# **RESOLUTION NO. 18-24**

Resolution Of The City Council Of The City Of Emeryville Approving Modifications To The Conditions Of Approval And Approved Plans Of A Conditional Use Permit To Add Square Footage, To Add Private Open Space In The Form Of Room Decks, And To Make Exterior Modifications To Two Previously Approved Residential Units At 1258 Ocean Avenue (APNS: 049-1489-18 And -19)

**WHEREAS**, on January 9, 2007 Ali Eslami submitted an application for a Conditional Use Permit and Design Review to construct two detached approximately 1,700 square foot single family units, and a variance to allow a 4-foot rear yard setback where 15 feet is the required minimum at 1258 Ocean Avenue; and

WHEREAS, the Planning Commission considered the project at a duly and properly noticed public hearing on March 22, 2007 and made no recommendation to the City Council with three votes to approve the project, three votes not to approve the project and one recusal; and

**WHEREAS**, the Emeryville City Council held a duly and properly noticed public hearing and approved the project on April 17, 2007; and

WHEREAS, the Emeryville City Council held a duly and properly noticed public hearing on January 20, 2009 and approved a one year extension with a new expiration date of April 17, 2009; and

**WHEREAS,** on April 6, 2010 the Emeryville City Council approved an Interim Ordinance (ORD10-006) to allow case-by-case extensions of permits for a maximum of five years from the final approval date; and

WHEREAS, the Emeryville City Council held a duly and properly noticed public hearing on April 20, 2010 and considered a second extension of the permits for the Ocean Lofts project for two years; and

**WHEREAS**, the Emeryville City Council expressed a desire to see demolition of the existing residential structure as soon as possible; and

WHEREAS, the Emeryville City Council directed staff to make appropriate modifications to Section 9-4.65.7 of Chapter 4 of Title 9 and Section 8-1.1.04 Chapter 1 of Title 8 that would allow demolition of a residential structure prior to the issuance of a building permit of the replacement structure; and

WHEREAS, staff prepared such modifications which were reviewed and approved by the Planning Commission on July 22, 2010 and adopted by the City Council by Ordinance No.10-013 on September 21, 2010; and



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WHEREAS, the Planning Commission held a duly and properly noticed public hearing on December 9, 2010 and considered a request for a permit extension for two years and to demolish the existing residential structure before the building permit for the replacement structure is issued; and

**WHEREAS,** the Planning Commission, on a 4-2 vote, with one recusal, recommended that the City Council deny the request to extend the planning permits and to demolish the existing residence; and

**WHEREAS**, the City Council held a duly and properly noticed public hearing on January 18, 2011 to review and consider and to solicit public comments on the request for an extension as well as to consider the request to demolish the existing building, and continued the hearing to February 1, 2011; and

WHEREAS, following the public hearing on February 1, 2011 the City Council on a 4-1 vote approved the request to grant the two-year extension due to the additional time that was needed to resolve the issue of access rights to Peabody Lane, but did not grant permission to demolish the existing structure prior to the issuance of the building permit of the replacement structure and directed to staff to prepare appropriate findings and a condition that the existing building be secured prior to its demolition for adoption at the February 15, 2011 meeting; and

**WHEREAS,** on February 15, 2011 a resolution memorializing the February 1, 2011 City Council action was passed on a 4-1 vote; and

**WHEREAS**, the applicant submitted a tree removal permit application (TREE12-001) on June 15, 2012 to provide for a driveway on Ocean Avenue, and the tree removal permit was approved by the Planning Commission at a duly and properly noticed public hearing on September 27, 2012; and

WHEREAS, on March 13, 2014, the City received a letter from the Alameda County District Attorney saying that the applicant was the victim of a crime by which the property was fraudulently "sold" several times beginning on March 8, 2011 when a deed with a forged signature was recorded with the Alameda County Recorder; and

WHEREAS, the Alameda County District Attorney requested the City to "place the property rights back into position held as of March 8, 2011" and thus planning and building permits were still considered valid and were reactivated after a temporary suspension; and

**WHEREAS**, building permits were approved and ready to be issued in December 2016 pending payment of permit fees; and on December 12, 2016, the City received a permit application to demolish the existing house; and the demolition permit was issued on June 2, 2017; and building permits for the two new units were issued on June 7, 2017; and



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WHEREAS, an application to modify the approved plans and conditions of approval to add square footage to the unit along Peabody Lane, and to make exterior modifications and add private open space to both units was submitted on December 4, 2017; and

WHEREAS, the Emeryville Planning Commission held a duly and properly noticed public hearing on the proposed modifications on January 25, 2018 to solicit public comments and review and consider the application; and then voted 4-1 to recommend approval to the City Council with one Commissioner abstaining and one Commissioner absent; and

**WHEREAS**, the Emeryville City Council held a duly and properly noticed public hearing on the proposed modifications on March 6, 2018 to solicit public comments and review and consider the application; and

WHEREAS, the Emeryville City Council has reviewed and considered the staff report and attachments thereto, the plans, all public comments, and the proposed modifications to the project at 1258 Ocean Avenue subject to the conditions and requirements set forth in Exhibit A attached to this Resolution and the applicable standards of the Emeryville Planning Regulations ("the Record"); now therefore, be it

**RESOLVED**, that the City Council of the City of Emeryville hereby finds that the project is exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15303 which applies to construction of small, new structures; and be it further

**RESOLVED**, that in approving the proposed modifications to the conditions of approval and approved plans of UP07-01; DR07-02; VAR07-01 the City Council makes the following findings as required by the Emeryville Planning Regulations:

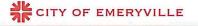
#### **Conditional Use Permit Findings Pursuant to Section 9-7.505:**

- 1. The proposed use is consistent with the General Plan.
  - LU-G-4 A mix of housing types- A diversity of housing types to accommodate a variety of household sized and incomes.

The proposed project maintains the existing unit mix while providing for more private open space in the form of roof decks for both units, and adds additional floor area providing more bathroom and closet space for the Peabody Lane unit.

LU-G-5 Preservation of residential neighborhoods- Residential use, structures, low-rise scale, and character of the Triangle, Doyle Street, and Watergate neighborhoods preserved, and the scale of other areas of stability maintained.





The proposed project preserves the residential use, scale, and character of the Ocean Avenue neighborhood because it does not change the footprint of the building, and conforms to the maximum permitted height limit while providing more greenscape in the unique form of a living wall.

LU-P-10 Maximum building height will be defined by the Maximum Building Heights diagram, Figure 2-4.

The proposed project is consistent with the maximum building height of 30 feet as set forth in Figure 2-4.

LU-P-11 Maximum floor area ratios (FARs) and residential densities for sub-areas of the city, will be defined by Figure 2-3 and 2-6, respectively.

The proposed project is consistent with the maximum floor area ratio and residential densities as set forth in Figure 2-3 and 2-6.

2. The location, size, coverage, density, design and operating characteristics of the proposed use will be compatible with, and will not adversely affect, the surrounding area, including neighborhood character, street design and capacity, safety, noise, and lighting.

The proposed project is consistent with the coverage, density, design, and operating characteristics of the surrounding area, as required by the Planning Regulations. Neighborhood character, design, and quality will not be adversely affected because the previously approved two residential units are maintained in a neighborhood that is primarily residential.

3. The proposed use is consistent with the capability of the water supply, wastewater disposal, fire, and police systems to operate adequately and cost effectively.

The proposed project is consistent with the capability of the water supply, waste water disposal, fire, and police systems to operate adequately and not add to their burden because the proposed development maintains the existing residential use and is compliant with all maximum FAR, building height, and residential density maps (Figures 2-3, 2-4, and 2-6) in the General Plan.

4. The proposed use at its proposed location will provide a service or facility that will contribute to the general well being of the surrounding neighborhood or community.



The proposed project maintains the number of approved dwelling units at this location and will contribute to the general well being of the surrounding neighborhood and community by providing additional green scaping and local renewable energy production.

5. The proposed use complies with all applicable standards and requirements of these Planning Regulations.

The proposed project complies with all applicable standards and requirements of the Planning Regulations, as outlined in the above section titled "Zoning Analysis."

# Major Design Review Findings Pursuant to Section 9-7.407:

- 1. The design of the project is consistent with the General Plan, including but not limited to its Urban Design goals and policies.
  - UD-G-2 A diversity of building types and scales Variation to reinforce the identity of individual districts and foster a variety of options for living and working, with continuity in development scale and character and careful transitions between densities and design typologies.

The proposed project is consistent with the North Hollis neighborhood, which contains a variety of buildings including brick, tilt-ups, residential homes with gabled roofs, and modern condominium complexes. The residential use type supports the identity of the district by maintaining the existing residential use and conforming to the Emeryville Design Guidelines and Planning Regulations. The roof decks provide privacy and screening using living walls that provide a unique design feature that is consistent in development scale and character with the surrounding area.

# UD-G-5 Neighborhood Preservation - Preservation of the existing smallscale residential quality of older neighborhoods.

The proposed project maintains the previously approved two residential units.

2. The design of the project conforms to the Emeryville Design Guidelines and any other applicable design guidelines or criteria. If strict compliance with the provisions of such design guidelines or criteria is not achieved, the applicant must convincingly demonstrate that the intent of the guidelines or criteria is met.



# *F-2* Find opportunities for creativity with architectural features, such as integrating art into doors and entrance areas, and through colors and details.

By utilizing living walls the proposed project finds a creative way to maximize the utilization of roof top space for renewable energy production and private open space while providing privacy for both the occupants and neighbors.

# G-3 Where balconies are provided, allow room for small gardens for growing plants.

The proposed project provides planter boxes on the roof decks.

3. The project is of a high design quality that is compatible with, and will not adversely affect, the surrounding area:

The proposed project modifies an approved design to incorporate more private open space, renewable energy infrastructure, and green-scaping through the use of living walls and roof top gardens. The living walls are used to screen the proposed roof decks, providing desirable features that are of a high design quality that is compatible with, and will not adversely affect the surrounding area.

# **Development Bonuses Findings Pursuant to Section 9-4.204(f)(1):**

1. That the proposed project is compatible with the surrounding neighborhood with regard to building scale, form, and materials, and street orientation.

The proposed project is compatible with the surrounding neighborhood with regard to building scale, form, materials, and street orientation and does not require an expansion in building footprint.

2. That the proposed project has been designed to minimize the appearance from the street of driveways, parking spaces, maneuvering aisles, and garage doors as much as possible given the size and shape of the lot, and that at least 70% of the street frontage is devoted to active non-parking related uses, except that a driveway of up to ten feet in width shall be allowed.

The proposed project does not modify the approved driveways, parking spaces, or garage doors. The lot is 50 feet wide, and the driveway and garage entrance are 10 feet wide, so at least 70% of the street frontage is devoted to active non-parking related uses.



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**RESOLVED,** that the City Council hereby approves an amendment to the conditions of approval attached here as Exhibit A for **UP07-01; DR07-02; VAR07-01** to add a total of 28 square feet of floor area, to add private open space in the form of roof decks, and to make exterior modifications to the two previously approved residential units at 1258 Ocean Avenue, as submitted on December 4, 2017 and plans dated January 17, 2018 subject to the Conditions of Approval attached hereto and the applicable standards of the City of Emeryville Municipal Code.

**APPROVED** by the City Council of the City of Emeryville at a regular meeting held on Tuesday, March 6, 2018 by the following votes:

AYES:	3	Vice Mayor Medina and Council Members Donahue and Martinez
NOES:	2	Mayor Bauters and Council Member Patz
ABSTAIN:	0	
ABSENT:	0	

ATTEST:

**CITY CLERK** 

APPROVED AS TO FORM:

ind

**CITY ATTORNEY** 

MAYOR



# **CONDITIONS OF APPROVAL**

# Ocean Lofts 1258 Ocean Avenue UP07-01; DR07-02; VAR07-01: Exhibit A. Conditions of Approval April 17, 2007 Resolution No. 07-69 Amended February 15, 2011 Resolution No. 11-22 <u>Amended by City Council Resolution No. 18-</u> <u>March 6, 2018</u>

The changes are denoted by strikethrough for language that is deleted and new language is denoted by <u>double underline</u>.

#### I. <u>COMPLIANCE WITH APPROVALS</u>

- A. <u>PROJECT APPROVALS</u>. The project shall be constructed and operated in accordance with the following actions by the <u>Planning Commission</u> <u>City</u> <u>Council</u>:
  - A Conditional Use Permit to construct 2 residential units and allow a Floor Area Ratio (FAR) of <u>0.610.62</u> in accordance with the staff reports dated April 17, 2007 and March 6, 2018, as modified by these Conditions of Approval.
  - 2. Design review approval for two, detached residential units accommodated with heights of 23' 8" for "Ocean Unit" and 24' 6" feet for "Peabody Unit" with both units having 2 foot high parapet walls, 5 foot 6 inch high living walls, and 30 foot high enclosed stairwells in accordance with the approved plans described below, as modified by these Conditions of Approval.
  - 3. A Variance to allow a 4-foot rear yard setback where 15 is the required minimum.

Any additional uses or design modifications, including signs, will require a separate application and approval.

In addition, the following condition shall apply to this project:

- 4. Prior to the issuance of a building permit the applicant shall obtain access easement rights for use of Peabody Lane and submit requisite documentation to this effect to the Planning Director.
- 5. <u>The applicant shall immediately secure the existing building until it</u> is demolished such that it does not create a nuisance or a public hazard.
- B. <u>APPROVED PLANS</u>. Final plans submitted for a building permit shall be reviewed by the Planning Director to confirm that the plans substantially conform to the following except as modified by these Conditions of Approval: **[Planning]** 
  - 1. The architectural drawings and renderings entitled, <del>1258 Ocean</del> Avenue, submitted by Ali Eslami, sheets 1 to 2, and L1 and colored rendering sheets 1 and 2<u>Ocean Avenue Lofts, submitted by Ali</u> Eslami, sheets A 0.0 through A 4.5 dated January 17, 2018.
- C. <u>APPROVAL EFFECTIVENESS AND DURATION</u>. Pursuant to Section 9-4.82.10 of the Emeryville Municipal Code, this permit shall automatically expire if an application for a building permit has not been filed and fees have not been paid within one year from the date of this approval, and a good faith effort to commence work upon the use has not been made, as determined by the Planning Director in his/her sole discretion. Time extensions not exceeding one year may be requested by applying to the Planning Commission for such extension period prior to the expiration date of the permit. In no case shall the expiration period extend more than three years from the date of this approval. After that time, a new application shall be required. In the event Applicant undertakes no construction pursuant to this approval, then Applicant shall have no obligation under these conditions of approval.
- D. <u>INSTALLATION AND MAINTENANCE OF IMPROVEMENTS</u>. All improvements shall be installed in accordance with these approvals. Once constructed or installed, all improvements shall be maintained as approved. Minor changes may be approved by the Planning Director.
- E. <u>COMPLIANCE WITH THE MUNICIPAL CODE AND GENERAL PLAN</u>. No part of this approval shall be construed to be a violation of the Emeryville Municipal Code or the General Plan. Operations on this site

shall be conducted in a manner that does not create a public or private nuisance or otherwise violate the Emeryville Municipal Code.

- F. <u>FAILURE TO COMPLY WITH CONDITIONS OF APPROVAL</u>. If Applicant constructs buildings or makes improvements in accordance with these approvals, but fails to comply with any of the conditions of approval or limitations set forth in these Conditions of Approval and does not cure any such failure within a reasonable time after notice from the City of Emeryville ("City"), then such failure shall be cause for nonissuance of a certificate of occupancy, revocation or modification of these approvals or any other remedies available to the City.
- G. <u>APPLICATION TO SUCCESSORS IN INTEREST</u>. These Conditions of Approval shall apply to any successor in interest in the property and Applicant shall be responsible for assuring that the successor in interest is informed of the terms and conditions of this zoning approval.

#### II. GENERAL CONDITIONS

INDEMNIFICATION. Applicant, its assignees, and successors-in-interest Α. shall defend, hold harmless, and indemnify the City of Emeryville, the City of Emeryville Redevelopment Agency, the Bay Cities Joint Powers Insurance Authority and their respective officials, officers, agents and employees (the AIndemnified Parties@) against all claims, demands, and judgments or other forms of legal and or equitable relief, which may or shall result from: 1) any legal challenge or referendum filed and prosecuted to overturn, set-aside, stay or otherwise rescind any or all final project or zoning approvals, analysis under the California Environmental Quality Act or granting of any permit issued in accordance with the Project; or 2) Applicant=s design, construction and/or maintenance of the public improvements set forth in the final building plans. Applicant shall pay for all direct and indirect costs associated with any action herein. Direct and indirect costs as used herein shall mean but not be limited to attorney=s fees, expert witness fees, and court costs including, without limitation, City Attorney time and overhead costs and other City Staff overhead costs and normal day-to-day business expenses incurred by the City including, but not limited to, any and all costs which may be incurred by the City in conducting an election as a result of a referendum filed to challenge the project approvals. The Indemnified Parties shall promptly notify the Applicant, its assignees, and successors-in-interest of any claim, demand, or legal actions that may create a claim for indemnification under this section and shall fully cooperate with Applicant, its assignees and successors-in-interest. [City Attorney]

#### B. PRIOR TO ISSUANCE OF A BUILDING PERMIT

1. <u>Fees, Dedications and Exactions</u>. Conditions of Approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions, attached as Exhibit A. Pursuant to Government Code Section 66020(d)(1), this set of Conditions of Approval constitutes written notice of a statement of the amount of such fees and a description of the dedications, reservations and other exactions. Applicant is hereby further notified that the 90-day approval period in which these fees, dedications, reservations and other exactions may be protested, pursuant to Government Code Section 66020(a) will begin upon approval of the aforementioned project approvals by the City of Emeryville Planning Commission. If Applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, Applicant will be legally barred from challenging such exactions.

Prior to the issuance of a building permit, the Building Official shall confirm that all applicable fees due at the issuance of a building permit have been paid. **[Building]** 

# C. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY

- 1. <u>Fees, Dedications and Exactions</u>. Prior to the issuance of a certificate of occupancy, the Building Official shall confirm that all applicable fees due at the issuance of a certificate of occupancy have been paid. **[Building]**
- 2. <u>Condominium Plan</u>. Any subdivision or condominium map review for purposes of dividing the residential portion of the property for sales as individual units shall include, as required, legal documentation pertaining to dedication or reservation of group or common open spaces, for the creation of a non-profit homeowners= association, for the long-term maintenance of the landscaped and common areas of the project and for performance bonds, pursuant to Emeryville Municipal Code Section 9-4.85.11 (c)(7). The map or condominium plan shall be filed prior to the issuance of a certificate of occupancy for the residential component. The map/plan and the CC&Rs for the homeowners= association shall include a condition that residential parking shall not be used for storage in lieu of needed parking. [City Attorney's Office]

#### III. BUILDING AND CONSTRUCTION REQUIREMENTS

#### A. PRIOR TO ISSUANCE OF A BUILDING PERMIT

- 1. <u>Plans</u>. Prior to the issuance of a building permit, the Building Official shall verify that the title sheet for the building permit drawings contains the following: **[Building]** 
  - a. Permit number.
  - b. Zoning district.
  - c. FAR (density per acre for residential).
  - d. Lot area in square feet.
  - e. Total number of parking spaces with parking spaces numbered on plans in a consecutive manner and consistent with the parking summary on the title page.
  - f. Building heights with height of any appurtenances noted.
  - g. Number and type of residential units (e.g. live/work, apartment, condo).
  - h. Detailed breakdown of floor areas.
  - i. Number of floors.
  - j. Total Impervious Surface area in square feet (from "Impervious Surface and Stormwater Treatment Measures Worksheet" provided by the City of Emeryville).
  - k. A list of the Multi-Family Green Building measures, developed by StopWaste.org, that are to be incorporated into the residential sections of the project and the total score for the project (with electronic version to be submitted to the Emeryville Public Works Department with notes on claimed points).
- 2. <u>Compliance with Applicable Codes</u>. Prior to the issuance of a building permit, the Building Official shall confirm that the building permit plans, specifications and other related information conform to the California Codes in effect at the time, and all other applicable local ordinances. Compliance with the California Codes and local ordinances shall include, but not be limited to, seismic and geotechnical requirements for Seismic Zone 4, and Title 24 energy conservation and disabled access requirements. [Building]
- 3. <u>Utility Service</u>. Prior to the issuance of a building permit, the Building Official shall confirm that the building permit plans, specifications and information include detailed plans for providing water, electrical, gas, telephone, and other like utilities services to the site, including a review of the existing services to the site and measures or improvements on-site that will be required to

> adequately serve the site, including the location and design of transformers (if above ground and if required) and all connections. All new and existing on-site electrical and communication lines shall be placed underground. All transformers shall be placed underground unless prior permission is granted by the City to place them above ground, in which case they shall be screened from public view by fencing, dense landscaping, or other acceptable means. **[Building]**

4. <u>Construction Sign</u>. Prior to the issuance of a building permit, Applicant shall submit a construction sign for approval by the Planning Director in accordance with the prototype provided. The sign shall be made of a permanent material with professional lettering. The sign shall be at least 2 feet by 3 feet with a minimum letter size of 2 inches. The sign shall include this information: the project name; name of the owner/developer; the name and phone number of a contact person, available at all times to address complaints and with the authority to control construction activity on the site; name and phone number of the contractor; and the approved hours of construction. The contact person should be the Noise Disturbance Coordinator listed below in Condition III.B.1.c.

The sign shall be posted at the time of placing temporary fencing and start of construction activity. At least one sign shall be placed along each public street frontage of the site in a location facing the street where the information can be easily read. Street frontages exceeding 300 feet in length shall have one sign per each 300-foot segment or fraction thereof. **[Planning]** 

- 6. <u>Fencing</u>. Prior to the issuance of a building permit, Applicant shall install temporary construction fence around the perimeter of the site that provides for continued pedestrian traffic meeting the standards of the Americans with Disabilities Act as approved by the Public Works Director. **[Public Works]**
- 7. <u>Approval of Regulatory Agencies</u>. Prior to the issuance of a building permit, Applicant shall submit to the Building Official copies of all other permits necessary from the applicable regulatory agencies. **[Building]**
- 8. <u>Approval of Hazardous Material Regulatory Agencies</u>. Prior to issuance of a building or grading permit, Applicant shall submit to the Planning Director confirmation that the proposed use of the site is acceptable to the appropriate regulatory agency (e.g. Regional Water Quality Control Board, Alameda County Department of Health or Department of Toxic Substances Control) and that any

> conditions prior to such use have been met. If a Risk Management Plan, Health and Safety Plan or similar document is required, then Applicant shall have such plan approved by the regulatory agency; shall submit copies to the Planning Director and Public Works Director; and shall comply with all provisions of such plan. [Planning and Public Works]

- 9. Lead and Asbestos. Prior to the issuance of a demolition or building permit, the Building Official shall confirm that a survey of lead-based paint (LBP) and asbestos-containing materials (ACMs) shall be completed and all identified ACMs and any loose or peeling LBP must be abated. If intact LBP is present on the site and not abated, demolition and construction activities must comply with the State=s construction lead standard (Title 8, California Code of Regulators, Section 1532.1). [Building]
- B. <u>DURING CONSTRUCTION</u>. Violations of the following conditions and any other applicable conditions may result in a stop work notice being issued or any other measures that the City deems necessary.
  - 1. <u>Construction Noise</u>.
    - a. *Hours.* Unless the City Council grants a waiver allowing different construction hours pursuant to Section 5-13.06 of the Emeryville Municipal Code, construction hours shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and pile driving activity shall be limited to 8:00 a.m. to 5:00 p.m., Monday through Friday. In an urgent situation, the City Manager, Planning and Building Director, or Public Works Director may approve weekend or night work pursuant to Section 5-13.05(e) of the Emeryville Municipal Code.
    - b. Equipment. All heavy construction equipment used on the project shall be maintained in good operating condition, with all internal combustion, engine-driven equipment equipped with intake and exhaust mufflers that are in good condition and as deemed to be practically feasible. All non-impact tools shall meet a maximum noise level of no more than 85 dB when measured at a distance of 50 feet. All stationary noise-generating equipment shall be located as far away as possible from neighboring property lines especially residential uses.
    - c. *Noise Disturbance Coordinator.* Applicant shall designate a "Noise Disturbance Coordinator" who shall be responsible for responding to any complaints about construction noise.

The Noise Disturbance Coordinator shall determine the cause of the noise complaint and shall require that reasonable measures warranted to correct the problem be implemented. Applicant shall conspicuously post a telephone number for the Noise Disturbance Coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. The Noise Disturbance Coordinator shall be the contact person listed on the construction sign required by Condition III.A.5 above.

2. <u>Street Debris</u>. All mud, dirt and construction debris carried off the construction site onto adjacent streets shall be removed and cleaned daily. Failure to adequately sweep the streets may result in the City undertaking the effort at Applicant=s cost.

# IV. PUBLIC IMPROVEMENTS

#### A. PRIOR TO ISSUANCE OF A BUILDING PERMIT

- <u>Street Improvements</u>. Prior to the issuance of a building permit, the Public Works Director shall confirm that the building permit plans, specifications and information include detailed improvements for all street frontages of the project (i.e. Ocean Avenue), including, but not limited to, construction or reconstruction of the curbs, gutters, sidewalks, driveways, curb cuts and street trees in conformance with the City of Emeryville standards and the Americans with Disabilities Act and implementing regulations and California accessibility regulations, unless the Public Works Director determines that the curb, gutter and sidewalk are already in conformance and in good condition. There shall be an effective width of at least 4 feet between obstacles (light poles, street signs, pedestrian seating, building frontages, landscaping, curb, etc.). [Public Works]
- 2. <u>Site Grading and Storm Drainage</u>. Development that contributes additional stormwater to an existing off-site drainage facility shall be required to perform a hydraulic review of the off-site drainage systems and shall be required to make improvements to the system as may be necessary to accommodate the additional stormwater flow. **[Public Works]**
- 3. <u>Sanitary Sewer</u>. Prior to the issuance of a building permit, the Public Works Director shall confirm that the building permit plans, specifications and information include detailed plans and design calculations for providing sewer service to the site. If an existing sanitary sewer lateral is to be reused, it shall comply with the City

> Sanitary Sewer Infiltration/Inflow Reduction Standards. As requested by the Public Works Director, Applicant shall be required to review the existing public sanitary sewer main to determine if there is sufficient capacity to serve the proposed project and shall be responsible to perform any off-site improvements that may be necessary to serve the proposed project. **[Public Works]**

- 4. <u>Underground Utility Lines</u>. All new and existing on-site electrical and communication lines shall be placed underground.
- 5. <u>Improvement Agreement</u>. Prior to the issuance of a building permit and as deemed appropriate by the Public Works Director, Applicant shall enter into an Improvement Agreement with the City of Emeryville to ensure the faithful performance of the design, construction, inspection and installation of all public improvements secured by good and sufficient surety bond or cash deposit adequate to cover all of the costs, inspections and administrative expenses of completing such improvement in the event of a default. **[City Attorney/Public Works]**

# B. <u>PRIOR TO BEGINNING CONSTRUCTION IN THE PUBLIC RIGHT OF</u> WAY

1. <u>Encroachment Permit</u>. Prior to beginning construction in the public right of way, Applicant shall apply for and receive an encroachment permit for all work and improvements within the City=s right of way or City easements. As required by the Public Works Director, Applicant shall post the required security and provide evidence of liability insurance as part of the encroachment permit process. Applicant shall pay for all inspection fees associated with work within the City=s right of way. **[Public Works]** 

# C. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY

1. <u>Completion of Public Improvements</u>. Prior to issuance of a certificate of occupancy, the Public Works Director shall confirm that all off-site and on-site public improvements are completed in accordance with the final building permit and improvement plans or that other arrangements acceptable to the Public Works Director have been made for ensuring that the work is completed, such as an irrevocable standby letter of credit. **[Public Works]** 

# D. <u>ONGOING</u>

1. <u>Damage to Public Facilities</u>. Applicant shall be deemed responsible for any damage to public improvements that occurs

> during construction and shall repair such damage at its expense and to the satisfaction of the Public Works Director, including but not limited to sidewalk repair, street slurry seal or street reconstruction.

# V. <u>PUBLIC SAFETY REQUIREMENTS</u>

#### A. PRIOR TO ISSUANCE OF A BUILDING PERMIT

1. <u>Fire Department Standards</u>. Prior to the issuance of a building permit, the Fire Department shall confirm that the final building plans include all fire and emergency safety measures as required by the Department, including access requirements, premises identification, key boxes, hydrants, fire protection systems and equipment and exiting and emergency illumination.

#### B. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY

- 1. <u>Site Security Management Plan</u>. Prior to the issuance of a certificate of occupancy, Applicant shall submit a Site Security Management Plan for approval by the Police Department, which shall address the attached Police Department standard specifications [Police]
- 2. <u>Fire Department Standards</u>. Prior to the issuance of a certificate of occupancy, the Fire Chief shall confirm compliance with the applicable Fire Department standards. **[Fire]**
- C. <u>ONGOING</u>
  - 1. <u>Compliance with Site Security Management Plan</u>. Applicant shall comply with the approved Site Security Management Plan during operations. **[Police]**
  - <u>Compliance with Fire Department Standards</u>. Applicant shall comply with the Fire Department Standards during operations. [Fire]

#### VI. DESIGN CONDITIONS AND SITE STANDARDS

- A. PRIOR TO ISSUANCE OF A BUILDING PERMIT
  - 1. <u>Elevations/Colors/Materials/Site Plan</u>. Prior to the issuance of a building permit, Applicant shall submit a color scheme, samples and details of all exterior elevations and building materials of sufficient size to the Planning Director for review and approval.

Materials to be submitted shall include, but not be limited to, all perimeter gates and fences, window treatments, storefront windows and doors, awnings, outdoor furniture, paving and lighting fixtures. **[Planning]** 

- 2. Landscaping Plans.
  - Prior to the issuance of a building permit, Applicant shall submit a detailed on-site landscaping and irrigation plan for the approval of the Planning Director. The plans shall conform to Article 54 of Chapter 4 of Title 9 of the Municipal Code and Section B of the attached Stormwater Pollution Prevention and Source Control Measures. The plans shall include species, number of plantings, size of plantings and specifications for the irrigation system. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon containers for shrubs and 24-inch box containers for trees. [Planning]
  - b.

Prior to the issuance of a building permit, Applicant shall submit a detailed off-site landscaping and irrigation plan for the approval of the Public Works Director. The plans shall conform to Article 54 of Chapter 4 of Title 9 of the Emeryville Municipal Code and Section B of the attached Stormwater Pollution Prevention and Source Control Measures. The plans shall include species, number of plantings, size of plantings and specifications for the irrigation system. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon containers for shrubs and 24-inch box containers for trees. Street trees shall be of a species approved by the Public Works Director and shall be spaced no farther than 25 feet on center or as approved by the Director. As part of the encroachment permit fees, the applicant will pay to have the City Consulting Arborist perform soil and drainage tests in the public right of way areas that will have tree plantings. The resulting report may require the applicant to pay for the installation of structural soil, as per City standards and in consultation with the arborist, under sidewalk areas, to provide adequate rootable soil volume areas for healthy street trees. The report shall also discuss proper drainage that shall be provided for all street trees which could entail extensive excavation for sumps or trenching with clean sand or rock backfill. All imported soils shall be tested and the results provided to the City for approval before import. Street trees may require tree grates and an automatic sprinkler system. Removal of any

> existing street trees shall comply with the provisions of Chapter 10 of Title 7 of the Emeryville Municipal Code, including, but not limited to, providing replacement trees of equal or cumulative diameter and/or payment of a replacement value fee as determined by a certified arborist, or combination thereof. The replacement tree shall be provided off-site but within the vicinity of the project site. [Public Works]

<u>Note</u>: The on-site and off-site landscaping and irrigation plans required by conditions (a) and (b) above may be combined into a single landscaping and irrigation plan showing both on-site and off-site improvements.

3. <u>Development Sign</u>. The project is allowed one development sign indicating developer, architect, contractor, etc. during construction that shall not exceed four square feet. Other development/ marketing signs may be approved administratively by the Planning Director provided that they are removed prior to issuance of a final certificate of occupancy. [Planning]

- 4. <u>Exterior Lighting</u>. Prior to issuance of a building permit, Applicant shall provide sufficient information for the Planning Director to confirm that exterior lighting for the project complies with the following standards and criteria: **[Planning]** 
  - a. Light fixtures attached to buildings shall be designed as an integral part of the building facades to highlight building forms and architectural details.
- 5. <u>Noise</u>. Prior to the issuance of a building permit, the Building Official shall confirm that the project is designed in order to limit noise exposure to those levels set forth in the Emeryville Municipal Code and General Plan. **[Building]**

#### B. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY

- 1. <u>Completion of Landscaping</u>.
  - a. Prior to issuance of a certificate of occupancy, the project landscape architect shall confirm to the Planning Director that all on-site landscaping is completed and in accordance with the final building permit and improvement plans, including off-site and public improvements, or that other acceptable arrangements acceptable have been made for ensuring that the work is completed, such as an irrevocable

standby letter of credit to cover all costs of the unfinished work plus 25 percent. **[Planning]** 

- b. Prior to issuance of a certificate of occupancy, the project landscape architect shall confirm to the Public Works Director that all off-site landscaping is completed and in accordance with the final building permit and improvement plans, including off-site and public improvements, or that other acceptable arrangements acceptable have been made for ensuring that the work is completed, such as an irrevocable standby letter of credit to cover all costs of the unfinished work plus 25 percent. **[Public Works]**
- 2. <u>Equipment/Storage</u>. Prior to issuance of a certificate of occupancy, the Planning Director shall confirm that: **[Planning]** 
  - a. All mechanical equipment, including electrical and gas meters, heating/air conditioning or ventilation units, radio/TV antennas or satellite dishes shall be appropriately screened from off-site view, and electrical transformers shall be either placed underground or appropriately screened.
  - b. All trash enclosures shall be completely screened and covered from off-site view by a solid fence or masonry wall at least six feet high and in harmony with the architecture of the building(s). Alternatively, the trash facilities may be placed within the building.
  - c. All visible vents, gutters, down spouts, flashings, and the like shall match the color of adjacent surfaces, or shall be incorporated into the overall exterior color and materials scheme for the building.

#### C. <u>ONGOING</u>

- 1. <u>Landscaping</u>. All landscaping improvements shall be maintained in a healthy, growing condition at all times. The landscaped areas shall be irrigated by an automatic sprinkler system designed to reduce water usage. Applicant shall replace all landscaping that dies with the exact living species, or substitutes approved by the Planning Director.
- 2. <u>No Outside Storage</u>. There shall be no outside storage of any type in parking areas. Those areas shall be kept free of obstruction and available for their designated use at all times. Boats, trailers,

> camper tops, inoperable vehicles and the like shall not be parked or stored on the parking areas.

- 3. <u>Maintenance and Graffiti Removal</u>. The site and improvements shall be well maintained and kept free of litter, debris, weeds and graffiti. Any graffiti shall be removed within 72 hours of discovery in a manner which retains the existing color and texture of the original wall or fence as most practically feasible.
- 4. <u>Noise</u>. The project shall operate in order to limit noise exposure to those levels set forth in the Emeryville Municipal Code and General Plan.
- 5. <u>Real Estate Signs in Public Right-of-Way</u>. Pursuant to Section 9-4.61.3(f) of the Emeryville Municipal Code, temporary directional real-estate signs indicating that a residential dwelling is open for public inspection, containing primarily the words "open house," the address of the property and the name of the firm to contact, on an "A" frame sign with no more than four square feet of sign area on each of two sides, may be placed off-site on public property on Saturdays and Sundays between the hours of 12:00 noon and 6:00 p.m., and are exempt from design review permits. Such signs are not allowed on public property, on-site, or elsewhere at any other time.
- 6. <u>Garages</u>. The garage shall be used for the purposes of parking vehicles only.

#### VIII. STORMWATER

- A. <u>GENERAL</u>.
  - 1. <u>Design, Construction, Operation, and Maintenance</u>. The project shall be designed, constructed, operated, and maintained in conformance with the attached "Stormwater Pollution Prevention and Source Control Measures" ("Stormwater Measures") and the City's "Stormwater Guidelines for Green Dense Redevelopment" ("Stormwater Guidelines").
  - 2. <u>Site Grading and Storm Drainage</u>. Prior to the issuance of a building permit, the Public Works Director shall confirm that the building permit plans, specifications and information include detailed site drainage, grading plans and hydraulic calculations in conformance with the City=s stormwater runoff requirements and specifications. All runoff from the site shall be intercepted at the

> project boundary, and shall be collected and conducted via an approved drainage system through the project site to an approved public storm drain facility. No concentrated drainage of surface flow across sidewalks shall be permitted. Grading and drainage plans shall conform to Section A of the attached Stormwater Measures. [Public Works]

- 3. <u>Site Plan</u>. The site plan shall conform to Section B of the attached Stormwater Measures. [Public Works]
- 4. <u>Operations and Maintenance Agreement</u>. Prior to the issuance of a building permit, Applicant shall enter into a Stormwater Treatment Measures Operation and Maintenance Agreement with the City of Emeryville to ensure the faithful performance of the design, construction, operation, and maintenance of the stormwater treatment systems. **[City Attorney/Public Works]**
- C. <u>DURING CONSTRUCTION</u>. Applicant and contractor shall comply with Section C of the attached Stormwater Measures. [Public Works]
- D. PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY
  - <u>Commitment to the Stormwater Pollution Prevention Practices</u>. Prior to the issuance of a certificate of occupancy, Applicant shall submit evidence of commitment to the stormwater pollution prevention practices, as detailed in Section D of the attached Stormwater Measures. [Public Works]</u>
  - 2. <u>Completion of Construction of Stormwater Treatment Systems</u>. Prior to issuance of a certificate of occupancy, the Public Works Director shall confirm that the stormwater treatment systems are properly installed and functioning. **[Public Works]**
- E. <u>ONGOING</u>. The owner/operator of the facility shall permit, in perpetuity, allow city representatives to enter the property during and after construction in order to perform periodic inspection of stormwater treatment facilities.

#### Attachments:

Fee Chart Construction Sign Prototype Stormwater Pollution Prevention and Source Control Measures

#### PROJECT

# 1258 Ocean Ave Unit A (Ocean) - roof deck additio

PRELIMINARY FEE CALCULATIONS

Valuation

\$ 48,150.00

Print Date: January 25, 2018

			PAYMENT	AN	IOUNT			
SUMMARY OF ALL FEES	FEES		DATE	I	PAID	AMC	DUNT DUE	NOTES
Building Permit Fee	\$	385.20	1	\$	-	\$	385.20	
Plan Review Fee	\$	250.38		\$	-	\$	250.38	Estimated Permit Fee Calcs
Energy Review Fee	\$	48.15		\$	-	\$	48.15	as adjusted increase based on
Electrical Permit Fee	\$	77.04		\$	-	\$	77.04	additional Valuation
Plumbing Permit Fee	\$	69.34		\$	-	\$	69.34	
Mechanical Permit Fee	\$	65.49		\$		\$	65.49	
S.M.I.P.	\$	6.26		\$	÷	\$	6.26	
Microfiche	\$	3.85		\$	-	\$	3.85	
Fire Department Fees	\$	-		\$	-	\$	-	
Fire Suppression Fees	\$	1				\$	-	
Sewer Connection Fees	\$	-		\$	-	\$	-	
Bay-Shell-Mound Contingent Fees	\$				1.1	\$	-	
Transportation Facility Fees	\$			\$	÷ .	\$	-	
School Fees	\$	-		\$	-	\$	-	No additional assessable F.A.
Art In Public Places	\$	-		\$	-	\$	-	
Technology Fee	\$	48.15		\$	<u>4</u>	\$	48.15	
Building Standards Commission Fee	\$	2.00		\$	-	\$	2.00	
General Plan Maintenance Fee	\$	240.75		\$	-	\$	240.75	
Affordable Housing	\$	-		\$	-	\$	-	
Park and Recreation	\$	-		\$	-	\$		
TOTAL:	\$ 1	,196.61		\$	-	\$	1,196.61	1,196.61
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Business License Fees \$

50.00

#### CITY OF EMERYVILLE CALCULATION OF BUILDING FEES:

PROJECT: 1258 Ocean Ave Unit A (Ocean) - roof deck addition

PRELIMINARY FEE CALCULATIONS

DATE: January 25, 2018

PREPARED BY: Courtney Barrett

# FEES ARE BASED UPON THE VALUATION OF THE PROJECT. "VALUATION OF A BUILDING SHALL BE THE ESTIMATED COST TO REPLACE THE BUILDING AND STRUCTURE IN KIND, BASED ON CURRENT COSTS .... "

This fee calculation is based upon the information submitted to the Building Department.

FEES BASED ON VALUATION OF: \$		48,150.00
TYPE OF PERMIT OR FEE	AM	OUNT
BUILDING PERMIT FEE (See calculation below)	\$	385.20
PLAN REVIEW FEE (65% of Building Permit Fee / 50% for Residential < )	\$	250.38
ENERGY CONSERVATION REVIEW FEE (12.5% of Building Permit Fee)	\$	48.15
ELECTRICAL PERMIT FEE (20% of Building Permit Fee)	\$	77.04
PLUMBING PERMIT FEE (18% of Building Permit Fee)	\$	69.34
MECHANICAL PERMIT FEE (17% of Building Permit Fee)	\$	65.49
S.M.I.P. (Res. <= 3 story = 0.00013 or 0.00028 of the Valu.)	\$	6.26
MICROFICHE Valuation < \$ 100,000 = \$ 1.00/ Page. # of Pages	×	
Valuation > \$ 100,000 = 1% of Bldg. Permit FBldg Permit Fee * 1%	\$	3.85
FIRE DEPARTMENT FEES (New Construction, T.I's - 35% of Building Permit Fee)	\$	-
FIRE SUPPRESSION FEES - Separate Submittal - (See calculation below)	\$	_
SEWER CONNECTION FEE * New traps - traps removed	\$	_
\$265.00 per Trap or \$1326.00 per Dwelling Unit Number of Dwelling Units		
BAY SHELLMOUND FEES	\$	-
TRANSPORTATION FACILITY FEE (effective July 1, 2017 - June 30, 2018)	\$	-
EMERY UNIFIED SCHOOL DISTRICT FACILITIES DEVELOPMENT FEE (See calculation be	low) \$	-
ART IN PUBLIC PLACES (Residential Projects > 19 units Artwork or in-lieu fee -0.5% of valu.	) \$	-
TECHNOLOGY FEE (Effective February 3, 2010 - 0.1% of Valuation)	\$	48.15
BUILDING STANDARDS COMMISSION FEE (\$ 1.00 per \$ 25k Valuation)	\$	2.00
GENERAL PLAN MAINTENANCE FEE (Effective May 20, 2004 - 0.5% of Valuation)	\$	240.75
AFFORDABLE HOUSING (effective July 1, 2016 - June 30, 2017)	\$	-
PARKS AND RECREATION (effective July 1, 2016 - June 30, 2017)	\$	-
	OTAL \$	1,196.61

\* Unable to determine the sewer connection fees at this time with the information provided.

FEES ARE BASED ON THE USE, GROSS FLOOR AREA, TYPE OF CONSTRUCTION, NUMBER OF STORIES, AND NUMBER OF PLUMBING TRAPS. IF ANY OF THESE FACTORS CHANGE, THE FEES WILL CHANGE.

FEE PAY	MENT SCHEDULE:
AT SUBMIT	TAL OF INITIAL BUILDING PERMIT APPLICATION AND PLANS:
1	Plan Review Fee for the Entire Project.
2	Energy Conservation Review Fee.
AT ISSUAN	CE OF FIRST BUILDING PERMIT
	(All of the following fees shall be paid with the issuance of the first permit for phased permits.) Building Permit Fee. (Plumbing, Electrical & Mechanical permits may be taken out by the
	General Contractor or by the subs. These permits may not be divided into phases. The entire sewe
	connection fee shall be paid with the plumbing permit.)
-	Microfiche Fee
	Bay/Shellmound Contingent Assessment
	School District Facilities Impact Fee General Contractor's Business License
7.	Art in Public Places: For non-residential projects exceeding \$300,000 valuation 1% of the project
	valuation is required for Art in Public Places.
8	Business Licenses: City of Emeryville Business Licenses are required from the contractor.
	OCCUPANCY OF THE BUILDING AND RELEASE OF THE FINAL UTILITY METER:
1 '	Traffic Impact Fee.
	Any and all outstanding fees; including charges for review of changes to approved plans or increased fees due to increased project valuation.
	Final business license fees will be calculated by the finance department for all projects with a
	valuation in excess of 1,000,000.00 (one million) dollars. These fees must be paid prior to building occupancy.
	If public art is to be installed it shall be in place.

VALUATIC	N CALCUL	ATIONS:								÷					1 × 1
Type of Const.	Use	Number of Floors	Gross Floor Area		quare Foot S Cost		Sprinklers + \$5.02		Air Cond. + 8.11/6.76		Modifier x 1.16		Story > 3, +5% ea.		tal Valuation
			(sq.ft.)		(\$)		\$5.02	. \$	\$6.76		1.16	(\$)			(\$)
VB	Roof deck	3	1,070	\$	45.00	\$	45.00	\$	45.00	\$	45.00	\$	45.00	\$	48,150.00
						\$	5.02	\$	5.02	\$	5.02	\$	5.02	\$	-
						\$	5.02	\$	11.78		\$13.66	\$	13.66	\$	
Totals		3	1,070	-				-						\$	48,150.00
Exist. Bldg	g. Adjustme	ent - 80%	( No credit	for	existin	g sj	orinkler	s oi	HVAC)	1					
		×				\$	5.02	\$	13.13		\$14.84			\$	-
T.I. ONLY	Adjustmen	t * 20%				ŝ,								- 1 - 1	
				\$	-	\$	1.00	\$	2.36	\$	2.66			\$	-
DECLARE	D VALUAT	ION												\$	15,000.00
												то	TAL	\$	48,150.00

**BUILDING PERMIT FEE CALCULATIONS:** (Valuation is the replacement cost of the project once it is completed.) Grading, Demolition and Fire Sprinkler Permits are calculated in the same way except that the contract price may be used instead of the valuation.

TOTAL VALUATION	\$			 48,150.00
VALUATION BASIS	AMOUNT	CENTAGE		TOTAL
\$ 1.00 - \$ 50,000.00	\$ 48,150.00		0.80%	\$ 385.20
\$ 50,000.00 - \$ 250,000.00	\$ -		0.80%	\$ -
Over \$ 250000.00	\$ -		0.80%	\$ -
	 BUIL	DING PER	MIT FEE:	\$ 385.20

EMERY UNIFIED SCHOOL FAC	ILITIES DEVELOPME	NT FEE CALC	ULATIO	<b>N:</b> (D78)				
TYPE OF PROJECT	AREA	FEE/SQ.FT.		TOTAL FEE				
Commercial		\$	0.47	\$	-			
Live/work		\$	1.72	\$	-			
Residential		\$	2.97	\$	-			
Existing Building Credit		\$	0.47	\$	-			
Low Income Housing Credit	\$	-						
	SCHOOL DISTRICT FEE:							

(School fees reflect the new fees effective May 29, 2007)

School Facilities Development Fees are due and payable at the Building Division at the time of issuance of the first building permit for the project. An applicant who believes the fee is not justified shall pay the fee and appeal directly to the Emery School District.

#### PROJECT

#### 1258 Ocean Ave Unit B (Peabody) - roof deck addit

PRELIMINARY FEE CALCULATIONS

Valuation

\$ 40,275.00

Print Date: January 25, 2018

SUMMARY OF ALL FEES	FEES			PAYMENT DATE	MOUNT PAID	AMO	UNT DUE	NOTES
Building Permit Fee	\$	322.20			\$ -	\$	322.20	
Plan Review Fee	\$	209.43	1		\$ -	\$	209.43	Estimated Permit Fee Calcs
Energy Review Fee	\$	40.28			\$ -	\$	40.28	as adjusted increase based on
Electrical Permit Fee	\$	64.44			\$ -	\$		additional Valuation
Plumbing Permit Fee	\$	57.99			\$ -	\$	57.99	2
Mechanical Permit Fee	\$	54.77			\$ -	\$	54.77	
S.M.I.P.	\$	5.24			\$ -	\$	5.24	
Microfiche	\$	3.22			\$ Ξ.	\$	3.22	
Fire Department Fees	\$	-			\$ -	\$	-	
Fire Suppression Fees	\$	-				\$	-	
Sewer Connection Fees	\$	-			\$ -	\$	-	
Bay-Shell-Mound Contingent Fees	\$	-				\$	-,	
Transportation Facility Fees	\$	-			\$ -	\$	-	
School Fees	\$	-			\$ -	\$		No additional assessable F.A.
Art In Public Places	\$	-			\$ -	\$	-	
Technology Fee	\$	40.28			\$ -	\$	40.28	
Building Standards Commission Fee	\$	2.00			\$ · · · ·	\$	2.00	
General Plan Maintenance Fee	\$	201.38			\$ -	\$	201.38	
Affordable Housing	\$	-			\$ -	\$	-	
Park and Recreation	\$	-			\$ -	\$	-	
TOTAL:	\$	1,001.21			\$ -	\$	1,001.21	1,001.21

#### FEES TO BE PAID AT PLAN CHECK SUBMITTAL:

Plan Review Fee	\$ 209.43	3 \$	-	\$ 209.43	
Energy Review Fee	\$ 40.28	3 \$	-	\$ 40.28	
Other Fees	**				
Sub Total:	\$ 249.71	s s	-	\$ 249.71	

# FEES TO BE PAID AT PERMIT ISSUANCE:

TEES TO DETAID AT TERMIT 155	Unit	CE.				_		
Building Permit Fee	\$	322.20		\$	-	\$	322.20	
Electrical Permit Fee	\$	64.44		\$	-	\$	64.44	1
Plumbing Permit Fee	\$	57.99		\$	-	\$	57.99	
Mechanical Permit Fee	\$	54.77		\$	-	\$	54.77	1
S.M.I.P.	\$	5.24		\$	-	\$	5.24	*
Microfiche	\$	3.22		\$	-	\$	3.22	1
Fire Department Fees	\$	-		\$	-	\$	-	1
Fire Suppression Fees	\$	-		\$	-	\$	-	
Sewer Connection Fees	\$	-		\$	-	\$	-	
Bay-Shell-Mound Contingent Fees	\$	-		\$	-	\$	-	
Transportation Facility Fees	\$	×		\$	-	\$	-	
School Fees	\$	-		\$	-	\$	-	
Art In Public Places	\$	-		\$	-	\$	-	
Technology Fee	\$	40.28		\$	-	\$	40.28	
Building Standards Commission Fee	\$	2.00		\$	-	\$	2.00	
General Plan Maintenance Fee	\$	201.38		\$	-	\$	201.38	
Affordable Housing	\$	-		\$	-	\$	-	
Park and Recreation	\$	-		\$	-	\$	-	
Sub Total:	\$	751.51		\$	-	\$	751.51	
	_		_					
Business License Fees	\$	50.00						{Fees Calculated By Finance}

#### CITY OF EMERYVILLE CALCULATION OF BUILDING FEES:

January 25, 2018

PROJECT: 1258 Ocean Ave Unit B (Peabody) - roof deck addition PRELIMINARY FEE CALCULATIONS

DATE:

PREPARED BY: Courtney Barrett

# FEES ARE BASED UPON THE VALUATION OF THE PROJECT. "VALUATION OF A BUILDING SHALL BE THE ESTIMATED COST TO REPLACE THE BUILDING AND STRUCTURE IN KIND, BASED ON CURRENT COSTS ..... "

This fee calculation is based upon the information submitted to the Building Department.

FEES BASED ON VALUATION OF:	\$		40,275.00
TYPE OF PERMIT OR FEE	ŀ	AMOU	INT
BUILDING PERMIT FEE (See calculation below)		\$	322.20
PLAN REVIEW FEE (65% of Building Permit Fee / 50% for Residential < )		\$	209.43
ENERGY CONSERVATION REVIEW FEE (12.5% of Building Permit Fee)		\$	40.28
ELECTRICAL PERMIT FEE (20% of Building Permit Fee)		\$	64.44
PLUMBING PERMIT FEE (18% of Building Permit Fee)		\$	57.99
MECHANICAL PERMIT FEE (17% of Building Permit Fee)	-	\$	54.77
S.M.I.P. (Res. <= 3 story = 0.00013 or 0.00028 of the Valu.)		\$	5.24
MICROFICHE Valuation < \$ 100,000 = \$ 1.00/ Page. # of Pages			
Valuation > \$ 100,000 = 1% of Bldg. Permit FBldg Permit Fee * 1%		\$	3.22
FIRE DEPARTMENT FEES ( New Construction, T.I's - 35% of Building Permit Fee)		\$	-
FIRE SUPPRESSION FEES - Separate Submittal - (See calculation below)		\$	-
SEWER CONNECTION FEE * New traps - traps removed		\$	-
\$265.00 per Trap or \$1326.00 per Dwelling Unit Number of Dwelling Units			
BAY SHELLMOUND FEES		\$	-
TRANSPORTATION FACILITY FEE (effective July 1, 2017 - June 30, 2018)		\$	
EMERY UNIFIED SCHOOL DISTRICT FACILITIES DEVELOPMENT FEE (See calculation b	pelow)	\$	-
ART IN PUBLIC PLACES (Residential Projects > 19 units Artwork or in-lieu fee -0.5% of va		\$	-
TECHNOLOGY FEE (Effective February 3, 2010 - 0.1% of Valuation)		\$	40.28
BUILDING STANDARDS COMMISSION FEE (\$ 1.00 per \$ 25k Valuation)		\$	2.00
GENERAL PLAN MAINTENANCE FEE (Effective May 20, 2004 - 0.5% of Valuation)		\$	201.38
AFFORDABLE HOUSING (effective July 1, 2016 - June 30, 2017)		\$	-
PARKS AND RECREATION (effective July 1, 2016 - June 30, 2017)		\$	-
	TOTAL	\$	1,001.21

\* Unable to determine the sewer connection fees at this time with the information provided.

FEES ARE BASED ON THE USE, GROSS FLOOR AREA, TYPE OF CONSTRUCTION, NUMBER OF STORIES, AND NUMBER OF PLUMBING TRAPS. IF ANY OF THESE FACTORS CHANGE, THE FEES WILL CHANGE.

FEE PAYMENT SCHEDULE:
AT SUBMITTAL OF INITIAL BUILDING PERMIT APPLICATION AND PLANS:
1 Plan Review Fee for the Entire Project.
2 Energy Conservation Review Fee.
AT ISSUANCE OF FIRST BUILDING PERMIT
(All of the following fees shall be paid with the issuance of the first permit for phased permits.) 1 Building Permit Fee. (Plumbing, Electrical & Mechanical permits may be taken out by the
General Contractor or by the subs. These permits may not be divided into phases. The entire sewer connection fee shall be paid with the plumbing permit.)
2 S.M.I.P
3 Microfiche Fee
4 Bay/Shellmound Contingent Assessment
5 School District Facilities Impact Fee
6 General Contractor's Business License
7 Art in Public Places: For non-residential projects exceeding \$300,000 valuation 1% of the project valuation is required for Art in Public Places.
8 Business Licenses: City of Emeryville Business Licenses are required from the contractor.
PRIOR TO OCCUPANCY OF THE BUILDING AND RELEASE OF THE FINAL UTILITY METER:
1 Traffic Impact Fee.
2 Any and all outstanding fees; including charges for review of changes to approved plans or increased fees due to increased project valuation.
3 Final business license fees will be calculated by the finance department for all projects with a valuation in excess of 1,000,000.00 (one million) dollars. These fees must be paid prior to building
occupancy.
4 If public art is to be installed it shall be in place.

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VALUATION CALCULATIONS:															
Type of Const.	Use	Number of Floors	Gross Floor Area	Square Foot Cost		Sprinklers + \$5.02		Air Cond. + 8.11/6.76		Modifier x 1.16		Story > 3, +5% ea.		Total Valuation	
			(sq.ft.)	(\$)		\$5.02		\$6.76		1.16		(\$)		(\$)	
VB	Roof deck	3	895	\$	45.00	\$	45.00	\$	45.00	\$	45.00	\$	45.00	\$	40,275.00
						\$	5.02	\$	5.02	\$	5.02	\$	5.02	\$	-
						\$	5.02	\$	11.78		\$13.66	\$	13.66	\$	-
Totals		3	895											\$	40,275.00
Exist. Bldg. Adjustment - 80% (No credit for existing sprinklers or HVAC)															
		Ŷ				\$	5.02	\$	13.13		\$14.84			\$	-
T.I. ONLY	T.I. ONLY Adjustment * 20%														
				\$	-	\$	1.00	\$	2.36	\$	2.66			\$	-
DECLARED VALUATION											\$	15,000.00			
												то	TAL	\$	40,275.00

**BUILDING PERMIT FEE CALCULATIONS:** (Valuation is the replacement cost of the project once it is completed.) Grading, Demolition and Fire Sprinkler Permits are calculated in the same way except that the contract price may be used instead of the valuation.

TOTAL VALUATION	\$	;			40,275.00		
VALUATION BASIS	۵	MOUNT	CENTAGE			TOTAL	
\$ 1.00 - \$ 50,000.00	\$ 40	),275.00		0.80%	\$	322.20	
\$ 50,000.00 - \$ 250,000.00	\$	-		0.80%	\$	-	
Over \$ 250000.00	\$	-		0.80%	\$	-	
	\$	322.20					

EMERY UNIFIED SCHOOL FACILITIES DEVELOPMENT FEE CALCULATION: (D78)									
TYPE OF PROJECT	AREA	FEE/SQ.FT		TOTAL FEE					
Commercial		\$	0.47	\$	-				
Live/work		\$	1.72	\$	_				
Residential		\$	2.97	\$	-				
Existing Building Credit		\$	0.47	\$	-				
Low Income Housing Credit				\$	-				
	\$								

(School fees reflect the new fees effective May 29, 2007)

School Facilities Development Fees are due and payable at the Building Division at the time of issuance of the first building permit for the project. An applicant who believes the fee is not justified shall pay the fee and appeal directly to the Emery School District.

Construction Sign - Minimum 2" letters

XYZ PROJECT ACE DEVELOPMENT COMPANY **Approved Construction Hours:** 7am to 6pm Monday through Friday **Contractor: Acme Construction** 123-456-7890 For complaints or concerns call Joe Smith at 098-765-4321

2 feet

3 feet

# ATTACHMENT TO CONDITIONS OF APPROVAL STORMWATER POLLUTION PREVENTION AND SOURCE CONTROL MEASURES City of Emeryville Revised 2/2016

#### A. <u>Grading and Drainage</u>

- 1. Plans shall incorporate appropriate site design measures to minimize impacts to water quality. These may include, but are not limited to, the following: (a) minimizing impervious surfaces, especially directly-connected impervious surfaces, (b) clustering buildings, (c) preserving quality open space, (3) maintaining and/or restoring riparian areas and wetlands and establishing vegetated buffer areas to minimize the volume of stormwater runoff and the pollutants in the stormwater. The City has adopted an Ordinance that addresses approved treatment measures and sizing criteria, available on the City's website. A permit application and design worksheets are also on the City's website, at <a href="http://www.ci.emeryville.ca.us/335/Stormwater">http://www.ci.emeryville.ca.us/335/Stormwater</a>. Plans shall include stormwater pollution prevention and control features as required by the City's current NPDES permit.
- 2. The City of Emeryville requires that treatment measures be constructed for applicable projects, as defined in section C.3.c. of the City's NPDES permit. These measures must incorporate, at a minimum, the hydraulic sizing criteria outlined in the Alameda County Clean Water Program's Technical Guidance Manual, available at <u>http://www.cleanwaterprogram.org/c3-guidance-table/item/c3-guidance-table.html</u>.
- 3. The design of any stormwater treatment measures must incorporate the treatment control design guidance for vector control included in Appendix G of the Technical Guidance Manual.
- 4. Access to treatment devices must be maintained. Design stormwater treatment devices to be easily and safely accessible without the need for special requirements (e.g., OSHA requirements for "confined spaces.") If utilizing covers, include in the design spring-loaded or light-weight access hatches that can be opened easily for inspection.
- 5. All on-site storm drain inlets shall be stenciled or labeled "No Dumping! Flows to Bay" or equivalent, using methods approved by the City.
- 6. Construction access routes shall be limited to those approved by the City Engineer and shall be shown on the approved grading plan.
- 7. Prior to the commencement of any clearing, grading, and/or excavation resulting in a land disturbance of one acre or more, the applicant shall submit the following documents to the City, both of which should be checked daily, especially around storm events, and updated as necessary. A daily log should be kept stating that BMPs have been checked and are effective. The necessary documents are:
  - a. A copy of the project's Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall contain the erosion, sediment and pollution control BMPs (some of which are described in

Section C of this document), and the BMPs shall be in place before any work begins, as appropriate for that phase of construction.

- b. Evidence to the City that a Notice of Intent (NOI) has been submitted to the State Water Resources Control board.
- 8. For projects involving clearing, grading or excavation resulting in disturbance of less than one acre of land, the applicant shall have in place erosion, sediment and pollution controls (described in Section C of this document) to the maximum extent practicable using the current standard BMPs as required by the City.

#### B. Site Plan and Source Control Measures

The site plan shall include the following items:

- 1. Stormwater Measures and Calculations as Defined in the Technical Guidance Manual
- 2. Refuse and Recycling Areas
  - a. New or redevelopment projects such as food service facilities, recycling facilities, multi-family residential complexes or similar facilities shall provide a roofed and enclosed area for waste, recycling, and compostables containers. The area shall be designed to prevent water run-on to the area and runoff from the area and to contain litter and trash, so that it is not dispersed by the wind or runoff during waste removal.
  - b. Any drains installed in or beneath dumpsters, compactors, and tallow bin areas serving food service facilities shall be connected to a grease removal device and/or treatment devices prior to discharging to the sanitary sewer. The applicant shall contact the local permitting authority and EBMUD for specific connection and discharge requirements.
  - c. Runoff from food service areas, recycling areas, and/or food compactor enclosures or similar facilities shall not discharge to the storm drain system.
- 3. Vehicle/Equipment and Commercial/Industrial Cleaning
  - a. Wastewater from vehicle and equipment washing operations shall not be discharged to the storm drain system.
  - b. Commercial/industrial facilities having vehicle/equipment cleaning needs and new residential complexes of 25 units or greater shall either provide a roofed, bermed area for washing activities or discourage vehicle/equipment washing by removing hose bibs (faucets) and installing signs prohibiting such uses. Vehicle/equipment washing areas shall be paved, designed to prevent run-on to or runoff from the area, and plumbed to drain to the sanitary sewer. A sign shall be posted indicating the location and allowed uses in the designated wash area. The applicant shall contact the local permitting authority and EBMUD for specific connection and discharge requirements.

- c. Commercial car wash facilities shall be designed and operated such that no runoff from the facility is discharged to the storm drain system. Wastewater from the facility shall discharge to the sanitary sewer. The applicant shall contact EBMUD for specific connection and discharge requirements.
- 4. Loading Docks
  - a. Loading docks shall be graded to minimize run-on to and runoff from the loading area [and/or be covered]. Roof downspouts shall be positioned to direct stormwater away from the loading area. Stormwater runoff from loading dock areas shall be connected to a post-construction stormwater treatment measure prior to discharge to the storm drain system. The applicant shall contact the local permitting authority for specific connection and discharge requirements.
  - b. Door skirts between the trailers and the building shall be installed to prevent exposure of loading activities to rain, unless one of the following conditions apply:: the loading dock is covered, or the applicant demonstrates that rainfall will not result in an untreated discharge to the storm drain system.
- 5. Food Service Equipment Cleaning
  - a. Food service facilities (including restaurants and grocery stores) shall have a cleaning area for floor mats, containers, and equipment which is connected to a grease interceptor prior to discharging to the sanitary sewer system. The cleaning area shall be large enough to clean the largest mat or piece of equipment to be cleaned. The cleaning area shall be indoors or in a roofed area outdoors; in either case it must be plumbed to the sanitary sewer. Outdoor cleaning areas shall be designed to prevent stormwater run-on from entering the sanitary sewer and to prevent stormwater run-off from carrying pollutants to the storm drain. Signs shall be posted indicating that all food service equipment washing activities shall be conducted in this area. The applicant shall contact EBMUD for specific connection and discharge requirements.
- Outdoor Process Activities/Equipment (Examples of businesses that may have outdoor process activities and equipment include machine shops and auto repair shops, and industries that have pretreatment facilities.)
  - a. Process activities shall be performed either indoors or in roofed outdoor areas. If performed outdoors, the area shall be designed to prevent run-on to and runoff from the area with process activities.
  - b. Process equipment areas shall drain to the sanitary sewer system. The applicant shall contact EBMUD for specific connection and discharge requirements.
- 7. Fuel Dispensing Areas
  - a. Fueling areas shall have impermeable surfaces (i.e., Portland cement concrete or equivalent smooth impervious surface) that are: a) graded at the minimum slope necessary to prevent

ponding; and b) separated from the rest of the site by a grade break that prevents run-on of stormwater to the maximum extent practicable.

- b. Fueling areas shall be covered by a canopy that extends a minimum of ten feet in each direction from each pump. Alternative: The fueling area must be roofed and the roof's minimum dimensions must be equal to or greater than the area within the grade break or fuel dispensing area which is defined as the area extending a minimum of 6.5 feet from the corner of each fuel dispenser or the length at which the hose and nozzle assembly may be operated plus a minimum of one foot, whichever is greater. The canopy or roof shall not drain onto the fueling area.
- 8. Pesticide/Fertilizer Application
  - a. Landscapes and gardens should incorporate Bay-Friendly practices, as described at: <u>https://www.bayfriendlycoalition.org/BFRated-why.shtml</u>.
  - b. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
  - c. Structures shall be designed to discourage the occurrence and entry of pests into buildings, thus minimizing the need for pesticides. For example, dumpster areas should be located away from occupied buildings, and building foundation vents shall be covered with screens.
  - d. If a landscaping plan is required as part of a development project application, the plan shall meet the following conditions related to reduction of pesticide use on the project site:
    - i. Where feasible, landscaping shall be designed and operated to treat stormwater runoff by incorporating elements that collect, detain, and infiltrate runoff. Plants suitable for treatment areas are specified in Appendix B of the Technical Guidance document referenced above.
    - ii. Landscapes over 500 square feet in size must comply with the City's Water Efficient Landscape Ordinance (WELO) requirements, available at: <u>http://www.ci.emeryville.ca.us/documentcenter/view/1754</u>.
  - iii. Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
  - iv. Existing native trees, shrubs, and ground cover shall be retained and incorporated into the landscape plan to the maximum extent practicable.
  - v. Proper maintenance of landscaping, with minimal pesticide use, shall be the responsibility of the property owner.

- vi. Integrated pest management (IPM) principles and techniques shall be encouraged as part of the landscaping design. Examples of IPM principles and techniques include:
  - a. Select plants that are well adapted to soil conditions at the site.
  - b. Select plants that are well adapted to sun and shade conditions at the site. Consider future conditions when plants reach maturity. Consider seasonal changes and time of day.
  - c. Provide irrigation appropriate to the water requirements of the selected plants.
  - d. Select pest- and disease-resistant plants.
  - e. Plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
  - f. Use "insectary" plants in the landscaping to attract and keep beneficial insects.

#### 9. Interior Floor Drains

Interior floor drains shall be plumbed to the sanitary sewer system and shall not be connected to storm drains. The applicant shall contact the local permitting authority and EBMUD for specific connection and discharge requirements.

#### 10. Parking Garages

Interior level parking garage floor drains shall be connected to the sanitary sewer system. The applicant shall contact the City of Emeryville and EBMUD for specific connection and discharge requirements.

- 11. Pool, Spa, and Fountain Discharges
- a. Pool (including swimming pools, hot tubs, spas and fountains) discharge drains shall not be connected directly to the storm drain or sanitary sewer system, unless the connection is specifically approved by EBMUD.
- b. Subject to local requirements, when draining is necessary, a hose or other temporary system shall be directed into a sanitary sewer clean out. The clean out shall be installed in a readily accessible area, example: within 10 feet of the pool. The applicant shall contact the local permitting authority and EBMUD for specific connection and discharge requirements.
- c. Subject to local requirements, swimming pool, spa and fountain water may be allowed to discharge to the storm drains if the water has been dechlorinated, the water is within ambient temperature, and no copper-based algae control products have been added to the water.
  - e. If commercial and public swimming pool discharges are discharged to land where the water would not flow to a storm drain or to a surface water, the discharge may be subject to the requirements of the State Water Resources Control Board's (SWRCB) Statewide General Waste Discharge Requirements (WDRs) for Discharges to Land with a Low Threat to Water Quality.

- 12. Outdoor Equipment/Materials Storage
  - a. All outdoor equipment and materials storage areas shall be covered and bermed, or shall be designed with BMPs to limit the potential for runoff to contact pollutants
  - b. Storage areas containing non-hazardous liquids shall be covered by a roof and drain to the sanitary sewer system, and be contained by berms, dikes, liners, vaults or similar spill containment devices. The applicant shall contact the local permitting authority and EBMUD for specific connection and discharge requirements.
  - c. All on-site hazardous materials and wastes, as defined and/or regulated by the California Public Health Code and the local Certified Unified Program Agency (CUPA), (for Emeryville this is the Alameda County Environmental Health Department), must be used and managed in compliance with the applicable CUPA program regulations and the facility hazardous materials management plan approved by the CUPA authority.
- 13. Vehicle/Equipment Repair and Maintenance
  - a. Vehicle/equipment repair and maintenance shall be performed in a designated area indoors, or if such services must be performed outdoors, in an area designed to prevent the run-on and runoff of stormwater.
  - b. Secondary containment shall be provided for exterior work areas where motor oil, brake fluid, gasoline, diesel fuel, radiator fluid, acid-containing batteries or other hazardous materials or hazardous wastes are used or stored. Drains shall not be installed within the secondary containment areas.
  - c. Vehicle service facilities shall not contain floor drains [unless the floor drains are connected to wastewater pretreatment systems prior to discharge to the sanitary sewer, for which an industrial waste discharge permit has been obtained. The applicant shall contact the local permitting authority and EBMUD for specific connection and discharge requirements.]
  - d. Tanks, containers or sinks used for parts cleaning or rinsing shall not be connected to the storm drain system. Tanks, containers or sinks used for such purposes may only be connected to the sanitary sewer system if allowed by an industrial waste discharge permit. The applicant shall contact the local permitting authority and EBMUD for specific connection and discharge requirements.
- 14. Fire Sprinkler Test Water

Fire sprinkler test water shall be drained to the sanitary sewer system (with approval from the local permitting authority [and/or sanitary district with jurisdiction]) or drain to landscaped areas where feasible. [In the event that the sanitary district does not approve the connection and drainage to landscaped areas is infeasible, the applicant may propose an alternative method of providing for drainage of fire sprinkler test water, such as by filtering and dechlorinating the water prior to discharge to a storm drain, subject to approval by RWQCB staff.]

- 15. Miscellaneous Drain or Wash Water
  - a. Boiler drain lines shall be directly or indirectly connected to the sanitary sewer system and may not discharge to the storm drain system. The applicant shall contact the local permitting authority and EBMUD for specific connection and discharge requirements.
  - b. For small air conditioning units, air conditioning condensate should be directed to landscaped areas as a minimum BMP. For large air conditioning units, in new developments or significant redevelopments, the preferred alternatives are for condensate lines to be directed to landscaped areas, or alternatively connected to the sanitary sewer system after obtaining permission from the sanitary sewer's owner. As with smaller units, any anti-algal or descaling agents must be properly disposed of. Air conditioning condensate lines may discharge to the storm drain system provided they are not a source of pollutants.
  - c. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever practicable.
  - d. Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge of soaps or other pollutants to the storm drain. The applicant shall contact the local permitting authority and EBMUD for specific connection and discharge requirements. These conditions shall be required for automotive related businesses.

### C. <u>Construction Practices</u>

Construction workers shall:

- 1. Maintain and replace filter materials as necessary to ensure effectiveness and prevent flooding. Dispose of filter particles in the trash.
- 2. Broom-sweep the sidewalk and street adjoining the site daily, scraping off caked-on mud and dirt.
- 3. Minimize removal of natural vegetation or ground cover, and replant as soon as possible.
- 4. Stabilize all cut and fill slopes as soon as possible after grading is completed.
- 5. Ensure that concrete, gunite and plaster supply trucks and operations do not discharge wash water into street gutters or drains.
- 6. Create and use a contained, covered area on the site for storing bags of cement, paints, flammables, oils, fertilizers, pesticides and any other materials used on the project site that could be discharged to the storm drain system by wind or a spill.

- 7. Place tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.
- 8. Gather all construction debris daily and place it in a container which is emptied or removed weekly.
- 9. Never clean machinery, tools, brushes, etc. or rinse containers into a street, gutter, storm drain or stream.
- 10. For projects with on-site storm drain inlets, clean all inlets immediately prior to the rainy season (October 1), and as required by the City Engineer.
- 11. Install straw wattles, berms, check dams as appropriate to contain and/or filter stormwater and the sediments from the site.
- 12. Hydroseed or cover exposed soil with compost, tarps, loose straw or mats to reduce erosion and sediment suspension in stormwater.
- 13. Check all on-site machinery and vehicles for oil, fuel and other machine fluid leaks on a daily basis, and fix machinery as necessary and/or capture all leaked fluids.

### D. Post-Occupancy Maintenance and Operational BMPs

This section describes operational best management practices (BMPs) that rely on private property owners to implement following construction of projects.

- 1. Operation, Maintenance and Inspection of Stormwater Treatment Measures
  - a. For commercial and industrial projects and residential projects with stormwater treatment measures, before the City issues the Certificate of Occupancy, the applicant must submit an Operations and Maintenance Agreement. This Agreement shall be executed and recorded with the County Recorder's Office of the County of Alameda. The property owner must submit five required Exhibits to the Agreement:
    - i. A legal description of the property
    - ii. A legible, recordable, reduced-scale (8.5"x11") copy of the site plan indicating treatment measures' locations and site drainage patterns
    - iii. A maintenance plan, including specific long-term maintenance tasks and schedule
    - iv. A standard Treatment Measure Operation and Maintenance Inspection Report form (template to be provided by the City), and
    - v. Checklists appropriate to the type of treatment measure(s) that will be used on the property (to be provided by the City)
  - b. All commercial and industrial projects, and all projects with an Operations and Maintenance Agreement, must allow and facilitate inspections of the stormwater treatment measures by the City or its agent.

- c. In addition, all projects must adhere to the following practices.
- 2. Paved Sidewalks and Parking Lots

Sidewalks and parking lots shall be swept regularly to minimize the accumulation of litter and debris. Debris resulting from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Washwater containing any soap, cleaning agent or degreaser shall not be discharged to the storm drain and shall be collected and discharged to the sanitary sewer. The applicant shall contact the local permitting authority and EBMUD for specific connection and discharge requirements.

- 3. Private Streets, Utilities and Common Areas
  - a. The owner of private streets and storm drains shall prepare and implement a plan for street sweeping of paved private roads, installation of full trash capture devices in and cleaning of all storm drain inlets.
  - b. For residential developments, where other maintenance mechanisms are not applicable or otherwise in place, a property owners' association, architectural committee, maintenance assessment district, special assessment district, or similar arrangement shall be created and shall be responsible for maintaining all private streets and private utilities and other privately owned common areas and facilities on the site including landscaping. These maintenance responsibilities shall include implementing and maintaining stormwater BMPs associated with improvements and landscaping and will include the maintenance responsibilities described in the maintenance plan, which is included as an attachment to the stormwater treatment measure O&M agreement for the subject property.
- 4. On-site Storm Drains
  - a. All on-site storm drains must be cleaned at least once a year immediately prior to the rainy season and as required by the City Engineer.
  - b. All on-site storm drains shall be equipped with City-approved full trash capture devices unless the City Engineer agrees that such controls are infeasible for one or more inlets. These must be maintained according to the requirements in the Municipal Regional NPDES Permit (<u>http://www.swrcb.ca.gov/sanfranciscobay/water\_issues/programs/stormwater/Municipal/R2-</u>2015-0049.pdf), and records of their inspections and maintenance must be made available to the City upon request.
- 5. Vehicle/Equipment Repair and Maintenance
  - a. No person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials, or rinsewater from parts cleaning operations into storm drains.
  - b. No vehicle fluid removal shall be performed outside a building, nor on asphalt or ground surfaces, whether inside or outside a building, except in such a manner as to ensure that any

spilled fluid will be in an area of secondary containment. Leaking vehicle fluids shall be contained or drained from the vehicle immediately.

- c. No person shall leave unattended drip pans or other open containers containing vehicle fluid, unless such containers are in use or in an area that cannot discharge to the storm drain, such as an area with secondary containment.
- 6. Fueling Areas

The property owner shall dry-sweep the fueling area and spot clean leaks and drips routinely. Fueling areas shall not be washed down with water unless the wash water is collected and disposed of properly (i.e., not in the storm drain).

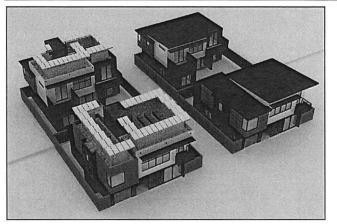
### 7. Loading Docks

The property owner shall ensure that BMPs are implemented to prevent potential stormwater pollution. These BMPs shall include, but are not limited to, a regular program of sweeping, litter control and spill clean-up.

### 8. Outdoor Storage Areas

Manage outdoor storage to minimize stormwater contact with pollutants, covering stored materials as required by the City Engineer.

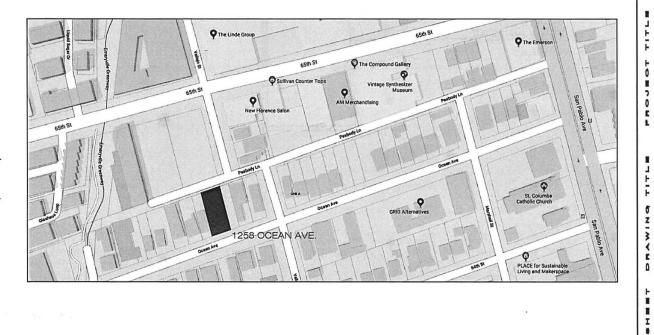
### 1258 OCEAN PROPOSED MODIFICATIONS



### DRAWING LIST

- A0.0 COVER SHEET
- A1.0 1ST FLOOR PLAN OCEAN UNIT
- A1.1 2ND FLOOR PLAN OCEAN UNIT
- A1.2 ROOF PLAN OCEAN UNIT
- A1.3 SOUTH ELEVATION OCEAN UNIT
- A1.4 EAST ELEVATION OCEAN UNIT
- A1.5 WEST ELEVATION OCEAN UNIT
- A1.6 NORTH ELEVATION OCEAN UNIT
- A2.0 1ST FLOOR PLAN PEABODY UNIT
- A2.1 2ND FLOOR PLAN PEABODY UNIT
- A2.2 ROOF PLAN PEABODY UNIT
- A2.3 NORTH ELEVATION PEABODY UNIT
- A2.4 EAST ELEVATION PEABODY UNIT
- A2.5 WEST ELEVATION PEABODY UNIT
- A2.6 SOUTH ELEVATION PEABODY UNIT
- A3.0 GREEN WALL DETAILS
- A4.0 SITE ELEVATION
- A4.1 SITE SECTION OCEAN UNIT
- A4.2 RENDERS OCEAN UNIT
- A4.3 RENDERS PEABODY UNIT
- A4.4 BIRD'S EYE VIEWS BOTH UNITS
- A4.5 BIRD'S EYE VIEWS BOTH UNITS





01-17-18

FINAL DESIGN 03-14-07 REVIEW BUILDING PERMIT 01-18-11

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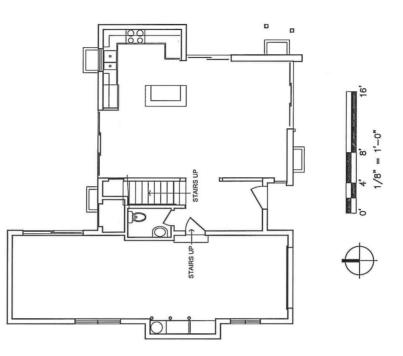
OCEAN AVENUE UNITS 1258 OCEAN AVENUE EMERYVILLE, CA 94608

COVER SHEET

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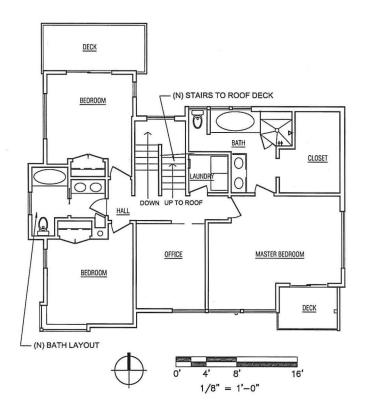
### OCEAN UNIT - FIRST FLOOR PLAN

TO REMAIN UNMODIFIED FROM APPROVED DESIGN

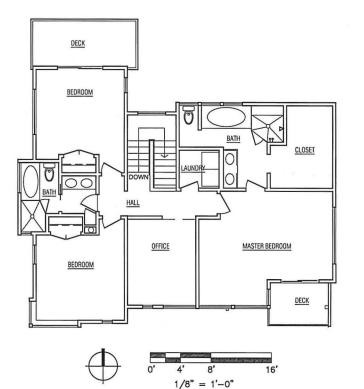
### OCEAN UNIT - SECOND FLOOR PLAN

NEW BATH LAYOUT AND STAIRS TO ROOF DECK

### PROPOSED



### AS PREVIOUSLY APPROVED



ALI ESLAMI PO BOX 4623 BERKELEY, CA 94704 OWNER / AFFLIGAN OCEAN AVENUE UNITS エートー 

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FINAL DESIGN 03-14-07 REVIEW

BUILDING PERMIT 01-18-11

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1258 OCEAN AVENUE EMERYVILLE, CA 94608

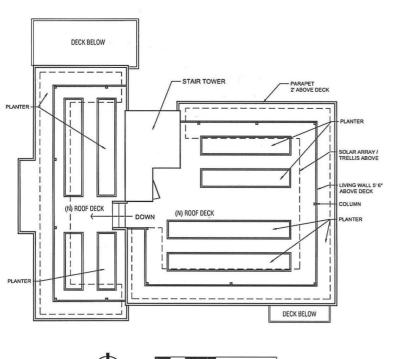
SECOND FLOOR PLAN OCEAN AVE UNIT DRAWING TITLE

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### OCEAN UNIT - ROOF DECK PLAN

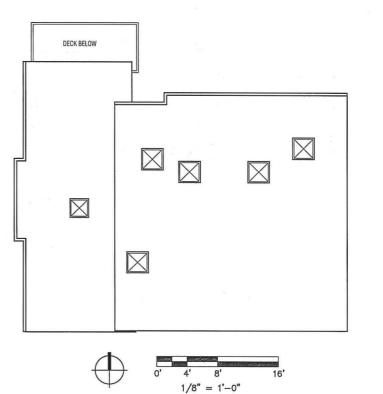
NEW ROOF DECK, GARDENS, GREEN WALL AND SOLAR ARRAY



PROPOSED







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 O W N E T V S I T T L E

 OCEAN AVENUE UNITS
 ALI ESLAMI

 1258 OCEAN AVENUE
 PO BOX 4623

 1258 OCEAN AVENUE
 BERKELEY, CA 94704

01-17-18

FINAL DESIGN 03-14-07 REVIEW

ROOF PLAN OCEAN AV 1258 OCEAN AV 1258 OCEAN AVELUNIT EMERYVILLE,

A 1.2

# OCEAN UNIT - SOUTH ELEVATION

FINAL DESIGN 03-14-07 REVIEW 01-17-18

BUILDING PERMIT 01-18-1

BERKELEY, CA 94704

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AS PREVIOUSLY APPROVED

PO BOX 4623

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NEW ROOF DECK, GARDENS, GREEN WALL AND SOLAR ARRAY





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OCEAN AVENUE UNITS

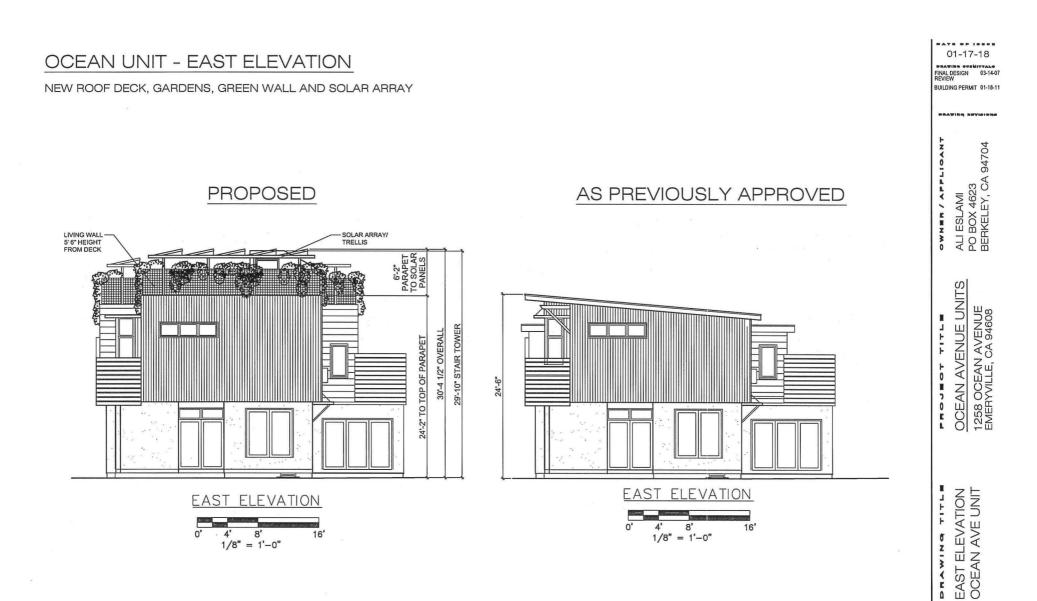


с. Г OCEAN AVE UNIT  $\triangleleft$ **NOITAVAJA HTUO2** BUTIT PUIWARD .....

16'

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

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### ----01-17-18 **OCEAN UNIT - WEST ELEVATION** FINAL DESIGN 03-14-07 REVIEW BUILDING PERMIT 01-18-11 NEW ROOF DECK, GARDENS, GREEN WALL AND SOLAR ARRAY ALI ESLAMI PO BOX 4623 BERKELEY, CA 94704 OWNER / AFFLIGANT AS PREVIOUSLY APPROVED PROPOSED STAIR TOWER SOLAR ARRAY/ LIVING WALL -5' 6" HEIGHT 6'-2" PARAPET TO SOLAR PANELS OCEAN AVENUE UNITS 23'-10" TO TOP OF PARAPET (BEYOND) 1258 OCEAN AVENUE EMERYVILLE, CA 94608 29'-8" STAIR TOWER TITLE **30' OVERALL** 24'-9 1/2" WEST ELEVATION WEST ELEVATION WEST ELEVATION OCEAN AVE UNIT DRAWING TITLE 8' 16' 0' 4' 8' 16 1/8" = 1'-0"1/8'' = 1'-0''

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### OCEAN UNIT - NORTH ELEVATION

FINAL DESIGN 03-14-07 REVIEW BUILDING PERMIT 01-18-11

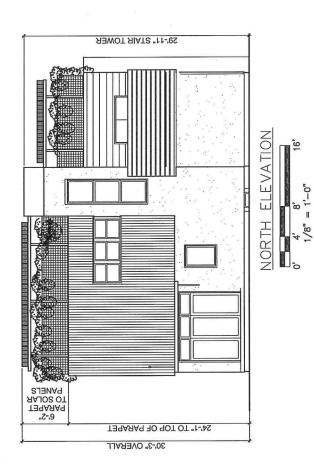
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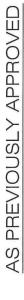
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01-17-18

NEW ROOF DECK, GARDENS, GREEN WALL AND SOLAR ARRAY





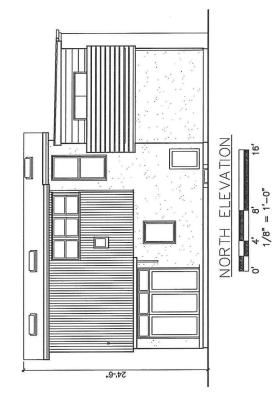


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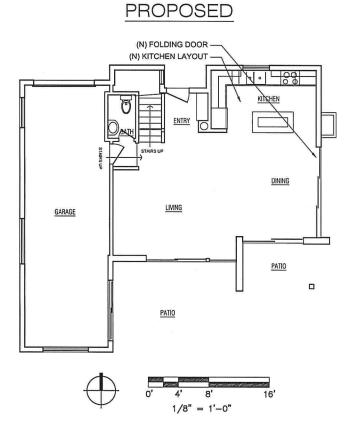
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OCEAN AVENUE UNITS

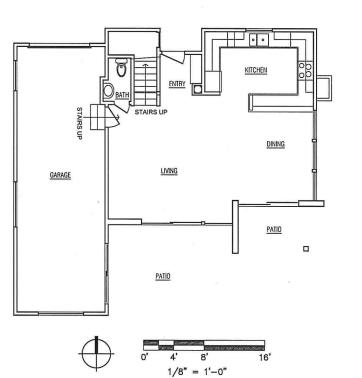
WEST ELEVATION WEST ELEVATION MOTOR AVE UNIT

### PEABODY UNIT - FIRST FLOOR PLAN

NEW KITCHEN LAYOUT WITH NEW WINDOW



### AS PREVIOUSLY APPROVED



ALI ESLAMI PO BOX 4623 BERKELEY, CA 94704 OWNER / APPLIOANT エートレー

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FINAL DESIGN 03-14-07 REVIEW

BUILDING PERMIT 01-18-11

OCEAN AVENUE UNITS 1258 OCEAN AVENUE EMERYVILLE, CA 94608 

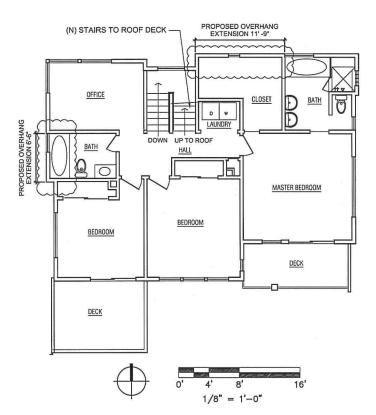
FIRST FLOOR PLAN PEABODY LANE UNIT DRAWING TITLE ۲ A 2.0

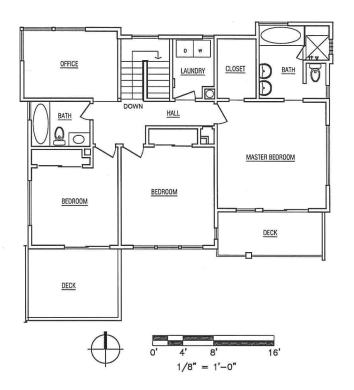
### PEABODY UNIT - SECOND FLOOR PLAN

PROPOSED

NEW STAIRS TO ROOF DECK AND EXTENDED OVERHANGS

### AS PREVIOUSLY APPROVED





BRAWING BUVISION ALI ESLAMI PO BOX 4623 BERKELEY, CA 94704 OWNER / AFFLIOANT OCEAN AVENUE UNITS 1258 OCEAN AVENUE EMERYVILLE, CA 94608 エートー F0 = 70 = 1 

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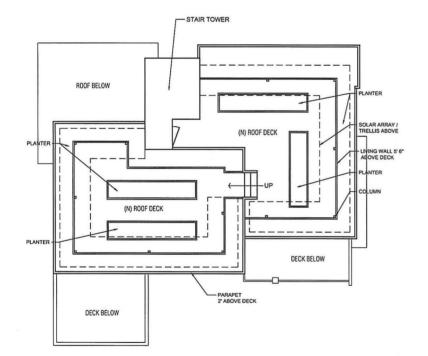
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BUILDING PERMIT 01-18-11

SECOND FLOOR PLAN PEABODY LANE UNIT DUNNYUG F A 2.1

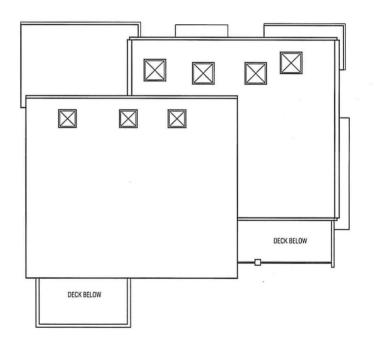
### PEABODY UNIT - ROOF DECK PLAN

NEW ROOF DECK, GARDENS, GREEN WALL AND SOLAR ARRAY



PROPOSED

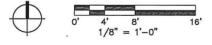
### AS PREVIOUSLY APPROVED



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

16'

0'



-----ALI ESLAMI PO BOX 4623 BERKELEY, CA 94704 OWNER / AFFLIGANT

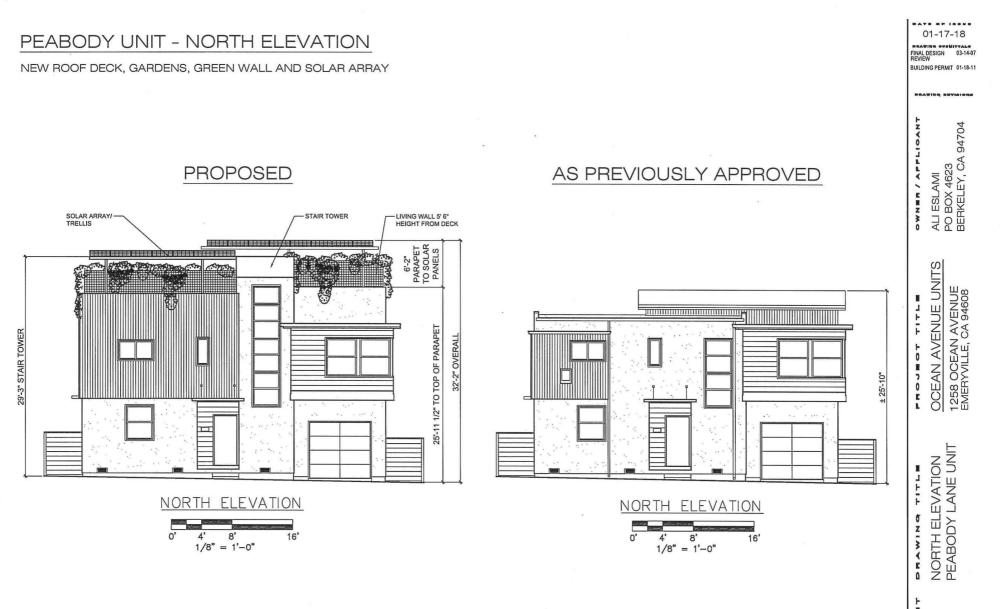
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FINAL DESIGN 03-14-07 REVIEW

BUILDING PERMIT 01-18-11

OCEAN AVENUE UNITS 1258 OCEAN AVENUE EMERYVILLE, CA 94608 エートレー 

ROOF DECK PLAN PEABODY LANE UNIT DRAWING TITLE A 2.2



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### PEABODY UNIT - EAST ELEVATION

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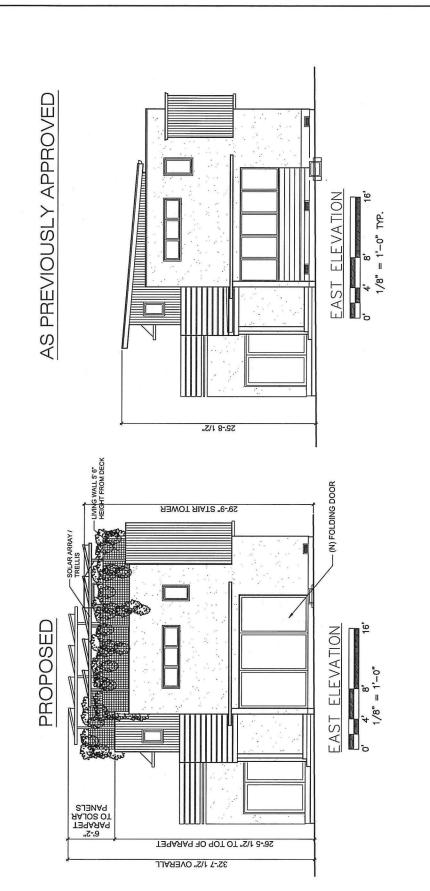
PRAWING

BERKELEY, CA 94704

AVNER / AFFLOA

PO BOX 4623

NEW ROOF DECK, GARDENS, GREEN WALL AND SOLAR ARRAY



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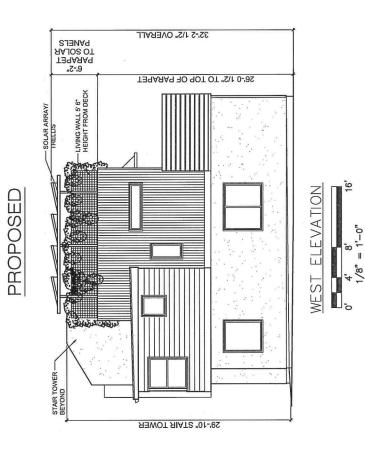
## PEABODY UNIT - WEST ELEVATION

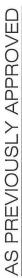
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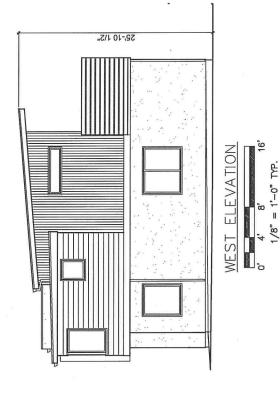
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NEW ROOF DECK, GARDENS, GREEN WALL AND SOLAR ARRAY









BERKELEY, CA 94704

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PO BOX 4623

**ALI ESLAMI** 

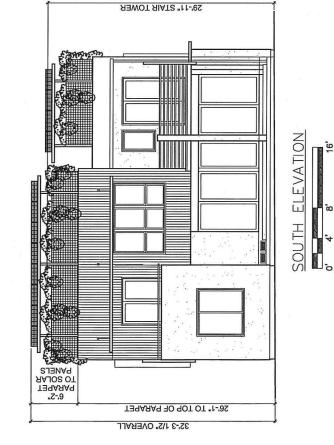
PEABODY UNIT - SOUTH ELEVATION

NEW ROOF DECK, GARDENS, GREEN WALL AND SOLAR ARRAY

REVIEW 03-14-07 REVIEW 03-14-07 REVIEW 01-18-11 BUILDING PERMIT 01-18-11

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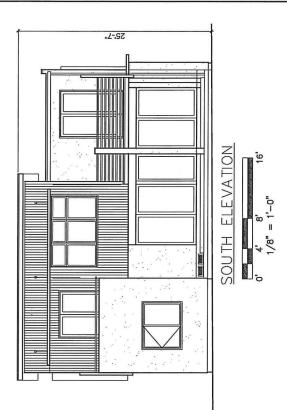


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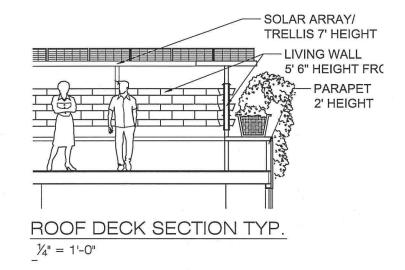
OCEAN AVENUE UNITS

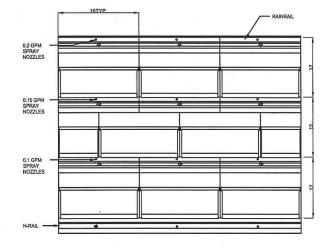
MEST ELEVATION WEST ELEVATION PEABODY LANE UNIT O

4' = 8' = 1'-0"

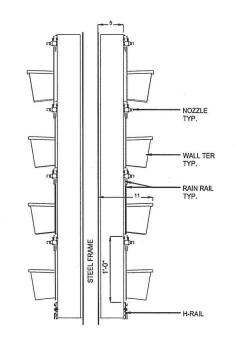
ROOF DECK GREEN WALL

DETAILS





LIVEWALL LIVING WALL FRONT ELEVATION



### LIVEWALL LIVING WALL SECTION

	D1-17-18 DESIGN 03-14-07 W NG PERMIT 01-18-11
<b>B</b> 8A	WING ВЕУІЛІСКО
OWNER / AFFLIOANT	ALI ESLAMI PO BOX 4623 BERKELEY, CA 94704
ヨゴトート トロヨフロビル	OCEAN AVENUE UNITS 1258 OCEAN AVENUE EMERYVILLE, CA 94608
DRAWING TITLE	GREEN WALL DETAILS
	A 3.0

### SITE ELEVATION

FINAL DESIGN 03-14-07 REVIEW BUILDING PERMIT 01-18-11

01-17-18

**BOTH UNITS** 



1258 OCEAN AVENUE 1258 OCEAN AVENUE 80840 CC 94608

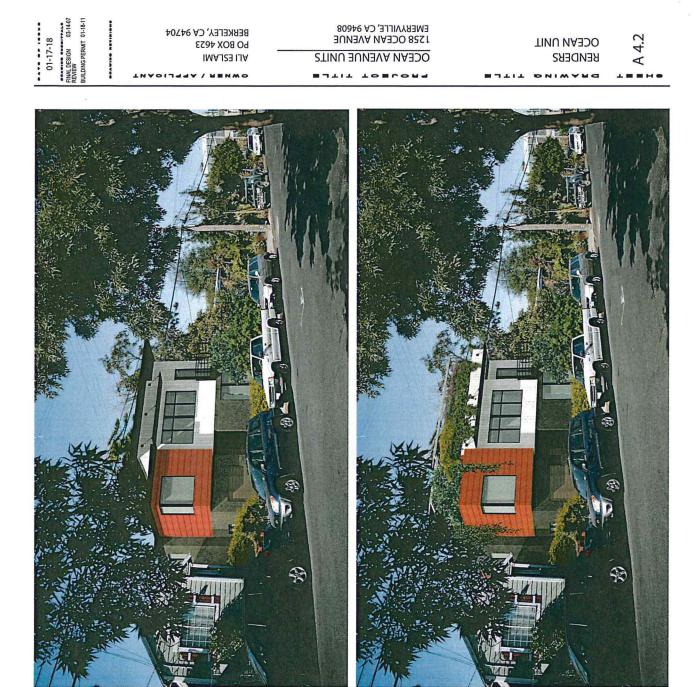
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01-17-18 01-17-18 01-17-18 FINAL DESIGN 03-14-07 REVIEW 03-14-07 BUULDING PERMIT 01-18-11 1258 OCEAN AVENUE EMERYVILLE, CA 94608 ВЕККЕГЕЛ, СА 94704 PO BOX 4623 MOIDIAN A 4.1 **DCEAN UNIT** OCEAN AVENUE UNITS SITE SECTION **WAJ23 IJA** -----BATIT ONIWARD TNADIJ99A \ RENWO BUTIT TOBLORS ----March 1 Ser. T SITE SECTION OCEAN UNIT



### **OCEAN UNIT RENDERS**

AS APPROVED AND PROPOSED

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PEABODY UNIT RENDERS

AS APPROVED AND PROPOSED



**BOTH UNITS - PROPOSED VS AS APPROVED** 

01-17-18 01-17-18 FINAL DESIGN 03-14-07 REVIEW 03-14-07 REVIEW 01-18-11

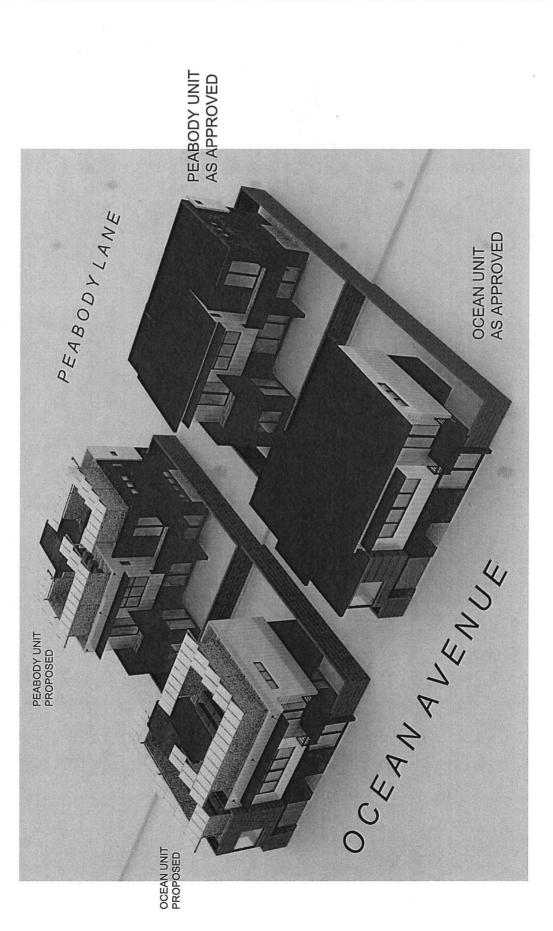
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ВЕВКЕГЕЛ, СА 94704 PO BOX 4623

OINARY / MENMO

**WAJZE IJA** 



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OCEAN AVENUE UNITS

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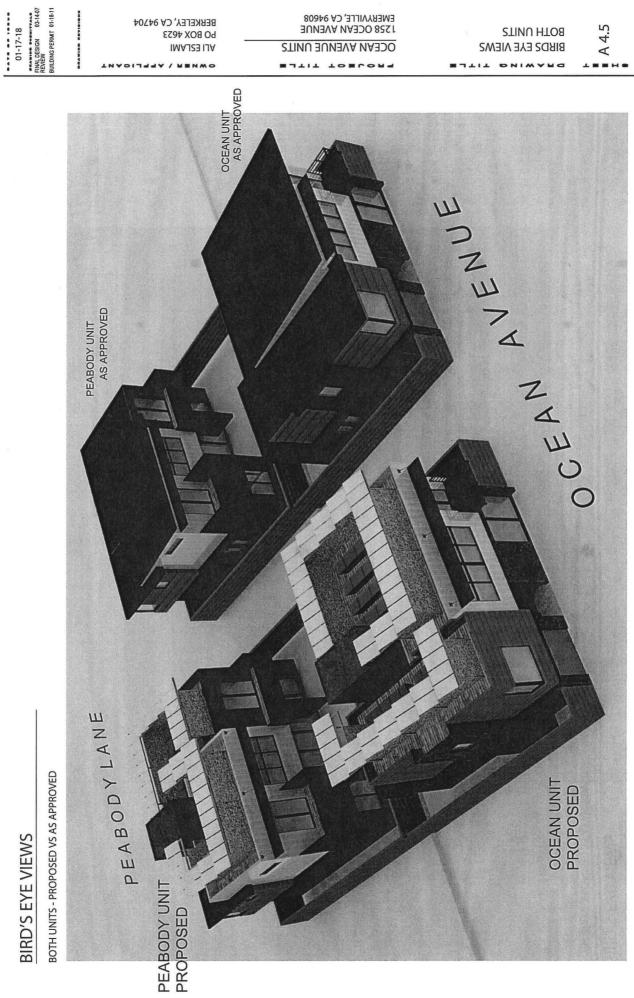
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....

**BOTH UNITS** 

**BIRDS EYE VIEWS** 

BUTIT ONIWARD



**BIRD'S EYE VIEWS** 

### Green wall and trellis system with swing-open panels for maintenance

100

100

100

Trellis with solar panels

Green wall planters

5'-6" Green wall with 2' parapet wall beyond and 7' solar trellis above

Green wall panels shown in closed position

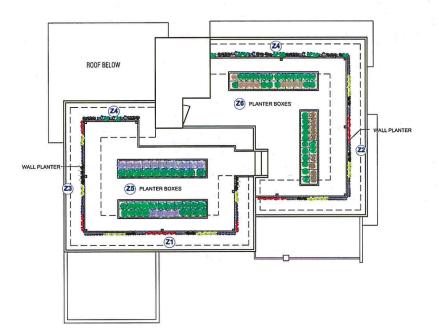
Open panel frame (to include irrigation system) with planters shown seperately

### Roof deck

Green wall planters

### PEABODY UNIT - ROOF GARDEN LANDSCAPE PLAN

### PROPOSED



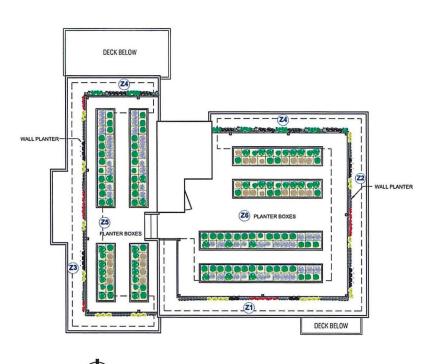
PLANT LEGEND							
SYMBOL	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ZONE		
**	240	Angelina	Sedum rupestres	4 in	1,2,3		
alle	240	mandris 'Blue'	Senecio talinoides	4 in	1,2,3		
alle	240	Senecio talinoides	blue chalk	4 in	1,2,3		
	240	Pinwheel	Aeoneum	4 in	1,2,3		
-	240	Portulaca afra	Elephant bush	4 in	1,2,3		
۵	240	Lampranthus	Trailing ice plant	4 in	1,2,3		
1960	240	Drosanthemum	Dewflower	4 in	1,2,3		
5.0	220	Hens and chicks	Sempervivum tectorum	4 in	4		
17a	220	Wild stonecrop	Sedum ternatum	4 in	4		
	220	Autumn joy	Sedum telephium	4 in	4		
<b>6</b> @		Vegetable mix			5		
		Herb Mix		1	6		

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	714 WALKER AVE	PROJECT	DATE: 1/23/18	PAGE
Contreras	OAKLAND CA 94610 510.418.1595	PEABODY RESIDENTIAL ROOF GARDEN LANDSCAPE PLAN 1258 OCEAN AVE EMERYVILLE, CA 94608	SCALE:1/16" =1'	L1

### OCEAN UNIT - ROOF DECK PLAN

NEW ROOF DECK, GARDENS, GREEN WALL AND SOLAR ARRAY



PROPOSED	)
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	PLANT LEGEND							
SYMBOL	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ZONE			
-	272	Angelina	Sedum rupestres	4 in	1,2,3			
all a state	272	mandris 'Blue'	Senecio talinoides	4 in	1,2,3			
alle	272	Senecio talinoides	blue chalk	4 in	1,2,3			
-	272	Pinwheel	Aeoneum	4 in	1,2,3			
-	272	Portulaca afra	Elephant bush	4 in	1,2,3			
æ	272	Lampranthus	Trailing ice plant	4 in	1,2,3			
1960	272	Drosanthemum	Dewflower	4 in	1,2,3			
5.9	220	Hens and chicks	Sempervivum tectorum	4 in	4			
2743	220	Wild stonecrop	Sedum ternatum	4 in	4			
1	220	Autumn joy	Sedum telephium	4 in	4			
		Vegetable mix			5			
		Herb Mix			6			

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Contreras	OAKLAND CA 94610 510.418.1595	OCEAN AVENUE RESIDENTIAL ROOF GARDEN LANDSCAPE PLAN 1258 OCEAN AVE EMERYVILLE, CA 94608	SCALE:1/16" =1'	L2