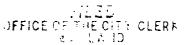
#### CITY OF OAKLAND **COUNCIL AGENDA REPORT**



2003 SEP 18 PH 1: 49

TO:	Office of the City Manager
ATTN:	Deborah Edgerly
FROM:	Community & Economic Development Agency
DATE:	September 30,2003
RE:	PUBLIC HEARING AND RESOLUTION ON THE APPEAL OF PLANNING
	COMMISSION APPROVAL OF A TWENTY SEVEN UNIT RESIDENTIAL
	PROJECT AT 4690 TOMPKINS AVENUE.

#### **SUMMARY**

This project, the conversion of the Beulah Rest Homes to 27 apartments, was originally approved by the City Planning Commission on August 6,2003. On August 11, 2003, Jeff Doney filed an appeal of the Planning Commission's approval (Attachment A). The appellant raised four points of contention; namely 1) The Planning Commission lacked sufficient information to make their decision; 2) The City should require additional CUP conditions; 3) The City should deny a Conditional Use Permit based upon the applicants' past history of property abuse and current application; 4) The City should require more oversight due to the past history and nebulous information about the project. See Key Issues and Impacts, below, for an analysis of the appeal.

The subject property is approximately 2.34 acres and is located near the I-580 and State Highway 13 Interchange. The project site itself is bounded by Tompkins Avenue on the west, Wilkie Street on the south, and Fair Avenue on the east. The project site is located within the R-50 Medium Density Residential Zone and contains several existing structures including a former rest home (now mostly vacant), a senior assisted living complex, seven small cottages, and a smaller apartment building fronting on Fair Avenue. The project site is surrounded by residential uses, including mainly single family uses to the north and east, and a mixture of single and multi-family residences to the south and west.

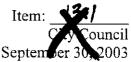
#### FISCAL IMPACT

The project involves a private development, does not request or require public funds and has no fiscal impact on the City of Oakland. The appellant submitted the required appeal fees. If constructed, the project would provide a positive fiscal impact through increased property tax valuation and business license tax.

#### BACKGROUND

This is a request by the applicant to convert the existing historic Beulah Rest Home into a 27 unit apartment complex. The main building (fronting on Tompkins Avenue) was constructed in 1928. with an addition added in 1948. Many of the cottages were constructed in the 1950s and





the three-unit residential building on Fair Avenue was built in 1963. The rest home has been unused since approximately 1997, and is currently vacant except for the property owner and family. The proposal involves the internal conversion of the 70-room main building into 17 residential units, the conversion of an old dormitory-style building fronting onto Fair Avenue into a 2-unit apartment building, as well as the reuse of the several existing cottages on the property for a total of 27 units. The project will be conducted in phases, with one wing of the main building being worked on at a time. The project proposes no external modifications to the project site. **An** existing Senior Assisted Living Facility is on-site (building two) but is not proposed for modification or change in use. The assisted living facility is state licensed for and operating with 15 residents and has, at most, three employees on any one shift.

The main structure would include 17 residential units, including one occupied by the property owner. Rental unit sizes will vary from 1 bedroom efficiency units of approximately 630 square feet to 4 bedroom units of up to 2,600 square feet.

The project went before the Design Review Committee on June 25, 2003. The applicant was directed to provide as much on-site parking as possible and to meet with the neighbors prior to the item returning to the Planning Commission. The owners met with a representative group of property owners on July 18, 2003 to discuss a variety of issues including parking, design, and other events taking place on the property. The applicant revised their plans, particularly the landscape and site plan. They also reduced the number of units from 29 (the original plan) to 27.

The project returned to the full Planning Commission on August 6, 2003 (see staff report, Exhibit "B") and ultimately approved the project, adding a condition that the project be brought back before the Commission within 6 months of the approval to ensure the project is complying with the conditions of approval.

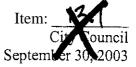
Staff finds that the project is appropriate for the site. The reuse of the Beulah Rest Home complex as residential units would enhance the property, the neighborhood, and revive a mostly vacant site that otherwise could become a nuisance. As conditioned, staff believes the proposed use is appropriate and recommends the City Council uphold the project and deny the appeal.

#### **KEY ISSUES AND IMPACTS**

The following is an analysis of the basis for which the project approval was appealed. The appellant's letter is attached (see Exhibit "A"). The basis of the appeal as contained in the appeal letter is shown in bold text. A staff response follows each point.

#### 1. The Planning Commission lacked sufficient information to make their decision.

*Staff Response;* The appellant has not specified what information the Planning Commission lacked, so staff cannot respond to this allegation in a meaningful way. The project appeared before the full Planning Commission twice and the Design Review Committee once prior to



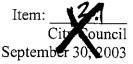
approval. The application went through several revisions based on the Planning Commission's and community's input or concerns. The Commission strengthened or modified several conditions to increase the level of Commission oversight for the project after it has been approved.

There have been allegations made during and since the Planning Commission hearing that illegal work has been done on the property. Code Enforcement investigation is ongoing. If the allegations prove to be true, staff will issue citations requiring the property owners to stop work and/or obtain all the proper permits, or to remove any modification made without the benefit of permits. At the time of writing the report, no determination has been made. Staff will provide an update on the code enforcement review at the City Council hearing.

#### 2. The City should require additional CUP conditions.

*Staff Response:* The appellant has not requested any additional specific conditions in the appeal. However, at the final Planning Commission meeting, the neighbors submitted three conditions that they propose be applied to the approval. These were that 1) the City conduct a one year review before the Planning Commission to check on the progress of the project; 2) the applicant make a financial disclosure to prove sufficient assets to complete the project; and 3) that a baseline of work be established through inspections of the property prior to new work being started. Staff believes these conditions were previously addressed in the Planning Commission approval. Our findings and rationale for each issue are presented below:

- A) The first proposed was that the project would return to the Planning Commission within one year for review of the progress being made. The Commission shortened the time frame to  $\boldsymbol{6}$  months. This review would be in the form of a status report prepared by staff to the Planning Commission, keeping them informed of how the applicants are complying with the conditions of approval and in securing their building permits. The Planning Commission has the power to forward the Conditional Use Permit for revocation should the project be found to be in non-compliance with the conditions of approval.
- B) The second proposed condition was to require the applicants to reveal their financial status in order to demonstrate their ability to secure sufficient funds to complete the project. T his condition was rejected as the Planning Commission has no authority to compel an applicant to expose private financial records to the public.
- C) Finally, the last requested condition was that a preliminary inspection of the property be required to establish a "baseline" for all future work. The Planning Commission approved a modified condition that required the applicant to bring the entire property up to the standards of the current Building Code during the development of this project. As this code is part of state law and the City of Oakland's ordinance, it would most suitably serve as a base level against which all future alterations could then be measured. Any alterations required to bring the property to the current code would be required to secure



building permits, which involves routine inspections to ensure the work had been done properly to code.

In general, the conditions imposed on this project go further than those normally required for residential projects in the City of Oakland. This *is* due to the uniqueness of the project as it represents the conversion of existing structures as opposed to new construction. Additional landscaping conditions improve the existing plantings and extra fencing conditions improve the quality of the fencing material on site. Also, as the applicant proposes to work in phases; further conditions coordinate the development of the parking with each phase. All told, staff believes that the conditions of approval are adequate, enforceable, and will dramatically improve the existing site and the proposed development.

# **3.** The City should deny a Conditional Use Permit based upon the applicants' past history of property abuse and current application.

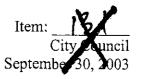
*Staff Response:* Staff is aware of past building code and use violations concerning this property. However, previous violations are not necessarily a reason to deny a Conditional Use Permit for a new project as they are not accurate indicators of future illegal activity. Conditions can be written so as to ensure legal compliance. The Conditional Use Permit includes enforceable conditions to ensure that the property is maintained correctly. Specifically, there have been questions over certain Community Assembly activities taking place on the property over time. It seems the site was being leased to various groups for organized services, workshops, and weekend courses. Such activities are not permitted in the R-50 zoning district without a Conditional Use Permit. The applicants have stated that they were ignorant of the need to obtain permits to conduct such activities. The Conditional Use Permit incorporates a condition that the applicants cease all illegal activity or obtain required Conditional Use Permits to conduct such assembly activities.

# 4. The City should require more oversight due to the past history and nebulous information about the project.

*Stuff Response:* Staff believes this has been accomplished. Additional conditions have been added to ensure that the property develops as proposed and is maintained in good and proper order (see responses to points #2 & #3 above). The Planning Commission has authorized that a status report be given within 6 months of the approval. Any deviations from the proposed drawings also would be subject to at minimum staff level review, and major alterations would require the project return to the Planning Commission.

#### SUSTAINABLE OPPORTUNITIES

This section describes the sustainable opportunities that are being addressed or will be implemented as part of the item, such as:



Economic:	The project will expand the available housing inventory in the City of Oakland and returns an existing underutilized facility to a viable use.
Environmental:	The project has been found to be exempt under Section 15332 "In-Fill
	Development" of the State'ofCalifornia Environmental Quality Act
	(CEQA). Furthermore, the permit has been conditioned to require the
	applicant to use Best Management Practices (BMPs) during
	construction, divert 50% of the waste generated by construction to
	recycling, and provide for erosion control on the site during construction
	to prevent runoff.
Social Equity:	The project benefits the community and improves social equity by
	providing additional available housing to the City of Oakland as well as
	additional temporary jobs during the construction of the project.

#### DISABILITY AND SENIOR CITIZEN ACCESS

The Building Division of the Community and Economic Development Agency will require the project to conform to the Americans With Disability Act in all provisions to ensure equal access to this facility.

#### STAFF RECOMMENDATION AND RATIONALE

Staff recommends that the City Council uphold the Planning Commission approval and deny the appeal. 1) The Planning Commission's decision was based on its thorough review of all pertinent aspects of the project. 2) The approved Conditional Use Permit includes enforceable conditions of approval that address key neighborhood concerns raised and that require future compliance review by the Planning Commission.

#### ALTERNATIVE CITY COUNCIL ACTIONS

The City Council also has several other options in addition to the one provided in the recommendation above.

- 1. The City Council could uphold the appeal and reverse the Planning Commission decision, denying the project.
- 2. The appeal could be denied, but with additional conditions imposed.
- 3. The item could be continued pending new information or further clarification of conditions or property inspection.



#### **ACTION REQUESTED OF THE CITY COUNCIL**

- 1. Affirm staffs environmental determination.
- 2. Uphold the Planning Commission approval and deny the appeal

Respectfully submitted,

CLAUDIA CAPPIO Development Director Community & Economic Development Agency

Prepared by: Robert D. Merkamp, Planner III Planning & Zoning

Approved and Forwarded to the City Council:

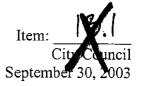
dr. **DEBORAH EDGERLY** Office of the City Manager

#### **ATTACHMENTS:**

- A. Appellant's letter of August 11, 2003
- B. Planning Commission Staff Report of August 6,2003
- C. Project Plans



NOV 1 8 2003



OAKLAND CITY COUNCIL

2003 SEP 18 PM 1:50

RESOLUTION No. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER

#### RESOLUTION DENYING THE APPEAL AND SUSTAINING THE DECISION OF THE CITY PLANNING COMMISSION IN APPROVING THE APPLICATION FOR A MAJOR CONDITIONAL USE PERMIT TO CONVERT AN EXISTING REST HOME FACILITY INTO A TWENTY-SEVEN UNIT RESIDENTIAL PROJECT LOCATED AT 4690 TOMPKINS AVENUE, OAKLAND

**WHEREAS,** the property owner, Walter and Alice Loo, filed an application on July 25, 2000 to convert an existing rest home facility into twenty-seven apartment units at the property located at 4690 Tompkins Avenue; and

WHEREAS, The City Planning Commission took testimony and considered the matter at its meeting held May 21, 2003. Action on the matter was referred to the Design Review Committee. The Design Review Committee took testimony and considered the matter at its meeting held on June 25,2003. Action on the matter was referred back to the City Planning Commission for a decision. The City Planning Commission took testimony and considered the matter at its meeting held August 6, 2003. At the conclusion of the public hearing held for the matter, the commission deliberated the matter, and voted. The project was approved, 6-0-1; and

**WHEREAS** on August 11,2003, an appeal of the Planning Commission's approval and a statement setting forth the basis of the appeal was received; and

**WHEREAS,** after giving due notice to the Appellant, the Applicant, all interested parties and the public, the Appeal came before the City Council for a public hearing on September 30, 2003; and

**WHEREAS,** the Appellant, the Applicant, supporters of the application, those opposed to the application and interested neutral parties were given ample opportunity to participate in the public hearing by submittal of oral and/or written comments; and

**WHEREAS,** the public hearing on the Appeal was closed by the City Council on September 30,2003;



#### Now, Therefore, Be It

**RESOLVED:** The requirements of the California Environmental Quality Act (CEQA) of 1970, as prescribed by the Secretary of Resources, and the City of Oakland's environmental review requirements, have been satisfied, and, in accordance the adoption of this resolution is exempt from CEQA under Section 15332 "In-Fill Development" of the State CEQA Guidelines.

**FURTHER RESOLVED:** That, the City Council, having heard, considered and weighed all the evidence in the record presented on behalf of all parties and being fully informed of the Application, the City Planning Commission's decision, and the Appeal, finds that the Appellant has <u>not</u> shown, by reliance on evidence already contained in the record before the City Planning Commission that the City Planning Commission's decision was made in error, that there was an abuse of discretion by the Commission or that the Commission's decision was not supported by substantial evidence in the record based on the August 6,2003 Staff Report to the City Planning Commission (attached as Exhibit "A") and the September 30,2003, City Council Agenda Report (attached as Exhibit "B") hereby incorporated by reference as if fully set forth herein. Accordingly, the Appeal is denied, the Planning Commission's CEQA findings and decision are upheld, and the Project is approved (the Major Conditional Use Permit), subject to the findings and conditions of approval contained in Exhibits "B" in the Staff Report for this item prepared for the City Council meeting of September 30,2003.

**FURTHER RESOLVED:** That, in support of the City Council's decision to approve the Project, the City Council affirms and adopts the August 6,2003 Staff Report to the City Planning Commission (including without limitation the discussion, findings, conclusions and conditions of approval) all attached as Exhibit "A', as well as the September 30,2003, City Council Agenda Report, attached hereto as Exhibit "B," (including without limitation the discussion, findings, and conclusions) except where otherwise expressly stated in this Resolution.

**FURTHER RESOLVED:** That, the City Council finds and determines that this Resolution complies with CEQA and the Environmental Review Officer is directed to cause ro be filed a Notice of Exemption with the appropriate agencies.

**FURTHER RESOLVED:** That, the record before this Council relating to this application and appeal includes, without limitation, the following:

- 1. the application, including all accompanying maps and papers;
- 2. all plans submitted by the Applicant and his representatives;
- 3. the notice of appeal and all accompanying statements and materials;

4. all final staff reports. final decision letters and other final documentation and information produced by or on behalf of the City; including without limitation and all related/supporting final materials, and all final notices relating to the application and attendant hearings:

5. all oral and written evidence received by the City Planning Commission and City Council during the public hearings on the application and appeal; and all written evidence received by relevant City Staff before and during the public hearings on the application and appeal;

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

**FURTHER RESOLVED:** That, the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City Council's decision is based are respectively: (a) Community & Economic Development Agency, Planning & Zoning Division, 250 Frank H. Ogawa Plaza, 3<sup>rd</sup> Floor, Oakland CA.; and (b) Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1<sup>st</sup> floor, Oakland, CA.

**FURTHER RESOLVED:** That, the recitals contained in this Resolution are true and correct and are an integral part of the City Council's decision.

In Council, Oakland, California, \_\_\_\_\_,2003

#### PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

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



Exhibit A

[August 6,2003 Planning Commission Staff Report]

Exhibit B

[September 30,2003 City Council Agenda Report]



### **CITY OF OAKLAND REQUEST FOR APPEAL OF DECISION TO** PLANNING COMMISSION OR CITY COUNCIL

(REVISED 8/14/02)

PROJECT INFORMATION	
Case No. of Appealed Project: <u>Em 00-249</u> . Project Address of Appealed Project: <u>4690 Tor</u>	_A-03-317
Project Address of Appealed Project: 4690 To	mpkins
APPELLANT INFORMATION:	
Printed Name: Jeff Doney Mailing Address: 4726 Faily Ave	Phone Number: (510)482-5383
Mailing Address: 4726 Faily Ave	Alternate Contact Number: Leib H. Wonebooth Representing: Neinbors J. Doney - (510)433-0390
City/Zip Code Oakland, CA 94619	Representing: New FJ. Doney -
	(510)433-0390 V

An appeal is hereby submitted on:

#### AN ADMINISTRATIVE DECISION (TO THE CITY PLANNING COMMISSION) YOU MUST INDICATE ALL THAT APPLY:

- Approving an application for an Administrative Project
- Denving an application for an Administrative Project
- Administrative Determination or Interpretation by the Zoning Administrator
- Other (please specify)

Pursuant to the Oakland Municipal and Planning Codes listed below:

- **O** Administrative Determination or Interpretation (OPC Sec. 17.132.020)
- Determination of General Plan Conformity (OPC Sec. 17.01.080)
- Design Review (OPC Sec. 17.136.080)
- **O** Small Project Design Review (OPC Sec. 17.136.130)
- **O** Minor Conditional Use Permit (OPC Sec. 17.134.060)
- □ Minor Variance (OPC Sec. 17.148.060)
- **O** Tentative Parcel Map (OMC Section 16.304.100)
- □ Certain Environmental Determinations (OPC Sec. 17.158.220)
- **O** Creek Protection Permit (OMC Sec. 13.16.450)
- O Creek Determination (OMC Sec. 13.16.460
- **O** Hearing Officer's revocation/impose or amend conditions (OPC Secs. 15.152.150& 15.156.160)
- □ Other (please specify)

X	A DECISION OF THE <u>C</u>	<u>ITY PLANNING CO</u>	<u>MMISSION</u> (TO THE CI	TY
	COUNCIL) Scanting	an application to: <b>OR</b>	Denying an application	1 to:
6	ildoor 27 aportor	nend with - de	oplicant soochta	И
Ma	jor conditional use	e permit.	· · ·	
	•	(continued on reverse)	<b>ATTACHME</b>	NT A

L:\Zoning Forms\APPEALFORM-final-revJune02.doc 8/14/02

#### (Continued)

#### A DECISION OF THE <u>CITY PLANNING COMMISSION</u> (TO THE CITY COUNCIL)

#### YOU MUST INDICATE ALL THAT APPLY:

Pursuant to the Oakland Municipal and Planning Codes Listed below:

- Major Conditional Use Permit (OPC Sec. 17.134.070)
- O Major Variance (OPC Sec. 17.148.070)
- Design Review (OPC Sec. 17.136.090)
- Tentative Map (OMC Sec. 16.32.090)
- □ Planned Unit Development (OPC Sec. 17.140.070)
- Environmental Impact Report Certification (OPC Sec. 17.158.220F) = Exemption
- Rezoning, Landmark Designation, Development Control Map, Law Change (OPC Sec. 17.144.070)
- □ Revocation/impose or amend conditions (OPC Sec. 17.152.160)
- Revocation of Deemed Approved Status (OPC Sec. 17.156.170)
- □ Other (please specify)

**An** appeal in accordance with the sections of the Oakland Municipal and Planning Codes listed above shall state specifically wherein it is claimed there was an error or abuse of discretion by the Zoning Administrator, other administrative decisionmaker or Commission (Advisory Agency) or wherein their/its decision is not supported by substantial evidence in the record, or in the case of Rezoning, Landmark Designation, Development Control Map, or Law Change by the Commission, shall state specifically wherein it is claimed the Commission erred in its decision.

You must raise each and every **issue** you wish to appeal on this Request for Appeal Form (or attached additional sheets). Failure to raise each and every issue you wish to challenge/appeal on this Request for Appeal Form (or attached additional sheets), and provide supporting documentation along with this Request for Appeal Form, may preclude you from raising such issues during your appeal and/or in court.

The appeal is based on the following: (Attach additional sheets as needed.)

lacto 5120 erm  $\boldsymbol{a}$ 2 rebuildous information about the work ea Supporting Evidence or Documents Attached. (The appellant must submit all supporting evidence along The evidence and docrments with this Appeal Form.) are al rea 8/10/2002 e of/Apr ellant or Representative Date Appealing Organization

Below For Staff Use Only

Cashier's Receipt Stamp Below:

#### Case File Number: CM00-249

#### August 6,2003

Location:	4690 Tompkins Avenue (See map on reverse)
Assessors Parcel Number:	APN 037 -2544-017-01
Proposal:	To convert an existing vacant, nursing home into 27 residential units.
Applicant:	Wilson Ng
Owner:	Walter & Alice Loo
Planning Permits Required:	Major Conditional Use Permit for 27 units in the R-50 Zone.
General Plan:	Detached Unit Residential
Zoning:	R-50 Medium Density Residential Zone
<b>Environmental Determination:</b>	Exempt, Section 15332, State CEQ Guidelines, urban infill
Historic Status:	Potential Designated Historic Property (PDHP); survey rating: B+3
Service Delivery District:	IV – Lower Hills
City Council District:	4
Action to be Taken:	Decision on application based on staff report
For further information:	Contact case planner Robert D. Merkamp at 510-238-6283 or by
	email at <u>Rmerkamp@.oaklandnet.com</u> .

#### SUMMARY

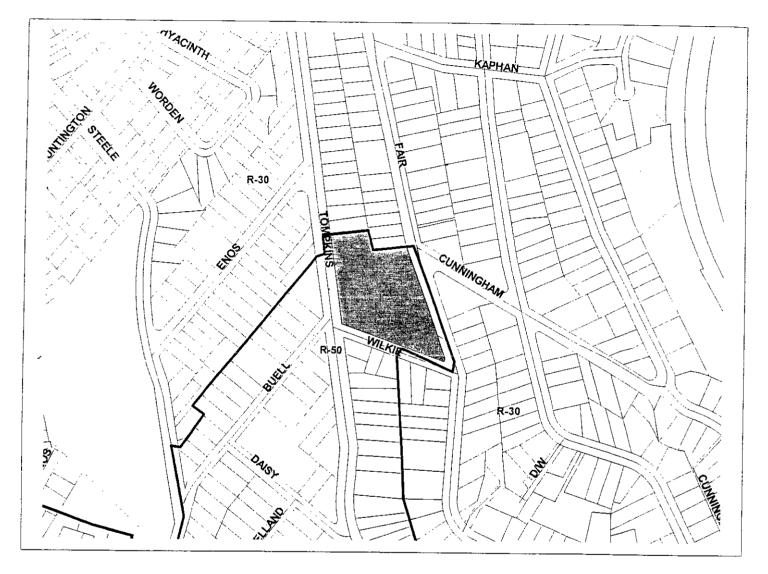
This is a request by the applicant to convert the existing Beulah Rest Home into a 27 unit apartment complex. The main building was constructed in the 1928, with an addition added in 1948. Many of the cottages were constructed in the 1950s and the three unit building on Fair Avenue was built in 1963. The rest home has been unused since approximately 1 997, and is currently vacant except for the property owner and family. The proposal involves the internal conversion of the 70-room main building into 17 residential units, the conversion of an old dormitory-style building fronting onto Fair Avenue into a 2-unit apartment building, as well **as** the reuse of the several existing cottages on the property for a total **of** 27 units. The project will be conducted in phases, with one wing of the main building being worked on at a time. The project proposes no external modifications to the project site. **An** existing Senior Assisted Living Facility is on-site (building two) but is not proposed for modification or change in use. The assisted living facility is licensed for 15 residents and has at most three employees on any one shift.

The main structure would include 17 residential units, including one occupied by the property owner. Rental unit sizes will vary from 1 bedroom efficiency units of approximately 630 square feet to 4 bedroom units of up to 2,600 square feet.

The project was previously heard at the Planning Commission but was continued and referred to **the** Design Review Committee and to allow the applicants to work with the neighbors. The applicant revised their plans, particularly with respect to the landscape and site plan. They also reduced the number of units they were asking for by two to 27. The project went before the Design Review Committee on June 25, 2003. The applicant was directed to provide as much on-site parking as possible and to meet with the neighbors prior to the item returning to the Planning Commission. The owners met with a representative group of property owners on July 18, 2003 to discuss a variety of issues including parking, design, and other events taking place on the property.

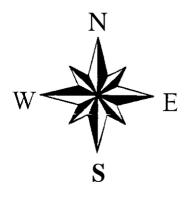
Staff believes the project is appropriate for the site. The reuse of the Beulah Rest Home complex as residential units should enhance the property and neighborhood and clean up a mostly vacant site that

## CITY OF OAKLAND PLANNING COMMISSION





Case File: CM00-249 Applicant: Alice Liu Address: 4690 Tompkins Avenue Zone: R-50



otherwise could become a nuisance. As conditioned, staff believes the proposed use is appropriate and staff recommends approval of the project.

#### **PROPERTY DESCRIPTION**

The subject property is approximately 2.34 acres and is located near the 1-580 and State Highway 13 interchange. The project site itself is bounded by Tompkins Avenue on the west, Wilkie Street on the south, and Fair Avenue on the east. The project site is located within the R-50 Medium Density Residential Zone and contains several existing structures including a former rest home (now mostly vacant), a senior assisted living complex, seven small cottages, and a smaller apartment building fronting on Fair Avenue. The project site is surrounded by residential uses, including mainly single family uses to the north and east, and a mixture of single and multi-family residences to the south and west.

#### GENERAL PLAN ANALYSIS

The project site is designated as Detached Unit Residential on the General Plan Land Use Diagram dated March 24, 1998. The Detached Unit Residential classification is intended to create, maintain and enhance residential areas. The proposal is to reuse the project site and create 27 multi-family dwelling units on site. The project proposes approximately one dwelling unit per 3775 square feet of land area. According to the Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations table **3**; the minimum square feet of site area per principal unit in the Detached Residential classification is 2969 square feet per unit (which would allow up to 34 Dwelling Units on a property this size) and thus the project conforms to the General Plan density.

The project conforms to various General Plan policies including;

<u>Policy N3.2</u>: This policy encourages in-fill development in Oakland. In-fill development is encouraged in already developed urban areas to help reduce the pressure for outward expansion of urban zones, creating more compact and efficient cities. This project helps to satisfy this policy by reusing an existing site for residential housing. This specific project would not lead to new buildings going up or the demolition of any structures.

<u>Policv N6.1</u>: The City of Oakland has long sought to develop diversity in the types of housing it makes available to it's residents in both scale and economy. The project creates a 27-unit apartment community with apartments ranging in size from 600 to 2,600 square feet. This helps to meet the goals of this policy by creating a wide variety of housing available to a mixture of income types.

<u>Policv N7.1</u>: The goal of this policy is to ensure compatibility in residential neighborhoods. The City of Oakland encourages new development but desires that it blend into the existing neighborhood fabric, The project is compatible with the neighborhood in terms of density with the surrounding properties. The site could, with the buildings removed, accommodate a maximum of up to 34 dwelling units. At 27 units the proposal falls under this maximum density. The project also works with the neighborhood in that it preserves the structures as is, without new construction or substantial exterior modification. These two factors combined will help the residential use being proposed blend into the existing neighborhood.

<u>Policv N9.9</u>: This policy deals with the preservation of historic buildings and calls for respecting the architectural integrity of the historic elements. The project meets this policy in that it shall not significantly modify the exteriors of the structures on this site. The project site is a campus-like setting with a number of buildings on it, some of which have high historic ratings. By avoiding major changes to these buildings, the project will protect and preserve the architectural character of the site.

#### ZONING ANALYSIS

The project site is in the R-50 Medium Density Residential Zoning District, which is intended to create a neighborhood of mixed housing stock, allowing both apartments and single family residences. The R-50 zoning district would allow up to 68 residential units on a property of this size (although the General Plan limits this to a lower density). The project conforms to the standards of the R-50 in all respects (see the "Key Issues and Impacts" section for a more detailed analysis of zoning requirements. A Major Conditional Use Permit is required for all proposals for more than seven residential units in the R-50 zone.

#### HISTORIC STATUS

The main building was constructed in 1928, with an addition being accomplished in 1948. Many of the cottages were constructed in the 1950s and the three-unit building on Fair Avenue was built in 1963. The existing main building is a potential designated historic property (PDHP) rated B+3. The rating represents a superior example. The proposed alterations to the structure will preserve the historic characteristics of the building. All existing elements such as exterior materials, footprint of buildings, and site planning will remain.

#### ENVIRONMENTAL DETERMINATION

The project has been determined to be exempt from environmental review under Section 15332 of the State California Environmental Quality Act (CEQA) Guidelines as it involves in-fill development on a property smaller than 5 acres in an urbanized area and there are no exterior alterations proposed to the historic residence.

#### **KEY ISSUES AND IMPACTS:**

**New Housing for Oakland:** The project furthers the General Plan goals and policies in it's creation of 29 new housing units for the City of Oakland. The units will range between 600 and 2600 square feet, providing a range of sizes and providing housing for different income levels.

Access: The project is served in part by a private access road the runs through that site from Tompkins to Fair Avenue. This access road was a subject of discussion as the Fire Prevention Bureau was concerned that they would not be able to utilize this roadway in the event of an emergency. After several conversations with representatives of that agency, the Fire Prevention Bureau recommended several modifications to the proposal that have been incorporated into the plan. A fire apparatus turnaround area is located toward the middle of the property, allowing an emergency vehicle to turnaround within the site. Finally, much of the driveway will be striped as "no parking" to avoid any potential impediments to emergency vehicles trying to access the site.

**Open Space:** The R-50 zone requires the project to provide 200 square feet of open space per unit, which works out to 5400 square feet. As proposed, the project would have approximately 30,000 square feet of useable open space, well exceeding the requirements. Furthermore, the open space is located all over the site in a variety of functional pieces that are accessible to all of the units.

**Parking:** The R-50 zone requires one parking space per residential unit, which comes to 27 spaces. The assisted living use requires a minimum of three spaces per employee during the shift with the maximum

staffing. This use has 3 employees and is required to have 1 parking space (the ratio is set at 1 space per every 3 employees). At 40 proposed spaces, the project exceeds the total requirements of 28 spaces for the site. All parking spaces are appropriately dimensioned and parking is conveniently located around the site. Most of the parking is accessed through either an existing private driveway that crosses the property or an entry driveway accessible from the corner of Tompkins Avenue and Wilkie Street. Other parking will be found in existing parking areas off of both Wilkie Street and Fair Avenue.

The applicant has labeled the parking for the various units under construction at the zoning code's set ratio of one space per unit. The applicant is proposing to add the units in stages and will build the parking associated with each unit as the unit is constructed. Several of the spaces are listed as "V" for visitor. The R-50 section of the code does not require or make provision for visitor parking and this parking will be made available to anyone, including serving as extra parking for the residents. As a condition of approval, these spaces marked as "visitor" shall not be marked as such on the actual property site.

An alternative presented to the Design Review Committee was to increase number of the parking spaces to 43. This number was accomplished by crafting a formula that looked at the number of bedrooms in a unit and set a higher requirement for larger units. Since that time, further analysis by the applicant, the neighbor's architect, and staff have shown that adding this number of parking spaces may be impossible without modifying the site plan significantly and/or removing structures. As one of the goals of the applicant is to preserve the site plan as much as possible they have worked with an architect representing the neighbors and plan to provide 40 spaces. Staff recommends approval of this parking plan for 40 spaces contained within Attachment A.

**Landscaping:** The site is already heavily landscaped with a large variety of trees, shrubs, and landscaping. The applicant has retained a landscape architect who has proposed a redesigned site and landscape plan (please see sheet C-2A in Attachment A) that adds 14 trees to the site, including Japanese Maples and two species of Magnolia. The site already contains approximately 42 trees of various species and sizes. Each of the trees to be planted will be 24-inch box in size. The application also proposes a wide variety of shrubs, groundcover, annuals, and vines to be planted around the site, with particular emphasis being placed around the front entrance of the main building and along the Wilkie Street elevation. Landscaping is also placed to screen outdoor parking areas that would be otherwise visible from the street. All of the shrubs proposed are a minimum of 5-gallons in size. A ll the proposed planting shall be maintained by an automatic irrigation system. All in all, the landscaping palette represents a great improvement over the landscaping currently in place. With the addition of automated sprinklers to the property, this should help ensure that the new plantings will continue to look attractive in the future. From the appearance of the current site, irrigation and maintenance by the applicant will be the key to the long term positive appearance of the site. Staff recommends approval of the landscaping plan with the condition that the applicant submits a final landscape plan to Zoning for review and approval before applying for a building permit. The final landscape plan shall include imgation and planting details.

**Fencing:** The applicant is proposing an attractive low wall along the Fair A venue elevation and would remove the chain link fence on that street frontage. This wall will be made out of stucco and will be painted to match the main building. The wall will incorporate three landscape pockets in the wall to soften the design.

Staff is also concerned with the fencing along the northern edge of the property, abutting neighboring residences. The plans show a wall of only 3'6'', but staff feels that 6' would be more appropriate as this fence will serve as a buffer between this property and the neighboring residents. Staff recommends that the applicants shall construct a 6' tall solid fence along this elevation.

**Community Assembly Activity:** There have been complaints from neighbors regarding the applicants allowing their building to be used for a variety of spiritual retreats, seminars, and educational classes. The

number of people attending and the frequency of these events are in dispute. However, it is clear that such activities are classified as Community Assembly uses under the Zoning regulations. Community Assembly in the R-50 zone is a conditionally permitted use and these activities have been conducted heretofore without the benefit of a permit. This use is not covered under this request and the owners have been advised that they cannot conduct this use in the future unless they first obtain the proper zoning permitts.

**Design:** The property owner is proposing no exterior alterations or modifications to the buildings on the project. Staff does not recommend substantial external changes as the buildings are in generally good condition and form an attractive campus-like setting. An analysis of the site shows that some buildings may need some minor external renovation, including possibly new paint or sidings on some of the units. Staff recommends a condition of approval that the applicant will repair and repaint any of the buildings as necessary prior to the issuance of a building permit. Staff recommends that the color and treatments of the buildings be redone to be complimentary to each other. Staff has advised the applicant that any other external modifications on the site will be subject to design review and will need to be compatible with the historic nature of the buildings.

**Internal Modification:** The project will require a good deal of internal modification as the building will be sectioned off into different units. One-Hour rated firewalls will be required inside the structure and various small bedroom units will be combined to create larger units that preserve their functionality. The applicant has worked with the City of Oakland Building Services Division prior to this meeting to create units that will meet all the relevant codes and have incorporated many changes into their project based on those meetings. The applicant will be modifying the building in stages, working on one wing of the main building at a time. A tentative timetable outlining those phases of construction is found in the plans. The parking spaces have been labeled on the plans to indicate which space goes to which unit as the applicant has pledged to build the parking spaces for the units as the units are created.

**Trash Enclosures:** Three trash enclosures are to be provided for on site. The main collection facility will be located inside the community off of the internal driveway and will be a walled facility 7.5' tall. Waste collection vehicles will be able to access the site via this driveway and maneuver in the tumaround that will be constructed. Other waste collection areas on Tompkins and Fair Avenue will serve the various buildings on the site.

Assisted Living Facility: The House of Psalm assisted living facility occupies what is described as building two at the northeastern edge of the site. The facility is licensed for up to 15 residents and has a maximum of 3 employees on duty on their largest shift. The applicant does not propose to modify this use or the structure in any way. The proposal will not take away from the required parking for this facility.

**Signage:** No information regarding any potential signage has been submitted. Any signage will require a design review permit from the Zoning Division prior to construction or installation.

#### CONCLUSION

Staff believes that the proposed project meets all the r equired standards for development and that the findings to grant the Major Conditional Use Permit can be made. By meeting all the conditions of approval, the proposal will be further enhanced. The re-use of this significant and mostly vacant parcel for residential housing will serve as a critical improvement to the neighborhood and the site itself, which contains some historic buildings. The project has been extensively re-worked since it first came before the Planning Commission and staff considers this to be an improvement. Staff finds that this proposal will compliment and enhance the use of the property and surrounding uses and recommends approval.

<b>RECOMMENDATIONS:</b>	1.	Affirm staffs environmental determination
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**2.** Approve the Conditional Use Permit subject to the attached findings and conditions.

Prepared by:

Robert D. Merkamp Planner II

Approved by:

GARY V. PATTON Deputy Director of Planning and Zoning

Approved for forwarding to the City Planning Commission:

LESLIE GOULD Director of Planning and Zoning

#### **ATTACHMENTS:**

- A. Plans
- B. Site Photographs (color photos available at hearing)
- C. Correspondence from Property Owner July 22,2003

CM00-249/RDM



Case File Number CM00-249

#### FINDINGS FOR APPROVAL:

Section **17.134.050**(General Use Permit Findings) as set forth below. All required findings are shown in normal type; explanations as to why these findings can be made are in **bold** type.

#### Section 17.134.050, General Use Permit Findings:

1. 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 project would convert a mostly vacant rest home complex into a 27 unit residential facility. As it's last use, the building was a 94 bedroom rest home. The project site is large, approximately 2.34 acres and will remain essentially unmodified. Thus, it's impact should be limited in scope. It will not impose any additional light, privacy, or solar access constraints on the adjacent properties than it already does. The project is bounded by three streets with parking being accessed off of each of them. Thus, the automobiles using the site will not all use the same path in getting there. The project also provides more than the minimum required number of parking spaces as required by code, reducing the on street parking demand. The site is near the **I-580** and Highway 13 interchange, providing convenient access to other city and regional destinations. Finally, were the site to be redeveloped to it's full residential potential, the applicants could conceivably construct up to 34 residential units per the general plan density. This plan serves as a good compromise, preserving the architectural character of the site while still providing new housing to Oakland.

2. 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 project would convert a mostly vacant rest home complex into a **29** unit residential facility. The property has several buildings that will be converted into residential units spread across the grounds. The project is bounded by three streets with parking being accessed off of each of them. Thus, the automobiles using the site will not all use the same path in getting to this location.

**3.** That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region. The proposed units provide new quality housing with adequate living accommodations, fulfilling a basic community and regional need.

4. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070. This finding is not applicable as the applicant does not propose exterior modifications.

5. 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 proposal conforms to the Detached Unit Residential land use classification. The maximum allowable density for this classification is one dwelling unit for every **2,969** sq. ft. of lot area. Based on this density ratio, a **2.34** acre site could support up to **34** dwelling units, where **27** are being proposed. The project conforms to various General Plan policies including **N3.2** which seeks to encourage in-fill development and **N3.5** which seeks to encourage new housing. This project would retain and preserve a significant architectural structure that has been basically vacant for some time, allowing the project site to positively contribute to the neighborhood. It is compatible in density and the existing character of the



neighborhood (furthering general plan policy N7.1) through the preservation and reuse of an existing structure.

### **CONDITIONS OF APPROVAL**

Modifications to the Conditions of Approval as directed by the City Planning Commission at the (meeting date) meeting are indicated in <u>underlined type</u> for additions and <del>cross out type</del> for deletions.

#### **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 July 22. 2003 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

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

#### a. Ongoing.

This permit shall become effective upon satisfactory compliance with these conditions. This permit shall expire on <u>August 6, 2004</u>, 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, 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 and requirements 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 facility is violating any of the Conditions of Approval or the provisions of the Zoning Regulations.

#### 5. Recording of Conditions of Approval

#### a. Prior to issuance d building permit or commencement d activity.

The applicant shall execute and record with the Alameda County Recorder's Office a copy of these conditions of approval on a form approved by the Zoning Administrator. Proof of recordation shall be provided to the Zoning Administrator.

6. Reproduction of Conditions on Building Plans

#### a Prior to issuance d buildingpermit.

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

#### 7. 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

### **CONDITIONS OF APPROVAL**

by the City of Oakland, the Office of Planning and Building, Planning Commission, or City Council. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

#### STANDARD CONDITIONS FOR NEW RESIDENTIAL CONSTRUCTION:

#### 8. Waste Reduction and Recycling

#### *a.* Prior to issuance of a building 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.

#### 9. Hours of Construction

#### a. Ongoing.

Construction shall only take place between 8:00 a.m. and 7:00 p.m., Monday through Friday. No construction shall occur on Saturdays or Sundays.

#### **PROJECT SPECIFIC CONDITIONS:**

#### *10.* Access

#### a. Ongoing.

The access driveway will be kept clear of vehicles and other material at all times. The roadway will be clearly marked "no parking" where ever shown on the plans.

#### b. Ongoing.

The fire apparatus turnaround area will be kept clear of vehicles and other material at all times. The roadway will be clearly marked "no parking" where ever shown on the plans.

#### 11. Landscaping

#### a Prior to application for a building permit.

The applicant will submit a Final Landscape Plan review and approval by the Planning Department showing additional landscaping around the buildings and parking area. Plans shall be drawn up by a certified landscape architect.

#### b. Ongoing.

The applicant will ensure that the landscaping shall be fully imgated and maintained in good health at all times.

#### *12.* Screening

#### *a.* Prior to application for a building permit.

The applicant will submit for review and approval by the Planning Department plans showing a new 6' solid fence between their property and the adjacent properties to the north and east of their site.

#### 13. Design Review

#### a Prior to issuance of a certificate of occupancy

The applicant will submit for review and approval to the Planning Department plans showing any necessary repair and/or repainting of any of the structures as needed. All repairs and repainting shall be done in such a way as to match the exterior siding and to be compatible with the historic character of the buildings.

#### b. Ongoing.

The applicant will be responsible for securing any necessary design review permits from the City of Oakland Zoning division prior to making any external changes to any of the buildings on the project site. Dead landscaping shall be replaced by identical types of plantings.

## **CONDITIONS OF APPROVAL**

#### 14. Signage

**a.** Prior to application for a building permit.

The applicant will submit for design review architectural plans showing any proposed signage including the location(s), size, colors, materials, and lighting.

#### 15. Parking

a. Ongoing.

The applicant shall construct each space that is dedicated for a particular unit as that unit is built.

**b.** Ongoing.

No parking spaces shall be labeled as "visitor" parking, all parking shall be open to residents and visitors of the site.

#### *16.* Community Assembly Activities

#### a. Ongoing.

The applicant shall not conduct any classes, seminars, retreats, or allow the property to be used for such or similar purposes (defined as Community Assembly in the City of Oakland Zoning Code) unless they have secured a Conditional Use Permit from the City of Oakland zoning division prior to such an activity. The continuation of these activities without first obtaining the necessary permits will be considered grounds for the revocation of this Conditional Use Permit.

#### *17.* Waste

a. Ongoing.

The applicant shall maintain full access to the designated waste facilities on the property and will ensure that those areas are kept clean and that trash is not visible from the street. The capacity of the waste facilities shall be adequate to serve the number of units on the property.

#### 18. Planning Commission Review

#### a. Ongoing.

Planning staff shall return the project to the Planning Commission within 6 months of the approval date for a review of it's status.

#### 19. Additional Building Improvements

#### a. Ongoing.

In the course of obtaining Building Permits for the work permitted by this permit. the applicant shall bring the balance of the property up to the current building codes.

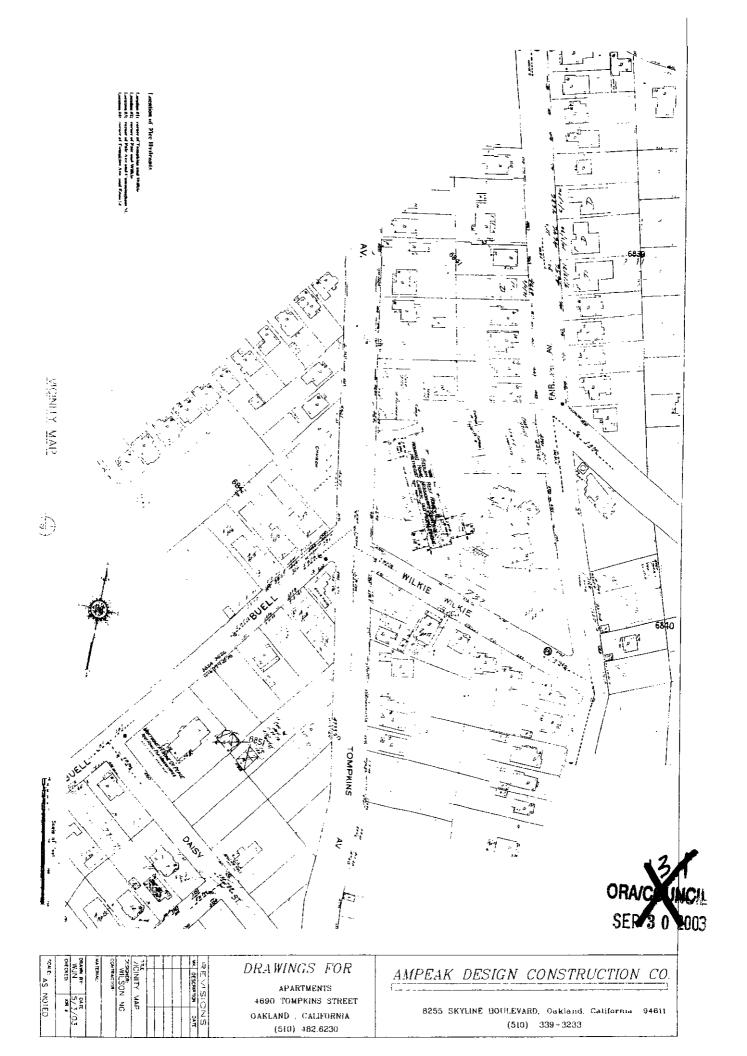
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 City Planning Commission: \_\_\_\_\_(date) \_\_\_\_(vote)

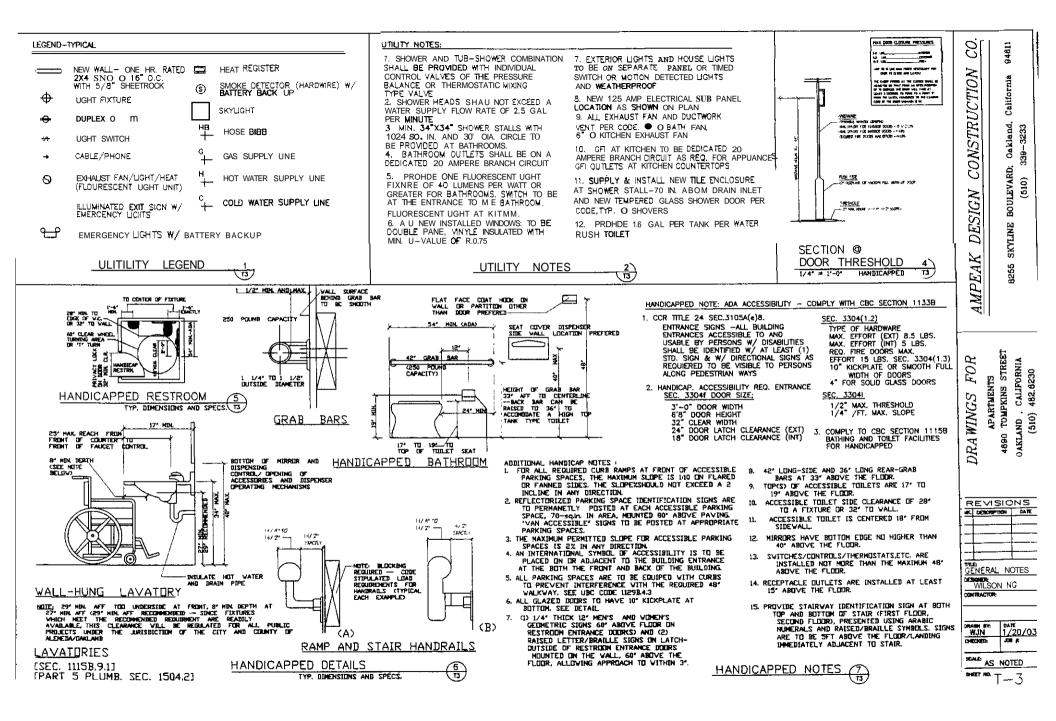
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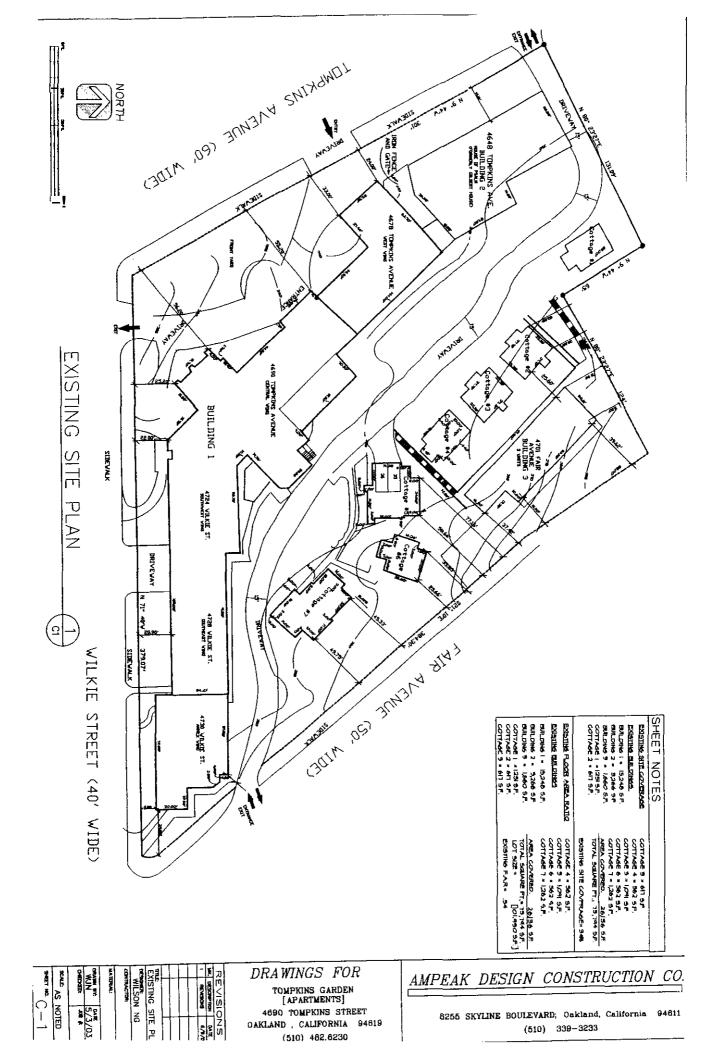


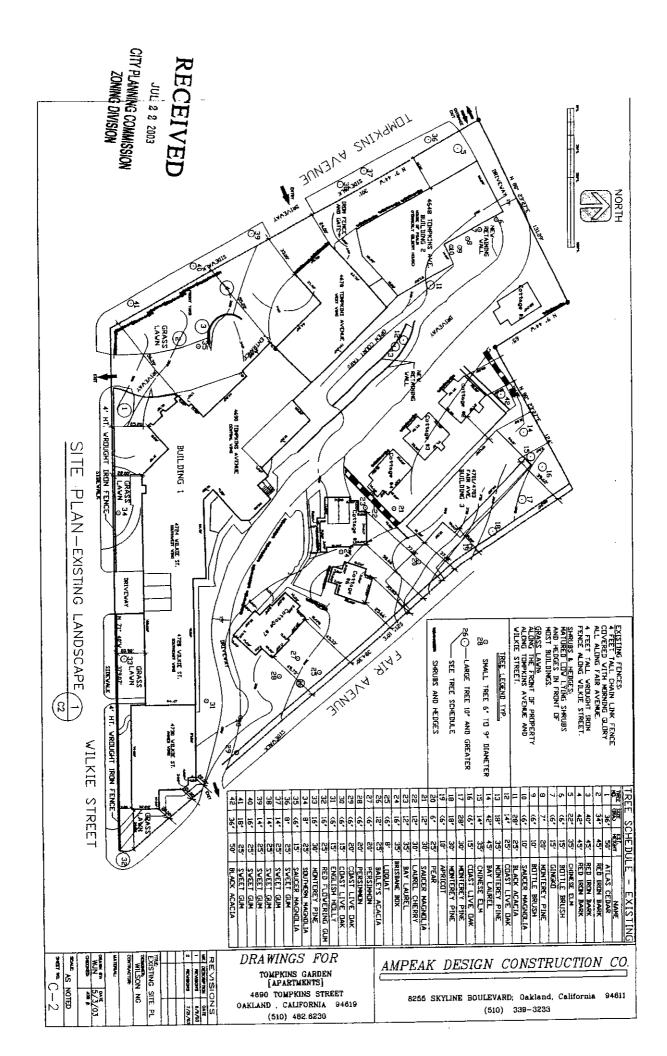
### **CONDITIONS OF APPROVAL**

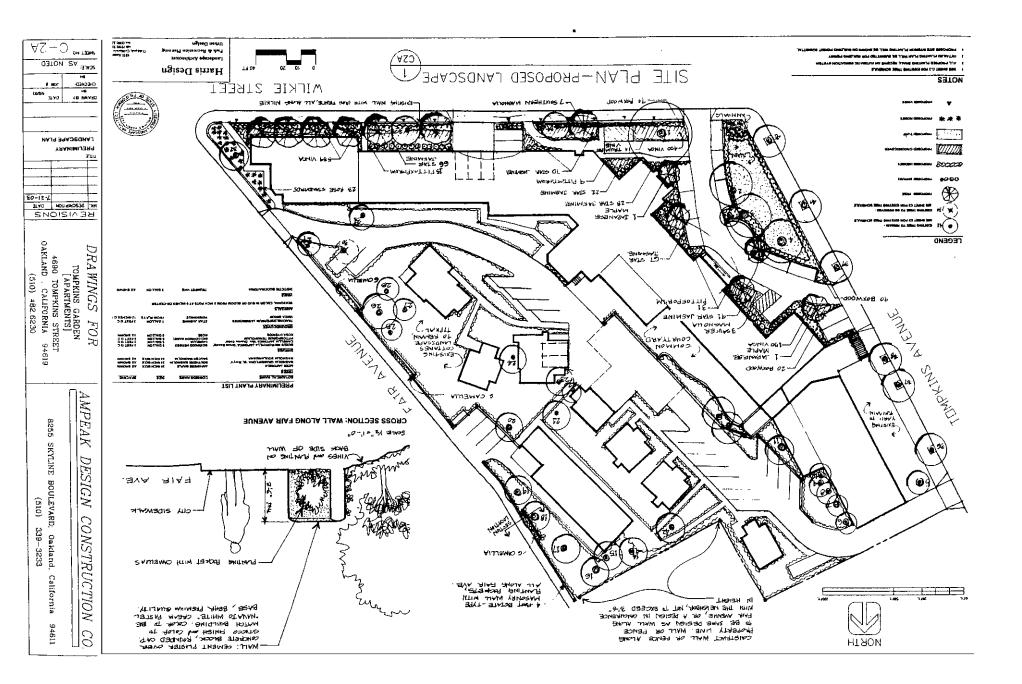
CALS: INC. BUILDINGS DN SITE.         TORMER BEULAH MIME'S MAIN BUILDING (NO. 1), CONSTRUCTED IN 1928 AND AN ADDED ADDITION IN 1948, AND AN ANNEX' VAS ADDED TN 1928.         THE MAIN BUILDING (NO. 1 AND THE NAMEX) CONTAIN A TOTAL OF 94 BEDROOMS. 18 ROOMS VITH PRIVATE BATHS LOCATED IN THE NEV ANNEX, AND THE REST LOCATED IN THE OLDER DRIIDN OF THE WAIN BUILDING. 36 BEDROOMS HAVE CONNECTING BATTS 29 BEDROOMS SHARE COMMUNITY BATHS DEF THE HALLVAYS, AND THEREFARE 9 BEDROOMS SHARE COMMUNITY BATHS DEF THE HALLVAYS, AND THEREFARE 9 BEDROOMS SUITES WITH BATHS PLUS TWID PERSONAL CARE ROOM FULLY SPRINKLERED SYSTEM         MAIN BUILDING (BUILDING NO. 1) BUILDING TYPE, CONGREGATE RESIDENCE HOME. ROOM CDUNT: 76 BEDROOMS, 1 EXTRA LARGE KITCHEN (3 KITCHENETTES). DINING ROOMS, 2 LIVING ROOMS, CHAPEL LUBRARY. INFRARY 2 OFFICES OFF ENTRY. LOBBY. THREE GARAGES LAUNDRY. AND STORAGE ROOMS IN BASEMENT. RECREATION ROOM.         BATH/LAVATORY:       26 SATHROOH ON THE 1ST FLOOR, 24 ON THE 2ND FLOOR. THERE BATHTUBS EACH ON THE 1ST FLOOR, 24 ON THE 2ND FLOOR. THERE ARE 23 FIXTURES. STANDARD GRADE. AND 38 SHOVERS, TILE FINISHED.         OMER AMENITIES       15-PASSENGER ELEVATOR, 2500 POUND CAPACITY HYDRAULIC PUNCER. AUTOHATIC DODRS, THREE STOPS. BUILDING IS ENTIRELY SPRINKLERED FOR FIRE PROTECTION. INSTITUTIONAL KITCHEN WITH VINTL TILE FLOOR. A DISHWASHING SECTION WITH STAINLESS STEEL DRAIN BUARDS, WODD CUPBDARDS ABOVE, LARGE KITCHEN AREA FOR FIRE PROTECTION. INSTITUTIONAL KITCHEN WITH VINTL TILE FLOOR. A DISHWASHING SECTION WITH STAINLESS STEEL DRAIN BUARDS, WODD CUPBDARDS ABOVE, LARGE KITCHEN AREA FOR FIRE PROTECTION. INSTITUTIONAL KITCHEN VITH VINTL TILE FLOOR. A DISHWASHING SECTION WITH STAINLESS AND AN ADDITION ADDED TO NO. 1 N. 1980.         COTTAGES. BUILDING NO. 1, 2, 3, 4, 5, 6, LT. NO. 12 & 3 WERE BUILT IN 1954 CR 1955. AND AN	BUIL DING INFERNATION PENDISCI RESIDENTIAL UNITS TOMPKINS GARDEN LAPARTHENTSI BUILDING #1 VEST VING - 6 UNITS SCHTRAL VING - 5 UNITS SCHTRAL VING - 2 UNITS SCHT	IFFEE         SHT.       DESCRIPTIONS         T-1       CUVER/TITLE SHEET         T-2       VICINITY MAP         T-3       UTILITY LEGEND. HANDICAPPED DETAILS AND NOTES         C-1       EXISTING SITE PLAN         C-2A       PROPOSED LANDSCAPE SITE PLAN         C-3       PROPOSED SITE PLAN         C-4       PROPOSED ANDSCAPE SITE PLAN         C-5       PHOTOGRAPH VIEW PLAN         C-6       PROPOSED BUILDING ATA AND GENERAL NOTES         A-1       EXISTING PLAN- BUILDING XI BASEMENT FLR. PL.         A-2       EXISTING PLAN- BUILDING XI BASEMENT FLR. PL.         A-4       EXISTING PLAN- BUILDING XI SECOND FLR. PL.         A-5       EXISTING PLAN- BUILDING #1 ANNEX WING FR. PL.         A-4       EXISTING PLAN- BUILDING #3 (4701 FAIR AVE.) BASEMENT FLOOR PLAN         A-7       EXISTING PLAN- BUILDING #3 (4701 FAIR AVE.) BASEMENT FLOOR PLAN         A-7       EXISTING PLAN- BLOG #1 BASEMENT FLR. PL.         A-8       EXISTING PLAN- BLOG #1 FIRST FLR. PL.         A-9       PROPOSED PLAN- BLOG #1 FIRST FLR. PL.         A-10       PROPOSED PLA	FOR AMPEAK DESIGN CONSTRUCTION CO. INTERNATES BEEF BOULEVARD, Oakland, California 94611 IS STREET BEE5 SKYLINE BOULEVARD, Oakland, California 94611 (510) 339-3233
IN SHAPE FRUNTING TUMPKINS AVENUE 301', WILKIE AVENUE 379.0 FAIR AVENUE 419'. IT CUNTAINS 2.34 ACRES OR 101,930 SQUARE FE LOT SIZE APPROXIMATELY 2.34 ACRES OR 101,930 SQUARE FEET, ASSESSOR'S PARCEL NUMBER, 37-2544-17-1 ZUNING R-50 MEDIUM DENSITY RESIDENTIAL DISTRICT	/ AND ET.	4724       VILKE 3T SOUTHEAST VING       FULLY SPRINKLER BUILDING         4729       VILKE ST ANNEX         SPRINKLER_NOTE       I         I       THIS BUILDING HAS EXISTING SPRINKLER SYSTEM, STANDPIPE & CONTROLS         MODIFICATIONS OF SPRINKLERS WILL BE UNDER A SEPARATE PERMIT WITH         SPRINKLER LAYOUT, SPECS. PLANS & FEES SUBMIT TO OAKLANC         FIRE DEPT.       PRIOR TO INSTALLATION.	DRAWINGS FOR tourkins garden (Apartyents) 4690 tourkins street oakland , california 948 (640) 489 6390
LOCATION, 4690 TOMKINS AVENUE, OAKLAND. LOCATED ABOVE INTERSTATE 580 NEAR THE CONFLUENCE OF HIGHTWAY 580 AND 13 (WARREN FREEWAY). WORK UNDER SEPARATE PERMITS BUILDING CODES: CBC 2001 EDITION THIS IS A DESIGN-BUILT PROJECT	REGUNED	2. IF EXISTING FIRE SPRINKLER SYSTEM IS TO BE MODIFY. SPRINKLER CONTRACTOR SHALL PREPARE A REVISED SPRINKLER HEAD LAYOUT AS PER THE NEW FLOOR PLAN. CONTRACTOR SHALL SUBMIT DRAWING FOR BUILDING DEPT. APPROVAL AND TAKE OUT PERMITS NECESSARY, INCREASE MAIN SIZING FOR HEAD VOLUME. INSTALL DRY HEADS INSIDE EACH OF THE THE WALK IN BOXES. RUN PIPING ABOVE CEILING AND PROVIDE ALL NECESSARY. HEADS, TRIM PIECES, PIPING, FITTINGS, VALVES, CONNECTIONS; TESTING FITTINGS, DRAINS, ETC. FOR A COMPLETE SYSTEM.	
UPC 2001 EDITION UNDER SEPARATE PERMITS UMC 2001 EDITION * ELECTRICAL ALL APPLICABLE LOCAL * PLUMBING AND STATE REGULATIONS * ELEVATOR	T, DRK CITY PLANNING COMMISSION ZOWING DIVISION	ATTACHMENT C	CONTRACTOR LATTRACTOR WJN 3/3/03 GEDROD: JOB #

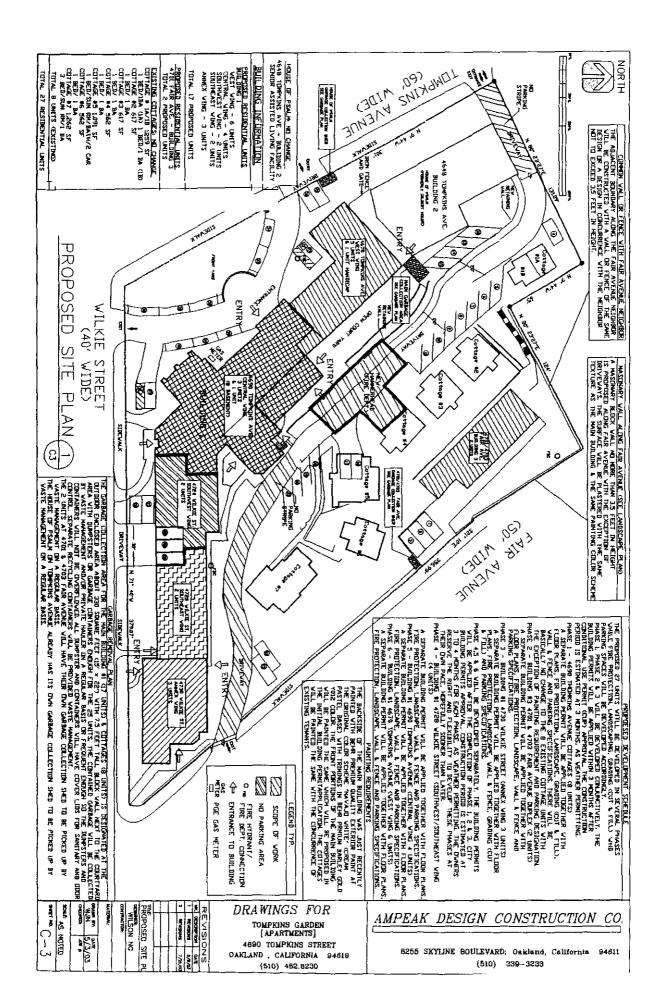


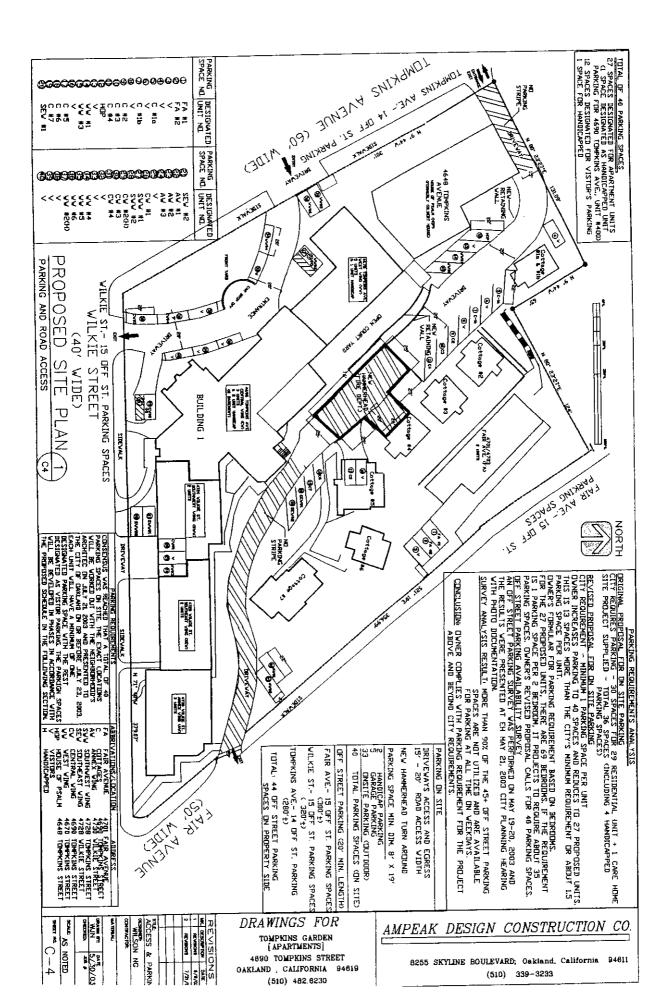


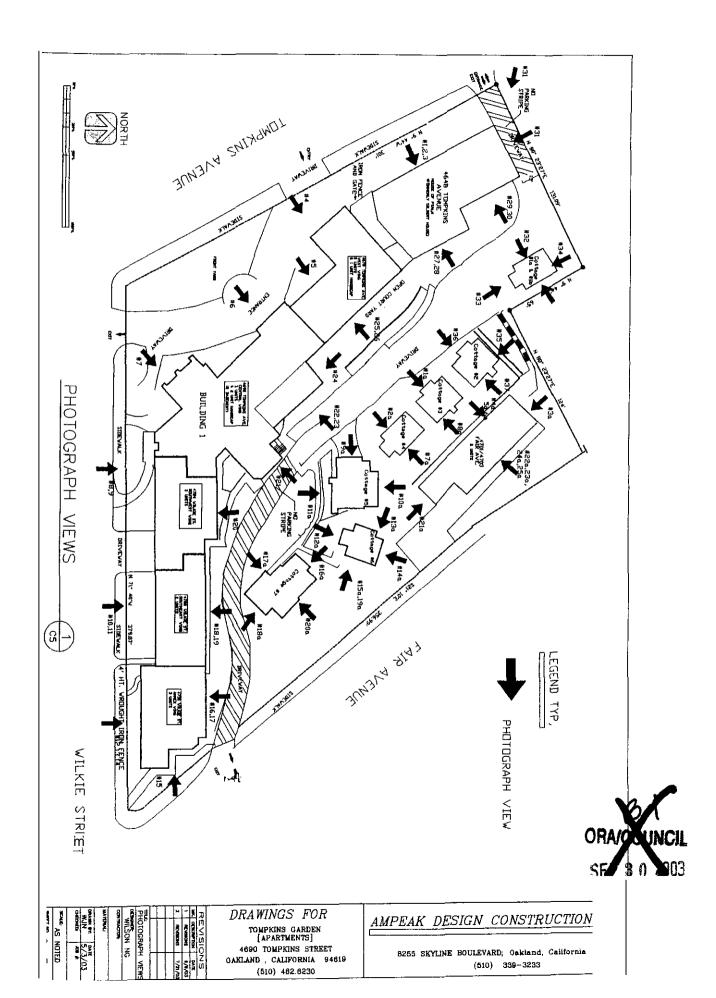












4678 TUMPKINS AVEVES (6 UNITS- 3 UNITS(AB		UNITS (ABC) 2ND	FL.)
FIRST FLODR	BEDROOMS	BATHS	SQ. FT. 1.100
UNIT LA UNIT 18 (HANDICAPPED) UNIT 10	3	2	1,460
SECOND FLOOR,	BEDROOMS	BATHS	SO. FT.
UNIT 2A UNIT <b>2B</b> UNIT 2C	3 I 3	1 1 2	1,000 630 1.300
4690 TOMPKINS AVE CEI (4 UNITS- A. B, C, AN	NTRAL VING	Γ)	
BASEMENT FLOOR	BEDROOMS	BATHS	SO. FT.
UNIT B1 (HANDICAP)	I	1	750 820
UNIT B2 (HANDICAP)	1	I	
FIRST FLOOR,	BEDROOMS 2	BATHS 1	SO. FT. 1,100
SECUND FLOOR,	BEDROOMS	BATHS	SO. FT
UNIT 2A	3	2	50. FT. 1,441
DWNER'S UNIT	BEDROOMS	BATHS	<b>SO.</b> FT.
UNITCIST/2ND FL.)	7	6	11.630
4724 VILKIE ST SDUTH (3 UNITS) (1 UNIT BASEMENT & I RECREATION ROOM		1 UNIT FIRST FL	. 4. 1 UNIT 2ND 710
(3 UNITS) (1 UNIT BASEMENT & I	BEDROOMS	BATHS	710 SO. FT.
(3 UNITS) (1 UNIT BASEMENT & 1 RECREATION ROOM FIRST FLOOR, UNIT 1A	RECREATION RM, BEDROOMS	BATHS 3	710 SO. FT. <b>3.600</b>
(3 UNITS) (1 UNIT BASEMENT & I RECREATION ROOM FIRST FLOOR,	BEDROOMS	BATHS	710 SO. FT.
(3 UNITS) (1 UNIT BASEMENT & 1 RECREATION ROOM FIRST FLOOR, UNIT JA SECOND FLOOR,	BEDROOMS 4 BEDROOMS 4 AST VING	BATHS 3 BATHS 3	710 SO. FT. <b>3.600</b> SO. FT.
(3 UNITS) (1 UNIT BASEMENT & 1 RECREATION ROOM FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 24 4728 VILKIE STSOUTHE (2 UNITS: 1 UNIT FIR:	BEDROOMS 4 BEDROOMS 4 A AST VING ST FL. & 1 UNIT	BATHS 3 BATHS 3 2ND FL.)	710 SO. FT. <b>3.600</b> SO. FT. 2.100
(3 UNITS) (1 UNIT BASEMENT & I RECREATION ROOM FIRST FLOOR, UNIT JA SECOND FLOOR, UNIT 24 4728 VILKE STSOUTHE	BEDROOMS 4 BEDROOMS 4 AST VING	BATHS 3 BATHS 3	710 SO. FT. <b>3.600</b> SO. FT.
(3 UNITS) (1 UNIT BASEMENT & 1 RECREATION ROOM FIRST FLOOR, UNIT JA SECOND FLOOR, UNIT 24 4728 VILKIE STSOUTHE (2 UNITS: 1 UNIT FIR: FIRST FLOOR:	BEDROOMS 4 BEDROOMS 4 AST VING ST FL. & 1 UNIT BEDRDDMS	BATHS 3 BATHS 3 2ND FL.2 BATHS	710 SO. FT. <b>3.600</b> SO. FT. 2.100
(3 UNITS) (1 UNIT BASEMENT & 1 RECREATION ROOM FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 24 4728 VILKIE STSOUTHE (2 UNITS: 1 UNIT FIR: FIRST FLOOR: UNIT JA	BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 AST VING ST FL. & 1 UNIT BEDRDDMS 4	BATHS 3 BATHS 3 2ND FL.) BATHS 3	710 SO. FT. <b>3.600</b> SO. FT. 2.100 SO. FT. 1.900
(3 UNITS) (1 UNIT BASEMENT & 1 RECREATION ROOM FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 24 4728 VILKIE STSOUTHE FIRST FLOOR, UNIT 1A SECOND FLOOR,	BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 BEDROOMS 7 K	BATHS 3 BATHS 3 2ND FL.> BATHS 3 BATHS 3	710 SO. FT. 3.600 SO. FT. 2.100 SO. FT. 1.900 SO. FT. 1,900
(3 UNITS) (1 UNIT BASEMENT & I RECREATION ROOM FIRST FLOOR, UNIT JA SECOND FLOOR, UNIT 24 4728 VILKIE STSOUTHE (2 UNITS: 1 UNIT FIR: FIRST FLOOR; UNIT JA SECOND FLOOR, UNIT 2A 4730 VILKIE STANTEN	BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 BEDROOMS 7 KST FL., 1 UNIT BEDROOMS	BATHS 3 BATHS 3 P 2ND FL.) BATHS 3 BATHS 3 2ND FL. & I UNIT BATHS	710 SO. FT. 3.600 SO. FT. 2.100 SO. FT. 1.900 SO. FT. 1.900 T 3RD FL.) SO. FT.
(3 UNITS) (1 UNIT BASEMENT & I RECREATION ROOM FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 24 4728 VILKE STSOUTHE (2 UNITS: 1 UNIT FIR: FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 2A 4730 VILKE STANEN (3 UNITS: 1 UNIT FIR:	BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 BEDRODMS 4 BEDROOMS 7 K ST FL., 1 UNIT	BATHS 3 BATHS 3 2ND FL.> BATHS 3 BATHS 3 2ND FL & I UNIT	710 SO. FT. 3.600 SO. FT. 2.100 SO. FT. 1.900 SO. FT. 1,900
(3 UNITS) (1 UNIT BASEMENT & I RECREATION ROOM FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 24 4728 VILKE STSOUTHE (2 UNITS: 1 UNIT FIR: FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 2A 4730 VILKE STANNEX (3 UNITS: 1 UNIT FIE FIRST FLOOR,	BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 BEDROOMS 7 KST FL., 1 UNIT BEDROOMS	BATHS 3 BATHS 3 P 2ND FL.) BATHS 3 BATHS 3 2ND FL. & I UNIT BATHS	710 SO. FT. 3.600 SO. FT. 2.100 SO. FT. 1.900 SO. FT. 1.900 T 3RD FL.) SO. FT.
(3 UNITS) (1 UNIT BASEMENT & 1 RECREATION ROOM FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 24 4728 VILKIE STSOUTHE (2 UNITS: 1 UNIT FIR FIRST FLOOR, UNIT 2A 4730 VILKIE STANNED (3 UNITS: 1 UNIT FIR FIRST FLOOR, UNIT 1A	BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 BEDROOMS 7 KST FL., 1 UNIT BEDROOMS 1	BATHS 3 BATHS 3 CAND FL.) BATHS 3 BATHS 3 2ND FL. & I UNIT BATHS 1	710 SO. FT. 3.600 SO. FT. 2.100 SO. FT. 1.900 SO. FT. 1,900 T 3RD FL.> SO. FT. 650
(3 UNITS) (1 UNIT BASEMENT & 1 RECREATION ROOM FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 24 4728 VILKIE STSOUTHE (2 UNITS: 1 UNIT FIR: FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 2A 4730 VILKIE STANNEX (3 UNITS: 1 UNIT FIR FIRST FLOOR, UNIT 1A SECOND FLOOR,	BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 BEDROOMS 5 8 8 8 8 8 8 1 1 BEDROOMS 1 BEDROOMS 4 BEDROOM	BATHS 3 BATHS 3 PATHS 3 BATHS 3 END FL. & I UNIT BATHS 1 BATHS	710 SO. FT. 3.600 SO. FT. 2.100 SO. FT. 1.900 SO. FT. 50. FT. 650 SO. FT.
(3 UNITS) (1 UNIT BASEMENT & 1 RECREATION ROOM FIRST FLOOR, UNIT JA SECOND FLOOR, UNIT 24 4728 VILKIE STSOUTHE (2 UNITS: 1 UNIT FIR FIRST FLOOR, UNIT 2A 4730 VILKIE STAME (3 UNITS: 1 UNIT FIR FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 1A	BEDROOMS 4 BEDROOMS 4 BEDROOMS 5 5 5 5 5 5 6 6 7 8 8 1 1 1 1 1 1 1 1 1 1 1 1 1	BATHS 3 BATHS 3 CAND FL.2 BATHS 3 BATHS 3 END FL & I UNIT BATHS 1 BATHS 5	710 SO. FT. 3.600 SO. FT. 2.100 SO. FT. 1.900 SO. FT. 50. FT. 650 SO. FT. 2.600
(3 UNITS) (1 UNIT BASEMENT & I RECREATION ROOM FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 24 4728 VILKIE STSOUTHE (2 UNITS: 1 UNIT FIR FIRST FLOOR, UNIT 2A 4730 VILKIE STANNEX (3 UNITS: 1 UNIT FIR FIRST FLOOR, UNIT 1A SECOND FLOOR, UNIT 1A SECOND FLOOR, UNIT 2A THIRD FLOOR,	RECREATION RM, BEDROOMS 4 BEDROOMS 4 ST FL. & 1 UNIT BEDROOMS 7 KST FL., 1 UNIT BEDROOMS 1 BEDROOMS 4 BEDROOMS 4 BEDROOMS 4 UNITS	BATHS 3 BATHS 3 CAND FL.2 BATHS 3 BATHS 3 2ND FL. & I UNIT BATHS 1 BATHS 5 BATHS	710 SO. FT. 3.600 SO. FT. 2.100 SO. FT. 1,900 SO. FT. 50. FT. 650 SO. FT. 2.600 SO. FT.

#### BUILDING NO. 2 BUILDING NO. 2 - HOUSE OF PSALM 4648 TUMPKINS AVE, FIRST FLOOR, EXISTING SENIOR ASSISTED LIVING FACILITY (NC CHANGE) BUILDING NO. 3 BUILDING NO. 3 (FORMERLY "THE LODGE") AVENUE- 2 UNITS) FIRST FLOOR BEDROOMS BATHS SO. FT. 1,440 3 2 UNIT 1A 1,298 3 з UNIT 1B TOTAL OF PROPOSED UNITS 4701 FAIR AVENUE BEDROOMS BATHS SQ. FT. UNITS 2,738 6 5 г BUILDING INFORMATION (1 13 GENERAL NOTES 1. ALL DESIGNS AND MATERIALS SHALL BE IN ACCORDANCE WITH 2001 CALIFORNIA BUILDING CODE 2001 NATIONAL ELECTRICAL CODE 2001 THE UNFORM PLUMBING CODE, 2001 UNIFORM NECHANICAL CODE, 2001 UNIFORM FIRE CODE AND ALL OTHER CODES, CITY AND ORDINANCES WHICH APPLY. PORTLAND CELENT PLASTER-EXTERIOR STUCCO SHALL CONFORM TO SECTION 2506A AND TABLE 25-F AND 25-L UBC. THE MINIMUM NAIL SZE FOR FASTEN WOVEN OR WELDED WIRE LATH TO WOODFRAME SHALL BE NO. 11 GAUGE 1-1/2" LONG WITH 7/16" DIAMETER HEAD NAIL OR NO. 16 GAUGE STAPLES HANNE 7/8" LONG LEGS AND MAXIMUM NAIL SPACING 6 INCHES AT STUDS AND THE AND BOTTOM PLATES. GYPSUM WALLBOARD SHALL CONFORM TO CHAPTER 25 AND TABLES 25A-G, 25A-H AND 25A-I, CSC. THE MINIMUM NAIL SZE SHALL BE 54 COOLER NAIL (OR WALLBOARD NAIL) AND MAXIMUM NAIL SPACING 7 INCHES AT PANEL EDGES AND INTERMEDIATE SUPPORTS (UNBLOCKED), UNLESS OTHERWISE NOTED. 4. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH STRUCTURAL CALCULATIONS, INCLUDING ANY AND ALL ADDENDA PREPARED BY ENGINEER AND APPROVED BY OAKLAND BUILDING DEPARTMENT. ALL EXCAVATIONS SHALL BE NEAT, CLEAN AND TRUE AND SHALL BE FREE OF ALL LOOSE MATERIAL 5. PRIOR TO PLACING CONCRETE. PHOR TO PLAUNG CURURETC. CONTRACTOR OR SUB-CONTRACTORS SHALL BE RESPONIBLE FOR PROVING ALL TEMPORARY BRACING, SHORING, RAILING, ETC., NECESSARY TO ENSURE SAFETY OF PERSONS AND PROPERTY. CONTRACTOR AND SUB-CONTRACTORS SHALL OF DEBRIS AS THE WORK PROGRESSED. CONTRACTOR AND SUB-CONTRACTORS SHALL PROVIDE FOR TRASH REMOVAL FROM SITE, FINAL 6. 7. CONTRACTOR AND SUB-CONTRACTORS SHALL FROME FOR THE REMOVE FROM STELETON SHALL INCLUDE A CLEANING, AFTER SUBSTANIAL COMPLETION, BUT PRIOR TO FINAL INSPECTION, SHALL INCLUDE A THOROUGH CLEANING OF ALL SURFACES INSTALLED, INCLUDING COUNTERTOPS, GLASS, LIGHT FIXTURES, FLOOR COVERING, ETC. ALL TEMPORARY FACILITIES, EXCESS MATERIALS, DEBRIS, TRASH, EQUIPMENT, ETC., SHALL BE REMOVED FROM THE SITE. STALL DE RENOVED FROM THE STEE PRIOR TO COMMERCING CONSTRUCTION, CONTRACTOR AND SUB-CONTRACTORS SHALL REVIEW ALL DRAWINGS SUPPLIED BY ARCHITECT OR DESIGNER AND ENGINEER. VERIFY ALL STE AND EXISTING JOB CONDITIONS AND DIMENSIONS AND NOTRY ARCHITECT OR DESIGN AND ENGINEER OF ANY ERRORS IN DIMENSIONS, DETAILS OR CODE COMPLIANCE. SUCH ERRORS SHALL BE RESOLVED BY DESIGNER. 8. ENGINEER AND CONTRACTOR BEFORE CONTINUING WITH ANY WORK. 9. ALL WORK SHOULD BE PLUME, LEVEL AND SQUARE, ALL MATERIALS, APPLIANCES, FIXTURES, EQUIPMENTS, ETC., SHALL BE NEW AND CONFORM WITH ALL APPLICABLE CODES, WORKMANSHIP SHALL MEET THE BEST PROFESSIONAL STANDARDS OF THE TRADE 10.

- FLASHING AND PROTECTION FOR ALL PENETRATIONS AND OPENINGS AS REQUIRED PER CODE. FLASHING AND PROTECTION FOR ALL PENETRATIONS AND OPENINGS AS REQUIRED PER CODE. SUPPLY NEW DRAINAGE SYSTEM & PIPING © 20 INTERVALS (MIN.) WITH 1/4' MESH SCREEN (CONTINUOUS) SUPPLY MIN. 5 YEARS WARRANTY ON ALL ROOF WORK. ROOF TO BE BUILT UP BITUMEN TORCH DOWN W/ COATING SUPPLY MIN. 5 YEARS WARRANTY ON ALL ROOF WORK. ROOF TO BE BUILT UP BITUMEN TORCH DOWN W/ COATING 11. 12.
- SUFFLI MIN. 5 TEAMS TRANSPORT OF AN ALL ROOM OF A DAMAGE TO BE DOMENT ROOF PARAPET TO THAY GALVANIZED FLASHING CAP ALL AROUND, PER CODE. ELECTRICAL UTULTY SERVICE LATERALS AND SEWERAGE SHALL BE UNDERGROUND. SEWERAGE TO BE HOOKED UP WITH EXISTING MAIN INFORM LOCAL UTULTY DEPT. COLORS OF INTERIOR AND EXTERIOR FINISHES AND PAINTS ARE TO BE CHOSEN BY OWNER. 13.
- 14
- INSULATION SCHEDULE AS FOLLOW: WALL R-13; ROOF R-30; FLOOR/CELLING R-19 PER TITLE 24 PROVIDE FIRE EXTINGUISHER SYSTEM AND TYPE PER OAKLAND FIRE DEPARTMENT REQUIREMENTS AND LOCATION PER CODE 15.



Oakland, 3233

BOULEVARD;

SKYLINE

8255

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(510)

APARTMENTS TOMPKINS STREET FORCALIFORNIA WINGS OAKLAND 4690 DRA

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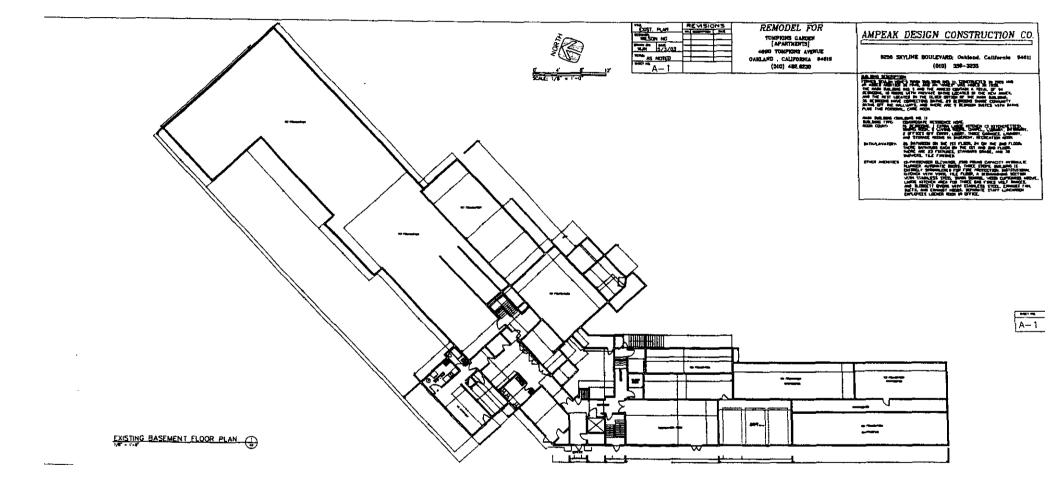
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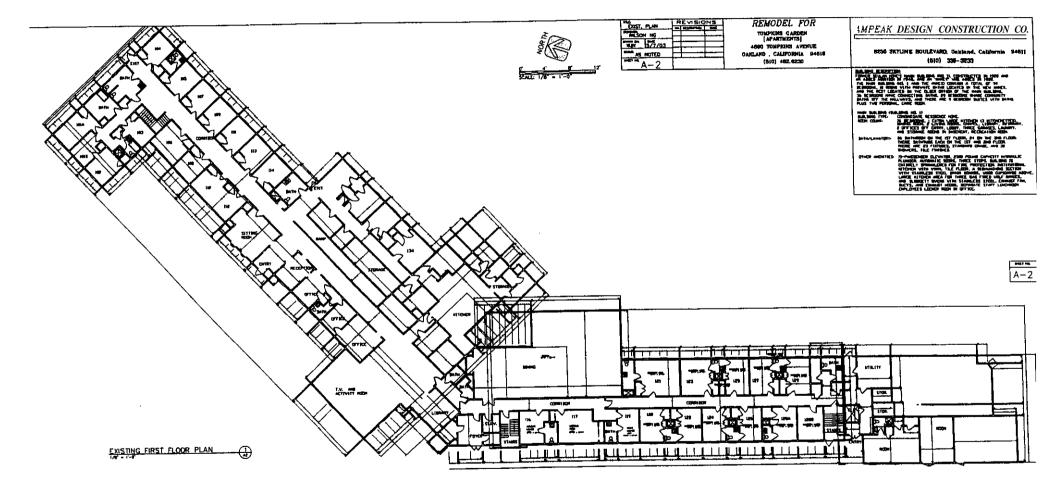
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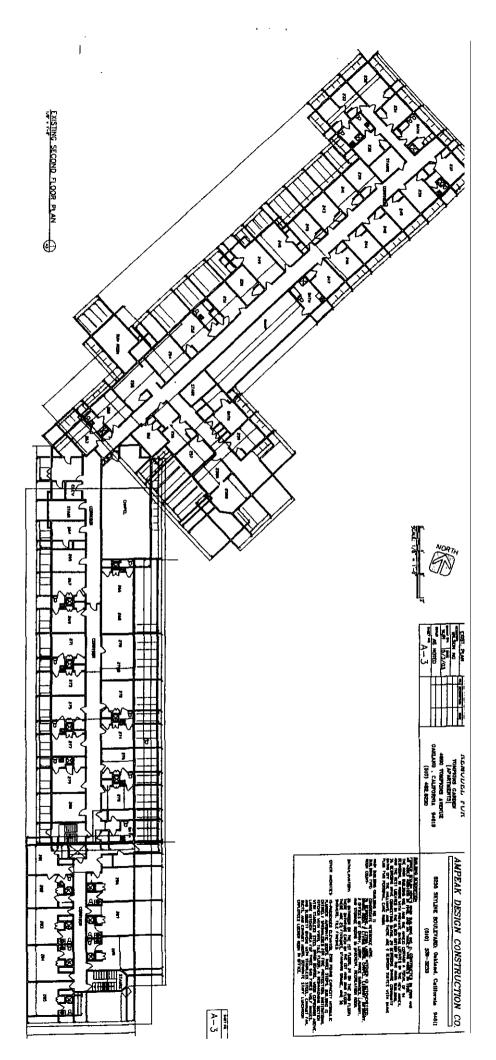
AS NOTED

REVISIONS









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