

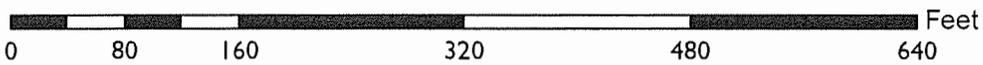
Location:	1502 8th Street (APN 004-0093-010-00)
Proposal:	Allow construction of three dwellings adjacent to an existing two-unit mixed use building; and division of the site into two parcels, one with three condominiums
Contact Person/Phone Number:	Chris Porto 925 209 4030
Owner:	Bright Homes LLC
Case File Number:	PLN 16-114
Planning Permits Required:	Major Conditional Use Permit for three or more residences in the RM-2 Zone; Minor Variance for 4 foot side setback where 5 feet would otherwise be required; Regular Design Review to construct 3 residential structures; Tentative Parcel Map No. 10462 to create 2 residential parcels, with 3 condominiums in new buildings on one of the parcels, on 11,874 square feet of land in West Oakland
General Plan:	Mixed Housing Type Residential
Zoning:	RM-2 Mixed Housing Type Residential Zoning District
Environmental Determination:	Categorically Exempt, Section 15303 of the California Environmental Quality Act (CEQA) Guidelines; Small New Facilities; 15183, Projects in Conformance with Adopted Plans
Historic Status:	Potential Designated Historic Property, Rated C1+, Oakland Point
Service Delivery District:	1
City Council District:	1
Action to Be Taken:	Approve Staff Recommendation
Finality of Decision:	Appealable to City Council
For Further Information:	David Valeska at (510) 238-2075 or dvaleska@oaklandnet.com

SUMMARY

This proposal involves a request to divide an existing two-story two-unit mixed use site from a development site, which together include 11,874 square feet of land. The new development site would contain three new two-story dwellings, two of which would have five bedrooms and one of which would have four bedrooms. These 14 bedrooms would be separately rented under a co-housing model. A Major Conditional Use Permit is required for three or more units on a property in the RM-2 residential zone. A Minor Variance is required to reduce sideyards from 5 feet to 4 feet. A Tentative Parcel Map allows division of the site into one lot for the existing two-story two-unit structure (4,322 square feet) and one lot which would be further divided by condominium ownership for a total of three more ownerships, on one legal lot (7,552 square feet). A 1,000 square foot wood-frame structure would be removed, which is not substantially historic.

The net result would be a master planned complex incorporating historical elements in the corner existing building, and compatible themed architecture for three new residential buildings. By using the co-housing model, similar to the new building adjacent to the Park Street Estuary bridge, the facility can provide shared but semi-independent tenancies for over a dozen adults. This, by nature, is a form of affordable housing. Because on-site parking will be limited to 6 spaces, the project will rely upon BART, ride-sharing, adjacent bus transit and similar automobile substitutes to provide site access for occupants. Staff supports this new housing model as having prototype potential elsewhere in the more developed neighborhoods of Oakland.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN16-114
Applicant: Chris Porto
Address: 1502 8th Street
Zone: RM-2

PROJECT DESCRIPTION

The applicant proposes to utilize an 11,874 square foot corner parcel, including a two story existing building. The three new co-housing dwellings will each have one off-street parking space plus one guest space for a total of six parking spaces on the project. Driveways will connect to each side of the corner site. New buildings will have similar height and compatible surfaces with the existing pre-WWII two-unit building. The designs are complimentary to, but do not copy, Victorian houses common in the West Oakland neighborhood. Open spaces are provided in corners of the site for occupants.

The attached site map and plans further describe the project (See Attachment C).

GENERAL PLAN ANALYSIS

The site is located in the Mixed Housing Type Residential district of the General Plan Land Use and Transportation Element. This designation provides primarily for duplex and multifamily housing at medium densities.

ZONING ANALYSIS

The site is located in the RM-2 Residential Zone. In this district three or more residences may be allowed on a parcel by Major Conditional Use Permit. A Minor Variance allows reduction of sideyards from 5 feet to 4 feet along the new lot boundary. Regular Design Review is provided to allow new dwelling units. A Tentative Parcel Map will be required to create four property interests, three condominium units and one residual parcel for the corner building.

Code compliance is complete, as explained in the following list.

*OPC Section 17.17.03 requires 4,000 square foot minimum parcels in West Oakland. The applicant's parcels are 4,322 square feet (the existing corner building) and 7,552 square feet (the three new buildings). The smaller parcel exceeds the minimum 4,000 square feet needed for the two existing units. After division, the larger parcel exceeds the 7,500 square feet needed for three units.

*Minimum lot width is 45 feet and minimum lot frontage is 25 feet. The two new sites have 47 and 53 feet respectively in 8th Street frontage and exceed this minimum.

*Front yards must be 20 feet or more by OPC. The existing corner building has no front or street side setbacks; it is legal nonconforming in its historic position.

*The new front dwelling has a 20 foot setback and the other two new units are set behind it. The RM-2 zone requires a 15 foot rear setback and the new dwellings in this project have 15 foot rear setbacks.

*Lot coverage for new buildings is less than 40% as required; the corner building will cover over half of its new lot but will not increase overall building coverage.

*New buildings will be no more than 25 feet tall at top of wall, 30 feet at top of roof or parapet.

*Open space exceeds the required 300 square feet per unit.

ENVIRONMENTAL DETERMINATION

Staff has evaluated the project according to the California Environmental Quality Act (CEQA) and determined it is exempt from environmental review for the following reasons: Section 15303 of the CEQA Guidelines exempt from environmental review small residential facilities. The existing building, rated C1+ (Oakland Point area) in the City's historic survey, is not changing in size, shape, façade or floor area. A 1,000 square foot building being removed is not substantially historic. The new buildings will be infill housing at similar densities to neighboring sites and are not likely to produce measurable physical or other environmental effects. Their designs are compatible with nearby historic buildings. Therefore, the project is determined to be exempt from further CEQA review. This project is consistent with plans and zoning subject to CUP approval, and is therefore also exempt from further CEQA review under Section 15183 (projects consistent with a community plan, general plan, or zoning).

ANALYSIS

The purpose of the project is to provide housing affordable to persons of moderate to middle income, including primarily single persons and couples.

The applicant chose this location due to its proximity to an emerging expansion of West Oakland's renaissance area. Eighth Street at Chester Street is near BART and other transportation alternatives to single-owner automobiles. The applicant sought a reduced-vehicle co-housing alternative consistent with emerging City policies. Attachment D further describes the applicant's intent with the co-housing model which supports low car usage and a community-based housing model.

The applicant's proposal requires a Major Conditional Use Permit to have 3 new units, a Minor Variance for side setbacks, Regular Design Review and a Tentative Parcel Map to create a lot with three condominiums and one residual lot for the existing two-unit structure. This size and configuration is similar to other projects which have been approved in Oakland, although this is one of the first co-housing projects.

Co-housing is a model of tenancy and/or ownership of housing. This plan has been implemented in San Francisco, Berkeley and other cities. A dwelling would have extra-large living and dining/kitchen areas shared by all occupants, and individual bedroom suites. In the case of the applicant's project, this turns three family-size dwellings into 14 living areas, each suitable for an adult person or couple.

One ramification of co-housing is that there might be 14 or more persons driving from the site vs. typically 6 persons in three family houses of the same size. The applicants contend, and staff agrees, that the 4 parking spaces provided for the new three units meet the minimum standard of the RM-2 zone. This parking could be sufficient for the project if augmented with BART (nearby), major bus lines, ride-sharing, UBER/LYFT/Zipcar and other programs to reduce automobile dependency. West Oakland at 8th Street and Chester is expected to increase in automobile traffic in coming decades. Programs which reduce automobile dependency can benefit West Oakland and the City generally. While there is ample on-street parking in the area now, the applicants intend proactive measures described in Attachment D to make co-housing work.

CONCLUSION

The applicant has proposed a unique master-planned small housing development, preserving an existing historic two-unit mixed use structure and adding three residential structures under a co-housing model. The project minimizes dependence on the private automobile, using its choice location near transit to substitute pedestrian access for car parking. As a result more of the site can be used for interior shared

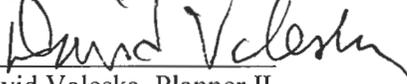
amenities of co- housing and less space is needed for asphalt. Less urban runoff pollution should result. The co-housing model may contribute to more affordability for the occupants. This project could be a prototype for other similar projects in Oakland in the future.

There were no letters of concern from the neighboring community filed as of July 14, 2016. Staff concludes that the Findings for the Major and Minor CUPs, Variance and Tentative Parcel Map are fulfilled, as further explained in Attachment A (Findings) and through the proposed Conditions of Approval.

RECOMMENDATION:

1. Affirm staff's environmental determination;
2. Approve the Major and Minor Conditional Use Permits, Regular Variance Design Review and Tentative Parcel Map at 1502 8th Street, based on the attached findings and conditions.

Prepared by:


 David Valeska, Planner II

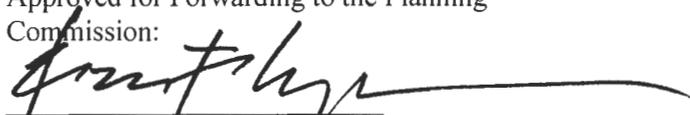
Reviewed by:


 SCOTT MILLER
 Zoning Manager

Reviewed by:


 DARIN RANELLETTI, Deputy Director
 Bureau of Planning

Approved for Forwarding to the Planning Commission:


 RACHEL FLYNN, Director
 Planning and Building Department

Attachments:

- A. Findings
- B. Conditions of Approval
- C. Plans and Photographs
- D. Co-housing Information from Applicant

ATTACHMENT A:

FINDINGS FOR APPROVAL

This proposal meets the required findings under the Oakland Planning Code. Required findings are shown in **bold** type; explanations as to why these findings can be made are in normal type.

Section 17.134.050 (General Use Permit Criteria):

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

The proposed project would satisfy a community need which does not affect livability of the surrounding neighborhood, and will be operated in a small scale which is compatible with West Oakland's neighborhood character. By reducing dependence on the private automobile, the transit-oriented project will offer lifestyle choices which support nearby facilities and activities in West Oakland's renaissance area. Conditions of approval will limit noise, light, trash/litter, loitering, late hours and similar factors to offset any potential for negative effects of activities.

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

The proposed project has a master planned design, including co-housing which enhances the convenience and functional living environment of its residents. The architecture and positioning of new structures, and preservation of an existing structure, will create attractive facilities as warranted by location and setting.

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

This facility would have less traffic, noise and light than a conventional subdivision might have offered with more dependence on the single automobile. This facility complements nearby Victorian neighborhoods without copying them.

- D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070.**

The site layout and architecture are evocative of Victorian areas without being rigidly similar. The design criteria for residential projects are included in the design. Preservation of the duplex on the corner gives a two-story visual anchor to the project which helps give identity.

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

The General Plan allows for review and approval of such housing projects will not cause undue nuisance activity. The Mixed Housing Type residential land use category envisions a wide range of housing types and other uses along with promoting mixed-use developments. An attractive housing development at this location will conform to adopted plans.

Section 17.17.050.03.L-3 CUP for Density, RM-2 Zoned Sites With Three or More Dwelling Units

- A. That the proposed development will not adversely affect adjoining property, nor the surrounding neighborhood, with consideration given to density; to the availability of neighboring facilities and play space to the generation of traffic and the capacity of surrounding streets; and to all other similar, relevant factors.**

The addition of three dwelling structures, with one private parking space each and one shared space, will have a minimal effect on traffic in the area. Neighborhood streets are currently underused, with capacity to spare. Likewise, adding a few dwellings will have minimal effects on demand for play space. Although West Oakland is below some standards for park space, the City's adopted plans show that it has more per capita park space than several other Oakland flatland neighborhoods. Effects of the project on traffic and open space will be minimal.

- B. That the site design and landscaping and the scale, height, length and width, bulk, coverage and exterior treatment of structures are in harmony with neighborhood character and with facilities on nearby lots.**

Three new residential buildings on the parcel will have similar external shapes and materials compared to nearby Victorian homes. The fourth building, a two story existing structure built soon after Victorian times, will be retained and will contribute harmony and character to the planned architectural mix of the site.

- C. That the shape and siting of the facilities are such as to minimize blocking of views and direct sunlight from nearby lots and from other Residential Facilities in the surrounding neighborhood.**

The site is flat and the heights of the three new buildings will be compatible with nearby structures, including the retained corner structure of this project. Spacing between buildings helps to allow flow of sunlight on-site and to neighbors.

- D. That the design and site planning of the buildings, open areas, parking and service areas, and other facilities provide a convenient, attractive and functional living environment; and that paths, stairways, accessways, and corridors are designed to minimize privacy impacts.**

The new buildings are designed as Victorian-sized modules with open areas between the front and rear buildings. The paths and accessways minimize privacy impacts. There are no external stairways or corridors to affect privacy.

- E. That lot shape, size and dimensions allow a development which will provide satisfactory internal living conditions without adversely affecting the privacy, safety, or residential amenity of adjacent residences.**

Because of the corner position of the existing dwellings, the resultant net building area behind the corner structure allows siting for a logical cluster of buildings. The internal living area of the project allows privacy since rear units are screened by front units from street noise and intrusive viewing from sidewalks. The window and wall patters provide both safety from uninvited visitors and provide suitable light and air.

Section 17.102.300: Dwelling Units with Five or More Bedrooms

- 1. That off-street parking for residents of the entire facility, including any existing facility and any proposed alteration or addition, is provided as specified in the zone or zones in which the facility is located, as set forth in Section 17.116.060.**

As required by Code, the facility provides one parking space per dwelling (RM-2 standard) plus a shared space.

- 2. That a minimum of one off-street visitor parking space is provided for the entire facility.**

The added off-street visitor parking space is provided on the plan.

- 3. That the parking spaces provided in accordance with criteria 1 and 2, and all associated driveways, maneuvering aisles and other related features, comply with the standards for required parking and loading facilities applicable in the base zone in which the facility is located, as set forth in Sections 17.116.170 through 17.116.300.**

Parking spaces, driveways, maneuvering aisles and other related features meet code requirements. Two existing spaces behind the existing building provide automobile back-out onto the street and would continue to do so. Interior parking areas between the three new buildings provide "T" turnarounds which allow vehicles to proceed out front-forward rather than having to back out, for most of the spaces.

- 4. That no required parking spaces are located other than on approved driveways between the front lot line and the front wall of the facility or its projection across the lot.**

All new parking spaces are located between the front wall of the front dwelling and the rear wall of the rear buildings, within the three-building central group of structures. No required parking is in the front driveways, except for two existing legal nonconforming parking spaces behind the existing corner building.

- 5. That the applicable requirements of the buffering regulations in Chapter 17.110 are met.**

All new parking spaces are buffered either by landscaping or buildings, except for actual driveways where pavement is needed to connect to the streets.

REGULAR DESIGN REVIEW

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

The proposal is to add three dwellings of four to five bedrooms each, while retaining a two-story duplex building, with mainly open parking. The setting is in a West Oakland neighborhood of similar homes. The new dwellings will be compatible with the existing facility and nearby residences in their two story scale, modulated bulk, small-footprint vertical emphasis, and wood or simulated wood materials and textures. The site is flat and the changes will retain views for neighboring homes.

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

Neighborhood characteristics include medium density, alignment of houses on lots parallel to the sidewalks, and modulated window styles under a variety of roof styles. By adding three dwellings to an existing building, the property and area will be enhanced with desirable characteristics, promoting increased continuity for the area. Sufficient off-street parking spaces augmented with ride sharing and bicycle-promoting programs, will reduce demand for on-street parking in the area. Neighbors will be looking at attractive structures which will relate well to the site and vicinity.

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

The facility will not result in changes to existing topography since the site is flat. Only minor site excavation is involved for the modification. Only minimal landscape materials are proposed for removal with this development. New landscaping in open areas will be added.

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

The site is not on a hillside lot, but rather is located on an existing level site. The design and massing of the addition will not alter the existing neighborhood character.

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

Residential use preservation is an objective of the general plan for this area. Citations in the General Plan Land Use and Transportation Element (LUTE) include:

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

Policy N3.2: Encouraging Infill Development. In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland.

Policy N3.9: Orienting Residential Development. Residential developments should be encouraged to face the street and to orient their units to desirable sunlight and views, while

avoiding unreasonably blocking sunlight and views for neighboring buildings, respecting the privacy needs of residents of the development and surrounding properties, providing for sufficient conveniently located on-site open space, and avoiding undue noise exposure.

The proposed plan fulfills these goals to expand and complete a building in a developed residential area, while providing ample distance from neighbors to protect their sunlight. The modification faces the street, retaining sunlight clearance and avoids excessive exposure to noise.

Quality residential construction, which is a characteristic of maintained buildings in the West Oakland Victorian area, is enhanced when usable additions are of sufficient size and quality. The applicant's proposal will help to achieve this community objective.

SECTION 16.24.040: TENTATIVE PARCEL MAP FINDINGS

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

- a. Lots created in conjunction with approved private easements;**
- b. 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.**

Pursuant to A.(a) above, both lots will have frontage over 20 feet wide on a public street and neither exceeds 300 feet in length. No new easements will be needed.

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 lines of both lots will be at right angles to streets, except that the interior line between the divided lots bends around an existing structure and its required sideyard to maximize the usable lot area for the new building site. This bend consists solely of lines parallel to streets of this corner lot.

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

Except as modified by permits and conditions of approval herein, all applicable requirements are met.

D. Lots shall be equal or larger in measure than the prevalent size of existing lots in the surrounding area except a) where the area is still considered acreage; b) 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.

This finding does not apply to subdivisions of lots containing three buildings. However, the building site pattern is consistent in size and orientation with many of the existing nearby lots in the area.

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

While no rock outcroppings or creeks exist on the property, front and rear yard open spaces will be created around three new houses, pursuant to the conditions of approval.

MINOR VARIANCE

- 1. Strict compliance with the specified regulations 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 Minor Variance is granted either for physical constraints which prevent strict compliance with the regulation or conditions could preclude an effective design solution vis-a-vis livability, operational efficiency or appearance. One example would be a topographic feature which would push the building envelope to one side or the other on a lot; or an unusually shaped lot.

A Minor Variance, which is for slightly less than 4 feet side setback below that required, in the RM-2 zone can be considered in the context of the purpose of the Zoning Code regulation. Setbacks serve to protect privacy, light and air for neighboring properties. For row house/townhome settings such as this area, average setbacks tend to be at or below the minimum, as fits a pedestrian-oriented area. The objectives of setbacks are fulfilled by the undulating and variegated setbacks between buildings and near neighbors, which average over the applicable 4 feet minimum.

In order to qualify for a Minor Variance, this project shows an effective design solution for a living area with privacy and environmental enjoyment, which would be lost if the Code setbacks were strictly enforced, since the size and shape of the available 3-house lot, combined with the existing building present physical limitations to the location for a modification of this size and type in other optional designs.

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

The basic intent of the regulation that requires yards is to create privacy for neighbors. These building and many neighbors on the adjacent blocks have minimal sideyard setbacks, establishing a pattern. Most of these homes were built under pre-1940 zoning regulations. As a Minor Variance, the effective design solution provided gives more usable space for the three new dwellings without actually diminishing usable space for the corner existing building.

- 3. 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.**

Adjacent properties are not affected since the corner building continues to retain the position it has held for decades and building new housing with reduced setbacks nearby will not be detrimental to public welfare or contrary to adopted plans.

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

The variance allows a unit addition with reduced sideyard setback along a newly created interior lot line. As seen from the streets, there will be no detrimental effect, nor will there be adversity for other row house/townhouse lots nearby. The housing site and setback shown on plans is the location most appropriate for such design and in a place and size unlikely to cause adverse effects on neighboring properties.

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

The additional dwellings including reduced sideyard setbacks conform to the Regular Design Review criteria listed herein, and create habitable space in a modest and convenient size where it will have least effects on neighbors.

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

The planned dwelling units fulfill all significant respects of the General Plan for Mixed Housing Type General Plan and RM-2 zone areas, providing housing in a pattern fitting the neighborhood.

TENTATIVE MAP FINDINGS (SECTION 16.08.030 OMC & CALIFORNIA GOVERNMENT CODE S. 66474):

- F. The proposed map is consistent with applicable general and specific plans as specified in the State Government Code Section 65451.**

The map creates housing which contributes to neighborhood character and conforms with applicable general and specific plans such as the West Oakland Specific Plan.

- G. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.**

The map promotes design and improvements traditional to this neighborhood and conforming to applicable general and specific plans, including grid shape of lots and full street improvements.

- H. The site is physically suitable for the type of development.**

The property is a flat rectangular site with street frontages along 8th Street and Chester Street. The resulting lots will continue to be flat, mostly rectilinear lots, each with 46 feet or more of frontage along streets, which will be consistent with residential development in this area.

- I. The site is physically suitable for the proposed density of development.**

The existing 11,874 square foot site will be divided into a 4,322 square foot lot on which two

dwellings are allowed by Zone density, and a 7,552 square foot lot on which three dwellings are planned (one per 2,500 square feet). This density is generally consistent with the RM-2 Zone. The divided lots will be comparable to, and consistent with, nearby lots divided in the 19th and early 20th Centuries.

J. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The properties have access to public water, sewer and drainage systems designed to City standards, which prevent serious public health problems.

K. The design of the subdivision or the type of improvements will not 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).

There are no easements on the property involving public interests.

L. The design of the subdivision provides to the extent feasible for future passive or natural heating or cooling opportunities in the subdivision.

The subdivision design will not change the buildings' existing passive or natural heating and cooling opportunities.

ATTACHMENT B: CONDITIONS OF APPROVAL**STANDARD CONDITIONS:1. Approved Use.*****a. Ongoing.***

The project shall be constructed and operated in accordance with the authorized use as described in this staff report and the plans submitted April 21, 2016, amended June 28, 2016 and as amended by the following conditions. Any additional uses other than those approved with this permit, as described in the project description, will require a separate application and approval. The approved activity is: division of an 11,874 square foot corner parcel into two lots of 4,322 square feet (existing building) and 7,552 square feet (three new residential buildings) in a co-housing model, with 6 parking spaces.

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

Unless a different termination date is prescribed, this Approval shall expire **two calendar years** from the approval date, unless within such period all necessary permits have been issued, or 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 valid building permit for this project may invalidate this approval if the said extension period has also expired.

3. Scope of This Approval; Major and Minor Changes***Ongoing.***

The project is approved pursuant to the Planning Code only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved 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.

4. 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 Marshall, and the City's Public Works Agency.

b. The applicant shall submit approved plans for project-specific needs related to fire protection 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.

5. 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 Planning Department 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 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. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Conditions of Approval.

6. 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 and submitted with each set of permit plans submitted for this project.

7. Indemnification

Ongoing

a. To the maximum extent permitted by law, the applicant shall defend (with counsel 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 liability, damages, claim, judgment, loss (direct or indirect) action, causes of action or proceeding (including legal costs, attorney's fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul, (1) an approval by the City relating to a development-related application or subdivision or (2) implementation of an approved development-related project. The project applicant shall reimburse the City for its reasonable legal costs and attorneys fees.

b. Within ten (10) calendar days of the filing any Action as specified in subsection A above, the project applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter Agreement does not relieve the project applicant of any of the obligations contained in this condition or other requirements, or other conditions of approval that may be imposed by the City.

8. 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 and all applicable adopted mitigation measures set forth below at its sole cost and expense, and subject to review and approval of the City of Oakland.

9. 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 any one or more of such conditions is found to be invalid by a court of competent jurisdiction this Approval would not have been granted

without requiring other valid conditions consistent with achieving the same purpose and intent of such Approval.

10. Job Site Plans

Ongoing throughout demolition, grading, and/or construction and when operating

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

11. Waste Reduction and Recycling

a. Prior to issuance of a building or demolition permit

The applicant may be required to complete and submit a “Waste Reduction and Recycling Plan,” and a plan to divert 50 percent of the solid waste generated by the operation of the project, to the Public Works Agency for review and approval, pursuant to City of Oakland Ordinance No. 12253. Contact the City of Oakland Environmental Services Division of Public Works at (510) 238-7073 for information.

12. Recycling Space Allocation Requirements

a. Prior to issuance of building permit

The design, location and maintenance of recycling collection and storage areas must substantially comply with the provision of the Oakland City Planning Commission “Guidelines for the Development and Evaluation of Recycling Collection and Storage Areas”, Policy 100-28. A minimum of two cubic feet of storage and collection area shall be provided for each dwelling unit and for each 1,000 square feet of commercial space.

13. Construction Practices.

During construction.

All work shall apply the “Best Management Practices” (BMPs) for the construction industry, including BMPs for dust, erosion and sedimentation abatement per Section 15.04 of the Oakland Municipal Code, as well as all specific construction-related conditions of approval attached to this project.

14. 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 AM and 4:00 PM 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 residents’ 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 residents' 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 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.

15. Storm Drainage Compliance.

Prior to issuance of a grading permit

The applicant shall ensure that all proposed improvements shall comply with all provisions of the Alameda County's National Pollutant Discharge Elimination System (NPDES) permit issued on February 19, 2003, and related post-construction Best Management Practices (BMP) that would apply to the project; all proposed improvements shall also comply with the Clean Water Act (1972) as amended by the Water Quality Act of 1987, and City of Oakland Storm Water Management and Controls Ordinance No. 11590 C.M.S. and Creek Protection Ordinance No. 12024; and shall utilize all BMPs to prevent sediments or pollutants from entering the storm drain system or watercourses.

The impact of the proposed improvements on the storm drain system and watercourses shall be mitigated to the extent practicable by using site design techniques such as minimizing impervious surfaces, minimizing disturbed area, clustering and constructing grass/vegetated swales.

16. Submittal of Final Map and Final Map Requirements

Within two years of the effective date of approval.

The applicant shall submit within 2 years of the approval of this permit, a Parcel Final Map to the rights of way provided for public services or utilities; all property which is offered for dedication for public use; and all property that may be reserved by deed covenant for the common use of the property owners in the subdivision, in a form acceptable to the City Engineer, and acceptance language by the City Engineer, along with all other supplementary maps or plans required as conditions of Tentative Parcel Map approval. The applicant shall record the Final Parcel Map and a written legal description of the reconfigured parcels as part of the deed with the Alameda County Recorder's Office. The final map shall be recorded prior to the certificate of occupancy and final inspection of the last unit if any under rehabilitation. A copy of the recorded map shall be provided to the City Engineer. The applicant shall provide a proof of such recordation to the Building Services Division prior to issuance of any Building Permits. Failure to file a Final 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.

17. Certification of Parcel Map

A Final Parcel Map may be certified by the Oakland City Engineer at the expiration of the 10-day appeal period from the date of approval.

18. Engineering, Building and Fire Services Requirements

The project shall comply with all the requirements from the City Engineering and Building Services Division and the Fire Marshall.

a) Engineering and Building Services Conditions: Each parcel created shall have its own and separate sanitary sewer lateral connection to the public sewer main. Owner(s) must apply and obtain final approval for Sewer Lateral and Excavation permit(s) from the City of Oakland Engineering Services Department prior to submitting the Parcel Map for review.

b) Fire Marshall: An additional on-site hydrant of approved specifications may be required at the rear of the property. Stair exit discharges and window openings close to adjacent property lines may be required to provided fire rating protection. Property addresses for all buildings shall be provided at the street frontage.

19. Construction Hours for Minor Projects

During all construction activities.

Construction shall only take place between 7:30AM and 6:00PM on Monday through Friday; 9:00AM to 5:00PM on Saturdays. No construction shall occur on Sundays or Federal holidays.

20. Engineering Conditions***Prior to recording Final Map***

- A. Provide identification numbers for City of Oakland monuments.
- B. Show location of existing and proposed drainage, sanitary sewer, water supply, and other utility facilities for each lot. Provide separate utility services and meters for each lot.
- C. Provide construction details for driveways and curb cuts for lots. A Driveway permit shall be obtained for the driveways shown; this permit is discretionary.
- D. Show location, purpose and width of all existing and proposed easements.
- E. Any work done within the right-of-way on-street may require a Major or Minor Encroachment Permit. Provide documentation including pictures, sizes, dimensions and any other applicable information so a determination can be made as to whether a Permit is required.
- F. Note that the property lies within a seismic hazard zone with earthquake-induced liquefaction potential. A statement acknowledging the above shall be placed on the parcel map. Add a statement to the Map that says "This property lies within the following hazardous area: A SEISMIC HAZARD ZONE—Liquefaction Zone pursuant to Section 2696 of the Public Resources Code. These hazards may limit your ability to develop the real property, to obtain insurance, or to receive assistance after a disaster. The maps on which these disclosures are based estimate where natural hazards exist. They are not definitive indicators of whether or not a property will be affected by a natural disaster. Transferee(s) and transferor(s) may wish to obtain professional advice regarding seismic hazards and other hazards that may affect the property.
- G. Improvements within the public right-of-way may be required for this project. Provide documentation including photographic showing the condition of the sidewalk, curb, gutter and street pavement so a determination can be made if any improvements are required.
- H. The following requirements shall be met by the applicant:
 1. Separate permit series required for each structure
 2. Obtain CGS permit for new driveway, curb cut or sidewalk work
 3. Show & provide Easement for new Shared Common Driveway for three new houses
 4. Obtain new sewer lateral permit for each new SFD
 5. Provide Stormwater management for drainage per City requirements
 6. Obtain separate Building permits for any fences & gates
 7. Provide 1 hour Fire Resistive construction for exterior walls less than 5 ft. from property line

21. Compliance with the Green Point Rating Implementation, OMC Chapter 18.2***Prior to issuance of a demolition, grading, or building permit***

The applicant shall comply with applicable requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02. If determined eligible for this requirement the applicant shall follow:

- a) The following information shall be submitted to the Building Services Division for review and approval with the application for a building permit:
 - i. Documentation showing compliance with Title 24 of the 2008 California Building Energy Standards.

- ii. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
- iii. Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
- iv. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (b) below.
- v. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
- vi. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.
- vii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

(b) The set of plans in subsection (a) shall demonstrate compliance with the following:

- i. CALGreen mandatory measures.
- ii. All pre-requisites per GreenPoint Rated checklist approved during the review of the Planning and Zoning permits, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.
- iii. All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plancheck application is submitted and approved by the Planning and Zoning Division that shows the previously approved points that will be eliminated or substituted. The project shall meet a minimum points for non- residential LEED Silver rating.
- iv. The required green building point minimums in the appropriate credit categories.

During construction.

The applicant shall comply with the applicable requirements of CALGreen and the Green Building Ordinance, Chapter 18.02.

(a) The following information shall be submitted to the Building Inspections Division of the Building Services Division for review and approval:

- i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.
- ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.
- iii. Point total shall be at least LEED Silver including the mandatory categories shown on the rating forms.
- iv. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

After construction, as specified below.

Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Green Building Certification Institute and attain the minimum certification/point level identified in subsection a above. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Planning and Zoning Division the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.

22. Landscape Maintenance.***Ongoing***

All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

23. 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.

24. 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 proposed improvements (if any) 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 any improvements. Improvements to street from curb to curb are required if work is planned in these areas. 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.

25. 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) Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter.
- b) Reconstruct drainage facility to current City standard if required by codes.
- c) Provide separation between sanitary sewer and water lines if not existing and required to comply with current City of Oakland and Alameda Health Department standards.

- d) Construct wheelchair ramps that comply with Americans with Disability Act requirements and current City Standards as directed.
- e) Remove and replace any deficient concrete portion of sidewalk, curb and gutter within property frontage if determined by Building Services Division to be a hazard.
- f) Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and standards.

26. 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.

27. 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 a 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.

28. 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.

29. 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.

30. 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.

31. 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.

32. Construction Traffic and Parking***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.

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. 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. Construction 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 or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.

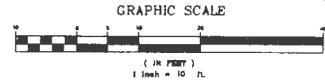
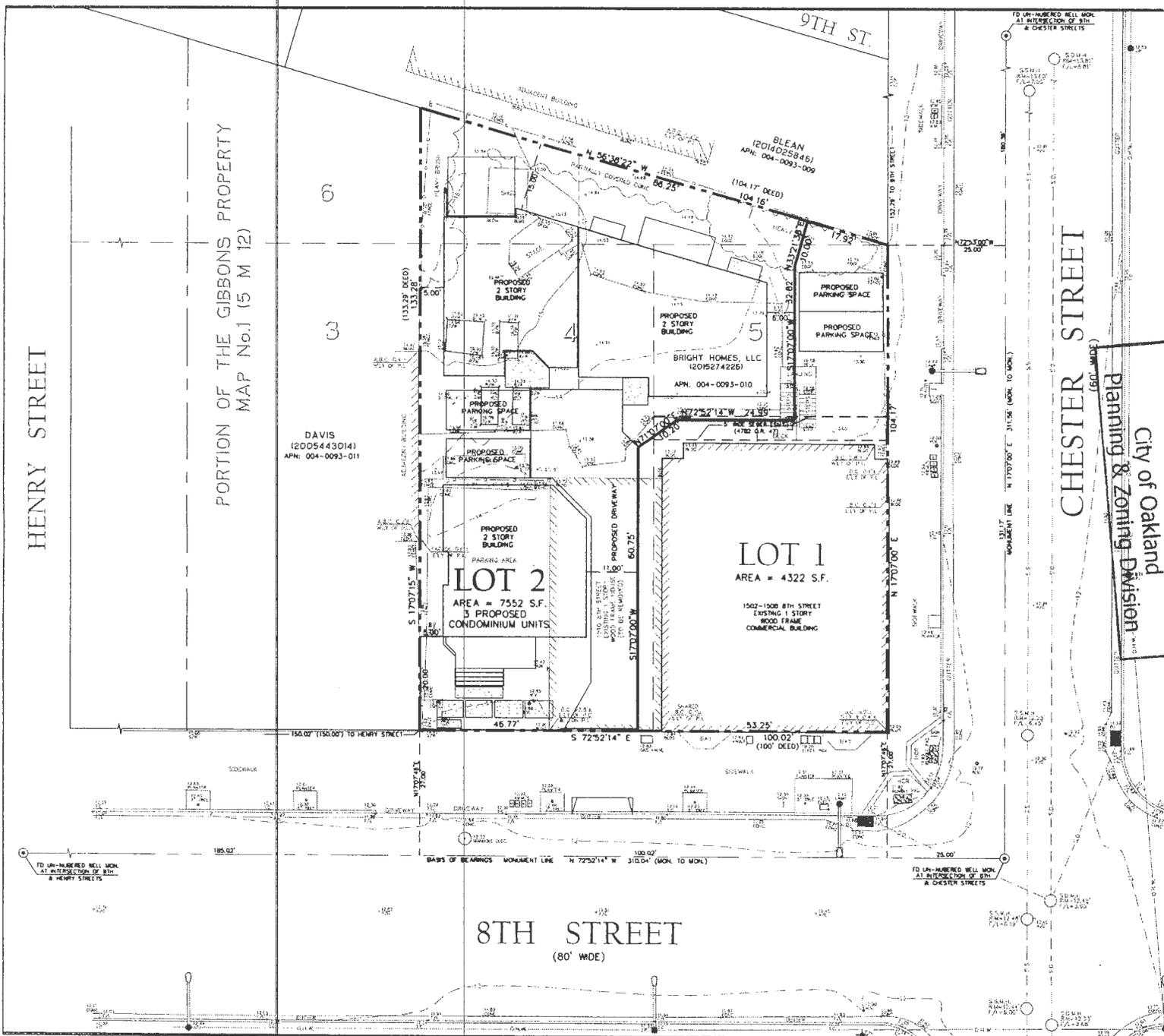
Ongoing

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. Stormwater and Sewer

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

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.



OWNER/SUBDIVIDER:
BRIGHT HOMES, LLC
5415 BANKA AVENUE, UNIT B
OAKLAND, CA 94618

BENCH-MARK:
EASTERLY CURB RETURN
SOUTH EASTERLY CORNER AT
THE INTERSECTION OF 30ND
AND UNION STREETS
ELEV. +12.70' PER CITY OF
OAKLAND MONUMENT MAP 267.

BASIS OF BEARINGS:
MONUMENT LINE IN 8TH STREET
AS SHOWN ON PARCEL MAP 8814.
(2014 M.B.) TAKEN AS
N 72° 52' 14" W.

TOTAL AREA=11,873.2 SQ. FT.

LEGEND	
———	BUILDING EDGE
⊙	FOUND BELL MONUMENT
———	CONCRETE
———	ASPHALT
———	WOOD FENCE
———	CHAIN LINK FENCE
———	STEEL FENCE
()	RECORDED DATA
———	A.B.C. LABORATORY BUILDING CORNER
———	A.P.C. ASPHALT CORNER
———	B.C. BUILDING CORNER
———	B.W. BASE OF WALL
———	B.L.D.C. BUILDING
———	C.O. CREAM-OUT
———	D. DRAIN PILE
———	F.A.L. FIRE HYDRANT
———	F.L.W. FLOW LINE
———	H.O.B. HANDICAP RAMP
———	J.P. JOINT POLE
———	O.V.R. OVERHEAD WIRE
———	P.C. PROPERTY CORNER
———	P.L. PROPERTY LINE
———	S.D. STORM DRAIN
———	S.D.M.H. STORM DRAIN MANHOLE
———	S.S. SANITARY SEWER
———	S.S.M.H. SANITARY SEWER MANHOLE
———	S/W. SIDEWALK
———	T.C. TOP OF CURB
———	T.M. METAL TRUNK
———	T.W. TOP OF WALL
———	W.M. WATER METER
———	W.V. WATER VALVE

——— THE LINE
——— ORIGINAL LOT LINE
——— DECEDED PARCEL LINE
——— NEW PARCEL BOUNDARY LINE
——— EXTERNAL PARCEL BOUNDARY LINE

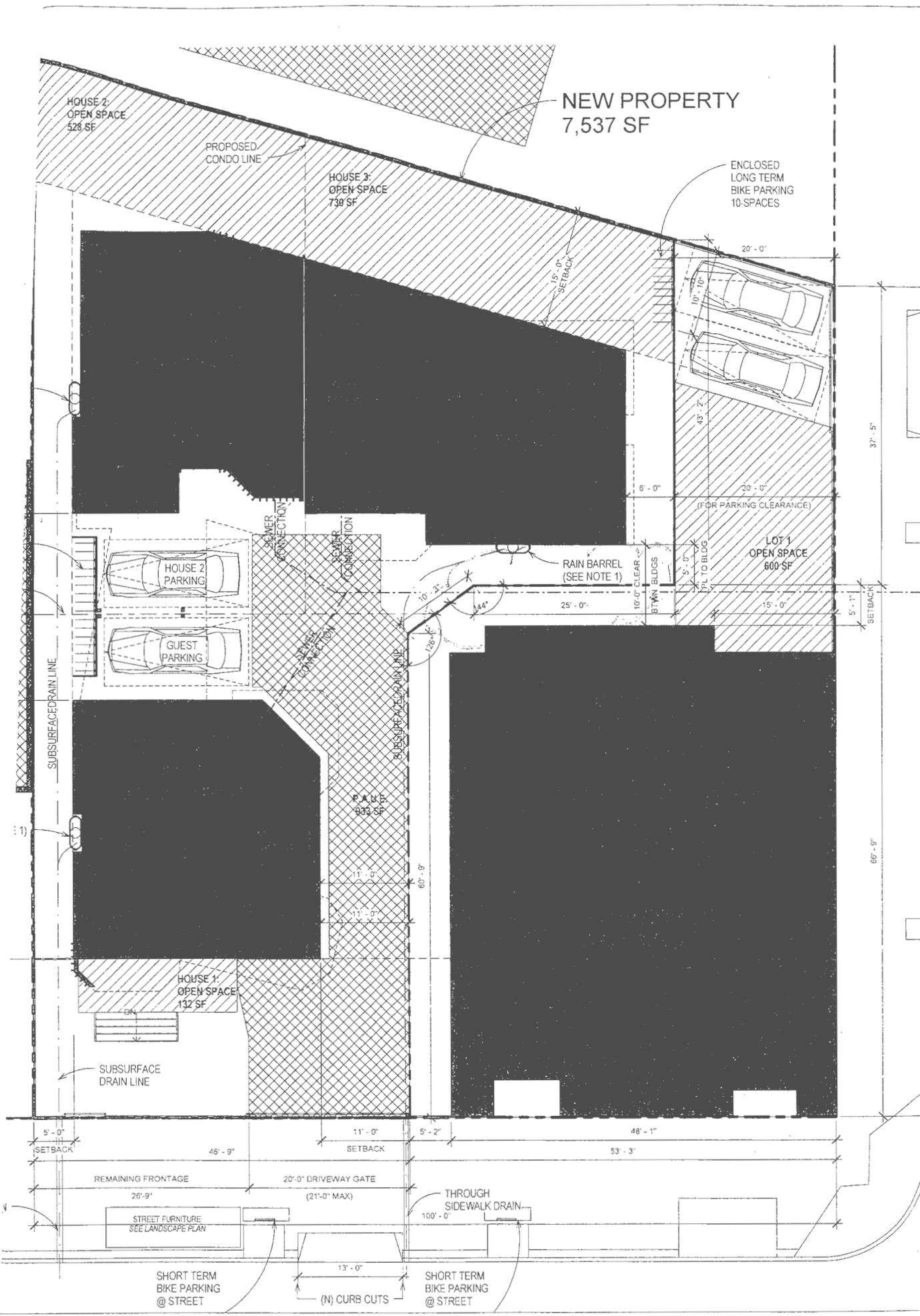
RECEIVED
APR 21 2016
City of Oakland
Planning & Zoning Division



DATE: APRIL 11, 2016

VESTING
TENTATIVE PARCEL
MAP NO. 10462
FOR A 2 LOT SUBDIVISION
AND 3 UNIT CONDOMINIUM
LOTS 4, 5 & A PORTION OF LOT 6, BLOCK 554,
A PORTION OF THE GIBBONS PROPERTY,
MAP No.1, (5 M 12)
CITY OF OAKLAND, COUNTY OF ALAMEDA, CALIFORNIA
APRIL, 2016 SCALE: 1" = 10'

BAY AREA LAND SURVEYING INC.
961 MITCHELL WAY
EL SOBRANTE, CA 94803
(510) 223-5167



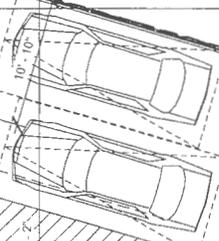
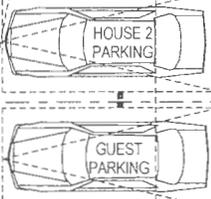
HOUSE 2:
OPEN SPACE
528 SF

NEW PROPERTY
7,537 SF

PROPOSED
CONDO LINE

HOUSE 3:
OPEN SPACE
730 SF

ENCLOSED
LONG TERM
BIKE PARKING
10-SPACES



LOT 1
OPEN SPACE
600 SF

HOUSE 1:
OPEN SPACE
132 SF

P.A.U.B.
833 SF

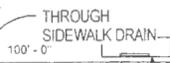
RAIN BARREL
(SEE NOTE 1)

SUBSURFACE
RAIN LINE

SUBSURFACE
DRAIN LINE

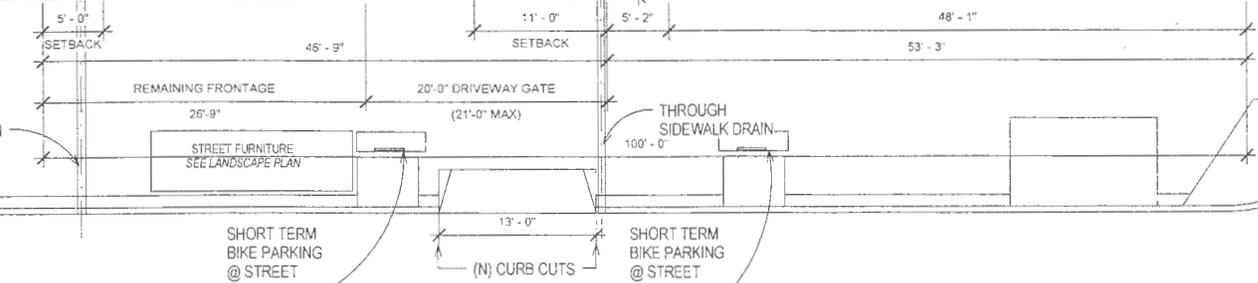


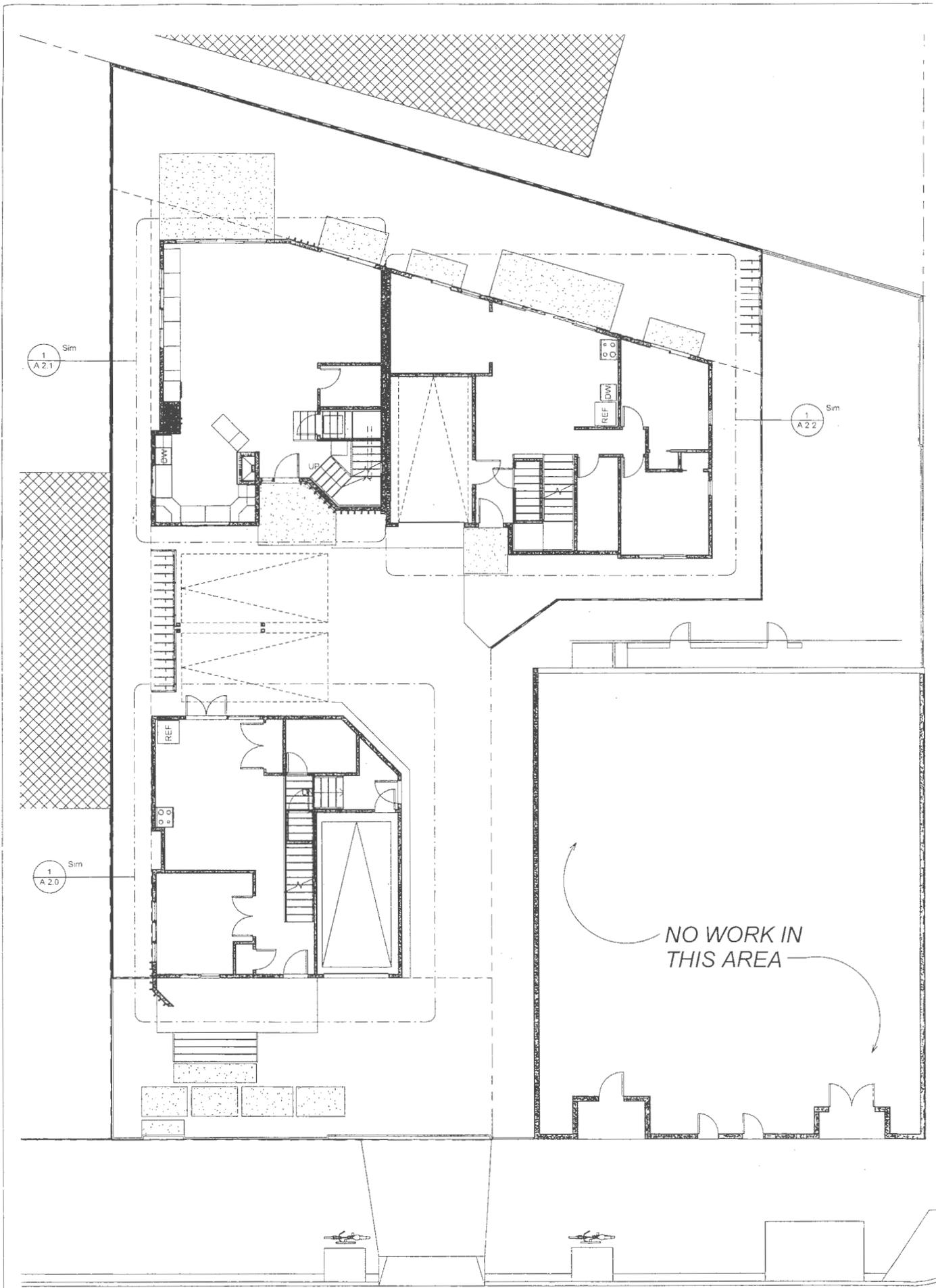
SHORT TERM
BIKE PARKING
@ STREET



SHORT TERM
BIKE PARKING
@ STREET

(N) CURB CUTS





May 20, 2016

Re: Bright Homes 8th, 1502

1502 8th St.

Oakland CA

Findings Required for the Demolition of Historic Properties

1510 8th St. – Commercial Structure – year built 1945

Property Photos



Street Elevation



Side Yard Elevation and Parking Area



1502 8TH STREET
OAKLAND, CA



No.	Description

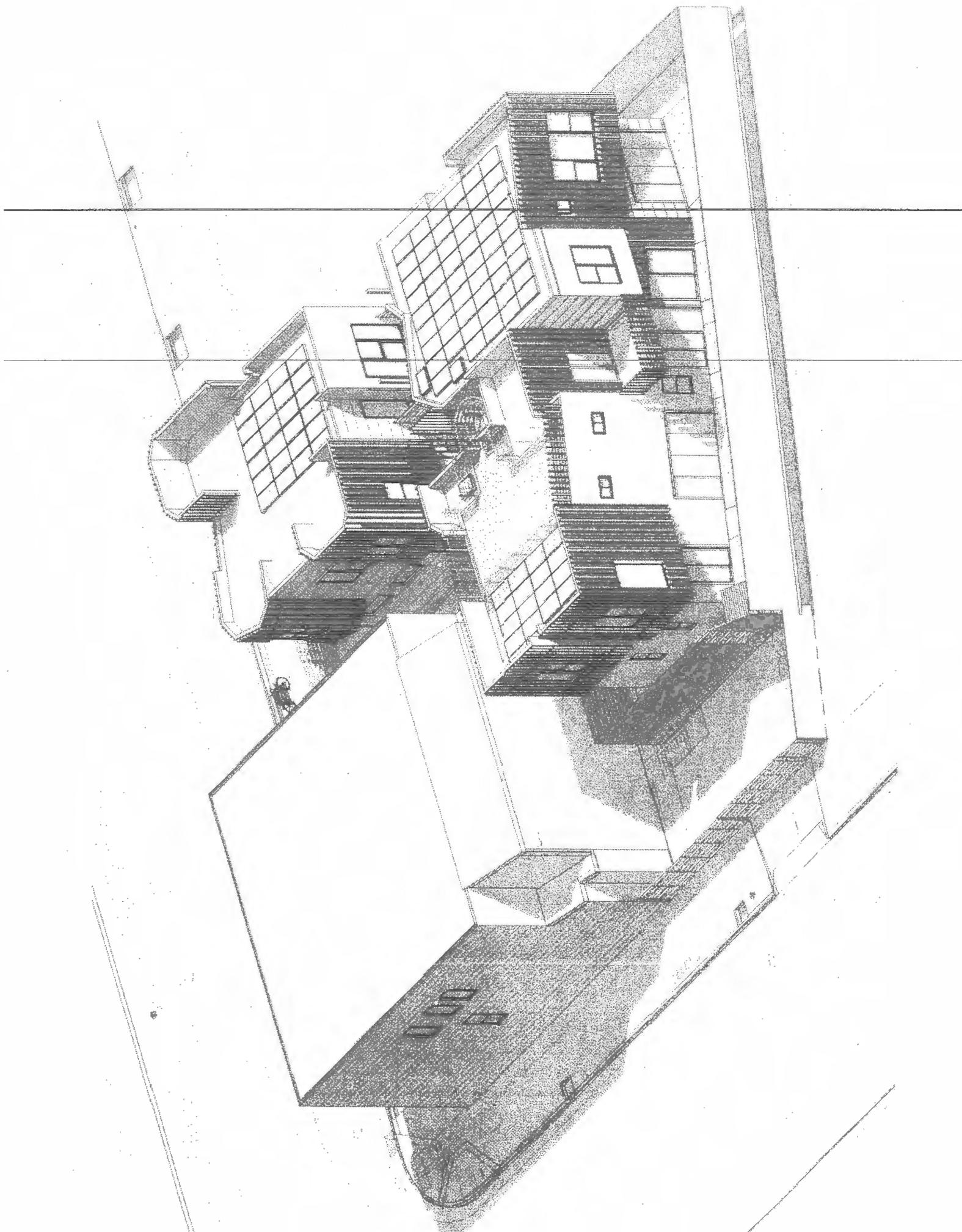
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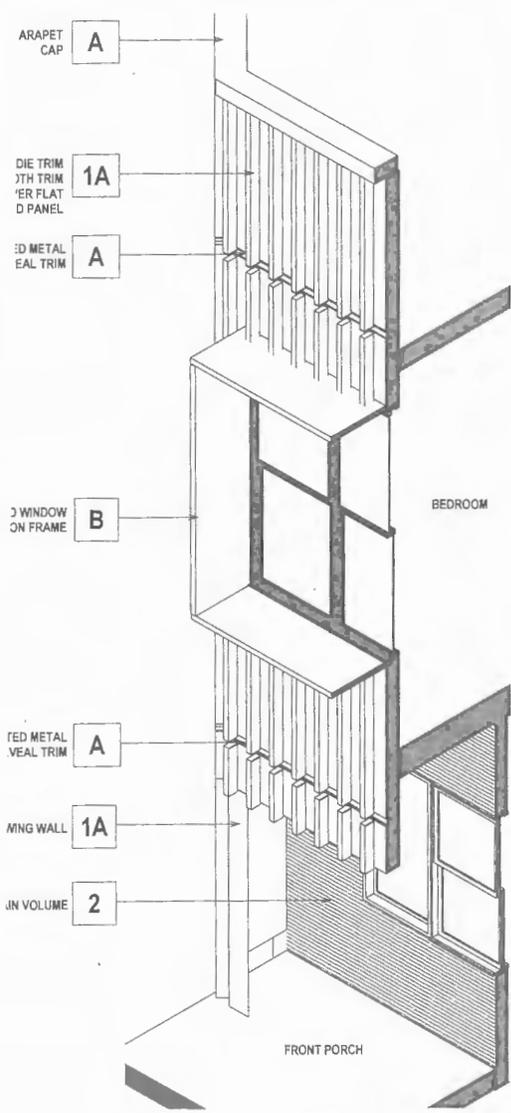
RENDERED
PERSPECTIVE

Project number _____
Date _____
Drawn by _____
Checked by _____

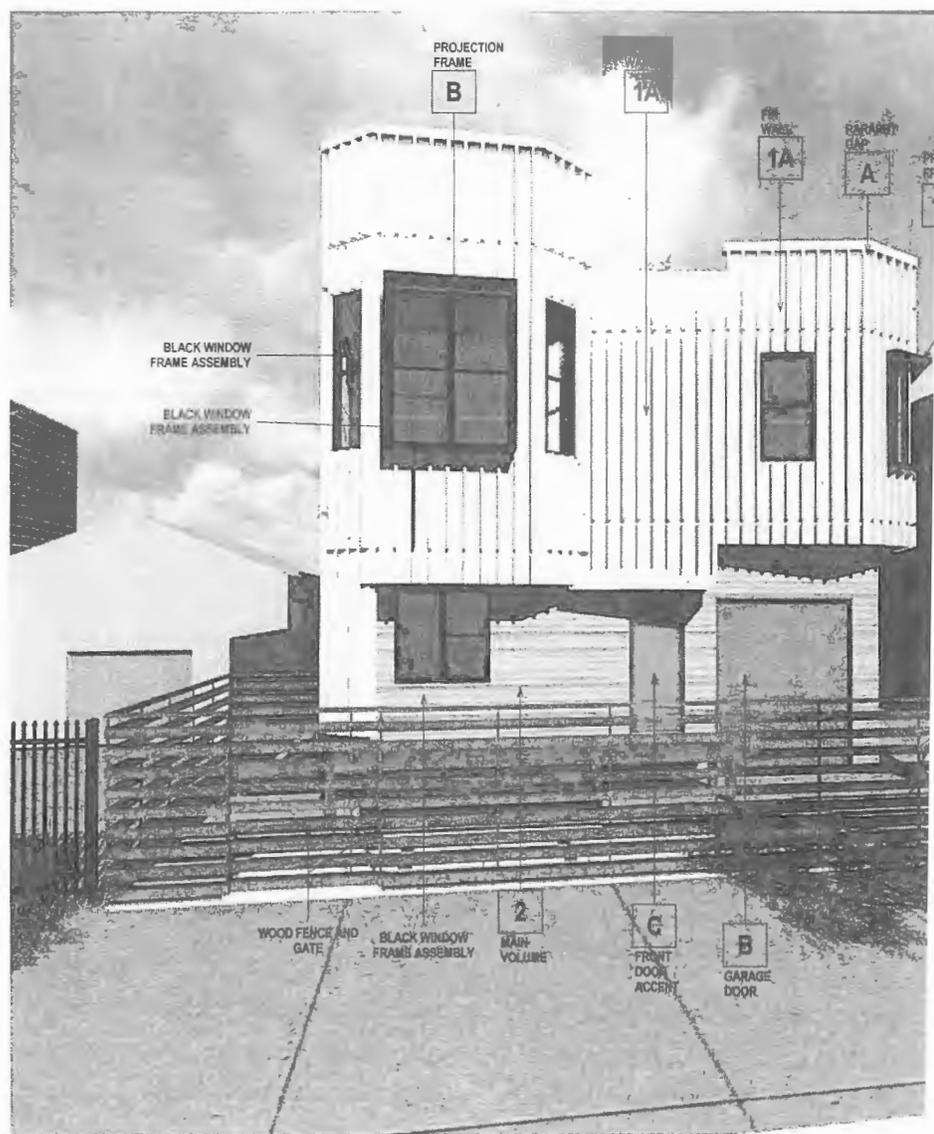
A 4.2

Scale _____

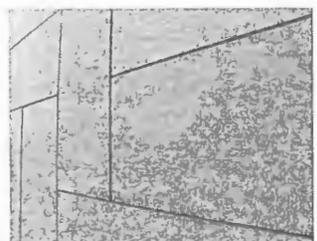




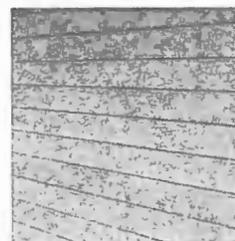
DETAIL AXON



PROJECT RENDERING



MATERIAL 1 : CEMENT BOARD PANEL

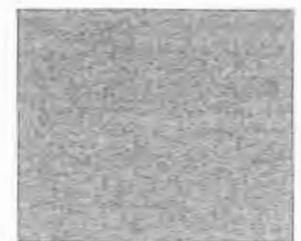


MATERIAL 2 : SHIP LAP WOOD SIDING



MATERIAL 3 : LIGHT SAND CEMENT PLASTER

COLOR A : BM 2120-70 STONE WHITE



COLOR B : BM 2126-30 ANCHOR GRAY



5621 LOWELL STREET, OAKLAND, CA 94608
OFFICE 510 595 6744

1502 8TH STREET
OAKLAND CA

HOUSE 3 - EAST ELEVATION
SCALE: 1/4" = 1'-0"

No.	Description	Date

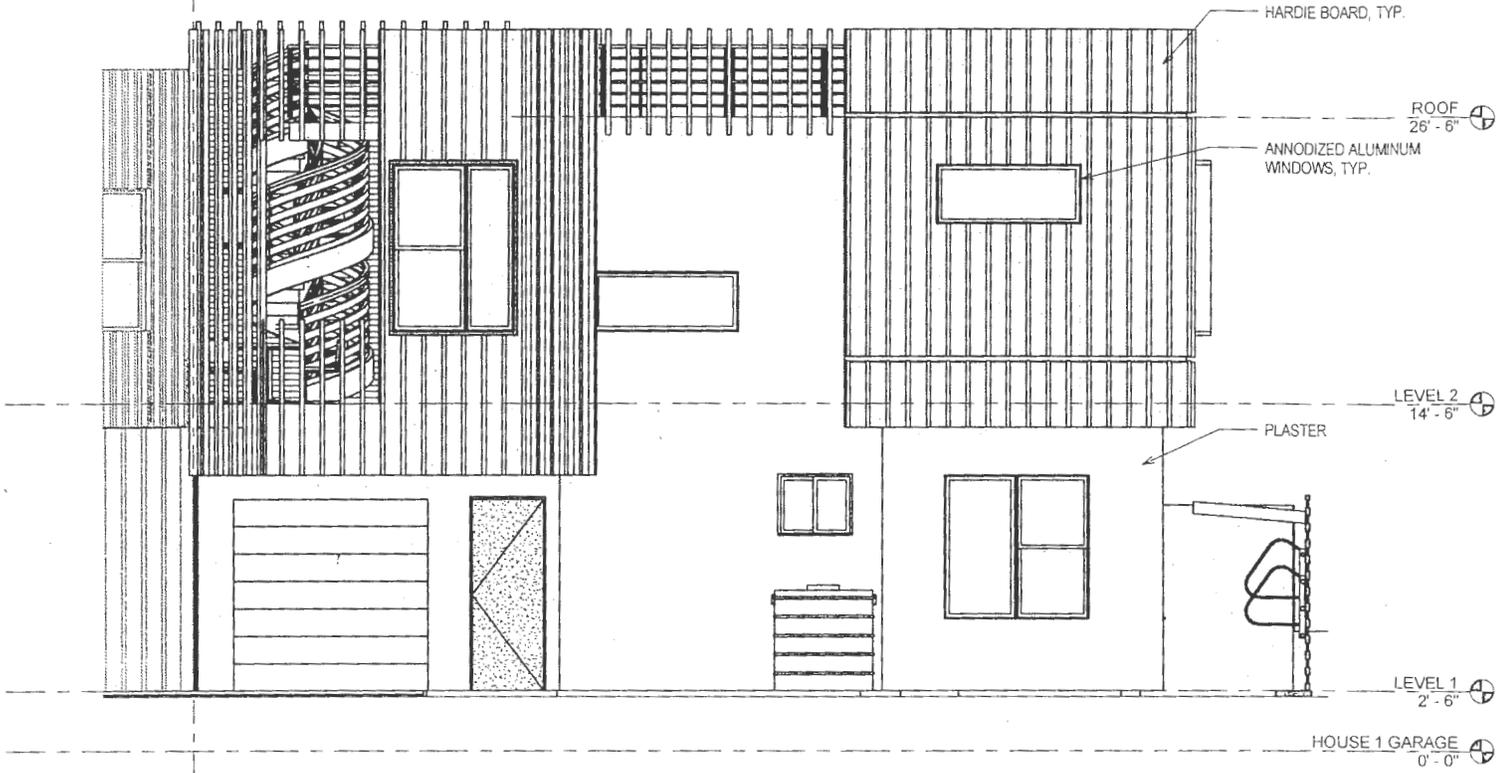
Stamp:

HOUSE 3
ELEVATIONS

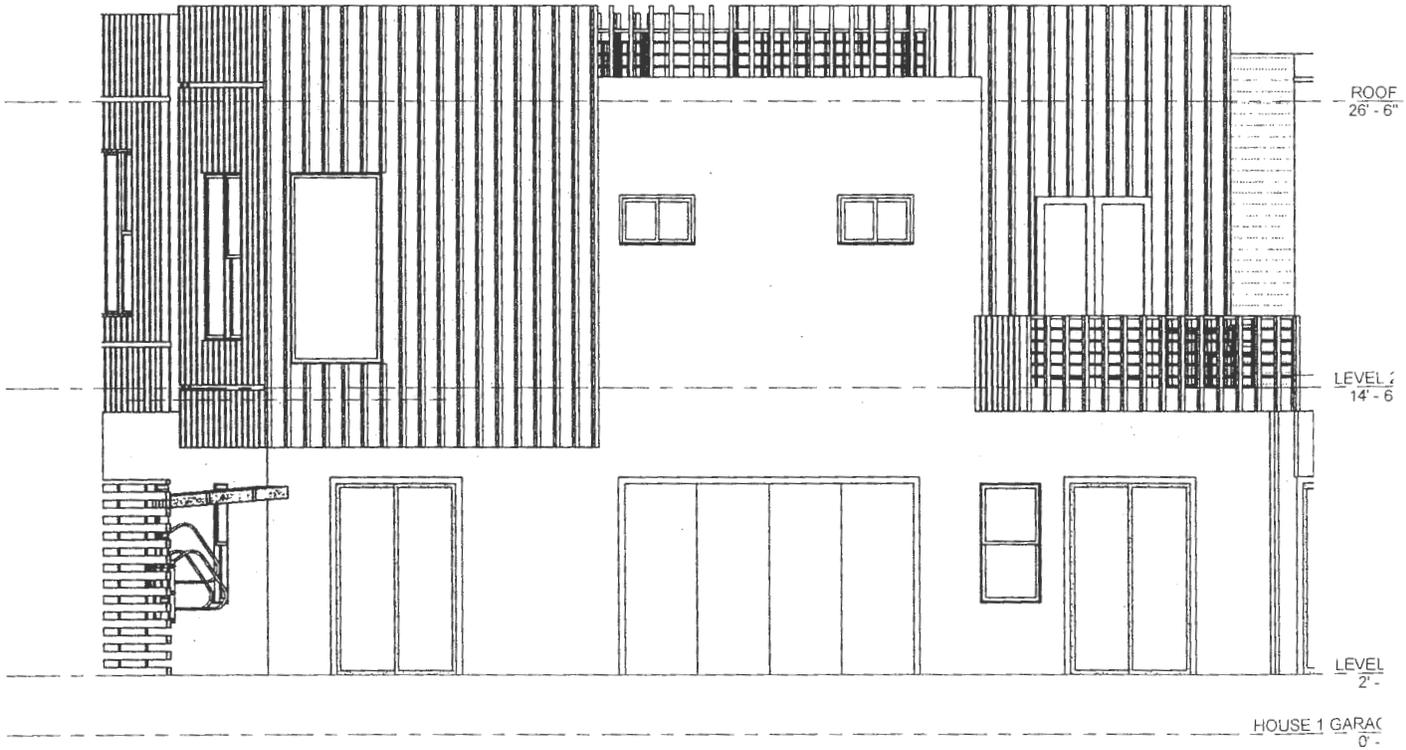
Project number	P1502
Date	4/21/2016
Drawn by	CL
Checked by	TT

A 3.3

Scale 1/4" = 1'-0"



1 HOUSE 3 - SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

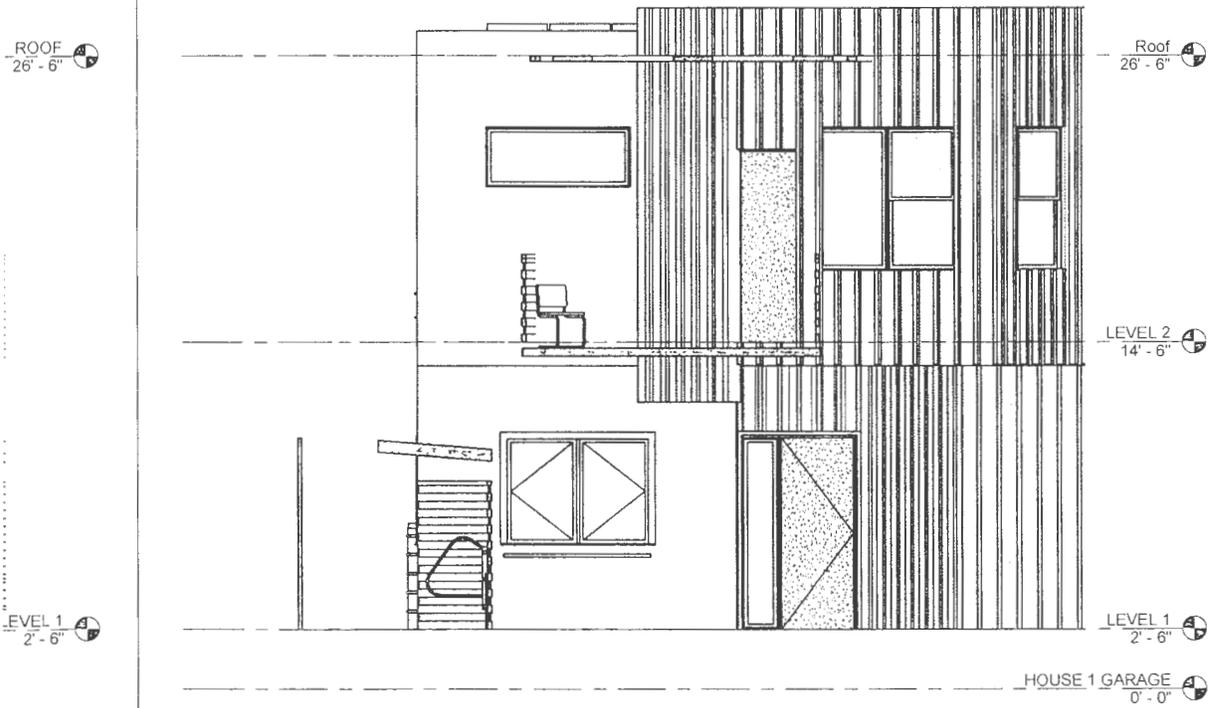




baran
studio
architecture

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OFFICE: 510.595.6744

1502 8TH STREET
OAKLAND CA



No.	Description	Date

Stamp:

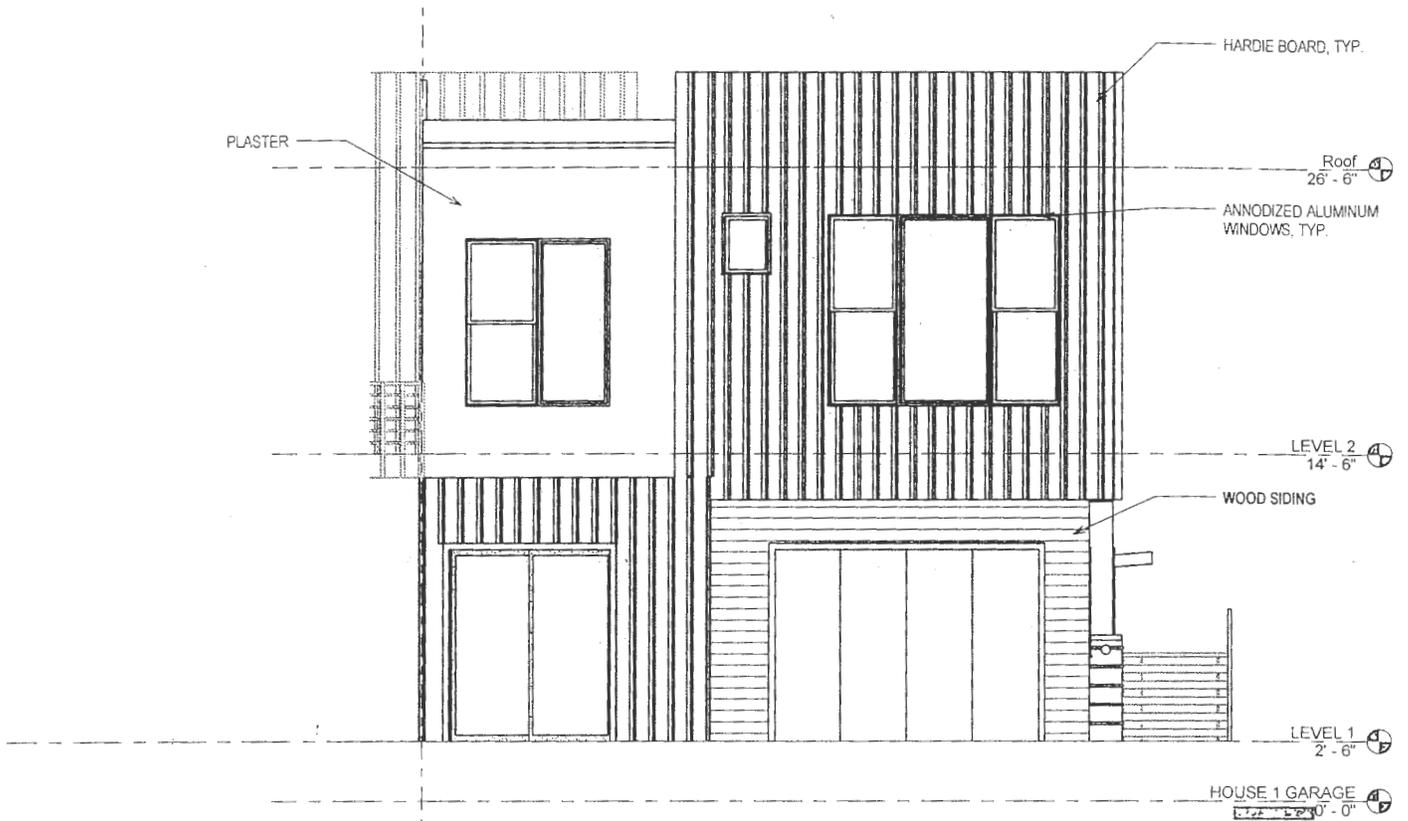
HOUSE 2
ELEVATIONS

Project number	P1502
Date	4/21/2016
Drawn by	CL
Checked by	TT

A 3.2

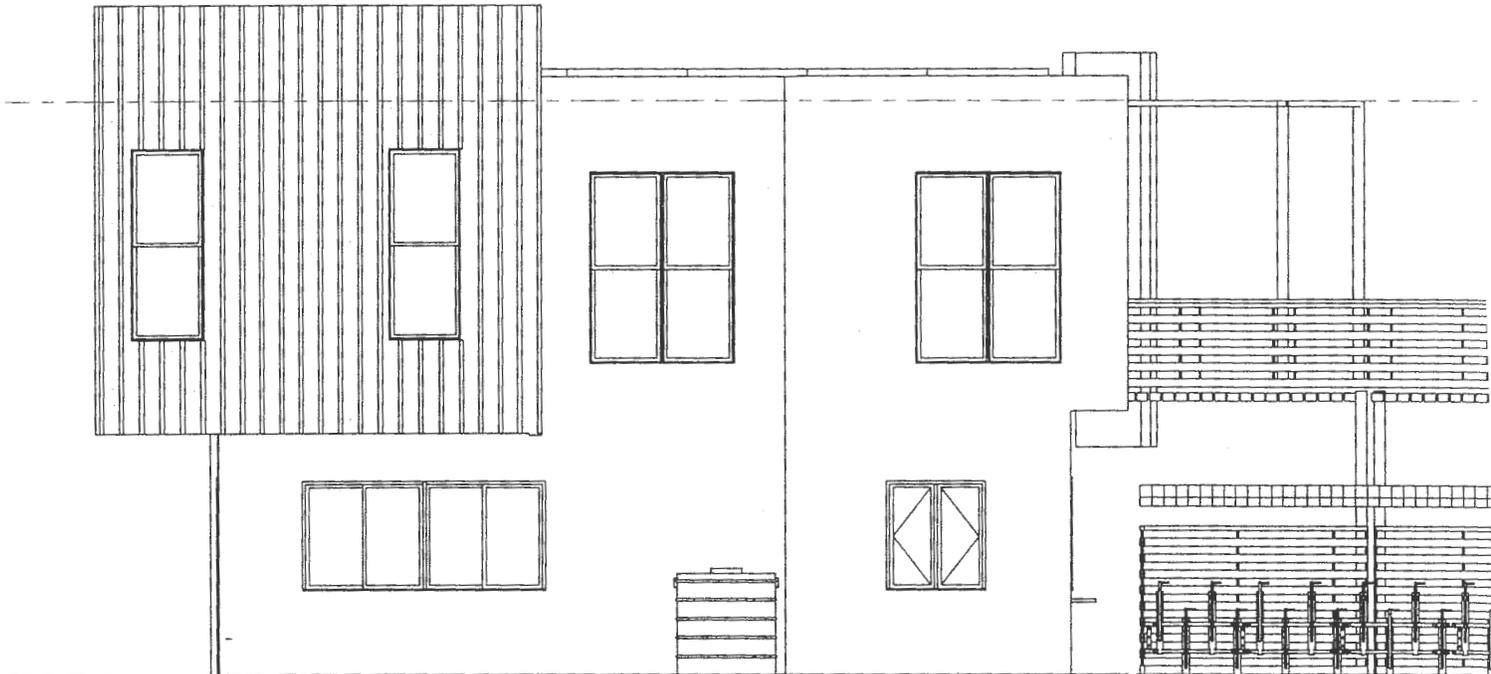
Scale 1/4" = 1'-0"

1 HOUSE 2 SOUTH ELEV
SCALE: 1/4" = 1'-0"



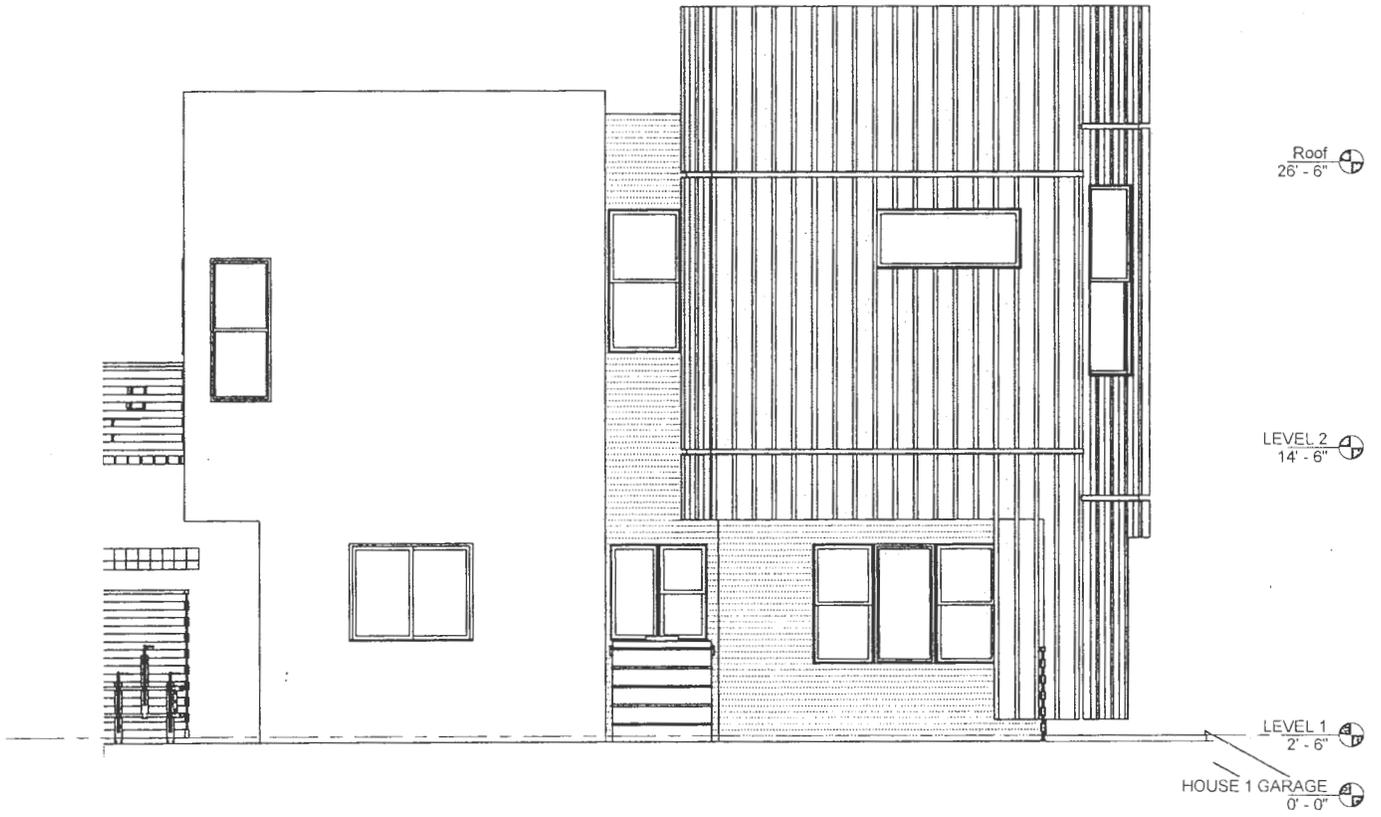
3

HOUSE 2 - NORTH ELEV
SCALE: 1/4" = 1'-0"



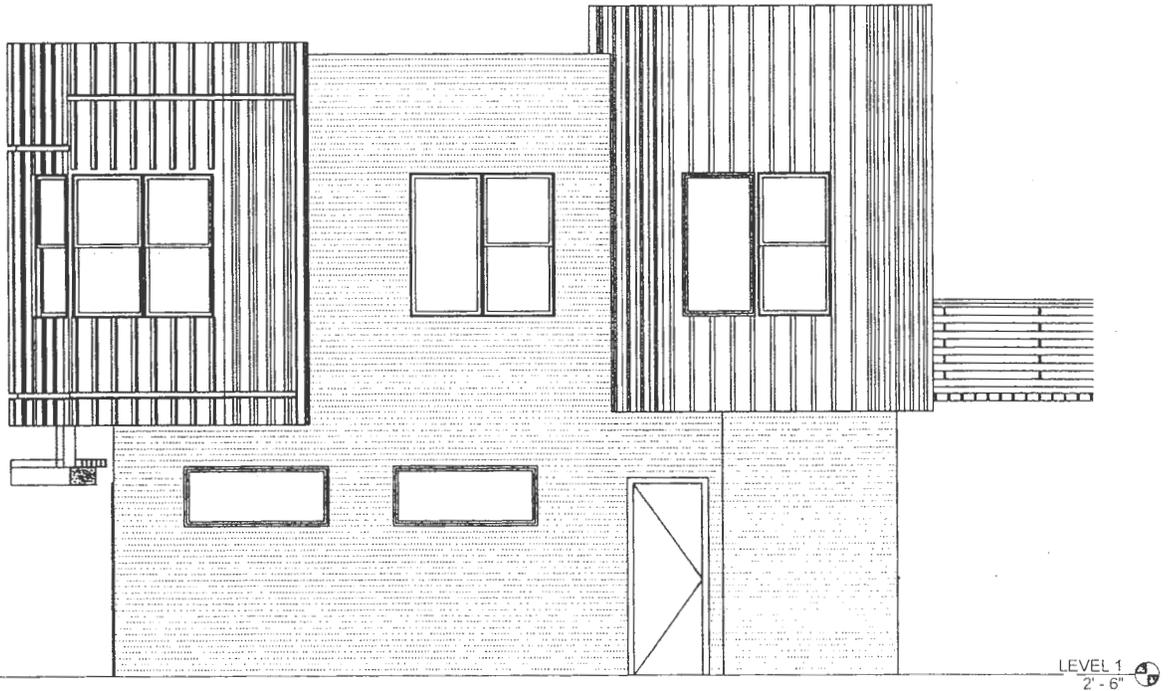
2

HOUSE 2 - WEST ELEV
SCALE: 1/4" = 1'-0"



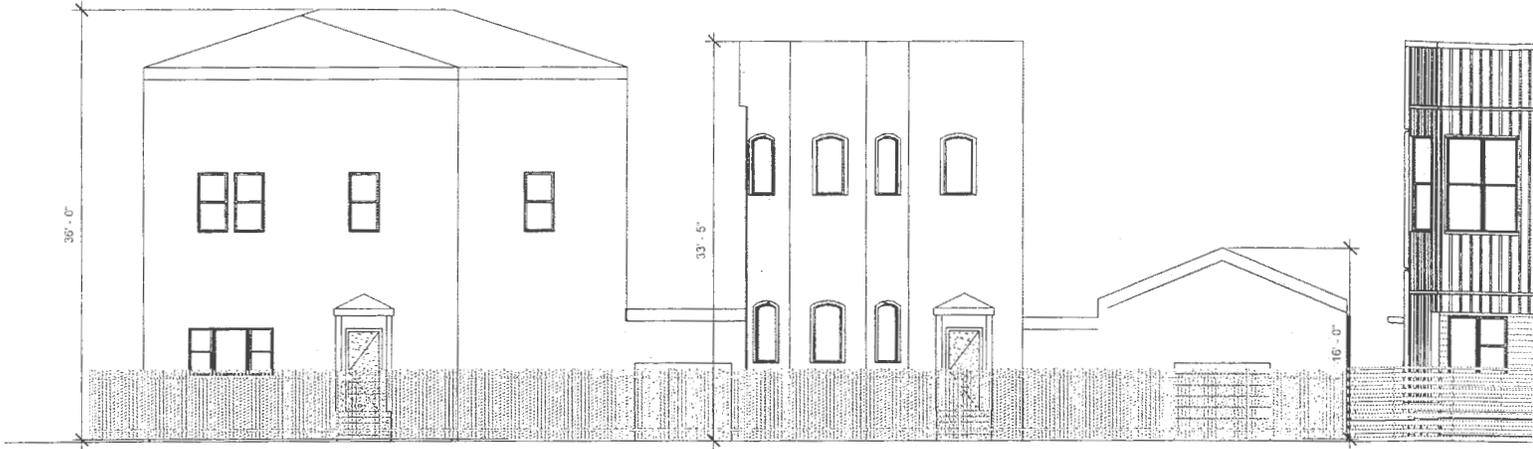
2 HOUSE 1 - WEST ELEVATION
SCALE: 1/4" = 1'-0"

1

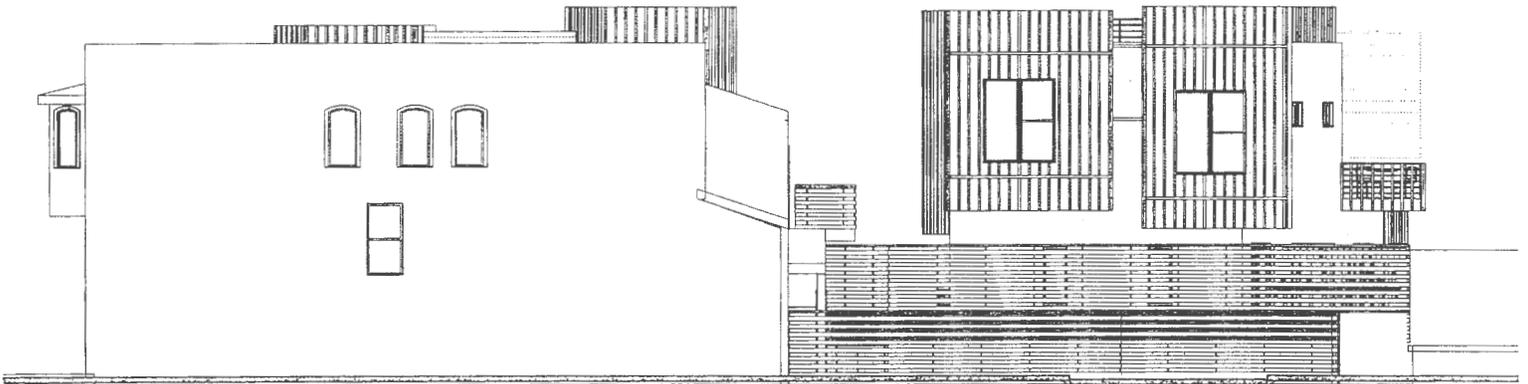


1 HOUSE 1 - EAST ELEVATION

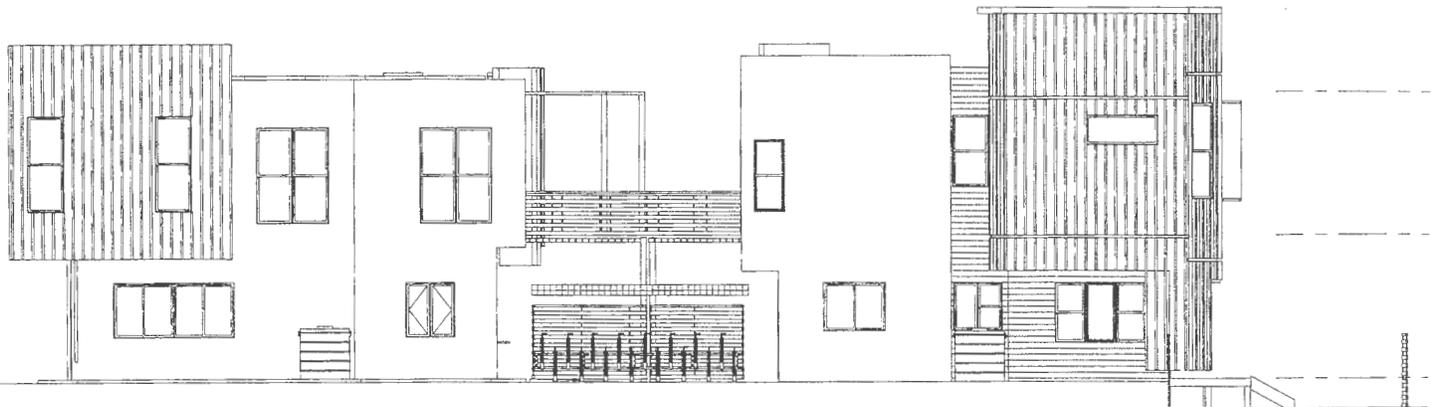
3



SITE - 8TH STREET ELEVATION
SCALE: 1/8" = 1'-0"



SITE - CHESTER ST EAST ELEVATION
SCALE: 1/8" = 1'-0"

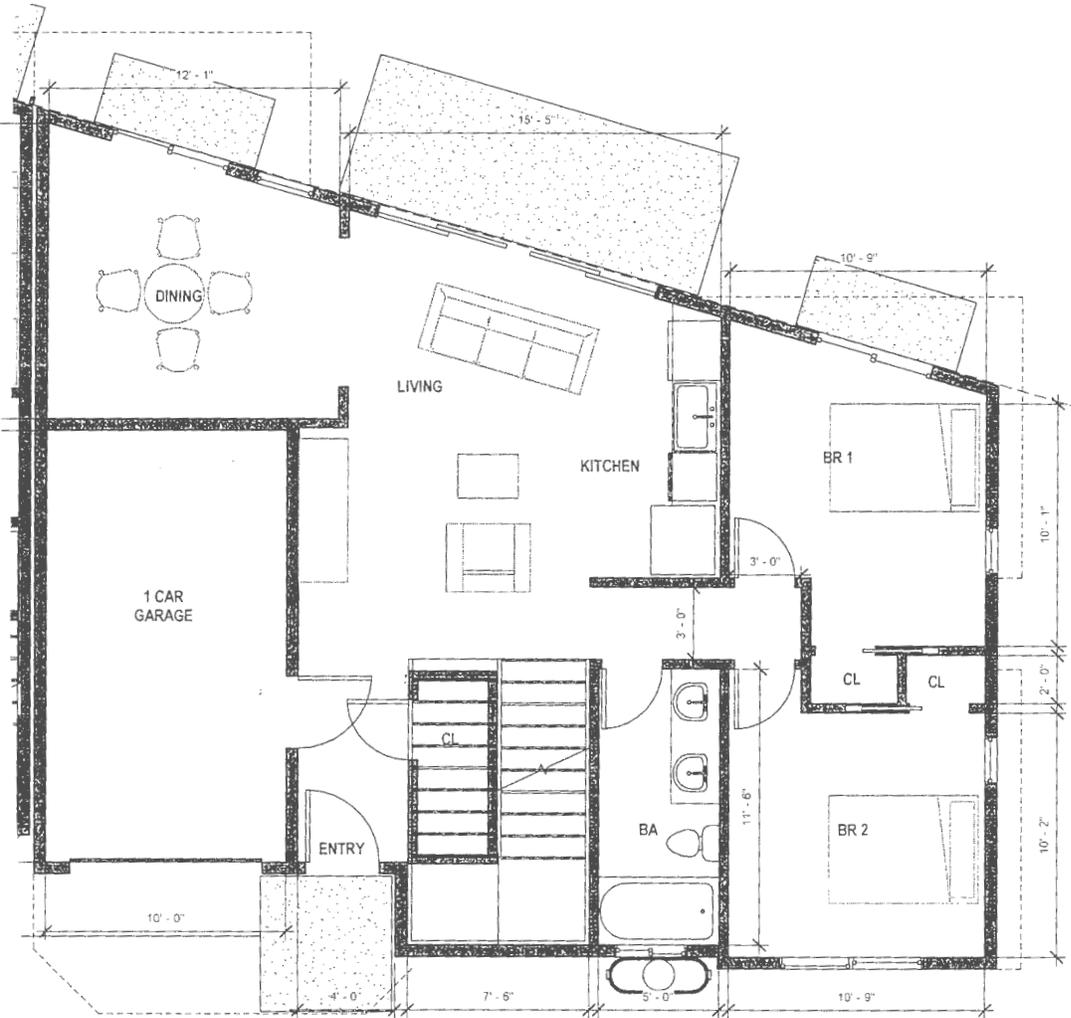


4 SITE - WEST ELEVATION
SCALE: 1/8" = 1'-0"



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1502 8TH STREET OAKLAND CA



Graphic Scale: 1 inch = 20 feet



WALL LEGEND	
	EXISTING WALL
	DEMOLISHED WALL
	NEW WALL
	1 HOUR RATED WALL
	FLOOR / OBJECT ABOVE

No.	Description	Date

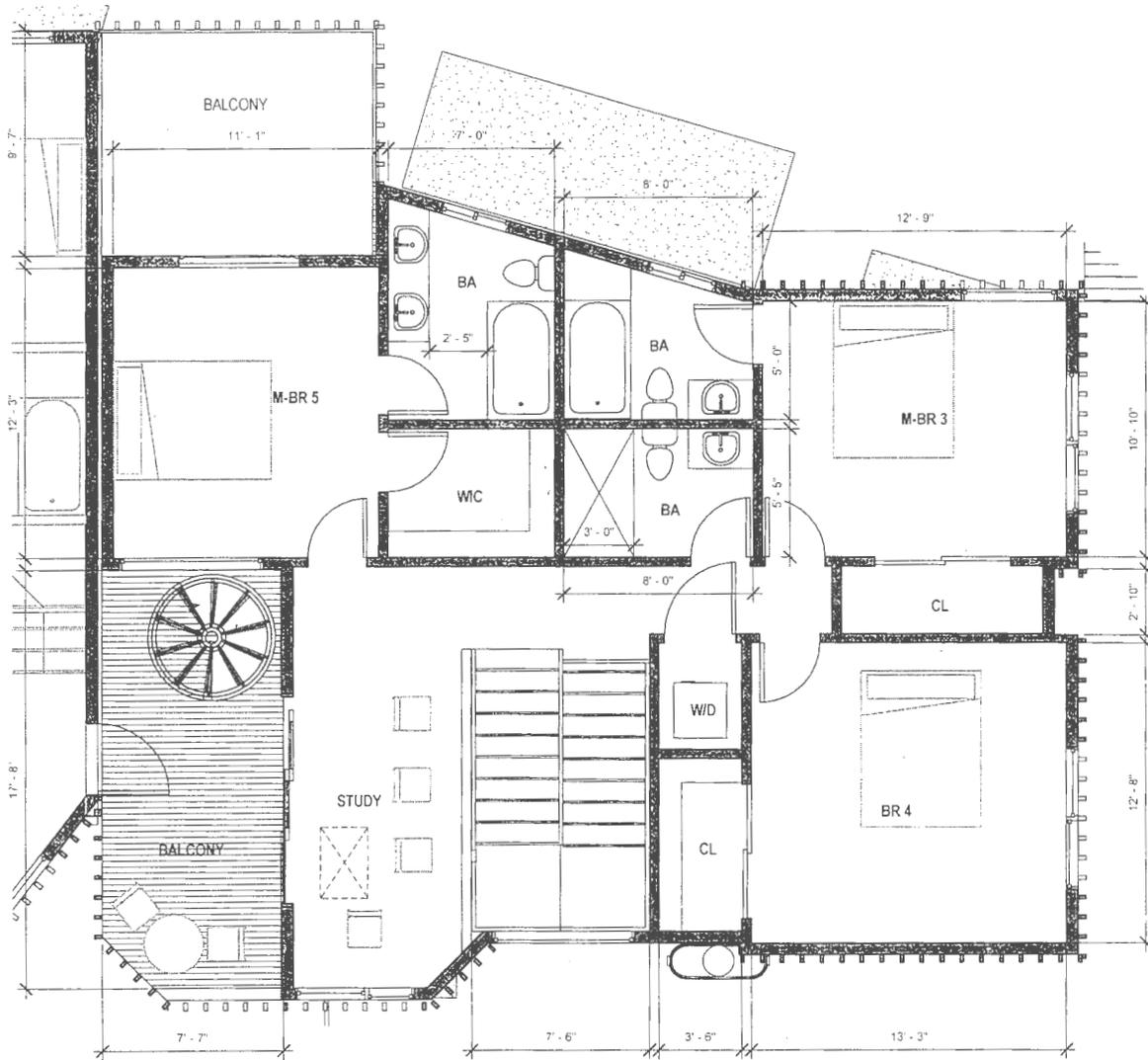
Stamp:

FLOOR PLANS HOUSE 3

Project number	P1502
Date	4/21/2016
Drawn by	CL
Checked by	TT

A2.2

Scale: As indicated



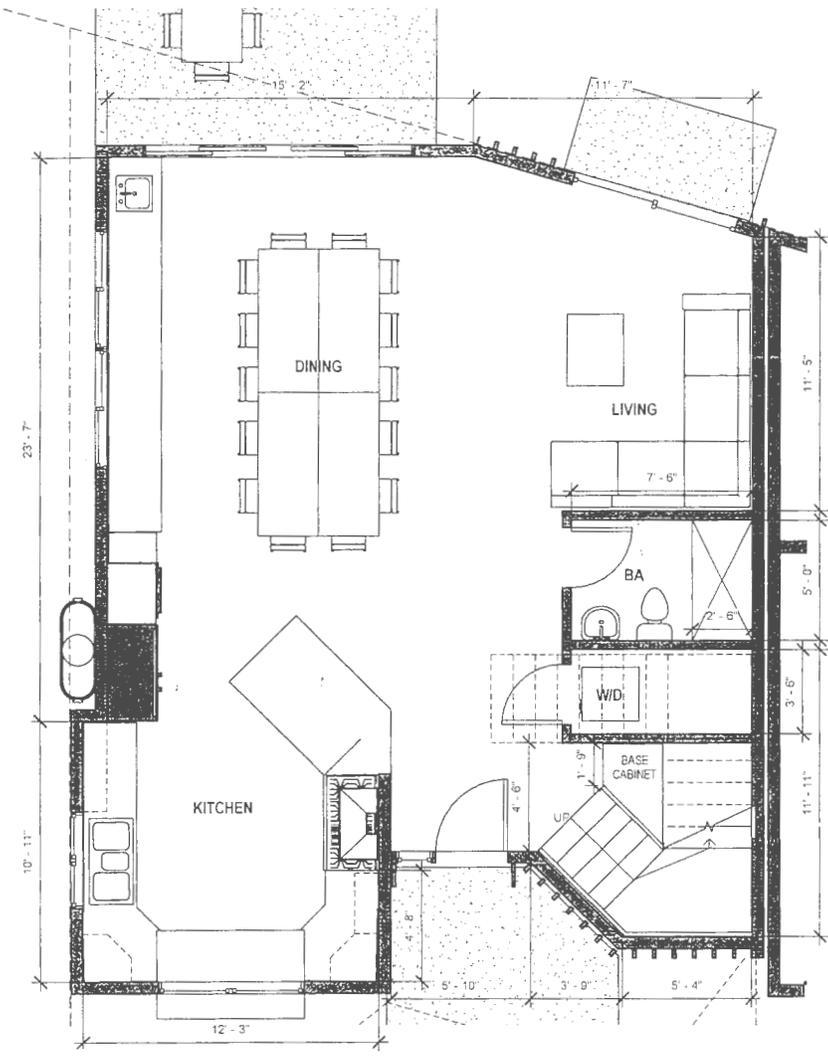
2 HOUSE 3 - LEVEL 2
SCALE: 1/4" = 1'-0"

1 HOUSE 3
SCALE: 1/4" = 1'-0"



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OFFICE: 510.595.6744

1502 8TH STREET OAKLAND CA



1/2"



WALL LEGEND	
	EXISTING WALL
	DEMOLISHED WALL
	NEW WALL
	1 HOUR RATED WALL
	FLOOR / OBJECT ABOVE

No.	Description	Date

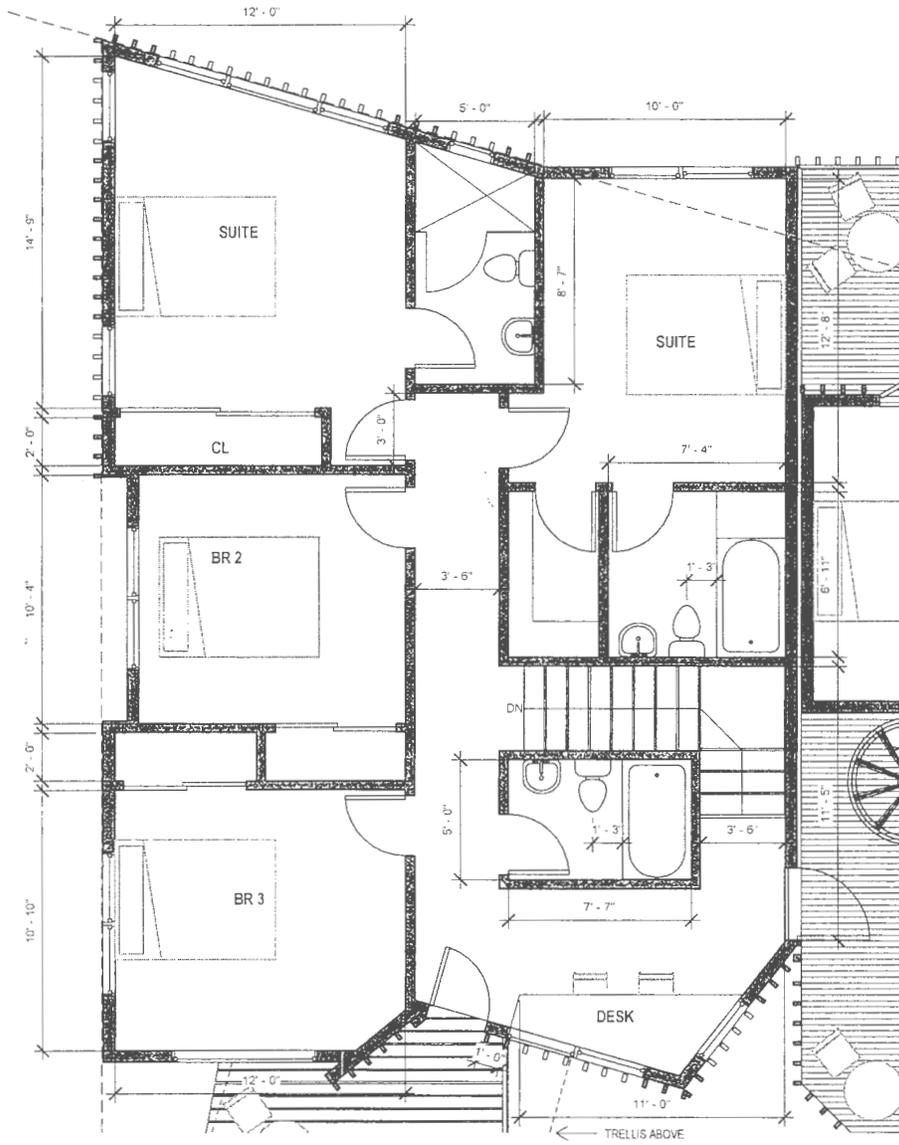
Stamps:

FLOORPLANS HOUSE 2

Project number	P1502
Date	4/21/2016
Drawn by	CL
Checked by	TT

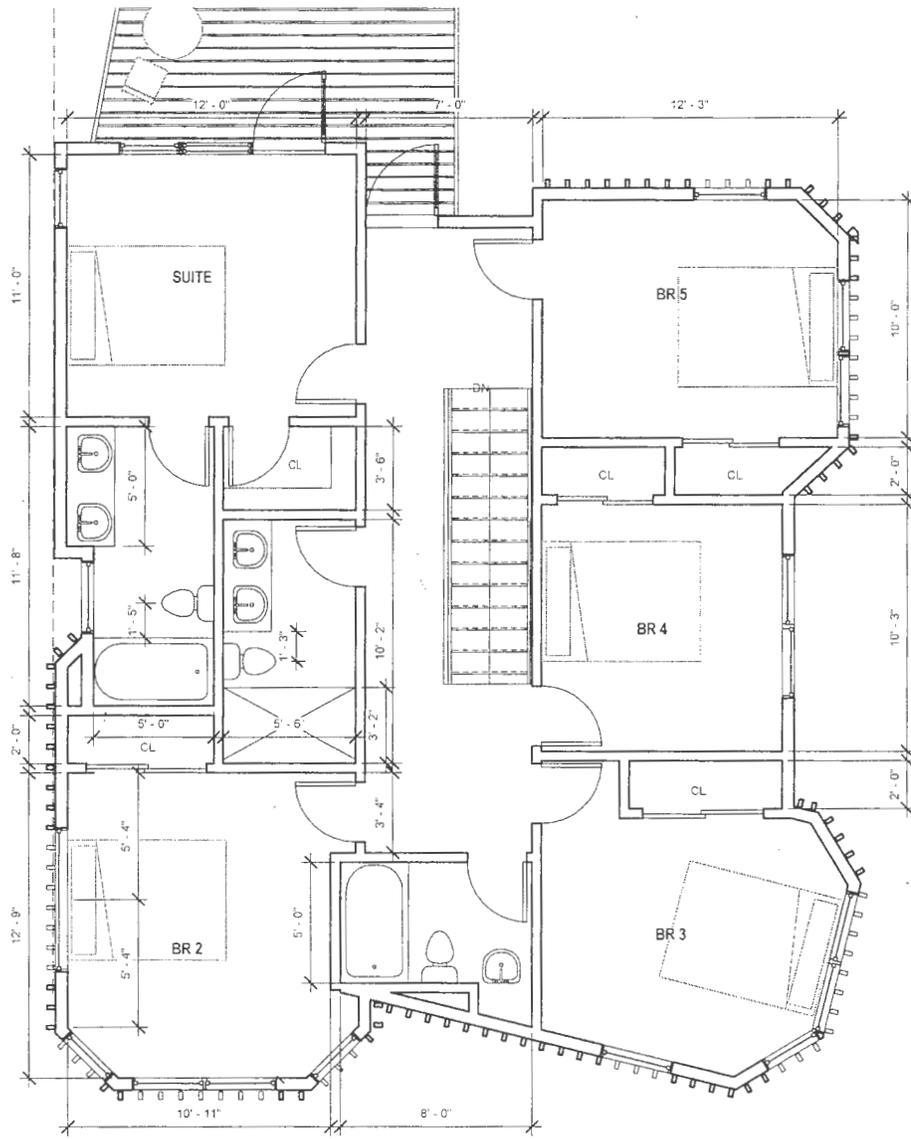
A2.1

Scale: As indicated



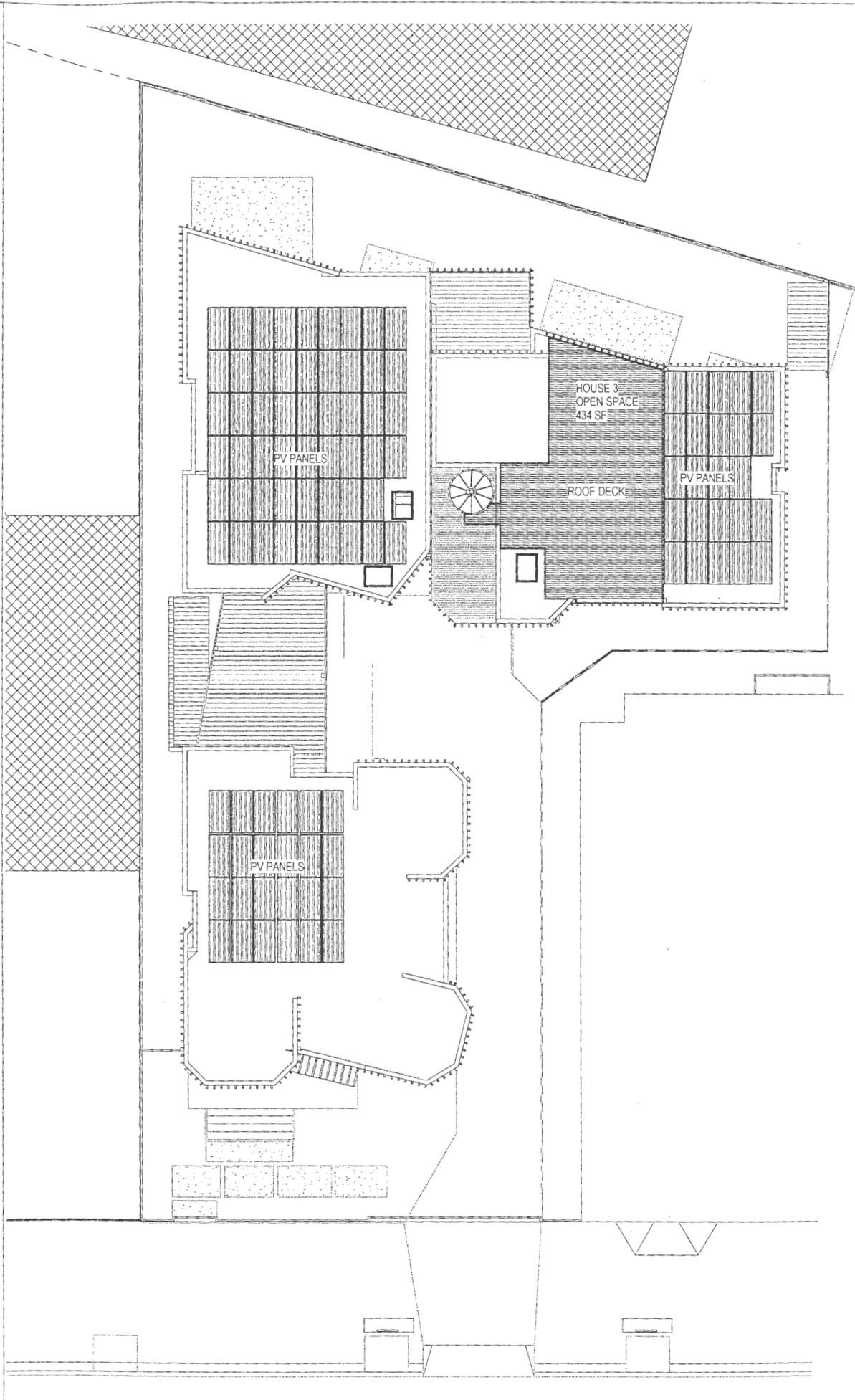
2 HOUSE 2 - LEVEL 2
SCALE: 1/4" = 1'-0"

1 HOUSE
SCAL



2 HOUSE 1 - LEVEL 2
SCALE: 1/4" = 1'-0"

1 HOUSE
SCALE:



ROOF PLAN

BARAN STUDIO ARCHITECTURE

5621 Lowell Street, Studio F | Oakland, CA | 94608

510 595 6744

May 20, 2016

Re: **Bright Homes 8th, 1502**

1502 8th St.

Oakland CA

Property Photos



Street Elevation – 1502



Street Elevation – 1510



Street Elevation – 1502 (Chester Street)



Street Elevation – 1502 (Chester Street)



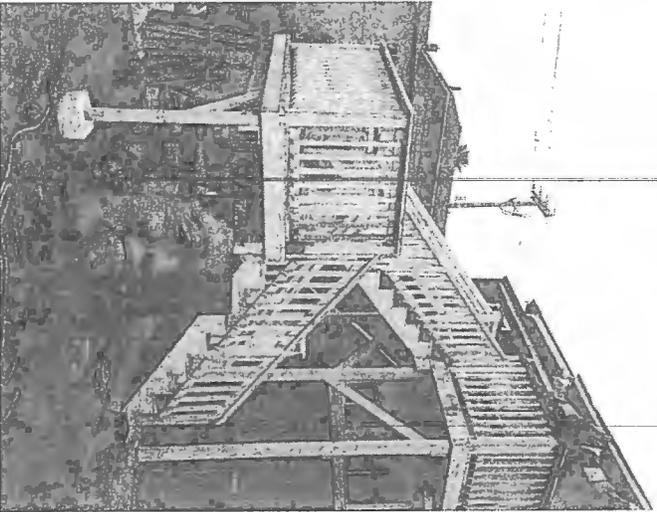
Side Yard Elevation and Parking Area (1510)



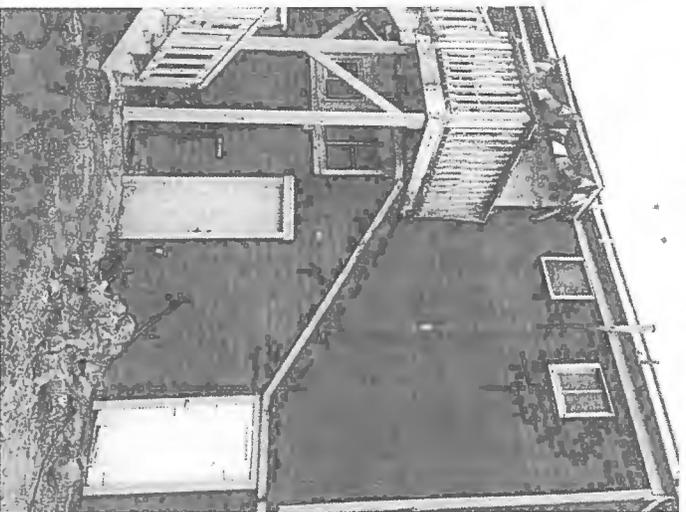
Rear Yard Elevation

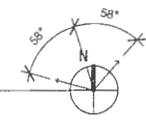
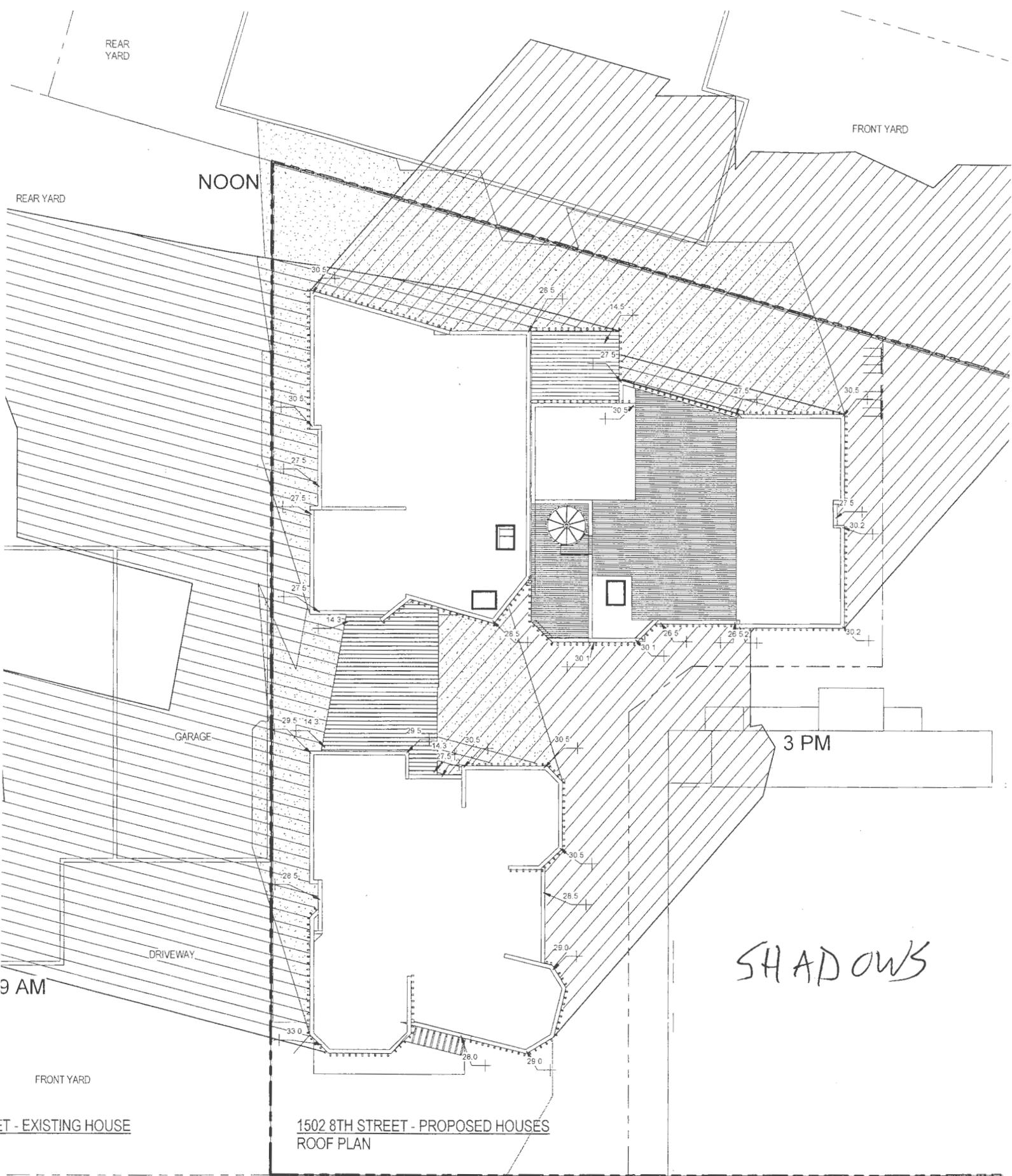


Street Frontage Detail (1502)



Rear Yard Details (1502)





OpenDoor's Coliving Model

We've developed social technology for making shared living easy + enjoyable.

- Sophisticated resident curation + selection process
- Methodology for facilitating unique cultures, themes + resident leadership
- Tech tools for easy communication + collaboration
- Shared food program
- Dedicated community manager
- Streamlined billing, utilities + upkeep

Customer Need + Profile

Millennials and Cultural Creatives seek out meaningful experiences + connections

- 25-35 y/o singles and couples
- Creative professionals, entrepreneurs, artists, freelancers etc.
- Desire lifestyle rich in learning, growth, creativity + social connection
- Sharing economy “natives” who choose experiences + access over ownership

Market Trends

- Coliving is part of the rapidly growing shared / collaborative spaces industry
- Poised to become a major asset class, with players such as wework entering the market
- Similar categories: micro housing, student housing, coworking

welive +
wework

 airbnb

 common

 breather

KRASH

The Resident Experience

- Live with close-knit group of like-minded people
- Regular community dinners + outings
- Resident-led events + creative projects
- Home as a learning and sharing platform
- Beautifully furnished common areas
- Clean, organized, and professionally managed



Traction and Track Record

- 3 houses in East Bay with 38 residents, \$6M AUM, and \$50,000/mo in gross rents
- 500+ person Bay Area waiting list
- Road-tested model + operations playbook
- 4 deals in due diligence with developers
- Featured in national press

Los Angeles Times

theguardian

CNN

WALL STREET
JOURNAL

THE CHRISTIAN SCIENCE
MONITOR

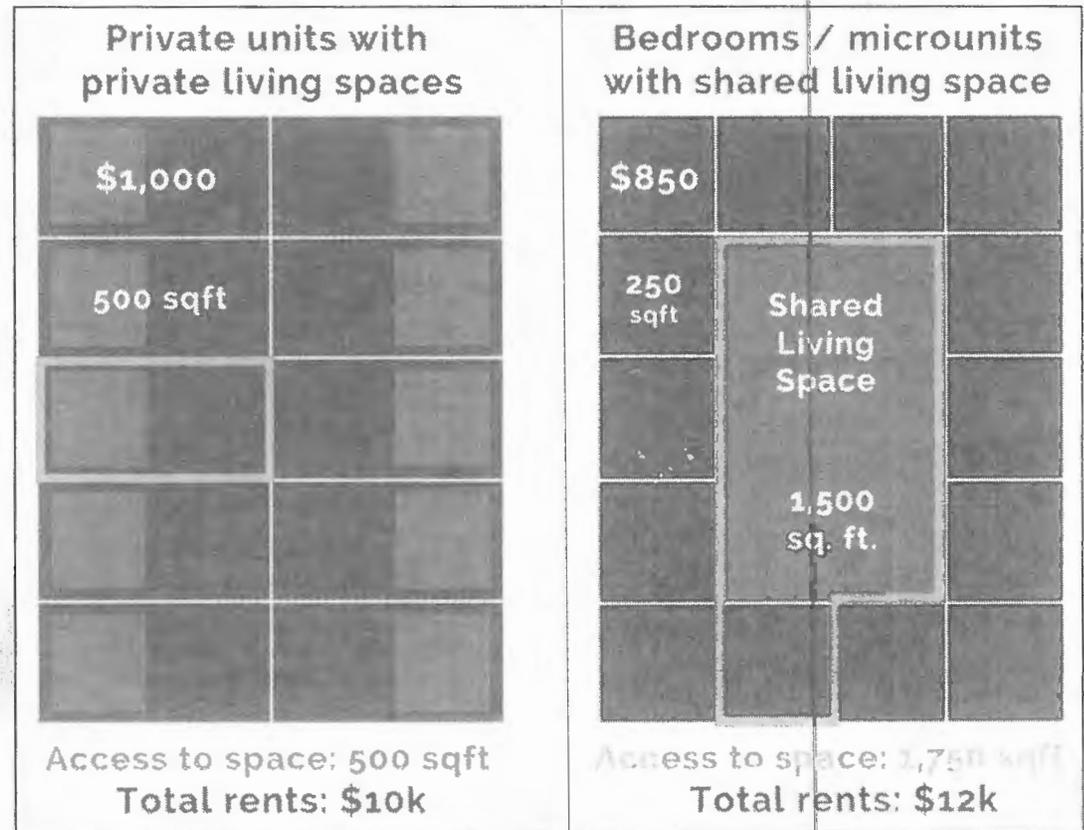
San Francisco Chronicle

Forbes

npr

Coliving is More Affordable

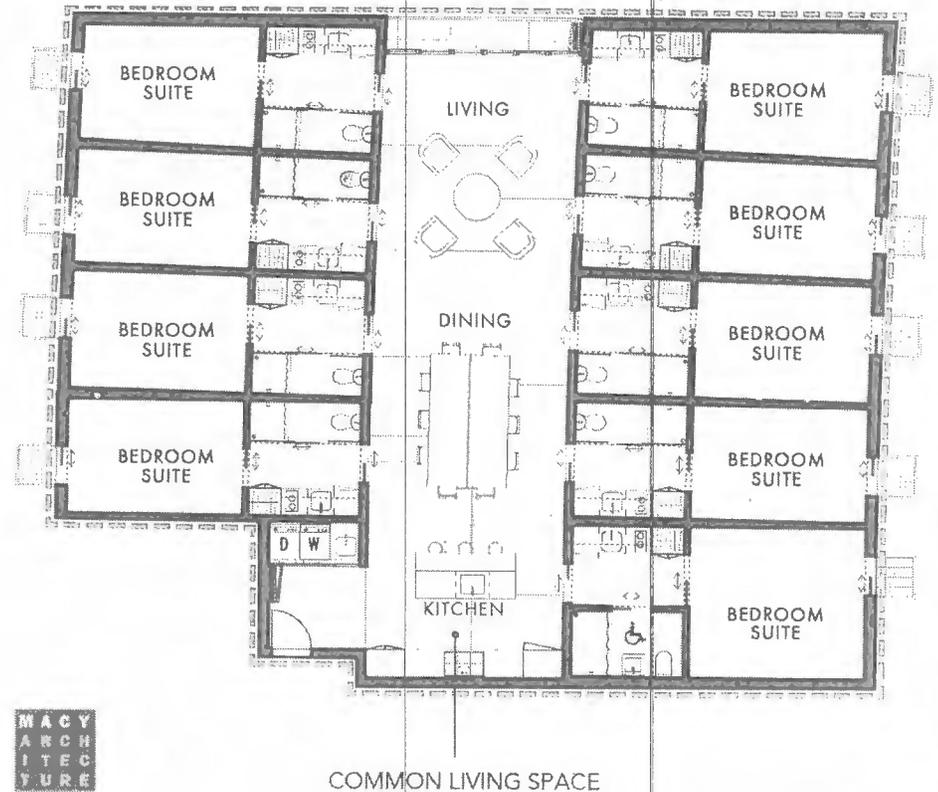
- Higher bedroom count + common spaces increase density
- Residents get more space and better amenities for less rent than a private apartment
- Equally or more profitable for investors / owners



We're Creating a New Housing Product

Properties designed + optimized for coliving

- 8-20+ bedroom communities with private and shared baths
- Communal kitchen, dining + living spaces
- Shared cultural amenities like artist studios, workshops, and more



Our Business Model

- OpenDoor serves as the coliving operator + consumer-facing brand
- We partner with real estate developers / investors to buy and develop properties
- We work together to remodel + thoughtfully design the spaces
- We sign long-term net leases and/or management contracts



Co-living – the companies reinventing the idea of roommates

Shared housing is nothing new but the number of young people living with roommates has doubled since 1980 and some entrepreneurs see an opportunity

Jana Kasperkevic
in San Francisco

Sunday 20 March 2016
07.00 EDT

Right inside the main door at Euclid Manor, there is a pile of shoes. Their owners are scattered throughout the 6,200 sq ft house in Oakland, California. There is music coming out of the kitchen where Sarah Cabell and Kailey-Jean Clark, two of the home's permanent residents, are preparing dinner for about 25 people, consisting of their roommates and friends.

At the first sight, Euclid Manor doesn't look much different than any other home shared by friends. Yet, after looking closer, there are small details that stand out. On a door across from the entrance hangs a sign that reads: "Residents only". The entrance itself has two small signs with instructions reminding everyone to lock up when they are coming and going. The reason: Euclid Manor is a communal living - or co-living - house.

With wages stagnant and rents soaring, young people in New York, San Francisco and other hot (read expensive) cities are increasingly moving in with roommates. The number of 18- to 35-year-olds living with roommates has doubled since 1980. Young people have always needed housemates, especially when times are tough. But this time it's different. A new generation of co-living companies are trying to make shared housing a billion-dollar business.

Euclid Manor is part of Open Door, a co-living company founded by Jay Standish, 31, and Ben Provan, 32. The pair run three co-living homes: the 5,600 sq ft Canopy, home to 12 housemates, the 6,200 sq ft Farmhouse, home to 16 people, and Euclid Manor, where they moved in back in July. Euclid Manor is currently home to eight permanent residents, which will eventually rise to 10.

The houses self-manage, with Provan and Standish stepping in for conflict resolution if needed. Ideally, the houses should be "self-running, self-sufficient organisms" with different

members of the house taking on different tasks and roles.

“Being in a community is like being in a relationship, it does take work and it takes good communications and you have to be proactive,” says Standish. “There are many benefits with having that lifestyle. And, who would want to live their life alone?”

In Brooklyn, at two co-living homes run by Common, another co-living company, the menial tasks of living with others, such as buying the toilet paper, buying furniture or cleaning the communal spaces once a week, are all handled by the company.

Brad Hargreaves, 29, got the idea for Common while running General Assembly, a global education company. Students and instructors at GA lived with roommates in expensive cities like New York, San Francisco and Los Angeles, but their homes were not designed with roommates in mind.

Co-living companies like Common, Open Door and Pure House are looking to change that.

“The biggest misunderstanding of co-living is people think it’s this totally new crazy and radical thing. It’s not. People have been living with roommates for a really long time. That’s how so many people in cities live,” says Hargreaves. “Really what we are doing is just taking this way of living and making it better, designing an experience for what people are already doing.”

Also trying to break into co-living is WeWork, the staggeringly valued property manager. The landlord to a new generation of tech startups (and the Guardian’s New York office) is hoping to justify its \$16bn valuation by making it big in co-living with WeLive. Their model – call it dorm 2.0 – is to rent space from a landlord, convert it to cookie-cutter bedrooms that come with access to shared common space – to foster a feeling of community – and rent them out to members on a month-to-month basis.

An investor presentation leaked online last year estimated that by 2018 WeLive would pull in \$636m and earlier this year, Adam Neumann, founder of WeWork, confirmed to the Guardian that he expects WeLive to have as many as 34,000 members.

WeWork would not comment for this story except to say it is “in the early stages of beta-testing a new, community-driven living concept in New York City” and is listening to the feedback from its community. The first co-living space, where about 80 WeWork employees and members are living in 45 apartments, is located at 110 Wall Street and is expected to house 600 people on 20 floors.

For some, those kind of numbers and cookie-cutter room design bring to mind adult dorms, but those who have experienced communal living dislike that label.

The word dorm has “a negative connotation once you are over the age of 20,” says Ash, 28,

who lives at Common's second building in Brooklyn. The house he lives in - with 10 bedrooms, starting at \$1,500 a month - is far from a dorm, he says.

“It's like moving into a building where you know people are friendly already. You used to move into an apartment building and it was this awkward period where you had to walk around and knock on doors and meet people and make friends that way,” he says. “This takes out that aspect of it. It doesn't take out any of the privacy or of having the apartment, it just takes away the awkwardness of meeting people in the big city.”

The co-living homes are not party houses or packed with the Silicon Valley entrepreneurs and coders, who hang around the house all day with their computers. Ash used to work in oil rigs in the Gulf of Mexico until the price of oil went down and he was laid off. He now works in fiber optics.

“Looking at our membership, at least 80% of them have full-time jobs in [New York] city,” says Hargreaves. “These are generally not people working from home.”

Common's next project in Williamsburg, Brooklyn, consists of four five-story buildings connected to create a 20,000 sq ft space with 51 bedrooms. Most of the apartments will consist of four bedrooms, two bathrooms and one kitchen-living area. The members will also have access to communal space in the basement and the rooftop. The space is set to open later this spring with bedrooms starting at \$1,800 a month for a 12-month commitment. Tiered pricing will be available for six-, three- and one-month stays.

Whether the sense of community and friendliness can be replicated in that large a space remains to be seen.

With the insatiable demand for housing in areas like New York and San Francisco, scaling up - going bigger - can be tempting.

“We have seen huge demand,” says Hargreaves, pointing out that Common had received “over 2,000 applications for our first 30 spots at this point”.

Yet, he warns, co-living companies that grow too fast do so at their own peril. For example, the now-defunct Campus - one of the first co-living startups that, according to Hargreaves, was “a lot more aggressive with their expansion”.

Campus shuttered its 30 co-living houses in August 2015 leaving about 150 people in New York and San Francisco having to find a new home.

In a message posted on the company website, Tom Currier, Campus founder, wrote that he was “unable to make Campus into an economically viable business”.

With the help of investors and developers who are hoping to break into the “roommate” market, some of the co-living companies are attempting to perfect their business model and

scale it. Common raised \$7.35m last summer for its expansion. At Euclid Manor, Open Door founders are also working with investors.

“Essentially, we have spent two years perfecting the model and improving our track record,” says Standish. “We understand all the details of how co-living works on the ground. We can consult with the developers and help them reality-check the building because we know how it works.”

In the future, the Open Door founders would like to partner with developers on new ground-up projects – similarly to the way that Common has on its 51-bedroom location in Williamsburg.

“It’s about being able to fully customize the program and layout of the building for co-living,” explains Provan. “Using the existing mansions, you are kind of working with an imperfect product and layout and after the fact changing it to co-living.”

Before Euclid Manor was a co-living space, it was a bed and breakfast. Each room has its own feel and reflects the personality of its occupant.

According to Provan, the more companies do co-living the better, since each space and attendant services might appeal to a different group of people.

Co-living is so hot now, interest rates are so low, rents are so high – all the factors seem to be in the new landlords’ favor but will all the competition and hype build a new housing bubble?

“I’m not worried [about competition],” says Hargreaves.

“Anything that brings more housing on to the market in an incredibly housing crunched city is a positive thing. The only way that we might harm each other as competitors is if we both brought so much inventory on to the market that we were forced to lower our prices in order to compete. And you know if [Common] and WeWork going at it has such an effect that it lowers the cost of living in New York City, wouldn’t that be a thing? Wouldn’t that be awesome?” he adds, smiling.

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