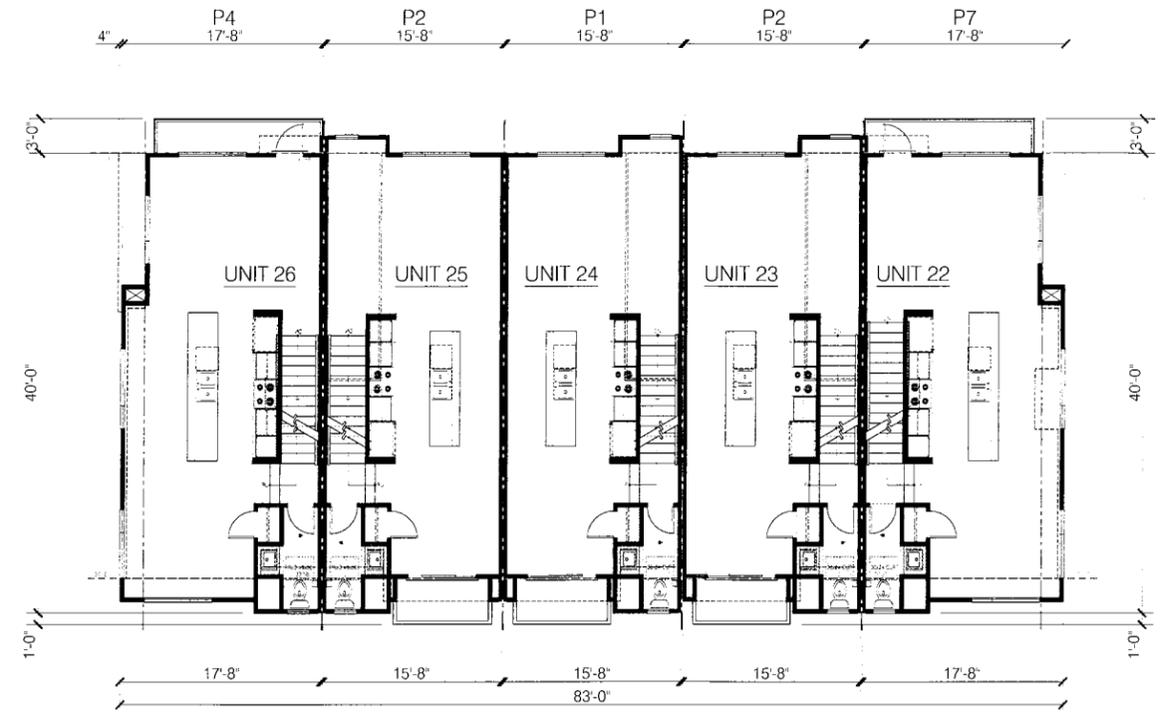


ROOF PLAN



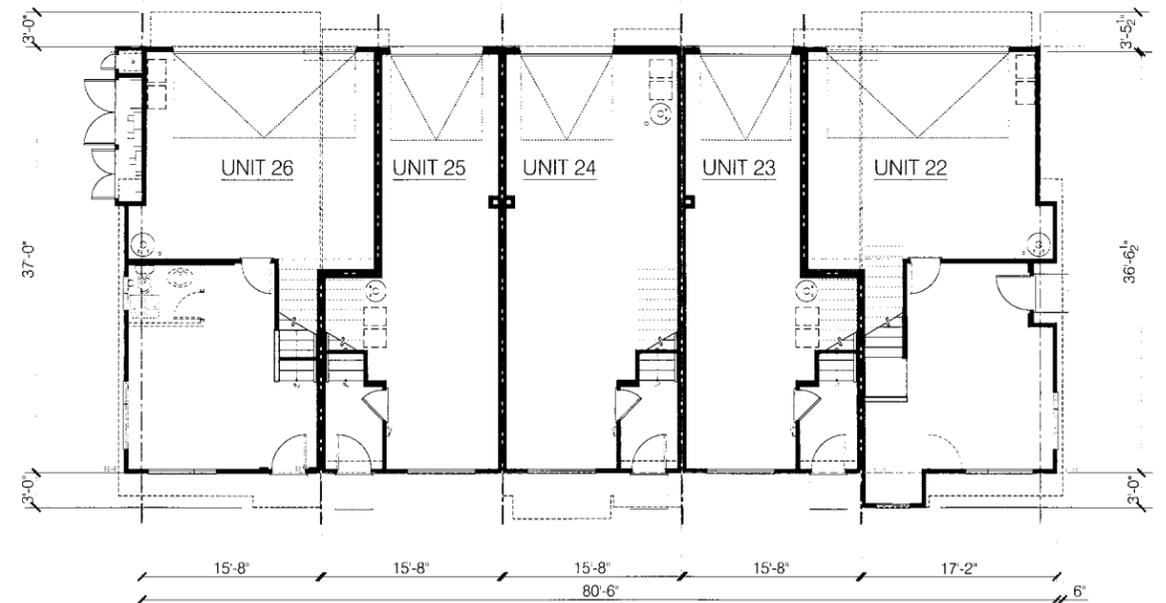
UPPER FLOOR

BUILDING 5 3,302 SQ. FT.



MAIN FLOOR

BUILDING 5 3,072 SQ. FT.  
 P4 17'-8" P2 15'-8" P1 15'-8" P2 15'-8" P7 17'-8" 4" 1'-0" 1'-0" 17'-8" 15'-8" 15'-8" 15'-8" 17'-8" 83'-0"



GROUND FLOOR

BUILDING 5 2,972 SQ. FT.  
 TOTAL = 9,076 SQ. FT.  
 0 2 4 6 8 10 20



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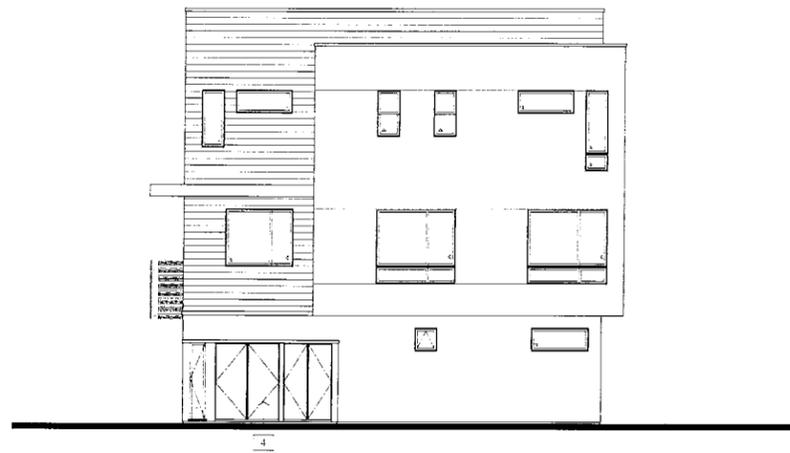
t. 415-512-1300  
 f. 415-288-0288

BUILDING 5 - FLOOR & ROOF PLANS

A11.1

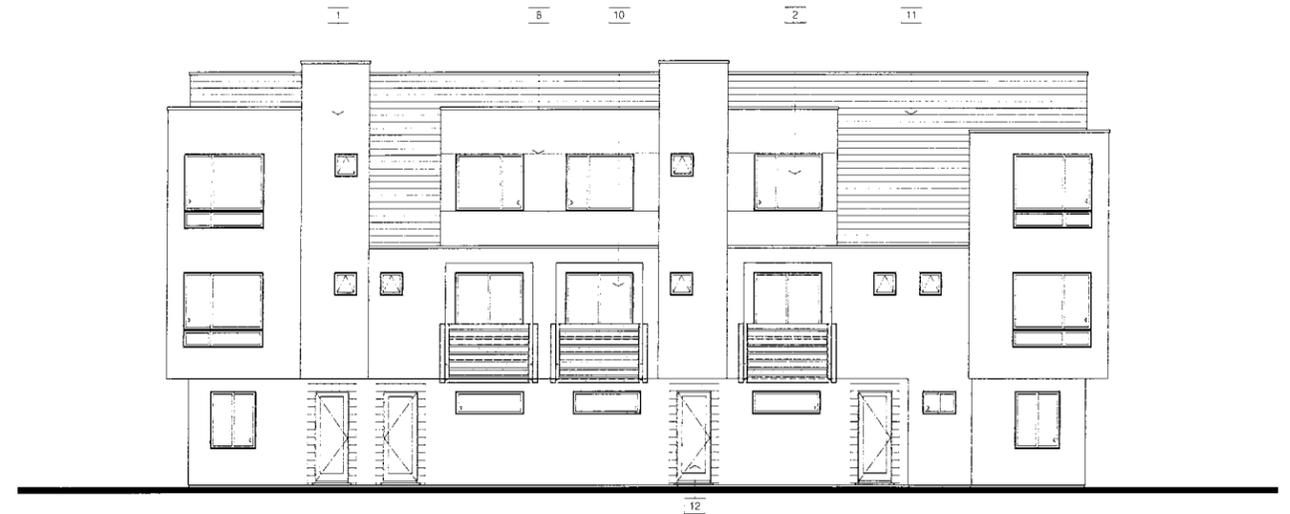
SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
 PROJECT: 317055.00



LEFT ELEVATION

BUILDING 5

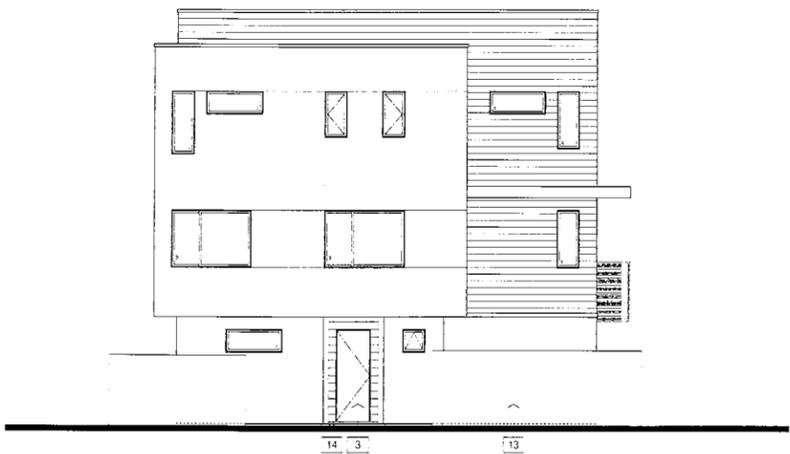


FRONT ELEVATION

BUILDING 5 (BUILDING 4 SIM.)

MATERIALS LEGEND:

1. 3-COAT STUCCO
2. DUAL GLAZED VINYL WINDOWS
3. FIBER GLASS FRONT DOOR
4. UTILITY DOOR
5. METAL ROLL-UP GARAGE DOORS
6. FRENCH DOOR
7. WOOD GUARDRAIL
8. CONTROL JOINT
9. MAN DOOR
10. SLIDING GLASS DOOR
11. JAMES HARDIE SMOOTH LAP SIDING
12. FIBERGLASS FRONT DOOR W/ FROSTED GLASS
13. CONCRETE BLOCK WALL, REFER TO LDSCP DWGS
14. TILE SURROUND AT ENTRY DOOR
15. METAL RAILING



RIGHT ELEVATION

BUILDING 5



REAR ELEVATION

BUILDING 5



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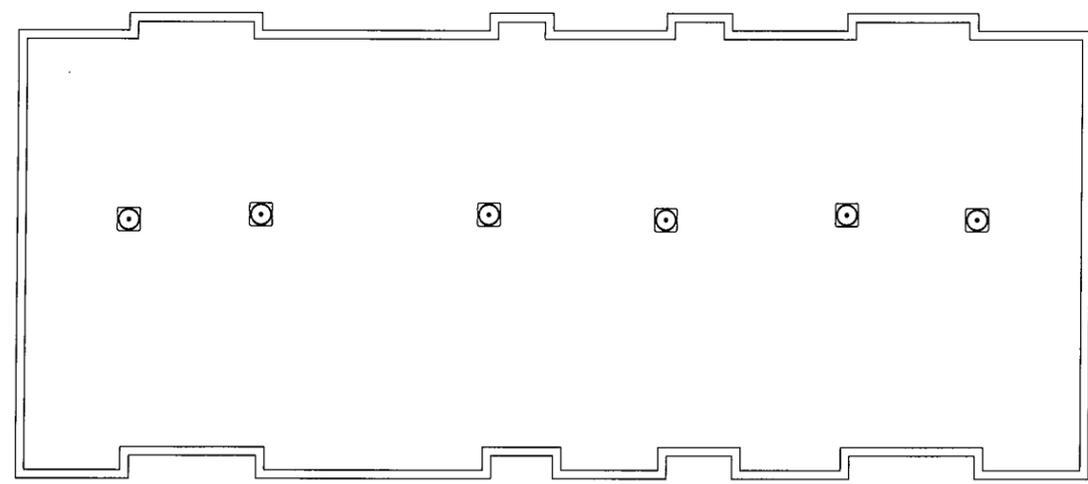
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BUILDING 5 - EXTERIOR ELEVATIONS

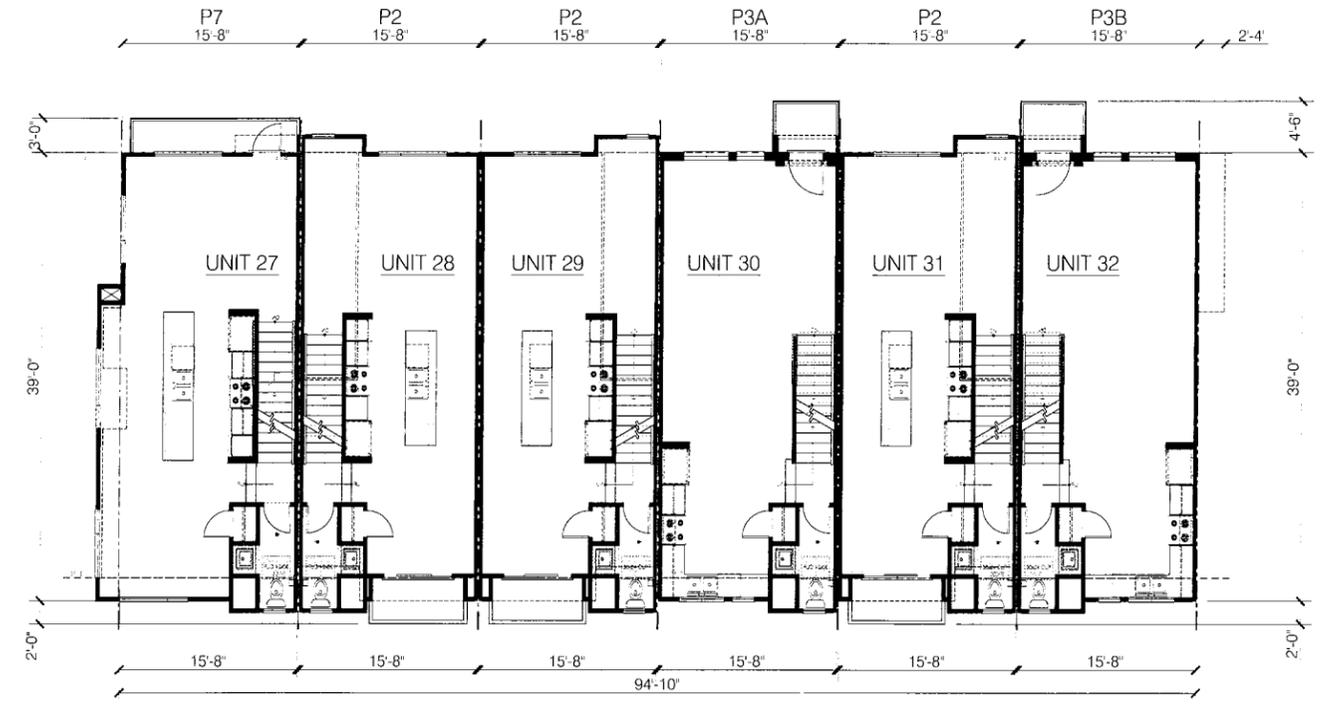
A11.2

SCALE: 1/8" = 1'-0"

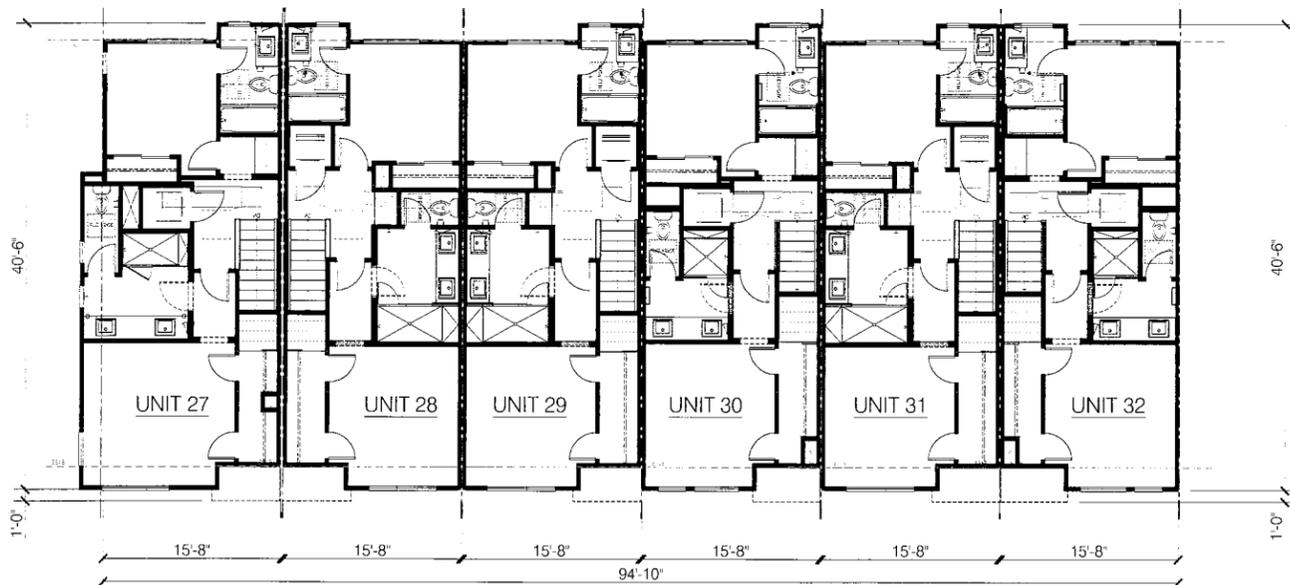
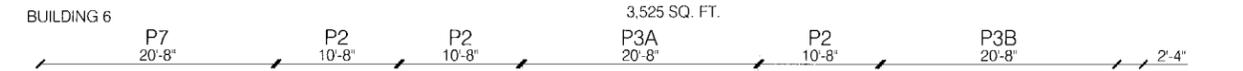
DATE: 05.31.2018  
PROJECT: 317055.00



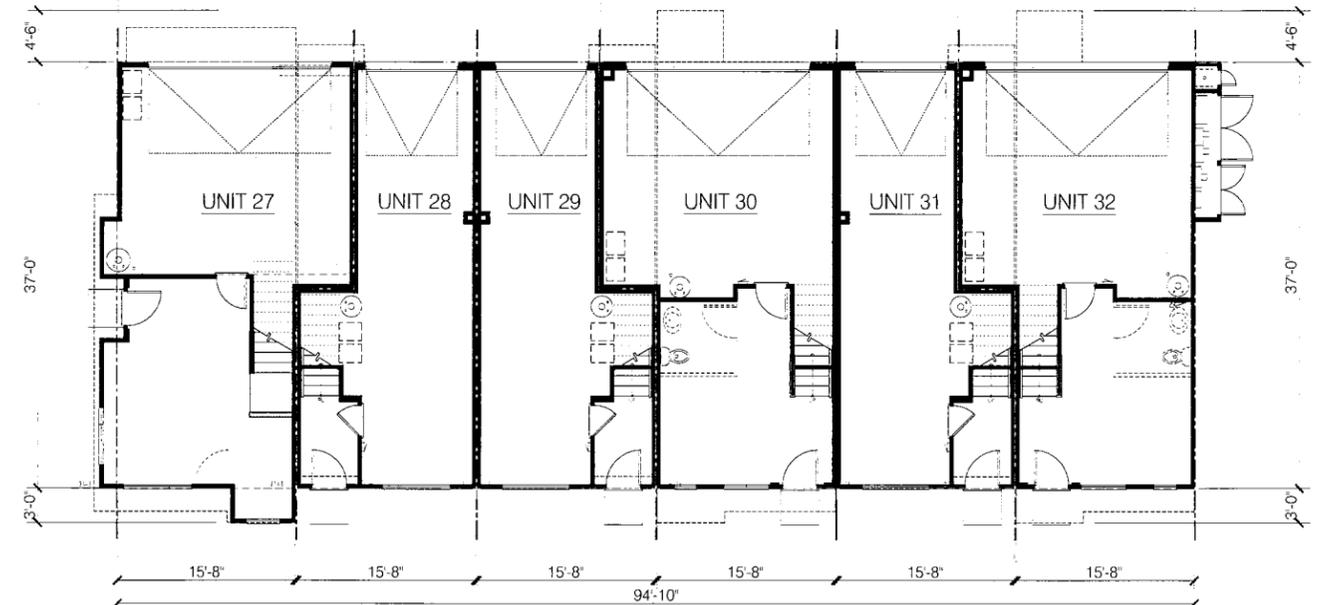
ROOF PLAN



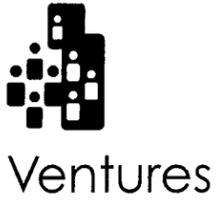
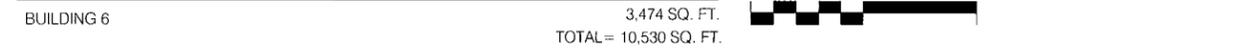
MAIN FLOOR



UPPER FLOOR



GROUND FLOOR



WATTLING STREET  
 OAKLAND 5  
 CITY VENTURES, INC  
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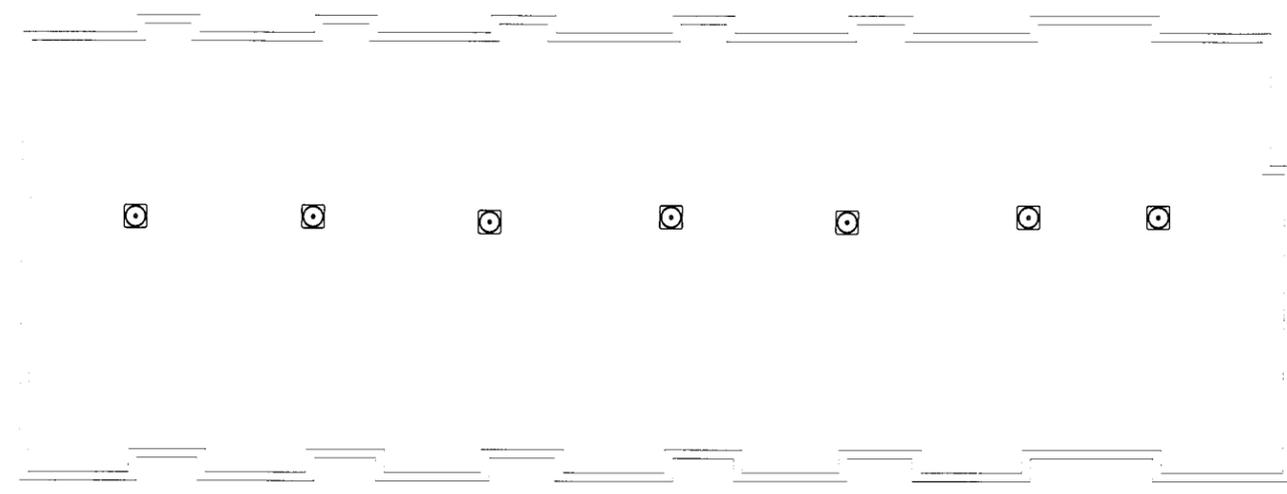


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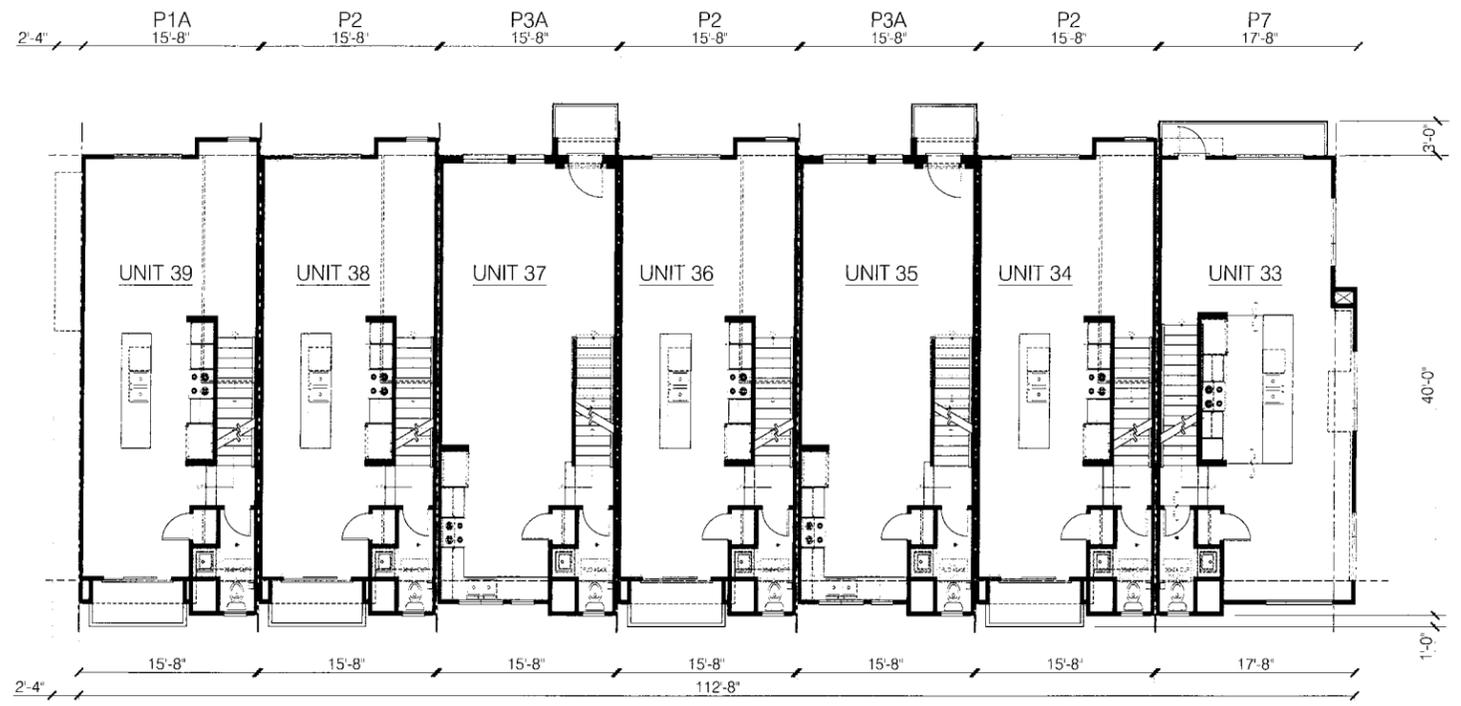
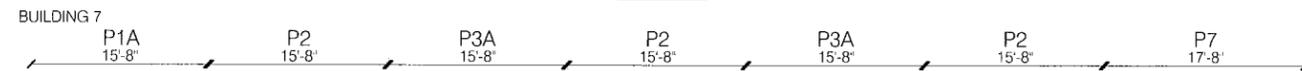
BUILDING 6 - FLOOR & ROOF PLANS  
 A12.1

SCALE: 1/8" = 1'-0"

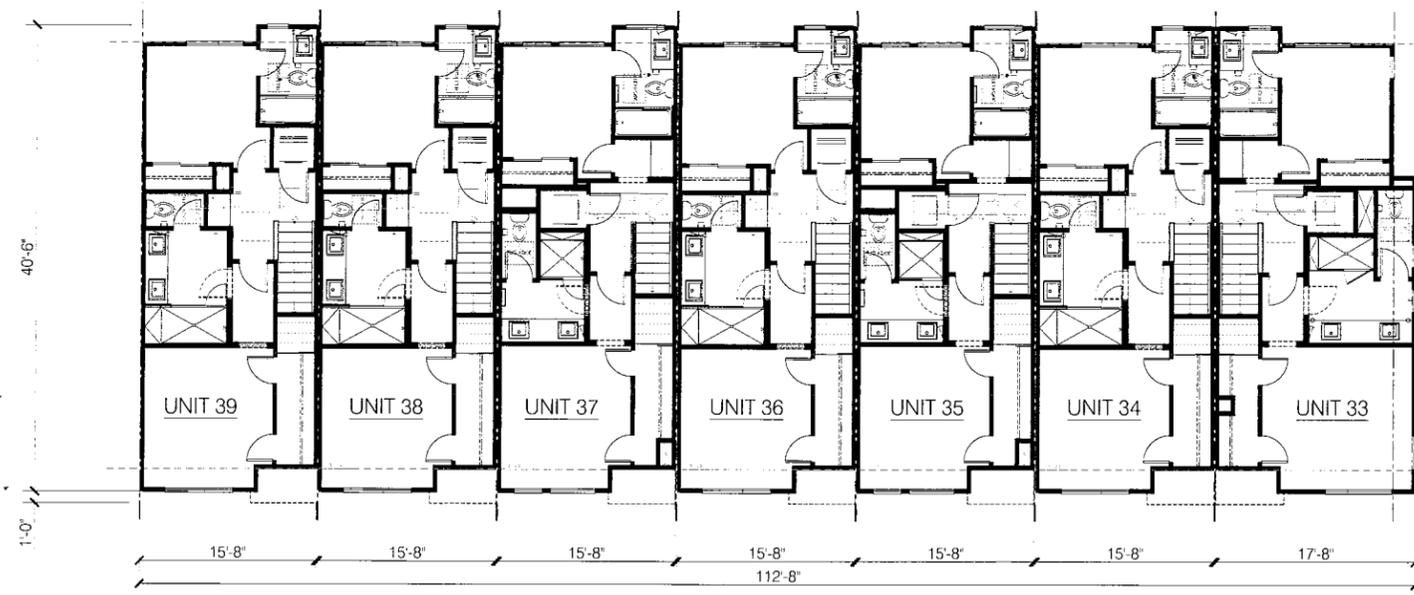
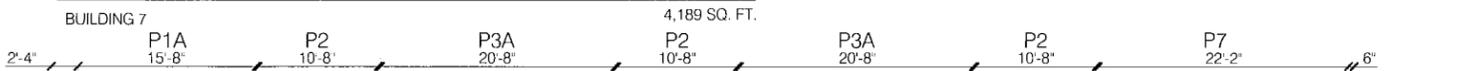
DATE: 05.31.2018  
 PROJECT: 317055.00



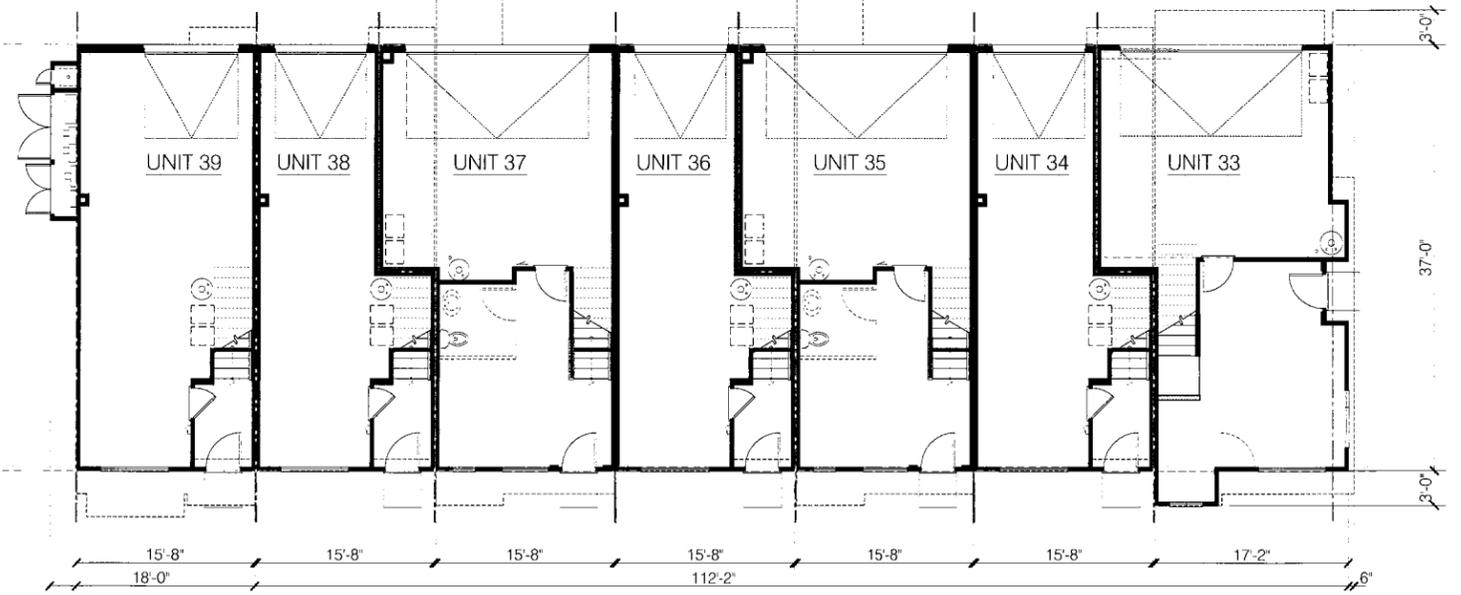
ROOF PLAN



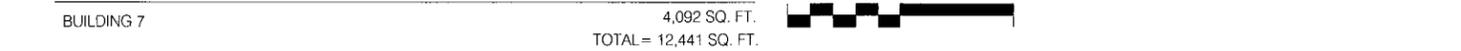
MAIN FLOOR



UPPER FLOOR



GROUND FLOOR



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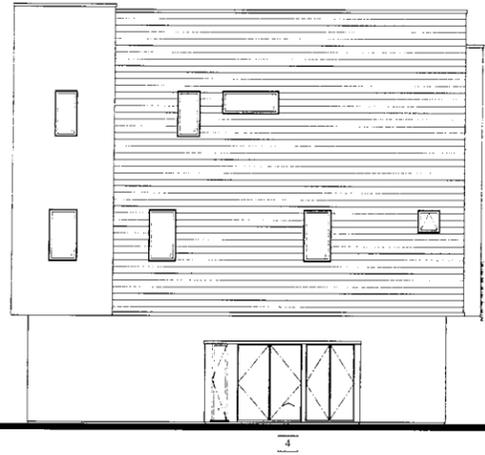
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BUILDING 7 - FLOOR & ROOF PLANS

A13.1

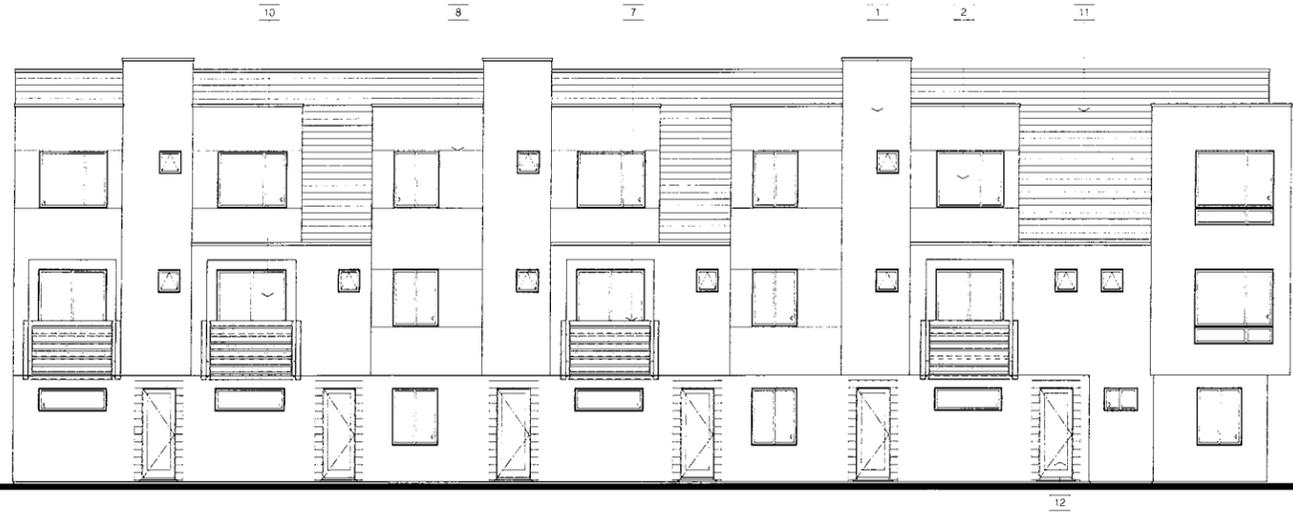
SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



LEFT ELEVATION

BUILDING 7 (BUILDING 6 & 8 SIM.)

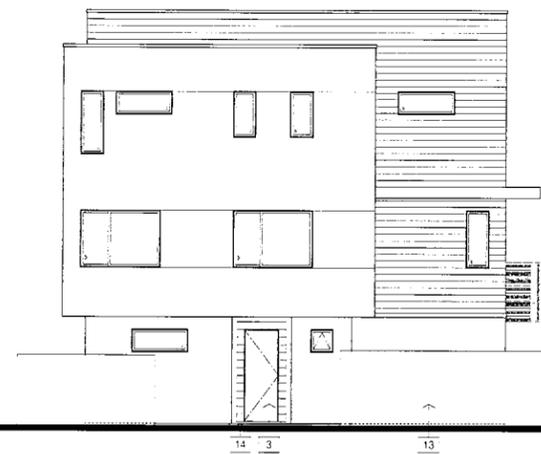


FRONT ELEVATION

BUILDING 7 (BUILDING 6 & 8 SIM.)

MATERIALS LEGEND:

1. 3-COAT STUCCO
2. DUAL GLAZED VINYL WINDOWS
3. FIBER GLASS FRONT DOOR
4. UTILITY DOOR
5. METAL ROLL-UP GARAGE DOORS
6. FRENCH DOOR
7. WOOD GUARDRAIL
8. CONTROL JOINT
9. MAN DOOR
10. SLIDING GLASS DOOR
11. JAMES HARDIE SMOOTH LAP SIDING
12. FIBERGLASS FRONT DOOR W/ FROSTED GLASS
13. CONCRETE BLOCK WALL, REFER TO LDSCP DWGS
14. TILE SURROUND AT ENTRY DOOR
15. METAL RAILING



RIGHT ELEVATION

BUILDING 7 (BUILDING 6 & 8 SIM.)



REAR ELEVATION

BUILDING 7 (BUILDING 6 & 8 SIM.)



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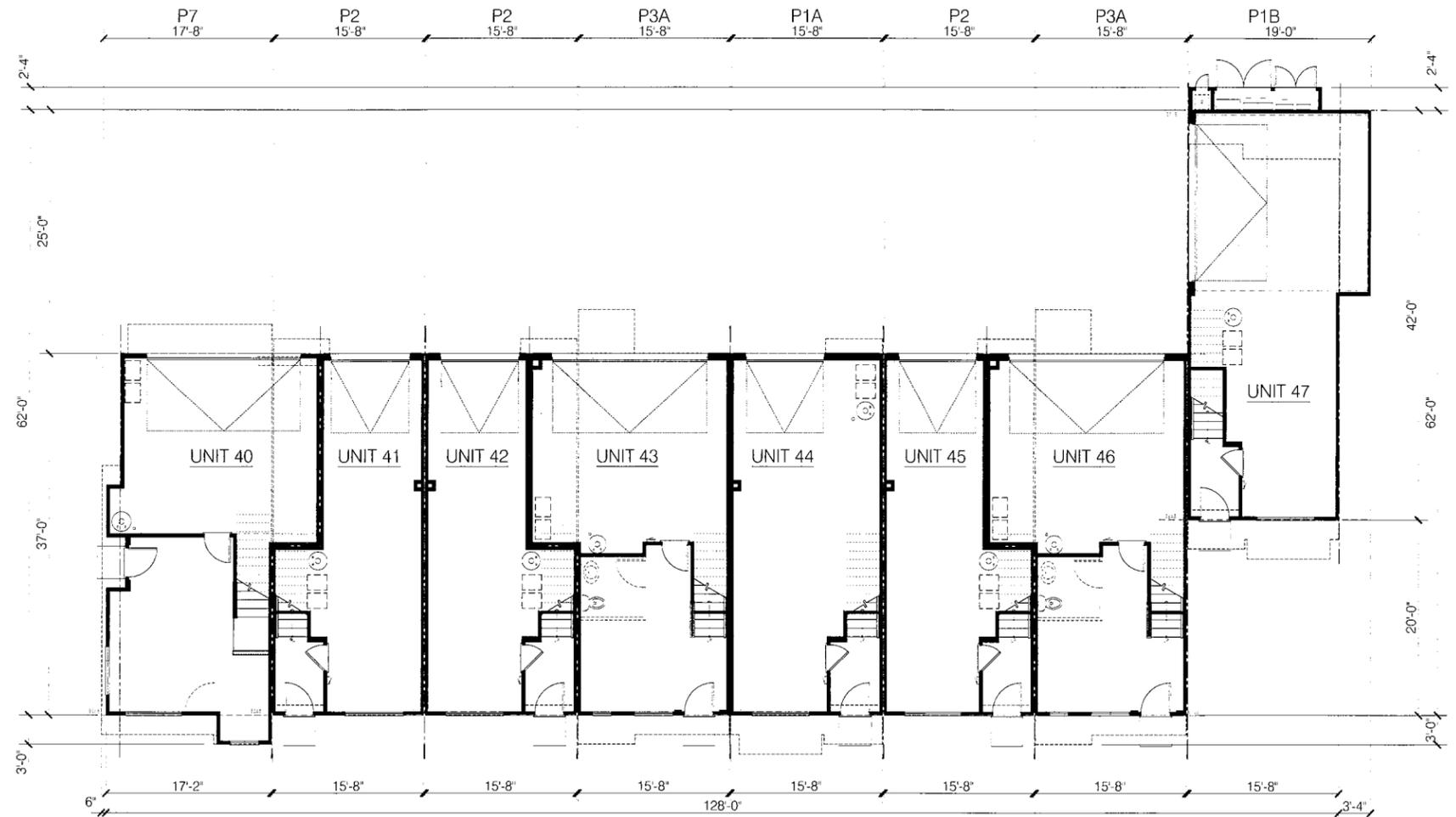
t. 415-512-1300  
f. 415-288-0288

BUILDING 7 - EXTERIOR ELEVATIONS

A13.2

SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



GROUND FLOOR

BUILDING 8

4,813 SQ. FT.  
TOTAL = 14,348 SQ. FT.



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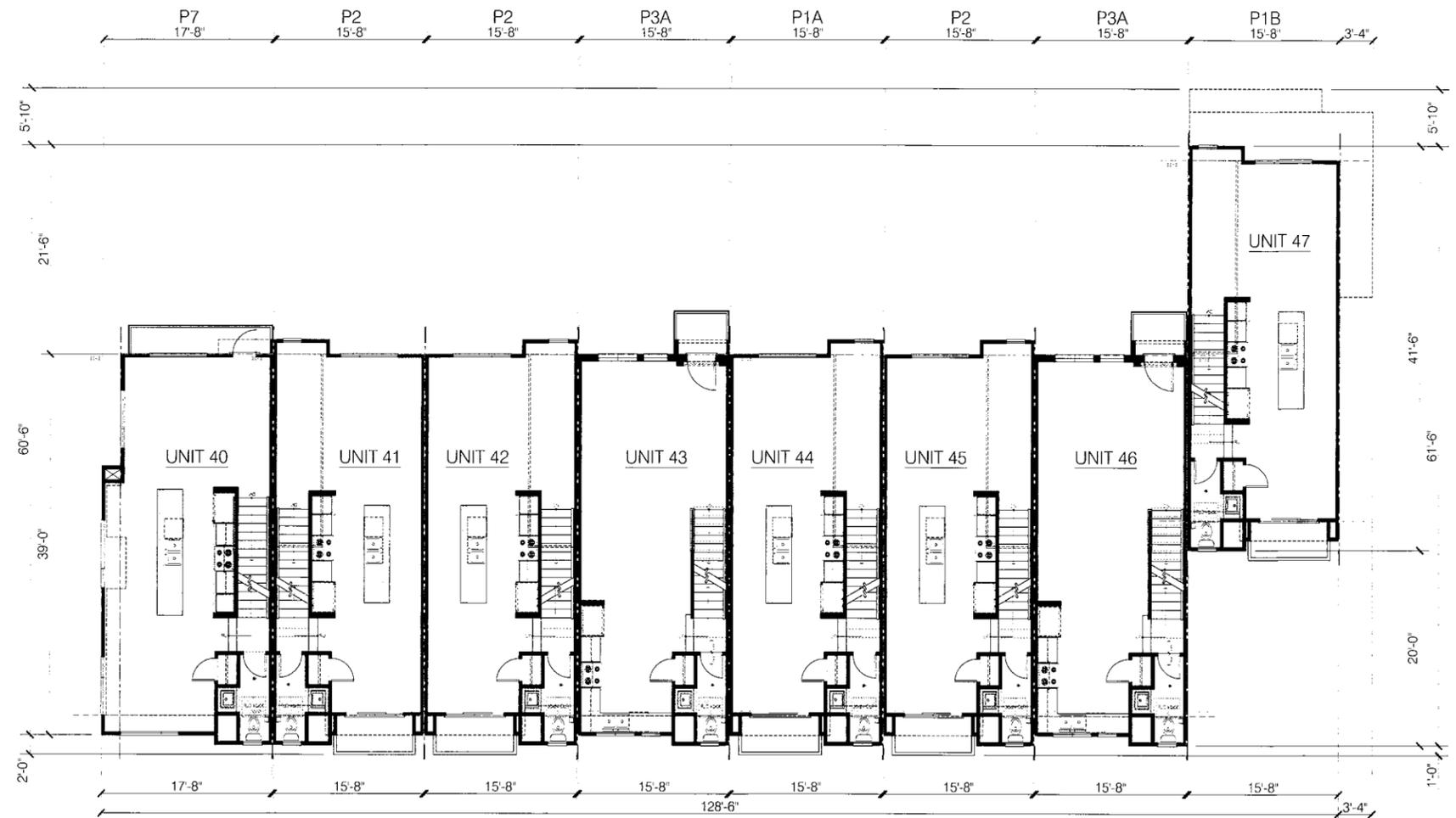
t. 415-512-1300  
f. 415-288-0288

BUILDING 8 - FLOOR PLANS

A14.1

SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



MAIN FLOOR

BUILDING 8

4,795 SQ. FT.



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BUILDING 8 - FLOOR PLANS

A14.2

SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



UPPER FLOOR

BUILDING 8

4,813 SQ. FT.



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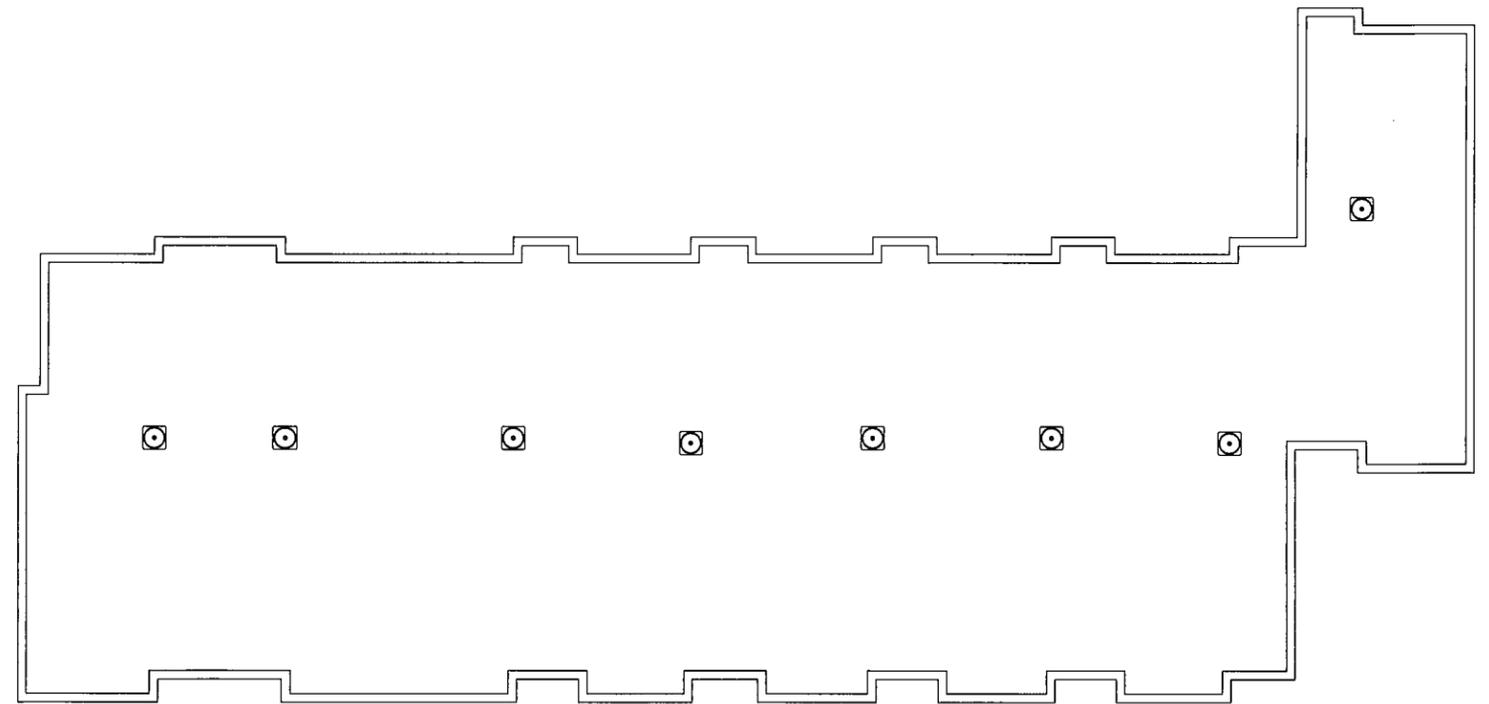
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f. 415-288-0288

BUILDING 8 - FLOOR PLANS

A14.3

SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



ROOF PLAN

BUILDING 8



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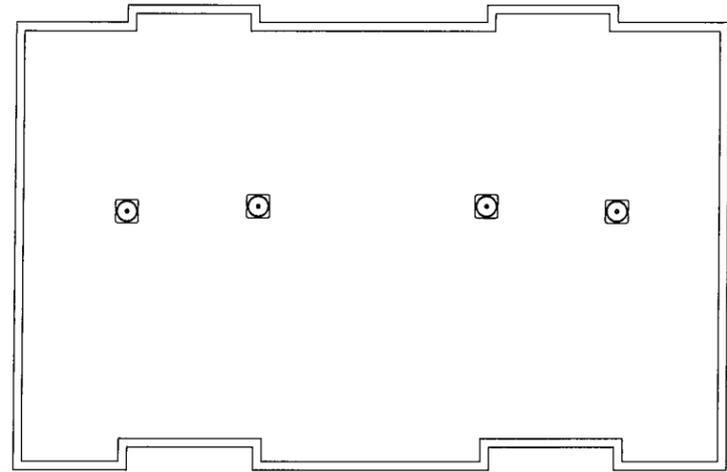
t. 415-512-1300  
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BUILDING 8 - ROOF PLAN

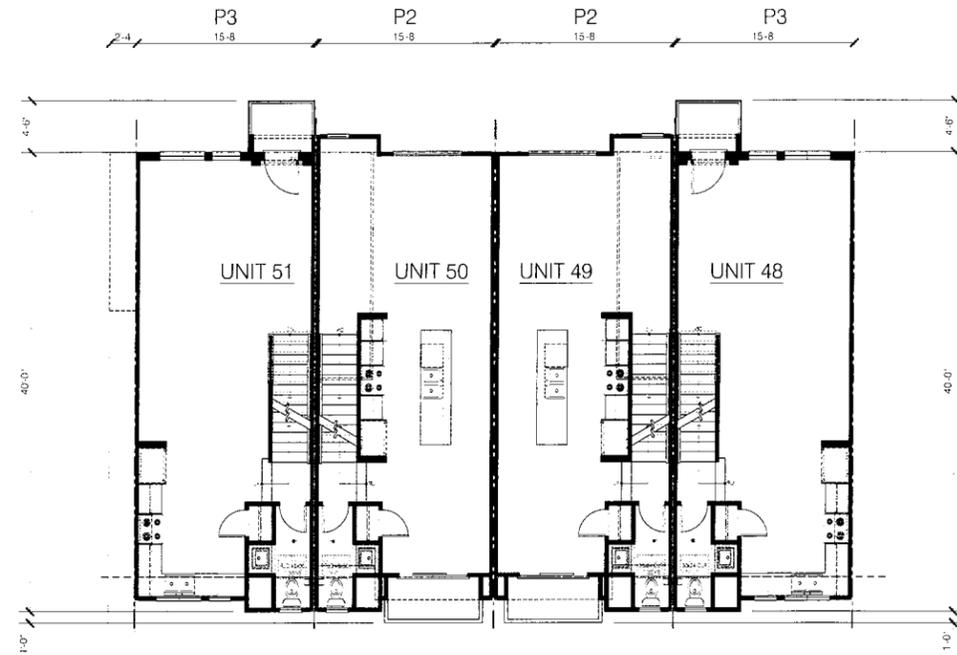
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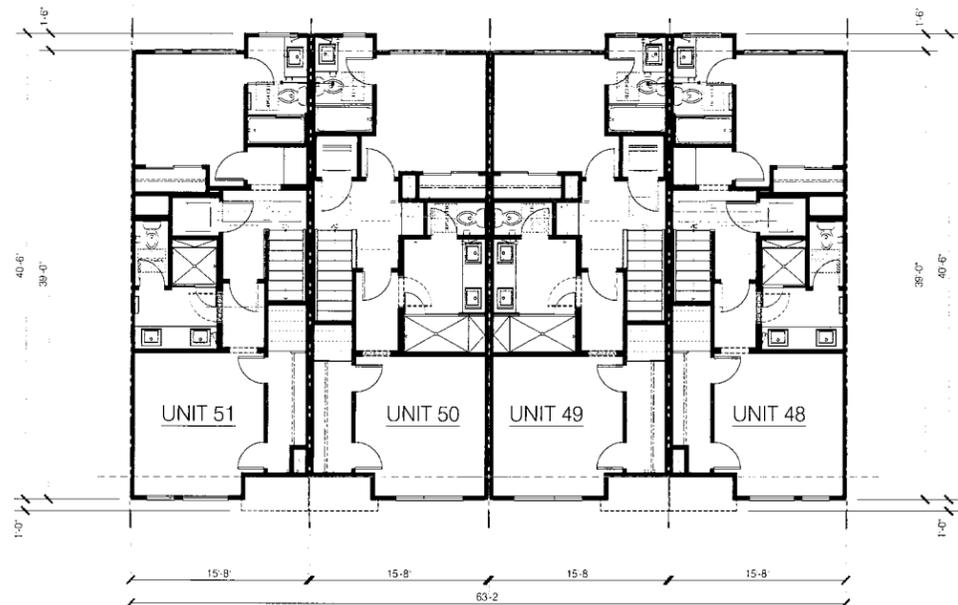
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PROJECT: 317055.00



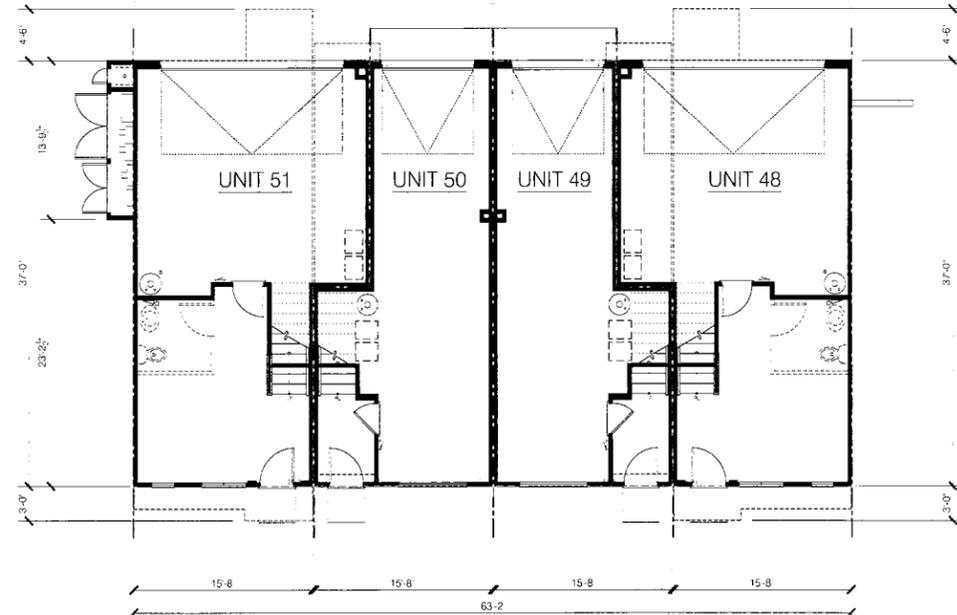
ROOF PLAN



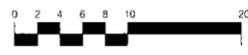
MAIN FLOOR



UPPER FLOOR



GROUND FLOOR



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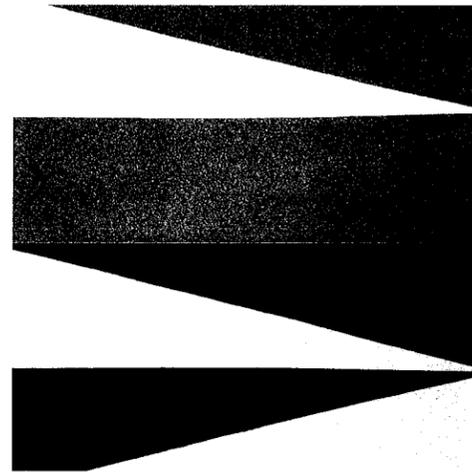
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BUILDING 9 - FLOOR & ROOF PLANS

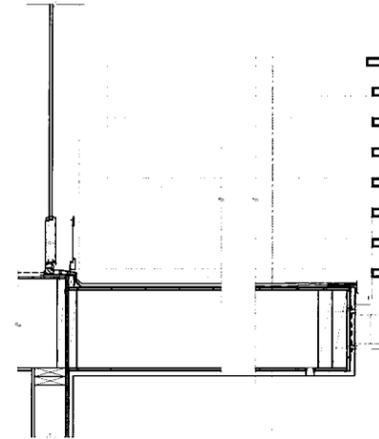
A15.1

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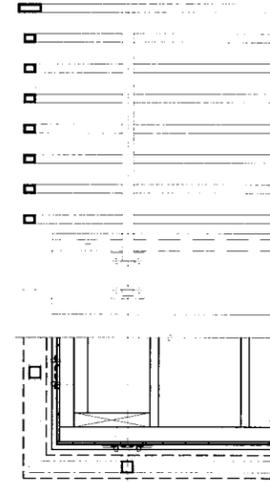
DATE: 05.31.2018  
PROJECT: 317055.00



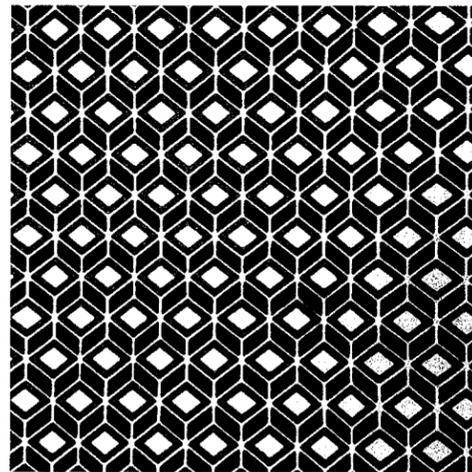
TILE OPT. 1 SURROUND @ ENTRY DOORS



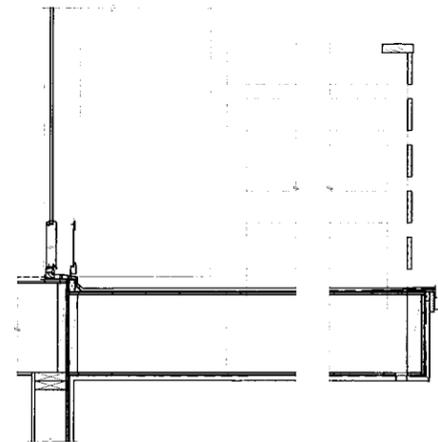
METAL RAILING DECK @ BLDG. 1 DECKS



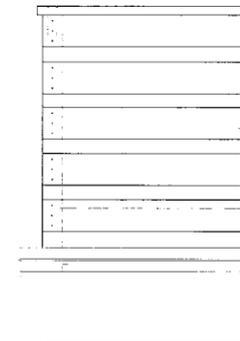
WAYNE DALTON GARAGE DOOR, MODEL 9605 W/ VERTICAL WINDOW COLUMN AND OBSCURED GLASS @ BLDG. 1



TILE OPT. 2 SURROUND @ ENTRY DOORS



WOOD RAILING DECK @ ALL OTHER BLDG. DECKS



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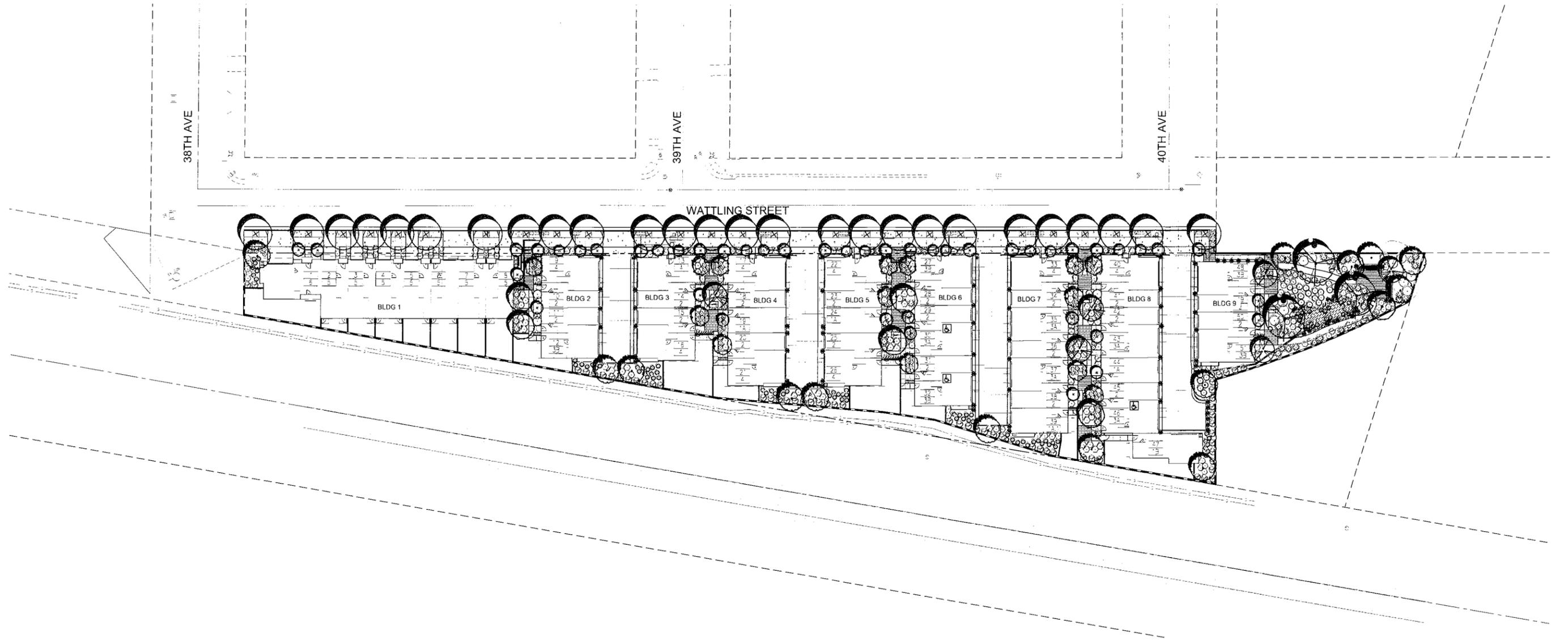
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DETAILS  
A16.1

SCALE: 1/8" = 1'-0"

DATE: 05.31.2018  
PROJECT: 317055.00



**PLANTING & WATER EFFICIENCY DESIGN INTENT STATEMENT**

THE PLANTING DESIGN INCORPORATES PRINCIPLES INCLUDED IN THE "BAY FRIENDLY LANDSCAPE GUIDELINES".

THE PLANTING DESIGN UTILIZES PRIMARILY LOW WATER USE & NATIVE PLANT SPECIES AND ORNAMENTAL PLANTS ADAPTED TO LOCAL CLIMATIC CONDITIONS. PLANTS ARE GROUPED BY HYDROZONE, & EXPOSURE. THE PLANTING DESIGN ALLOWS FOR THE PLANTS TO REACH THEIR NATURAL, FULL-GROWN SIZE AND ELIMINATES THE NEED FOR EXCESSIVE PRUNING OR HEDGING.

TREE SPECIES HAVE BEEN CHOSEN TO PROVIDE A VARIATION OF HEIGHTS, WIDTHS, COLORS, TEXTURES, AND CHARACTER. TREE LOCATION AND ORIENTATION HAVE BEEN DESIGNED FOR MAXIMUM AESTHETIC EFFECT AND PASSIVE SOLAR BENEFITS.

VEGETATED SWALES AND BIO-TREATMENT AREAS WILL BE PLANTED WITH APPROVED GRASSES, SHRUBS & TREES THAT ARE ADAPTED TO BIO-SWALE CONDITIONS, PER THE ALAMEDA COUNTY PLANT LIST FOR LANDSCAPE BASED STORMWATER MEASURES.

THE PLANTING AND IRRIGATION DESIGN WILL COMPLY WITH THE STATE OF CALIFORNIA'S 2010 MODEL WATER EFFICIENT LANDSCAPE ORDINANCE INCLUDING THE 2015 DROUGHT EMERGENCY REGULATIONS AND WUCOLS III.

NO PLANTS ARE USED THAT ARE CONSIDERED INVASIVE IN THE THE REGION AS LISTED BY THE CAL-IPC.

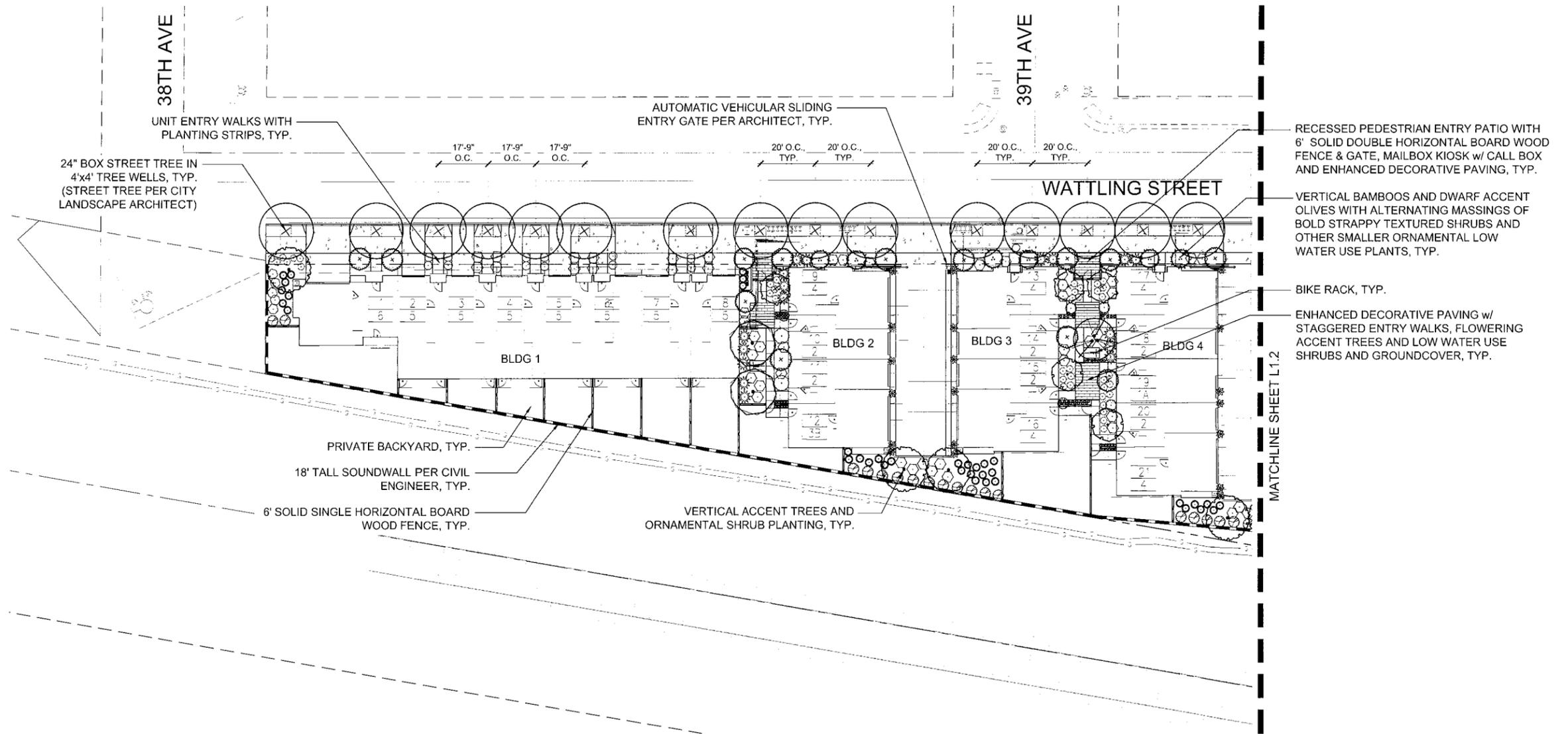
**IRRIGATION DESIGN INTENT STATEMENT**

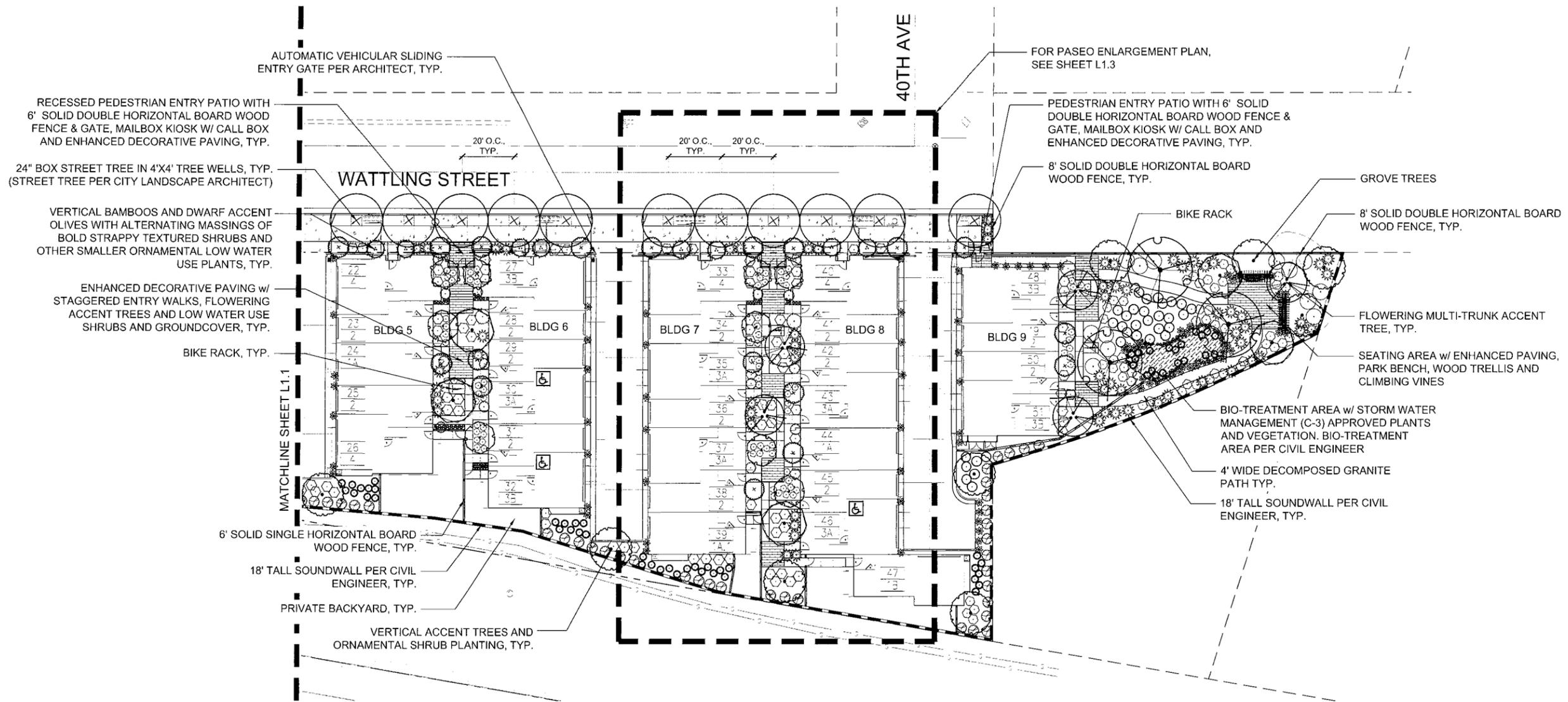
THE IRRIGATION SYSTEMS WILL UTILIZE A COMBINATION OF PRESSURE COMPENSATING LOW VOLUME DRIP EMITTER. PLANT SPECIES WILL BE GROUPED BY HYDROZONE AND IRRIGATED ON SEPARATE HYDROZONE VALVE CIRCUITS.

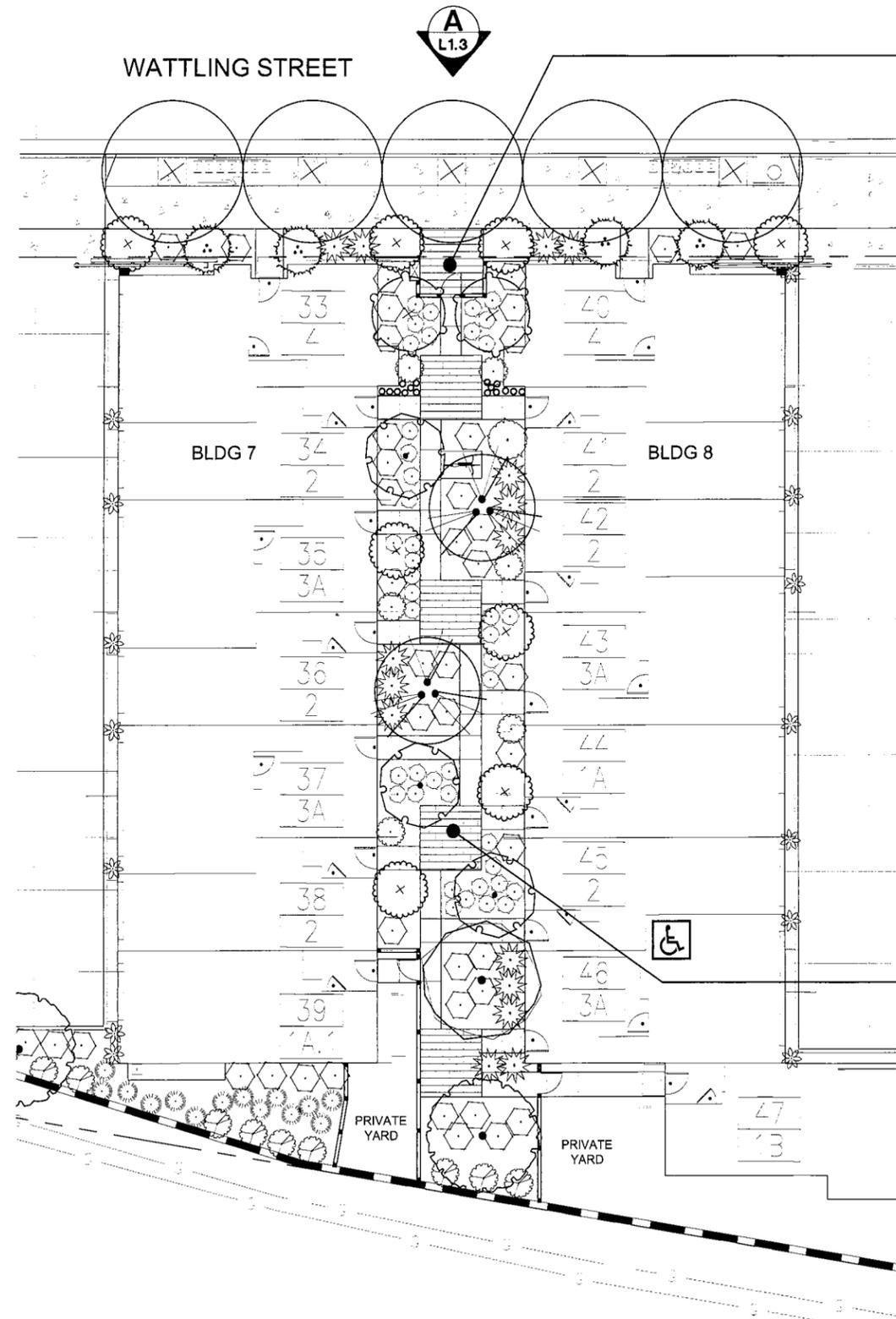
SMART E.T. BASED IRRIGATION CONTROLLERS SHALL BE UTILIZED TO OPTIMIZE EFFICIENT WATER APPLICATION. SMART CONTROLLERS AUTOMATICALLY ADJUST THEIR DAILY WATER SCHEDULE PROGRAMMING BASED UPON THE LOCAL CLIMATE AT THE PROJECT SITE. SMART CONTROLLERS RECEIVE WIRELESS DATA DAILY FROM THE IRRIGATION MANUFACTURERS WEATHER DATA SERVICE. A RAIN SWITCH WILL BE INSTALLED TO PREVENT IRRIGATION DURING RAINY PERIODS.

A FLOW SENSOR AND MASTER VALVE WILL BE CONNECTED TO THE SMART CONTROLLER TO ALLOW AUTOMATIC SHUT OFF OF ANY VALVE CIRCUIT OR MAIN LINE IN THE EVENT OF A PIPE BRAKE TO PREVENT WATER WASTE.

THE IRRIGATION SYSTEM WILL BE DESIGNED FOR CONNECTION TO RECYCLED WATER, WHERE AVAILABLE, AND SHALL BE INSTALLED TO COMPLY WITH EBMUD'S RECYCLED WATER STANDARD, DETAILS AND SPECIFICATIONS.







**PEDESTRIAN ENTRY FENCE & GATE:**

- MATERIALS:** RECESSED PEDESTRIAN ENTRY PATIO WITH 6" SOLID DOUBLE HORIZONTAL BOARD WOOD FENCE & GATE, MAILBOX KIOSK W/ CALL BOX AND ENHANCED DECORATIVE PAVING, TYP.
- PLANTING:** VERTICAL BAMBOOS AND DWARF ACCENT OLIVES WITH ALTERNATING MASSINGS OF BOLD STRAPPY TEXTURED SHRUBS AND OTHER SMALLER ORNAMENTAL LOW WATER USE PLANTS, TYP.

**PASEO:**

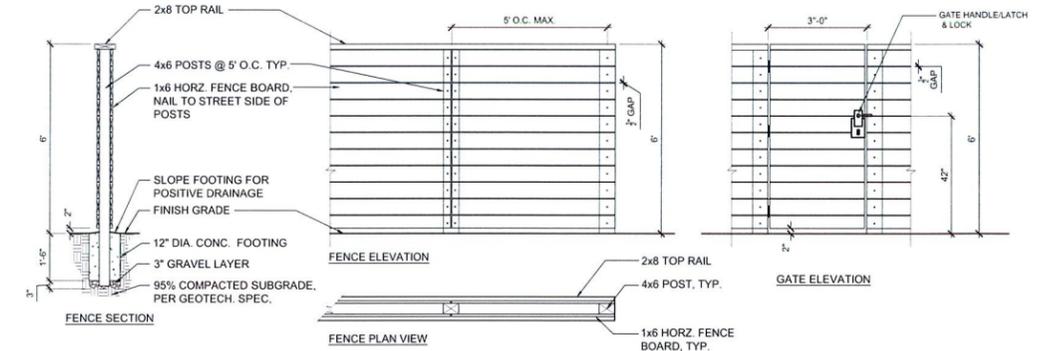
- MATERIALS:** ENHANCED DECORATIVE PAVING w/ STAGGERED ENTRY WALKS
- PLANTING:** FLOWERING ACCENT TREES AND LOW WATER USE SHRUBS AND GROUNDCOVER, TYP.



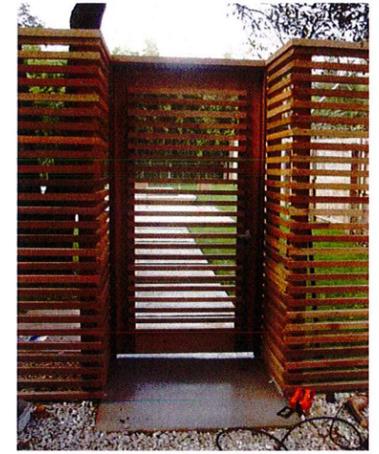
SCORED CONCRETE



ENHANCED/ SPECIAL PAVING



FENCE & GATE



DECOMPOSED GRANITE



Decomposed Granite

BIKE RACK



TRASH & RECYCLING RECEPTACLES



LIGHT BOLLARD



BENCH



TRELLIS



CONCEPTUAL PLANT PALETTE

TREES				SHRUBS				SHRUBS				SHRUBS																																																			
CODE	BOTANICAL NAME	COMMON NAME	CONT	CODE	BOTANICAL NAME	COMMON NAME	CONT	CODE	BOTANICAL NAME	COMMON NAME	CONT	CODE	BOTANICAL NAME	COMMON NAME	CONT																																																
ACE PAL	ACER PALMATUM 'SANGO KAKU'	CORAL BARK MAPLE	25' BOX	CAL LIT	CALLISTEMON CITRINUS 'LITTLE JOHN'	DWARF BOTTLE BRUSH	1 GAL	PHO TT	PHORMIUM TENAX 'TOM THUMB'	DWARF GREEN FLAX	1 GAL	PHO WAV	PHORMIUM TENAX 'YELLOW WAVE'	NEW ZEALAND FLAX	5 GAL																																																
ACE RUB	ACER RUBRUM	RED MAPLE	24' BOX	CAL CAN	CALYCANTHUS OCCIDENTALIS	SPICEBUSH	5 GAL	PHO MQ	PHORMIUM 'MAORI QUEEN'	NEW ZEALAND FLAX	5 GAL	PIT CM	PITTOSPORUM TOBIRA 'CREAM DE MINT' TM	CREAM DE MINT DWARF MOCK ORANGE	5 GAL																																																
ARB UNE	ARBUTUS UNEDO	STRAWBERRY TREE	15 GAL	CAR CAL	CARPENTERIA CALIFORNICA	BUSH ANEMONE	5 GAL	PIT WH	PITTOSPORUM TOBIRA 'WHEELERS DWARF'	WHEELER'S DWARF MOCK ORANGE	5 GAL	PRU CAR	PRUNUS CAROLINIANA 'BRIGHT-N-TIGHT'	CAROLINA LAUREL CHERRY	15 GAL																																																
ARB HYB	ARBUTUS X 'MARINA'	ARBUTUS STANDARD	15 GAL	CAR PAN	CAREX PANSA	SANDDUNE SEDGE	FLAT	ROS IC2	ROSA FLORIBUNDA 'ICEBERG'	ROSE	5 GAL	ROS RED	ROSA FLOWER CARPET RED	GROUND COVER ROSE	2 GAL																																																
BAM PDA	BAMBUISOIDEAE SPECIES	BAMBOO	24' BOX	CHO TEC	CHONDRPETALUM TECTORUM	CAPE RUSH	5 GAL	ROS IC3	ROSA ICEBERG (STANDARD)	ROSE	15 GAL STD	ROS FLC	ROSA X 'FLOWER CARPET APPLEBLOSSOM' TM	GROUND COVER ROSE	2 GAL																																																
CEL SIN	CELTIS SINENSIS	CHINESE HACKBERRY	24' BOX	COL PUL	COLEONEMA PULCHRUM	PINK BREATH OF HEAVEN	5 GAL	ROS FL6	ROSA X 'FLOWER CARPET WHITE'	GROUND COVER ROSE	2 GAL	SAN VIR	SANTOLINA VIRENS	GREEN LAVENDER COTTON	1 GAL																																																
CER OCC	CERCIS OCCIDENTALIS	WESTERN REDBUD	5 GAL	DIA SPE	DIANELLA SPECIES	DIANELLA	1 GAL	SIS BEL	SISYRINCHIUM BELLUM	BLUE EYED GRASS	1 GAL	SOL RAN	SOLANUM RANTONNETII (STANDARD)	PARAGUAY NIGHTSHADE	15 GAL STD.																																																
FRA OXY	FRAXINUS OXYCARPA 'RAYWOOD'	RAYWOOD ASH	24' BOX	DIE BIC	DIETES BICOLOR	FORTNIGHT LILY	1 GAL	TAG LEM	TAGETES LEMMONII	COPPER CANYON DAISY	1 GAL	TIB UR2	TIBOUCHINA URVILLEANA	PRINCESS FLOWER	5 GAL																																																
GLI TRI	GLIDITSIA TRIACANTHOS INERMIS 'SHADEMASTER'	THORNLESS HONEY LOCUST	24' BOX	DOD PUR	DODONAEA VISCOSA 'PURPUREA'	PURPLE LEAFED HOPSEED BUSH	5 GAL	VAC OVA	VACCINIUM OVATUM	EVERGREEN HUCKLEBERRY	5 GAL	VIB SPE	VIBURNUM SPECIES	VIRBURNUM	5 GAL																																																
GIN BIL	GINKGO BILOBA - SARATOGA, AUTUMN GOLD	GINKGO	24' BOX	ERI WAY	ERIGERON GLAUCUS 'WAYNE RODERICK'	SEASIDE DAISY	1 GAL	WES FRU	WESTRINGIA FRUTICOSA	COAST ROSEMARY	5 GAL	WES MOR	WESTRINGIA FRUTICOSA 'MORNING LIGHT'	MORNING LIGHT COAST ROSEMARY	5 GAL																																																
LAG HOP	LAGERSTROEMIA FAURIEI 'HOPI'	CREPE MYRTLE	15 GAL	ERI KAR	ERIGERON KARVINSKIANUS	FLEABANE	1 GAL	<b>GROUND COVERS</b> <table border="1"> <thead> <tr> <th>CODE</th> <th>BOTANICAL NAME</th> <th>COMMON NAME</th> <th>CONT</th> </tr> </thead> <tbody> <tr> <td>APT COR</td> <td>APTENIA CORDIFOLIA</td> <td>HEARTS AND FLOWERS</td> <td>1 GAL</td> </tr> <tr> <td>ARC EME</td> <td>ARCTOSTAPHYLOS 'EMERALD CARPET'</td> <td>EMERALD CARPET MANZANITA</td> <td>1 GAL</td> </tr> <tr> <td>COP PET</td> <td>COPROSMA PETRIE 'VERDE VISTA'</td> <td>VERDE VISTA COPROSMA</td> <td>1 GAL</td> </tr> <tr> <td>COT LOW</td> <td>COTONEASTER DAMERII 'LOWFAST'</td> <td>BEARBERRY COTONEASTER</td> <td>1 GAL</td> </tr> <tr> <td>ECH ELE</td> <td>ECHEVERIA ELEGANS</td> <td>HEN AND CHICKS</td> <td>1 GAL</td> </tr> <tr> <td>FRA CHI</td> <td>FRAGARIA CHILOENSIS</td> <td>BEACH STRAWBERRY</td> <td>FLATS</td> </tr> <tr> <td>MYO PRO</td> <td>MYOPORUM P. 'PROSTRATUM'</td> <td>MYOPORUM</td> <td>FLATS</td> </tr> </tbody> </table>				CODE	BOTANICAL NAME	COMMON NAME	CONT	APT COR	APTENIA CORDIFOLIA	HEARTS AND FLOWERS	1 GAL	ARC EME	ARCTOSTAPHYLOS 'EMERALD CARPET'	EMERALD CARPET MANZANITA	1 GAL	COP PET	COPROSMA PETRIE 'VERDE VISTA'	VERDE VISTA COPROSMA	1 GAL	COT LOW	COTONEASTER DAMERII 'LOWFAST'	BEARBERRY COTONEASTER	1 GAL	ECH ELE	ECHEVERIA ELEGANS	HEN AND CHICKS	1 GAL	FRA CHI	FRAGARIA CHILOENSIS	BEACH STRAWBERRY	FLATS	MYO PRO	MYOPORUM P. 'PROSTRATUM'	MYOPORUM	FLATS																				
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APT COR	APTENIA CORDIFOLIA	HEARTS AND FLOWERS	1 GAL																																																												
ARC EME	ARCTOSTAPHYLOS 'EMERALD CARPET'	EMERALD CARPET MANZANITA	1 GAL																																																												
COP PET	COPROSMA PETRIE 'VERDE VISTA'	VERDE VISTA COPROSMA	1 GAL																																																												
COT LOW	COTONEASTER DAMERII 'LOWFAST'	BEARBERRY COTONEASTER	1 GAL																																																												
ECH ELE	ECHEVERIA ELEGANS	HEN AND CHICKS	1 GAL																																																												
FRA CHI	FRAGARIA CHILOENSIS	BEACH STRAWBERRY	FLATS																																																												
MYO PRO	MYOPORUM P. 'PROSTRATUM'	MYOPORUM	FLATS																																																												
LAG FAU	LAGERSTROEMIA INDICA 'L. FAURIEI'	CREPE MYRTLE	15 GAL	ERY BOW	ERYSIMUM 'BOWLES MAUVE'	WALLFLOWER	5 GAL	CLY CAL	CLYTOSTOMA CALLISTEGIOIDES	VIOLET TRUMPET VINE	15 GAL	HAR VIO	HARDENBERGIA V. 'HAPPY WANDERER'	LILAC VINE	15 GAL																																																
LAG MUS	LAGERSTROEMIA INDICA 'MUSKOGEE'	CREPE MYRTLE	15 GAL	ERY APR	ERYSIMUM X 'APRICOT TWIST'	APRICOT TWIST WALLFLOWER	5 GAL	ROS BAN	ROSA BANKSIAE 'LUTEA'	YELLOW BANKS ROSE	15 GAL	ARC DEN	ARCTOSTAPHYLOS DENSIFLORA 'MCMINN'	MANZANITA	1 GAL																																																
LAG ZUN	LAGERSTROEMIA X 'ZUNI'	JAPANESE CRAPE MYRTLE MULTI-TRUNK	15 GAL	ESC COM	ESCALLONIA 'COMPAKTA'	ESCALLONIA	5 GAL	ARC UVA	ARCTOSTAPHYLOS 'EMERALD CARPET'	MANZANITA	1 GAL	CAR CAL	CARPENTERIA CALIFORNICA	BUSH ANEMONE	5 GAL																																																
LAU SAR	LAURUS NOBILIS 'SARATOGA'	SWEET BAY	15 GAL	EUP RED	EUPHORBIA X MARTINII 'RED MARTIN'	EUPHORBIA	5 GAL	CAL CAN	CALYCANTHUS OCCIDENTALIS	SPICEBUSH	5 GAL	CHO TEC	CHONDRPETALUM TECTORUM	CAPE RUSH	5 GAL																																																
TRI CON	LOPHOSTEMON CONFERTUS	BRISBANE BOX	15 GAL	DIA SPE	DIANELLA SPECIES	DIANELLA	1 GAL	FES CAL	FESTUCA CALIFORNICA	CALIFORNIA FESCUE	1 GAL	FES IDA	FESTUCA IDAHOENSIS	IDAHO FESCUE	1 GAL																																																
MAG LIT	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	DWARF MAGNOLIA	15 GAL	FES CAL	FESTUCA CALIFORNICA	CALIFORNIA FESCUE	1 GAL	FES MAI	FESTUCA MAIREI	ATLAS FESCUE	5 GAL	FES IDA	FESTUCA IDAHOENSIS	IDAHO FESCUE	1 GAL																																																
MAG SOU	MAGNOLIA SOULANGIANA 'LILLIPUTIAN'	MULTI-TRUNK LILLIPUTIAN MAGNOLIA	24' BOX	FES OVI	FESTUCA OVINA GLAUCA 'ELIJAH BLUE'	BLUE FESCUE	1 GAL	FES DVI	FESTUCA OVINA GLAUCA 'ELIJAH BLUE'	BLUE FESCUE	1 GAL	MIM AUR	MIMULUS AURANTIACUS	MONKEY FLOWER	1 GAL																																																
MAG STE	MAGNOLIA STELLATA	STAR MAGNOLIA MULTI-TRUNK	15 GAL	FUC GAR	FUCHSIA HYBRIDA 'GARTENMEISTER BONSTEDT'	FUCHSIA	5 GAL	MUG SPE	MULLENBERGIA SPECIES	MULHLY GRASS	5 GAL	MIM CAR	MIMULUS CARDINALIS	SCARLET MONKEY FLOWER	1 GAL																																																
MAY BOA	MAYTENUS BOARIA 'GREEN SHOWERS'	MAYTEN TREE	15 GAL	GRE NOE	GREVILLEA HYBRID 'NOELLI'	GREVILLEA	5 GAL	OLE LIT	OLEA EUROPAEA 'LITTLE OLLIE' STANDARD	LITTLE OLLIE OLIVE - STANDARD	15 GAL	MUL RIG	MULLENBERGIA RIGEN	DEER GRASS	5 GAL																																																
OLE EUR	OLEA EUROPAEA 'LITTLE OLLIE'	LITTLE OLLIE OLIVE	24' BOX	HEB SPE	HEBE SPECIOSA	SHOWY HEBE	5 GAL	HEM HYB	HEMEROCALLIS HYBRID	FLOWERING DAYLILY	1 GAL	PIT TOB	PITTOSPORUM TOBIRA	PITTOSPORUM	5 GAL																																																
PIS CHI	PISTACIA CHINENSIS 'KEITH DAVEY'	CHINESE PISTACHE	24' BOX	HEB AUT	HEBE X 'AUTUMN GLORY'	AUTUMN GLORY HEBE	5 GAL	HEU SAC	HEUCHERA X 'SANTA ANA CARDINAL'	CORAL BELLS	1 GAL	VAC OVA	VACCINIUM OVATUM	EVERGREEN HUCKLEBERRY	5 GAL																																																
PLA ACE	PLATANUS x ACERIFOLIA 'YARWOOD'	LONDON PLANE TREE	24' BOX	HEB COE	HEBE 'COED'	HEBE	5 GAL	IMP CYL	IMPERATA CYLINDRICA 'RED BARON'	BLOOD GRASS	1 GAL	<b>BIO-FILTRATION</b> <table border="1"> <thead> <tr> <th>CODE</th> <th>BOTANICAL NAME</th> <th>COMMON NAME</th> <th>CONT</th> </tr> </thead> <tbody> <tr> <td>ARC DEN</td> <td>ARCTOSTAPHYLOS DENSIFLORA 'MCMINN'</td> <td>MANZANITA</td> <td>1 GAL</td> </tr> <tr> <td>ARC UVA</td> <td>ARCTOSTAPHYLOS 'EMERALD CARPET'</td> <td>MANZANITA</td> <td>1 GAL</td> </tr> <tr> <td>CAR CAL</td> <td>CARPENTERIA CALIFORNICA</td> <td>BUSH ANEMONE</td> <td>5 GAL</td> </tr> <tr> <td>CAL CAN</td> <td>CALYCANTHUS OCCIDENTALIS</td> <td>SPICEBUSH</td> <td>5 GAL</td> </tr> <tr> <td>FES CAL</td> <td>FESTUCA CALIFORNICA</td> <td>CALIFORNIA FESCUE</td> <td>1 GAL</td> </tr> <tr> <td>FES IDA</td> <td>FESTUCA IDAHOENSIS</td> <td>IDAHO FESCUE</td> <td>1 GAL</td> </tr> <tr> <td>MIM AUR</td> <td>MIMULUS AURANTIACUS</td> <td>MONKEY FLOWER</td> <td>1 GAL</td> </tr> <tr> <td>MIM CAR</td> <td>MIMULUS CARDINALIS</td> <td>SCARLET MONKEY FLOWER</td> <td>1 GAL</td> </tr> <tr> <td>MUL RIG</td> <td>MULLENBERGIA RIGEN</td> <td>DEER GRASS</td> <td>5 GAL</td> </tr> <tr> <td>PIT TOB</td> <td>PITTOSPORUM TOBIRA</td> <td>PITTOSPORUM</td> <td>5 GAL</td> </tr> <tr> <td>VAC OVA</td> <td>VACCINIUM OVATUM</td> <td>EVERGREEN HUCKLEBERRY</td> <td>5 GAL</td> </tr> </tbody> </table>				CODE	BOTANICAL NAME	COMMON NAME	CONT	ARC DEN	ARCTOSTAPHYLOS DENSIFLORA 'MCMINN'	MANZANITA	1 GAL	ARC UVA	ARCTOSTAPHYLOS 'EMERALD CARPET'	MANZANITA	1 GAL	CAR CAL	CARPENTERIA CALIFORNICA	BUSH ANEMONE	5 GAL	CAL CAN	CALYCANTHUS OCCIDENTALIS	SPICEBUSH	5 GAL	FES CAL	FESTUCA CALIFORNICA	CALIFORNIA FESCUE	1 GAL	FES IDA	FESTUCA IDAHOENSIS	IDAHO FESCUE	1 GAL	MIM AUR	MIMULUS AURANTIACUS	MONKEY FLOWER	1 GAL	MIM CAR	MIMULUS CARDINALIS	SCARLET MONKEY FLOWER	1 GAL	MUL RIG	MULLENBERGIA RIGEN	DEER GRASS	5 GAL	PIT TOB	PITTOSPORUM TOBIRA	PITTOSPORUM	5 GAL	VAC OVA	VACCINIUM OVATUM	EVERGREEN HUCKLEBERRY	5 GAL
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PRU CHA	PYRUS CALLERYANA 'CHANTICLEER'	CHANTICLEER PEAR	15 GAL	HEI SEM	HELICOTRICHON SEMPERVIRENS	BLUE OAT GRASS	1 GAL	JUN PAT	JUNCUS PATENS	CALIFORNIA GREY RUSH	1 GAL	LAV ASS	LAVATERA ASSURGENTIFLORA	MALLOW	5 GAL																																																
PYR ARI	PYRUS CALLERYANA 'ARISTOCRAT'	ARISTOCRAT PEAR	24' BOX	HEM HYB	HEMEROCALLIS HYBRID	FLOWERING DAYLILY	1 GAL	LIR GIG	LIRIOPE GIGANTEA	GIANT LIRIOPE	5 GAL	LOR CHI	LOROPETALUM CHINENSE	GREEN FINGER FLOWER	5 GAL																																																
RHU LAN	RHUS LANCEA	AFRICAN SUMAC	24' BOX	HEU SAC	HEUCHERA X 'SANTA ANA CARDINAL'	CORAL BELLS	1 GAL	MIM AUR	MIMULUS AURANTIACUS	MONKEY FLOWER	1 GAL	MIM CAR	MIMULUS CARDINALIS	SCARLET MONKEY FLOWER	1 GAL																																																
ROB IDA	ROBINIA X AMBIGUA 'IDAHOENSIS'	IDAHO LOCUST	24' BOX	IMP CYL	IMPERATA CYLINDRICA 'RED BARON'	BLOOD GRASS	1 GAL	MUG SPE	MULLENBERGIA SPECIES	MULHLY GRASS	5 GAL	MUG SPE	MULLENBERGIA SPECIES	MULHLY GRASS	5 GAL																																																
CHI TAS	X CHITALPA TASHKENTENSIS 'PINK DAWN'	PINK DAWN CHITALPA	15 GAL	JUN PAT	JUNCUS PATENS	CALIFORNIA GREY RUSH	1 GAL	OLE LIT	OLEA EUROPAEA 'LITTLE OLLIE' STANDARD	LITTLE OLLIE OLIVE - STANDARD	15 GAL	OLE LIT	OLEA EUROPAEA 'LITTLE OLLIE' STANDARD	LITTLE OLLIE OLIVE - STANDARD	15 GAL																																																
TRI LAU	TRISTANDOPSIS LAURINA 'ELEGANT'	WATER GUM	15 GAL	LAV ASS	LAVATERA ASSURGENTIFLORA	MALLOW	5 GAL	NAN DOM	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL	NAN DOM	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL																																																
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ABE EDW	ABELIA X GRANDIFLORA 'EDWARD GOUCHER' GLOSSY ABELIA		5 GAL	LIR GIG	LIRIOPE GIGANTEA	GIANT LIRIOPE	5 GAL	OPH PLA	OPHIPOGON PLANISCAPUS 'NIGRESENS'	BLACK MONDO GRASS	1 GAL	PEN WH2	PENNISETUM SETACEUM 'WHITE'	WHITE FOUNTAIN GRASS	5 GAL																																																
ABU PIN	ABUTILON HYBRIDUM 'PINK'	FLOWERING MAPLE	5 GAL	LOR CHI	LOROPETALUM CHINENSE	GREEN FINGER FLOWER	5 GAL	PER ATR	PEROVSKIA ATRIPLICIFOLIA	RUSSIAN SAGE	5 GAL	PHO TT	PHORMIUM TENAX 'TOM THUMB'	DWARF GREEN FLAX	1 GAL																																																
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CONCEPTUAL TREE IMAGERY

CONCEPTUAL SHRUBS & GROUNDCOVER IMAGERY



GINKGO BILOBA

MAGNOLIA GRANDIFLORA 'LITTLE GEM'

PISTACIA CHINENSIS

ARBUTUS

LAGERSTROEMIA

FRAXINUS OXYCARPA

CHITALPA

CERCIS OCCIDENTALIS

MAGNOLIA STELLATA

PYRUS CALLERYANA

GLIDITSIA TRICANTHOS INERMIS



PRUNUS CAROLINIANA

ICEBURG ROSE

CALLISTEMON VIMINALIS 'LITTLE JOHN'

GREVILLEA FLOWER

COLEONEMA PULCHRUM

PHORMIUM

PHORMIUM

MONKEY FLOWER

DIETES

BAMBOO

WESTRINGIA MORNING LIGHT

ERYSIMUM 'BOWLES MAUVE'

PITTOSPORUM TOBIRA 'CREME DE MINT'

PITTOSPORUM TOBIRA 'WHEELERS DWARF'

HEUCHERA

EUPHORBIA

PHORMIUM

ROSA FLORA CARPET 'PINK'

ASPARAGUS FERN

FRAGARIA

LIRIOPE

ECHEVERIA

SENECIO AND AGAVE

ANIGOZANTHOS FLAVIDUS

FESTUCA SPECIES

NANDINA

CHONDROPETALUM

BLOOD GRASS

FESTUCA SPECIES

PENNISTETUM

BIO-RETENTION SHRUBS & GRASSES

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ENGINEER INFORMATION:

C&V Consulting, Inc.
6 Orchard, Suite 200
Lake Forest, California 92630 Office:
(949) 916-3800

ASSESSOR'S PARCEL NUMBERS:

033-2170-003-00

PROJECT AREA:

TOTAL:
GROSS: 1.484 ACRES
NET: 1.451 ACRES

PROJECT SUMMARY:

PROPOSED UNITS:
PROPOSED LOTS: 1

BENCH MARK :

ELEVATION SHOWN HEREON ARE BASED UPON THE
CITY OF OAKLAND DATUM. BENCHMARK USED WAS
THE DISK IN HANDHOLE STAMPED "WARD RM NO. 3",
ON THE EASTERLY SIDE OF FRUITVALE AVENUE 19
FEET SOUTH OF THE MOST SOUTHERN RAILROAD
TRACK OF THE SOUTHERN PACIFIC RAILROAD, AND 7
FEET EAST OF THE EAST CURB OF FRUITVALE
AVENUE.

BASIS OF BEARING:

THE BEARINGS SHOWN HEREON ARE BASED ON THE
CENTERLINE OF WATTLING STREET SHOWN AS
N59°29'00"W ON A MAP FILED IN BOOK 34 PAGE 73
OF RECORDS OF SURVEY IN THE OFFICE OF THE
ALAMEDA COUNTY RECORDER.

FLOOD ZONE:

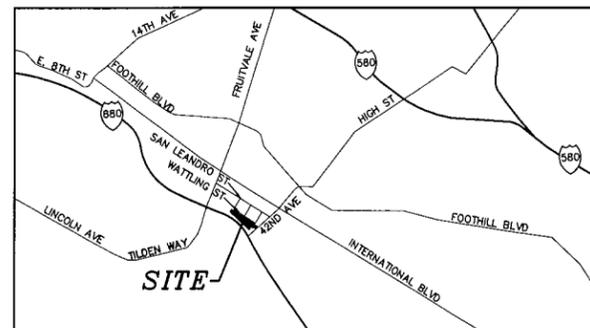
THE SUBJECT PROPERTY FALLS WITHIN "ZONE
X" OF FLOOD INSURANCE RATE MAP NUMBER
06001C0088G, EFFECTIVE AUGUST 2, 2009.

NOTE:

THIS IS A REVISION TO A PREVIOUS VESTING
TENTATIVE PARCEL MAP 9439 THAT WAS
APPROVED BY THE CITY OF OAKLAND IN
2010.

VESTING TENTATIVE PARCEL MAP NO. 8448

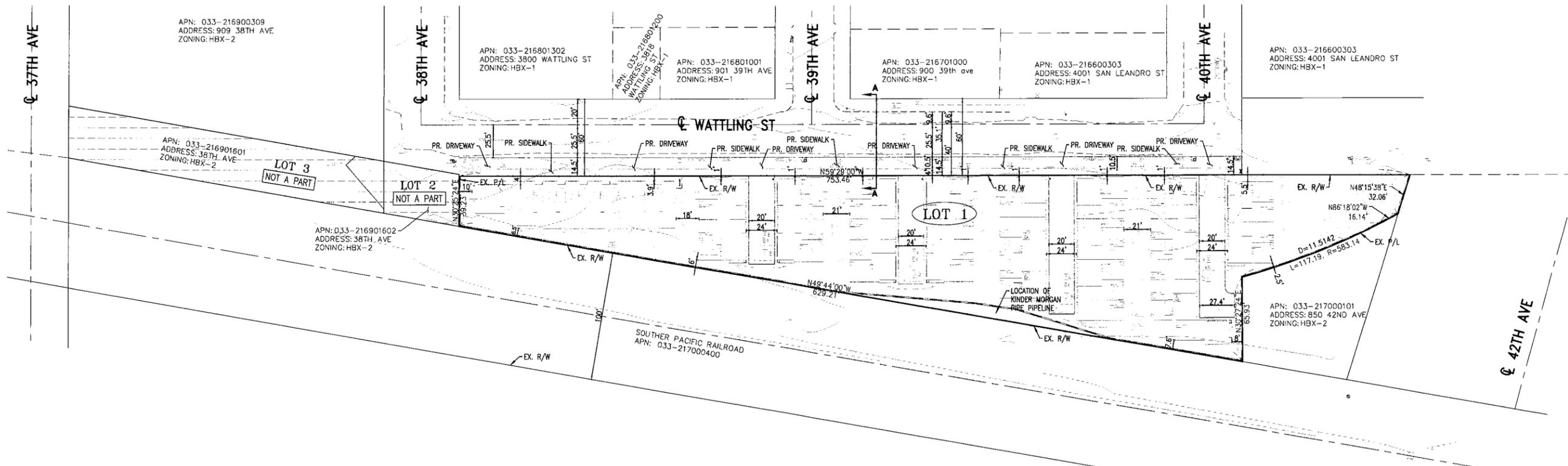
FOR CONDOMINIUM PURPOSE
CITY OF OAKLAND, COUNTY OF ALAMEDA,
STATE OF CALIFORNIA



VICINITY MAP
N.T.S.

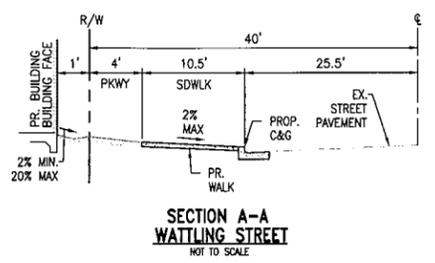
SHEET INDEX :

Table with 2 columns: SHT. NO. and DESCRIPTION. Lists sheets 1 through 5 and their corresponding map components.

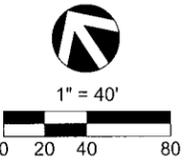


LEGEND: Table defining symbols for flowlines, centerlines, rough grade limits, daylight lines, tract boundaries, lot lines, fences, storm drains, catch basins, and utility lines.

UTILITY PURVEYORS: Table listing providers for Water, Trash/Refuse, Sewer, Electricity and Gas, Cable TV, and Storm Drain, including contact information.



LEGAL DESCRIPTION: THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
BLOCK 18, AS SAID BLOCK IS SHOWN ON THE "MAP OF SUBDIVISIONS OF THE NORTHEAST PORTION OF THE SATHER TRACT, FRUITVALE, BROOKLYN TOWNSHIP, ALAMEDA COUNTY, CALIFORNIA", FILED DECEMBER 6, 1907, IN BOOK 19 OF MAPS, AT PAGE 1, ALAMEDA COUNTY RECORDS.
EXCEPTING THEREFROM:
A) THAT PORTION THEREOF CONVEYED IN THE DEED TO CLOROX CHEMICAL CO., RECORDED SEPTEMBER 13, 1943, IN BOOK 4418, OFFICIAL RECORDS, PAGE 337.
B) THAT PORTION THEREOF CONVEYED IN THE DEED TO CLOROX CHEMICAL CO, RECORDED DECEMBER 8, 1945, IN BOOK 4808, OFFICIAL RECORDS, PAGE 358.
C) THAT PORTION THEREOF CONDEMNED TO THE STATE OF CALIFORNIA, DESCRIBED AS PARCEL NO. 5 IN THE FINAL ORDER OF CONDEMNATION RECORDED JUNE 23, 1949, IN BOOK 5827, OFFICIAL RECORDS, PAGE 587, AND AS AMENDED BY AMENDMENT RECORDED JANUARY 19, 1950, BOOK 998, OFFICIAL RECORDS, PAGE 405.



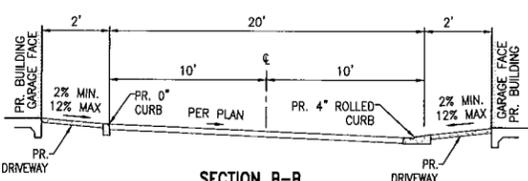
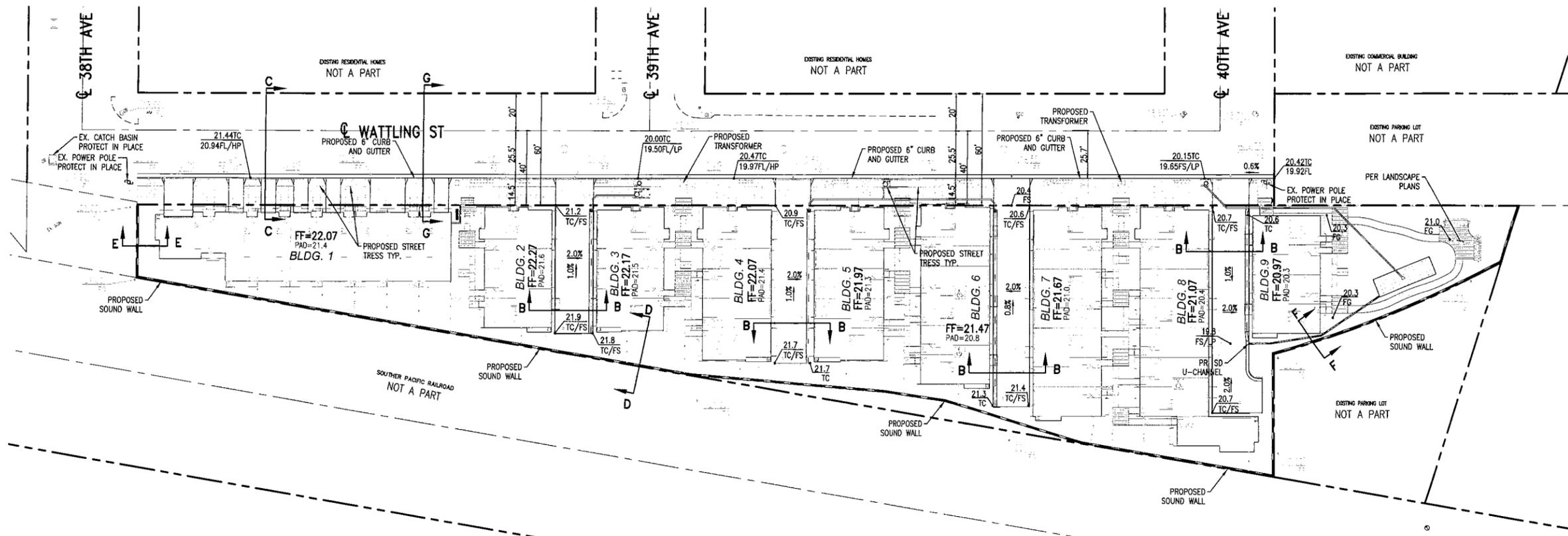
REVISIONS table with columns for REV, DATE, and DESCRIPTION.

PREPARED FOR: City Ventures
444 Spear Street, Suite 200
San Francisco, CA 94105
Office: (415) 845-0293

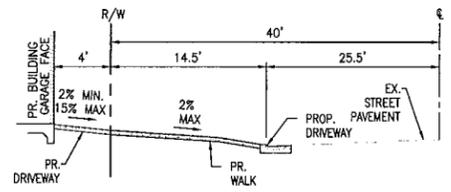
PREPARED BY: C&V CONSULTING, INC.
6 ORCHARD, SUITE 200 LAKE FOREST, CA 92630
T. 949.916.3800 F. 949.916.3805
CVC-INC.NET

CITY OF OAKLAND DEPARTMENT OF PUBLIC WORKS
VESTING TENTATIVE PARCEL MAP NO. 8448
WATTLING STREET
VESTING TENTATIVE PARCEL MAP

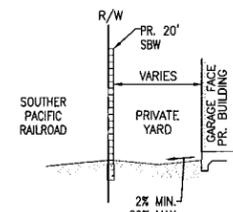
SHEET 1 OF 5



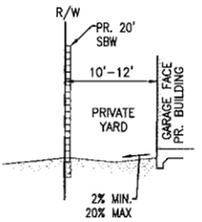
**SECTION B-B**  
20' PRIVATE ALLEY  
NOT TO SCALE



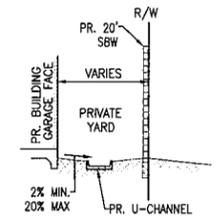
**SECTION C-C**  
WATLING STREET  
NOT TO SCALE



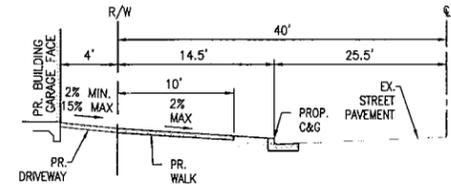
**SECTION D-D**  
SOUTH WESTERN PROPERTY LINE  
NOT TO SCALE



**SECTION E-E**  
NORTH WESTERN PROPERTY LINE  
NOT TO SCALE



**SECTION F-F**  
SOUTHERN PROPERTY LINE  
NOT TO SCALE



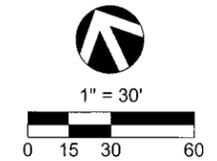
**SECTION G-G**  
WATLING STREET  
NOT TO SCALE

**ABBREVIATIONS**

BDY	BOUNDARY	LP	LOW POINT
BLDG	BUILDING	LT	LIGHT
BIO-FILT	BIO-FILTRATION	MH	MANHOLE
BW	BACK OF WALK	N.A.P.	NOT A PART
CB	CATCH BASIN	PA	PLANTER AREA
CLF	CHAIN LINK FENCE	PCC	PORTLAND CEMENT CONCRETE
CO	CLEANOUT	PVI	POST INDICATOR VALVE
CONC	CONCRETE	P/L	PROPERTY LINE
DDCA	DOUBLE DETECTOR CHECK ASSEMBLY	PP	PROPOSED
DRWY	DRIVEWAY	PR	PROPOSED
E	ELECTRICAL OR EAST	RH	RETAINED HEIGHT
ELEC	ELECTRICAL	R/W	RIGHT-OF-WAY
ESMT	EASEMENT	SBW	SOUND BARRIER WALL
EX	EXISTING	SD	STORM DRAIN
FDC	FIRE DEPARTMENT CONNECTION	SL	STREET LIGHT
FF	FINISHED FLOOR	SS	SANITARY SEWER
FH	FIRE HYDRANT	TC	TOP OF CURB
FS	FINISHED SURFACE	TG	TOP OF GRATE
FW	FIRE WATER	TW	TOP OF WALL
GFF	GARAGE FINISHED FLOOR	TYP	TYPICAL
INV	INVERT	VCP	VITRIFIED CLAY PIPE
JS	JUNCTION STRUCTURE	W	WATER OR WEST
LACFCD	LA COUNTY FLOOD CONTROL DISTRICT	WM	WATER METER
		WQ	WATER QUALITY

**LEGEND:**

---	FLOWLINE	---	WATER VALVE
---	CENTERLINE	---	EX. SEWER LINE
---	ROUGH GRADE LIMITS	---	PROP. SEWER LINE
---	DAYLIGHT LINE	---	MANHOLE
---	TRACT BOUNDARY / RIGHT-OF-WAY LINE	---	CLEANOUT
---	LOT LINE	---	PROP. RETAINING WALL
---	EX. FENCE	---	EX. WALL
---	EX. STORM DRAIN LINE	---	EX. POWER POLE
---	PROP. STORM DRAIN	---	ADA UNIT
---	CATCH BASIN / LOCAL DEPRESSION		
---	JUNCTION STRUCTURE		
---	EX. WATER LINE		
---	PROP. WATER LINE		
---	FIRE HYDRANT		



REVISIONS		
REV	DATE	DESCRIPTION

PREPARED FOR:

**City Ventures**  
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PREPARED BY:

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REGISTERED PROFESSIONAL ENGINEER  
DANIEL P. MCCOY, C.E.  
C 80705  
Exp. 3/31/19  
CIVIL  
STATE OF CALIFORNIA

**CITY OF OAKLAND**  
DEPARTMENT OF PUBLIC WORKS

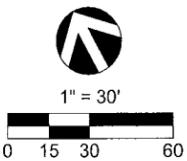
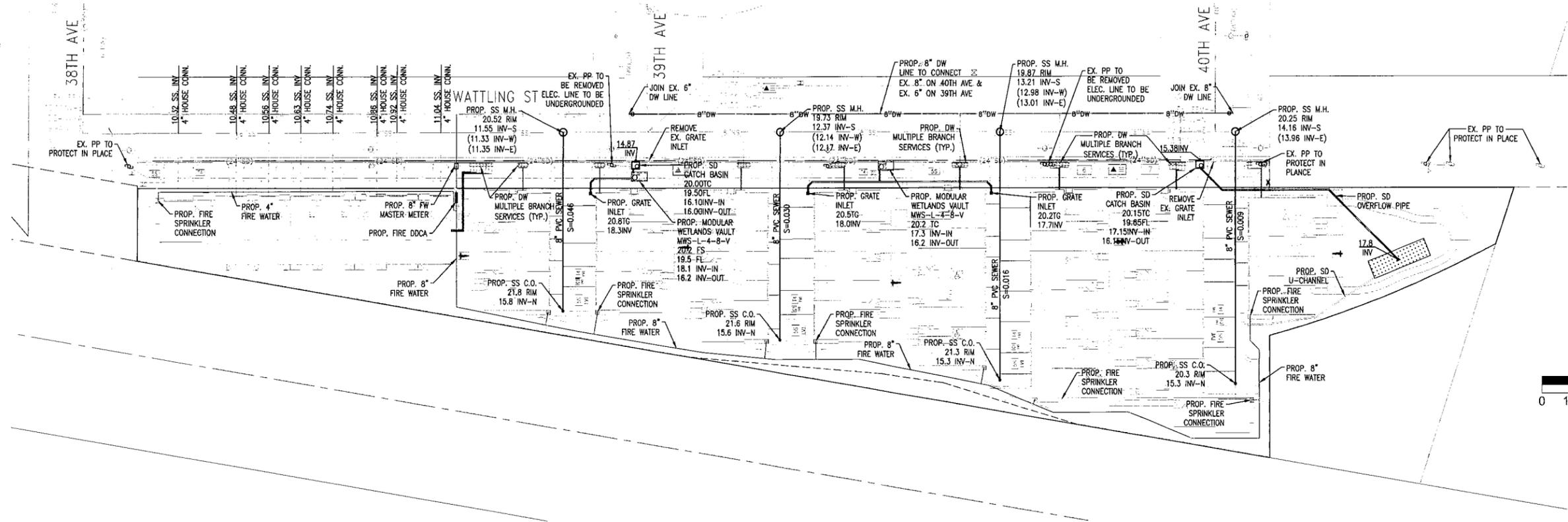
**VESTING TENTATIVE PARCEL MAP NO. 8448**  
WATLING STREET  
PRELIMINARY GRADING

SHEET  
2  
OF  
5

PLAN SHEET 8448  
 DATE 5/31/18

**ABBREVIATIONS**

BOY	BOUNDARY
BLOG	BUILDING
BIO-FILT	BIO-FILTRATION
BW	BACK OF WALK
CB	CATCH BASIN
CLF	CHAIN LINK FENCE
CO	CLEANOUT
CONC	CONCRETE
CONN	CONNECTION
DDCA	DOUBLE DETECTOR CHECK ASSEMBLY
DRWY	DRIVEWAY
E	ELECTRICAL OR EAST
ELEC	ELECTRICAL
ESMT	EASEMENT
EX	EXISTING
FDC	FIRE DEPARTMENT CONNECTION
FF	FINISHED FLOOR
FH	FIRE HYDRANT
FS	FINISHED SURFACE
FW	FIRE WATER
GFF	GARAGE FINISHED FLOOR
INV	INVERT
JS	JUNCTION STRUCTURE
LAFCFD	LA COUNTY FLOOD CONTROL DISTRICT
LP	LOW POINT
LT	LIGHT
MH	MANHOLE
N.A.P.	NOT A PART
PA	PLANTER AREA
PCC	PORTLAND CEMENT CONCRETE
PV	POST INDICATOR VALVE
P/L	PROPERTY LINE
PP	POWER POLE
PR	PROPOSED
RH	RETAINED HEIGHT
R/W	RIGHT-OF-WAY
SBW	SOUND BARRIER WALL
SD	STORM DRAIN
SL	STREET LIGHT
SS	SANITARY SEWER
TC	TOP OF CURB
TG	TOP OF GRATE
TW	TOP OF WALL
TY	TYPICAL
VCP	VITRIFIED CLAY PIPE
W	WATER OR WEST
WM	WATER METER
WQ	WATER QUALITY



**LEGEND:**

	FLOWLINE		WATER VALVE
	CENTERLINE		EX. SEWER LINE
	ROUGH GRADE LIMITS		PROP. SEWER LINE
	DAYLIGHT LINE		MANHOLE
	TRACT BOUNDARY / RIGHT-OF-WAY LINE		CLEANOUT
	LOT LINE		PROP. RETAINING WALL
	EX. FENCE		EX. WALL
	EX. STORM DRAIN LINE		EX. POWER POLE
	PROP. STORM DRAIN		ADA UNIT
	CATCH BASIN / LOCAL DEPRESSION		GRATE INLET
	JUNCTION STRUCTURE		
	EX. WATER LINE		
	PROP. WATER LINE		
	FIRE HYDRANT		

REVISIONS		
REV	DATE	DESCRIPTION

PREPARED FOR:



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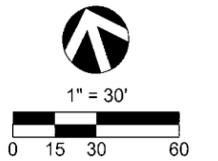
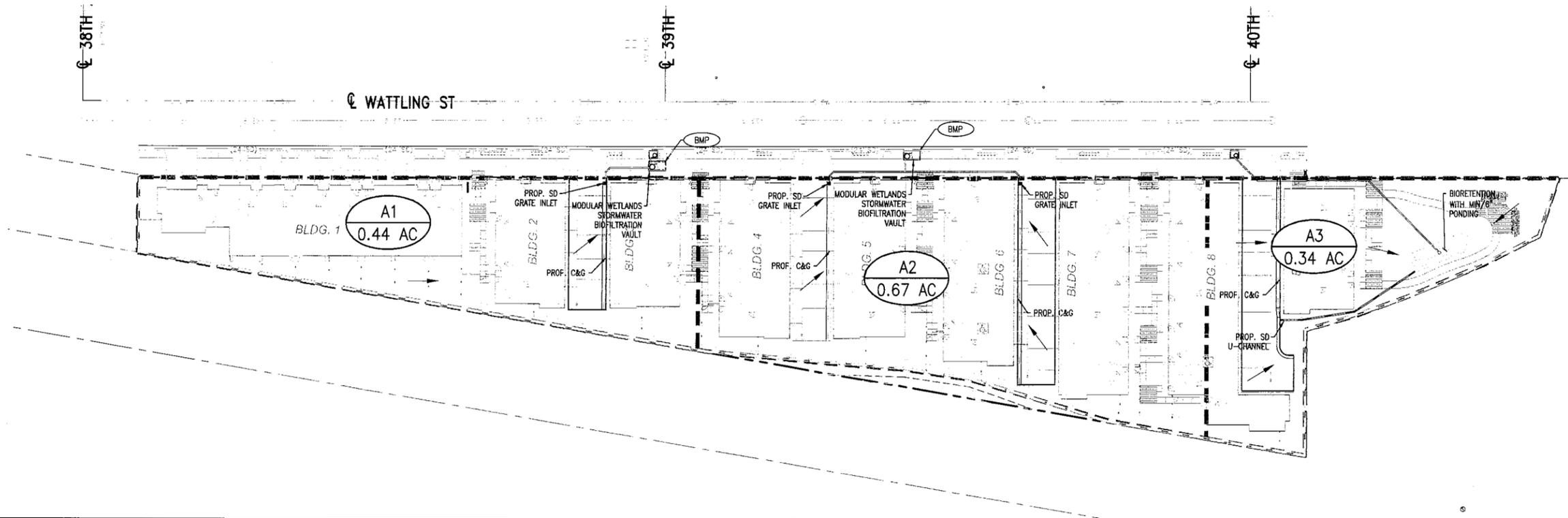


**CITY OF OAKLAND**  
DEPARTMENT OF PUBLIC WORKS

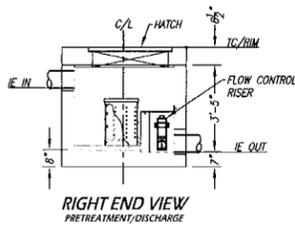
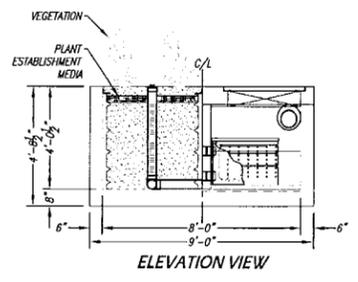
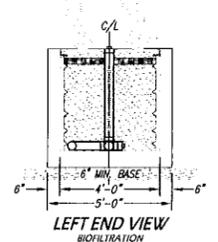
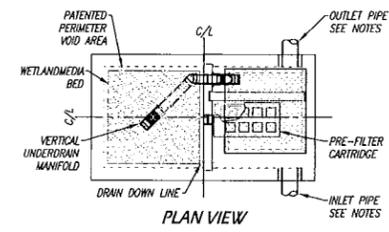
**VESTING TENTATIVE PARCEL MAP NO. 8448**  
**WATLING STREET**  
**PRELIMINARY UTILITY PLAN**

SHEET  
**3**  
OF  
**5**

PLANNING SET: 8502  
 DATE: 5/31/19



SITE SPECIFIC DATA			
PROJECT NAME			
PROJECT LOCATION			
STRUCTURE ID			
TREATMENT REQUIRED			
VOLUME BASED (CF)	FLOW BASED (CFS)		
TREATMENT HQL AVAILABLE (FT)			
PEAK BYPASS REQUIRED (CFS) - IF APPLICABLE			
PIPE DATA	I.E.	MATERIAL	DIAMETER
INLET PIPE 1			
INLET PIPE 2			
OUTLET PIPE			
	PRETREATMENT	BIOFILTRATION	DISCHARGE
RIM ELEVATION			
SURFACE LOAD	PARKWAY	OPEN PLANTER	PARKWAY
FRAME & COVER	36" X 36"	N/A	N/A
WETLANDMEDIA VOLUME (C)			2.03
WETLANDMEDIA DELIVERY METHOD			TBD
ORIFICE SIZE (DIA. INCHES)			ø1.53"
MAXIMUM PICK HEIGHT (LBS)			15000
NOTES:			



TREATMENT FLOW (CFS)	0.115
OPERATING HEAD (FT)	3.4
PRETREATMENT LOADING RATE (GPM/SF)	1BD
WETLAND MEDIA LOADING RATE (GPM/SF)	1.0

**MWS-L-4-8-V**  
STORMWATER BIOFILTRATION SYSTEM  
STANDARD DETAIL

PRELIMINARY STORMWATER TREATMENT SUMMARY							
DMA	TREATMENT TYPE *	BMP	TOTAL AREA (AC)	PERVIOUS AREA (AC)	IMPERVIOUS AREA (AC)	TREATMENT FLOW RATE (CFS)	MODULAR WETLANDS CAPACITY (CF)
A1	BIOFILTRATION (FLOW-BASED)	MODULAR WETLANDS STORMWATER BIOFILTRATION SYSTEM	0.44	0.18	0.26	3,215	0.115
A2	BIOFILTRATION (FLOW-BASED)	MODULAR WETLANDS STORMWATER BIOFILTRATION SYSTEM	0.67	0.16	0.51	4,700	0.115
A3	BIOTREATMENT COMBO (VOLUME-BASED)	BIORETENTION AREA	0.34	0.15	0.19	N/A SEE BELOW	N/A SEE BELOW

\* DMA A1 & A2 QUALIFY UNDER SPECIAL PROJECTS PER ALAMEDA COUNTY, C.3 STORM WATER TECHNICAL GUIDANCE, APPENDIX J (FLOW BASED SIZING)  
\* DMA A3 VOLUME BASED SIZING PER ALAMEDA COUNTY, C.3 STORM WATER TECHNICAL GUIDANCE, CHAPTER 5, SECTION 5.1, 4% METHOD AND CHAPTER 6, SECTION 6.1 BIORETENTION AREA

BIORETENTION SIZING							
DMA	TOTAL AREA (SF)	PERVIOUS AREA (SF)	PERVIOUS AREA X 0.1	IMPERVIOUS AREA (SF)	EFFECTIVE IMPERVIOUS AREA (EIA) (SF)	EIA * 0.04 (SF)	DCV (CF)
A3	15,246	7,917	791.7	7329	8,120	325	544

- LEGEND:**
- A1 DRAINAGE AREA ID
  - X.XX AC DRAINAGE AREA ID
  - BMP MODULAR WETLANDS BIOFILTRATION VAULT
  - TRACT BOUNDARY LINE
  - - - RIGHT OF WAY
  - STREET CENTERLINE
  - DRAINAGE AREA BOUNDARY
  - IMPERVIOUS AREA
  - DIRECTION OF FLOW
  - CB CATCH BASIN
  - C&G CURB & GUTTER
  - C.L. CENTERLINE
  - DCV DESIGN CAPTURE VOLUME
  - DMA DRAINAGE MANAGEMENT AREA
  - EX. EXISTING
  - FL FLOW LINE
  - FS FINISH SURFACE
  - HP HIGH POINT
  - JS JUNCTION STRUCTURE
  - LP LOW POINT
  - PROP. PROPOSED
  - R/W RIGHT OF WAY
  - SD STORM DRAIN

- INSTALLATION NOTES**
- CONTRACTOR TO PROVIDE ALL LABOR, EQUIPMENT, MATERIALS AND INCIDENTALS REQUIRED TO OFFLOAD AND INSTALL THE SYSTEM AND APPURTENANCES IN ACCORDANCE WITH THIS DRAWING AND THE MANUFACTURER'S SPECIFICATIONS, UNLESS OTHERWISE STATED IN MANUFACTURER'S CONTRACT.
  - UNIT MUST BE INSTALLED ON LEVEL BASE. MANUFACTURER RECOMMENDS A MINIMUM 6" LEVEL ROCK BASE UNLESS SPECIFIED BY THE PROJECT ENGINEER. CONTRACTOR IS RESPONSIBLE TO VERIFY PROJECT ENGINEER'S RECOMMENDED BASE SPECIFICATIONS.
  - ALL PIPES MUST BE FLUSH WITH INSIDE SURFACE OF CONCRETE. (PIPES CANNOT INTRUDE BEYOND FLUSH). INVERT OF OUTFLOW PIPE MUST BE FLUSH WITH DISCHARGE CHAMBER FLOOR. ALL GAPS AROUND PIPES SHALL BE SEALED WATER TIGHT WITH A NON-SHRINK GROUT PER MANUFACTURER'S STANDARD CONNECTION DETAIL AND SHALL MEET OR EXCEED REGIONAL PIPE CONNECTION STANDARDS.
  - CONTRACTOR TO SUPPLY AND INSTALL ALL EXTERNAL CONNECTING PIPES.
  - CONTRACTOR RESPONSIBLE FOR INSTALLATION OF ALL RISERS, MANHOLES, AND HATCHES. CONTRACTOR TO GROUT ALL MANHOLES AND HATCHES TO MATCH FINISHED SURFACE UNLESS SPECIFIED OTHERWISE.
  - DRIP OR SPRAY IRRIGATION REQUIRED ON ALL UNITS WITH VEGETATION.
- GENERAL NOTES**
- MANUFACTURER TO PROVIDE ALL MATERIALS UNLESS OTHERWISE NOTED.
  - ALL DIMENSIONS, ELEVATIONS, SPECIFICATIONS AND CAPACITIES ARE SUBJECT TO CHANGE. FOR PROJECT SPECIFIC DRAWINGS DETAILING EXACT DIMENSIONS, WEIGHTS AND ACCESSORIES PLEASE CONTACT MANUFACTURER.

THE PRODUCT DESCRIBED MAY BE PROTECTED BY ONE OR MORE OF THE FOLLOWING US PATENTS: 7,455,550; 7,476,352; 7,474,376; 7,455,550; 7,476,352; 7,474,376. ALL RIGHTS RESERVED. RELATED FOREIGN PATENTS OF OTHER PATENTS PENDING.

PROPRIETARY AND CONFIDENTIAL - THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF MODULAR WETLANDS SYSTEMS. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF MODULAR WETLANDS SYSTEMS IS PROHIBITED.

REVISIONS		
REV	DATE	DESCRIPTION

PREPARED FOR:

**City Ventures**  
444 Spear Street, Suite 200  
San Francisco, CA 94105  
Office: (415) 845-0293

PREPARED BY:

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REGISTERED PROFESSIONAL ENGINEER  
C 80705  
Exp. 3/31/19  
CIVIL  
STATE OF CALIFORNIA

**CITY OF OAKLAND**  
DEPARTMENT OF PUBLIC WORKS

**VESTING TENTATIVE PARCEL MAP NO. 8448**  
WATTLING STREET  
STORMWATER MANAGEMENT PLAN

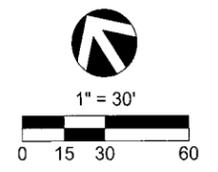
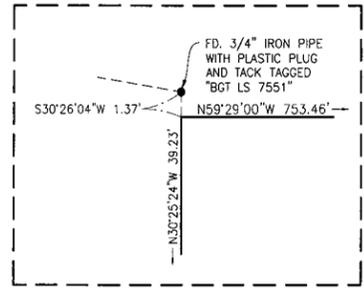
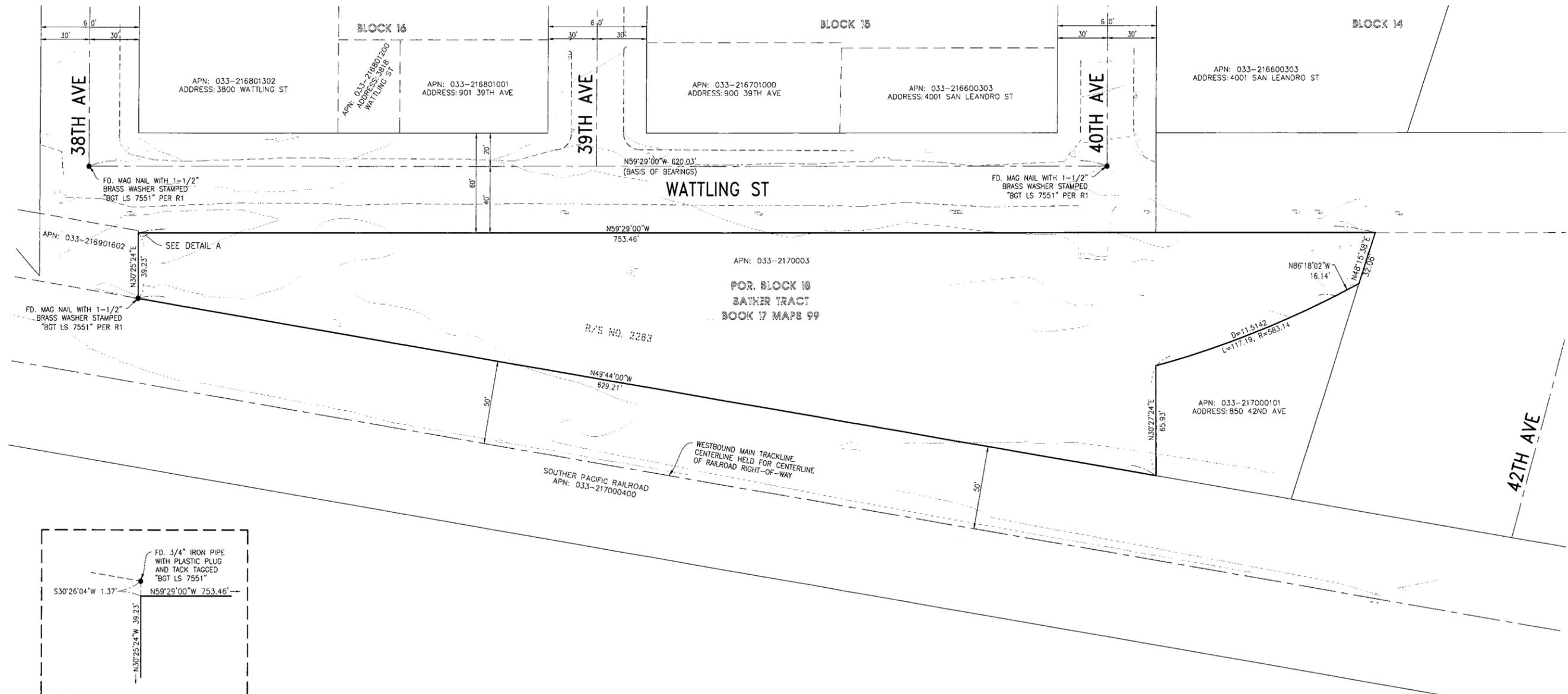
SHEET  
4  
OF  
5

**BASIS OF BEARING:**

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF WATTLING STREET SHOWN AS N59°29'00"W ON A MAP FILED IN BOOK 34 PAGE 73 OF RECORDS OF SURVEY IN THE OFFICE OF THE ALAMEDA COUNTY RECORDER.

**MAP REFERENCES**

R1 - RECORD OF SURVEY NO. 2283, BK 34, PG 73



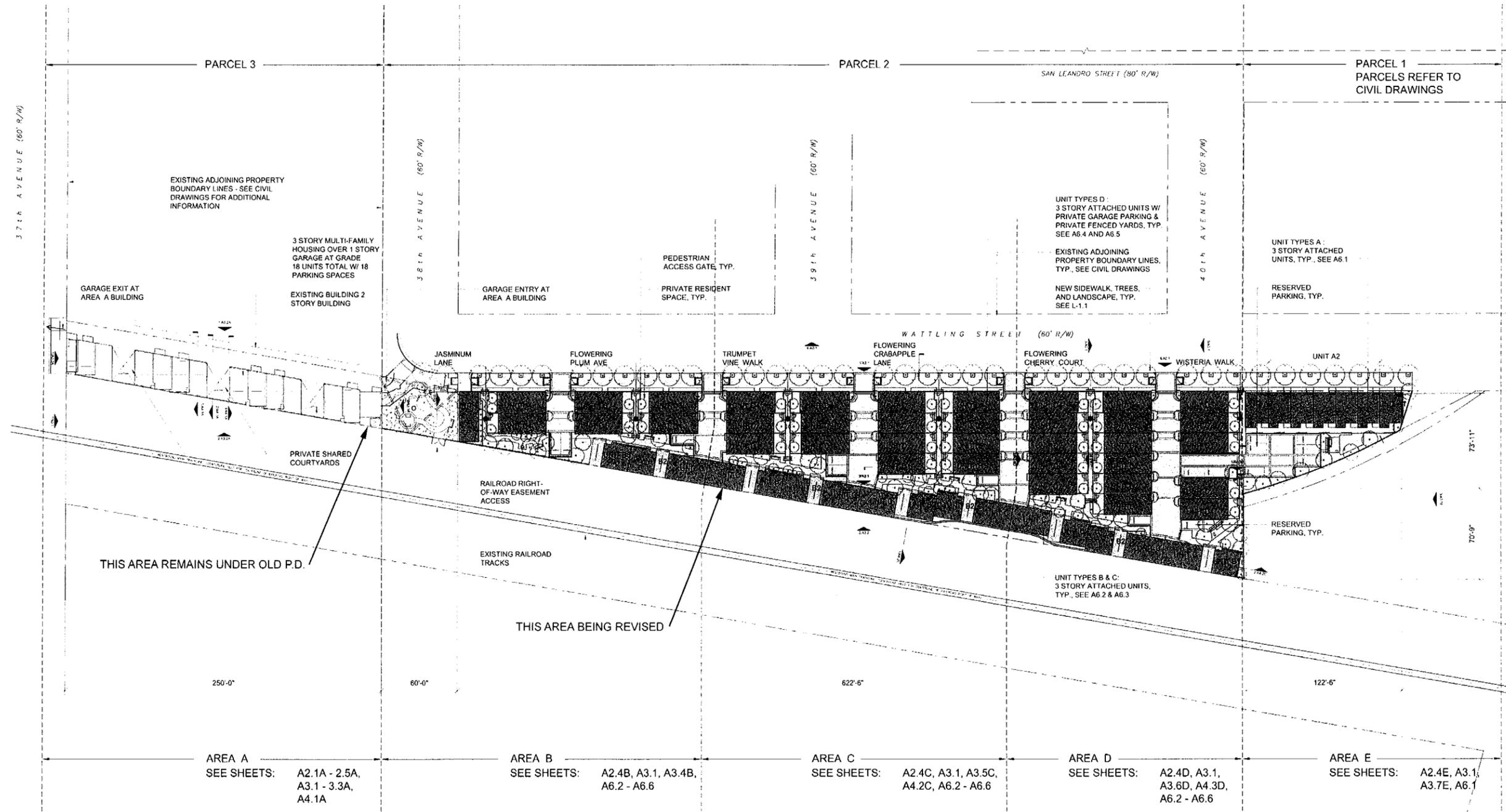
REVISIONS		
REV	DATE	DESCRIPTION

PREPARED FOR:  
 City Ventures  
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CVC-INC.NET

**CITY OF OAKLAND**  
DEPARTMENT OF PUBLIC WORKS  
VESTING TENTATIVE PARCEL MAP NO. 8448  
WATTLING STREET  
EXISTING SURVEY

SHEET  
5  
OF  
5



**WATTLE ST.**  
 79 RESIDENTIAL UNITS

WATTLE STREET  
 OAKLAND, CALIFORNIA  
 PROJECT NO. 06-09

DATE	ISSUE
12-13-06	PLANNING SUBMITTAL
07-31-07	PLANNING REVISIONS
08-23-07	PLANNING REVISIONS
01-04-08	PLANNING RE-SUBMITTAL

CONTACT:  
 TOBY LEVY  
 (415) 777-0561 P  
 (415) 777-5117 F  
 TOBY@LEVYDESIGNPARTNERS.COM

SCALE: 1/32" = 1' - 0"

SITE PLAN

A1.1

**CENTRAL NOTES**

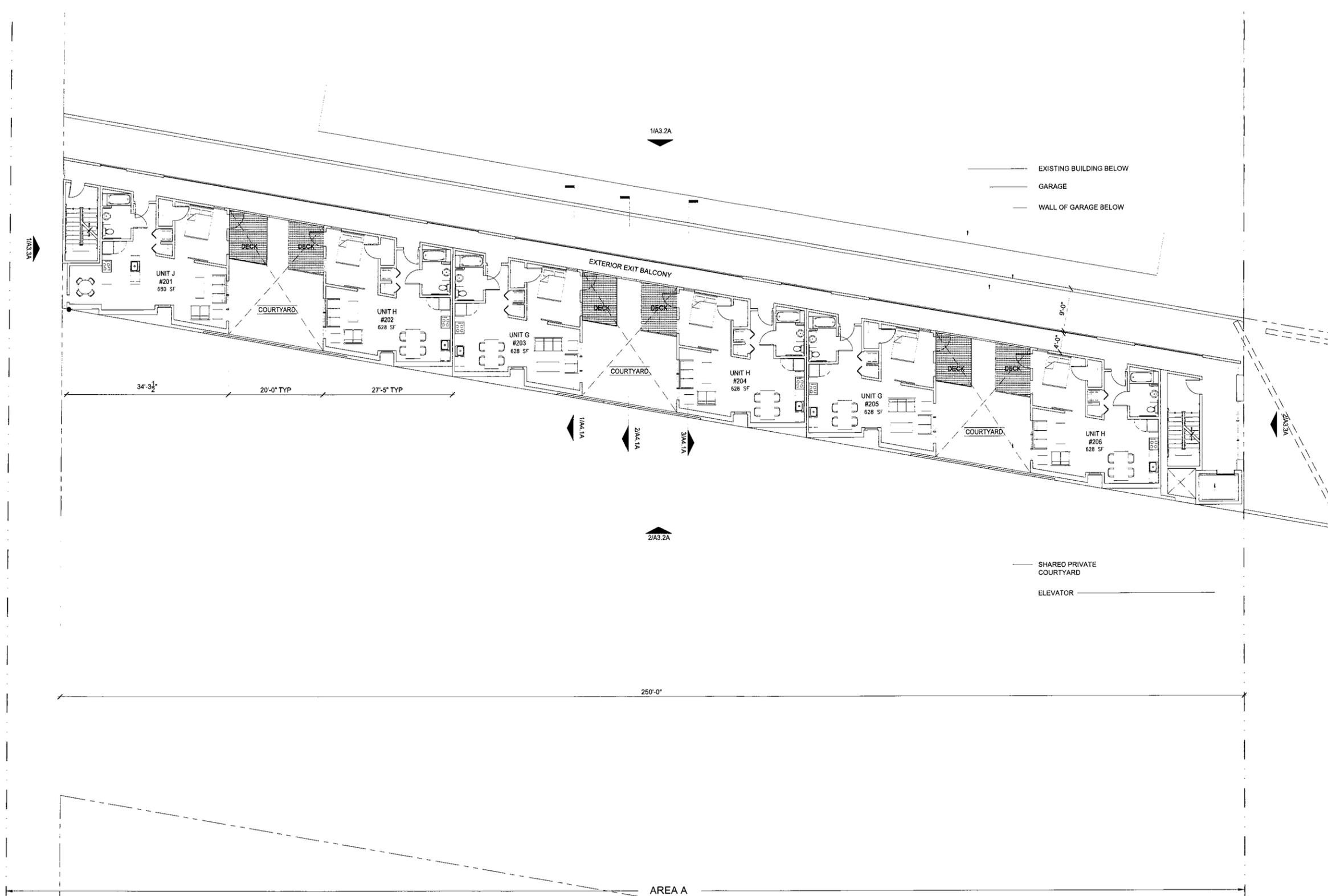
SEE LB1.1 FOR SURFACE TREATMENT.

ALL BUILDING FACADES ALONG THE TRAIN LINE ARE INSULATED DOUBLE-STUD ASSEMBLIES W/ CEMENT PANELS OVER PLYWOOD/EA, 3/4" GYP. BRD. SHEATHING ON THE OUTSIDE FACE OF THE EXTERIOR STUDS AND TWO LAYERS OF GYPSUM BRD. AT THE INSIDE FACE OF THE INTERIOR SET OF STUDS.

ALL OTHER BUILDING FACADES LOCATED WITHIN 100' OF THE TRAIN LINE WILL BE AN INSULATED STAGGERED STUD ASSEMBLY OR AN INSULATED SINGLE-STUD ASSEMBLY INCORPORATING RESIDENT CHANNELS. BOTH OF THESE OPTIONS WOULD INCLUDE TWO LAYERS OF GYPSUM BRD. AT THE INTERIOR SIDE.

AN EXTERIOR GRADE SOUND ABSORBING MATERIAL W/ A MINIMUM NRC RATING OF 0.60 AT 50% OF THE WALL AREAS FORMING COURTYARDS IN AREA A DWELLINGS.





**WATTLING ST.**  
 79 RESIDENTIAL UNITS

WATTLING STREET  
 OAKLAND, CALIFORNIA  
 PROJECT NO. 06-09

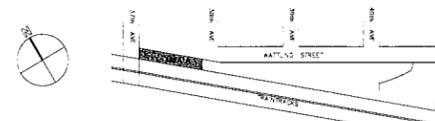
DATE	ISSUE
12-13-06	PLANNING SUBMITTAL
07-31-07	PLANNING REVISIONS
08-23-07	PLANNING REVISIONS
01-24-08	PLANNING RE-SUBMITTAL

CONTACT:  
**TOBY LEVY**  
 (415) 777-0561 P  
 (415) 777-5117 F  
 TOLBY@LEVYDESIGNPARTNERS.COM

SCALE: 1/8" = 1' - 0"

THIRD FLOOR PLAN  
 AREA A

**A2.3A**



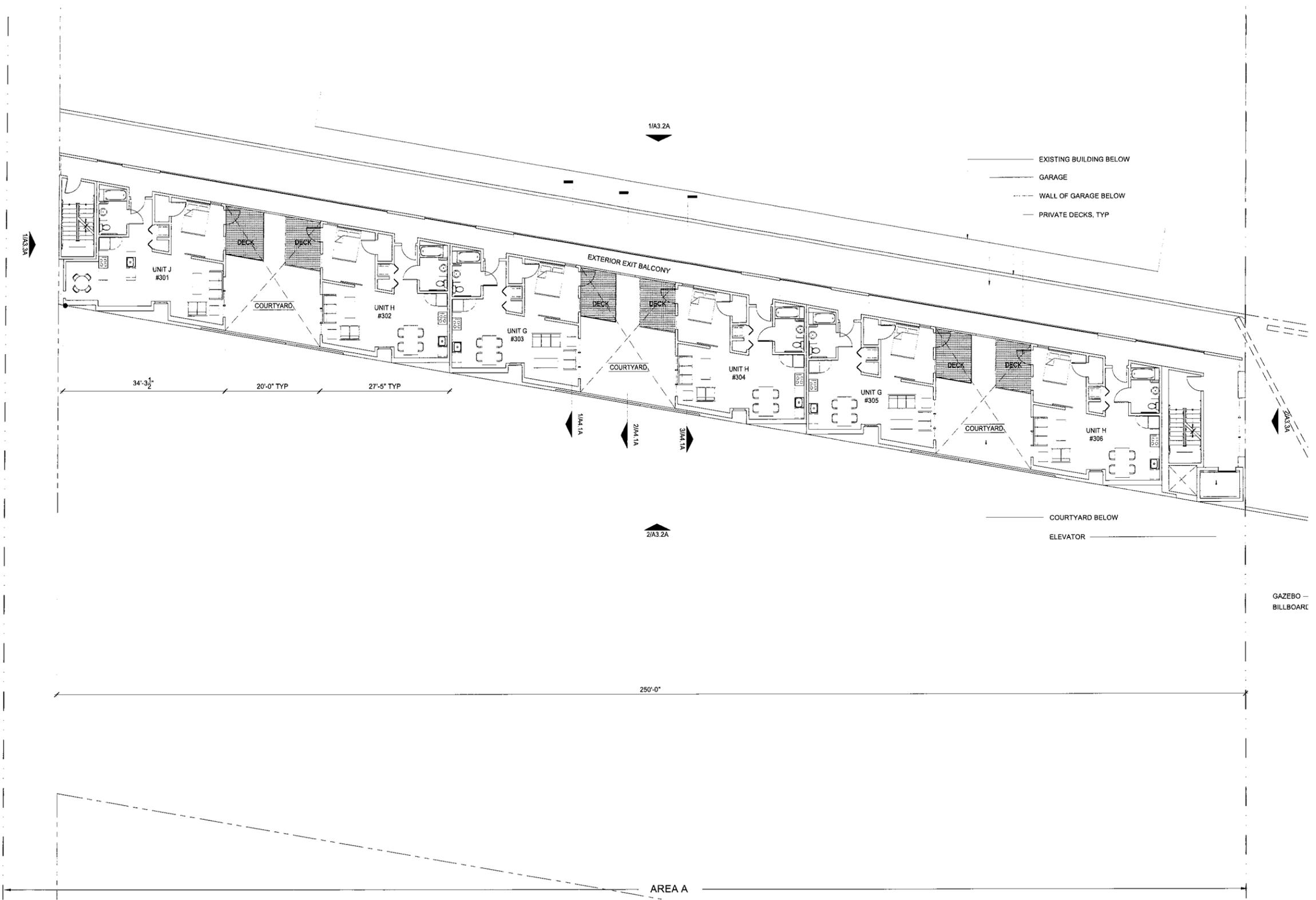
**GENERAL NOTES**

SEE LB1.1 FOR SURFACE TREATMENT

ALL BUILDING FACADES ALONG THE TRAIN LINE ARE INSULATED DOUBLE-STUD ASSEMBLIES W/ CEVENT PANELS OVER PLYWOOD/EXT. GRADE GYP. BRD. SHEATHING ON THE OUTSIDE FACE OF THE EXTERIOR STUDS AND TWO LAYERS OF GYPSUM BRD. AT THE INSIDE FACE OF THE INTERIOR SET OF STUDS.

ALL OTHER BUILDING FACADES LOCATED WITHIN 100' OF THE TRAIN LINE WILL BE AN INSULATED STAGGERED STUD ASSEMBLY OR AN INSULATED SINGLE-STUD ASSEMBLY INCORPORATING RESILIENT CHANNELS. BOTH OF THESE OPTIONS WOULD INCLUDE TWO LAYERS OF GYPSUM BRD. AT THE INTERIOR SIDE.

AN EXTERIOR-GRADE SOUND ABSORBING MATERIAL W/ A MINIMUM NRC RATING OF 0.60 AT 50% OF THE WALL AREAS FORMING COURTYARDS IN AREA A DWELLINGS.



**WATTLING ST.**  
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CONTACT:  
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(415) 777-5117 F  
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SCALE: 1/8" = 1' - 0"

FOURTH FLOOR PLAN  
AREA A

**A2.4A**

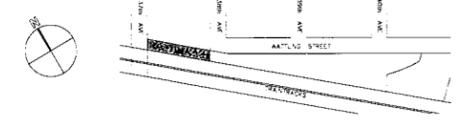
**GENERAL NOTES**

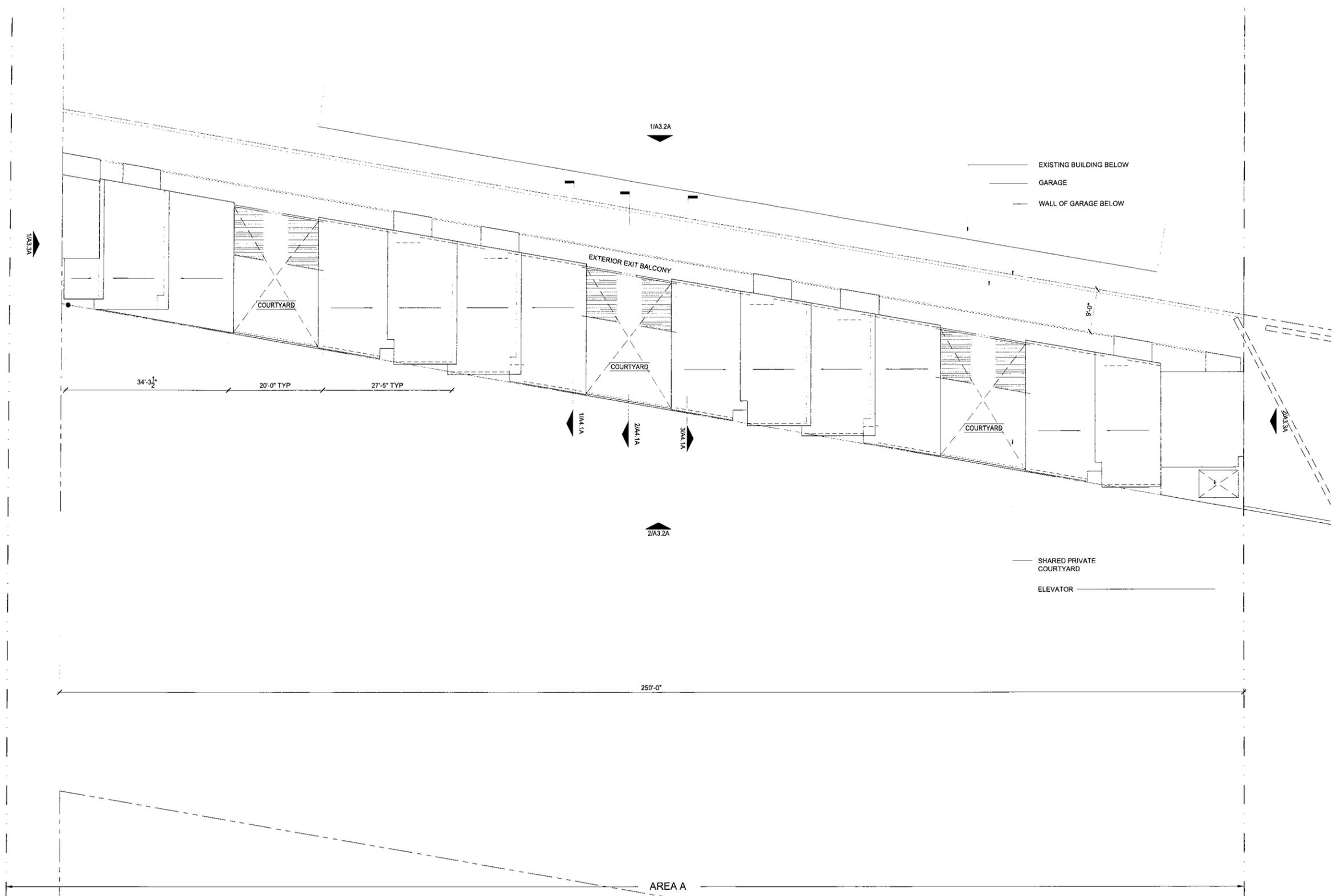
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FIFTH FLOOR PLAN  
AREA A

**A2.5A**

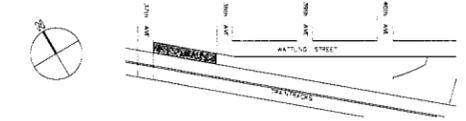
**GENERAL NOTES**

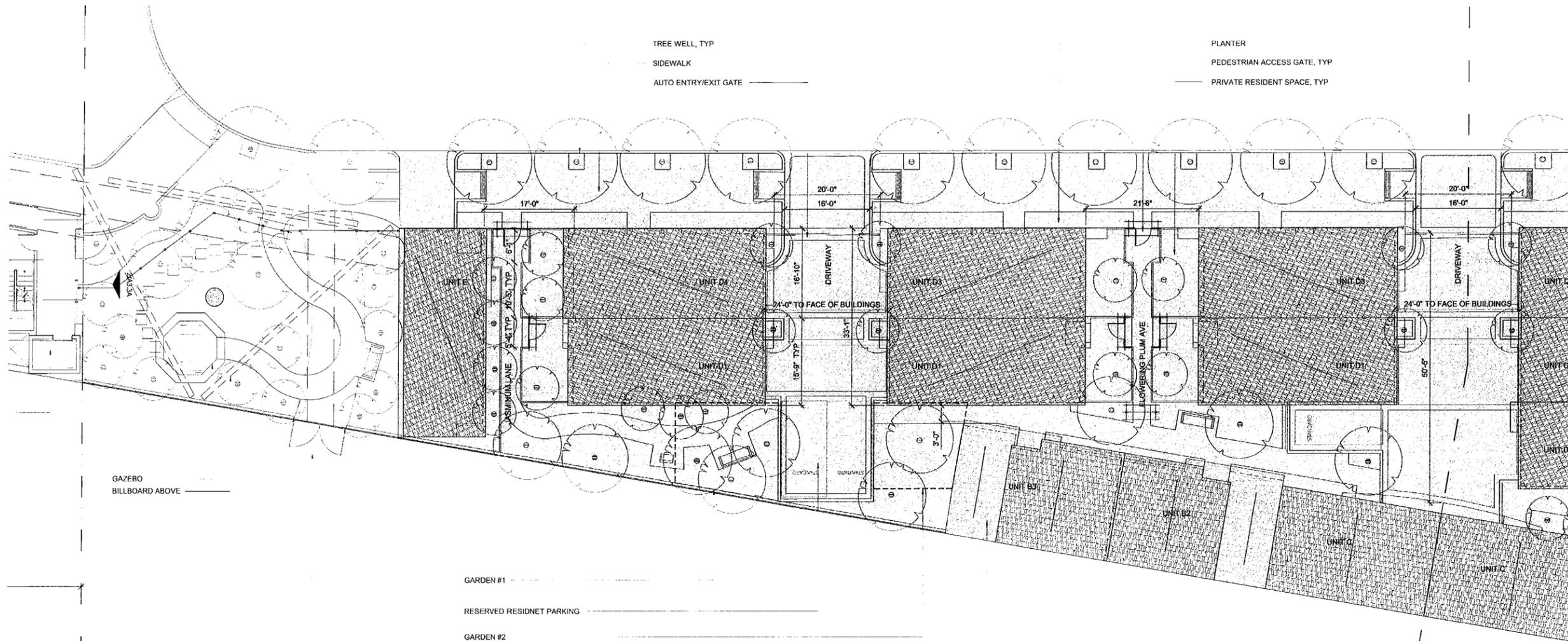
SEE LB1.1 FOR SURFACE TREATMENT

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TREE WELL, TYP

SIDEWALK

AUTO ENTRY/EXIT GATE

PLANTER

PEDESTRIAN ACCESS GATE, TYP

PRIVATE RESIDENT SPACE, TYP

GAZERO  
 BILLBOARD ABOVE

GARDEN #1

RESERVED RESIDENT PARKING

GARDEN #2

GATES FOR RAILROAD EASEMENT ACCESS

2 STORY ROOF BELOW

AREA B

**GENERAL NOTES**

SEE PLAN FOR SURFACE FINISHES

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**WATTLING ST.**  
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CONTACT:  
**TOBY LEVY**

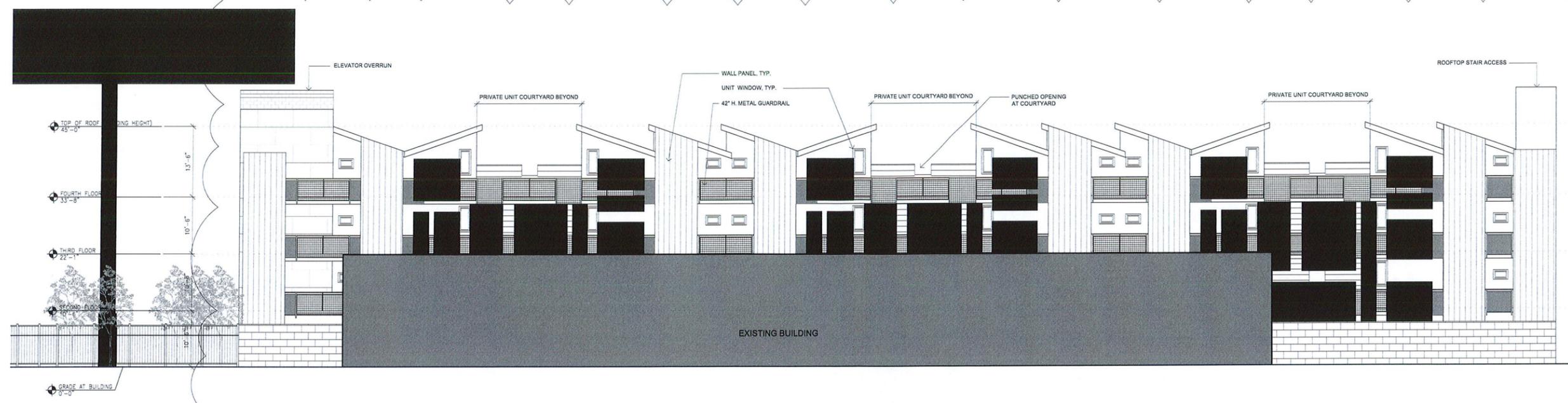
(415) 777-0561 P  
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SCALE: 1/8" = 1' - 0"

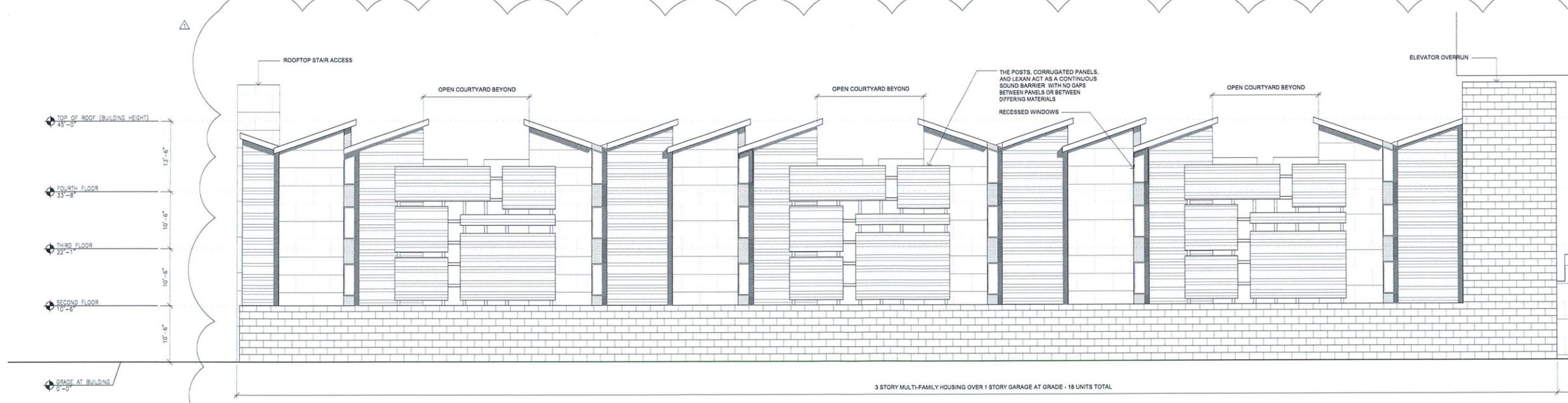
FOURTH  
 FLOOR PLAN  
 AREA B

**A2.4B**





1 EAST ELEVATION  
 1/8" = 1'-0"



2 WEST ELEVATION (FACING RAILROAD TRACKS)  
 1/8" = 1'-0"

LEGEND

	TREX BOARD
	FIBER CEMENT BOARD
	FIBER CEMENT PANEL
	CONCRETE BLOCK

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SCALE: 1/8" = 1'-0"

BUILDING  
 ELEVATIONS  
 AREA A

A3.2A

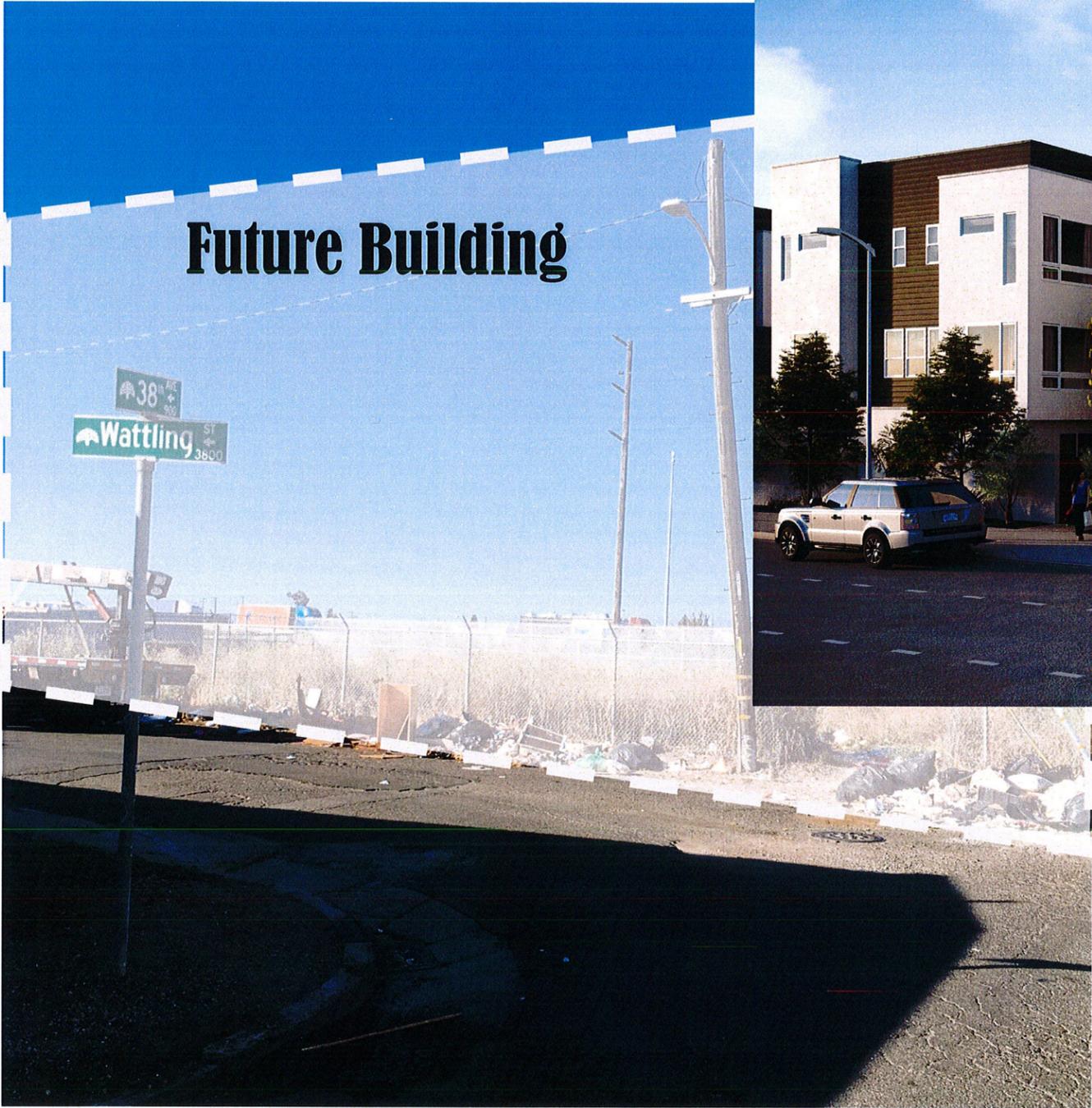


# WATTLING STATION

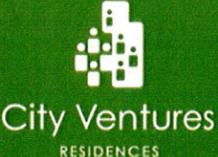


City Ventures  
RESIDENCES

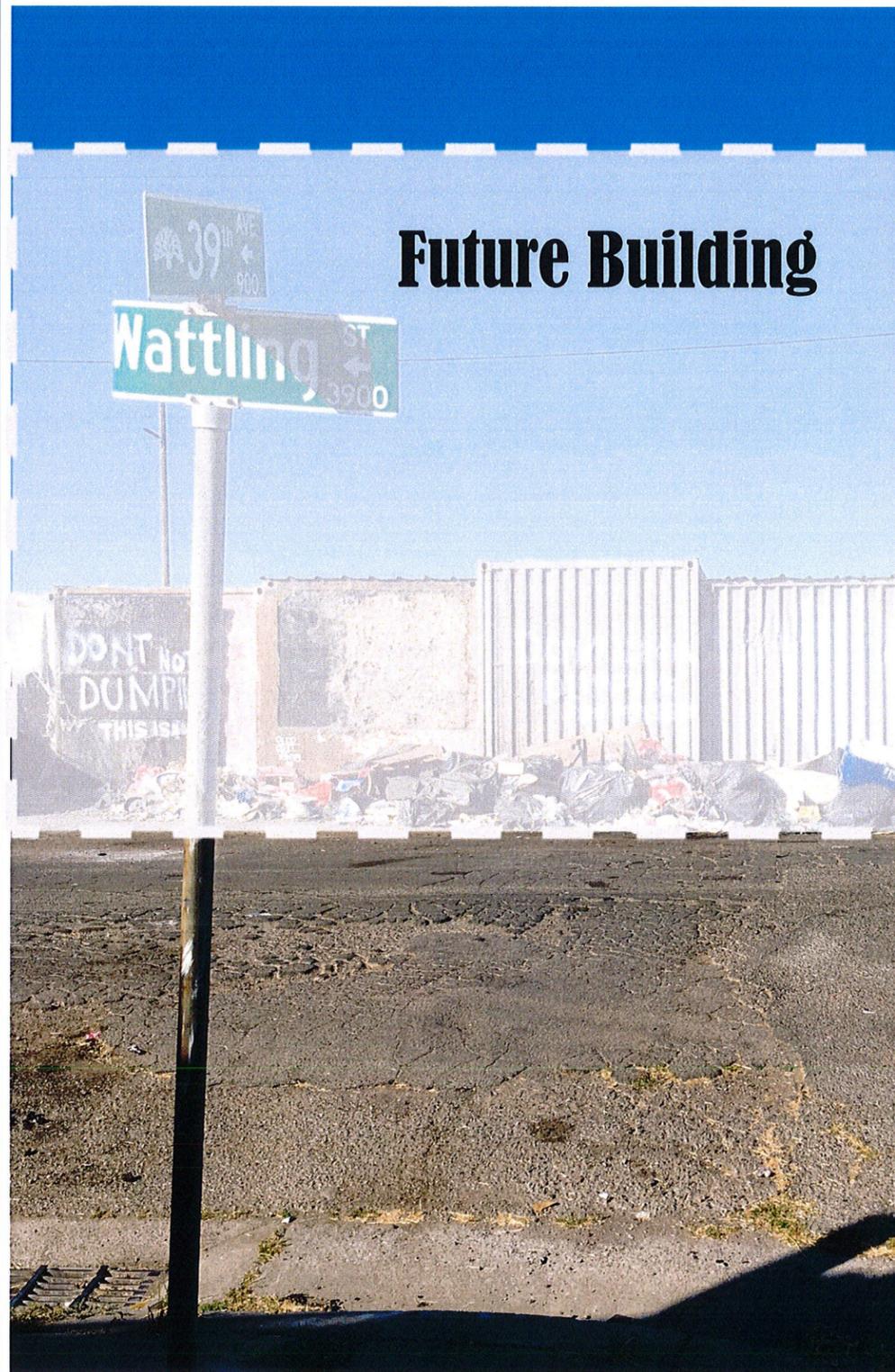
# View from 38<sup>th</sup> and Wattling



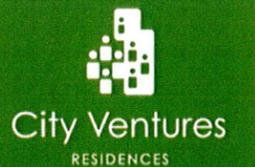
# WATTLING STATION



# View from 39<sup>th</sup> and Wattling



# WATTLING STATION



# Landscaped Common Courtyards

