

CITY OF OAKLAND CONDITIONS OF APPROVAL

Oakland City Planning Commission  
Case File Number: CMDV03-035

May 7, 2003  
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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 on April 18, 2003 and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and approved plans, will require a separate application and approval

2. Effective Date, Expiration, and Extensions

a. Ongoing

This permit shall become effective upon satisfactory compliance with these conditions. This permit shall expire on May 6, 2004, unless actual construction or alteration, or actual commencement of the authorized activities in the case of a permit not involving construction or alteration, has begun under necessary permits by this date. Upon written request and payment of appropriate fees submitted no later than the expiration date, the Zoning Administrator may grant a one-year extension of this date, with additional extensions subject to approval by the City Planning Commission.

3. Scope of This Approval; Major and Minor Changes

a. Ongoing

The project is approved pursuant to the Planning Code only and shall comply with all other applicable codes, requirements, regulations, and guidelines imposed by other affected departments, including but not limited to the Building Services Division and the Fire Marshal. Minor changes to approved plans may be approved administratively by the Zoning Administrator; major changes shall be subject to review and approval by the City Planning Commission.

4. Modification of Conditions or Revocation

a. Ongoing

The City Planning Commission reserves the right, after notice and public hearing, to alter Conditions of Approval or revoke this conditional use permit if it is found that the approved use or facility is violating any of the Conditions of Approval, any applicable codes, requirements, regulation, guideline or causing a public nuisance.

5. Reproduction of Conditions on Building Plans

a. Prior to issuance of building permit

These conditions of approval shall be reproduced on page one of any plans submitted for a building permit for this project.

6. Indemnification

a. Ongoing

The applicant shall defend, indemnify, and hold harmless the City of Oakland, its agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Oakland, its agents, officers or employees to attack, set aside, void or annul, an approval by the City of Oakland, the Office of Planning and Zoning Division, Planning Commission, or City Council relating to this project. The City shall promptly notify the applicant of any claim,

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action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

7. 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.

8. 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.

9. Storefront Security

a. Ongoing

Exterior storefront security grills are not allowed. Allowed alternative storefront security methods include interior security grills and transparent security film placed on windows thereby preventing windows from being broken.

ADDITIONAL MATERIALS TO BE SUBMITTED FOR CMDV03-035:

10. Design Details

a. Prior to issuance of building permit

The applicant shall secure approval from the Zoning Administrator of detailed design drawings for exterior windows, bicycle parking, and the 35<sup>th</sup> Avenue entrance to the residential units. Exterior windows shall include trim and/or be recessed. The bicycle storage rack shall be located in an area that is secure and provides shelter to the bicycles, such as in the parking garage or on the second-floor courtyard. The design of the security gate at the 35<sup>th</sup> Avenue residential entrance shall be creative and/or decorative or shall be replaced by a glass door.

11. Building Colors

a. Prior to painting and installation of ceramic tiles

The applicant shall secure approval from the Zoning Administrator of specific exterior building colors including the colors proposed for the ceramic tiles located at the base of the building. Colors should be similar to the colors included on the approved plans.

12. Landscaping Plan

a. Prior to certificate of occupancy

The applicant shall secure approval from the Zoning Administrator of a detailed Landscaping Plan with specific planting details and the proposed method of irrigation. The Landscaping Plan shall contain, at a minimum, vegetation inside the 35<sup>th</sup> Avenue residential entryway and details regarding the design of the second-floor courtyard. The plan for the courtyard shall include a children's play area, seating areas, vegetation, and the proposed surface treatment.

CONDITIONS OF APPROVAL



PERSPECTIVE

GENERAL NOTES

1. COMPLY WITH APPLICABLE CODES AND ORDINANCES OF THE CITY OF OAKLAND, CALIFORNIA
2. VERIFY ALL EXISTING CONDITIONS IN THE FIELD BEFORE COMMENCEMENT OF THE WORK. REPORT ANY DISCREPANCIES OR INCONSISTENCIES BETWEEN THE DRAWINGS, SPECIFICATIONS AND EXISTING FIELD CONDITIONS TO THE ENGINEER FOR CLARIFICATION BEFORE COMMENCEMENT OF THE WORK.
3. GIVE 48 HOURS NOTICE IF ANY UTILITY SERVICE IS TO BE INTERRUPTED. DO NOT INTERRUPT ELECTRICAL SERVICE AT ANYTIME WITHOUT PRIOR APPROVAL.
4. THE DRAWINGS INDICATE LOCATION, DIMENSIONS, REFERENCE, AND TYPICAL DETAILS OF CONSTRUCTION. THE DRAWINGS DO NOT ILLUSTRATE EVERY CONDITION.
5. WRITTEN DIMENSIONS ON THESE DRAWINGS HAVE PRECEDENCE, DO NOT SCALE DRAWINGS. VERIFY ALL DIMENSIONS AND CONDITIONS ON THE JOB. NOTIFY ENGINEER OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.
6. PROVIDE ALL WORK AND MATERIALS IN ACCORDANCE WITH THE LATEST RULES AND REGULATIONS OF ALL APPLICABLE STATE AND LOCAL CODES, LAWS, AND STATUTES. NOTHING IN THE DRAWINGS OR SPECIFICATIONS IS TO BE CONSTRUED AS REQUIRING OR PERMITTING WORK CONTRARY TO THESE RULES, REGULATIONS, AND CODES. SEE CODE SUMMARY.
7. VERIFY SIZES AND LOCATIONS OF ALL MECHANICAL EQUIPMENT BEFORE CONSTRUCTION OF ANY OPENINGS, BASES, OR PADS TO SUPPORT SUCH EQUIPMENT.
8. VERIFY MECHANICAL EQUIPMENT MANUFACTURER FOR ALL OPENINGS AND PADS REQUIRED.
9. ITEMS NOTED "NIC" (NOT IN CONTRACT) WILL BE FURNISHED AND INSTALLED BY OWNER OR UNDER SEPARATE CONTRACT. VERIFY ALL REQUIREMENTS FOR EXACT SIZE AND QUANTITY TAKE-OFFS OF EQUIPMENT FURNISHED BY OWNER AND BE RESPONSIBLE FOR ALL ROUGH-INS AND CONNECTIONS UNLESS OTHERWISE INDICATED.
10. PRIOR TO SUBMITTING PROPOSALS, SITE, CONCRETE, MASONRY, WOOD, METAL WORK CONTRACTORS ARE REQUIRED TO HAVE EXAMINED THE SITE, PERTINENT PROPOSED CONTRACT DOCUMENTS, AND THE REFERENCED DRAWINGS THAT DESCRIBE EXISTING CONSTRUCTION.
11. COORDINATE ALL OPERATIONS WITH OWNER, SUCH AS AREAS TO BE USED FOR MATERIALS STORAGE, DELIVERY ACCESS TO AND FROM WORK, NOISY CONSTRUCTION OPERATIONS, SEQUENCE OF OPERATIONS, AND INTERRUPTIONS OF MECHANICAL AND ELECTRICAL UTILITIES.

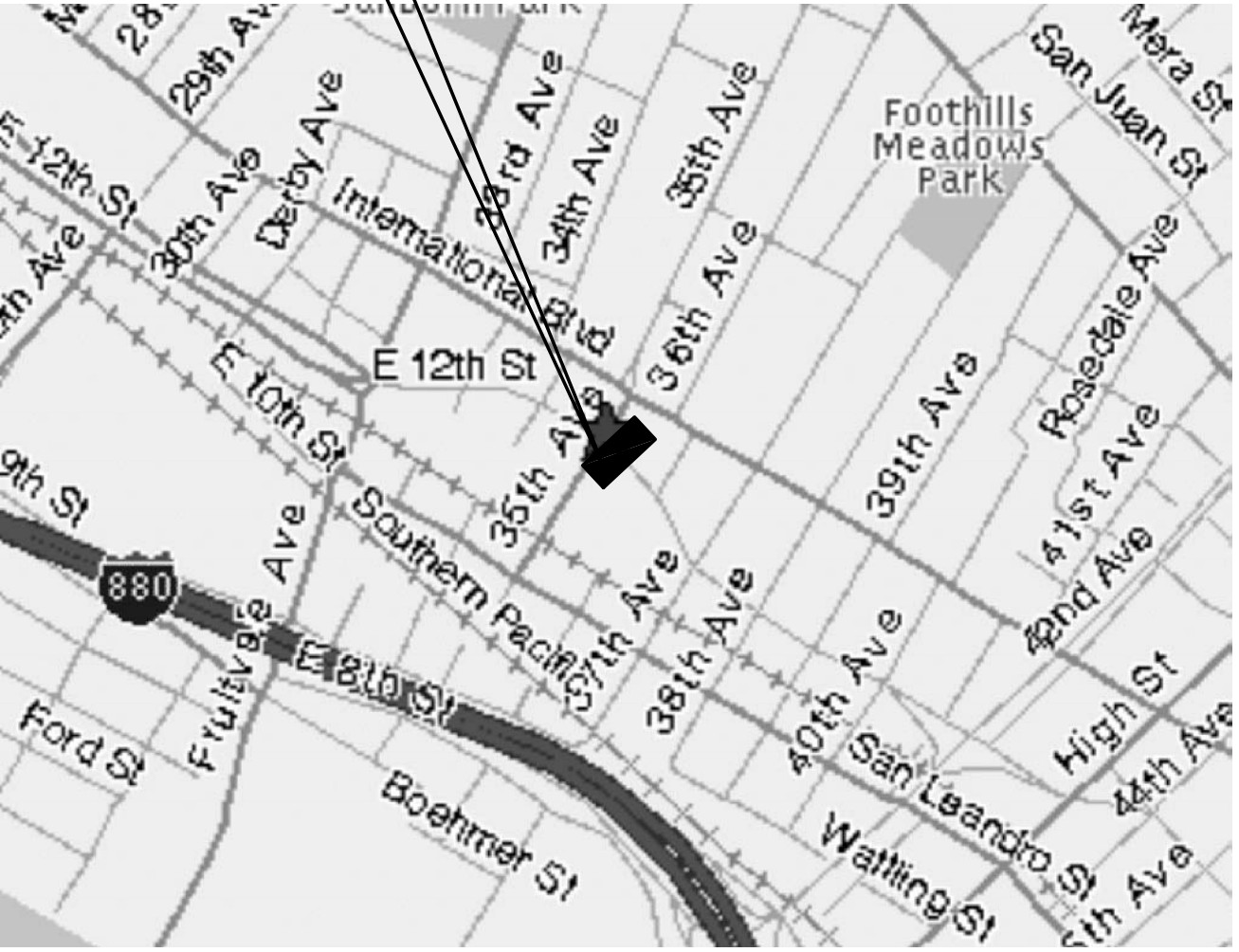
CITY OF OAKLAND CONTACTS

COMMUNITY AND ECONOMIC DEVELOPMENT AGENCY: 250 FRANK H. OGAWA PLAZA, STE 2114 OAKLAND, CA 94612-2031 (510)-238-3344 FAX: (510)-238-6538  
BUILDING SERVICES: 250 FRANK H. OGAWA PLAZA, 2ND FLOOR OAKLAND, CA 94612 (510)-238-3443 FAX: (510)238-3586  
PLANNING AND ZONING SERVICES: (510)-238-3941 FAX: (510)-238-6538 - PLANNING (510)-238-3912 FAX: (510)-238-4730 - ZONING  
MR. GARY PATTON DEPUTY DIRECTOR OF CITY PLANNING PH: (510)-238-6281 FAX: (510)-238-6538 (FAX)  
MR. DARIN RANELLETTI PLANNER III - PH: (510)-238-3663 FAX: (510)-238-6986  
MR. BRIAN MATSUMURA PROCESS COORDINATOR - PH: (510)-238-3882 FAX: (510)-238-7287  
PUBLIC WORKS: (510)-238-3961 FAX: (510)-238-2233  
ELECTRICAL SERVICES  
MR. VERNON W. T. CHANG ELECTRICAL ENGINEER III - (510)-615-5428 FAX: (510)-615-5411  
TREES  
MR. DANIEL GALLAGHER TREE SUPERVISOR I - (510)-615-5856

LOCATION MAP

PROJECT LOCATION

1242 35TH AVE, OAKLAND, CA 94601-3411  
APN # 035-2197-015-03



PROJECT DIRECTORY

OWNER: THEOPHANOUS FAMILY  
75 SILVERWOOD DRIVE, LAFAYETTE, CA 94549  
TEL: (925)284-2822

CONSULTANTS

MECHANICAL / ELECTRICAL ENGINEER:

OWNER'S AGENT: THEOPHANOUS STRUCTURAL ENGINEERS  
75 SILVERWOOD DRIVE, LAFAYETTE, CA 94549  
CONTACT: NICK THEOPHANOUS, CE, SE  
TEL: (925) 284-2822 FAX: (925) 284-9745

ARCHITECT/STRUCTURAL DESIGNER:

THEOPHANOUS STRUCTURAL ENGINEERS  
75 SILVERWOOD DRIVE, LAFAYETTE, CA 94549  
CONTACT: NICK THEOPHANOUS, CE, SE  
TEL: (925) 284-2822 FAX: (925) 284-9745

GEOTECHNICAL / ENVIRONMENTAL / SOIL / GEN. CIVIL ENGINEER:

J. YANG AND ASSOCIATES  
J. H. YANG P.E. PRINCIPAL ENGINEER  
2758 CANYON CREEK DRIVE, SAN RAMON, CA 94583  
TEL: (925) 831-8678 FAX: (925) 831-3645

SURVEYOR: BAY AREA LAND SURVEYING INC.  
1828 BONITA ROAD RICHMOND, CA 94606 (510)232-3095

CERTIFIED ENERGY ANALYST:

QUICKCHECK/ STEVE MEANS  
1485 ENEA CT. CONCORD, CA 94520  
TEL: (925)671-4789

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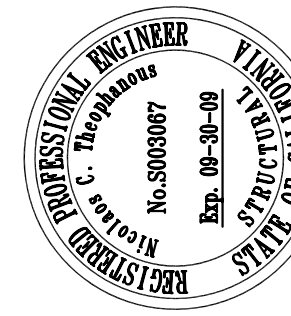
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THEOPHANOUS  
STRUCTURAL ENGINEERS  
BUILDINGS, BRIDGES, AND RELATED STRUCTURES  
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CLIENT:

FRUITVALE COMMONS  
1242 35th Ave Oakland, CA 94601

TITLE SHEET

PROJECT TITLE:

SHEET TITLE:

REVISIONS

NO.	DESCRIPTION	DATE

J2002.060

DRAWN BY: TO CHECKED BY: NCT

SCALE (AS SHOWN)

DATE 2/29/08

SHEET NUMBER

T0.1

1 OF 1 SHEETS