

CITY OF OAKLAND

AGENDA REPORT OFFICE OF THE CITY CLERK

2006 FEB -2 AM 11: 28

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Community & Economic Development Agency
DATE: February 21, 2006

RE: **A Public Hearing and Adoption of Resolution Denying the Appeal of Planning Commission Approval of Conditional Use Permit and Design Review for a 55 Unit Residential Project at 2400 Filbert Street**

SUMMARY

This project, to construct a 55 unit development (CD05-116), was approved by the Planning Commission on November 16, 2005. On November 28, 2005, Dan Holden filed an appeal of the Planning Commission's approval (Attachment A). The appellant is basing his appeal on three points, 1) That the proposed 55 unit project exceeds the density and is not consistent with the single family neighborhood, 2) That no environment impact report was prepared, and 3) That the traffic impact study prepared for the project is invalid. The appellant submitted additional information that raised general concerns with regard to parking, the public notice for the project and the proposed design of the buildings. Staff responses to the grounds for appeal are discussed in the Key Issues and Impacts section of this report. Staff recommends that the Council uphold the Planning Commission's approval of this project and deny the appeal.

FISCAL IMPACT

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

BACKGROUND

PROJECT DESCRIPTION

This request would provide for the demolition of the existing industrial warehouse building and construction of 55 new townhouse style condominiums units that will be developed around an internal driveway and open space. The proposed townhouses will face out toward the public streets on Filbert, Myrtle, and 24th Streets with smaller units on the backside facing in towards the open space and driveway of the development site. The project will include five small

Item: _____
City Council
February 21, 2006

commercial spaces facing onto 24th Street that may be used for small neighborhood serving businesses, one of which is currently proposed as a café.

The proposal consists of three building styles. The units that will front onto Filbert and Myrtle Streets will be two stories tall with two bedrooms each and contain ground floor entry stoops. The exterior materials will consist of a mix of horizontal siding and board and batten siding.

The 24th Street buildings will be three stories tall with two bedroom dwellings above a garage or small commercial spaces. The proposed garage doors will contain high quality finishes with glazing at the top three lites. The entry porches at this elevation will be located at grade to fit in with the ground floor commercial spaces. The upper levels at this elevation will contain horizontal siding and the ground floor will contain stucco with a tile bulkhead.

The third building style is proposed for the units that will face the interior of the development site. They will be small one bedroom two story units located above a garage that is served off of the interior driveway.

PROJECT LOCATION AND ZONING

The subject property is located within an M-20, Light Industrial Zone and a small portion of the north end of the site is located within the R-50, Medium Density Residential Zone. The M-20 zone is intended to create, preserve, and enhance areas containing manufacturing and related establishments with limited external impact within an open and attractive setting, and is typically appropriate to locations adjacent to residential communities. The R-50 zone is intended to create, preserve, and enhance areas for apartment living at medium densities in desirable settings, and is typically appropriate to areas of existing medium density residential development.

Given that the M-20 Zone does not permit residential uses, the applicant requested an Interim Conditional Use permit to invoke the General Plan of Mixed Housing Type Residential, which specifically allows residential uses at a density of one dwelling unit per 1,089 square feet of lot area, which would allow for a total of 58 dwelling units on the subject 63,375 square foot site. The proposal also required a Regular Design Review approval for the portion of the property that is located within the R-50 Zone.

PLANNING COMMISSION REVIEW

The project first went before the Planning Commission on October 19, 2005, and at the request of the Planning Commissioners the item was continued so that the Applicant could meet with the concerned neighbors who spoke at the hearing. The Applicant met with the neighbors and as a result of the meeting modified the project so that the proposed driveway entrances to the internal driveway would be reconfigured to enter and exit onto 24th Street only rather than onto Filbert and Myrtle Streets. This modification addressed neighborhood concerns with regard to increased traffic on the side streets. This revised proposal was approved by the Planning Commission on November 16, 2005 through a Conditional Use and Design Review application.

Item: _____
City Council
February 21, 2006

KEY ISSUES AND IMPACTS

The appellant's letter is attached as Exhibit "A". The basis for the appeal, as contained in the appeal letter, is shown in bold text. A staff response follows each point in italic type.

1. The proposed 55 unit project far exceeds the density and is not consistent with the single family dwellings in this neighborhood.

Staff Response: Given that the property is located within the Mixed Housing Type Residential General Plan Area, a residential density allotment is set at one dwelling unit per 1,089 square feet of lot area. The 63,375 square foot site would allow for a maximum of 58 dwelling units on the subject site. The proposed 55 unit proposal is three units less than the maximum allowed.

The Appellant is arguing that the neighborhood is a single family neighborhood. While there are many single family homes within the area there are also many multi unit properties in the area including that of the appellants. The subject lot is located at the end of the block and just one block off of two major corridors. The increased density acts as an anchor at the end of the block, which is a pattern often seen in urban areas. The north end of Filbert and Myrtle Streets show a similar pattern as most of the properties that are located at the end of the block near 26th Street contain multi unit properties from two to six units, per the Alameda County Assessor's records. While the per square foot density is more than many of the properties on the subject block, the scale and massing of the development has been designed in a way that relates to historical development patterns in the neighborhood, by providing smaller scale townhouse style units rather than bulkier apartment buildings. In addition, each street front unit along Myrtle and Filbert Streets contains an entry stoop that faces directly out to the neighborhood to create a pedestrian friendly environment similar to that of other homes in the area that were developed in the early 1900's.

2. No Environmental Impact Study was done. A project of this magnitude warrants an EPA study.

Staff Response: Consistent with the California Environmental Quality Act (CEQA) and local requirements, staff completed a preliminary CEQA review of the project. The project was found to meet the criteria for a Categorical Exemption under Section 15332 of the CEQA Guidelines for in-fill development projects. The use of this exemption was confirmed by the Planning Commission at the November 16, 2005 Hearing based on the following findings:

a) The project is consistent with the applicable general plan designation and all general plan policies as well as with applicable zoning designation and regulations.

The proposed project is consistent with the Mixed Housing Type General Plan designation.

Item: _____
City Council
February 21, 2006

- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The development site is located within the Oakland City limits, is less than five acres and is completely surrounded by urban uses.

- c) The project site has no value as habitat for endangered, rare, or threatened species.**

The project site has been previously developed and does not contain any habitat for endangered, rare, or threatened species.

- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

The traffic analysis prepared for the project determined that the project would not result in any significant impacts to the existing level of service (LOS) of local intersections. With implementation of standard conditions of approval related to construction management and noise reduction measures, the project would not result in any significant impacts on traffic, noise, air quality, or water quality. The applicant has provided a "Remedial Action Completion Certificate" from the Alameda County Department of Environmental Health indicating the completion of the gasoline tank removal and remediation completed in 1991.

- e) The site can be adequately served by all required utilities and public services.**

All required utilities are readily accessible on the surrounding streets, and the site will be adequately served by public services in the area.

Thus, an Environmental Impact report was not prepared because all the requirements of the in-fill exemption are met. The Exceptions to the use of a Categorical Exemption, as set forth in Section 15300.2 of the CEQA guidelines, do not apply to this proposal or project site.

- 3. The traffic study is inadequate and is based on the false assumption that no more than 50 cars would appear at any intersection at any one time. The traffic study was based on the previous plan not the plan approved by the Planning Commission.**

Staff response: The traffic study provided for this proposed project was prepared by Abrams and Associates, a licensed traffic engineering firm. The appellant has not provided a study by a licensed traffic engineer to substantiate, on a factual basis, the claims of inadequacy, nor has he provided any evidence whatsoever to attack the validity of the traffic study. Furthermore, as a standard practice projects of this size do not always merit a traffic study unless there are clearly potential issues with regard to existing traffic conditions in relation to the location of the project. Early in the process Planning Staff had informed the applicant of the neighborhood concerns

Item: _____
City Council
February 21, 2006

over traffic impacts and a traffic study was produced. Table 3 within the Impact Analysis section of the traffic study (Attachment D) indicates that the total trip generation during the peak periods would not exceed 50 trips (48-AM, 43-PM), which is based on the Institute of Transportation Engineers Trip Generation manual. The study provides AM and PM peak period traffic counts for nearby intersections, establishes the existing Level of Service of those intersections, and then factors in the additional traffic generation as a result of the project. The findings were that no existing Levels of Service would be degraded to a level below D, which the City has established as the minimum acceptable level that intersections must operate at. In most cases the existing Level of Service at intersections was not reduced at all, and the majority of the intersections monitored were operating at LOS A, which is the highest level.

The "plan approved by the Planning Commission" that the appellant is referring to is the revised set of plans that the applicant provided at the November 16, 2005 Planning Commission hearing. The applicant had altered the plan to reduce traffic on Myrtle and Filbert Streets by putting the driveway entrances onto 24th Street to address neighborhood concerns of traffic flow on the side streets. The change to the plan would not impact the resulting traffic counts at nearby intersections, because the same number of anticipated new trips has not increased, based on a 55 unit project. The Traffic Engineer has submitted a letter to the City to verify this. Further, the approved project will direct trips from the project onto 24th Street, thus decreasing any trips onto Filbert Street, where the appellant resides.

Parking

The appellant raised concerns with regard to parking, specifically questioning how the use of parking lifts could provide for independently accessible parking spaces.

Staff Response: The required parking for the proposed 55 unit development is 55 parking spaces calculated at one parking space per dwelling unit. The proposal met this parking requirement and no variances were requested. The parking lifts will be designed as a pit lift system that will lower cars below grade so that each car can be independently accessible without having to move another vehicle out of a stall. Furthermore, parking is not a CEQA issue, and there is plenty of off street parking in the surrounding area that is walking distance from the project site.

Public Notice

The appellant claims that the project was not properly noticed.

Staff Response: All projects that are to be heard before the Oakland Planning Commission require public notice as set forth in Planning Code Section 17.134.040, which states "Notice of the hearing shall be given by posting notices thereof within three hundred (300) feet of the property involved in the application. Notice of the hearing shall also be given by mail or delivery

Item: _____
City Council
February 21, 2006

to all persons shown on the last available equalized assessment roll as owning real property in the city within three hundred (300) feet of the property involved. All such notices shall be given not less than ten days prior to the date set for the hearing." As required, the proper public notice was provided. Attachment "E" includes the Verification of Posting Locations which shows the 11 posters that were placed around the project area. Also included is the mailing list for the property owners within 300 feet of the project site. Furthermore, the appellant testified at both Planning Commission hearings.

Design

The appellant challenges two of the design review findings with regard to the Bulk of the proposal and the desirable neighborhood characteristics of the neighborhood.

Staff Response: The bulk of the proposal is broken down by the proposed townhouse form of the units, which creates breaks in the façade of the buildings to provide an individual unit façade similar to other homes in the area, but as a part of a larger development site.

The development will enhance the area as a residential neighborhood by constructing dwelling units that will replace the existing distribution warehouse and transition the neighborhood back to residential as envisioned by the General Plan.

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.

Environmental: The project has been found to be exempt under Section 15332 "In-Fill Development" of the State of California 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 that the project 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 adopt the attached Resolution upholding the Planning Commission approval and denying the appeal. 1) The Planning Commission's decision was based on a thorough review of all pertinent aspects of the project and on the basis of the public record as a whole. 2) The approved Conditional Use Permit and Design Review include enforceable conditions of approval that will ensure the visual quality and appropriate operation of the building.

ALTERNATIVE CITY COUNCIL ACTIONS

The City Council also has three other options in addition to the recommended action 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 on the project.
3. The item could be continued pending new information, further clarification of conditions, property inspection, or further review and consideration by the Planning Commission, based on Council direction.

ACTION REQUESTED OF THE CITY COUNCIL

1. Affirm staff's environmental determination to apply an infill exemption to this project under CEQA guidelines Section 15332.
2. Adopt the attached Resolution upholding the Planning Commission approval and denying the appeal.

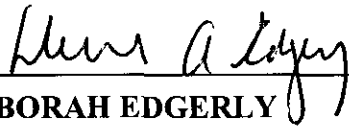
Respectfully submitted,



CLAUDIA CAPPIO
Development Director
Community & Economic Development Agency

Prepared by:
Peterson Z. Vollmann, Planner III
Planning & Zoning

Approved and Forwarded to the City Council:



DEBORAH EDGERLY
Office of the City Manager

ATTACHMENTS:

- A. Appellant's letter of November 28th, 2005 and follow up letter of December 10th, 2005.
- B. Planning Commission Staff Report
- C. Project Plans
- D. Traffic Study w/ follow up letter for revised driveway.
- E. Verification of Public Notice



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: CD 0511C
Project Address of Appealed Project: 2400 FILBERT ST

APPELLANT INFORMATION:

Printed Name: DAN HOLDEN Phone Number: 510.938.0255
Mailing Address: 2520 FILBERT ST Alternate Contact Number:
City/Zip Code OAKLAND CA 94609 Representing:

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
[] Denying 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:

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

[x] A DECISION OF THE CITY PLANNING COMMISSION (TO THE CITY COUNCIL)
[] Granting an application to: OR [x] Denying an application to:

(continued on r

(Continued)

A DECISION OF THE CITY PLANNING COMMISSION (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)
- Major Variance (OPC Sec. 17.148.070)
- Design Review (OPC Sec. 17.136.090)
- Tentative Map (OMC Sec. 16.32.090)
- Planned Unit Development (OPC Sec. 17.140.070)
- Environmental Impact Report Certification (OPC Sec. 17.158.220F)
- Rezoning, Landmark Designation, Development Control Map, Law Change (OPC Sec. 17.144.070)
- Revocation/impose or amend conditions (OPC Sec. 17.152.160)
- Revocation of Deemed Approved Status (OPC Sec. 17.156.170)
- Other (please specify) TRAFFIC STUDY.

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 a buse 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.)

WE WERE NOT PROPERLY NOTIFIED REGARDING HEARING THE TRAFFIC STUDY
WAS BASED ON THE FALSE ASSUMPTION THAT LESS THAN FIFTY CARS
WOULD USE ANY ADJACENT INTERSECTION. THE PROPOSED DENSITY OF THIS
PROJECT EXCEEDS THE CURRENT ZONING AND IS NOT COMPLIANT WITH THE
SURROUNDING SINGLE FAMILY DWELLINGS. NO ENVIRONMENTAL STUDY WAS
REQUIRED EVEN THOUGH THE PROJECT FAILED TO MEET (SEE ATTACHED SHEET)

- Supporting Evidence or Documents Attached. (The appellant must submit all supporting evidence along with this Appeal Form.)

Don Holden

Signature of Appellant or Representative of
Appealing Organization

11-28-05

Date

Date/Time Received Stamp Below:

Below For Staff Use Only

Cashier's Receipt Stamp Below:

THREE OF THE FIVE EXEMPTION REQUIREMENTS. BECAUSE OF

THE INADEQUATE TRAFFIC STUDY AND FAILURE TO NOTIFY NEIGHBORS

WE ARE APPEALING TO THE CITY COUNCIL. (SEE ATTACHED)

NEIGHBORS ARE ALSO CONCERNED ABOUT CONSTRUCTION

HAZARDS.

OTHER DOCUMENTS TO FOLLOW: WITHIN TEN DAYS

Where is

lack of notice
add needed?



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: _____

Project Address of Appealed Project: 2400 ELBERT ST OAKLAND CA

APPELLANT INFORMATION:

Printed Name: DAN HOLDEN Phone Number: 510.938.0255

Mailing Address: PO BOX 31721 Alternate Contact Number: _____

City/Zip Code OAKLAND CA 94604 Representing: MYSELF

An appeal is hereby submitted on:

[] AN ADMINISTRATIVE DECISION (TO THE CITY PLANNING COMMISSION)

YOU MUST INDICATE ALL THAT APPLY:

- [x] Approving an application for an Administrative Project
[] Denying an application for an Administrative Project
[x] Administrative Determination or Interpretation by the Zoning Administrator
[] Other (please specify) _____

Pursuant to the Oakland Municipal and Planning Codes listed below:

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

PLANNING COMMISSION

[x] A DECISION OF THE CITY PLANNING COMMISSION (TO THE CITY COUNCIL)
[x] Granting an application to: OR [] Denying an application to:

(continued on reverse)

(Continued)

A DECISION OF THE CITY PLANNING COMMISSION (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)
- Major Variance (OPC Sec. 17.148.070)
- Design Review (OPC Sec. 17.136.090)
- Tentative Map (OMC Sec. 16.32.090)
- Planned Unit Development (OPC Sec. 17.140.070)
- Environmental Impact Report Certification (OPC Sec. 17.158.220F)
- Rezoning, Landmark Designation, Development Control Map, Law Change (OPC Sec. 17.144.070)
- Revocation/impose or amend conditions (OPC Sec. 17.152.160)
- Revocation of Deemed Approved Status (OPC Sec. 17.156.170)
- Other (please specify) _____

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 a buse 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.)

THE TRAFFIC STUDY IS INA

I WISH TO APPEAL THE D

THE FIRE USE

THE LACK OF A ENVIRONMENTAL REPORT

- Supporting Evidence or Documents Attached. (The appellant must submit all supporting evidence along with this Appeal Form.)

Dan Holden

Signature of Appellant or Representative of
Appealing Organization

11-25-05

Date

Date/Time Received Stamp Below:

Below For Staff Use Only

Cashier's Receipt Stamp Below:

This appeal is based on three points:

1. The proposed 55 unit project far^{exceeds} the density and is not consistent with the single family dwelling in this neighborhood.
2. No Environmental Impact Study was done. A project of this magnitude warrants an EPA study.
3. The traffic study is inadequate and is based on the false assumption that no more than 50 cars would appear at any intersection at any one time. The traffic study was based on a previous plan not the plan approved by the planning commission.

The reason we are appealing the planning commissions decision to allow 55 high density units in an otherwise single family neighborhood is because of the severe traffic problems and future parking problems that will be created by this high density project. No Environmental study was performed. The Traffic report is highly suspect based on the erroneous assumption that no more than 50 cars would appear at any intersection at any one time.

where
12
parking
address?

The proposed 55 Unit project has three and four bedroom units in it that leads one to believe that anywhere from a 110-220 people could live in the 55 units. If there are families with children, the LVC could far exceed 200 cars per day. The proximity to the school with it's high peak drive time between 7:30am and 8:30am coincides with commute traffic. The developers have redesigned all the traffic to funnel onto 24th street. The traffic study only examines three large intersections several blocks away. In this appeals, we are requesting a reduction of units from 55 to 35.

We are requesting an EPA study which has not been done.

We are requesting a realistic traffic report, one that is based on the actual number of cars present. Assuming that 55 families having 2 cars each is 110 cars and the additional cars generated by visitors. Not one based on the false assumption... "since not more than 50 cars would appear at any one intersection at any one time"... A complete traffic study is paramount to a well developed neighborhood. One needs only to look at Bay Street in Emeryville, which was originally opened as a two way road with parking that it was so overwhelmed it became a totally non functional one way street with limited access.

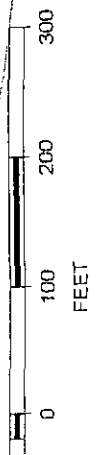
The reduction of 55 units to 30 Units would be more consistent with the neighborhood and the general plan.

See accompanying pictures.

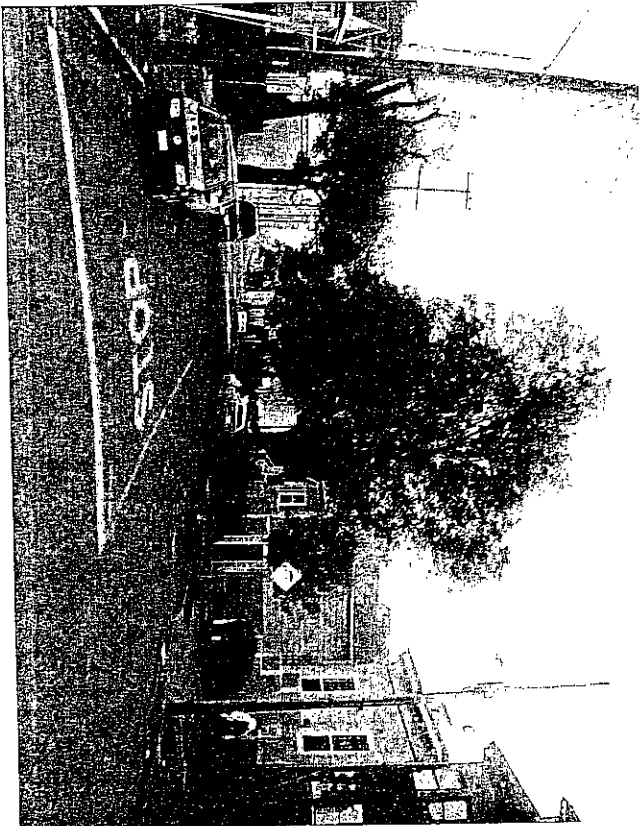
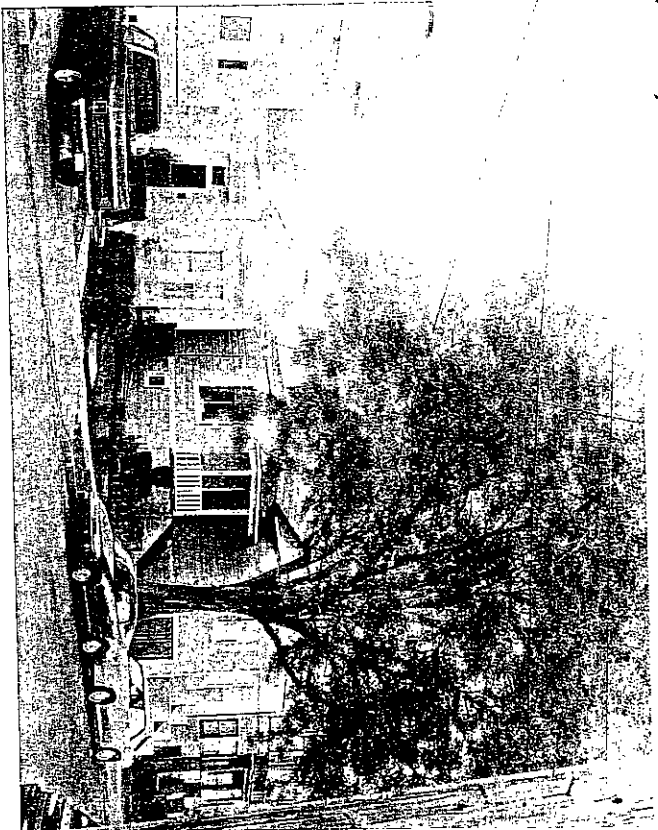


The majority of these buildings are / single family houses

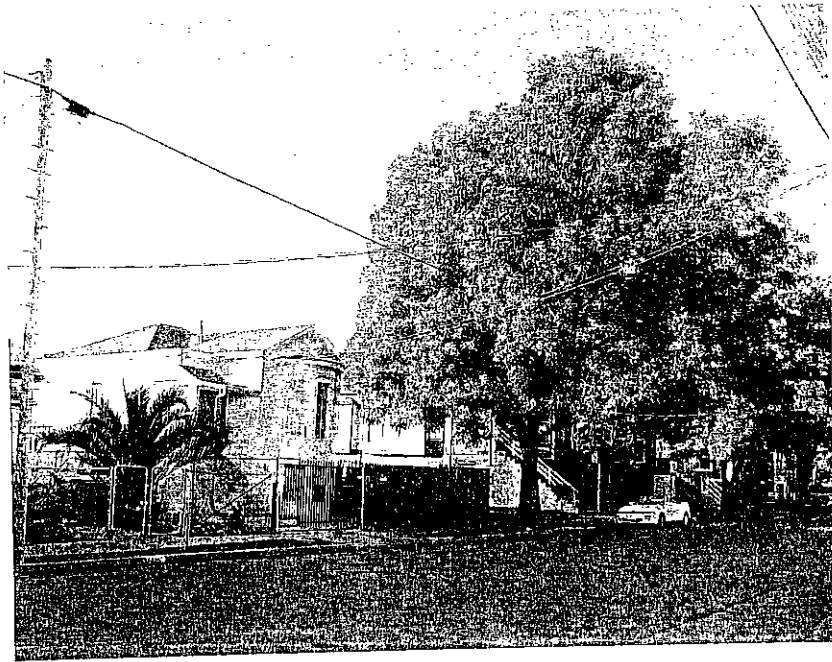
SCALE 1:1,789

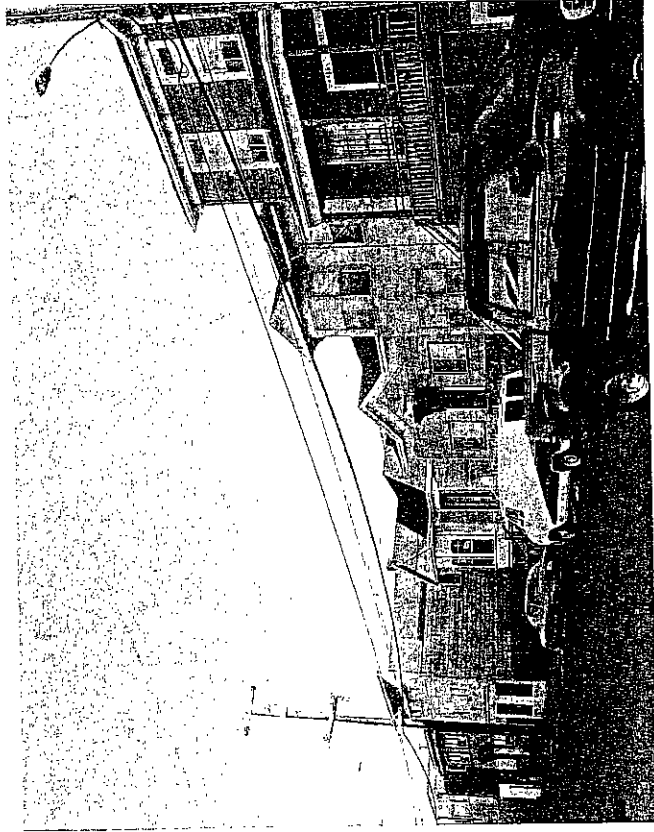
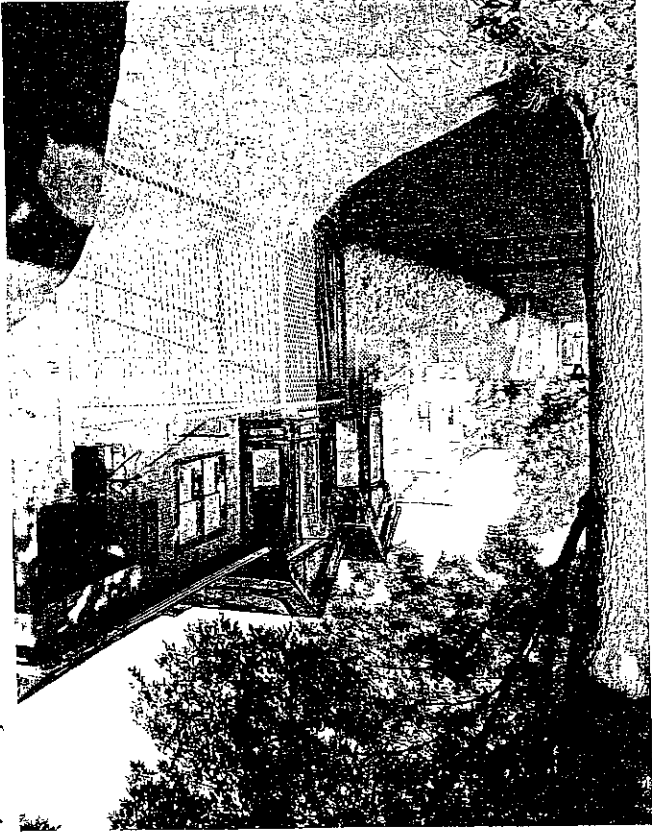


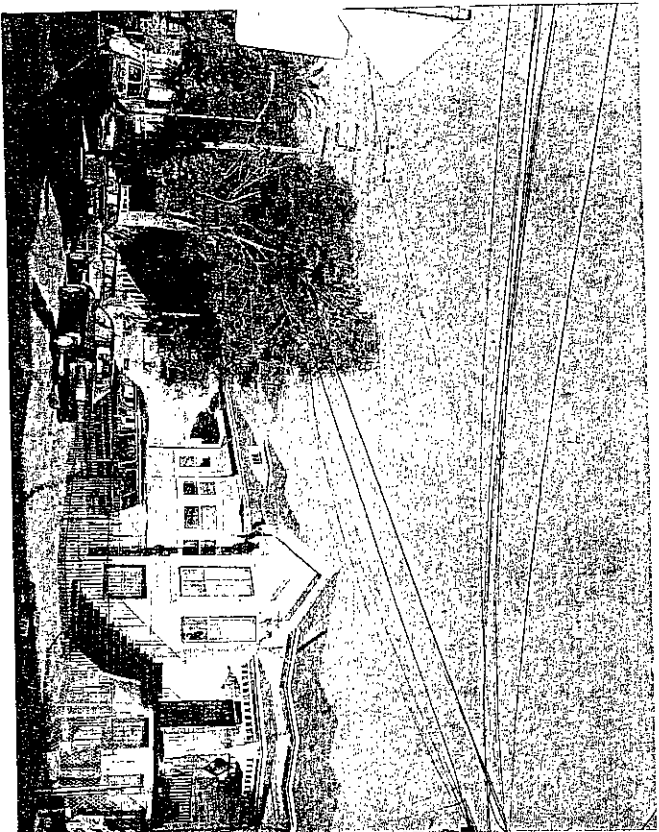
- ① - 2400 Filbert St - 63,600 sf - 55 units Proposed
- ② - 2240 Chestnut St - 122,865 sf - 49 units
- ③ - 2220 Filbert St - Industrial M-2



These are pictures of the houses neighboring
2400 Filbert St.







12/03/05

This is a request for appeal for the proposed Emerald Parc Development.

Emerald Parc Development is a proposal to take 63,600 square feet that is zoned primarily M-20 and turn it into infill housing.

Turning this industrial used space that is surrounded by housing into housing seems like a positive idea however the density that is proposed is more than double of the most dense areas of the neighboring blocks. The density and the increased number of cars that this project will bring to our streets are our main concerns.

" SECTION 17.01.100B - MINOR CONDITIONAL USE PERMIT FINDINGS FOR PROPOSALS CLEARLY IN CONFORMANCE WITH GENERAL PLAN BUT NOT PERMITTED BY ZONING REGULATIONS:

A. That the proposal is clearly appropriate in consideration of the characteristics of the proposal and the surrounding area. "

Who ever wrote the above clearly has not spent any time scouting or observing the characteristics of the surrounding area which is pimarily single family homes.

"17.136.070A - RESIDENTIAL DESIGN REVIEW CRITERIA:

A. 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 BULK of this proposed project is extremely high for the conformity of the close surrounding areas.

B. The proposed design will protect, preserve, or enhance desirable neighborhood characteristics.

How can a dense area of condos preserve or enhance desirable neighborhood characteristics in a neighborhood of well spaced Victorian houses?

Another reason for our appeal is the large number of vehicles that this project will bring to our quiet streets and the lack of accomodating parking.

" a structure at the north end of the sight will provide parking in an accessory structure that will be pit style parking lifts for 20 independently accessible parking stalls."

How can 20 parking spaces be independent with lifts?

This project is counting on the availible neighboring streets for all of the additional cars

residents will own and for guest parking.

There is also concerns that the designs do not take into consideration the zoning regulations of R-50.

SETBACKS: Front and Rear 15 ft.

MAX. LOT COVERAGE: 2,000sf, or 50% of lot area (whichever is greater)

ASSESSOR'S MAP 5

Code Area No. 17-046

Map of survey of Northern Extension of Oakland. (Bk. 5 Pg. 34)

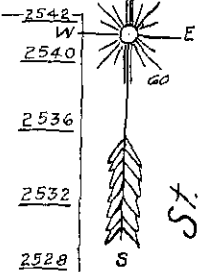
433
638

Scale: 1" = 40'

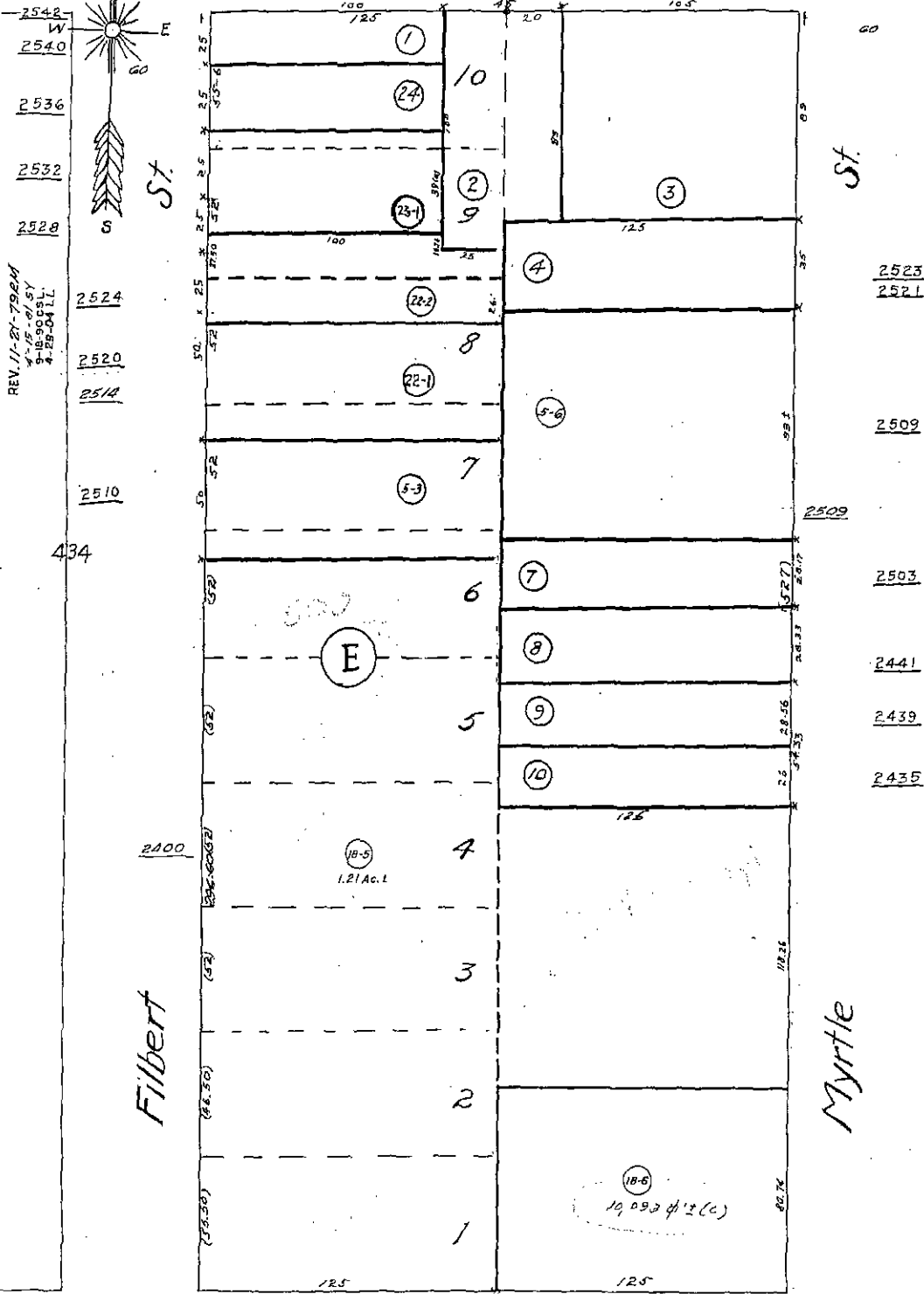
Plan
Map of Oakland and vicinity showing of Streets as established
and proposed. Compiled from official surveys and Records of the
County (as per W.F. Boardman City and County Surveyor.)
450 (Bk. 17 Pg. 14)

26TH St

St
959
957
955
953
951



REV. 11-27-79 PM
1-16-81
9-18-80
4-28-84



Handwritten notes: 2 blocks of 63 lots each
W. 1/2 S. 65
Unit 5

432

24TH St

St

PROPERTY INFORMATION

1) Property: 2400 FILBERT ST, OAKLAND CA 94607-2919 C005
APN: 005-0433-018-05 Card#: Use: WAREHOUSE
County: ALAMEDA, CA Prop Tax: \$15,843.36 Total Value: \$1,043,184
MapPg/Grid: 649-F2 Old Map: 9-A2 Tax Year: 2004 Delinq: Land Value: \$448,623
Census: 4016.00 Tract #: Tax Area: 17046 Imprv Value: \$594,561
High School: OAKLAND BA UNIF Elem School: Taxable Val: \$1,043,184
Comm Coll: Exemptions: Assd Year: 2004
Subdivision: NORTHERN EXT % Improved: 57%
Owner: PACIFIC AMERICAN PROPERTY EXCHANGE CORPORATION Phone:
Owner Vest: / / CO
Mail: 909 N AMPHLETT BLVD; SAN MATEO CA 94401-1105 C010 C/O MONICA HUJAZI

Owner Transfer = Rec Dt: Price: Doc#: Type:
Sale Dt:

SALE & FINANCE INFORMATION

LAST SALE PRIOR SALE
Recording/Sale Date: 03/07/2000 02/03/2000
Sale Price/Type: \$1,050,000 FULL
Document #: 67972
Deed Type: GRANT DEED
1st Mtg Amt/Type:
1st Mtg Rt/Type/Term: / /
1st Mtg Lender:
2nd Mtg Amt/Type:
2nd Mtg Rt/Type/Term: / /
Title Company: FIRST AMERICAN TITLE
Seller: BENNETTS DISTRIBUTING CORP
New Construction:
Other Last Sale Info = # Parcels: Type 2: MULTIPLE Pend:

IMPROVEMENTS

Bldg/Liv Area: 37,750
Gross Area: 37,750
Ground Flr:
Bsmnt Area:
\$/SqFt:
Yrblt/Eff: 1956 1956
Stories: 1.00
Rooms:
Bedrooms:
Full/Half Bath:
Ttl Baths/Fixt:
Fireplace:
Pool:
Porch Type:
Patio Type:
Construct: MASONRY

SITE INFORMATION

Res. Units: County Use: 41 Acres: 1.19
Comm Units: Zoning: Lot Area: 51,762
Buildings: 1 Flood Panel: Lot Width:
Bldg Class: C50Z Panel Date: Lot Depth:
Parking Sqft: Flood Zone: Usable Lot:
Park Spaces: Sewer Type:
Garage Cap#: Water Type:
Park Type:
Other Impvs:
Legal Blk/Bldg: E Site Influence:
Legal Lot/Unit: Amenities:
Legal:

Foundation:
Ext Wall:
Roof Shape:
Roof Type:
Roof Matl:
Floor Type:
Floor Cover:
Heat Type:
Heat Fuel:
Air Cond:
Quality: AVERAGE
Condition:
Style:
Equipment:
Other Rms:

Emerald Parc Project

11/25/05

We the undersigned have never been notified by the city or any other organization of the Emerald Parc Project. The 55 unit Condo subdivision that is to be erected in our neighborhood.

1. *Angela Miranda* 2525 Filbert St
2. *Chris* 2431 Filbert St.
3. *James* 2417 Filbert St.
4. *Cherie Cooke* 2425 Filbert St
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.

Emerald Parc Project

11/25/05

We the undersigned have never been notified by the city or any other organization of the Emerald Parc Project. The 55 unit Condo subdivision that is to be erected in our neighborhood.

1. Greg Shine 2517 FILBERT ST
2. Kelly [Signature] 2509 Filbert St
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.

PROPERTY INFORMATION

1) Property: 1050 W GRAND AVE, OAKLAND CA 94607-2951 C006
APN: 005-0428-001-01 Card#: Use: PUBLIC (NEC)
County: ALAMEDA, CA Prop Tax: Total Value:
MapPg/Grid: 649-F2 Old Map: Tax Year: Delinq: Land Value:
Census: 4016.00 Tract #: Tax Area: 17046 Imprv Value:
High School: OAKLAND BA UNIF Elem School: Taxable Val:
Comm Coll: Exemptions: Assd Year:
Subdivision: % Improved:
Owner: HOUSING AUTHORITY OF THE CITY OF OAKLAND Phone:
Owner Vest: / /
Mail: 1619 HARRISON ST; OAKLAND CA 94612-3307 C019
Owner Transfer = Rec Dt: Price: Doc#: Type:
Sale Dt:

SALE & FINANCE INFORMATION

LAST SALE PRIOR SALE
Recording/Sale Date:
Sale Price/Type:
Document #:
Deed Type:
1st Mtg Amt/Type:
1st Mtg Rt/Type/Term: / /
1st Mtg Lender:
2nd Mtg Amt/Type:
2nd Mtg Rt/Type/Term: / /
Title Company:
Seller:
New Construction:
Other Last Sale Info = # Parcels: Type 2: Pend:

IMPROVEMENTS

Bldg/Liv Area: 69,158
Gross Area: 69,158
Ground Flr:
Bsmnt Area:
\$/SqFt:
Yrblt/Eff: 2003
Stories: 3.00
Rooms:
Bedrooms:
Full/Half Bath:
Ttl Baths/Fixt:
Fireplace:
Pool:
Porch Type:
Patio Type:
Construct: WOOD
Foundation:
Ext Wall:
Roof Shape:
Roof Type:
Roof Matl:
Floor Type:
Floor Cover:
Heat Type:
Heat Fuel:
Air Cond:
Quality: AVERAGE
Condition:
Style: RECTANGULAR DESIG
Equipment:
Other Rms:

SITE INFORMATION

Res. Units: County Use: 03 Acres: 2.82
Comm Units: 72 Zoning: Lot Area: 122,865
Buildings: 1 Flood Panel: Lot Width:
Bldg Class: D65A Panel Date: Lot Depth:
Parking Sqft: Flood Zone: Usable Lot:
Park Spaces: Sewer Type:
Garage Cap#: Water Type:
Park Type:
Other Impvs:
Legal Blk/Bldg: Site Influence:
Legal Lot/Unit: Amenities:
Legal:

ASSESSOR'S MAP 5

Code Area No. 17-046

5

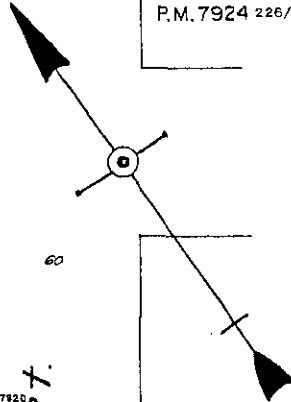
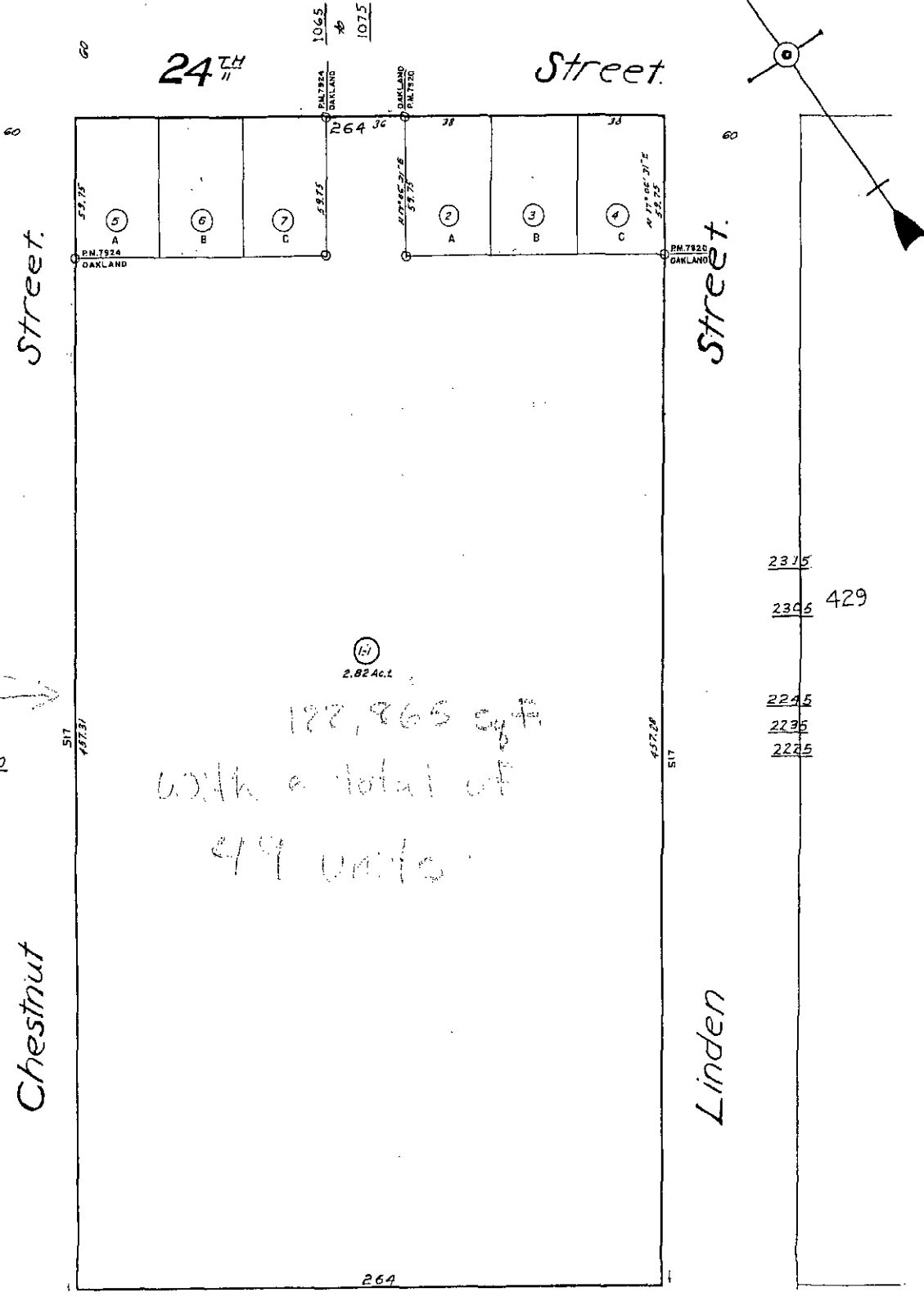
428
633

Scale 1 in = 40 ft.

Map of Oakland and vicinity showing of streets as established and proposed. Compiled from official surveys and Records of the County (as per W.F. Boardman City and County Surveyor, (Bk 17 Pg. 14)

P.M. 7920 266/34-35
P.M. 7924 226/36-37

REV. 9-68 W.I.M. 5-19-70 A.M.C.
12-14-01 C.S.I.
10-16-02 C.S.I.
4-29-04 L.L.



2320
2310
2300

427

2240
2230

2220

2325
2315 429
2305

2245
2235
2225

West Grand Avenue

414

PTS100-01

UPDATE/QUERY PROJECT INFORMATION

11/10/05 10:31:46

Applic#* B0200370 Type: 1 DUPLICATE OF APPLICATION#: B0200369
Date Filed: 01/28/02 Disposition: F FINALED 06/16/03

NUMBER STREET NAME SUFFIX* SUITE ASSESSOR PARCEL#
Site addr: 1) 2240 CHESTNUT ST BD#10 005 -0428-001-00
2)
3)

Bldg: Floor: Prcl Cond: Cond Aprvl: Viol: X
Proj Descr: NEW 12 UNIT TOWNHOUSE APARTMENT BUILDING: BULD.#10 CHESTNUT PC:
COURT HOPE VI.

Insp Div: BD-INSP Dist: 01 Scope Includes: BLDG ELEC MECH PLMB
Track: Lic# Phone# Applicant
Owner: CHESTNUT LINDEN ASSOCIATES (415)896-6700 X

Contractor:
Arch/Engr: ROBERTS, J. E. -OH BAYASHI CORP 358519 (510)820-0600
Agent: LIHBIN SHIAO (415)896-6700

Applicant Addr: 1 HAWTHORNE ST #400 No Fee:
City/State: SAN FRANCISCO, CA Zip: 94015 Wrkrs Comp* NO

Other Related Applic#s: GR0200004 B0104746 B0200369 B0200371 RB0200373
RB0200374 RB0200375 RB0200376 B0200377

F3=Ext F23=Dsc F24=Com

PTS100-01

UPDATE/QUERY PROJECT INFORMATION

11/10/05 10:31:51

Applic#* B0200371 Type: 1

Date Filed: 01/28/02

Disposition: F FINALED 06/16/03

	NUMBER	STREET NAME	SUFFIX*	SUITE	ASSESSOR	PARCEL#
Site addr: 1)	2240	CHESTNUT			ST CORNR 005	-0428-001-00
2)						
3)						

Bldg: Floor: Prcl Cond: Cond Aprvl: Viol: X
 Proj Descr: NEW 5 UNIT TOWNHOUSE APARTMENT BUILDING, CHESTNUT CORNER BLD PC:
 CHESTNUT COURT HOPE VI.

Insp Div: BD-INSP Dist: 01 Scope Includes: BLDG ELEC MECH PLMB

Track:	Lic#	Phone#	Applicant
Owner: CHESTNUT LINDEN ASSOCIATES		(415)896-6700	X
Contractor: ROBERTS, J. E. -OHBAYASHI CORP 358519		(510)820-0600	
Arch/Engr: PATILLO & GARRETT ASSOC.		(510)465-1284	
Agent: LIHBIN SHIAO		(415)896-6700	

Owner: CHESTNUT LINDEN ASSOCIATES

(415)896-6700 X

Contractor: ROBERTS, J. E. -OHBAYASHI CORP 358519 (510)820-0600

Arch/Engr: PATILLO & GARRETT ASSOC. (510)465-1284

Agent: LIHBIN SHIAO (415)896-6700

Applicant Addr: 1 HAWTHORNE ST #400

No Fee:

City/State: SAN FRANCISCO, CA

Zip: 94015

Wrkrs Comp* NO

Other Related Applic#s:	GR0200004	B0104746	B0200369	B0200370	RB0200373
	RB0200374	RB0200375	RB0200376	B0200377	

F3=Ext F23=Dsc F24=Com

PTS100-01

UPDATE/QUERY PROJECT INFORMATION

11/10/05 10:32:20

Applic#* B0200377 Type: 1

Date Filed: 01/28/02 Disposition: F FINALED 06/16/03

	NUMBER	STREET NAME	SUFFIX*	SUITE	ASSESSOR	PARCEL#
Site addr: 1)	2240	CHESTNUT			ST BLD#3 005	-0428-001-00
2)						
3)						

Bldg: Floor: Prcl Cond: Cond Aprvl: Viol: X
 Proj Descr: NEW 4 UNIT TOWNHOUSE APARTMENT BUILDING, BLDG #3, CHESTNUT PC:
 COURT HOPE VI.

Insp Div: BD-INSP Dist: 01 Scope Includes: BLDG ELEC MECH PLMB

Track:	Lic#	Phone#	Applicant
Owner: CHESTNUT LINDEN ASSOCIATES		(415)896-6700	X

Contractor:

Arch/Engr: ROBERTS, J. E. -OH BAYASHI CORP 358519 (510)820-0600

Agent: LIHBIN SHIAO (415)896-6700

Applicant Addr: 1 HAWTHORNE ST #400

City/State: SAN FRANCISCO, CA Zip: 94015 Wrkrs Comp* NO

Other Related Applic#s:	GR0200004	B0104746	B0200369	B0200370	B0200371
	RB0200373	RB0200374	RB0200375	RB0200376	

F3=Ext F23=Dsc F24=Com

PTS100-01

UPDATE/QUERY PROJECT INFORMATION

11/10/05 10:32:32

Applic#* B0200378 Type: 1 RELATED TO APPLICATION#: B0200377
Date Filed: 01/28/02 Disposition: F FINALED 06/16/03

NUMBER STREET NAME SUFFIX* SUITE ASSESSOR PARCEL#
Site addr: 1) 2240 CHESTNUT ST BLD#4 005 -0428-001-00
2)
3)

Bldg: Floor: Prcl Cond: Cond Aprvl: Viol: X
Proj Descr: NEW 4 UNIT TOWNHOUSE APARTMENT BUILDING, BLDG #4, CHESTNUT PC:
COURT HOPE VI.

Insp Div: BD-INSP Dist: 01 Scope Includes: BLDG ELEC MECH PLMB
Track: Lic# Phone# Applicant
Owner: CHESTNUT LINDEN ASSOCIATES (415)896-6700 X
Contractor: ROBERTS, J. E. -OHAYASHI CORP 358519 (510)820-0600
Arch/Engr: PATILLO & GARRETT ASSOC. (510)465-1284
Agent: LIHBIN SHIAO (415)896-6700

Applicant Addr: 1 HAWTHORNE ST #400 No Fee:
City/State: SAN FRANCISCO, CA Zip: 94015 Wrkrs Comp* NO
Other Related Applic#s: GR0200004 B0104746 B0200369 B0200370 B0200371
RB0200373 RB0200374 RB0200375 RB0200376 B0200372

F3=Ext F23=Dsc F24=Com

PTS100-01

UPDATE/QUERY PROJECT INFORMATION

11/10/05 10:32:32

Applic#* B0200378 Type: 1 RELATED TO APPLICATION#: B0200377
Date Filed: 01/28/02 Disposition: F FINALED 06/16/03

Site addr: 1) NUMBER STREET NAME SUFFIX* SUITE ASSESSOR PARCEL#
2) 2240 CHESTNUT ST BLD#4 005 -0428-001-00
3)

Bldg: Floor: Prcl Cond: Cond Aprvl: Viol: X
Proj Descr: NEW 4 UNIT TOWNHOUSE APARTMENT BUILDING, BLDG #4, CHESTNUT PC:
COURT HOPE VI.

Insp Div: BD-INSP Dist: 01 Scope Includes: BLDG ELEC MECH PLMB
Track: Lic# Phone# Applicant
Owner: CHESTNUT LINDEN ASSOCIATES (415)896-6700 X
Contractor: ROBERTS, J. E. -OHAYASHI CORP 358519 (510)820-0600
Arch/Engr: PATILLO & GARRETT ASSOC. (510)465-1284
Agent: LIHBIN SHIAO (415)896-6700

Applicant Addr: 1 HAWTHORNE ST #400 No Fee:
City/State: SAN FRANCISCO, CA Zip: 94015 Wrkrs Comp* NO
Other Related Applic#s: GR0200004 B0104746 B0200369 B0200370 B0200371
RB0200373 RB0200374 RB0200375 RB0200376 B0200372

F3=Ext F23=Dsc F24=Com

PTS100-01

UPDATE/QUERY PROJECT INFORMATION

11/10/05 10:33:19

Applic#* B0200379 Type: 1 RELATED TO APPLICATION#: B0200377
Date Filed: 01/28/02 Disposition: F FINALED 06/16/03

NUMBER STREET NAME SUFFIX* SUITE ASSESSOR PARCEL#
Site addr: 1) 2240 CHESTNUT ST BLD#7 005 -0428-001-00
2)
3)

Bldg: Floor: Prcl Cond: Cond Aprvl: Viol: X
Proj Descr: NEW 4 UNIT TOWNHOUSE APARTMENT BUILDING, BLDG #7, CHESTNUT COURT HOPE VI. PC:

Insp Div: BD-INSP Dist: 01 Scope Includes: BLDG ELEC MECH PLMB
Track: Lic# Phone# Applicant
Owner: CHESTNUT LINDEN ASSOCIATES (415)896-6700 X
Contractor: ROBERTS, J. E. -OHYASHI CORP 358519 (510)820-0600
Arch/Engr: PATILLO & GARRETT ASSOC. (510)465-1284
Agent: LIHBIN SHIAO (415)896-6700

Applicant Addr: 1 HAWTHORNE ST #400 No Fee:
City/State: SAN FRANCISCO, CA Zip: 94015 Wrkrs Comp* NO

Other Related Applic#s: GR0200004 B0104746 B0200369 B0200370 B0200371
RB0200373 RB0200374 RB0200375 RB0200376 B0200372

F3=Ext F23=Dsc F24=Com

PTS100-01

UPDATE/QUERY PROJECT INFORMATION

11/10/05 10:33:30

Applic#* B0200380 Type: 1 RELATED TO APPLICATION#: B0200377
Date Filed: 01/28/02 Disposition: F FINALED 06/16/03

NUMBER STREET NAME SUFFIX* SUITE ASSESSOR PARCEL#
Site addr: 1) 2240 CHESTNUT ST BLD#8 005 -0428-001-00
2)
3)

Bldg: Floor: Prcl Cond: Cond Aprvl: Viol: X
Proj Descr: NEW 4 UNIT TOWNHOUSE APARTMENT BUILDING, BLDG #8, CHESTNUT PC:
COURT HOPE VI.

Insp Div: BD-INSP Dist: 01 Scope Includes: BLDG ELEC MECH PLMB
Track: Lic# Phone# Applicant
Owner: CHESTNUT LINDEN ASSOCIATES (415)896-6700 X
Contractor: ROBERTS, J. E. -OHAYASHI CORP 358519 (510)820-0600
Arch/Engr: PATILLO & GARRETT ASSOC. (510)465-1284
Agent: LIHBIN SHIAO (415)896-6700

Applicant Addr: 1 HAWTHORNE ST #400 No Fee:
City/State: SAN FRANCISCO, CA Zip: 94015 Wrkrs Comp* NO
Other Related Applic#s: GR0200004 B0104746 B0200369 B0200370 B0200371
RB0200373 RB0200374 RB0200375 RB0200376 B0200372
F3=Ext F23=Dsc F24=Com

PTS100-01

UPDATE/QUERY PROJECT INFORMATION

11/10/05 10:31:02

Applic#* B0200369 Type: 1 DUPLICATE OF APPLICATION#: B0104746
Date Filed: 01/28/02 Disposition: F FINALED 06/16/03

Site addr: 1) NUMBER STREET NAME SUFFIX* SUITE ASSESSOR PARCEL#
2) 2240 CHESTNUT ST BD #1 005 -0428-001-00
3)

Bldg: Floor: Prel Cond: Cond Aprvl: Viol: X
Proj Descr: NEW 12 UNIT TOWNHOUSE APARTMENT BUILDING: BUILDING #1 CHEST- PC:
NUT COURT HOPE VI.

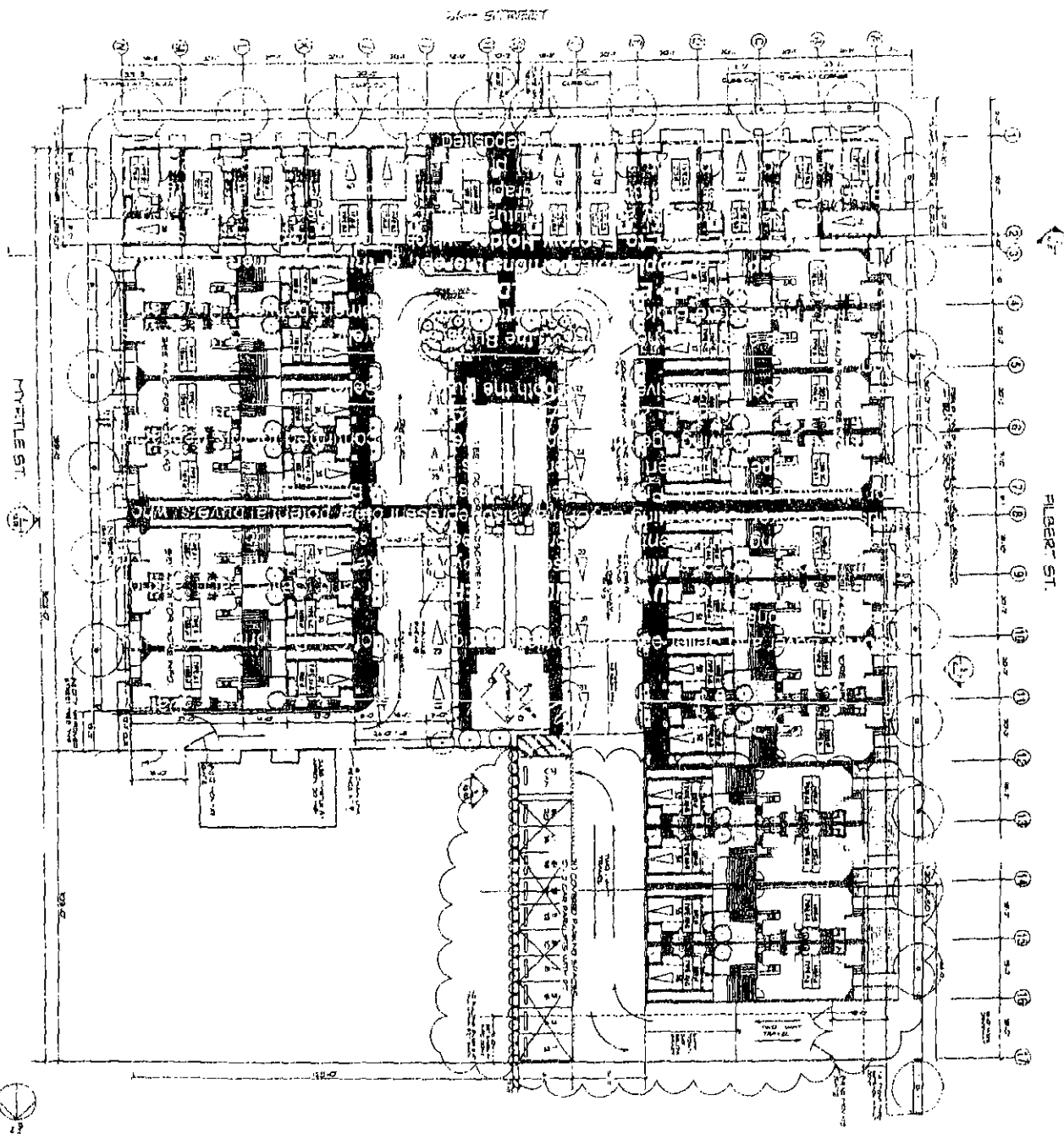
Insp Div: BD-INSP Dist: 01 Scope Includes: BLDG ELEC MECH PLMB
Track: Lic# Phone# Applicant
Owner: CHESTNUT LINDEN ASSOCIATES (415)896-6700 X
Contractor: ROBERTS, J. E. -OHAYASHI CORP 358519 (510)820-0600
Arch/Engr: MICHEAL WILLIS ARCHITECTS (510)287-9710
Agent: LIHBIN SHIAO (415)896-6700
Applicant Addr: 1 HAWTHORNE ST. #400 No Fee:
City/State: SAN FRANCISCO, CA Zip: 94105 Wrkrs Comp* NO
Other Related Applic#s: GR0200004 B0104746 B0200370 B0200371 RB0200373
RB0200374 RB0200375 RB0200376 B0200377
F3=Ext F23=Dsc F24=Com

5 buildings w/ 4 units 20
1 buildings w/ 5 units 5
2 buildings w/ 12 units 24

49

ATTACHMENT A

SECOND LEVEL PLAN



NO.	DESCRIPTION	DATE	BY
1	PREPARED BY ARCHITECT		
2	REVISIONS		
3	DATE		
4	BY		
5	DATE		
6	BY		
7	DATE		
8	BY		
9	DATE		
10	BY		
11	DATE		
12	BY		
13	DATE		
14	BY		
15	DATE		

GENERAL
 PARC
 FLATHOUSES
 2400 ALBERT ST.
 CLEVELAND, OH

GRANGE FLOOR
 PLAN

MONICA RIZZI
 ARCHITECT
 10000 W. 13th Ave.
 Suite 200
 Golden, CO 80401
 Phone: 303.440.1111
 Fax: 303.440.1112
 Email: m.rizzi@monicarizzi.com



Project Name
 Date
 Scale
 Drawing No.
 Revision
 Date
 By
 Check
 Date
 By

Location:	2400 Filbert Street (See map on reverse)
Assessors Parcel Numbers:	005-0433-018-04
Proposal:	Construct 55 new townhouse style condominiums units on a 66,250 square foot parcel.
Applicant:	Tom Dolan – (510) 839-7200
Owner:	Monica Hujazi
Planning Permits Required:	Interim Conditional Use Permit to allow residential uses within the M-20 Zone, and Regular Design review.
General Plan:	Mixed Housing Type Residential
Zoning:	M-20, Light Industrial Zone/ R-50, Medium Density Residential Zone
Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines; in-fill development projects
Historic Status:	Not a Historic Property
Service Delivery District:	I – West Oakland
City Council District:	3
Date Filed:	3/14/05
Action to be Taken:	Decision on Application
Staff Recommendation:	Approve with the attached conditions.
Finality of Decision:	Appealable to City Council
For Further Information:	Contact case planner Peterson Z. Vollmann at 510-238-6167 or by e-mail at pvollman@oaklandnet.com .

PROJECT DESCRIPTION

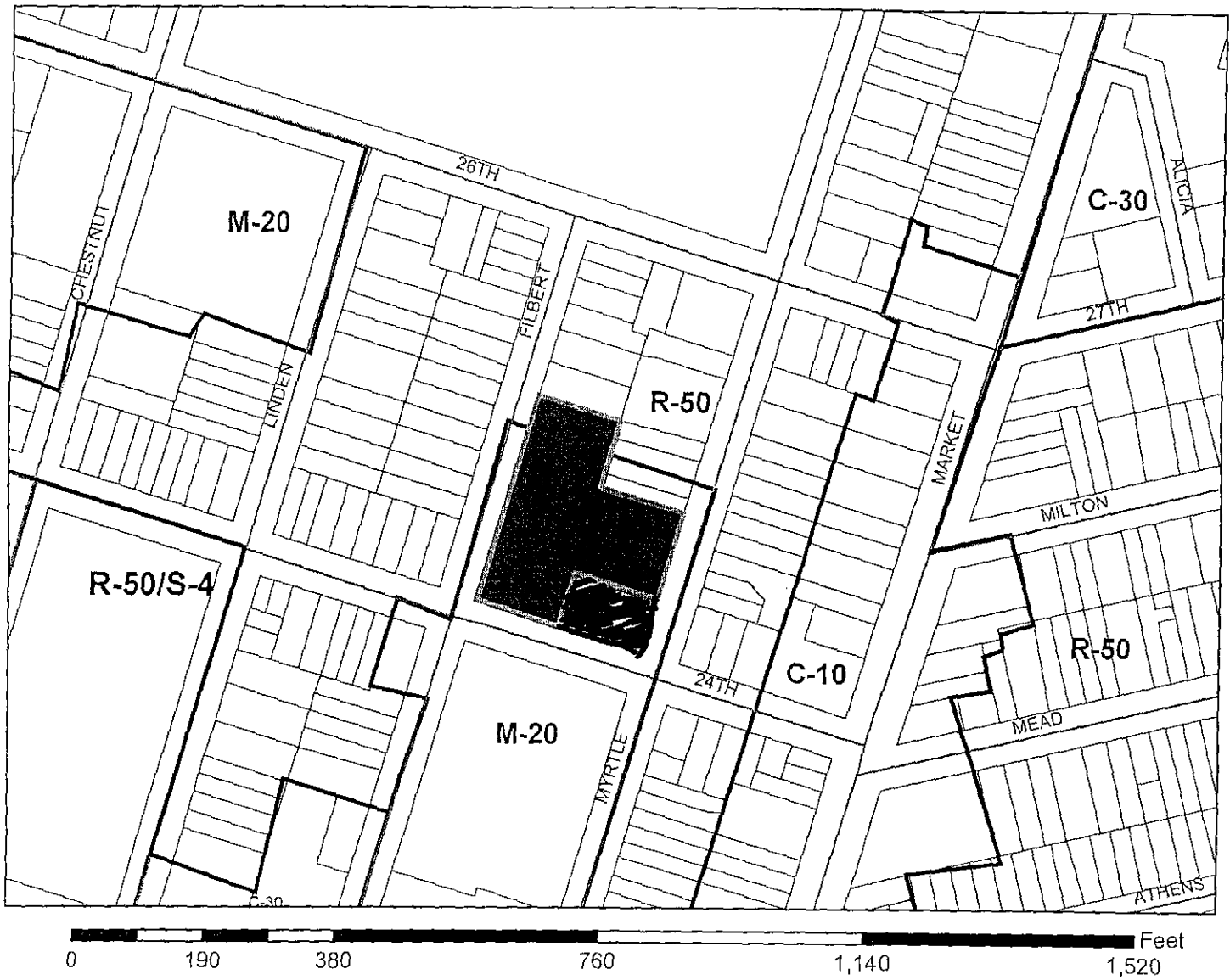
The proposal is to demolish the existing industrial warehouse building and construct 55 new townhouse style condominiums units that will be developed around an internal driveway and open space. The proposed townhouses will face both out toward the public streets on Filbert, Myrtle, and 24th Streets with smaller units on the backside facing in towards the open space and driveway of the development site. The project will include five small commercial spaces facing out onto 24th Street that may be used for small neighborhood serving businesses, one of which is currently proposed as a café.

The proposal consists of three building styles. The units that will front onto Filbert and Myrtle Streets will be two stories tall with two bedrooms each and contain ground floor entry stoops. The exterior materials will consist of a mix of horizontal siding and board and batten siding.

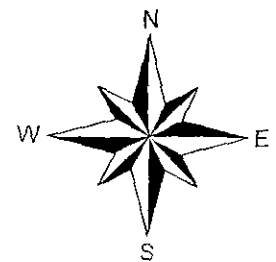
The 24th Street buildings will be three stories tall with two bedroom dwellings above a garage or small commercial spaces. The proposed garage doors will contain high quality finishes with glazing at the top three lites. The entry porches at this elevation will be located at grade to fit in with the ground floor commercial spaces. The upper levels at this elevation will contain horizontal siding and the ground floor will contain stucco with a tile bulkhead.

The third building style is the units that will face the interior of the development site. They will be small one bedroom two story units located above a garage that is served off of the interior driveway.

CITY OF OAKLAND PLANNING COMMISSION



Case File: CD05-116
Applicant: Tom Dolan
Address: 2400 Filbert St.
Zone: M-20 / R-50



No building on the site will be more than 30 feet tall so that the site is consistent with the adjacent R-50 *Zone height limit of 30 feet above grade.*

PROPERTY DESCRIPTION

The subject site is a 63,375 square foot site containing an industrial warehouse structure. The property is located on the north side of 24th Street between Filbert and Myrtle Streets.

GENERAL PLAN ANALYSIS

The subject property is located within the Mixed Housing Type Residential General Plan Land Use Classification. This land use classification is intended to create, maintain, and enhance neighborhood residential areas typically located near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi unit buildings and neighborhood businesses where appropriate. Mixed Housing Type Residential encompasses a range of densities, from two units per lot up to a maximum of 30 units per gross acre. The proposed density is consistent with the General Plan density.

The proposed development is consistent with the General Plan by removing an incompatible Industrial/Commercial use with a new residential use that transitions from the higher intensity area out toward West Grand Avenue in towards the smaller scale residential neighborhood. The Mixed Housing type residential General Plan Area generally allows for a *residential intensity of at least one unit per 1,089 square feet of lot area*, which would allow for a total of 58 dwelling units on the subject site.

ZONING ANALYSIS

The subject property is located within an M-20, Light Industrial Zone and a small portion of the north end of the site is located within the R-50, Medium Density Residential Zone. The M-20 zone is intended to create, preserve, and enhance areas containing manufacturing and related establishments with limited external impact within an open and attractive setting, and is typically appropriate to locations adjacent to *residential communities*. The R-50 zone is intended to create, preserve, and enhance areas for apartment living at medium densities in desirable settings, and is typically appropriate to areas of existing medium density residential development.

Interim Conditional Use Permit

Given that the M-20 Zone does not permit residential uses, the applicant has requested an Interim Conditional Use permit to invoke the General Plan of Mixed Housing Type Residential, which specifically allows residential uses.

The subject property is located at the end of a residential neighborhood and the conversion of the property from an industrial/commercial use to a residential development is appropriate and fully supported by Planning Staff.

KEY ISSUES

Parking

The parking for the project will be provided in a number of different ways. The proposal calls for 56 off-street parking spaces to serve the 55 proposed dwellings units. The sum of the small commercial spaces is less than 3,000 square feet and does not require any off-street parking. The majority of the parking will be provided for from an internal driveway system for the site. There will be off street parking located within garages below the smaller one bedroom units that face into the site, parallel spaces will be provided between bulb outs on the interior driveway, and a structure at the north end of the site will provide parking in an accessory structure that will be pit style parking lifts for 20 independently accessible parking stalls. Seven spaces will be provided directly off the street off of five curb cuts on or close to 24th Street. The site will contain two driveways that will serve the internal parking area. The driveway onto Filbert Street will be 19 feet wide to accommodate two way traffic since it is close to the pit parking garage, and another driveway will be provided on Myrtle Street that will serve a one-way driveway through half of the subject site. Both gates for the driveways will be recessed back to allow cars to queue within the driveway while the gate opens and to provide high visibility of oncoming cars for pedestrian safety.

Staff feels that the parking configuration provided allows for the best pedestrian scale development towards the street and surrounding neighborhood by limiting driveways and curb cuts for the site, especially along Filbert and Myrtle Streets which are predominantly residential streets. The majority of the proposed elevations will contain stoops and porches at the ground floor pedestrian level.

Open Space

Open space will be provided in the form of balconies and courtyards for each of the dwelling units as a private usable open space as well as a large 6,500 square foot group usable open space within the internal courtyard of the site. The site will be providing roughly 347 square feet per unit where 200 square feet per unit is required.

Design

The proposal will consist of two story townhouse style homes fronting onto Filbert and Myrtle Streets to be consistent with the scale of the residential neighborhood along those streets. The units will contain entry stoops to add to the pedestrian scale of the neighborhood. The bulk of the proposal is broken down by the townhouse form of the units, breaks in the façade of the individual units, and gabled roofs. The exterior elevations will include a mix of horizontal siding, which is prevalent throughout the neighborhood and board and batten siding to add verticality to the buildings. All of the proposed windows will be true divided lite windows with a factory powder coated finish, which will add depth and detail to the façade of the buildings. The elevations on 24th Street will increase to a three story structure, but will no exceed 30 feet which is the maximum height allowed in the adjacent R-50 zone. The 24th Street units will be two stories above ground floor garages and commercial spaces. The proposed garage doors will contain high quality finishes with glazing at the top three lites. The entry porches at this elevation will be located at grade to fit in with the ground floor commercial spaces. The upper levels at this elevation will contain horizontal siding and the ground floor will contain stucco with a tile bulkhead.

Commercial Uses

Given that the property is located within the Mixed Housing Type Residential General Plan Area, the proposed commercial spaces will be very limited in what type of uses will be allowed to operate. Based

upon the General Plan Conformity guidelines the following uses would be permitted within the five proposed commercial spaces for this development:

- General Food Sales
- General Retail Sales
- Administrative Office
- Convenience Sales and Service
- Consultative and Financial Services
- General Personal Service
- Business and Communication Services
- Medical Services
- Research Services

Given the small size of the proposed commercial spaces the most likely uses would be Food sales, such as the proposed café, small administrative or consultative offices such as an architect or tax preparer, or small neighborhood serving convenience sales such as beauty salons. Staff feels that these types of uses would be appropriate along the 24th Street side of the development given the property across the street as an industrial/commercial property.

Fire Access

The project site does not contain an internal driveway that could accommodate a fire truck in case of an emergency. Based upon discussion with the Fire Department, they did not feel that an internal driveway for fire access would be the most desirable means for access given that the rears of the building walls do not exceed 150 feet in depth from the public right of way. The Fire Department stated that they would prefer to access the site from the three adjacent streets and that the plan provides access routes throughout the property so that Fire Fighters would be able to enter the site at multiple points.

ENVIRONMENTAL DETERMINATION

For purposes of environmental review under the California Environmental Quality Act (CEQA), the project meets the criteria for a Categorical Exemption under Section 15332 of the CEQA Guidelines. The criteria for a Categorical Exemption under Section 15332 of the CEQA guidelines are as follows:

- 1) **The project is consistent with the applicable general plan designation and all general plan policies as well as with applicable zoning designation and regulations.**

The proposed project is consistent with the Mixed Housing Type General Plan designation.

- 2) **The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The development site is located within the Oakland City limits, is less than five acres and is completely surrounded by urban uses.

- 3) **The project site has no value as habitat for endangered, rare, or threatened species.**

The project site has been previously developed and does not contain any habitat for endangered, rare, or threatened species.

- 4) **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

The traffic analysis prepared for the project determined that the project would not result in any significant impacts to the existing level of service (LOS) of local intersections. With implementation of standard conditions of approval related to construction management and noise reduction measures, the project would not result in any significant impacts on traffic, noise, air quality, or water quality. The applicant has provided a "Remedial Action Completion Certificate" from the Alameda County Department of Environmental Health indicating the completion of the gasoline tank removal and remediation completed in 1991.

- 5) **The site can be adequately served by all required utilities and public services.**

All required utilities are readily accessible on the surrounding streets, and the site will be adequately served by public services in the area.

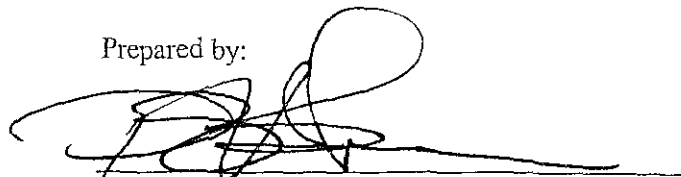
CONCLUSION

Staff feels that the proposed project is a good reuse of the site that contains an industrial/commercial warehousing use that has long been incompatible with the surrounding residential neighborhood to the north of the site. The proposed project is implementing the land use as envisioned by the Oakland General Plan by returning the neighborhood to a residential setting.

The proposal will create townhouse style homes that will fill out the end of the block and be developed to a pedestrian friendly scale. Due to the large size of the site the applicant has been able to develop an internal driveway system to serve off street parking so that the neighborhood impact is minimized by reducing curb cuts. The exterior finishes for the building will be of a high quality to include horizontal siding consistent with the predominant material in the neighborhood, trim details, high quality garage doors with glazing on the top three divisions, and true divided lite windows to add further depth and detail to the buildings. The proposed commercial spaces along 24th Street will be very small and contain neighborhood serving uses and/or offices for local small businesses.

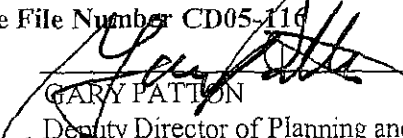
- RECOMMENDATIONS:**
1. Affirm staff's environmental determination.
 2. Approve the Interim Conditional Use Permit and Design Review subject to the attached findings and conditions.

Prepared by:



PETERSON Z. VOLLMANN
Planner III

Approved by:


GARY PATTON
Deputy Director of Planning and Zoning

Approved for forwarding to the
City Planning Commission:


CLAUDIA CAPPIO
Director of Development

ATTACHMENTS:

- A. Plans and Elevations
- B. Findings for Approval
- C. Conditions of Approval

TPA
 Thomas Dobin
 Architects
 1000 Broadway
 San Francisco, CA 94103
 Tel: 415.774.2200
 Fax: 415.774.2201
 www.thomasdobin.com
 © 2008 TPA



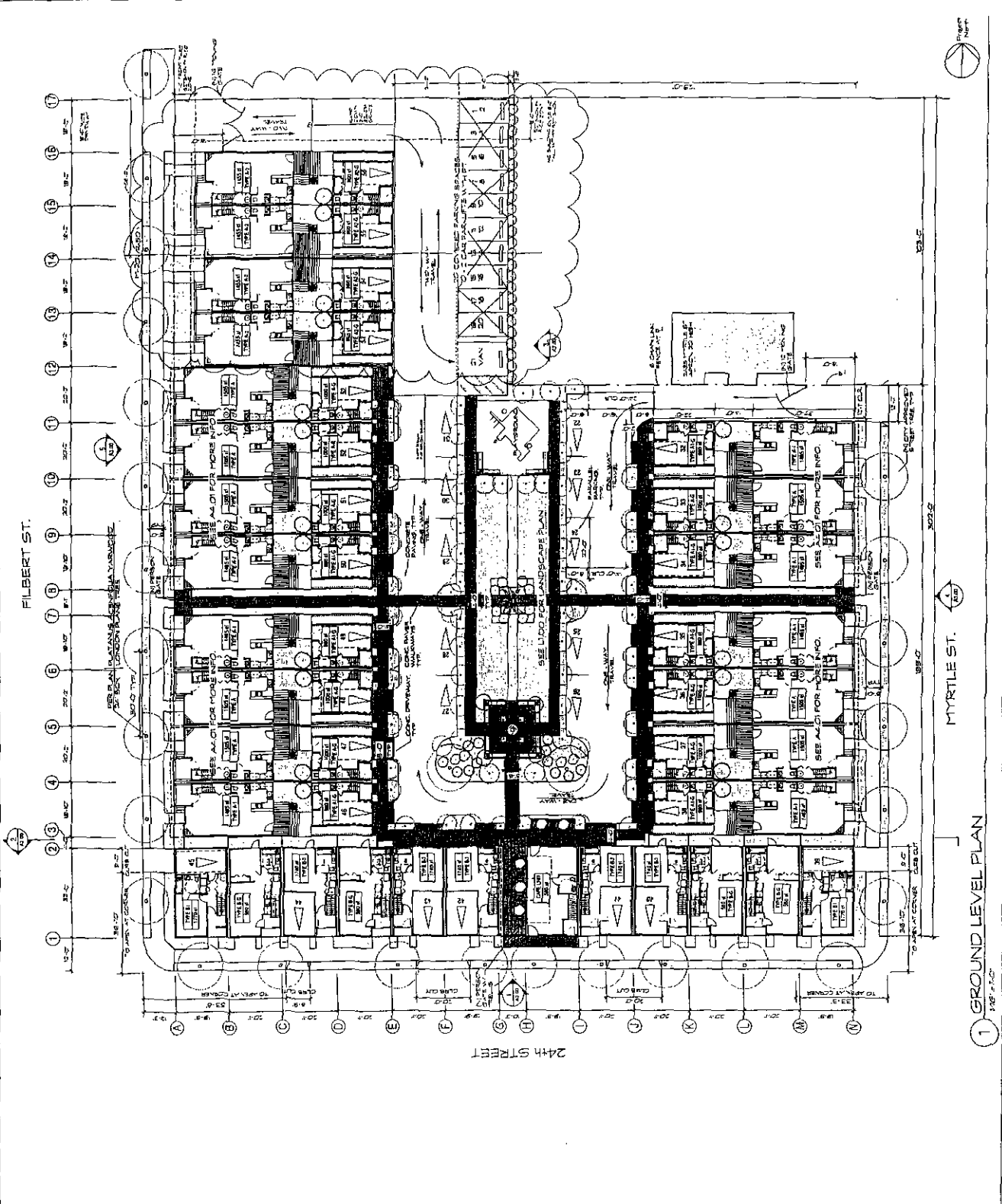
EMERALD
 MONICA HUIAZI
 901 NORTH MARIPUELO
 SAN MATEO, CA 94401
 650.945.8454 #1
 650.945.8454 FAX

**EMERALD
 PARC
 FLEXHOUSES**
 2400 HILBERT ST.
 OAKLAND, CA

**GROUND FLOOR
 PLAN**

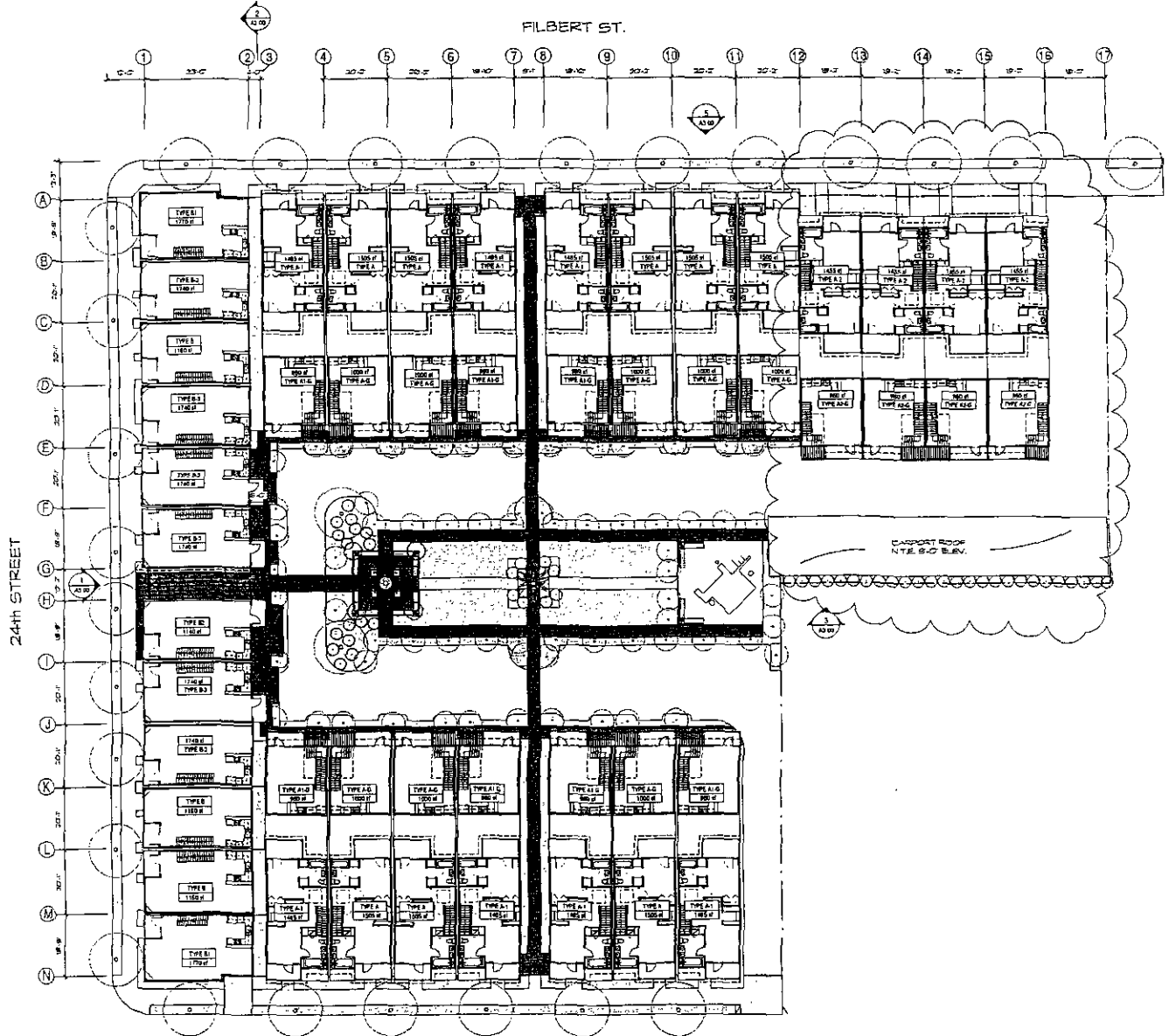
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS - 100%	11.20.08
2	ISSUED FOR PERMITS - 100%	11.20.08
3	ISSUED FOR PERMITS - 100%	11.20.08
4	ISSUED FOR PERMITS - 100%	11.20.08
5	ISSUED FOR PERMITS - 100%	11.20.08
6	ISSUED FOR PERMITS - 100%	11.20.08
7	ISSUED FOR PERMITS - 100%	11.20.08
8	ISSUED FOR PERMITS - 100%	11.20.08
9	ISSUED FOR PERMITS - 100%	11.20.08
10	ISSUED FOR PERMITS - 100%	11.20.08
11	ISSUED FOR PERMITS - 100%	11.20.08
12	ISSUED FOR PERMITS - 100%	11.20.08
13	ISSUED FOR PERMITS - 100%	11.20.08
14	ISSUED FOR PERMITS - 100%	11.20.08
15	ISSUED FOR PERMITS - 100%	11.20.08
16	ISSUED FOR PERMITS - 100%	11.20.08
17	ISSUED FOR PERMITS - 100%	11.20.08
18	ISSUED FOR PERMITS - 100%	11.20.08
19	ISSUED FOR PERMITS - 100%	11.20.08
20	ISSUED FOR PERMITS - 100%	11.20.08
21	ISSUED FOR PERMITS - 100%	11.20.08
22	ISSUED FOR PERMITS - 100%	11.20.08
23	ISSUED FOR PERMITS - 100%	11.20.08
24	ISSUED FOR PERMITS - 100%	11.20.08
25	ISSUED FOR PERMITS - 100%	11.20.08
26	ISSUED FOR PERMITS - 100%	11.20.08
27	ISSUED FOR PERMITS - 100%	11.20.08
28	ISSUED FOR PERMITS - 100%	11.20.08
29	ISSUED FOR PERMITS - 100%	11.20.08
30	ISSUED FOR PERMITS - 100%	11.20.08
31	ISSUED FOR PERMITS - 100%	11.20.08
32	ISSUED FOR PERMITS - 100%	11.20.08
33	ISSUED FOR PERMITS - 100%	11.20.08
34	ISSUED FOR PERMITS - 100%	11.20.08
35	ISSUED FOR PERMITS - 100%	11.20.08
36	ISSUED FOR PERMITS - 100%	11.20.08
37	ISSUED FOR PERMITS - 100%	11.20.08
38	ISSUED FOR PERMITS - 100%	11.20.08
39	ISSUED FOR PERMITS - 100%	11.20.08
40	ISSUED FOR PERMITS - 100%	11.20.08
41	ISSUED FOR PERMITS - 100%	11.20.08
42	ISSUED FOR PERMITS - 100%	11.20.08
43	ISSUED FOR PERMITS - 100%	11.20.08
44	ISSUED FOR PERMITS - 100%	11.20.08
45	ISSUED FOR PERMITS - 100%	11.20.08
46	ISSUED FOR PERMITS - 100%	11.20.08
47	ISSUED FOR PERMITS - 100%	11.20.08
48	ISSUED FOR PERMITS - 100%	11.20.08
49	ISSUED FOR PERMITS - 100%	11.20.08
50	ISSUED FOR PERMITS - 100%	11.20.08
51	ISSUED FOR PERMITS - 100%	11.20.08
52	ISSUED FOR PERMITS - 100%	11.20.08
53	ISSUED FOR PERMITS - 100%	11.20.08
54	ISSUED FOR PERMITS - 100%	11.20.08
55	ISSUED FOR PERMITS - 100%	11.20.08
56	ISSUED FOR PERMITS - 100%	11.20.08
57	ISSUED FOR PERMITS - 100%	11.20.08
58	ISSUED FOR PERMITS - 100%	11.20.08
59	ISSUED FOR PERMITS - 100%	11.20.08
60	ISSUED FOR PERMITS - 100%	11.20.08
61	ISSUED FOR PERMITS - 100%	11.20.08
62	ISSUED FOR PERMITS - 100%	11.20.08
63	ISSUED FOR PERMITS - 100%	11.20.08
64	ISSUED FOR PERMITS - 100%	11.20.08
65	ISSUED FOR PERMITS - 100%	11.20.08
66	ISSUED FOR PERMITS - 100%	11.20.08
67	ISSUED FOR PERMITS - 100%	11.20.08
68	ISSUED FOR PERMITS - 100%	11.20.08
69	ISSUED FOR PERMITS - 100%	11.20.08
70	ISSUED FOR PERMITS - 100%	11.20.08
71	ISSUED FOR PERMITS - 100%	11.20.08
72	ISSUED FOR PERMITS - 100%	11.20.08
73	ISSUED FOR PERMITS - 100%	11.20.08
74	ISSUED FOR PERMITS - 100%	11.20.08
75	ISSUED FOR PERMITS - 100%	11.20.08
76	ISSUED FOR PERMITS - 100%	11.20.08
77	ISSUED FOR PERMITS - 100%	11.20.08
78	ISSUED FOR PERMITS - 100%	11.20.08
79	ISSUED FOR PERMITS - 100%	11.20.08
80	ISSUED FOR PERMITS - 100%	11.20.08
81	ISSUED FOR PERMITS - 100%	11.20.08
82	ISSUED FOR PERMITS - 100%	11.20.08
83	ISSUED FOR PERMITS - 100%	11.20.08
84	ISSUED FOR PERMITS - 100%	11.20.08
85	ISSUED FOR PERMITS - 100%	11.20.08
86	ISSUED FOR PERMITS - 100%	11.20.08
87	ISSUED FOR PERMITS - 100%	11.20.08
88	ISSUED FOR PERMITS - 100%	11.20.08
89	ISSUED FOR PERMITS - 100%	11.20.08
90	ISSUED FOR PERMITS - 100%	11.20.08
91	ISSUED FOR PERMITS - 100%	11.20.08
92	ISSUED FOR PERMITS - 100%	11.20.08
93	ISSUED FOR PERMITS - 100%	11.20.08
94	ISSUED FOR PERMITS - 100%	11.20.08
95	ISSUED FOR PERMITS - 100%	11.20.08
96	ISSUED FOR PERMITS - 100%	11.20.08
97	ISSUED FOR PERMITS - 100%	11.20.08
98	ISSUED FOR PERMITS - 100%	11.20.08
99	ISSUED FOR PERMITS - 100%	11.20.08
100	ISSUED FOR PERMITS - 100%	11.20.08

DATE: 11/20/08
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT NO: 08-0000
 SHEET NO: A2.10



24th STREET

ATTACHMENT A



1 SECOND LEVEL PLAN
1/8" = 1'-0"

TDA Thomas Delon
Architecture
Interior
Architectural
Planning and
Development
Consulting
44150 475th Ave.
St. 1500 946 008
San Mateo, CA 94401
www.thomasdelon.com
Established in 1978
17 Filbert Street
Oakland, California
94612 U.S.A.



OWNER:
MONICA HUAZI
4118 NORTH AMPHILETT
SAN MATEO, CA 94401
650.645.8555 P/E
650.645.8558 FAX

**EMERALD
PARC
FLEXHOUSES**

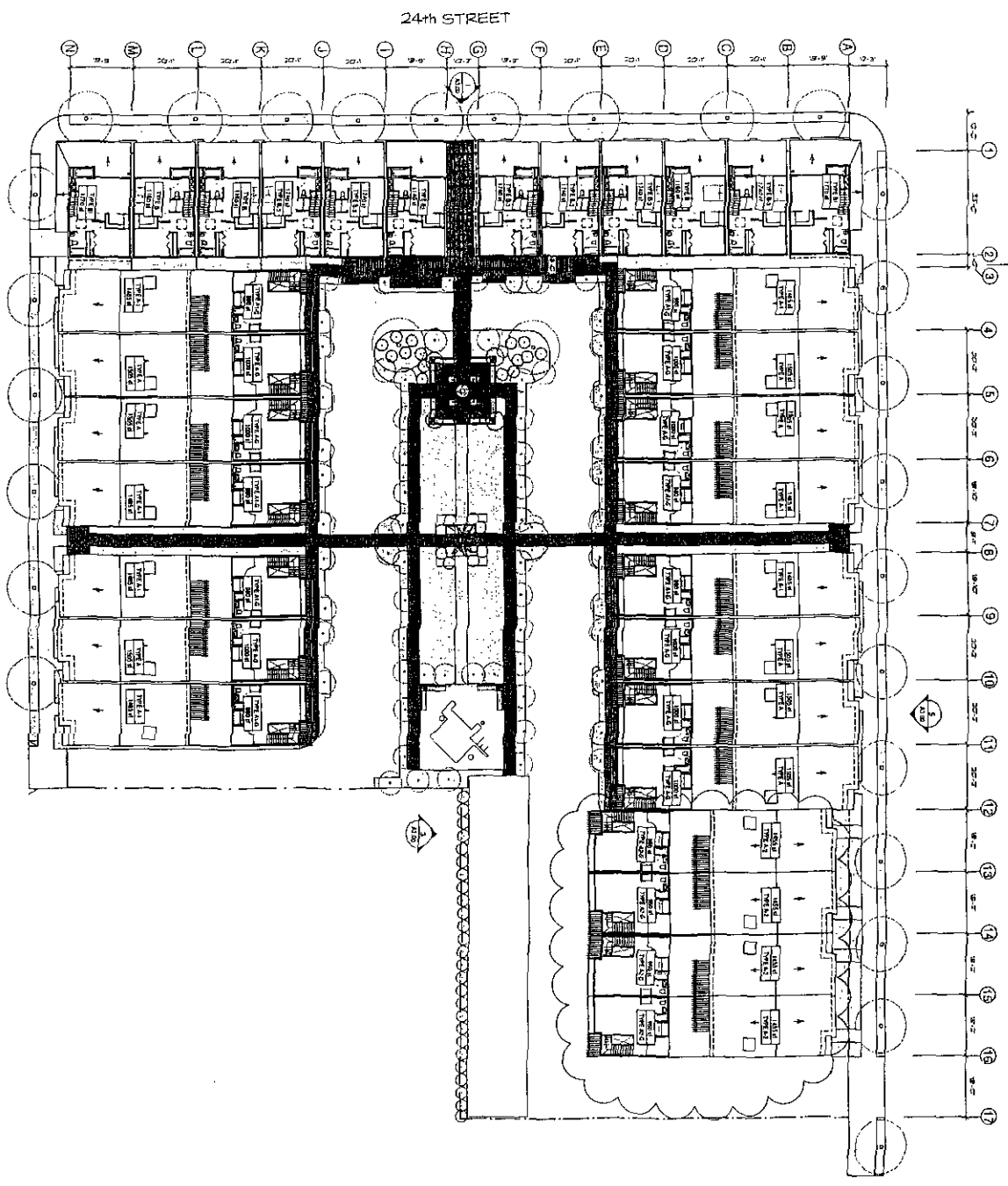
2400 FILBERT ST.
OAKLAND, CA

SECOND FLOOR
PLAN

DATE	REVISIONS	BY
	FOUNDATION DEVELOPMENT	11/11
	REVISED	02/12
	DESIGN DEVELOPMENT	04/12

DATE: 4/20/11
JOB NO: 88129
DRAWN: AN

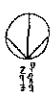




MYRTLE ST.

24th STREET

FILBERT ST.



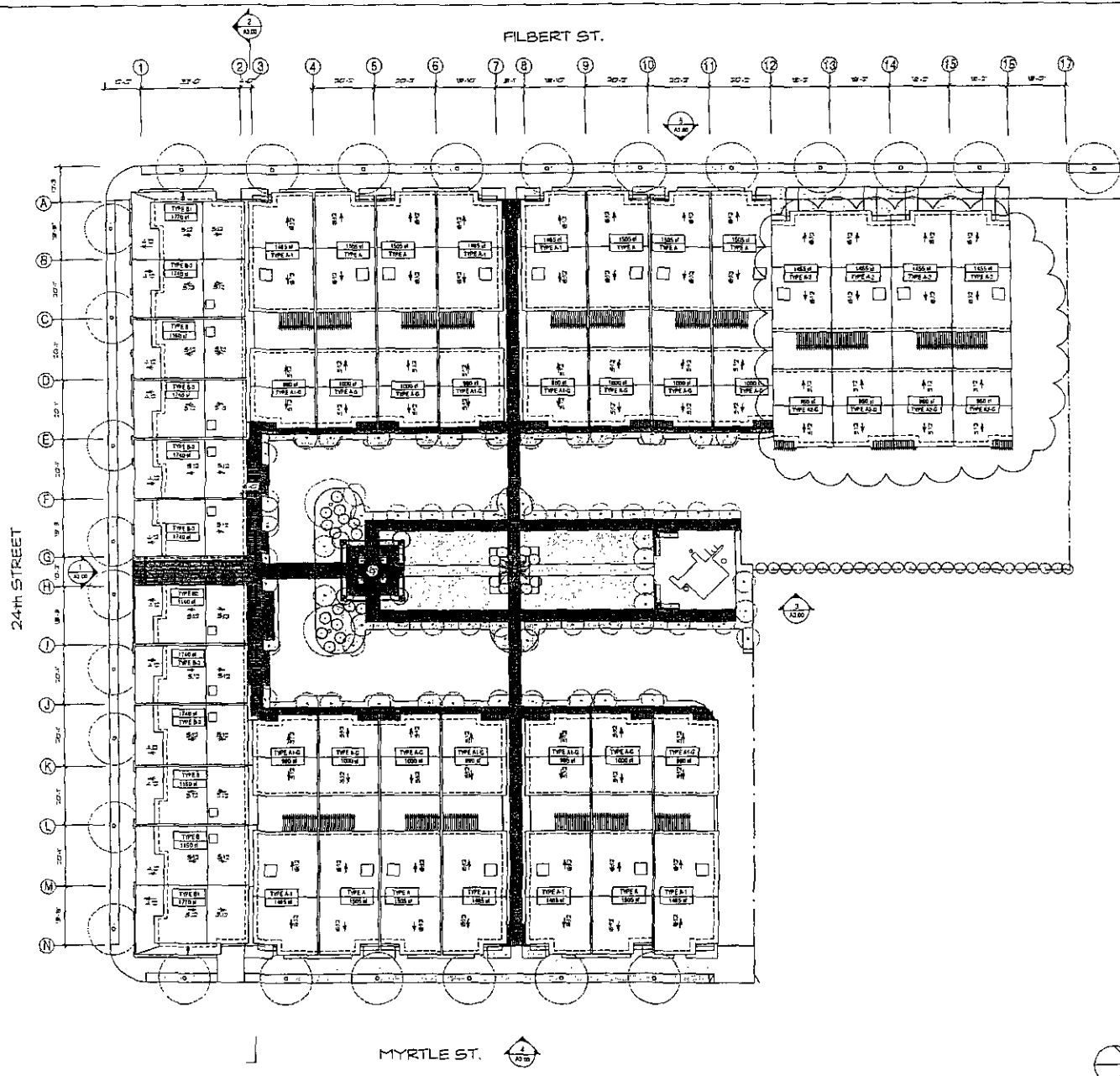
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	12/27/10
2	ISSUED FOR PERMITS	1/14/11
3	ISSUED FOR PERMITS	1/14/11
4	ISSUED FOR PERMITS	1/14/11
5	ISSUED FOR PERMITS	1/14/11
6	ISSUED FOR PERMITS	1/14/11
7	ISSUED FOR PERMITS	1/14/11
8	ISSUED FOR PERMITS	1/14/11
9	ISSUED FOR PERMITS	1/14/11
10	ISSUED FOR PERMITS	1/14/11
11	ISSUED FOR PERMITS	1/14/11
12	ISSUED FOR PERMITS	1/14/11
13	ISSUED FOR PERMITS	1/14/11
14	ISSUED FOR PERMITS	1/14/11
15	ISSUED FOR PERMITS	1/14/11
16	ISSUED FOR PERMITS	1/14/11
17	ISSUED FOR PERMITS	1/14/11

**EMERALD
PARC
FLEXHOUSES**
2400 FILBERT ST.
OAKLAND, CA

OWNER
MONICA HJAZI
900 NORTH AMBULLOTT
SAN MATEO, CA 94401
650.665.8555, #1
650.665.8558, FAX



TDA
Thomas Dahn
Architect
1000 Broadway
San Francisco, CA 94133
415.774.1111
www.tda.com



FILBERT ST.

24th STREET

MYRTLE ST.

TDA Thomas Delan
Architecture
Architect
Interior Design
Planning and
Development
Construction

1411 (415) 841-7200
1411 (415) 897-7200
1411 (415) 897-7200
1411 (415) 897-7200

1411 (415) 841-7200
1411 (415) 897-7200
1411 (415) 897-7200
1411 (415) 897-7200



OWNER
MONICA HUAZI
909 NORTH 111 AMPHILETT
SAN MATEO, CA 94401
650.645.8555 PH
650.685.8558 FAX

**EMERALD
PARC
FLEXHOUSES**
2400 FILBERT ST.
OAKLAND, CA

DATE	DESCRIPTION	BY
	PRELIMINARY PERMITS	4/1/07
	REVISION	4/1/07
	FINAL PERMITS	4/1/07

DATE: 4/1/07
 10% NO: 04/12
 DRAWN: AM
 SHEET NO: A2.40



Thomas Dolan
Architecture
Architect
Urban Design
Planning and
Construction
Consulting
1015 Mission Street
San Francisco, CA 94103
415.774.8800
415.774.8801
415.774.8802
415.774.8803
415.774.8804
415.774.8805
415.774.8806
415.774.8807
415.774.8808
415.774.8809
415.774.8810



MONICA HUIAZI
100 NORTH AMBLIETT
SAN MATEO, CA 94401
650.685.8558 PII
650.685.8558 FAX

EMERALD
PARC
FLEXHOUSES
2400 FILBERT ST.
OAKLAND, CA

ELEVATIONS

ISSUE	DESCRIPTION	DATE
1	PRELIMINARY DEVELOPMENT	11/14/10
2	REVISION	11/15/10
3	FINAL DEVELOPMENT	11/15/10

DATE: 11/15/10
JOB NO: 1010
DRAWN: AD

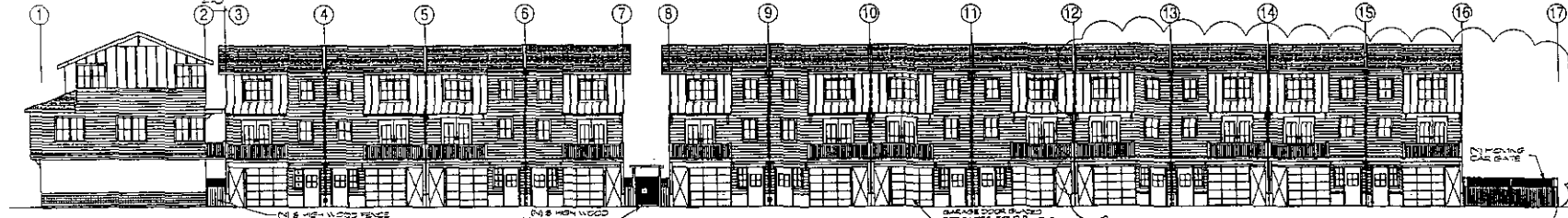
SHEET NO: A3.00



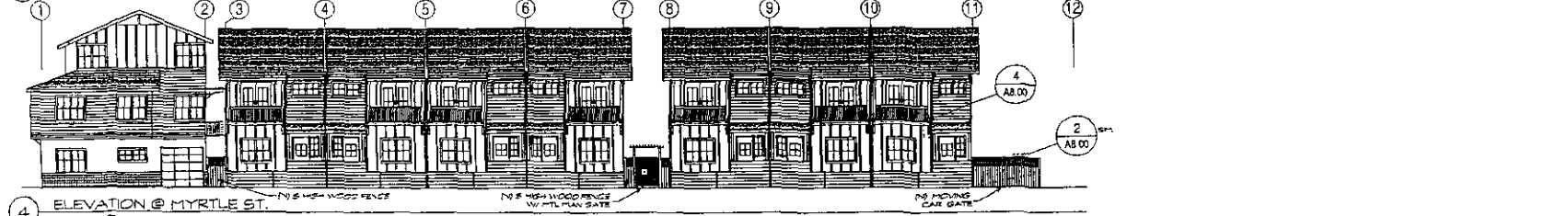
1 ELEVATION @ 24th STREET
1/8" = 1'-0"



2 ELEVATION @ COURTYARD TOWARD 24th STREET
3/32" = 1'-0"



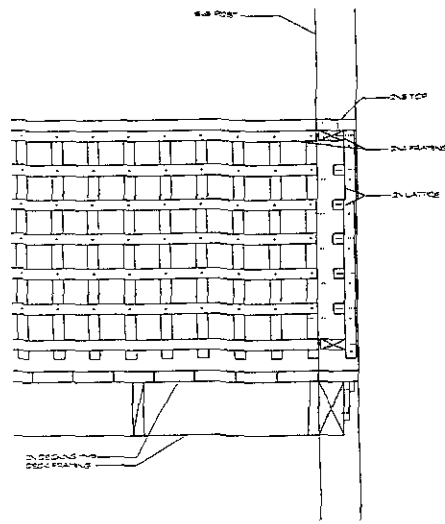
3 ELEVATION @ COURTYARD TOWARD FILBERT ST.
3/32" = 1'-0"



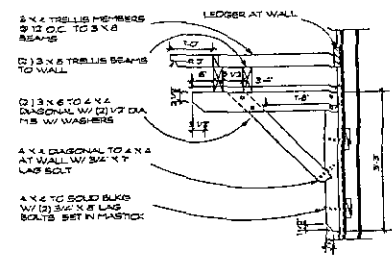
4 ELEVATION @ MYRTLE ST.
3/32" = 1'-0"



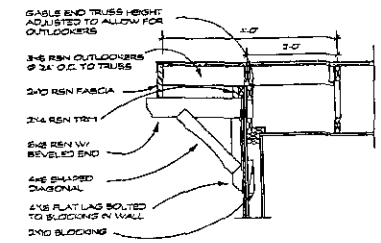
5 ELEVATION @ FILBERT ST.
3/32" = 1'-0"



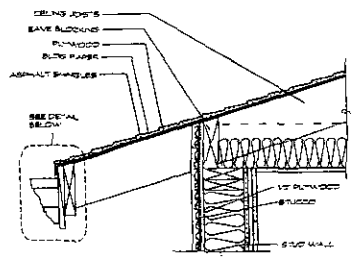
1 GUARDRAIL @ DECKS
Scale: 1/2" = 1'-0"



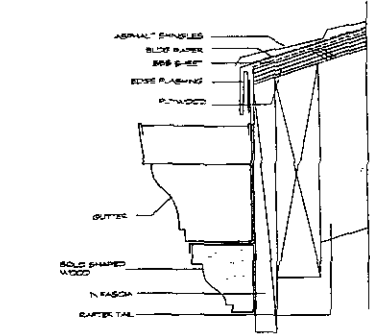
3 TRELLIS & BRACKET DETAIL
Scale: 3/4" = 1'-0"



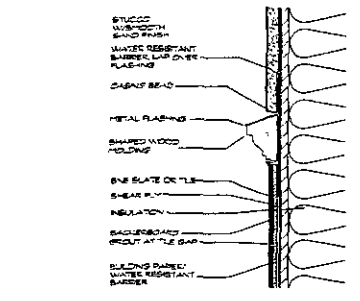
4 BRACKET @ PRIVATE DECK DETAIL
Scale: 3/4" = 1'-0"



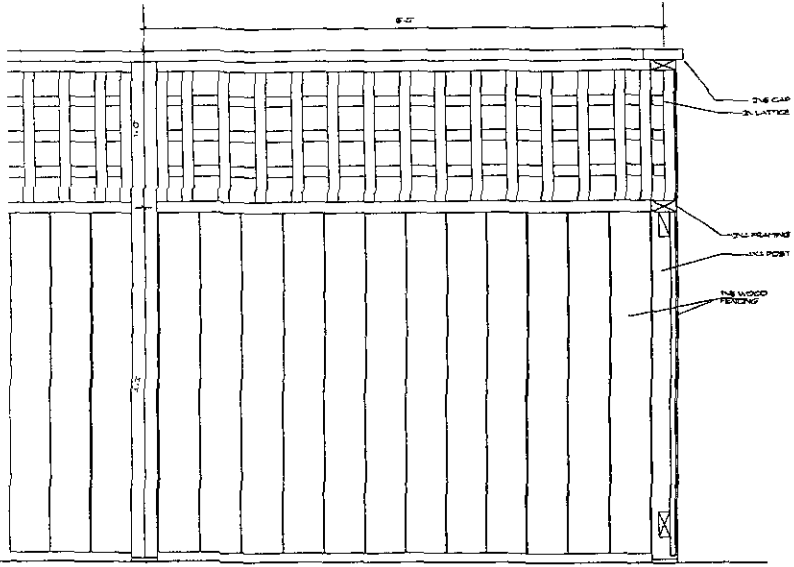
5 EAVE DETAIL
Scale: 1/2" = 1'-0"



6 FASCIA & GUTTER DETAIL
Scale: 6" = 1'-0"



7 MOLDING @ WATERTABLE
Scale: 3" = 1'-0"



2 FENCE DETAILS
Scale: 1/2" = 1'-0"

TDa Thomas Dolan Architecture
Architect
Urban Design
Planning and Development
Construction
Tel: (415) 819-7200
Fax: (415) 819-7200
4000 15th St, Suite 100
San Mateo, CA 94401
www.thomasdolan.com



OWNER:
MONICA HUAZI
4801 NORTH AMERLETT
SAN MATEO, CA 94401
650.685.8555 PH
650.685.8558 FAX

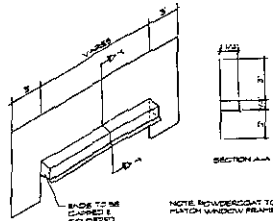
EMERALD PARC FLEXHOUSES
2400 FILBERT ST.
OAKLAND, CA

EXTERIOR DETAILS

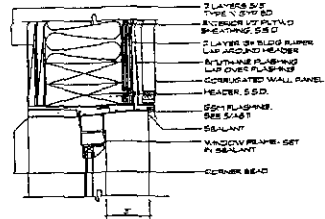
DATE	DESCRIPTION	DATE
	PRELIMINARY DEVELOPMENT	6-11-01
	REVISION	8-22-01
	DEVELOPMENT PERMIT	1-10-02

DATE: 1-10-02
JOB NO: 04120
DRAWN: AD

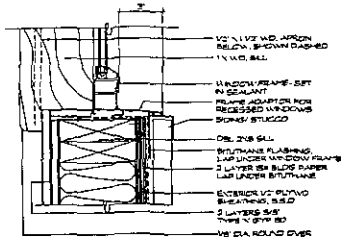
SHEET NO. **A8.00**



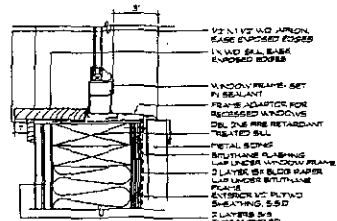
○ TYP. G.S.M. HEAD FLASHING
N.T.S.



○ RECESSED WINDOW HEAD
N.T.S.



○ RECESSED WINDOW JAMB
3/4\"/>



○ RECESSED WINDOW SILL
3/4\"/>

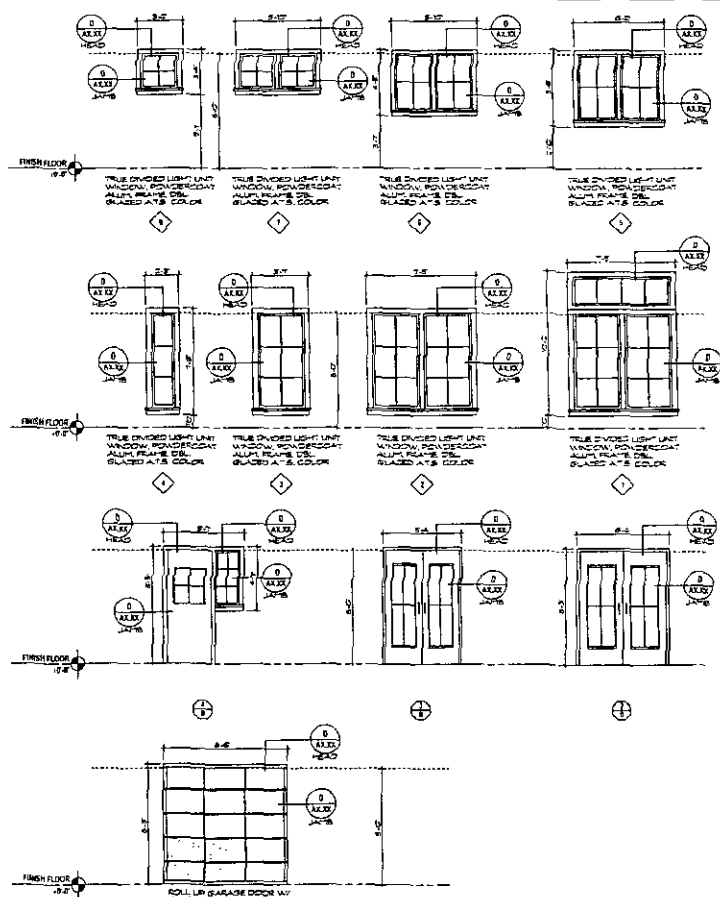
GENERAL NOTES

1. HEIGHT AND WIDTH DIMENSIONS INDICATED ARE NOMINAL. VERIFY HEIGHT DIMENSIONS WITH WINDOW AND DOOR MANUFACTURERS.
2. FIELD VERIFY ALL DIMENSIONS DIMENSIONS PRIOR TO MANUFACTURE OF WINDOWS AND DOORS.
3. ALL WINDOWS AND DOORS WITH GLAZING TO BE TRANSPARENT LIGHT DOUBLE GLAZED UNLESS OTHERWISE INDICATED.
4. SEE EXTERIOR ELEVATIONS FOR DECAUTION STRIPS AND OPERABLE WINDOW LOCATIONS.
5. SEE WINDOW TYPES SHEET FOR SILL HEIGHTS, UNIFORM ELEVATIONS.
6. GLAZING WITHIN A DOOR, SILL OF A DOOR, OPENING, ETC. ABOVE A THE SURFACE AND/OR ON OTHER SIDE LEVEL TO BE SAFETY GLAZED.
7. OPERABLE WINDOW, WHERE APPLICABLE, TO BE CONFORMED TO ALLOW EMERGENCY RESCUE AND RESCUE.

TDA Thomas Dolan
Architecture
Architectural
Interior Design
Planning and
Construction
Consultants
Tel: (916) 817-7300
Fax: (916) 817-7208
11111 E. Riverwood Lane
Suite 100, Rockville, VA
20154
California, WA
17711111 Street
Oakland, California
94612 USA



OWNER
MONICA HUAJI
909 NORTH LAMAR BLVD
SAN MATEO, CA 94401
650 685 8558 P11
650 685 8558 FAX



○ DOOR/WINDOW TYPES
1/4\"/>

**EMERALD
PARC
FLEXHOUSES**
2400 FILBERT ST.
OAKLAND, CA
WINDOW & DOOR
TYPES
& WINDOW
DETAILS

ISSUE	DESCRIPTION	DATE
	SCHEMATIC DEVELOPMENT K&C (1/18)	
	REVISION	5/22/18
	DESIGN DEVELOPMENT	9/18/18

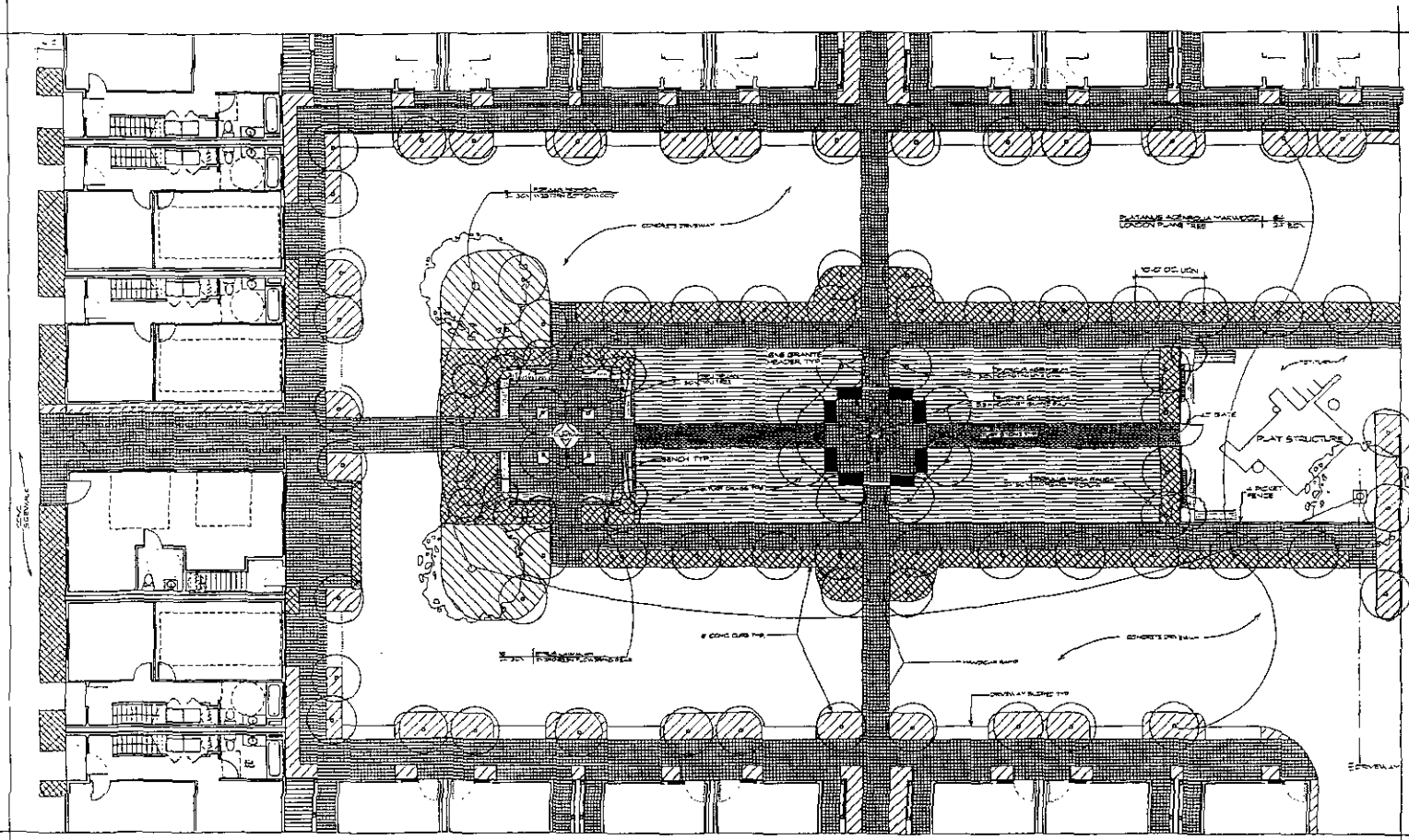
DATE: 4/30/2018
JOB NO: 04128
DRAWN: AD

TDA Thomas Dolan
 Architecture
 Architecture
 Urban Design
 Planning and
 Development
 Consultants
 44 (925) 837-7200
 fax: (925) 837-7208
 www.thomasdolan.com
 173 Edison Way
 Oakland, California
 94612 U.S.A.



OWNER
MONICA HUAJI
 909 NORRICH AVE #111111
 SAN MATEO, CA 94401
 650.685.8555 PH
 650.685.8558 FAX

**EMERALD
 PARC
 FLEXHOUSES**
 2400 FILBERT ST.
 OAKLAND, CA



- LAWN GRASS
- LAWN STONE
- CONCRETE
- CONCRETE WITH AGGREGATE
- CONCRETE WITH AGGREGATE AND AGGREGATE
- CONCRETE WITH AGGREGATE AND AGGREGATE AND AGGREGATE
- CONCRETE WITH AGGREGATE AND AGGREGATE AND AGGREGATE AND AGGREGATE

LANDSCAPE NOTE
 ALL LANDSCAPE AREAS TO BE
 INSTALLED IN ACCORDANCE TO
 BE OBTAINED BY
 LANDSCAPE CONTRACTOR

1 COURTYARD LANDSCAPE PLAN
 1/8" = 1'-0"

DATE	DESCRIPTION	DATE
11/15/07	CONCEPT DEVELOPMENT	11/15/07
1/10/08	REVISION	1/10/08
1/10/08	FINAL DEVELOPMENT	1/10/08

DATE: 11/15/07
 OR NO: 44124
 DRAWN: AD

SCALE: 1/8" = 1'-0" L1.00

ATTACHMENT B

FINDINGS FOR APPROVAL

This proposal meets all the required Use Permit criteria (Sections 17.134.050 & 17.01.100B) and Design Review Criteria (Section 17.136.070) as set forth below and which are required to approve your application. Required findings are shown in bold type; reasons your proposal satisfies them are shown in normal type.

SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

- 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 consists of 55 residential dwelling units and five small commercial spaces. The proposal will remove an existing industrial/ commercial building and replace it with a residential development as envisioned by the General Plan. The proposal will consist of two story townhouse style homes fronting onto Filbert and Myrtle Streets to be consistent with the scale of the residential neighborhood along those streets. The 24th Street elevation will increase to three stories and contain some ground floor commercial spaces for neighborhood serving activities or small scale offices for small local businesses, which is appropriate given the site across the street is in a commercial zone and General Plan designation with frontage on West Grand Avenue, and any future development would be of a higher intensity than the rest of the neighborhood north of the site. The proposal will build out the site towards the street to create a pedestrian friendly environment surrounding the site, and contain an internal parking arrangement off of an internal driveway that connects to exterior and interior parking stalls. Each dwelling will contain a designated parking stall. The project will contain a large open interior that will limit site coverage and provide a large group open space. Each dwelling will also contain small individual private open spaces. The project is located within an area that contains availability to civic facilities and utilities. A traffic study prepared by Abrams and Associates indicates that the proposed development will not degrade existing levels of service (LOS) below an acceptable level.

- 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 will provide for a functional living environment by reusing an existing industrial/commercial site that is incompatible with the surrounding residential neighborhood to the north. The site planning will allow for limited curb cuts along the exterior of the site by providing an internal driveway with access to garage and parking stalls. The middle of the site will contain a large group open space and each unit will contain private open spaces for individual use. The project will also incorporate five small commercial spaces along 24th Street to try to activate the street level in the neighborhood. Potential uses would include small scale neighborhood serving activities such as a café, beauty salon, and offices for small local businesses.

- 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.**

The development will enhance the area as a residential neighborhood by adding dwelling units to an existing industrial/commercial lot to transition the neighborhood back to residential as envisioned by the General Plan.

- D. That the proposal conforms to all applicable design review criteria set forth in the DESIGN REVIEW PROCEDURE of Chapter 17.136 of the Oakland Planning Code.**

See Design Review findings below.

- 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 conversion of an industrial/commercial use to residential is consistent with the Mixed Housing Type Residential General Plan Area.

SECTION 17.01.100B – MINOR CONDITIONAL USE PERMIT FINDINGS FOR PROPOSALS CLEARLY IN CONFORMANCE WITH GENERAL PLAN BUT NOT PERMITTED BY ZONING REGULATIONS:

- A. That the proposal is clearly appropriate in consideration of the characteristics of the proposal and the surrounding area.**

The Mixed Housing Type General Plan Area is intended to have a residential neighborhood with a medium level of density. The existing zoning is M-20, which does not allow for residential uses, however; the large majority of properties on the subject block are presently residential. The proposed dwelling units will help to transition this neighborhood to more of a residential setting as the existing parcel contains an industrial/commercial structure that is incompatible with the surrounding residential neighborhood.

- B. That the proposal is clearly consistent with the intent and desired character of the relevant land use classification or classifications of the General Plan and any associated policies.**

The proposal for residential dwelling units is clearly consistent with the Mixed Housing Type General Plan Area as it will turn a lot with an incompatible use into a residential use.

- C. That the proposal will clearly promote implementation of the General Plan.**

The proposal for residential dwelling units will clearly promote implementation of the General Plan as the Mixed Housing Type General Plan Area calls for residential uses.

17.136.070A - RESIDENTIAL DESIGN REVIEW CRITERIA:

- A: 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 will consist of two story townhouse style homes fronting onto Filbert and Myrtle Streets to be consistent with the scale of the residential neighborhood along those streets. The units will contain entry stoops to add to the pedestrian scale of the neighborhood. The bulk of the proposal is broken down by the townhouse form of the units, breaks in the façade of the individual units, and gabled roofs. The exterior elevations will include a mix of horizontal siding, which is prevalent throughout the neighborhood and board and batten siding to add verticality to the buildings. All of the proposed windows will be true divided lite windows with a factory powder coated finish, which will add depth and detail to the façade of the buildings. The elevations on 24th Street will increase to a three story structure, but will not exceed 30 feet which is the maximum height allowed in the adjacent R-50 zone.

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

The development will enhance the area as a residential neighborhood by adding dwelling units to an existing industrial/commercial lot to transition the neighborhood back to residential as envisioned by the General Plan.

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

The subject area is flat containing no natural landscape.

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

Not situated on a hill.

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

The conversion of an industrial/commercial use to residential is consistent with the Mixed Housing Type Residential General Plan Area.

ATTACHMENT C

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 dated September 30, 2005 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. All proposals for future commercial uses shall require separate zoning clearances.

2. Effective Date, Expiration, and Extensions

a. Ongoing.

This permit shall become effective upon satisfactory compliance with these conditions. This permit shall expire on October 19, 2007, 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, 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 CONSTRUCTION:

7. 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.

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.

STANDARD CONDITIONS FOR MAJOR PROJECTS:

9. Air Quality

a. Prior to commencement of construction activity

The contractor shall implement a construction dust abatement program including the following measures:

- i. Twice-daily watering of the project site during construction to reduce dust emissions.
- ii. Following best management practices such as (i) watering all active construction areas at least twice daily; (ii) covering all trucks hauling soil and other loose materials or requiring trucks to maintain at least two feet of freeboard; (iii) paving, applying water three times daily, or applying non-toxic stabilizers on all unpaved access roads, parking areas, and staging areas at the construction site; (iv) sweeping daily with water sweepers all unpaved access roads, parking areas, and staging areas at the construction site; and (v) sweeping streets daily with water sweepers if visible soil material is carried onto adjacent public streets.
- iii. Routing temporary haul roads to the soil stockpile away from existing neighboring land uses, surfacing these temporary roads with gravel, and implementing a program to regularly water or apply an appropriate dust suppressant to control for dust.
- iv. Utilizing water sprays to control dust when material is being added or removed from the soil stockpile or when the stockpile remains undisturbed for more than a week treating the stockpile with a dust suppressant or crusting agent to eliminate windblown dust generation.

- v. Providing neighboring properties located within 300 feet of the subject property lines with name and phone number of a designated dust control coordinator who shall respond to complaints within 24 hours by suspending dust producing activities or providing additional personnel or equipment for dust control as deemed necessary. The phone number of the BAAQMD pollution complaints contact shall be provided. The dust control coordinator shall be on-call during construction hours and shall maintain a log of complaints received and remedial actions taken in response. The log shall be submitted to City staff upon request.

10. Hydrology and Water Quality

a. *Prior to commencement of construction activity*

If required the project sponsor shall prepare, for City review and approval, and implement a Storm Water Pollution Prevention Plan (SWPPP) to reduce potential impacts to surface water quality during project construction.

11. Construction Hours for Major Projects

a. *During all construction activities.*

Construction hours will be limited to be between 7:00AM to 7:00PM, Monday through Friday. Subject to prior authorization of the Building Services Division and the Planning and Zoning Division, no construction activities shall be allowed on Saturdays until after the building is enclosed, and then only within the interior of the building with the doors and windows closed. Saturday construction activity prior to the building being enclosed shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a survey of residents preferences for whether Saturday activity is acceptable if the overall duration of construction is shortened. No construction activity shall take place on Sundays or Federal holidays.

12. Construction Staging and Phasing Plan

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

The project applicant and construction contractor shall meet with the Traffic Engineering and Parking Division of the Oakland Public Works Agency (PWA) and other appropriate City of Oakland agencies to determine traffic management strategies to reduce traffic congestion and the effects of parking demand, to the maximum feasible extent, by construction workers during construction of this project and other nearby projects that could be simultaneously under construction.

The project applicant shall submit a construction management and staging plan to the Building Services Division with the application for the first building permit for the project for review and approval. The plan shall include at least the following items and requirements:

- 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.
- Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.
- Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours and lane closures will occur.
- Provision for accommodation of pedestrian flow.
- Location of construction staging areas.

- Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected.
- A temporary construction fence to contain debris and material and to secure the site.
- Provisions for removal of trash generated by project construction activity.
- Dust control measures as set forth in Condition #9.
- A process for responding to, and tracking, complaints pertaining to construction activity, including the identification of an on-site complaint manager.

13. Public Improvements Plan

a. Prior to issuance of a building permit.

The applicant shall submit Public Improvement Plans for adjacent public rights-of-way showing all proposed improvements and compliance with conditions of approval 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 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. The Planning and Zoning Division, Building Services Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to issuance of certificate of occupancy.

14. Underground Utilities.

a. Prior to issuance of building permits.

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

15. Exterior Materials Details

a. Prior to issuance of building permit.

The applicant shall submit for review and approval of the Planning and Zoning Division, plans that show the details of the exterior of each building including colors. These details shall include the labeling of all the materials and treatments proposed for the exterior of each building. The applicant shall also provide a material and color board for review and approval of the Planning and Zoning Division. All materials and treatments shall be of high quality that provides the building with significant visual interest. In particular, the exterior stucco shall contain a smooth trowel finish. All material at ground level shall be made of durable material that can be maintained in an urban environment.

Windows shall be articulated to provide a two inch minimum recess from the exterior building façade in order to create a sufficient shadow line. The final window details shall be submitted for review and approval.

16. Landscape and Irrigation Plan

a. Prior to issuance of building permit.

The applicant shall submit for review and approval by the Planning and Zoning Division, a detailed landscape and irrigation plan prepared by a licensed landscape architect or other qualified person. Such plan shall show all landscaping on the site maintained by an automatic irrigation system or other comparable system. The landscaping plan shall include a detailed planting schedule showing sizes, quantities, and specific common and botanical names of plant species. Fire and drought-resistant species are encouraged.

17. Landscaping Maintenance

a. Ongoing.

All landscaping areas and related irrigation shown on the approved plans shall be permanently maintained in neat and safe conditions, and all plants shall be maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with all applicable landscaping requirements. All paving or other impervious surfaces shall occur only on approved areas.

18. Street Trees

a. Prior to issuance of building permit.

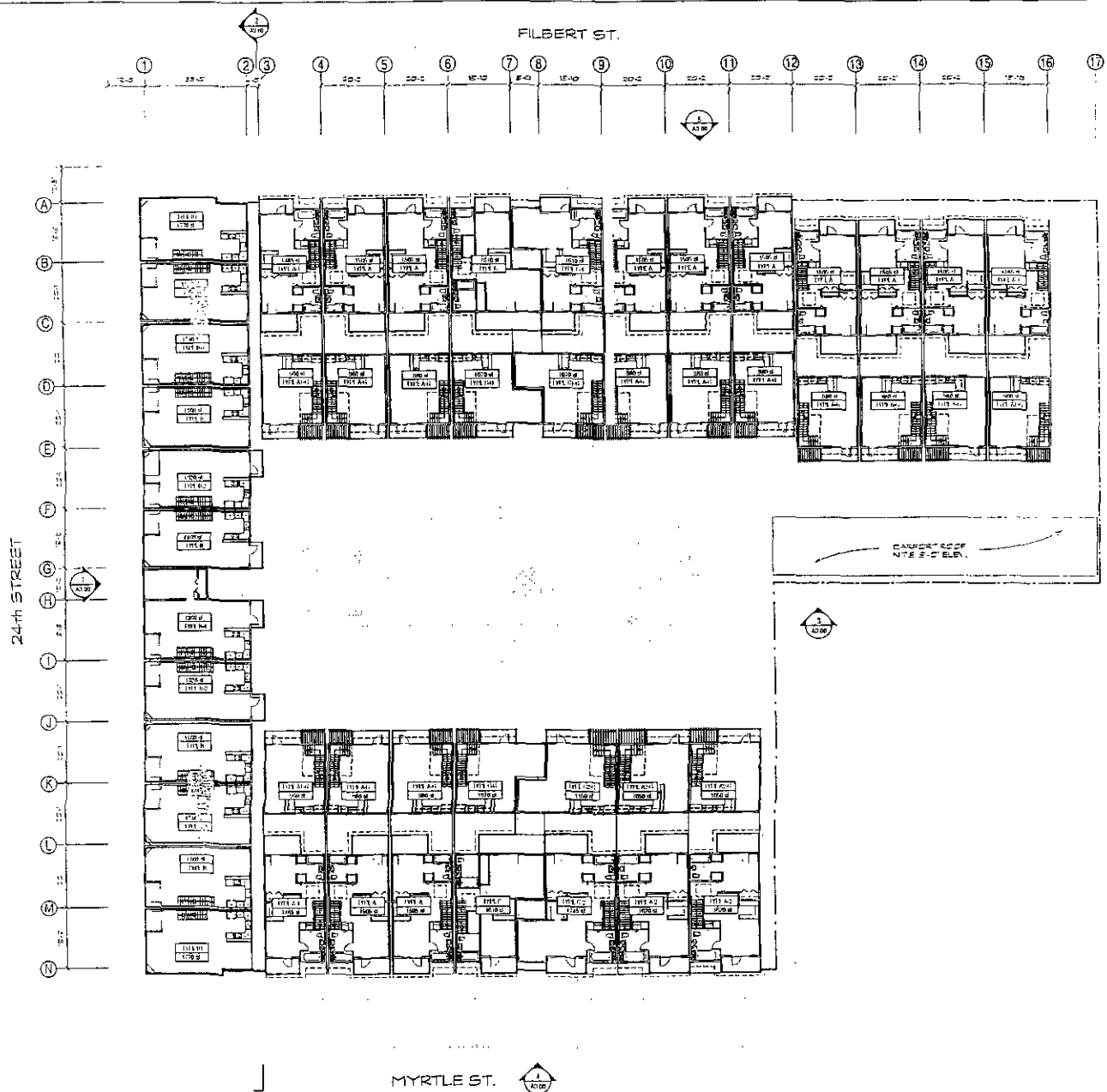
The applicant shall provide one street tree (24 inch box) per 25 feet of linear frontage of the project site for review and approval of species, size at time of planting, and placement in the right-of-way, subject to review and approval by the Office of Parks and Recreation and Building Services.

19. Meter Shielding

a. Prior to issuance of building permits.

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

APPROVED BY: City Planning Commission: _____ (date) _____ (vote)
City Council: _____ (date) _____ (vote)



① SECOND LEVEL PLAN
1" = 1'-0"

MYRTLE ST.

TDA Thomas Dolan Architects
 1000 Broadway
 San Francisco, CA 94133
 (415) 774-1100
 www.tda.com

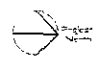


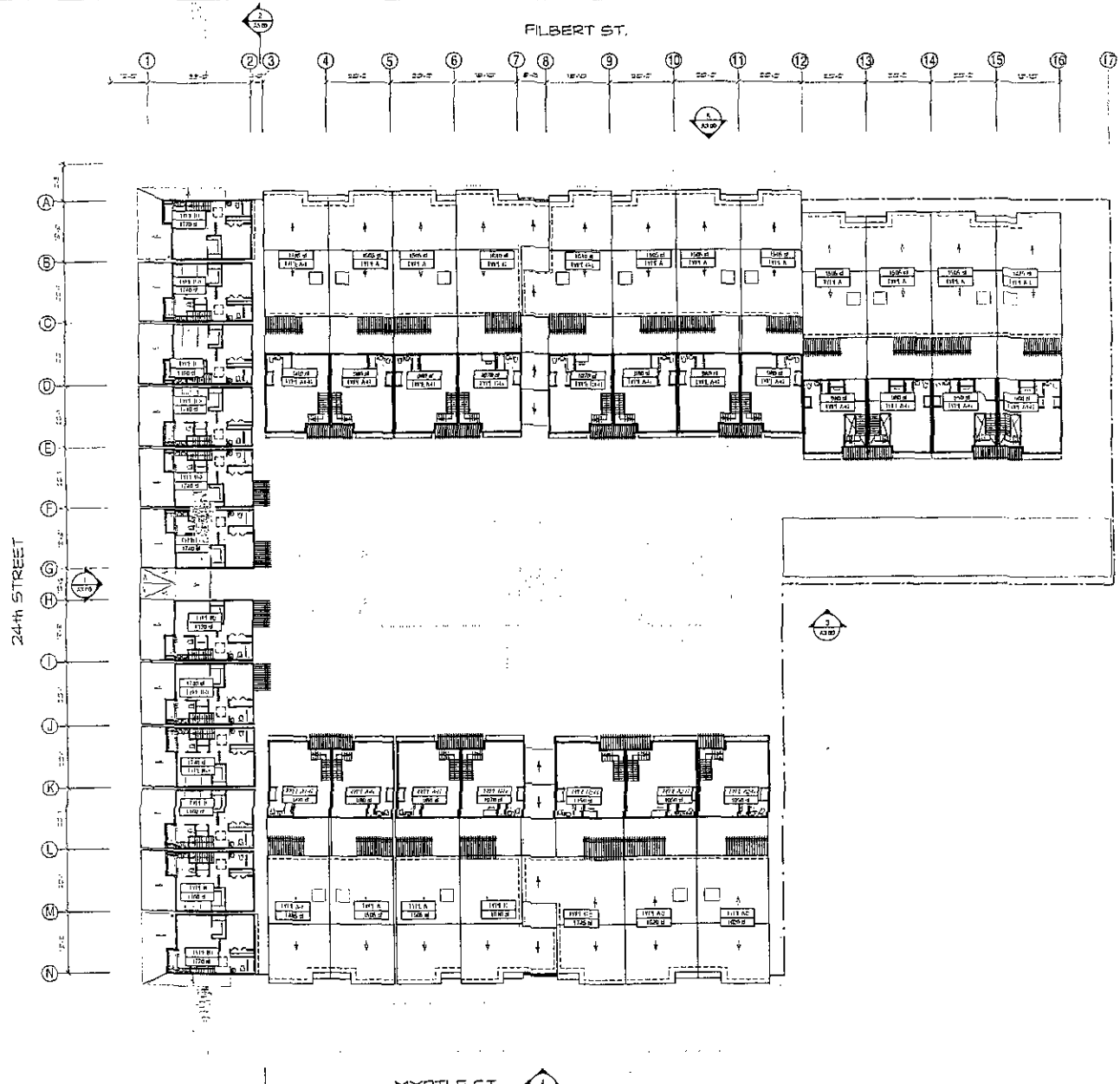
OWNER
MONICA HUI AZI
 900 NORTH LAMAR BLVD
 SAN MATEO, CA 94401
 (415) 353-1111
 (415) 353-1111

**EMERALD
 PARC
 FLEXHOUSES**
 2100 FILBERT ST.
 OAKLAND, CA
 SECOND FLOOR
 PLAN

DATE	DESCRIPTION	BY

DATE: 11/11/11
 DRAWN BY: J. HUI
 CHECKED BY: J. HUI





① THIRD LEVEL PLAN
1/8" = 1'-0"

MYRTLE ST.

FILBERT ST.

24th STREET

TDA Thomas Dolan
Architects
Interior
Exterior
Landscape
Construction
Management
2400 Broadway
San Francisco, CA 94133
415.774.1100
www.tda.com

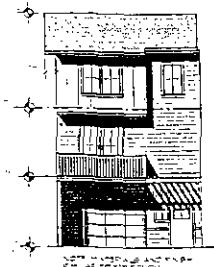


OWNER
MONICA HUBAZI
905 NORTH AVENUE
SAN ANTONIO, CA 78201
678.888.2555 (PH)
678.888.2556 (FAX)

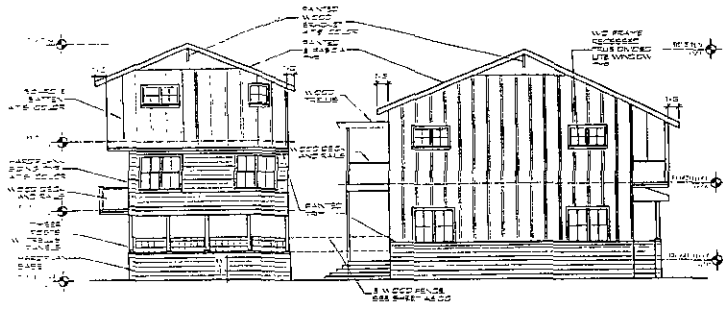
EMERALD
PARC
FLEXHOUSES
2400 FILBERT ST.
OAKLAND, CA

DATE	DESCRIPTION	BY

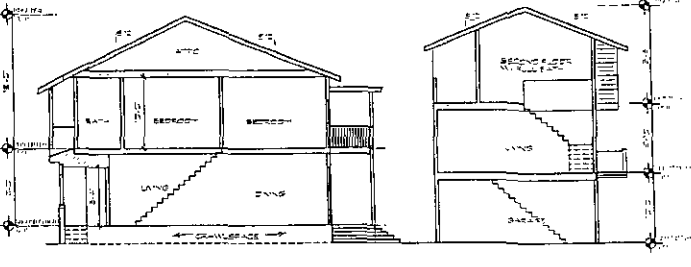




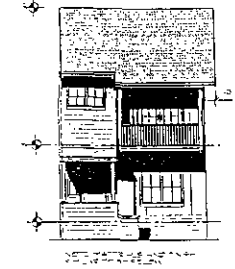
12 REAR ELEVATION - TYPE A1
1/8" = 1'-0"



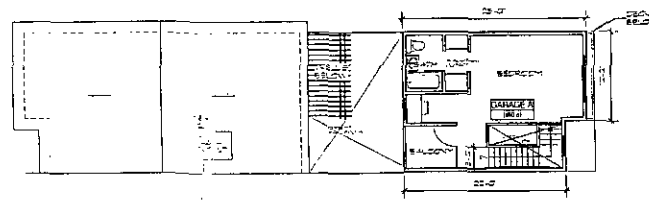
8 SIDE ELEVATION - TYPE A1
1/8" = 1'-0"



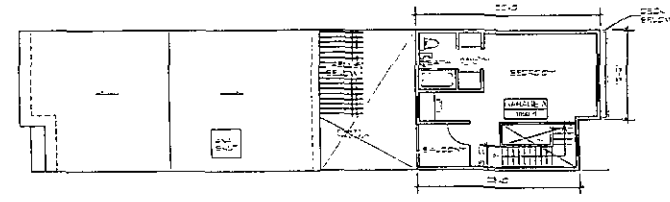
4 SECTION
1/8" = 1'-0"



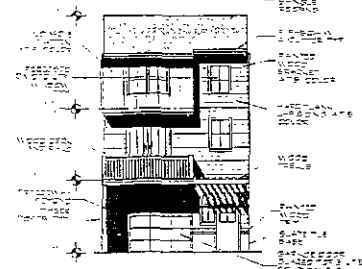
11 FRONT ELEVATION - TYPE A1
1/8" = 1'-0"



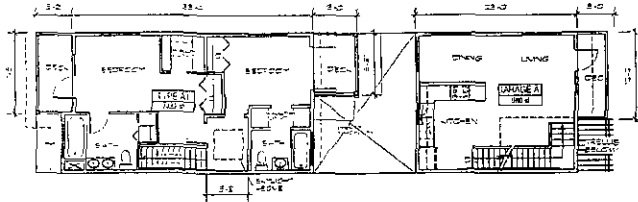
7 THIRD FLOOR PLAN - TYPE A1
1/8" = 1'-0"



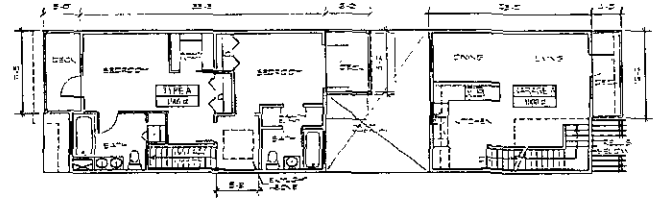
3 THIRD FLOOR PLAN - TYPE A (TYPE A-2 SIM)
1/8" = 1'-0"



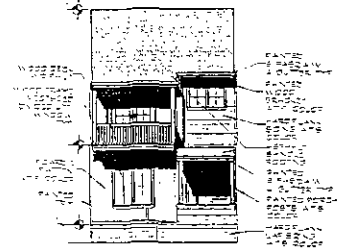
10 REAR ELEVATION - TYPE A
1/8" = 1'-0"



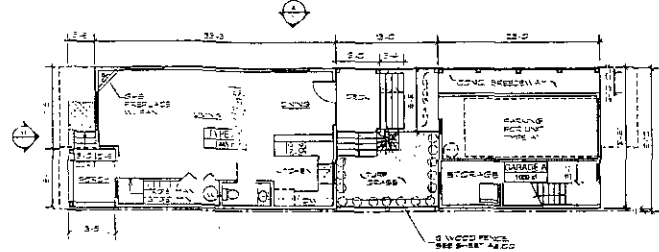
6 SECOND FLOOR PLAN - TYPE A1
1/8" = 1'-0"



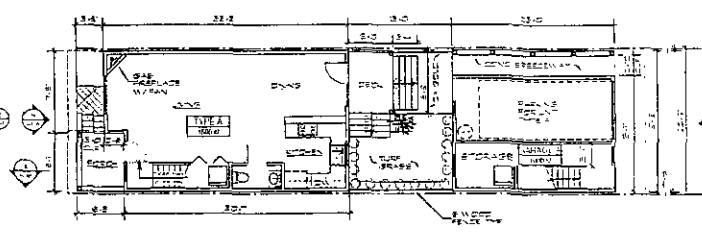
2 SECOND FLOOR PLAN - TYPE A (TYPE A-2 SIM)
1/8" = 1'-0"



9 FRONT ELEVATION - TYPE A
1/8" = 1'-0"



5 GROUND FLOOR PLAN - TYPE A1
1/8" = 1'-0"



1 GROUND FLOOR PLAN - TYPE A (TYPE A-2 SIM)
1/8" = 1'-0"

IDA Iliano & Iliano Architects
 1000 NORTH MARSHALL
 SAN ANTONIO, TEXAS 78201
 (512) 343-1111
 www.iliano.com



OWNER
MONICA HULAZI
 980 NORTH MARSHALL
 SAN ANTONIO, TEXAS 78201
 (512) 343-1111

**EMERALD
 PARC
 FLEXHOUSES**
 2400 FILBERT ST.
 OAKLAND, CA
 ENLARGED UNIT
 TYPE A
 PLANS, SECTION
 & ELEVATIONS

NO.	DESCRIPTION	DATE
1	PRELIMINARY	11/11/11
2	REVISED	11/11/11
3	REVISED	11/11/11
4	REVISED	11/11/11
5	REVISED	11/11/11
6	REVISED	11/11/11
7	REVISED	11/11/11
8	REVISED	11/11/11
9	REVISED	11/11/11
10	REVISED	11/11/11
11	REVISED	11/11/11
12	REVISED	11/11/11

DATE: 11/11/11
 DRAWN: [Signature]
 CHECKED: [Signature]



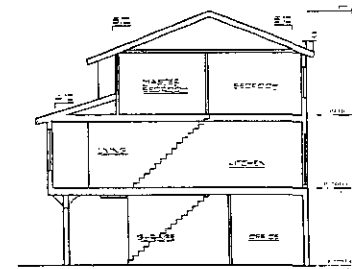
OWNER:
 MONICA HUAZI
 900 NORTHLAMBETH
 SAN MATEO, CA 94401
 650.555.5311
 650.555.5311

EMERALD
 PARC
 FLEXHOUSES
 2400 FILBERT ST.
 OAKLAND, CA

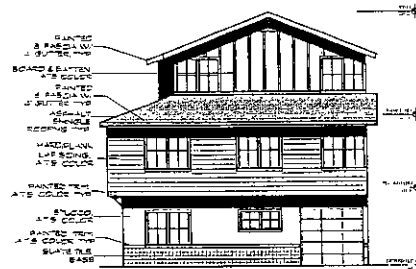
ENLARGED UNIT
 TYPE B
 PLANS, SECTION
 & ELEVATIONS

DATE	REV. DESCRIPTION	BY

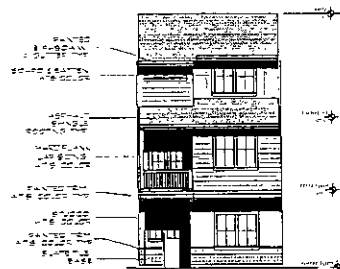
DATE: 01.17.10
 REVISION:
 DRAWN:
 SHEET NO.



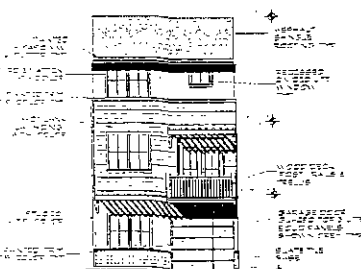
4 SECTION
 1/8" = 1'-0"



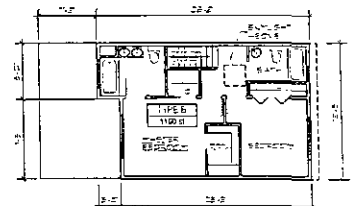
8 SIDE ELEVATION - TYPE B
 1/8" = 1'-0"



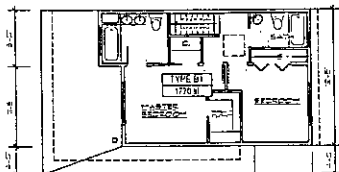
12 FRONT ELEVATION - TYPE B1
 1/8" = 1'-0"



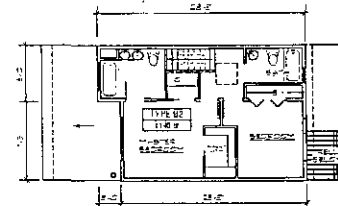
16 REAR ELEVATION - TYPE B2
 1/8" = 1'-0"



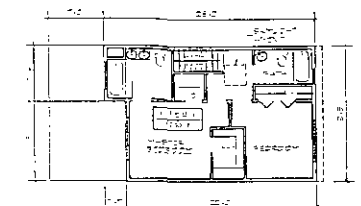
3 THIRD FLOOR PLAN - TYPE B
 1/8" = 1'-0"



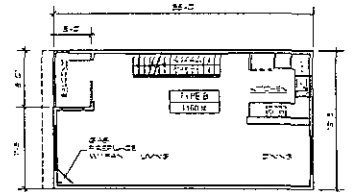
7 THIRD FLOOR PLAN - TYPE B1
 1/8" = 1'-0"



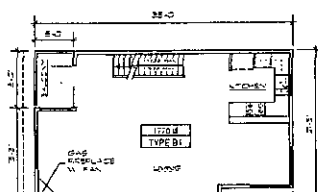
11 THIRD FLOOR PLAN - TYPE B2
 1/8" = 1'-0"



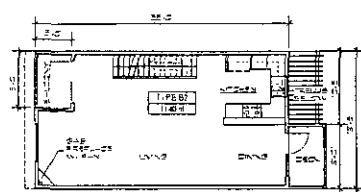
15 THIRD FLOOR PLAN - TYPE B3
 1/8" = 1'-0"



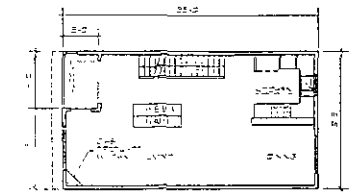
2 SECOND FLOOR PLAN - TYPE B
 1/8" = 1'-0"



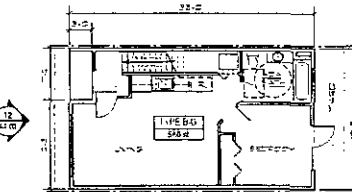
6 SECOND FLOOR PLAN - TYPE B1
 1/8" = 1'-0"



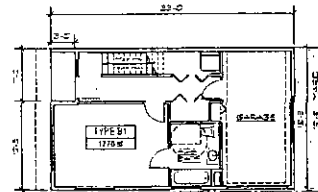
10 SECOND FLOOR PLAN - TYPE B2
 1/8" = 1'-0"



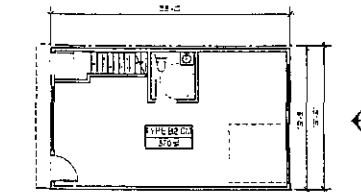
14 SECOND FLOOR PLAN - TYPE B3
 1/8" = 1'-0"



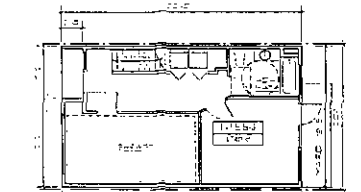
1 GROUND FLOOR PLAN - TYPE B-G
 1/8" = 1'-0"



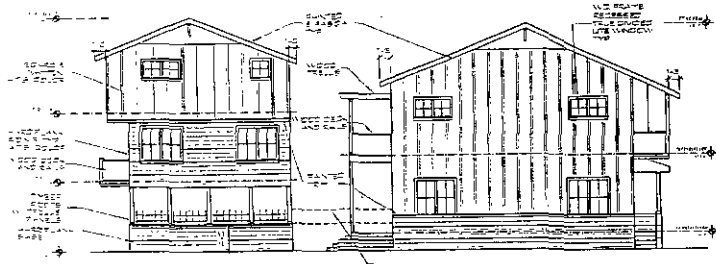
5 GROUND FLOOR PLAN - TYPE B1
 1/8" = 1'-0"



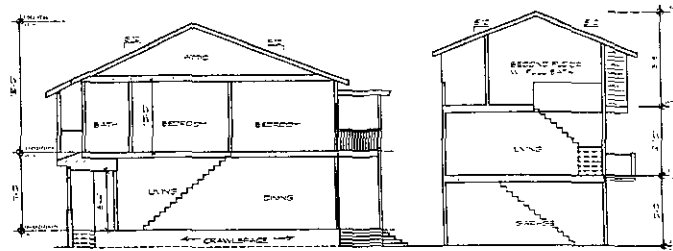
9 GROUND FLOOR - TYPE B2 CMRCL
 1/8" = 1'-0"



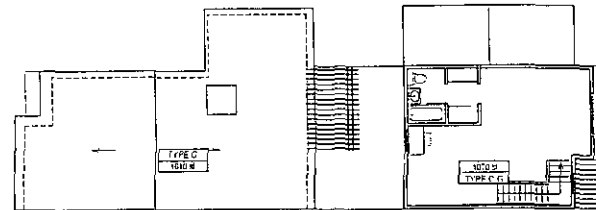
13 GROUND FLOOR PLAN - TYPE B3
 1/8" = 1'-0"



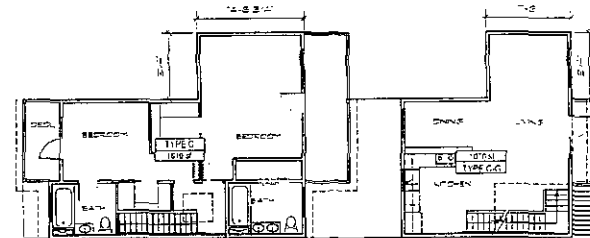
⑥ SIDE ELEVATION - TYPE C
1/8" = 1'-0"



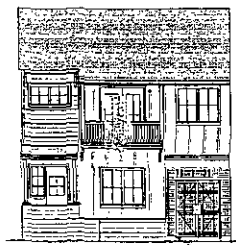
④ SECTION
1/8" = 1'-0"



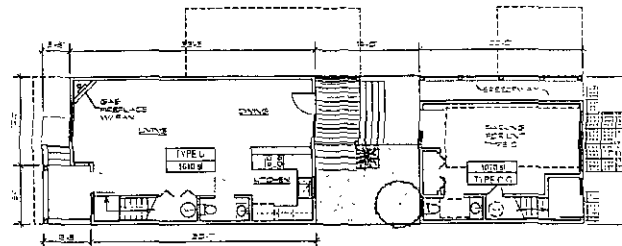
③ THIRD FLOOR PLAN - TYPE C
1/8" = 1'-0"



② SECOND FLOOR PLAN - TYPE C
1/8" = 1'-0"



⑤ FRONT ELEVATION - TYPE C
1/8" = 1'-0"



① GROUND FLOOR PLAN - TYPE C
1/8" = 1'-0"



TDA

Thomas Fisher
Architects
Architects
1144 Franklin
Street, Suite 101
Berkeley, CA 94704
Tel: 415.863.7000
Fax: 415.863.7001
www.tda.com



PROJECT
MONICA HUIJAZI
900 NORTH AMHERST
SAN MATEO, CA 94401
415.685.5554 FAX
650.685.8588 FAX

EMERALD
PARC
FLEXHOUSES
2400 FILBERT ST.
OAKLAND, CA

ENLARGED UNIT
TYPE C
PLANS, SECTION
& ELEVATIONS

NO.	DESCRIPTION	DATE
1	FINAL SET FOR PERMITS	11-10-10
2	REVISION	11-10-10
3	FINAL SET FOR PERMITS	11-10-10
4	REVISION	11-10-10
5	REVISION	11-10-10
6	REVISION	11-10-10
7	REVISION	11-10-10
8	REVISION	11-10-10
9	REVISION	11-10-10
10	REVISION	11-10-10

DATE: 11-10-10
DRAWN: JH
CHECKED: JH

Traffic Impact Study

Abrams Associates
TRAFFIC ENGINEERING, INC.

Emeral Parc Flexhouses

in
The City of Oakland

Prepared for:

Thomas Dolan Architecture
Embarcadero West
173 Filbert Street
Oakland, CA 94607
Attn: Andrej Dekleva

Prepared by:

Abrams Associates
1660 Olympic Boulevard, Suite 210
Walnut Creek, CA 94596

ATTACHMENT D

September, 2005

Traffic Impact Study

for the

Emerald Parc Flexhouses

in

The City of Oakland

Prepared by
Abrams Associates
September, 2005

SECTION 1.0

INTRODUCTION

1.1 PROJECT DESCRIPTION

The proposed project would be located about one block north of the intersection of West Grand Avenue and Market Street in a neighborhood that includes a mixture of residential and commercial uses. The project would include 55 residential condominium/townhouse style units with covered garages for each unit on the ground floor. The project is also proposing to include one 550 square foot café on 24th Street.

The purpose of this study is to evaluate the potential traffic impacts of the proposed project, to recommend any traffic mitigation measures that may be required, and to assess the adequacy of the parking proposed. This traffic study will also review and make recommendations on the design of the access driveways and the internal traffic system proposed for the project.

In the City of Oakland a project is normally required to study all intersections to which the project would add 50 or more peak hour trips. Since this project would not add more than 50

trips to any one intersection the study intersections were selected based on their potential to be impacted by the project in consultation with City staff.

Based on the City's significance criteria, a significant impact is identified when an intersection deteriorates to worse than LOS E inside the downtown area and worse than LOS D outside the downtown area (which is where the proposed project is located). It should be noted that the addition of fewer than 50 trips to an intersection would not normally be expected to degrade a service level from LOS C or better to worse than LOS D and on arterial roadways the addition of fewer than 50 trips is generally within daily traffic fluctuations. The location of the proposed project and the study area is shown in **Figure 1**. The proposed site plan for the project is shown in **Figure 2**.

1.2 STUDY INTERSECTIONS

For this analysis three (3) study intersections were selected for analysis in this report, based on their proximity to the site and their potential to be impacted by the proposed project. For this project, all of the project study intersections are controlled by stop signs on the minor approaches.

1. West Grand Avenue at Filbert Street
2. West Grand Avenue at Market Street
3. Market Street at San Pablo Avenue

All intersections have been analyzed for the AM peak hour (7:30 – 8:30 AM), and the PM commute peak hour (5:00-6:00 PM). Intersection turning movement counts were taken for this project in September of 2005 for this analysis. Please note that these counts were conducted after school was back in session at the nearby McClymonds High School.

1.3 TRAFFIC ANALYSIS SCENARIOS

Five study scenarios have been addressed as part of this traffic analysis. These are listed below:

- 1) *Existing Conditions* - This scenario evaluates the level-of-service at the studied intersections for the existing conditions based on traffic counts taken in September, 2005.
- 2) *Existing Plus Project Conditions* - This scenario includes analyses of the effects of traffic from each Development Alternative on the Baseline traffic operations.

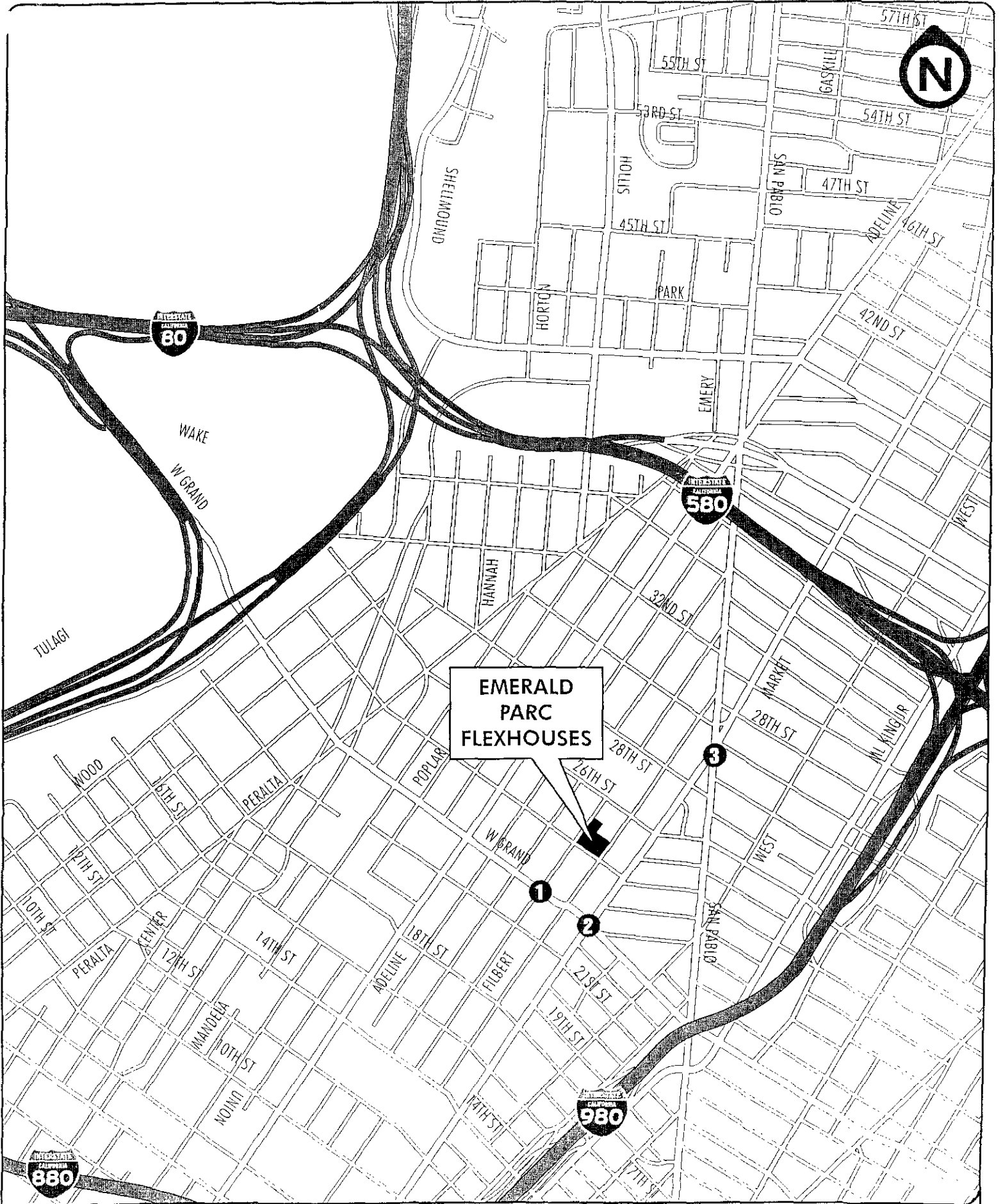


FIGURE 1 | PROJECT LOCATION AND STUDY INTERSECTIONS
 TRAFFIC IMPACT STUDY
Emerald Parc Flexhouses

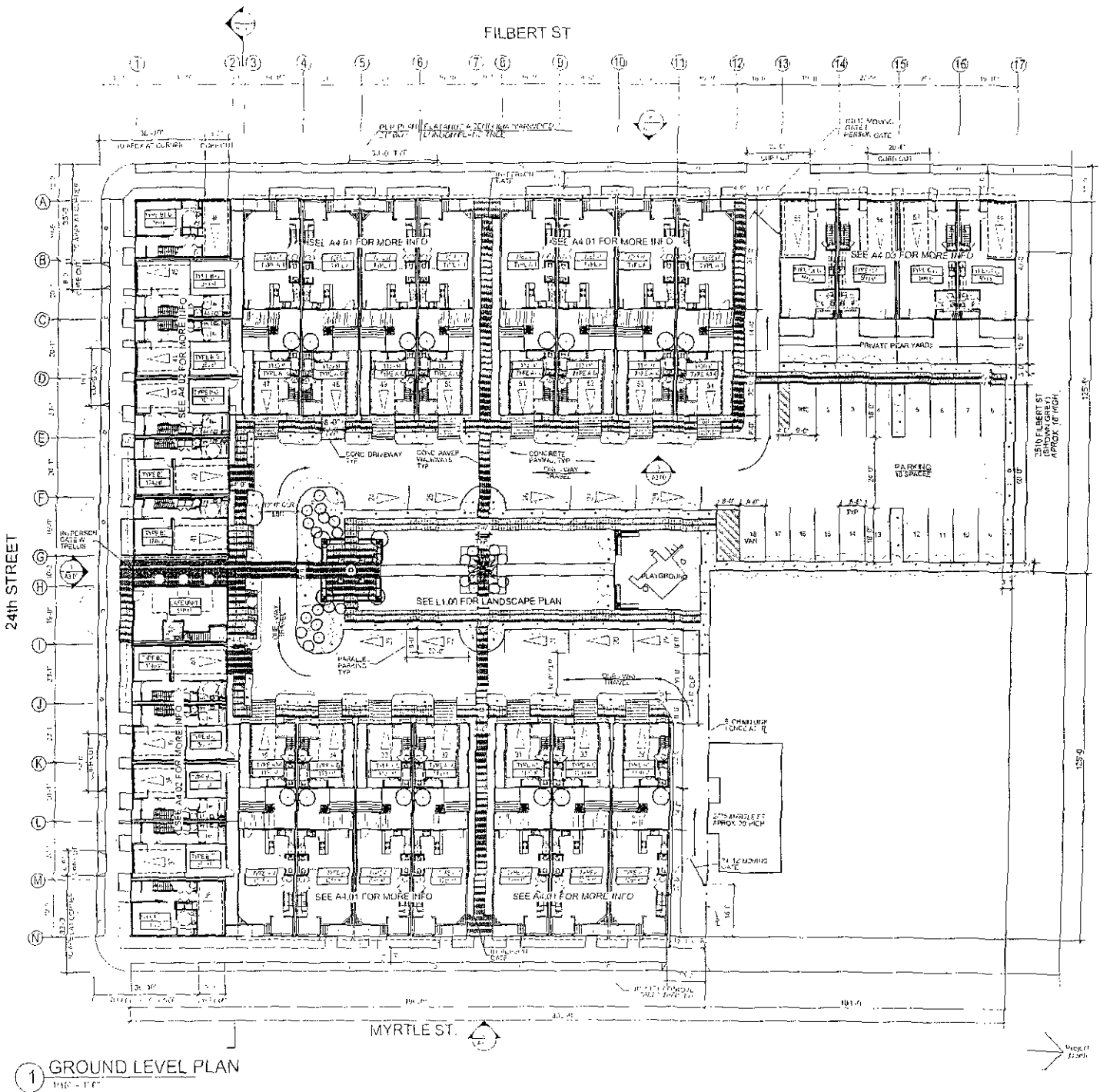


FIGURE 2 | SITE PLAN
TRAFFIC IMPACT STUDY
Emerald Parc Flexhouses

4) *2025 Cumulative Conditions* - This scenario includes the analysis of build-out conditions in the area, projected for the Year 2025, plus other development as defined in the City of Oakland General Plan.

5) *Cumulative Plus Project Conditions* - this scenario includes the Cumulative Year 2025 traffic volumes with the addition of the traffic from the Proposed project.

SECTION 2.0

EXECUTIVE SUMMARY

2.1 SITE ACCESS

The proposed site plan is expected to function well and not cause any safety or operational problems. No changes to traffic controls in the area would be required beyond the placement of a stop sign at the exit from the project onto Filbert Street.

2.2 INTERSECTION AND ROADWAY CAPACITY IMPACTS

Under both existing and cumulative traffic conditions, the addition of traffic from the Proposed project is not forecast to degrade any intersection beyond LOS D. Therefore, all intersections would continue to operate well within the City's LOS standard for this area (LOS D) and no off-site traffic mitigations would be required.

2.3 PARKING IMPACTS

The project is proposing to provide a total of 56 parking spaces that would meet the City of Oakland's zoning standards, and there should be no problems with parking overflow. In general, on street parking in the area has low occupancy rates and the proposed project should have no significant parking impacts that would affect neighboring properties.

SECTION 3.0

SETTING

ROADWAY SYSTEM

Figure 1 illustrates the roadways in the vicinity of the project site. A brief description of the key roadway facilities in the area is provided below. The project area is primarily served by four regional freeways: Interstate 980 (I-980), Interstate 580 (I-580) and Interstate 880 (I-880) and State Route 24 (SR 24).

I-980

I-980 is the closest freeway to the project site. This roadway extends from I-880 to I-580/SR 24, and has three lanes in each direction in the general vicinity of the project area. Average daily traffic on I-980 between 18th Street and I-580 is about 121,000 vehicles (Caltrans, 2004). To reach the project site, vehicles can exit I-980 at the 27th Street / Grand Avenue and 12th/14th Streets.

SR 24

State Route 24 runs from Walnut Creek in the east to Oakland in the west, and is the continuation of I-980 east of I-580. This roadway has four lanes in each direction near downtown Oakland. Average daily traffic on SR 24 northeast of the I-580/I-980 junction is about 141,000 vehicles (Caltrans, 2004).

I-580

I-580 is a regional freeway located east of the project site, extending between I-5 near the City of Tracy and U.S. Highway 101 in San Rafael. Four lanes are generally provided in each direction on this freeway near the project area. Trucks are prohibited on I-580 in the downtown Oakland area. Average daily traffic on I-580 between the Grand Avenue/Van Buren Avenue interchange and the Oakland Avenue/Harrison Street interchange is about 141,000 vehicles (Caltrans, 2004). The closest ramps from I-580 to the project site are at the Harrison Street/Oakland Avenue interchange, which is approximately nine blocks from the project site. Additional access from I-580 is provided at Broadway (off-ramp in the eastbound direction only) and Grand Avenue (full interchange).

I-880

I-880 is a major north-south regional freeway located west of the project site, extending between

I-80 in Emeryville and I-280 in San Jose. Four lanes are generally provided in each direction on this freeway near the project area. Average daily traffic on I-880 north of Broadway is about 229,000 vehicles (Caltrans, 2004).

Grand Avenue

Grand Avenue runs from I-80 in the west to beyond I-580 to the east. It generally has two lanes and a bike lane in each direction.

Market Street

Market Street is a major north-south arterial, beginning the Embarcadero in Oakland and continuing north into Berkeley. Market Street varies from one to two through lanes in each direction.

Other Local Streets

Other local streets in the project areas include Filbert Street, Myrtle Street, 24th Street and 26th Street. All of these roadways are two-lane local roadways with parking on both sides.

EXISTING INTERSECTION TRAFFIC VOLUMES

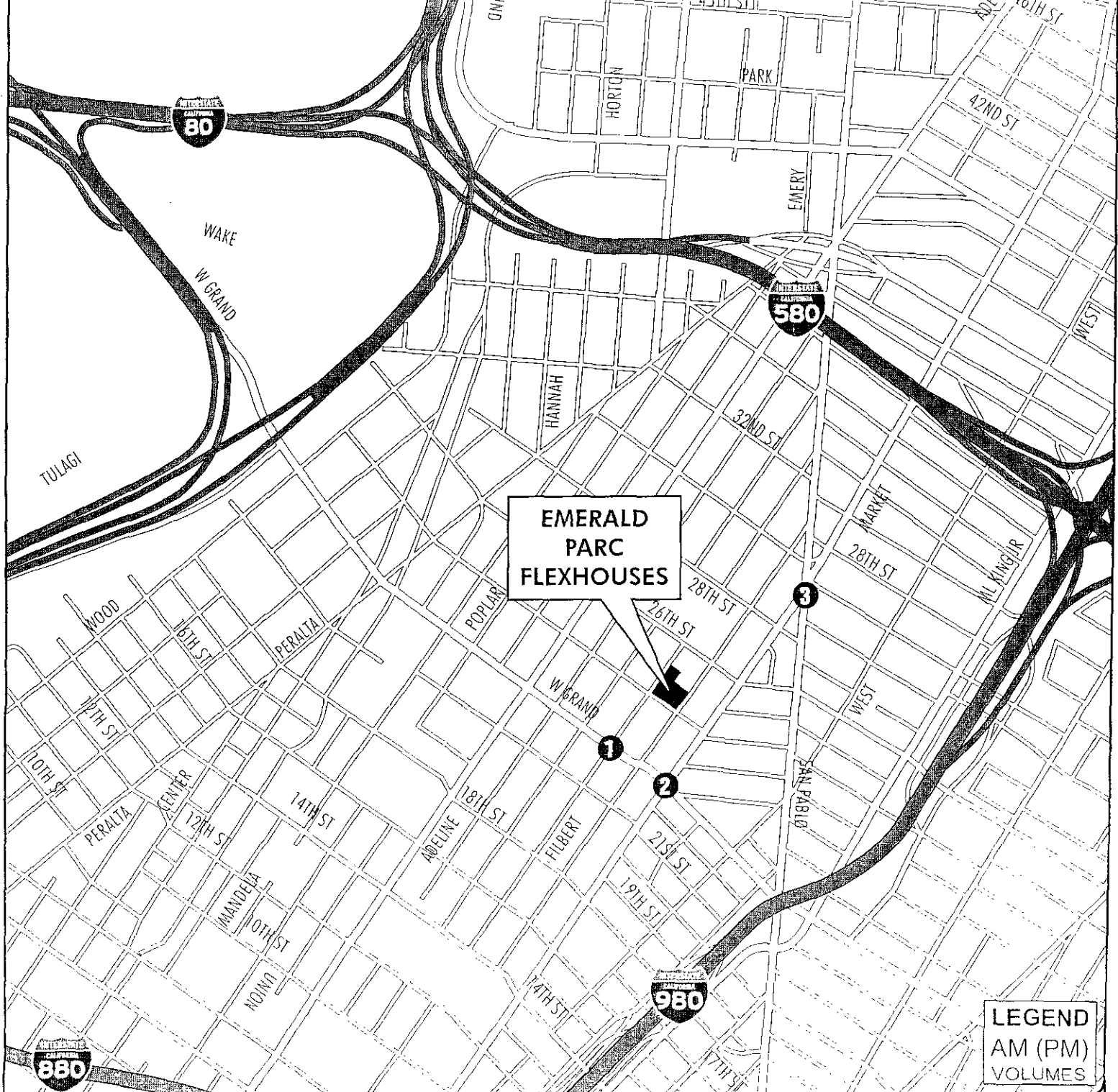
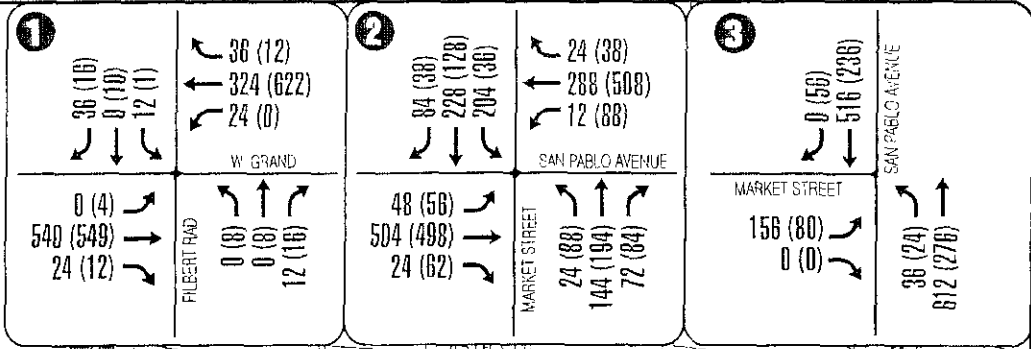
Figure 3 displays the existing lane configurations and traffic control devices at each of the project study intersections. Figure 4 displays the existing a.m. and p.m. peak-hour turning movements at each study intersection.

EXISTING INTERSECTION LEVELS OF SERVICE

Level of service is a qualitative measure reflecting the traffic operation of the intersection. For both signalized intersections and unsignalized intersections there are six levels of service, A through F, which represent conditions from best to worst, respectively. Table 1 shows the corresponding average total delay per vehicle at unsignalized intersections for each LOS category from A to F. Table A-1 of the appendix shows the level-of-service definitions for signalized intersections

Table 1
LEVEL-OF-SERVICE FOR UNSIGNALIZED INTERSECTIONS

Level of Service (LOS)	Ave Total Delay (sec/veh)	Traffic Condition
A	< 10	No Delay
B	>10 - 15	Short Delay
C	>15 - 25	Moderate Delay
D	>25 - 35	Long Delay
E	>35 - 50	Very Long Delay
F	> 50	Volume>Capacity



LEGEND
AM (PM)
VOLUMES

FIGURE 3 | AM (PM) EXISTING PEAK HOUR TRAFFIC VOLUMES
TRAFFIC IMPACT STUDY
Emerald Parc Flexhouses

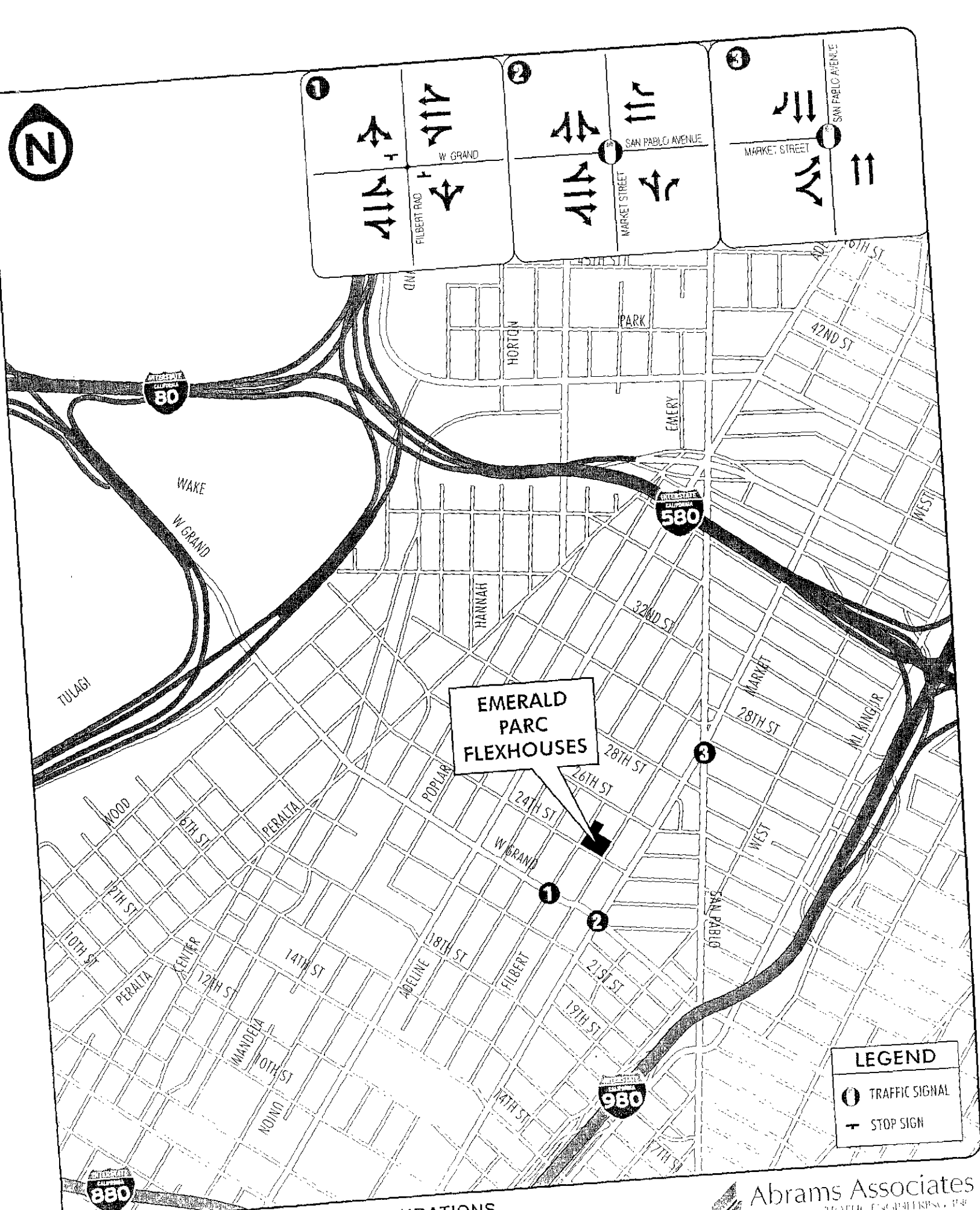


FIGURE 4 | EXISTING LANE CONFIGURATIONS
 TRAFFIC IMPACT STUDY
 Emerald Parc Flexhouses

Table 2 summarizes the existing a.m. and p.m. peak-hour levels of service at each study intersection. As seen in this table all five study intersections currently operate at LOS B or better during both the a.m. and p.m. peak hours. LOS C is considered the minimum acceptable level of service set forth by Humboldt County. Thus each intersection operates acceptably according to the County's level of service standards.

} ?

TABLE 2
PEAK-HOUR INTERSECTION LEVEL OF SERVICE SUMMARY EXISTING CONDITIONS

Intersection	Traffic Control	AM Peak Hour		PM Peak Hour	
		Average Delay ^a	Level of Service	Average Delay	Level of Service
1) West Grand Avenue at Filbert Street	Stop Sign	11.1 sec	B	18.0 sec	C
2) West Grand Avenue at Market Street	Traffic Signal	9.4 sec	A	10.6 sec	B
3) Market Street at San Pablo Avenue	Traffic Signal	4.3 sec	A	3.1 sec	A

^a Average total delay in seconds/vehicle

SOURCE: Abrams Associates, 2005

INTERSECTION SIGNALIZATION NEEDS

Traffic signals are used to provide for an orderly flow of traffic through an intersection. Many times they are needed to provide side street traffic and opportunity to access a major road where high volumes and/or high vehicle speeds block crossing or turn movements. They do not, however, necessarily increase the capacity of an intersection (i.e., increase the intersection's ability to accommodate additional vehicles) and, in fact, often slightly reduce the number of total vehicles that can pass through an intersection in a given period of time. Signals can also cause an increase in traffic accidents if installed at improper locations.

There are eleven possible tests (called "warrants") set forth in the Caltrans Traffic Manual for determining whether a traffic signal should be considered for installation. These tests consider criteria such as traffic volumes and delay, pedestrian volumes, presence of school children, and accident history. Usually, two or more warrants must be met before a signal is installed. If the Peak Hour Volume Warrant (Warrant #11) is met at an intersection that is a strong indication that a more detailed signal warrant analysis covering all possible warrants is appropriate. The requirements for a detailed signal warrant analysis are set forth in Chapter 9 of the Caltrans Traffic Manual.

For this analysis observations of peak hour traffic conditions and a test for peak hour volumes were conducted at all unsignalized intersections that would be affected by the project. Our analysis of the existing intersection turning movements found that that none of the locations currently meets the peak hour signal warrants for rural areas. In summary, our review indicated

that none of the unsignalized intersections that would be affected by the project would meet Caltrans warrants for installation of a traffic signal under existing conditions.

TRANSIT SERVICE

AC Transit provides bus transit service to residents throughout the Alameda County and provides connections to regional destinations via BART, Amtrak, and Greyhound Bus Lines. In the vicinity of the proposed project there is commute bus service to San Francisco that operates along West Grand Avenue and local routes that operate a few blocks from the project site on Market Street and San Pablo Avenue.

SECTION 4.0

IMPACT ANALYSIS

TRIP GENERATION

The traffic impact analysis is divided into two conditions, existing conditions and cumulative conditions. For both conditions the peak-hour trip generation of the Proposed project was estimated based on information published in Trip Generation (Institute of Transportation Engineers, Seventh Edition, 2003). The Café is proposed to essentially be a coffee shop to serve the local neighborhood. However, to be conservative the traffic from the proposed Café was estimated with the ITE category for “Fast Food Restaurants without a Drive Through Window”. Table 3 summarizes the estimated a.m. and p.m. peak-hour trip generation of the proposed project. As seen in this table, the proposed project is estimated to generate a gross total of approximately 48 a.m. peak-hour trips (18 inbound and 30 outbound) and 43 p.m. peak-hour trips (26 inbound and 17 outbound).

TABLE 3
PROPOSED PROJECT TRIP GENERATION ESTIMATES

Land Use	Size	AM Peak-Hour Trips			PM Peak-Hour Trips		
		In	Out	Total	In	Out	Total
Residential Condominium	55 DU	4	20	24	19	10	29
Café	550 sq. ft.	14	10	24	7	7	14
NET TOTAL		18	30	48	26	17	43

SOURCE: Institute of Transportation Engineers, *Trip Generation*, Seventh Edition, 2003.

TRIP DISTRIBUTION

The distribution of project traffic under the Proposed project was determined based on existing travel patterns and the nature of the roadway system serving the proposed project site. It is estimated that approximately 60 percent of the project trips are expected to access the project from the West Grand Avenue and about 40 percent are expected to use Market Street, San Pablo Avenue and other local roads. The distribution of the proposed trips at the project study intersections are shown in Figure 5.

EXISTING PLUS PROJECT INTERSECTION LEVELS OF SERVICE

Traffic generated by the proposed residential project was added to the existing a.m. and p.m. peak-hour volumes based on the distribution percentages described above. Table 4 summarizes the a.m. and p.m. peak-hour level of service at each study intersection under existing plus proposed project conditions. As seen in this table all project intersections are projected to continue to operate at LOS D or better. Thus with the addition of project traffic to existing volumes, all of the intersections are projected to operate at acceptable levels of service and the project's traffic impacts will be less than significant.

TABLE 4
PEAK HOUR INTERSECTION LEVEL OF SERVICE SUMMARY EXISTING PLUS PROJECT

Intersection	Traffic Control	AM Peak Hour				PM Peak Hour			
		Existing Conditions		Existing Plus Project		Existing Conditions		Existing Plus Project	
		Average Delay ¹	LOS ²	Average Delay	LOS	Average Delay	LOS	Average Delay	LOS
1) West Grand Avenue at Filbert Street	Stop Sign	11.1 sec	B	11.9 sec	B	18.0 sec	C	19.0 sec	C
2) West Grand Avenue at Market Street	Traffic Signal	9.4 sec	A	9.4 sec	A	10.6 sec	B	10.6 sec	B
3) Market Street at San Pablo Avenue	Traffic Signal	4.3 sec	A	4.4 sec	A	3.1 sec	A	3.2 sec	A

1 Average total delay in seconds/vehicle

2 Level of service

SOURCE: Abrams Associates, 2005

As noted earlier, the project under the Proposed project will add about 48 vehicle-trips to these roadways in the a.m. peak hour and 43 vehicle-trips in the p.m. peak hour. The level of service analysis described above indicated only minor increases in intersection delays due to the

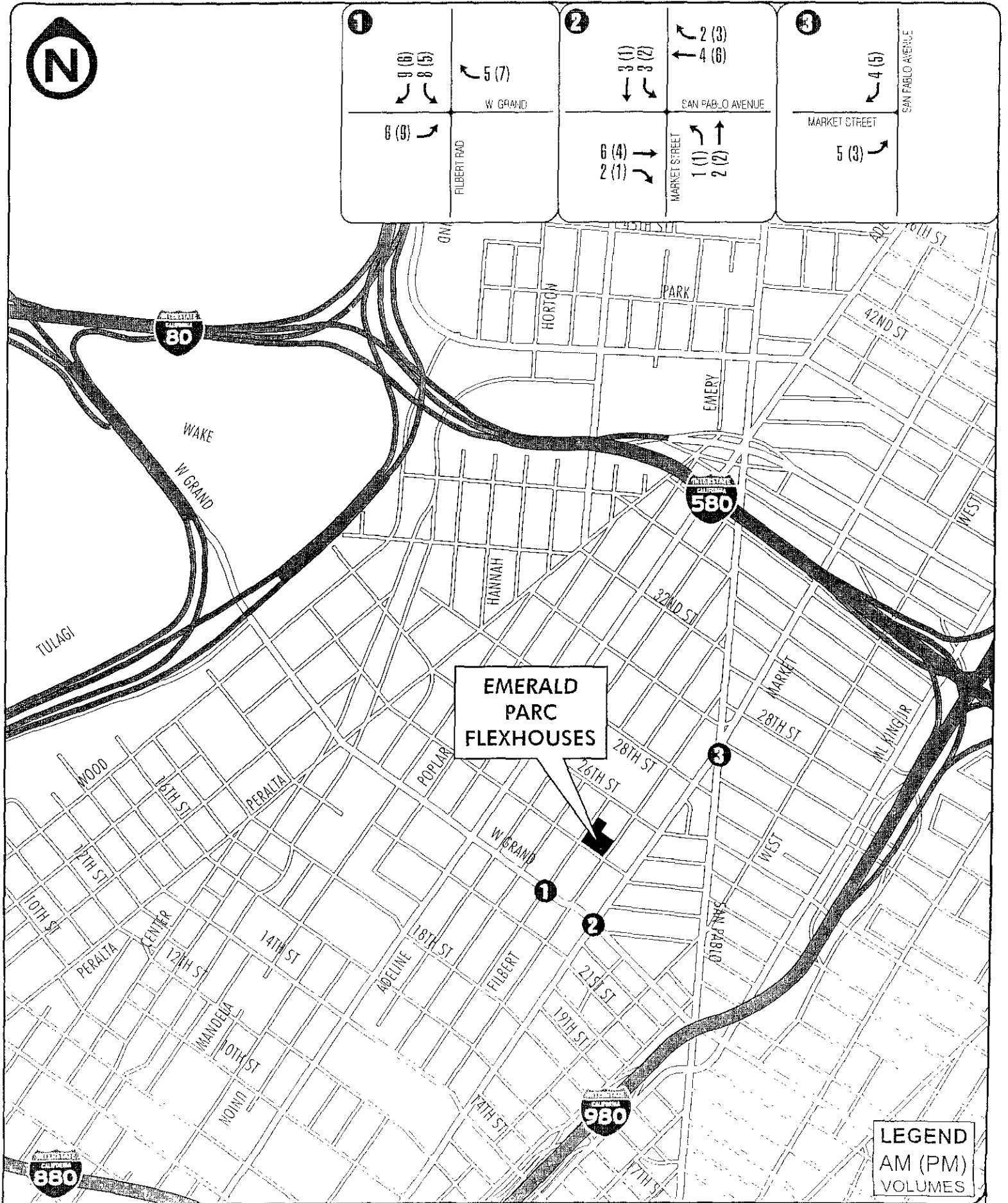


FIGURE 5 | AM (PM) TRIP GENERATION
 TRAFFIC IMPACT STUDY
Emerald Parc Flexhouses
 City of Oakland

project generated traffic. In terms of the perceptions of residents of the area, however, the impact may seem greater.

The added traffic from the project would be equivalent to an average of no more than one additional vehicle every two minutes in the peak hours. The project-related increases in traffic may be noticeable to residents adjacent to the project, however, a substantial amount of surplus capacity is available on the study area roads, and the additional traffic will consume a small portion of that capacity. Further, there is no reason to expect substantial safety problems in connection with the addition of the project-generated traffic. Thus the impact of the proposed traffic on study area roadway operations is expected to be less than significant.

CUMULATIVE CONDITIONS

The estimated a.m. and p.m. peak-hour trips under the Proposed project were added to the cumulative condition volumes described previously. This resulted in the estimated traffic volumes on the study area roadway system under cumulative plus proposed project conditions. The results of this process for the a.m. and p.m. peak hours are illustrated in **Figure 6**.

The level of service at the study intersections was tested using the estimated a.m. and p.m. peak-hour traffic volumes for cumulative plus proposed project conditions. **Table 5** summarizes the results of that process. As seen in this table all project intersections are projected to continue to operate at LOS D or better under Cumulative Conditions.

TABLE 5
PEAK HOUR INTERSECTION LEVEL OF SERVICE SUMMARY CUMULATIVE PLUS PROJECT

Intersection	Traffic Control	AM Peak Hour				PM Peak Hour			
		Cumulative No Project		Cumulative Plus Project		Cumulative No Project		Cumulative Plus Project	
		Average Delay ¹	LOS ²	Average Delay	LOS	Average Delay	LOS	Average Delay	LOS
1) West Grand Avenue at Filbert Street	Stop Sign	9.1 sec	A	12.2 sec	B	19.0 sec	C	19.3 sec	C
2) West Grand Avenue at Market Street	Traffic Signal	9.7 sec	A	9.5 sec	A	9.9 sec	A	10.8 sec	A
3) Market Street at San Pablo Avenue	Traffic Signal	9.6 sec	A	4.5 sec	A	3.6 sec	A	3.7 sec	A

¹ Average total delay in seconds/ vehicle

² Level of service

SOURCE: Abrams Associates, 2005



<p>1</p> <p>47 (23) 0 (10) 21 (6)</p>	<p>43 (20) 337 (846) 25 (0)</p> <p>W. GRAND</p>	<p>2</p> <p>87 (40) 240 (194) 215 (40)</p>	<p>27 (43) 304 (535) 12 (82)</p> <p>SAN PABLO AVENUE</p>	<p>3</p> <p>4 (83) 537 (245)</p> <p>SAN PABLO AVENUE</p>
<p>6 (14) 562 (570) 25 (12)</p> <p>FILBERT ROAD</p>	<p>0 (8) 0 (8) 12 (17)</p>	<p>50 (58) 530 (522) 27 (66)</p> <p>MARKET STREET</p>	<p>26 (86) 152 (204) 75 (87)</p>	<p>MARKET STREET</p> <p>187 (86) 0 (0)</p>
<p>37 (25) 696 (287)</p>				

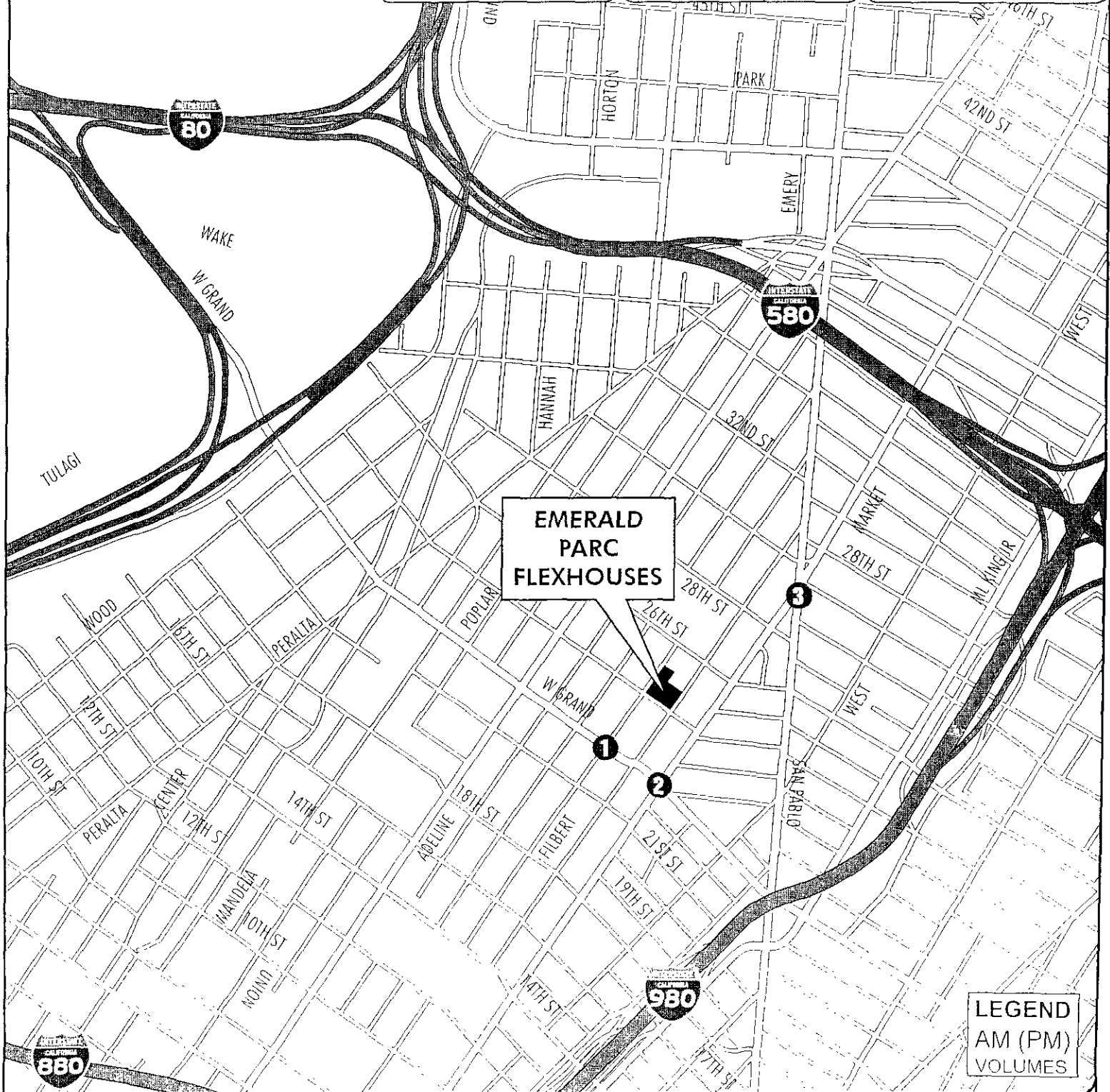


FIGURE 6 | CUMULATIVE AM(PM) PEAK HOUR VOLUMES
 TRAFFIC IMPACT STUDY
Emerald Parc Flexhouses
 City of Oakland

SECTION 5.0

CONCLUSIONS

Under both existing and cumulative traffic conditions, the addition of traffic from the Proposed project is not forecast to degrade any intersection beyond LOS D. Therefore, all intersections would continue to operate well within the City's LOS standard (LOS D) and no off-site traffic mitigations would be required.

Although the project would increase the traffic in the area the added traffic would be equivalent to an average of no more than approximately one additional vehicle every two minutes in the peak hours. However, a substantial amount of surplus capacity is available on the study area roads, and the additional traffic will consume only a small portion of that capacity. Further, there is no reason to expect substantial safety problems in connection with the addition of the project-generated traffic. Thus the impact of the proposed traffic on study area roadway operations and on-street parking occupancy is expected to be less than significant and no off-site traffic or parking mitigation measures would be required.



Abrams Associates
TRAFFIC ENGINEERING, INC.

February 1, 2006

Andrej Dekleva
Thomas Dolan Architecture
Embarcadero West
173 Filbert Street
Oakland, CA 94607

**Re: Traffic Engineering Review of the Latest Circulation Plan for the
Emerald Parc Flexhouses**

Dear Mr. Deklava,

As per your request I have reviewed the revised plan for the Emerald Parc Flexhouses dated November 11, 2005.

This letter was prepared to certify that the proposed revisions to the Emerald Parc project at 2401 Filbert Street would not result in any significant changes to our September 2005 traffic study. Our previous conclusions that Emerald Parc Flexhouses project will not create any significant impacts to the traffic operations and safety in the neighborhood remain unchanged. From a traffic operations standpoint either plan would work fine but the revised plan should result in improved circulation within the project's parking areas.

From a traffic planning standpoint the new driveway locations also appear to be beneficial by providing access to 24th Street directly, therefore minimizing any effects on Filbert and Myrtle Streets. Please note the revised plan does not affect the number of trips generated due to the project and does not alter any of our trip distribution assumptions or our analyses of operations at the project study intersections. We have also reviewed the potential shift in traffic on the streets directly adjacent to the project and determined that it would not result in any new impacts. Currently all intersections adjacent to the project operate well within the City's LOS standards and the revised driveway locations would not change these conditions.

If there are any questions please don't hesitate to contact us at (925) 945-0201. Also, I encourage you to have the City staff contact me directly if there are any questions or if they need more information.

Sincerely yours,

Stephen C. Abrams
Vice President, Abrams Associates
T.E. License No. 1852

POSTING LOCATIONS

Community & Economic Development Agency

Tom Delan 2400 Filbert St. CDC5-116
APPLICANT ADDRESS CASE NO.

10/4/05 3:35
DATE TIME

Posting for the above case were made in the following locations:

1. @ site
2. 26th and Linden
3. 2510 Linden
4. 24th and Linden
5. 26th and Filbert
6. 2415 Filbert
7. 24th and Filbert
8. 26th and Myrtle
9. Myrtle at site
10. 2414 Myrtle
11. 24th and Myrtle
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.

ATTACHMENT E

Prepared By: AP/MB

CASE(S): CD05-116
MAKONNEN JERUSALEM
1041 24TH ST
OAKLAND CA 94607

CASE(S): CD05-116
TA BA B & NGAN P
55 ROBBLEE AV
SAN FRANCISCO CA 94124

CASE(S): CD05-116
LEMONS MACK & P D & CLARA & W & VELMA
C/O RALPH GHOSH
1021 24TH ST
OAKLAND CA 94607

CASE(S): CD05-116
AUZANS GEORGE J
C/O REVERSE EXCHANGE SVC
747 LYON ST
SAN FRANCISCO CA 94115

CASE(S): CD05-116
SAVOY LEON
526 7TH ST
OAKLAND CA 94607

CASE(S): CD05-116
ZATOPA A A & KATHLEEN M
2900 RALSTON AV
HILLSBOROUGH CA 94010

CASE(S): CD05-116
OROPEZA RANULFO
2316 LINDEN ST
OAKLAND CA 94607

CASE(S): CD05-116
ORTON J R 3RD & LIBITZKY HOLDINGS LP
C/O ORTON DEVELOPMENT
3049 RESEARCH DR
RICHMOND CA 94806

CASE(S): CD05-116
COLLINS ANITRA & MOORER TRAVIS
924 E 20TH ST #3
OAKLAND CA 94606

CASE(S): CD05-116
SCHMIDT KENNETH E & GLENDA S TRS
C/O PACIFIC STAR REALTY
655 W EVELYN AV
MOUNTAIN VIEW CA 94041

CASE(S): CD05-116
OCCUPANT
1035 24TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
VARDANEGA ROBERT
PO BOX 1151
ALAMEDA CA 94501

CASE(S): CD05-116
ROBINSON MAXINE
1019 32ND ST
OAKLAND CA 94608

CASE(S): CD05-116
OCCUPANT
2309 FILBERT ST
OAKLAND, CA 94607

CASE(S): CD05-116
HOLT ROBERT M & MARY V
2233 E 19TH ST
OAKLAND CA 94606

CASE(S): CD05-116
OCCUPANT
2316 LINDEN ST
OAKLAND, CA 94607

CASE(S): CD05-116
BROWN ALAFIN
484 LAKE PARK AV
OAKLAND CA 94610

CASE(S): CD05-116
OCCUPANT
929 24TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
OCCUPANT
1037 24TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
LEI JIAN T & HUI Z
1027 24TH ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
1017 24TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
OCCUPANT
2319 FILBERT ST
OAKLAND, CA 94607

CASE(S): CD05-116
WILLIS DOROTHY L
3170 KELLY ST
HAYWARD CALIF 94541

CASE(S): CD05-116
COUNTS LAFAYETTE L SR & LAWRENCE E
2312 LINDEN ST
OAKLAND CA 94607

CASE(S): CD05-116
HARPER FANNIE L
2320 LINDEN ST
OAKLAND CA 94607

CASE(S): CD05-116
WYNN TEMIA
2326 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
AGANJUOMO AHMED
1506 AGATHA CT
LIVERMORE CA 94550

CASE(S): CD05-116
OCCUPANT
923 24TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
WILLIAMS ELIZABETH A
P O BOX 1436
SAN MARTIN CA 95046

CASE(S): CD05-116
YI NOEL & MEILING
2756 ALVARADO ST
SAN LEANDRO CA 94577

CASE(S): CD05-116
WYNN RAN
2320 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
943 26TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
TRAN KHEN N & CONNIE K
718 E 17TH ST
OAKLAND CA 94606

CASE(S): CD05-116
TRAN PHONG L & LE NGA T
2435 MARKET ST
OAKLAND CA 94607

CASE(S): CD05-116
ALMANSUR SABIR J
855 44TH ST
OAKLAND CA 94608

CASE(S): CD05-116
SOLID ROCK BAPT CHURCH
938 24TH ST
OAKLAND CALIF 94607

CASE(S): CD05-116
HAYWOOD TOM H & RUBY
3455 MALCOLM AV
OAKLAND CA 94605

CASE(S): CD05-116
PERRY KEVIN L
C/O KEVIN PERRY
3236 TERRACE BEACH DR
VALLEJO CA 94591

CASE(S): CD05-116
GOLDFRATE ADDIE M
2314 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
MONTGOMERY RODNEY R & SHARON I
PO BOX 16052
SAN FRANCISCO CA 94116

CASE(S): CD05-116
DINH LOC Q & CHERYL D
1126 18TH ST
OAKLAND CA 94607

CASE(S): CD05-116
BAYVIEW DEVELOPMENT & INVESTMENT INC
3338 ROBINSON DR
OAKLAND CA 94602

CASE(S): CD05-116
LOURIE JORDAN
456 62ND ST
OAKLAND CA 94609

CASE(S): CD05-116
OAKLAND BOYS CLUB INC
P O BOX 23203
OAKLAND CA 94623

CASE(S): CD05-116
SOLID ROCK BAPTIST CHURCH INC
938 24TH ST
OAKLAND CALIF 94607

CASE(S): CD05-116
ENEH ENEH S
2343 MARKET ST
OAKLAND CA 94607

CASE(S): CD05-116
LEWIS ANTHONY O
203 WILLOW ST #303
SAN FRANCISCO CA 94109

CASE(S): CD05-116
TRACY KATHRYN R
PO BOX 3001
OAKLAND CA 94609

CASE(S): CD05-116
BUSACCA RICHARD L
2126 PRINCE ST
BERKELEY CA 94705

CASE(S): CD05-116
DOBASHI MOSED M & HASINA M
2539 MARKET ST
OAKLAND CA 94607

CASE(S): CD05-116
HUYNH KRISTELLA M & STACY H
2501 MARKET ST
OAKLAND CA 94607

CASE(S): CD05-116
SCOTT GLORIA J
2423 MARKET ST
OAKLAND CA 94607

CASE(S): CD05-116
SOLID ROCK MISSIONARY BAPTIST CHURCH
938 24TH ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
2412 MYRTLE ST
OAKLAND, CA 94607

CASE(S): CD05-116
OCCUPANT
2416 MYRTLE ST
OAKLAND, CA 94607

CASE(S): CD05-116
OCCUPANT
2432 MYRTLE ST
OAKLAND, CA 94607

CASE(S): CD05-116
CARTAGENA JOSE
2504 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
2512 MYRTLE ST
OAKLAND, CA 94607

CASE(S): CD05-116
GALBRAITH CLAUDIA S
P O BOX 347125
SAN FRANCISCO CA 94134

CASE(S): CD05-116
BARTON RUBY
2521 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
VELASQUEZ FIDEL L
2503 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
2439 MYRTLE ST
OAKLAND, CA 94607

CASE(S): CD05-116
PACIFIC AMERICAN PROPERTY EXCHANGE COR
C/O MONICA HUJAZI
909 NORTH AMPHLETT
SAN MATEO CA 94401

CASE(S): CD05-116
TAYLOR ETHEL & ELIZABETH
2428 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
VERSAI E J
PO BOX 24944
OAKLAND CA 94623

CASE(S): CD05-116
MERINO ADAN & JOSEFA
2508 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
CHAN DAVID W
2267 PARK BL
OAKLAND CA 94606

CASE(S): CD05-116
OCCUPANT
973 26TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
JOHNSON ALLEN JR HEIRS OF EST
C/O BARBARA ELLIS
972 36TH ST
OAKLAND CA 94608

CASE(S): CD05-116
WHITE WILLIAM E
2441 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
FREEMAN JON O
C/O STONE CREST FINANCL
4300 STEVENS CREEK BL
SAN JOSE CA 95129

CASE(S): CD05-116
PACIFIC AMERICAN PROPERTY EXCHANGE COR
C/O MONICA HUJAZI
909 N AMPHLETT
SAN MATEO CA 94401

CASE(S): CD05-116
GRIFFIN EMANUEL
C/O E JEAN VERSAI
PO BOX 24944
OAKLAND CA 94623

CASE(S): CD05-116
ROBINSON KATRINA L
2442 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
CARTAGENA JOSE F
2512 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
TAYLOR GEORGIA TR
2542 FILBERT ST
OAKLAND CA 94607

CASE(S): CD05-116
GARCIA GABRIELA P
3040 TREMONT
BERKELEY CA 94703

CASE(S): CD05-116
PARADIGM CONSTRUCTION COMPANY
2509 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
LEWIS JOHN
2439 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
2435 MYRTLE ST
OAKLAND, CA 94607

CASE(S): CD05-116
HOLDEN DANIEL
2520 FILBERT ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
2520 FILBERT ST
OAKLAND, CA 94607

CASE(S): CD05-116
LE KHOAN W & DANG MAI T
2524 FILBERT ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
2532 FILBERT ST
OAKLAND, CA 94607

CASE(S): CD05-116
ELLISON MARK A
2536 FILBERT ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
2536 FILBERT ST
OAKLAND, CA 94607

CASE(S): CD05-116
CITY OF OAKLAND
505 14TH ST
OAKLAND CA 94612

CASE(S): CD05-116
MACHADO ELVECIO
1017 26TH ST
OAKLAND CA 94607

CASE(S): CD05-116
IHEKE CHUKS
4635 ROUSILLON AV
FREMONT CA 94555

CASE(S): CD05-116
OCCUPANT
1015 26TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
IRVING MARY
982 56TH ST
OAKLAND CA 94608

CASE(S): CD05-116
SHERS ROSE & PERRY
6311 WOOD DR
OAKLAND CA 94611

CASE(S): CD05-116
CARTAGENA JOSE F
2504 MYRTLE ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
2529 FILBERT ST
OAKLAND, CA 94607

CASE(S): CD05-116
MIRANDA ANTONIO & CARPIO ANGEL M
2525 FILBERT ST
OAKLAND CA 94607

CASE(S): CD05-116
FRIESON CLINT & ESTELLE D
2521 FILBERT ST
OAKLAND CA 94607

CASE(S): CD05-116
THOMPSON TEVIS T JR TR
C/O ERIC A NYBERG
1999 HARRISON ST
OAKLAND CA 94612

CASE(S): CD05-116
OCCUPANT
2517 FILBERT ST
OAKLAND, CA 94607

CASE(S): CD05-116
LEE SIU K & YAN H
363 RAYMOND AV
SAN FRANCISCO CA 94134

CASE(S): CD05-116
JAMES AYO
2701 MABEL ST
BERKELEY CA 94702

CASE(S): CD05-116
HOUSING AUTHORITY OF THE CITY OF OAKLA
1619 HARRISON ST
OAKLAND CA 94612

CASE(S): CD05-116
KUNG WONG S & XIE QIONG Y
2431 FILBERT ST
OAKLAND CA 94607

CASE(S): CD05-116
ALLEN J A & A
2425 FILBERT ST
OAKLAND CALIF 94607

CASE(S): CD05-116
KALMAR G A & NORMA J TRS
507 HAMPTON RD
PIEDMONT CA 94611

CASE(S): CD05-116
LO JOSEPHINE S TR
1733 CAYUGA AV
SAN FRANCISCO CA 94112

CASE(S): CD05-116
OCCUPANT
2417 FILBERT ST
OAKLAND, CA 94607

CASE(S): CD05-116
MERINO DIMAS O
2411 FILBERT ST
OAKLAND CA 94607

CASE(S): CD05-116
YAHWEH'S HOUSE OF GOD
1004 24TH ST
OAKLAND CA 94607

CASE(S): CD05-116
SIM VIVIAN & SIN TAC C
1010 24TH ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
1010 24TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
DAWKINS SHARRON
1018 24TH ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
1018 24TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
ROBERTSON PHILLIP & WILLIE M
1022 24TH ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
1022 24TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
HARRIS RANDOLPH K & HOMERZELL S
3433 MIRASOL AV
OAKLAND CA 94605

CASE(S): CD05-116
OCCUPANT
1026 24TH ST
OAKLAND, CA 94607

CASE(S): CD05-116
SIEGEL HERBERT
1034 24TH ST
OAKLAND CA 94607

CASE(S): CD05-116
LEONIDA ELLEN V
1038 24TH ST
OAKLAND CA 94607

CASE(S): CD05-116
DAVIS MONTE
370 DIABLO RD #101
DANVILLE CA 94526

CASE(S): CD05-116
SANDERS MELVIN
2420 LINDEN ST
OAKLAND CA 94607

CASE(S): CD05-116
MORUBE MARIAN E & SANDERS SOPHIE
2424 LINDEN ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
2424 LINDEN ST
OAKLAND, CA 94607

CASE(S): CD05-116
TRUONG HY T & LOAN K
C/O TRUONG HY TIEN
14483 ACACIA ST
SAN LEANDRO CA 94579

CASE(S): CD05-116
OCCUPANT
2428 LINDEN ST
OAKLAND, CA 94607

CASE(S): CD05-116
HARRIS GEORGE L & EDITH M
3530 MALCOLM AV
OAKLAND CA 94605

CASE(S): CD05-116
FRAZIER LEATRICE
2506 LINDEN ST
OAKLAND CA 94607

CASE(S): CD05-116
OCCUPANT
2506 LINDEN ST
OAKLAND, CA 94607

CASE(S): CD05-116
YAMAMOTO HIROFUMI
2510 LINDEN ST
OAKLAND CA 94607

CASE(S): CD05-116
SIMMONS RUTH E & REDMOND DANIEL
2514 LINDEN ST
OAKLAND CA 94607

CASE(S): CD05-116
CHEN CHEYENNE H & LYDIA Y
3605 LA MESA DR
HAYWARD CA 94542

CASE(S): CD05-116
OCCUPANT
2520 LINDEN ST
OAKLAND, CA 94607

F. Faiz

OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL
2006 FEB -6 AM 11:29

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 CONDITIONAL USE PERMIT AND DESIGN REVIEW TO CONSTRUCT A 55 UNIT RESIDENTIAL PROJECT AT 2400 FILBERT STREET, OAKLAND

WHEREAS, the project applicant, Tom Dolan, filed an application on March 14, 2005 on behalf of the property owner, Monica Hujazi, to construct a 55 unit residential project at 2400 Filbert Street; and

WHEREAS, The City Planning Commission took testimony and considered the matter at its meeting held October 19, 2005. At the conclusion of the public hearing held for the matter, the commission deliberated the matter, and voted to continue the item to the November 16, 2005 Planning Commission Hearing, so that the project applicant could meet with concerned parties; and

WHEREAS, The applicant met with the concerned neighbors on November 10, 2005, and as a result of the meeting modified the proposed project by relocating the entry and exit points for the internal driveway from Myrtle and Filbert Streets onto 24th Street only; and

WHEREAS, The City Planning Commission took testimony and considered the revised plans at its meeting held November 16, 2005. At the conclusion of the public hearing held for the matter, the commission deliberated the matter, and voted. The project was approved, 6-0-0; and

WHEREAS on November 28, 2005, 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 February 21, 2006; 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 February 21, 2006;

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; and be it

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 **not** shown, by reliance on evidence already contained in the record before the City Planning Commission that the City Planning Commission's decision on November 16, 2005 was made in error, that there was an abuse of discretion by the Commission or that the Commission's decision on November 16, 2005 was not supported by substantial evidence in the record based on the October 19, 2005 Staff Report to the City Planning Commission (attached as Exhibit "A") and the February 21, 2006, 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 (Conditional Use Permit, and Design Review), 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 February 21, 2006; and be it

FURTHER RESOLVED: That, in support of the City Council's decision on November 16, 2005 to approve the Project, the City Council affirms and adopts the October 19, 2005 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 February 21, 2006, 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; and be it

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

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; and be it

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, 3rd Floor, Oakland CA.; and (b) Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1st floor, Oakland, CA; and be it

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, _____, 2006

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST:

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

Exhibit A

[October 19, 2005 Planning Commission Staff Report]

Location:	2400 Filbert Street (See map on reverse)
Assessors Parcel Numbers:	005-0433-018-04
Proposal:	Construct 55 new townhouse style condominiums units on a 66,250 square foot parcel.
Applicant:	Tom Dolan - (510) 839-7200
Owner:	Monica Hujazi
Planning Permits Required:	Interim Conditional Use Permit to allow residential uses within the M-20 Zone, and Regular Design review.
General Plan:	Mixed Housing Type Residential
Zoning:	M-20, Light Industrial Zone/ R-50, Medium Density Residential Zone
Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines; in-fill development projects
Historic Status:	Not a Historic Property
Service Delivery District:	I - West Oakland
City Council District:	3
Date Filed:	3/14/05
Action to be Taken:	Decision on Application
Staff Recommendation:	Approve with the attached conditions.
Finality of Decision:	Appealable to City Council
For Further Information:	Contact case planner Peterson Z. Vollmann at 510-238-6167 or by e-mail at pvollman@oaklandnet.com .

PROJECT DESCRIPTION

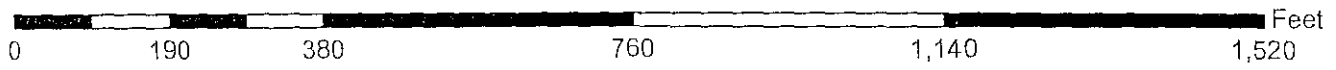
The proposal is to demolish the existing industrial warehouse building and construct 55 new townhouse style condominiums units that will be developed around an internal driveway and open space. The proposed townhouses will face both out toward the public streets on Filbert, Myrtle, and 24th Streets with smaller units on the backside facing in towards the open space and driveway of the development site. The project will include five small commercial spaces facing out onto 24th Street that may be used for small neighborhood serving businesses, one of which is currently proposed as a café.

The proposal consists of three building styles. The units that will front onto Filbert and Myrtle Streets will be two stories tall with two bedrooms each and contain ground floor entry stoops. The exterior materials will consist of a mix of horizontal siding and board and batten siding.

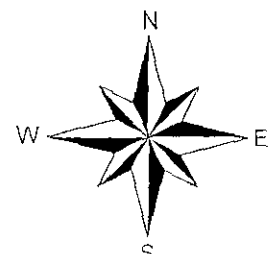
The 24th Street buildings will be three stories tall with two bedroom dwellings above a garage or small commercial spaces. The proposed garage doors will contain high quality finishes with glazing at the top three lites. The entry porches at this elevation will be located at grade to fit in with the ground floor commercial spaces. The upper levels at this elevation will contain horizontal siding and the ground floor will contain stucco with a tile bulkhead.

The third building style is the units that will face the interior of the development site. They will be small one bedroom two story units located above a garage that is served off of the interior driveway.

CITY OF OAKLAND PLANNING COMMISSION



Case File: CD05-116
Applicant: Tom Dolan
Address: 2400 Filbert St.
Zone: M-20 / R-50



No building on the site will be more than 30 feet tall so that the site is consistent with the adjacent R-50 Zone height limit of 30 feet above grade.

PROPERTY DESCRIPTION

The subject site is a 63,375 square foot site containing an industrial warehouse structure. The property is located on the north side of 24th Street between Filbert and Myrtle Streets.

GENERAL PLAN ANALYSIS

The subject property is located within the Mixed Housing Type Residential General Plan Land Use Classification. This land use classification is intended to create, maintain, and enhance neighborhood residential areas typically located near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi unit buildings and neighborhood businesses where appropriate. Mixed Housing Type Residential encompasses a range of densities, from two units per lot up to a maximum of 30 units per gross acre. The proposed density is consistent with the General Plan density.

The proposed development is consistent with the General Plan by removing an incompatible Industrial/Commercial use with a new residential use that transitions from the higher intensity area out toward West Grand Avenue in towards the smaller scale residential neighborhood. The Mixed Housing type residential General Plan Area generally allows for a residential intensity of at least one unit per 1,089 square feet of lot area, which would allow for a total of 58 dwelling units on the subject site.

ZONING ANALYSIS

The subject property is located within an M-20, Light Industrial Zone and a small portion of the north end of the site is located within the R-50, Medium Density Residential Zone. The M-20 zone is intended to create, preserve, and enhance areas containing manufacturing and related establishments with limited external impact within an open and attractive setting, and is typically appropriate to locations adjacent to residential communities. The R-50 zone is intended to create, preserve, and enhance areas for apartment living at medium densities in desirable settings, and is typically appropriate to areas of existing medium density residential development.

Interim Conditional Use Permit

Given that the M-20 Zone does not permit residential uses, the applicant has requested an Interim Conditional Use permit to invoke the General Plan of Mixed Housing Type Residential, which specifically allows residential uses.

The subject property is located at the end of a residential neighborhood and the conversion of the property from an industrial/commercial use to a residential development is appropriate and fully supported by Planning Staff.

KEY ISSUES

Parking

The parking for the project will be provided in a number of different ways. The proposal calls for 56 off-street parking spaces to serve the 55 proposed dwellings units. The sum of the small commercial spaces is less than 3,000 square feet and does not require any off-street parking. The majority of the parking will be provided for from an internal driveway system for the site. There will be off street parking located within garages below the smaller one bedroom units that face into the site, parallel spaces will be provided between bulb outs on the interior driveway, and a structure at the north end of the site will provide parking in an accessory structure that will be pit style parking lifts for 20 independently accessible parking stalls. Seven spaces will be provided directly off the street off of five curb cuts on or close to 24th Street. The site will contain two driveways that will serve the internal parking area. The driveway onto Filbert Street will be 19 feet wide to accommodate two way traffic since it is close to the pit parking garage, and another driveway will be provided on Myrtle Street that will serve a one-way driveway through half of the subject site. Both gates for the driveways will be recessed back to allow cars to queue within the driveway while the gate opens and to provide high visibility of oncoming cars for pedestrian safety.

Staff feels that the parking configuration provided allows for the best pedestrian scale development towards the street and surrounding neighborhood by limiting driveways and curb cuts for the site, especially along Filbert and Myrtle Streets which are predominantly residential streets. The majority of the proposed elevations will contain stoops and porches at the ground floor pedestrian level.

Open Space

Open space will be provided in the form of balconies and courtyards for each of the dwelling units as a private usable open space as well as a large 6,500 square foot group usable open space within the internal courtyard of the site. The site will be providing roughly 347 square feet per unit where 200 square feet per unit is required.

Design

The proposal will consist of two story townhouse style homes fronting onto Filbert and Myrtle Streets to be consistent with the scale of the residential neighborhood along those streets. The units will contain entry stoops to add to the pedestrian scale of the neighborhood. The bulk of the proposal is broken down by the townhouse form of the units, breaks in the façade of the individual units, and gabled roofs. The exterior elevations will include a mix of horizontal siding, which is prevalent throughout the neighborhood and board and batten siding to add verticality to the buildings. All of the proposed windows will be true divided lite windows with a factory powder coated finish, which will add depth and detail to the façade of the buildings. The elevations on 24th Street will increase to a three story structure, but will no exceed 30 feet which is the maximum height allowed in the adjacent R-50 zone. The 24th Street units will be two stories above ground floor garages and commercial spaces. The proposed garage doors will contain high quality finishes with glazing at the top three lites. The entry porches at this elevation will be located at grade to fit in with the ground floor commercial spaces. The upper levels at this elevation will contain horizontal siding and the ground floor will contain stucco with a tile bulkhead.

Commercial Uses

Given that the property is located within the Mixed Housing Type Residential General Plan Area, the proposed commercial spaces will be very limited in what type of uses will be allowed to operate. Based

upon the General Plan Conformity guidelines the following uses would be permitted within the five proposed commercial spaces for this development:

- General Food Sales
- General Retail Sales
- *Administrative Office*
- Convenience Sales and Service
- Consultative and Financial Services
- General Personal Service
- Business and Communication Services
- Medical Services
- Research Services

Given the small size of the proposed commercial spaces the most likely uses would be Food sales, such as the proposed café, small administrative or consultative offices such as an architect or tax preparer, or small neighborhood serving convenience sales such as beauty salons. Staff feels that these types of uses would be appropriate along the 24th Street side of the development given the property across the street as an industrial/commercial property.

Fire Access

The project site does not contain an internal driveway that could accommodate a fire truck in case of an emergency. Based upon discussion with the Fire Department, they did not feel that an internal driveway for fire access would be the most desirable means for access given that the rears of the building walls do not exceed 150 feet in depth from the public right of way. The Fire Department stated that they would prefer to access the site from the three adjacent streets and that the plan provides access routes throughout the property so that Fire Fighters would be able to enter the site at multiple points.

ENVIRONMENTAL DETERMINATION

For purposes of environmental review under the California Environmental Quality Act (CEQA), the project meets the criteria for a Categorical Exemption under Section 15332 of the CEQA Guidelines. The criteria for a Categorical Exemption under Section 15332 of the CEQA guidelines are as follows:

- 1) **The project is consistent with the applicable general plan designation and all general plan policies as well as with applicable zoning designation and regulations.**

The proposed project is consistent with the Mixed Housing Type General Plan designation.

- 2) **The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The development site is located within the Oakland City limits, is less than five acres and is completely surrounded by urban uses.

- 3) **The project site has no value as habitat for endangered, rare, or threatened species.**

The project site has been previously developed and does not contain any habitat for endangered, rare, or threatened species.

- 4) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The traffic analysis prepared for the project determined that the project would not result in any significant impacts to the existing level of service (LOS) of local intersections. With implementation of standard conditions of approval related to construction management and noise reduction measures, the project would not result in any significant impacts on traffic, noise, air quality, or water quality. The applicant has provided a "Remedial Action Completion Certificate" from the Alameda County Department of Environmental Health indicating the completion of the gasoline tank removal and remediation completed in 1991.

- 5) The site can be adequately served by all required utilities and public services.

All required utilities are readily accessible on the surrounding streets, and the site will be adequately served by public services in the area.

CONCLUSION

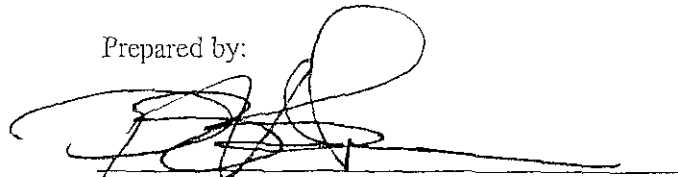
Staff feels that the proposed project is a good reuse of the site that contains an industrial/commercial warehousing use that has long been incompatible with the surrounding residential neighborhood to the north of the site. The proposed project is implementing the land use as envisioned by the Oakland *General Plan* by returning the neighborhood to a residential setting.

The proposal will create townhouse style homes that will fill out the end of the block and be developed to a pedestrian friendly scale. Due to the large size of the site the applicant has been able to develop an internal driveway system to serve off street parking so that the neighborhood impact is minimized by reducing curb cuts. The exterior finishes for the building will be of a high quality to include horizontal siding consistent with the predominant material in the neighborhood, trim details, high quality garage doors with glazing on the top three divisions, and true divided lite windows to add further depth and detail to the buildings. The proposed commercial spaces along 24th Street will be very small and contain neighborhood serving uses and/or offices for local small businesses.

RECOMMENDATIONS:

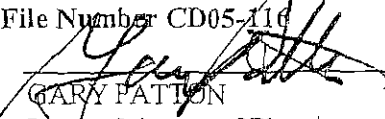
1. Affirm staff's environmental determination.
2. Approve the Interim Conditional Use Permit and Design Review subject to the attached findings and conditions.

Prepared by:



PETERSON Z. VOLLMANN
Planner III

Approved by:


GARY PATTON
Deputy Director of Planning and Zoning

Approved for forwarding to the
City Planning Commission:


CLAUDIA CAPPIO
Director of Development

ATTACHMENTS:

- A. Plans and Elevations
- B. Findings for Approval
- C. Conditions of Approval

TDA
 Thomas Dalton
 Architects
 1000 BAYVIEW
 OAKLAND, CA 94612
 TEL: 415.764.1100
 FAX: 415.764.1101
 WWW: TDAARCHITECTS.COM



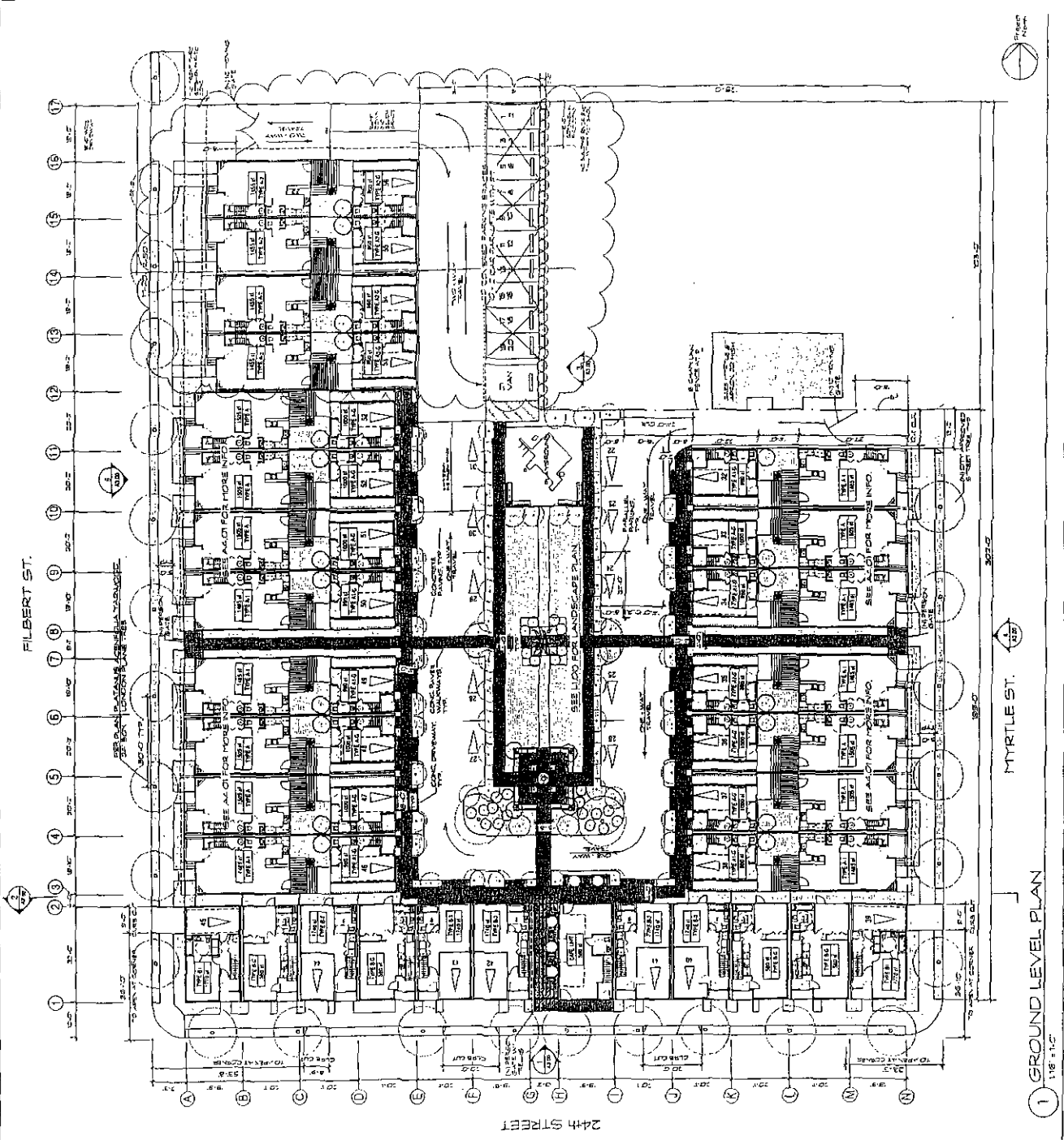
OWNER
MONICA HUIAZI
 100 NORTH AMHERST
 SAN FRANCISCO, CA 94109
 (415) 448-8888
 800-988-8888 FAX

**EMERALD
 PARC
 FLEXHOUSES**
 2400 HILBERT ST.
 OAKLAND, CA

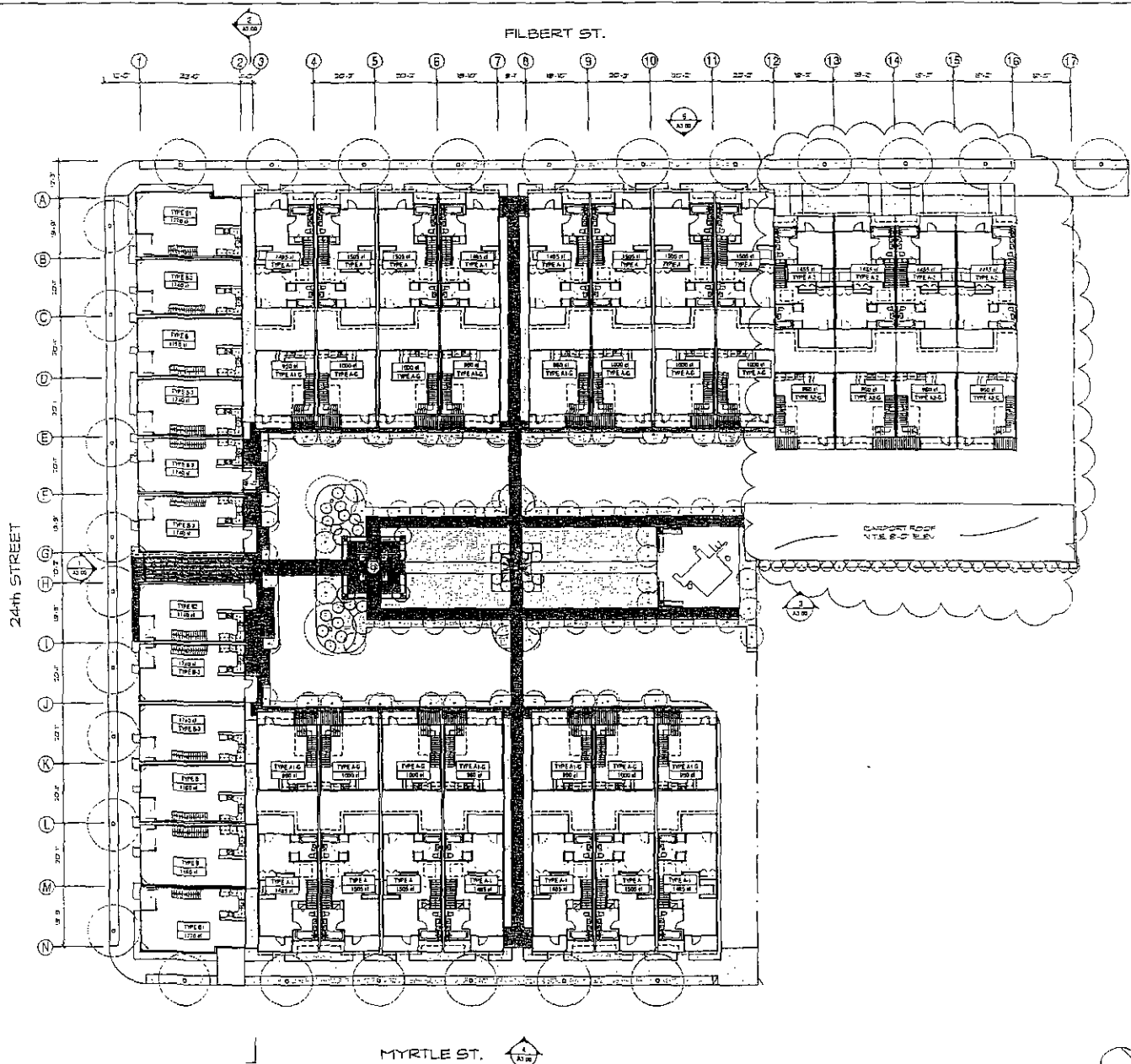
**GROUND FLOOR
 PLAN**

NO.	DESCRIPTION	DATE
1	INITIAL DESIGN DEVELOPMENT	12/15/2023
2	REVISED DESIGN DEVELOPMENT	1/10/2024
3	PERMITS	1/25/2024
4	CONSTRUCTION	2/15/2024

DATE: 1/25/24
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT NO: A2.10
 SHEET NO: 10



ATTACHMENT A



1 SECOND LEVEL PLAN
1/8" = 1'-0"

TDA Thomas Dubn Architecture
 Architecture
 Urban Design
 Planning and
 Development
 Construction

144 ALBION WAY
 SAN MATEO, CA 94402
 (415) 948-8800
 www.tda.com

Established 1970
 171 E. 18th Street
 Oakland, California
 94612-1123



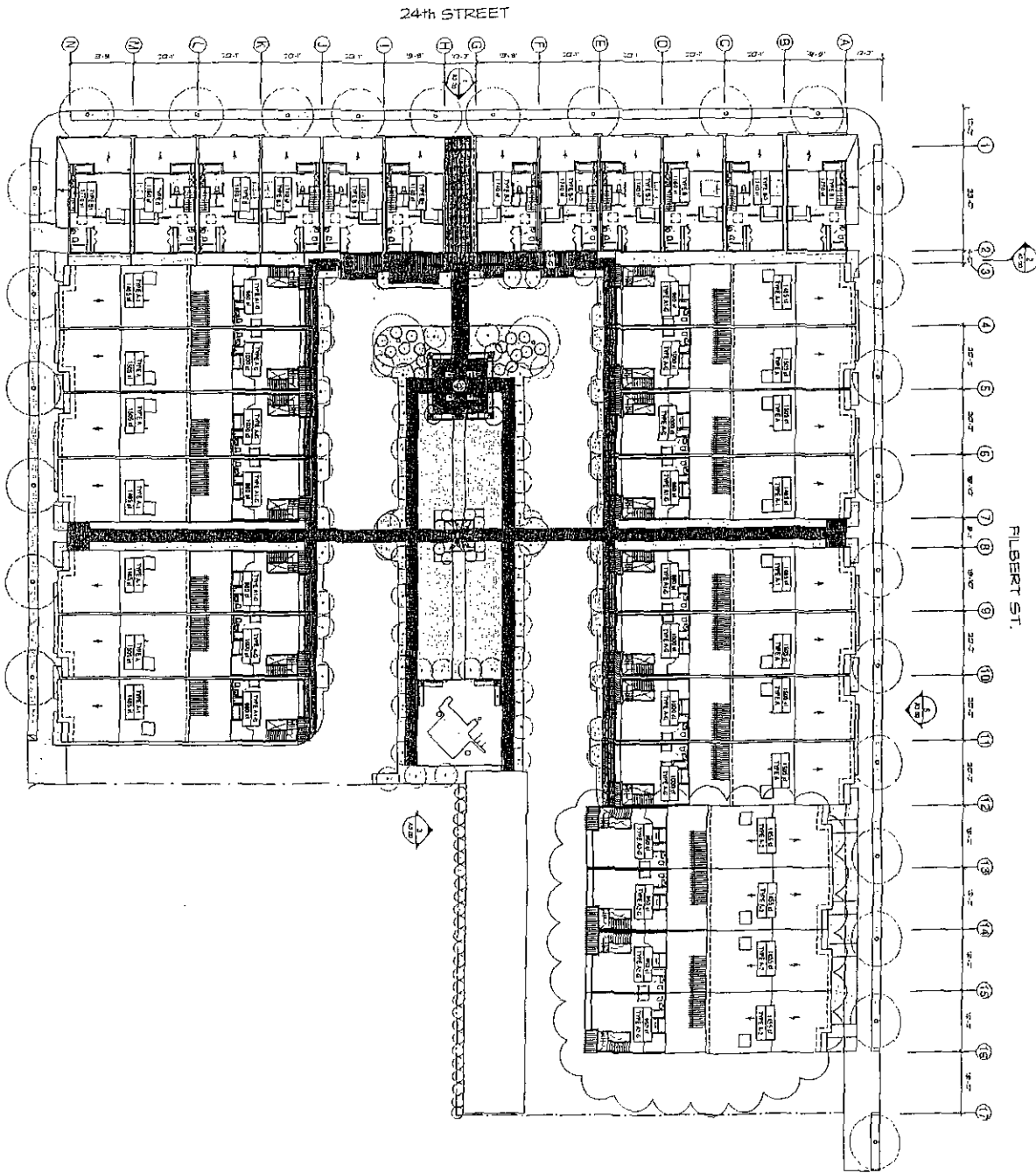
OWNER
MONICA HUAZI
 1901 NICHOLS AVENUE #111
 SAN MATEO, CA 94401
 (650) 685-8555 FAX
 (650) 685-8550 FAX

**EMERALD
 PARC
 FLEXHOUSES**
 2400 FILBERT ST.
 OAKLAND, CA
 SECOND FLOOR
 PLAN

DATE	DESCRIPTION	BY
	PRELIMINARY DEVELOPMENT	TDA
	REVISION	TDA
	REVISION	TDA
	REVISION	TDA
	REVISION	TDA
	REVISION	TDA
	REVISION	TDA
	REVISION	TDA
	REVISION	TDA
	REVISION	TDA

DATE: 11/10/01
 DRAWN BY: JH
 CHECKED BY: AD

SHEET NO. A2.20



TDA
 Tamar Dahan
 Architect
 1000 Broadway
 San Francisco, CA 94109
 Tel: 415.774.2100
 Fax: 415.774.2101
 www.tamar-dahan.com



DESIGNER
MOUNIC A. HAJAZI
 909 NORTH AMHERST
 SAN MATEO, CA 94401
 650.454.8551
 650.454.8552

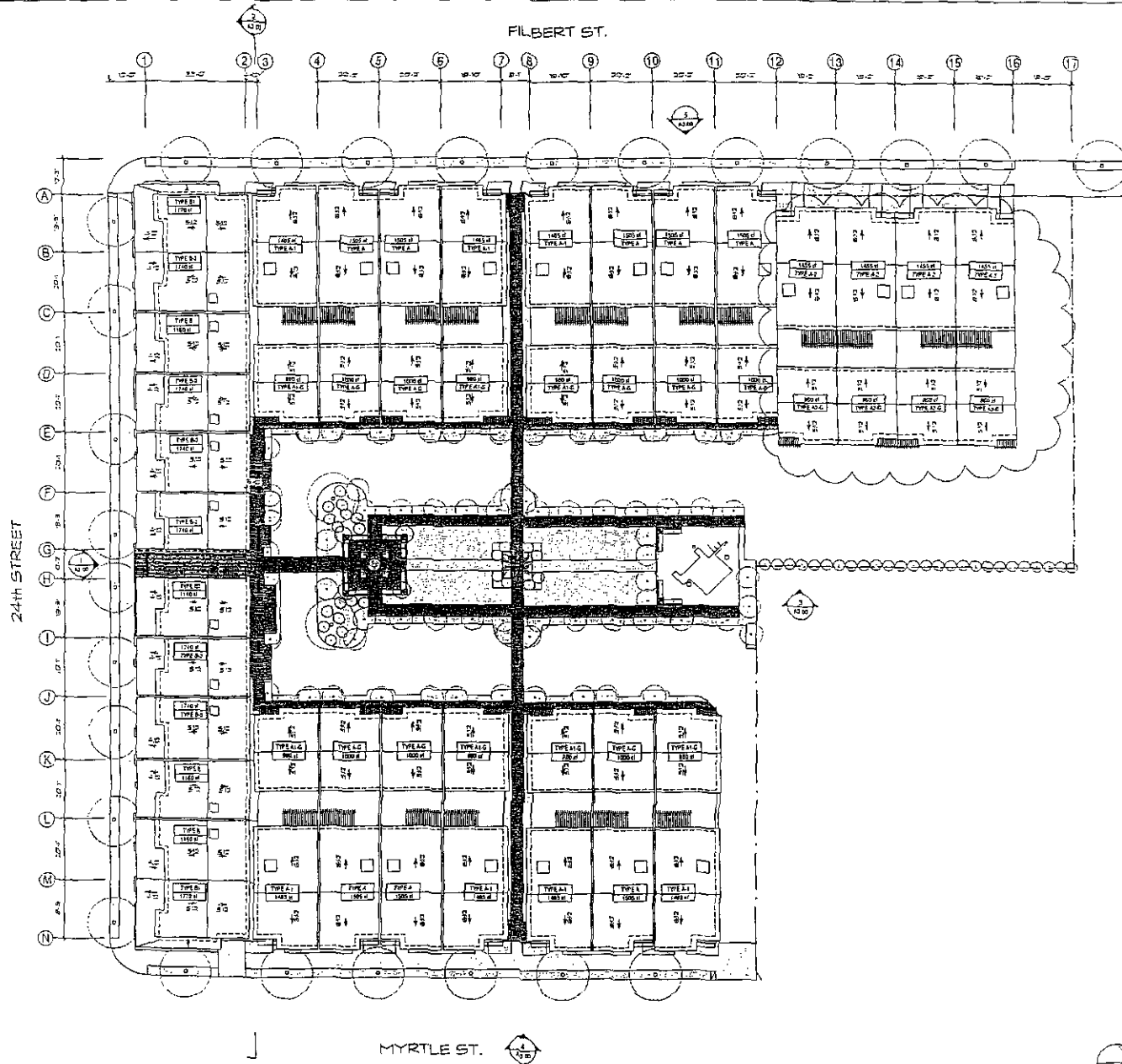
**EMERALD
 PARC
 FLEXHOUSES**
 3400 FILBERT ST.
 OAKLAND, CA

NO.	DESCRIPTION	DATE
1	2018/01/15	2018/01/15
2	2018/01/15	2018/01/15
3	2018/01/15	2018/01/15
4	2018/01/15	2018/01/15
5	2018/01/15	2018/01/15
6	2018/01/15	2018/01/15
7	2018/01/15	2018/01/15
8	2018/01/15	2018/01/15
9	2018/01/15	2018/01/15
10	2018/01/15	2018/01/15
11	2018/01/15	2018/01/15
12	2018/01/15	2018/01/15
13	2018/01/15	2018/01/15
14	2018/01/15	2018/01/15
15	2018/01/15	2018/01/15

DATE: 2/15/18
 DRAWN: M.A.H.
 CHECKED: M.A.H.
 APPR: M.A.H.

SCALE: AS SHOWN

PROJECT NO: A2.30



TDA
 Thomas Delan
 Architecture
 2400 Filbert Street
 San Mateo, CA 94401
 650.685.8558 FAX
 650.685.8558 TEL



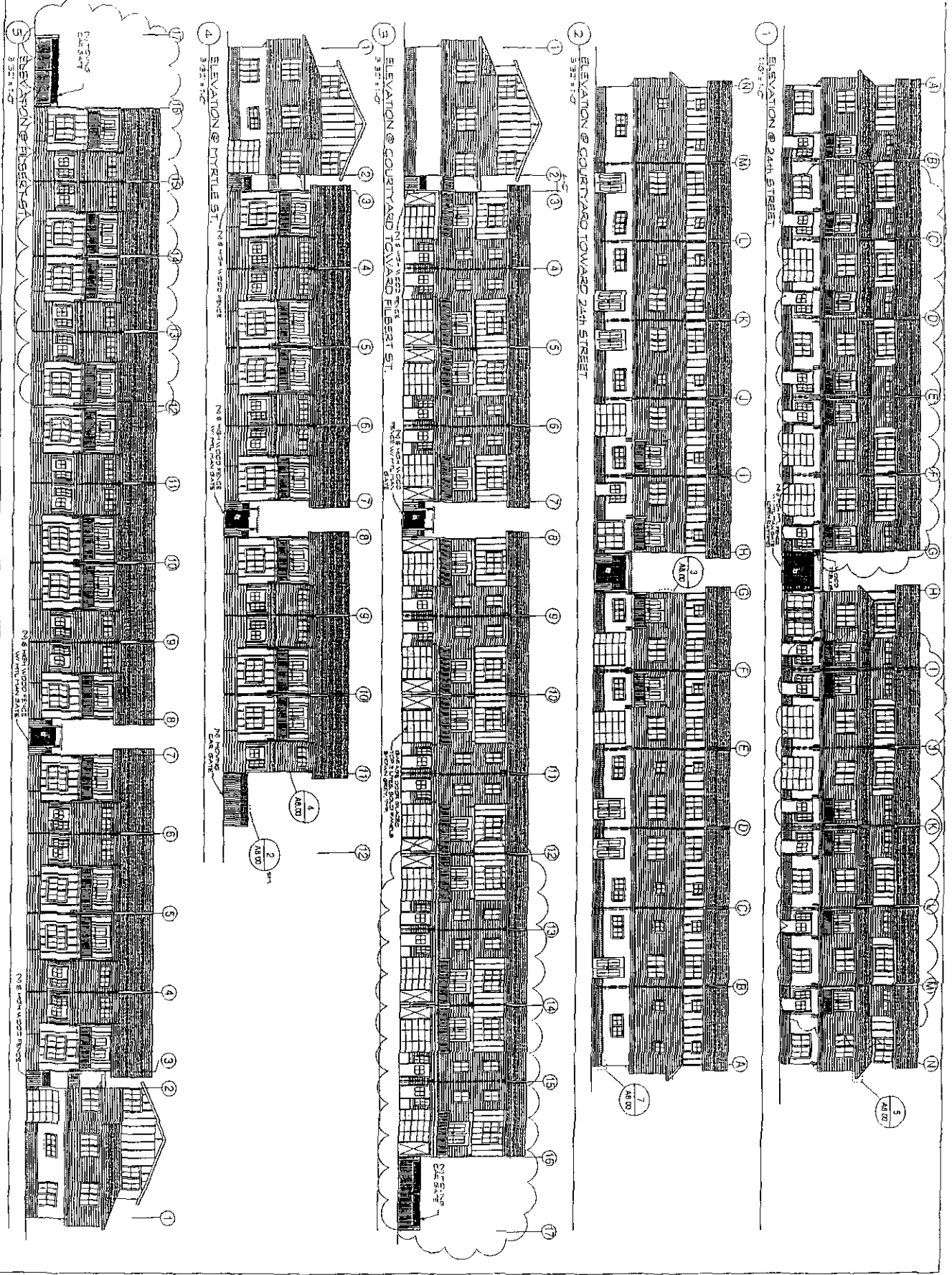
OWNER
MONICA HUAJALI
 908 NORTH BAYVIEW BLVD
 SAN MATEO, CA 94401
 650.685.8558 TEL
 650.685.8558 FAX

**EMERALD
 PARC
 FLEXHOUSES**
 2400 FILBERT ST.
 OAKLAND, CA

DATE	DESCRIPTION	DATE
	PRELIMINARY DEVELOPMENT	4/1/01
	REVISION	6/22/01
	FINAL DEVELOPMENT	7/10/01

DATE: 6/22/01
 DRAWN: 6/22/01
 CHECKED: 6/22/01

A2.40



TDPA
 Thomas DeLuca
 Architect
 1111 Broadway
 San Francisco, CA 94133
 Tel: 415.774.2100
 Fax: 415.774.2101
 www.thomasdeluca.com



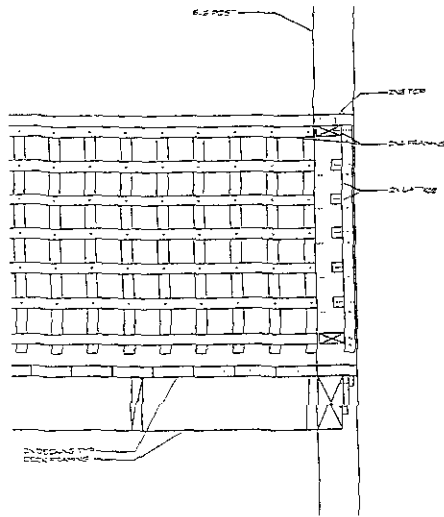
FOR SET
MONIC & HUIAZI
 ARCHITECTS
 5001 NE 15th AVE, SUITE 100
 DENVER, CO 80232
 TEL: 303.733.1111
 FAX: 303.733.1112

**EMERALD
 PARK
 FLEXHOUSES**
 2400 FILBERT ST.
 OAKLAND, CA

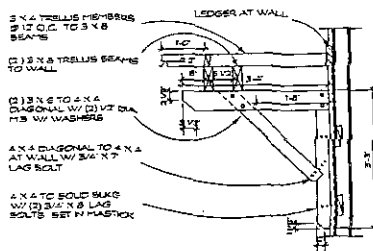
ELEVATIONS

NO.	DESCRIPTION	DATE
1	CONCEPT DESIGN	12/10/03
2	PRELIMINARY DESIGN	01/15/04
3	FINAL DESIGN	02/15/04
4	CONSTRUCTION DOCUMENTS	03/15/04
5	AS-BUILT	04/15/04

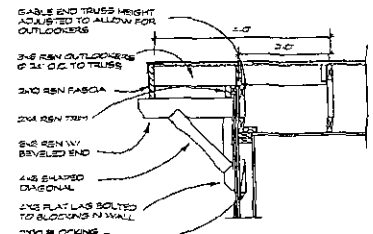
DATE: 03/15/04
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]
 SHEET NO.: **A3.00**



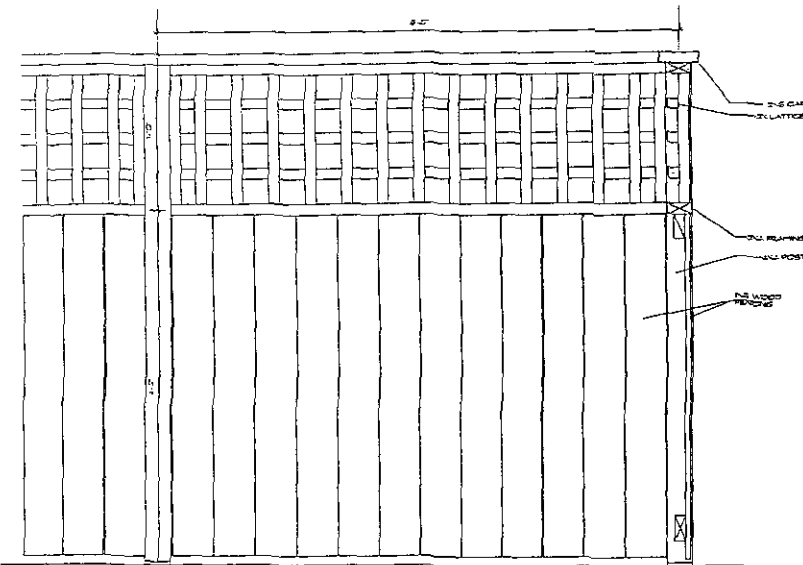
1 GUARDRAIL & DECKS
Scale: 1/2" = 1'-0"



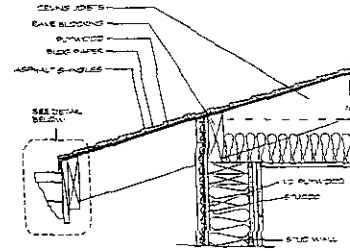
3 TRELLIS & BRACKET DETAIL
Scale: 3/4" = 1'-0"



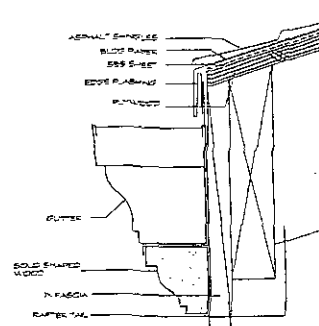
4 BRACKET @ PRIVATE DECK DETAIL
Scale: 3/4" = 1'-0"



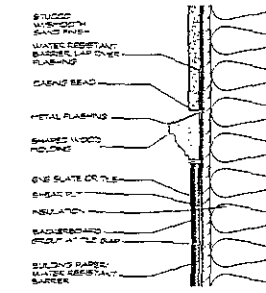
2 FENCE DETAILS
Scale: 1/2" = 1'-0"



5 EAVE DETAIL
Scale: 1 1/2" = 1'-0"



6 FASCIA & GUTTER DETAIL
Scale: 6" = 1'-0"



7 MOLDING @ WATERTABLE
Scale: 3" = 1'-0"

TDA Thomas Dolan
Architecture
Architect
15000
Planning and
Development
Consultants
415 328 8100
415 328 8100
1100 1st St. Suite 200
San Francisco, CA 94103
thomas@tda.com
TDA
1100 1st St. Suite 200
San Francisco, CA 94103



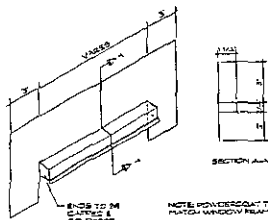
OWNER
MONICA HAJAZI
907 NORTH AMHERST
SAN MATEO, CA 94401
650.685.8558 P11
650.685.8558 FAX

EMERALD
PARC
FLEXHOUSES
2400 FILBERT ST.
OAKLAND, CA
EXTERIOR DETAILS

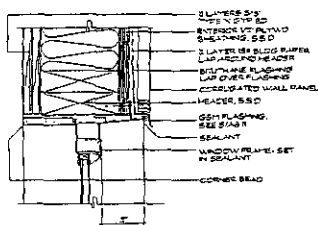
NO.	DESCRIPTION	DATE
1	PRELIMINARY DEVELOPMENT	8-11-07
2	REVISED	8-22-07
3	DESIGN DEVELOPMENT	8-29-07

DATE: 8-29-07
JOB NO: 8-179
DRAWN: AD

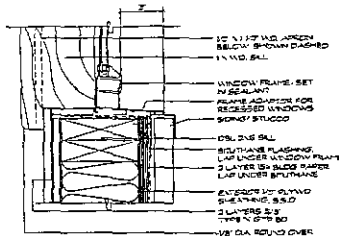
8.00



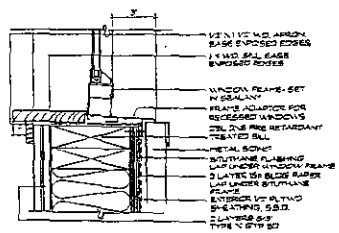
○ TYP. G.S.M. HEAD FLASHING
N.T.S.



○ RECESSED WINDOW HEAD
N.T.S.



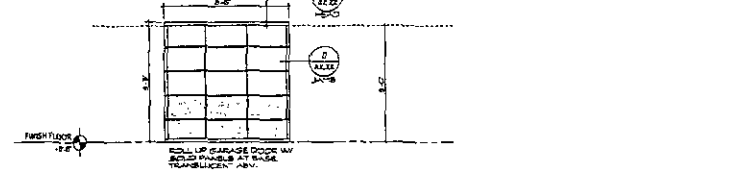
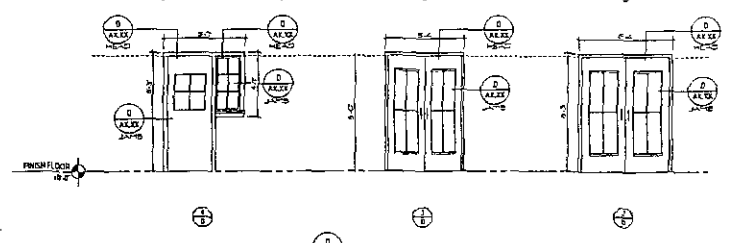
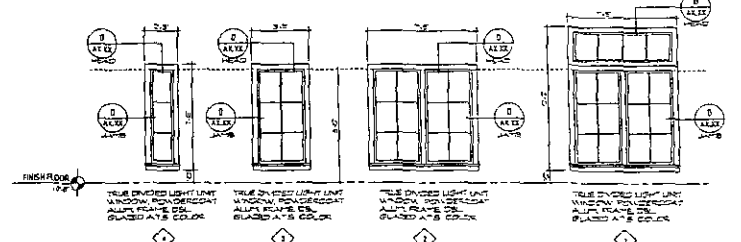
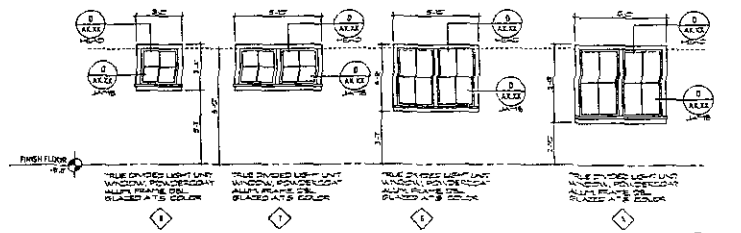
○ RECESSED WINDOW JAMB
3/4\"/>



○ RECESSED WINDOW SILL
3/4\"/>

GENERAL NOTES

1. HEIGHT AND WIDTH DIMENSIONS INDICATED ARE NOMINAL. VERIFY EXISTING CONDITIONS IN WINDOW AND DOOR INSTALLATION.
2. FIELD VERIFY ALL DIMENSIONS PRIOR TO FINAL ACT OF WINDOW AND DOOR.
3. ALL WINDOW AND DOOR COORDINATION MUST BE TO FINISH LIGHT EDGE UNLESS NOTED TO BE TO FINISH FRAME AND DOOR COORDINATION. THIS AND OTHERS SHALL BE COORDINATED WITH THE ARCHITECT.
4. ALL WINDOW AND DOOR COORDINATION MUST BE TO FINISH LIGHT EDGE UNLESS NOTED TO BE TO FINISH FRAME AND DOOR COORDINATION. THIS AND OTHERS SHALL BE COORDINATED WITH THE ARCHITECT.
5. ALL WINDOW AND DOOR COORDINATION MUST BE TO FINISH LIGHT EDGE UNLESS NOTED TO BE TO FINISH FRAME AND DOOR COORDINATION. THIS AND OTHERS SHALL BE COORDINATED WITH THE ARCHITECT.
6. ALL WINDOW AND DOOR COORDINATION MUST BE TO FINISH LIGHT EDGE UNLESS NOTED TO BE TO FINISH FRAME AND DOOR COORDINATION. THIS AND OTHERS SHALL BE COORDINATED WITH THE ARCHITECT.
7. ALL WINDOW AND DOOR COORDINATION MUST BE TO FINISH LIGHT EDGE UNLESS NOTED TO BE TO FINISH FRAME AND DOOR COORDINATION. THIS AND OTHERS SHALL BE COORDINATED WITH THE ARCHITECT.
8. ALL WINDOW AND DOOR COORDINATION MUST BE TO FINISH LIGHT EDGE UNLESS NOTED TO BE TO FINISH FRAME AND DOOR COORDINATION. THIS AND OTHERS SHALL BE COORDINATED WITH THE ARCHITECT.
9. ALL WINDOW AND DOOR COORDINATION MUST BE TO FINISH LIGHT EDGE UNLESS NOTED TO BE TO FINISH FRAME AND DOOR COORDINATION. THIS AND OTHERS SHALL BE COORDINATED WITH THE ARCHITECT.
10. ALL WINDOW AND DOOR COORDINATION MUST BE TO FINISH LIGHT EDGE UNLESS NOTED TO BE TO FINISH FRAME AND DOOR COORDINATION. THIS AND OTHERS SHALL BE COORDINATED WITH THE ARCHITECT.



○ DOOR/WINDOW TYPES
3/4\"/>

TDA Thomas Delon
Architecture
Architect
Interior Design
Planning and
Construction
14111 17th Street
San Mateo, CA 94401
650.685.8558
www.thomasdelon.com
1000 California Street
San Francisco, CA 94109



OWNER:
MONICA HUAZI
900 NORTH AMHILLET
SAN MATEO, CA 94401
650.685.8558 P11
650.685.8558 FAX

EMERALD
PARC
FLEXHOUSES
2400 FILBERT ST.
OAKLAND, CA
WINDOW & DOOR
TYPES
& WINDOW
DETAILS

DATE	DESCRIPTION	DATE
11/17/24	PRELIMINARY DEVELOPMENT	11/17/24
1/22/25	REVISED	1/22/25
1/22/25	FINAL DEVELOPMENT	1/22/25

DATE: 1/22/25
JOB NO: 1000
DRAWN: TD
A8.10
SHEET NO.



**Thomas Dale
Architecture**
Architecture
Urban Design
Planning and
Development
Construction

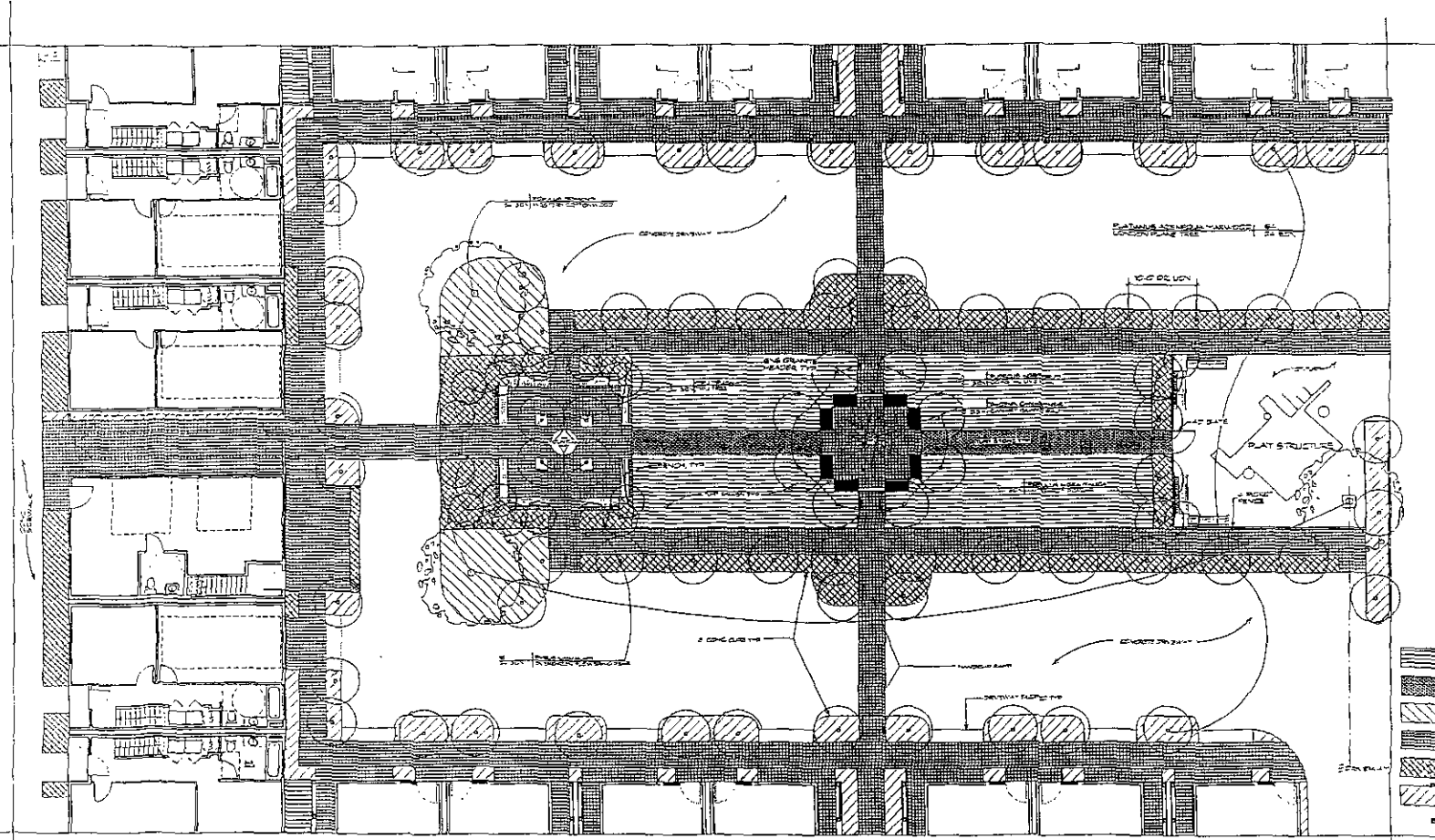
1011 19TH AVENUE
SAN MATEO, CA 94401
TEL: 650.855.7200
FAX: 650.855.7208
WWW: www.tda.com

Professional Seal
Professional Engineer
Professional Architect
Professional Landscape Architect



OWNER
MONICA HUIJAZI
1011 NORBELL STREET
SAN MATEO, CA 94401
650.855.8551 TEL
650.855.8558 FAX

**EMERALD
PARC
FLEXHOUSES**
2400 FILBERT ST.
OAKLAND, CA



[Symbol]	TURF GRASS
[Symbol]	PLANTING
[Symbol]	CONCRETE PAVEMENT
[Symbol]	LANDSCAPE PLANTING
[Symbol]	CONCRETE PAVEMENT
[Symbol]	LANDSCAPE PLANTING

LANDSCAPE NOTE:
ALL LANDSCAPE AREAS TO BE
DESIGNED AND CONSTRUCTED
BY LANDSCAPE CONTRACTOR.

DATE	DESCRIPTION	DATE
02/14/10	CONCEPT DESIGN	02/14/10
03/10/10	SCHEMATIC DESIGN	03/10/10
04/15/10	PRELIMINARY DESIGN	04/15/10

DATE: 02/14/10
JOB NO: 1011
DRAWN: AD

1 COURTYARD LANDSCAPE PLAN
1/8" = 1'-0"

ATTACHMENT B

FINDINGS FOR APPROVAL

This proposal meets all the required Use Permit criteria (Sections 17.134.050 & 17.01.100B) and Design Review Criteria (Section 17.136.070) as set forth below and which are required to approve your application. Required findings are shown in bold type; reasons your proposal satisfies them are shown in normal type.

SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

- 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 consists of 55 residential dwelling units and five small commercial spaces. The proposal will remove an existing industrial/ commercial building and replace it with a residential development as envisioned by the General Plan. The proposal will consist of two story townhouse style homes fronting onto Filbert and Myrtle Streets to be consistent with the scale of the residential neighborhood along those streets. The 24th Street elevation will increase to three stories and contain some ground floor commercial spaces for neighborhood serving activities or small scale offices for small local businesses, which is appropriate given the site across the street is in a commercial zone and General Plan designation with frontage on West Grand Avenue, and any future development would be of a higher intensity than the rest of the neighborhood north of the site. The proposal will build out the site towards the street to create a pedestrian friendly environment surrounding the site, and contain an internal parking arrangement off of an internal driveway that connects to exterior and interior parking stalls. Each dwelling will contain a designated parking stall. The project will contain a large open interior that will limit site coverage and provide a large group open space. Each dwelling will also contain small individual private open spaces. The project is located within an area that contains availability to civic facilities and utilities. A traffic study prepared by Abrams and Associates indicates that the proposed development will not degrade existing levels of service (LOS) below an acceptable level.

- 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 will provide for a functional living environment by reusing an existing industrial/commercial site that is incompatible with the surrounding residential neighborhood to the north. The site planning will allow for limited curb cuts along the exterior of the site by providing an internal driveway with access to garage and parking stalls. The middle of the site will contain a large group open space and each unit will contain private open spaces for individual use. The project will also incorporate five small commercial spaces along 24th Street to try to activate the street level in the neighborhood. Potential uses would include small scale neighborhood serving activities such as a café, beauty salon, and offices for small local businesses.

- 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.*

The development will enhance the area as a residential neighborhood by adding dwelling units to an existing industrial/commercial lot to transition the neighborhood back to residential as envisioned by the General Plan.

- D. *That the proposal conforms to all applicable design review criteria set forth in the DESIGN REVIEW PROCEDURE of Chapter 17.136 of the Oakland Planning Code.*

See Design Review findings below.

- 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 conversion of an industrial/commercial use to residential is consistent with the Mixed Housing Type Residential General Plan Area.

SECTION 17.01.100B – MINOR CONDITIONAL USE PERMIT FINDINGS FOR PROPOSALS CLEARLY IN CONFORMANCE WITH GENERAL PLAN BUT NOT PERMITTED BY ZONING REGULATIONS:

- A. *That the proposal is clearly appropriate in consideration of the characteristics of the proposal and the surrounding area.*

The Mixed Housing Type General Plan Area is intended to have a residential neighborhood with a medium level of density. The existing zoning is M-20, which does not allow for residential uses, however; the large majority of properties on the subject block are presently residential. The proposed dwelling units will help to transition this neighborhood to more of a residential setting as the existing parcel contains an industrial/commercial structure that is incompatible with the surrounding residential neighborhood.

- B. *That the proposal is clearly consistent with the intent and desired character of the relevant land use classification or classifications of the General Plan and any associated policies.*

The proposal for residential dwelling units is clearly consistent with the Mixed Housing Type General Plan Area as it will turn a lot with an incompatible use into a residential use.

- C. *That the proposal will clearly promote implementation of the General Plan.*

The proposal for residential dwelling units will clearly promote implementation of the General Plan as the Mixed Housing Type General Plan Area calls for residential uses.

17.136.070A - RESIDENTIAL DESIGN REVIEW CRITERIA:

- A. 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 will consist of two story townhouse style homes fronting onto Filbert and Myrtle Streets to be consistent with the scale of the residential neighborhood along those streets. The units will contain entry stoops to add to the pedestrian scale of the neighborhood. The bulk of the proposal is broken down by the townhouse form of the units, breaks in the façade of the individual units, and gabled roofs. The exterior elevations will include a mix of horizontal siding, which is prevalent throughout the neighborhood and board and batten siding to add verticality to the buildings. All of the proposed windows will be true divided lite windows with a factory powder coated finish, which will add depth and detail to the façade of the buildings. The elevations on 24th Street will increase to a three story structure, but will no exceed 30 feet which is the maximum height allowed in the adjacent R-50 zone.

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

The development will enhance the area as a residential neighborhood by adding dwelling units to an existing industrial/commercial lot to transition the neighborhood back to residential as envisioned by the General Plan.

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

The subject area is flat containing no natural landscape.

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

Not situated on a hill.

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

The conversion of an industrial/commercial use to residential is consistent with the Mixed Housing Type Residential General Plan Area.

ATTACHMENT C

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 dated September 30, 2005 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. All proposals for future commercial uses shall require separate zoning clearances.

2. Effective Date, Expiration, and Extensions

a. Ongoing.

This permit shall become effective upon satisfactory compliance with these conditions. This permit shall expire on October 19, 2007, 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, 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 CONSTRUCTION:

7. 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.

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.

STANDARD CONDITIONS FOR MAJOR PROJECTS:

9. Air Quality

a. Prior to commencement of construction activity

The contractor shall implement a construction dust abatement program including the following measures:

- i. Twice-daily watering of the project site during construction to reduce dust emissions.
- ii. Following best management practices such as (i) watering all active construction areas at least twice daily; (ii) covering all trucks hauling soil and other loose materials or requiring trucks to maintain at least two feet of freeboard; (iii) paving, applying water three times daily, or applying non-toxic stabilizers on all unpaved access roads, parking areas, and staging areas at the construction site; (iv) sweeping daily with water sweepers all unpaved access roads, parking areas, and staging areas at the construction site; and (v) sweeping streets daily with water sweepers if visible soil material is carried onto adjacent public streets.
- iii. Routing temporary haul roads to the soil stockpile away from existing neighboring land uses, surfacing these temporary roads with gravel, and implementing a program to regularly water or apply an appropriate dust suppressant to control for dust.
- iv. Utilizing water sprays to control dust when material is being added or removed from the soil stockpile or when the stockpile remains undisturbed for more than a week treating the stockpile with a dust suppressant or crusting agent to eliminate windblown dust generation.

- v. Providing neighboring properties located within 300 feet of the subject property lines with name and phone number of a designated dust control coordinator who shall respond to complaints within 24 hours by suspending dust producing activities or providing additional personnel or equipment for dust control as deemed necessary. The phone number of the BAAQMD pollution complaints contact shall be provided. The dust control coordinator shall be on-call during construction hours and shall maintain a log of complaints received and remedial actions taken in response. The log shall be submitted to City staff upon request.

10. Hydrology and Water Quality

a. Prior to commencement of construction activity

If required the project sponsor shall prepare, for City review and approval, and implement a Storm Water Pollution Prevention Plan (SWPPP) to reduce potential impacts to surface water quality during project construction.

11. Construction Hours for Major Projects

a. During all construction activities.

Construction hours will be limited to be between 7:00AM to 7:00PM, Monday through Friday. Subject to prior authorization of the Building Services Division and the Planning and Zoning Division, no construction activities shall be allowed on Saturdays until after the building is enclosed, and then only within the interior of the building with the doors and windows closed. Saturday construction activity prior to the building being enclosed shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a survey of residents preferences for whether Saturday activity is acceptable if the overall duration of construction is shortened. No construction activity shall take place on Sundays or Federal holidays.

12. Construction Staging and Phasing Plan

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

The project applicant and construction contractor shall meet with the Traffic Engineering and Parking Division of the Oakland Public Works Agency (PWA) and other appropriate City of Oakland agencies to determine traffic management strategies to reduce traffic congestion and the effects of parking demand, to the maximum feasible extent, by construction workers during construction of this project and other nearby projects that could be simultaneously under construction.

The project applicant shall submit a construction management and staging plan to the Building Services Division with the application for the first building permit for the project for review and approval. The plan shall include at least the following items and requirements:

- 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.
- Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.
- Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours and lane closures will occur.
- Provision for accommodation of pedestrian flow.
- Location of construction staging areas.

- Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected.
- A temporary construction fence to contain debris and material and to secure the site.
- Provisions for removal of trash generated by project construction activity.
- Dust control measures as set forth in Condition #9.
- A process for responding to, and tracking, complaints pertaining to construction activity, including the identification of an on-site complaint manager.

13. Public Improvements Plan

a. Prior to issuance of a building permit.

The applicant shall submit Public Improvement Plans for adjacent public rights-of-way showing all proposed improvements and compliance with conditions of approval 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 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. The Planning and Zoning Division, Building Services Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to issuance of certificate of occupancy.

14. Underground Utilities.

a. Prior to issuance of building permits.

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

15. Exterior Materials Details

a. Prior to issuance of building permit.

The applicant shall submit for review and approval of the Planning and Zoning Division, plans that show the details of the exterior of each building including colors. These details shall include the labeling of all the materials and treatments proposed for the exterior of each building. The applicant shall also provide a material and color board for review and approval of the Planning and Zoning Division. All materials and treatments shall be of high quality that provides the building with significant visual interest. In particular, the exterior stucco shall contain a smooth trowel finish. All material at ground level shall be made of durable material that can be maintained in an urban environment.

Windows shall be articulated to provide a two inch minimum recess from the exterior building façade in order to create a sufficient shadow line. The final window details shall be submitted for review and approval.

16. Landscape and Irrigation Plan

a. *Prior to issuance of building permit.*

The applicant shall submit for review and approval by the Planning and Zoning Division, a detailed landscape and irrigation plan prepared by a licensed landscape architect or other qualified person. Such plan shall show all landscaping on the site maintained by an automatic irrigation system or other comparable system. The landscaping plan shall include a detailed planting schedule showing sizes, quantities, and specific common and botanical names of plant species. Fire and drought-resistant species are encouraged.

17. Landscaping Maintenance

a. *Ongoing.*

All landscaping areas and related irrigation shown on the approved plans shall be permanently maintained in neat and safe conditions, and all plants shall be maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with all applicable landscaping requirements. All paving or other impervious surfaces shall occur only on approved areas.

18. Street Trees

a. *Prior to issuance of building permit.*

The applicant shall provide one street tree (24 inch box) per 25 feet of linear frontage of the project site for review and approval of species, size at time of planting, and placement in the right-of-way, subject to review and approval by the Office of Parks and Recreation and Building Services.

19. Meter Shielding

a. *Prior to issuance of building permits.*

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

APPROVED BY: City Planning Commission: _____ (date) _____ (vote)
City Council: _____ (date) _____ (vote)

Exhibit B

[February 21, 2006 City Council Agenda Report]

CITY OF OAKLAND

AGENDA REPORT

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Community & Economic Development Agency
DATE: February 21, 2006

RE: **A Public Hearing and Adoption of Resolution Denying the Appeal of Planning Commission Approval of Conditional Use Permit and Design Review for a 55 Unit Residential Project at 2400 Filbert Street**

SUMMARY

This project, to construct a 55 unit development (CD05-116), was approved by the Planning Commission on November 16, 2005. On November 28, 2005, Dan Holden filed an appeal of the Planning Commission's approval (Attachment A). The appellant is basing his appeal on three points, 1) That the proposed 55 unit project exceeds the density and is not consistent with the single family neighborhood, 2) That no environment impact report was prepared, and 3) That the traffic impact study prepared for the project is invalid. The appellant submitted additional information that raised general concerns with regard to parking, the public notice for the project and the proposed design of the buildings. Staff responses to the grounds for appeal are discussed in the Key Issues and Impacts section of this report. Staff recommends that the Council uphold the Planning Commission's approval of this project and deny the appeal.

FISCAL IMPACT

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

BACKGROUND

PROJECT DESCRIPTION

This request would provide for the demolition of the existing industrial warehouse building and construction of 55 new townhouse style condominiums units that will be developed around an internal driveway and open space. The proposed townhouses will face out toward the public streets on Filbert, Myrtle, and 24th Streets with smaller units on the backside facing in towards the open space and driveway of the development site. The project will include five small

commercial spaces facing onto 24th Street that may be used for small neighborhood serving businesses, one of which is currently proposed as a café.

The proposal consists of three building styles. The units that will front onto Filbert and Myrtle Streets will be two stories tall with two bedrooms each and contain ground floor entry stoops. The exterior materials will consist of a mix of horizontal siding and board and batten siding.

The 24th Street buildings will be three stories tall with two bedroom dwellings above a garage or small commercial spaces. The proposed garage doors will contain high quality finishes with glazing at the top three lites. The entry porches at this elevation will be located at grade to fit in with the ground floor commercial spaces. The upper levels at this elevation will contain horizontal siding and the ground floor will contain stucco with a tile bulkhead.

The third building style is proposed for the units that will face the interior of the development site. They will be small one bedroom two story units located above a garage that is served off of the interior driveway.

PROJECT LOCATION AND ZONING

The subject property is located within an M-20, Light Industrial Zone and a small portion of the north end of the site is located within the R-50, Medium Density Residential Zone. The M-20 zone is intended to create, preserve, and enhance areas containing manufacturing and related establishments with limited external impact within an open and attractive setting, and is typically appropriate to locations adjacent to residential communities. The R-50 zone is intended to create, preserve, and enhance areas for apartment living at medium densities in desirable settings, and is typically appropriate to areas of existing medium density residential development.

Given that the M-20 Zone does not permit residential uses, the applicant requested an Interim Conditional Use permit to invoke the General Plan of Mixed Housing Type Residential, which specifically allows residential uses at a density of one dwelling unit per 1,089 square feet of lot area, which would allow for a total of 58 dwelling units on the subject 63,375 square foot site. The proposal also required a Regular Design Review approval for the portion of the property that is located within the R-50 Zone.

PLANNING COMMISSION REVIEW

The project first went before the Planning Commission on October 19, 2005, and at the request of the Planning Commissioners the item was continued so that the Applicant could meet with the concerned neighbors who spoke at the hearing. The Applicant met with the neighbors and as a result of the meeting modified the project so that the proposed driveway entrances to the internal driveway would be reconfigured to enter and exit onto 24th Street only rather than onto Filbert and Myrtle Streets. This modification addressed neighborhood concerns with regard to increased traffic on the side streets. This revised proposal was approved by the Planning Commission on November 16, 2005 through a Conditional Use and Design Review application.

Item: _____
City Council
February 21, 2006

KEY ISSUES AND IMPACTS

The appellant's letter is attached as Exhibit "A". The basis for the appeal, as contained in the appeal letter, is shown in bold text. A staff response follows each point in italic type.

1. The proposed 55 unit project far exceeds the density and is not consistent with the single family dwellings in this neighborhood.

Staff Response: Given that the property is located within the Mixed Housing Type Residential General Plan Area, a residential density allotment is set at one dwelling unit per 1,089 square feet of lot area. The 63,375 square foot site would allow for a maximum of 58 dwelling units on the subject site. The proposed 55 unit proposal is three units less than the maximum allowed.

The Appellant is arguing that the neighborhood is a single family neighborhood. While there are many single family homes within the area there are also many multi unit properties in the area including that of the appellants. The subject lot is located at the end of the block and just one block off of two major corridors. The increased density acts as an anchor at the end of the block, which is a pattern often seen in urban areas. The north end of Filbert and Myrtle Streets show a similar pattern as most of the properties that are located at the end of the block near 26th Street contain multi unit properties from two to six units, per the Alameda County Assessor's records. While the per square foot density is more than many of the properties on the subject block, the scale and massing of the development has been designed in a way that relates to historical development patterns in the neighborhood, by providing smaller scale townhouse style units rather than bulkier apartment buildings. In addition, each street front unit along Myrtle and Filbert Streets contains an entry stoop that faces directly out to the neighborhood to create a pedestrian friendly environment similar to that of other homes in the area that were developed in the early 1900's.

2. No Environmental Impact Study was done. A project of this magnitude warrants an EPA study.

Staff Response: Consistent with the California Environmental Quality Act (CEQA) and local requirements, staff completed a preliminary CEQA review of the project. The project was found to meet the criteria for a Categorical Exemption under Section 15332 of the CEQA Guidelines for in-fill development projects. The use of this exemption was confirmed by the Planning Commission at the November 16, 2005 Hearing based on the following findings:

- a) The project is consistent with the applicable general plan designation and all general plan policies as well as with applicable zoning designation and regulations.**

The proposed project is consistent with the Mixed Housing Type General Plan designation.

Item: _____
City Council
February 21, 2006

- b) **The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The development site is located within the Oakland City limits, is less than five acres and is completely surrounded by urban uses.

- c) **The project site has no value as habitat for endangered, rare, or threatened species.**

The project site has been previously developed and does not contain any habitat for endangered, rare, or threatened species.

- d) **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

The traffic analysis prepared for the project determined that the project would not result in any significant impacts to the existing level of service (LOS) of local intersections. With implementation of standard conditions of approval related to construction management and noise reduction measures, the project would not result in any significant impacts on traffic, noise, air quality, or water quality. The applicant has provided a "Remedial Action Completion Certificate" from the Alameda County Department of Environmental Health indicating the completion of the gasoline tank removal and remediation completed in 1991.

- e) **The site can be adequately served by all required utilities and public services.**

All required utilities are readily accessible on the surrounding streets, and the site will be adequately served by public services in the area.

Thus, an Environmental Impact report was not prepared because all the requirements of the in-fill exemption are met. The Exceptions to the use of a Categorical Exemption, as set forth in Section 15300.2 of the CEQA guidelines, do not apply to this proposal or project site.

3. **The traffic study is inadequate and is based on the false assumption that no more than 50 cars would appear at any intersection at any one time. The traffic study was based on the previous plan not the plan approved by the Planning Commission.**

Staff response: The traffic study provided for this proposed project was prepared by Abrams and Associates, a licensed traffic engineering firm. The appellant has not provided a study by a licensed traffic engineer to substantiate, on a factual basis, the claims of inadequacy, nor has he provided any evidence whatsoever to attack the validity of the traffic study. Furthermore, as a standard practice projects of this size do not always merit a traffic study unless there are clearly potential issues with regard to existing traffic conditions in relation to the location of the project. Early in the process Planning Staff had informed the applicant of the neighborhood concerns

Item: _____
City Council
February 21, 2006

over traffic impacts and a traffic study was produced. Table 3 within the Impact Analysis section of the traffic study (Attachment D) indicates that the total trip generation during the peak periods would not exceed 50 trips (48-AM, 43-PM), which is based on the Institute of Transportation Engineers Trip Generation manual. The study provides AM and PM peak period traffic counts for nearby intersections, establishes the existing Level of Service of those intersections, and then factors in the additional traffic generation as a result of the project. The findings were that no existing Levels of Service would be degraded to a level below D, which the City has established as the minimum acceptable level that intersections must operate at. In most cases the existing Level of Service at intersections was not reduced at all, and the majority of the intersections monitored were operating at LOS A, which is the highest level.

The "plan approved by the Planning Commission" that the appellant is referring to is the revised set of plans that the applicant provided at the November 16, 2005 Planning Commission hearing. The applicant had altered the plan to reduce traffic on Myrtle and Filbert Streets by putting the driveway entrances onto 24th Street to address neighborhood concerns of traffic flow on the side streets. The change to the plan would not impact the resulting traffic counts at nearby intersections, because the same number of anticipated new trips has not increased, based on a 55 unit project. The Traffic Engineer has submitted a letter to the City to verify this. Further, the approved project will direct trips from the project onto 24th Street, thus decreasing any trips onto Filbert Street, where the appellant resides.

Parking

The appellant raised concerns with regard to parking, specifically questioning how the use of parking lifts could provide for independently accessible parking spaces.

Staff Response: The required parking for the proposed 55 unit development is 55 parking spaces calculated at one parking space per dwelling unit. The proposal met this parking requirement and no variances were requested. The parking lifts will be designed as a pit lift system that will lower cars below grade so that each car can be independently accessible without having to move another vehicle out of a stall. Furthermore, parking is not a CEQA issue, and there is plenty of off street parking in the surrounding area that is walking distance from the project site.

Public Notice

The appellant claims that the project was not properly noticed.

Staff Response: All projects that are to be heard before the Oakland Planning Commission require public notice as set forth in Planning Code Section 17.134.040, which states "Notice of the hearing shall be given by posting notices thereof within three hundred (300) feet of the property involved in the application. Notice of the hearing shall also be given by mail or delivery

Item: _____
City Council
February 21, 2006

to all persons shown on the last available equalized assessment roll as owning real property in the city within three hundred (300) feet of the property involved. All such notices shall be given not less than ten days prior to the date set for the hearing." As required, the proper public notice was provided. Attachment "E" includes the Verification of Posting Locations which shows the 11 posters that were placed around the project area. Also included is the mailing list for the property owners within 300 feet of the project site. Furthermore, the appellant testified at both Planning Commission hearings.

Design

The appellant challenges two of the design review findings with regard to the Bulk of the proposal and the desirable neighborhood characteristics of the neighborhood.

Staff Response: The bulk of the proposal is broken down by the proposed townhouse form of the units, which creates breaks in the façade of the buildings to provide an individual unit façade similar to other homes in the area, but as a part of a larger development site.

The development will enhance the area as a residential neighborhood by constructing dwelling units that will replace the existing distribution warehouse and transition the neighborhood back to residential as envisioned by the General Plan.

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.

Environmental: The project has been found to be exempt under Section 15332 "In-Fill Development" of the State of California 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.

Exhibit B

Item: _____
City Council
February 21, 2006

DISABILITY AND SENIOR CITIZEN ACCESS

The Building Division of the Community and Economic Development Agency will require that the project 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 adopt the attached Resolution upholding the Planning Commission approval and denying the appeal. 1) The Planning Commission's decision was based on a thorough review of all pertinent aspects of the project and on the basis of the public record as a whole. 2) The approved Conditional Use Permit and Design Review include enforceable conditions of approval that will ensure the visual quality and appropriate operation of the building.

ALTERNATIVE CITY COUNCIL ACTIONS

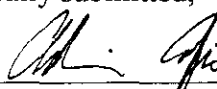
The City Council also has three other options in addition to the recommended action above.

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 on the project.
3. The item could be continued pending new information, further clarification of conditions, property inspection, or further review and consideration by the Planning Commission, based on Council direction.

ACTION REQUESTED OF THE CITY COUNCIL

1. Affirm staff's environmental determination to apply an infill exemption to this project under CEQA guidelines Section 15332.
2. Adopt the attached Resolution upholding the Planning Commission approval and denying the appeal.

Respectfully submitted,



CLAUDIA CAPPIO

Development Director

Community & Economic Development Agency

Prepared by:

Peterson Z. Vollmann, Planner III
Planning & Zoning

Approved and Forwarded to the City Council:



DEBORAH EDGERLY
Office of the City Manager

ATTACHMENTS:

- A. Appellant's letter of November 28th, 2005 and follow up letter of December 10th, 2005.
- B. Planning Commission Staff Report
- C. Project Plans
- D. Traffic Study w/ follow up letter for revised driveway.
- E. Verification of Public Notice