

Discussion Item: The Lighthouse (Lodestar) School

PURPOSE AND BACKGROUND

At the July 17, 2019 Planning Commission Hearing, some community members expressed concerns about the Lighthouse Community Charter School (LCCS) and its traffic impacts. The Commission directed staff to report back with background and a status report of the Lighthouse (Lodestar) School project.

At the August 21, 2019 Planning Commission Hearing, Staff provided the requested background and status to the Commission, who directed staff to report back later with emergency services assessment of the traffic conditions and how it impacts their operations. Staff consulted with the Oakland Police Department and the Fire Prevention Bureau and the following represents a summary of their assessments and recommendations:

Fire Prevention Bureau Assessment

Findings:

1. The Intersections in and around 105th & Edes is poorly marked for both vehicle and pedestrian crossing.
2. There is no signage in and around the area indicating that it is located in a school zone.
3. There is no posted speed signage indicating how fast to travel.
4. AC transit buses are continuously turning into the pedestrian crosswalk.
5. During observation at the site, two trains were seen on separate tracks. The express train was small and did not adversely impact the flow of traffic. However the freight train had around 15-18 cars and it impacted the area resulting in heavy traffic congestion.
6. There is currently one crossing guard and she is consistently in harm's way.
7. One car accident and three near collisions were witnessed on one day.

Recommendations:

1. All intersections in and around 105th & Edes need IMMEDIATE striping.
- 2/3. All intersections in and around the area should have clear signage indicating a SCHOOL ZONE and SPEED LIMITS.
4. All four corners on 105th & Edes should have bollards installed to keep pedestrians from entering the crosswalk and in order to keep the busses out of the pedestrian pathway.
5. All rail-road crossings should be better striped and clearly identified. The rail-road service should also provide education and safety information for all staff and students.
6. There is need for an additional crossing guard. This would reduce the congestion and control the traffic flow.

Closing: While during certain peak drop-off and pick-up times it may be difficult for Fire Services to respond to an incident, with added protection measures as set forth above, Fire Services will have adequate response time and ability. Additional students will have a major impact to this area and may require additional mitigation measures to assist with congestion and response time during school drop-off and pick-up times.

Oakland Police Department (OPD)

The Oakland Police Department sent traffic officers to conduct an assessment of the traffic conditions and while they did not identify whether or not the traffic would inhibit police vehicles from entering or exiting the area, they noted that the same start times for schools in the area contributed to traffic delays.

City Staff Assessment

On October 28, 2019 Planning Staff also visited the school area between 1:30PM and 4PM, and conducted an assessment. The following were our observations:

- The times between start and close of school had normal traffic, with mild to little traffic congestion.
- Parents started parking up along the "No-Parking" areas along 105th and Edes about 20 to 30 minutes before school closed.
- Staff has worked with the applicant to implement a pass-through on-campus drop-off and pick-up to avoid traffic passing through the congested 105th/Edes Avenue intersection and expected it to be in operation. However, it was not in use that afternoon; instead cars queued up on 105th and Alcalanes and passed through the Edes and 105 intersection to enter and exit the campus on Edes Avenue (Note: Other staff who visited the school in the morning confirmed that the pull-through was in operation during the morning they visited).
- There was one crossing guard at the 105th and Edes intersection and another one at the school entrance on Edes.
- There was no crossing guard at any of the two adjacent railroad crossings.
- By the time staff was leaving the area, we observed that traffic on 105th Avenue was backed up all the way to E Street.
- The feasibility of using the public-right-of-way on Pearmain and Graventein Streets (currently serving as off-street parking for Aaron Metals) as an off-site drop-off/pick-up for the school has been discussed in the past, however Staff's site visit revealed that it would do little to ease the traffic congestion in the vicinity of the school.

Other Observations not related to the school

- The entrance to Aaron Metals sometimes requires traffic to be stopped to allow trucks to back into the recycling site. When Planning personnel were on site, a semi-truck was navigated into Aaron Metals by backing into their driveway. This effectively blocked the eastbound lanes. This took place as the school was letting out. It's unclear whether this is a normal visit by the truck or a one-off event but it also contributed to the delays on 105th Ave.

Conclusion

In view of the above Fire, Police and Staff's assessments and the observations of Planning personnel, the current operations at the school combine with the existing poor traffic conditions in the area to contribute to further impair and exacerbate the traffic conditions. While traffic conditions are poor during school drop-off and pick-up times, congestion in the area is mild to normal during other hours. There are several mitigation measures that have not yet been implemented that could help relieve the congestion and facilitate better traffic conditions in the area.

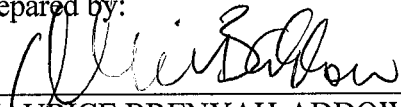
Recommendation

Staff recommends all or a combination of the following measures to address the traffic issues:

- LCCS should use the Pull-Through pick up and drop off both in the morning as well as in the afternoon to ease congestion at the corner of 105th and Edes;
- LCCS should be required to update its Transportation Demand Management (TDM) plan to bus students in and out of LCCS
- Add Crossing guards at Railway Crossings
- Limit the total number of vehicles that can come to the school
- Implement the additional improvement recommendation of the Oakland Fire Prevention Bureau
- Demonstrate ability to deal with problems observed prior to completion and occupancy of Phase II.

As this is a Director's Report, no action can be taken. However should the Planning Commission wish to impose additional TDM measures, they should direct staff to agendize this item for a future hearing date to reopen the TDM pursuant to Project Condition of Approval Number 26. The Planning Commission could also consider measures to ensure that the amended TDM plan adequately address the significant problems observed on site, including amending the Conditional Use Permit for Phase II to delay occupancy until these issues are adequately resolved.

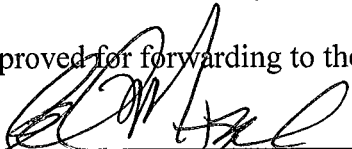
Prepared by:


MAURICE BRENYAH-ADDOW
Planner IV

Reviewed by:


ROBERT D. MERKAMP - Zoning Manager

Approved for forwarding to the Planning Commission:


ED MANASSE, Deputy Director
Planning Bureau

ATTACHMENTS

- A. August 21, 2019 Director's Report, Project Approval Letter with Conditions of Approval

Discussion Item: The Lighthouse (Lodestar) School

PURPOSE AND BACKGROUND

At the July 17, 2019, Planning Commission Hearing, some community members expressed concerns about the Lighthouse Community Charter School (LCCS) and its traffic impacts. The Commission directed staff to report back at the next Planning Commission meeting with background and a status report of the Lighthouse (Lodestar) School project.

Application and Approval

On February 14, 2017, the applicant, Lodestar, submitted an application for a Conditional Use Permit to replace an existing Bible College (School of Urban Missions) with a new elementary and high school, the Lighthouse Community Charter School (LCCS), that would be implemented in two phases. Phase I consists of an elementary school housed in the existing structures at the site and Phase II consists of the high school to be housed in a new structure yet to be constructed. The 3.93-acre project site is located at the corner of 105th and Edes Avenues in East Oakland. The new school would have 850 students with grades ranging from kindergarten to twelfth (K-12) after implementation of both phases.

The Oakland General Plan designation for the subject site is Business Mix. The zoning is CIX-2 Commercial Industrial Mix-2/S-19 Health and Safety Protection Combining Zone where a Conditional Use Permit is required for Community Education Civic Facility. The project required a Major Conditional Use Permit, with a hearing before the Planning Commission because the site is greater than one acre.

On November 1, 2017, the Planning Commission approved the project subject to the attached conditions of approval (Attachment A) that include among several conditions, a Transportation Demand Management (TDM) Plan to reduce potential impacts from the school to less than significant levels. The TDM included a requirement that the applicant implement a car-pooling program aimed at achieving a 35% adoption rate which they are still working to achieve (they're currently at a 5.5% adoption with 21 out of 380 families carpooling). The Condition also requires the applicant to report on the success of the TDM Plan on an annual basis for a time period of five years.

Phased implementation

The project was proposed to be implemented in two phases. Phase I, was proposed to be the elementary school which would be housed in the existing structures at the site. Phase II, the high school, was proposed to be housed in a new structure yet to be constructed.

Transportation Analysis & Approved Transportation Demand Management Plan

As typical with projects of this size and nature, CEQA analysis was performed to assess potential significant impacts to the environment. The CEQA analysis concluded that upon compliance with the City's Standard Conditions of Approval, potential impacts to the environment would be less than significant.

In addition, a transportation analysis was prepared by Kittelson & Associates, a transportation consulting firm. This analysis included recommended Transportation Demand Management (TDM) strategies. All TDM strategies are aimed at reducing vehicle trips, and include programs like free transit passes, shuttles, and carpool incentive programs. The City's Standard Conditions of Approval requires that projects meet a "vehicle trip reduction" goal, and requires the approval of a final TDM Plan at the time building permits are issued. The approved final TDM Plan customarily includes the recommendations identified in the transportation analysis at the planning approval phase, and outlines a suite of specific strategies that the project sponsor will undertake to meet its vehicle trip reduction goal. Depending on the type of project, various reporting intervals are required to ensure the project is meeting its vehicle trip reduction goal.

For this site, the approved TDM Plan includes a requirement that the applicant implement a range of programs aimed at reducing vehicle-based trips to the site. One of the most aggressive goals within the TDM Plan is to achieve a 35% carpool rate by introducing a carpool program. Other programs within the TDM Plan include:

TDM-1: TDM Program Coordinator. The TDM Program Coordinator is responsible for implementation, monitoring, and reporting of the TDM Plan. The TDM Coordinator would facilitate site inspections by City staff to verify that the standards specified as conditions of approval are met. This person(s) can be a school employee or a third-party provider that runs the program.

TDM-2: Bike Parking. The project would provide short-term and long-term bicycle parking facilities to meet maximum estimated demand. The maximum estimated demand is calculated as 200 percent of the highest peak hour demand based on the bike mode share and estimated travel demand and the increase in bike trips resulting from implementation of this TDM strategy. The project shall include at least 20 short-term and 20 long-term bicycle parking spaces. The number of bicycle parking spaces would be equitably adjusted (increased) based on observed demand.

TDM-3: Transit and Bicycle Incentives. As an improvement measure to encourage use of transit, the project sponsor should provide subsidized transit passes or bike share

memberships to all high school students and staff. The value of the student passes should be equivalent to the monthly pass value of an AC Transit local youth 31-day pass (currently \$26.50). The value of the staff passes should be equivalent to the monthly pass value of the adult local 31-day pass (currently \$81).

TDM-4: School Pool Program. The project would develop and implement a ridesharing program for students. The ridesharing “School Pool” program will help to match parents to transport students to/from campus. The VMT reduction calculation assumes aggressive implementation with a 35 percent adoption rate.

TDM-5: Pedestrian Network Improvements. The project would implement on-site and off-site improvements to the pedestrian network and link areas of the project site and encourage people to walk instead of drive. The project would also minimize barriers to pedestrian access and interconnectivity. The project would implement the following improvements:

- o Modify signal timing at 105th Avenue/Edes Avenue to increase pedestrian clearance time across 105th Avenue (Improvement Measure TR-4). The project sponsor will contract with a transportation engineering consultant to prepare a modified signal timing plan. The City will implement the signal timing changes in the field.
- o Install reconstructed sidewalks and roadway striping upgrades at the nearby railroad crossings at 105th Avenue and Edes Avenue. Full upgrades of the railroad crossings are estimated to cost \$1.63 million. The project sponsor would contribute 5.6% or \$92,000 toward the cost of these improvements. Construction cost estimates and the project’s contribution and fair share calculations are included as Appendix G in the Final TIA;
- o Provide pedestrian access points to reduce out of direction travel and allow people to enter the campus from multiple directions (Improvement Measure TR-5).

The project sponsor shall submit an annual compliance report for review and approval by the City. This report will be submitted within one year of occupancy and every following year for a total of at least five years. If timely reports are not submitted, the reports indicate a failure to achieve the stated policy goals, or the required alternative mode split is still not achieved, staff will work with the project sponsor to find ways to meet their commitments and achieve trip reduction goals. If the issues cannot be resolved, the matter may be referred to the Planning Commission for resolution. Project sponsors shall be required, as a condition of approval to reimburse the City for costs incurred in maintaining and enforcing the trip reduction program for the approved project.

The overall vehicle trip reduction, as outlined in the TDM Plan, is 22.8% by August 14, 2023. The project approval requires five years of Annual Review for the TDM Compliance Assessment. The applicant submitted their first report on August 7, 2019. If the project is not successful at meeting its vehicle trip reduction goals, staff have the authority to identify additional TDM requirements and recommendations to ensure the goal is met. These recommendations must be approved by the Planning Commission.

Current Transportation Issues and City Response

Staff have received numerous reports of traffic congestion in the Sobrante Park area. Below are steps Planning & Building and Department of Transportation staff (Staff) have taken to address these traffic congestion issues.

- Staff has held several meetings with applicant to review Conditions of Approval and how they have complied or intend to comply with them;
- Staff has conducted regular meetings with the applicant to go over requirements and target metrics – The only remaining one is full compliance with a 35% carpooling target per TDM 4 of Condition of Approval #26. The applicant has launched Carpooling application (Go Kid) and the current trend of adoption by families has been promising and has significant potential to meet the TDM 4 condition of approval over the upcoming year but as yet, they have yet to reach the targeted goal of 35% (they're currently at a 5.5% adoption with 21 out of 380 families carpooling);
- Staff have implemented an adjustment to the traffic signal at 105th Avenue and Edes Avenue to allow more cars to get through each cycle;
- Staff have completed a pedestrian crossing timing changes to improve pedestrian safety;
- Staff have worked with the applicant to implement a pass-through on-campus drop-off and pick-up to avoid traffic passing through the congested 105th Avenue/Edes Avenue intersection which was immediately implemented during the last school session. Due to ongoing construction of Phase II of the school project, the pass-through for the current school session was delayed for about one week after school started but has resumed operation since then (See Attachment B for diagram of pass through);
- Staff is working with the applicant to implement a "No Parking" zone on 105th to ease traffic during drop off; and
- Staff has required the applicant to memorialize their efforts in a formal memorandum, which is attached hereto as Attachment B.

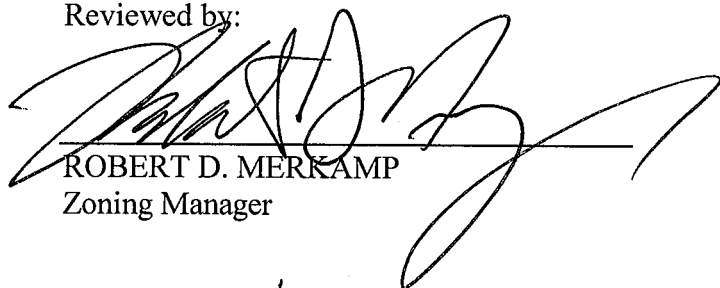
CONCLUSION:

In summary, the Lodestar school has met most of the metrics set by the Conditions of Approval. However, they are yet to comply with the 35% carpooling adoption and the overall trip reduction of 22.8% over the next 5 years. The applicant and Staff continue to explore other ways to reduce the traffic impacts in the area, including offsite pickup and drop-off of students and other measures. Additionally, the yearly review for the next five years can add additional TDM Plan requirements to address ongoing transportation issues.

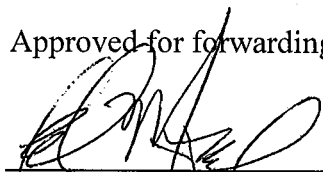
Prepared by:


MAURICE BRENYAH-ADDOW
Planner IV

Reviewed by:


ROBERT D. MERRKAMP
Zoning Manager

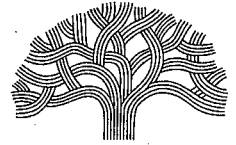
Approved for forwarding to the Planning Commission:


ED MANASSE, Interim Deputy Director
Planning Bureau

ATTACHMENTS

- A. Project Approval Letter with Conditions of Approval
- B. Applicant's Statement of Compliance

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 2114 • OAKLAND, CALIFORNIA 94612-2032

Department of Planning and Building
Zoning Division

(510) 238-3911
FAX (510) 238-4730
TDD (510) 238-3254

Jenna Stauffer
444 Hegenberger Road
Oakland, CA 94621

November 16, 2017

Dear Ms. Stauffer:

RE: Case File Nos.: PLN17-041; Address: 701-735 105th Avenue (APN: 045-5268-004-00; 005-00; 006-00; 007-00; 008-00; 009-00; 010-00; 011-00; 012-00; 013-00; 014-00; 015-00; 016-00; 017-00; 018-00)

Your application as noted above was **APPROVED** at the City Planning Commission meeting of **November 1, 2017**. The Commission's action is indicated below. This action became final ten (10) days after the date of the Planning Commission meeting since no appeal to the City Council was filed by **November 13, 2017**.

(X) Granted with required conditions. (Vote: 7 Ayes, 0 Nays)

If you have any questions, please contact the case planner, **Maurice Brenyah-Addow** at (510) 238-6342 or mbrenyah@oaklandnet.com.

Very Truly Yours,

A handwritten signature in cursive script that reads "Scott Miller".

SCOTT MILLER
Zoning Manager

cc: Bill Quesada, Inspection Services
Philip Basada, Fire Prevention Bureau
Kevin Kashi, PWA

David Harlan, Building Services Division
Raymond Herbert, Acting City Surveyor
Darin Ranelletti, Bureau of Planning

George Neau, 701-735 105th Avenue, Oakland, CA 94603
Victoria Figg, 11127 Estepa Drive, Oakland, CA 94603
Paul & Aaron Forkash, 750 – 105th Avenue, Oakland, CA 94603
Adam Filyau, 750 105th Avenue, Oakland, CA 94603
Isaias Ramirez, 1528 76th Avenue, Oakland, CA 94621
Pamela Harris, 3143 Wisconsin Street, Oakland CA 94602
Teryra Hutchinson, 6219 Harmon Avenue, Oakland, CA 94621
Kymari Rhodes, 1337 C Street, Oakland, CA 94603

Attachments: Conditions of Approval

Attachment A

CONDITIONS OF APPROVAL

1. **Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, Staff report and the approved plans **dated February 14, 2017 and submitted February 14, 2017**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

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

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **Two Calendar Years** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. **Compliance with Other Requirements**

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City’s Bureau of Building, Fire Marshal, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

4. **Minor and Major Changes**

- a. Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning.
- b. Major changes to the approved project, plans, Conditions, facilities, or use shall be reviewed by the Director of City Planning to determine whether such changes require submittal and approval of a revision to the Approval by the original approving body or a new independent permit/approval. Major revisions shall be reviewed in accordance with the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

5. Compliance with Conditions of Approval

- a. The project applicant and property owner, including successors, (collectively referred to hereafter as the “project applicant” or “applicant”) shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.
- b. The City of Oakland reserves the right at any time during construction to require certification by a licensed professional at the project applicant’s expense that the as-built project conforms to all applicable requirements, including but not limited to, approved maximum heights and minimum setbacks. Failure to construct the project in accordance with the Approval may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension, or other corrective action.
- c. Violation of any term, Condition, or project description relating to the Approval is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approval or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City’s Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Approval or Conditions.

6. Signed Copy of the Approval/Conditions

A copy of the Approval letter and Conditions shall be signed by the project applicant, attached to each set of permit plans submitted to the appropriate City agency for the project, and made available for review at the project job site at all times.

7. Blight/Nuisances

The project site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60 days of approval, unless an earlier date is specified elsewhere.

8. Indemnification

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called “City”) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys’ fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called “Action”) against the City to attack, set aside, void or annul this

Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.

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

9. Severability

The Approval would not have been granted but for the applicability and validity of each and every one of the specified Conditions, and if one or more of such Conditions is found to be invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid Conditions consistent with achieving the same purpose and intent of such Approval.

10. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Monitoring

The project applicant may be required to cover the full costs of independent third-party technical review and City monitoring and inspection, including without limitation, special inspector(s)/inspection(s) during times of extensive or specialized plan-check review or construction, and inspections of potential violations of the Conditions of Approval. The project applicant shall establish a deposit with the Bureau of Building, if directed by the Building Official, Director of City Planning, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

11. Public Improvements

The project applicant shall obtain all necessary permits/approvals, such as encroachment permits, obstruction permits, curb/gutter/sidewalk permits, and public improvement ("p-job") permits from the City for work in the public right-of-way, including but not limited to, streets, curbs, gutters, sidewalks, utilities, and fire hydrants. Prior to any work in the public right-of-way, the applicant shall submit plans for review and approval by the Bureau of Planning, the Bureau of Building, and other City departments as required. Public improvements shall be designed and installed to the satisfaction of the City.

12. Compliance Matrix

The project applicant shall submit a Compliance Matrix, in both written and electronic form, for review and approval by the Bureau of Planning and the Bureau of Building that lists each Condition of Approval (including each mitigation measure if applicable) in a sortable spreadsheet. The Compliance Matrix shall contain, at a minimum, each required Condition

of Approval, when compliance with the Condition is required, and the status of compliance with each Condition. For multi-phased projects, the Compliance Matrix shall indicate which Condition applies to each phase. The project applicant shall submit the initial Compliance Matrix prior to the issuance of the first construction-related permit and shall submit an updated matrix upon request by the City.

13. Construction Management Plan

Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.

14. Regulatory Permits and Authorizations from Other Agencies

Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.

When Required: Prior to activity requiring permit/authorization from regulatory agency

Initial Approval: Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

15. Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP)

- a. All mitigation measures identified in the **Lighthouse Academy CEQA Analysis Document** are included in the Standard Condition of Approval / Mitigation Monitoring

and Reporting Program (SCAMMRP) which is included in these Conditions of Approval and are incorporated herein by reference, as Attachment C, as Conditions of Approval of the project. The Standard Conditions of Approval identified in the **Lighthouse Academy CEQA Analysis Document** are also included in the SCAMMRP, and are, therefore, incorporated into these Conditions by reference but are not repeated in these Conditions. To the extent that there is any inconsistency between the SCAMMRP and these Conditions, the more restrictive Conditions shall govern. In the event a Standard Condition of Approval or mitigation measure recommended in **Lighthouse Academy CEQA Analysis Document** has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the **Lighthouse Academy CEQA Analysis Document** into the SCAMMRP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable mitigation measures adopted, and with all Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or Condition of Approval, and subject to the review and approval by the City of Oakland. The SCAMMRP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval and mitigation measure. Monitoring of compliance with the Standard Conditions of Approval and mitigation measures will be the responsibility of the Bureau of Planning and the Bureau of Building, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.

- b. Prior to the issuance of the first construction-related permit, the project applicant shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

16. Regulatory Permits and Authorizations from Other Agencies

Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.

When Required: Prior to activity requiring permit/authorization from regulatory agency

Initial Approval: Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

Project-Specific Conditions

17. Public Improvements Consistent with the LMSP

Requirement: Plans shall be submitted for review and approval that include public right of way improvements that are consistent with the Lake Merritt Station Plan. This shall apply to all project frontages.

When Required: Prior to issuance of Building Permit

Initial Approval: Bureau of Planning; Public Works

Monitoring/Inspection: Bureau of Building

18. Exterior Finishes

Requirement: The final building permit plan set shall contain detailed information on all proposed exterior finishes for city approval. If requested by the Bureau of Planning sample materials shall be submitted and are subject to final approval by the Zoning Manager.

When Required: Prior to issuance of a Building Permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

19. Public Art for Private Development Condition of Approval

Requirement: The project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). The public art contribution requirements are equivalent to one-half percent (0.5%) for the "residential" building development costs, and one percent (1.0%) for the "non-residential" building development costs. The contribution requirement can be met through the commission or acquisition and installation of publicly accessible art fund, or satisfaction of alternative compliance methods described in the Ordinance. The applicant shall provide proof of full payment of the in-lieu contribution, or provide proof of installation of artwork on the development site prior to the City's issuance of a final certificate of occupancy for each phase unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval. On-site art installation shall be designed by independent artists, or artists working in conjunction with arts or community organizations that are verified by the City to either hold a valid Oakland business license and/or be an Oakland-based 501(c) (3) tax designated organization in good standing.

The project sponsor shall allocate the public art funds to hire Oakland-based artists to provide public art on or near the site if an in-lieu contribution is not selected. The method of calculating public art fees for mixed use developments (as explained below) shall apply:

For projects containing a mix of residential and nonresidential uses, the proportion of the building development cost assessed for the residential or commercial contribution is equal to the proportion of the floor area devoted to such activities. For example, if 80 percent of the floor area of a proposed new building is residential, then 80 percent of the development costs would be used to determine the residential share of the contribution. The remaining 20

percent of development cost would be used to determine the nonresidential share of the contribution fee.

When Required: Prior to issuance of Final Certificate of Occupancy for the first unit and Ongoing

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

20. **Development Impact Fees**

The project shall be subject to, and Applicant shall agree to pay, any applicable development impact fees adopted by the City Council.

When Required: Prior to issuance of Building Permits

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

21. **Green Building Requirements**

a. ***Compliance with Green Building Requirements During Plan-Check***

Requirement: The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).

- i. The following information shall be submitted to the City for review and approval with the application for a building permit:
 - Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.
 - Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
 - Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
 - Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.
 - Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
 - Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.
 - Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.
- ii. The set of plans in subsection (i) shall demonstrate compliance with the following:
 - CALGreen mandatory measures.

- All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.
- **53** per the appropriate checklist approved during the Planning entitlement process.
- All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.
- The required green building point minimums in the appropriate credit categories.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

b. ***Compliance with Green Building Requirements During Construction***

Requirement: The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.

The following information shall be submitted to the City for review and approval:

- i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.
- ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.
- iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

c. ***Compliance with Green Building Requirements After Construction***

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

When Required: After project completion as specified

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

22. Sanitary Sewer System

Requirement: The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Department of Engineering and Construction

Monitoring/Inspection: N/A

23. Tentative Parcel Map

In order for the proposed project to be completed as condominiums, the project applicant shall revise the Tentative Parcel Map to reflect the change in number of units, and apply and receive approval for a Final Parcel Map with the City of Oakland Planning and Building Departments.

When Required: Prior to approval of issuance of certificate of occupancy

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

24. Other City Department Requirements

The applicant shall comply with all requirements of other City of Oakland departments.

When Required: Prior to application for a building permit

Initial Approval: Bureau of Planning; Bureau of Building; Fire Prevention; Public Works.

Monitoring/Inspection: Bureau of Building

25. Final Building Materials and Colors

The applicant shall submit the final exterior building materials and colors to the Oakland Planning Bureau for review and approval. The applicant shall provide the following details:

- a. Samples of exterior materials, colors, and other finishes; and
- b. Window details showing 2" minimum recess from surrounding exterior walls.

When Required: Prior to application for a building permit

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

26. Transportation Improvement Measures

The applicant shall incorporate the following transportation improvements into the proposed project, subject to City review and approval:

The following project-specific improvement measures have been identified to further reduce the less than significant transportation-related impacts related to vehicle access and circulation, bicycle access, and pedestrian access:

Improvement Measure TR-1: Entering Queue Abatement

For Phase 2 conditions, as an improvement measure to minimize the tendency for vehicles on Edes Avenue to queue across the railroad tracks, the project would work with City staff to identify appropriate street markings and signage, compliant with the MUTCD, to warn drivers where to wait in advance of the tracks when a downstream queue is present.

Improvement Measure TR-2: Spillback Queue Abatement

For Phase 1 and Phase 2 conditions, as an improvement measure to minimize the tendency for vehicles in queue to drop off or pick up students to spillback onto the local street network, the project sponsor should designate staff members to help manage the flow of traffic during drop off and pick up periods to ensure the queue continues to flow.

Improvement Measure TR-3: Transit Subsidy

As an improvement measure to encourage use of transit, the project sponsor should provide subsidized transit passes to all students and staff. The value of the student passes should be equivalent to the monthly pass value of an AC Transit local youth 31-day pass (currently \$26.50). The value of the staff passes should be equivalent to the monthly pass value of the adult local 31-day pass (currently \$81).

Improvement Measure TR-5: Signal Timing Modifications at 105th Avenue/Edes Avenue

For Phase 1 and Phase 2 conditions, since the pedestrian crossings at the intersection are approximately 32 feet to 40 feet in length, the pedestrian clearance time should be increased to 10 to 12 seconds, relative to the crossing distance. The MUTCD standard assumption of 3.5 feet per second crossing speed should be used to compute the pedestrian clearance time for each crossing.

Improvement Measure TR-5: Pedestrian-Specific Points of Access to Project Site

As the site plan is refined for Phase 1 and Phase 2, pedestrian-specific access points should be incorporated into the site plan. For example, pedestrian-only gates should be installed in the existing perimeter fence along 105th Avenue and Edes Avenue so that pedestrians can enter and exit the project site via pathways other than the vehicle driveways.

Transportation and Parking Demand Management Plan

The following transportation demand management measures have been recommended as part of the TDM plan:

TDM-1: TDM Program Coordinator. The TDM Program Coordinator is responsible for implementation, monitoring, and reporting of the TDM Plan. The TDM Coordinator would

facilitate site inspections by City staff to verify that the standards specified as conditions of approval are met. This person(s) can be a school employee or a third party provider that runs the program.

TDM-2: Bike Parking. The project would provide short-term and long-term bicycle parking facilities to meet maximum estimated demand. The maximum estimated demand is calculated as 200 percent of the highest peak hour demand based on the bike mode share and estimated travel demand and the increase in bike trips resulting from implementation of this TDM strategy. The project shall include at least 20 short-term and 20 long-term bicycle parking spaces. The number of bicycle parking spaces would be equitably adjusted (increased) based on observed demand.

TDM-3: Transit and Bicycle Incentives. The project would provide subsidized/discounted daily or monthly public transit or bike share passes. The project would provide the equivalent of a \$1.50 per trip subsidy for these modes.

TDM-4: School Pool Program. The project would develop and implement a ridesharing program for students. The ridesharing "School Pool" program will help to match parents to transport students to/from campus. The VMT reduction calculation assumes aggressive implementation with a 35 percent adoption rate.

TDM-5: Pedestrian Network Improvements. The project would implement on-site and off-site improvements to the pedestrian network and link areas of the project site and encourage people to walk instead of drive. The project would also minimize barriers to pedestrian access and interconnectivity. The project would implement the following improvements:

- o Modify signal timing at 105th Avenue/Edes Avenue to increase pedestrian clearance time across 105th Avenue (Improvement Measure TR-3);⁸
- o Install reconstructed sidewalks and roadway striping upgrades at the nearby railroad crossings at 105th Avenue and Edes Avenue;⁹ and,
- o Provide pedestrian access points to reduce out of direction travel and allow people to enter the campus from multiple directions (Improvement Measure TR-4).

The project sponsor shall submit an annual compliance report for review and approval by the City. This report will be submitted within one year of occupancy and every following year for a total of at least five years. If timely reports are not submitted, the reports indicate a failure to achieve the stated policy goals, or the required alternative mode split is still not achieved, staff will work with the project sponsor to find ways to meet their commitments and achieve trip reduction goals. If the issues cannot be resolved, the matter may be referred to the Planning Commission for resolution. Project sponsors shall be required, as a condition of approval to reimburse the City for costs incurred in maintaining and enforcing the trip reduction program for the approved project.

When Required: Prior to application for; issuance of; Building Permits; final inspections; issuance of Certificate of Occupancy; and Ongoing

Initial Approval: Bureau of Planning; Bureau of Building; PWA

Monitoring/Inspection: Bureau of Building

27. Emergency Preparedness Plan

The project applicant shall develop an emergency preparedness plan for the school to address safety, shelter-in-place and evacuation measures in the event of any train derailment or hazardous materials spill due to the proximity of rain tracks in the vicinity of the proposed school.

When Required: Prior to application for; issuance of; Building Permits; final inspections; issuance of Certificate of Occupancy; and Ongoing.

Initial Approval: Bureau of Planning; Bureau of Building; PWA

Monitoring/Inspection: Bureau of Building

Applicant Statement

I have read and accept responsibility for the Conditions of Approval. I agree to abide by and conform to the Conditions of Approval, as well as to all provisions of the Oakland Planning Code and Oakland Municipal Code pertaining to the project.

Name of Project Applicant

Signature of Project Applicant

Date

APPROVED BY:

City Planning Commission: _____ (date) _____ (vote)

Attachment C

Standard Conditions of Approval and Mitigation and Monitoring Reporting Plan

This Standard Conditions of Approval and Mitigation and Monitoring Reporting Plan (SCAMMRP) is based on the CEQA Analysis prepared for the Lighthouse Academy Project.

The City of Oakland's Uniformly Applied Development Standards, adopted as Standard Conditions of Approval (Standard Conditions of Approval, or SCAs), were originally adopted by the City in 2008 (Ordinance No. 12899 C.M.S.) pursuant to Public Resources Code section 21083.3 and have been incrementally updated over time. The SCAs incorporate development policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection, Stormwater Water Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) permit requirements, Housing Element-related mitigation measures, Green Building Ordinance, historic/Landmark status, California Building Code, and Uniform Fire Code, among others), which have been found to substantially mitigate environmental effects. These SCAs are incorporated into Projects as conditions of approval, regardless of the determination of a Project's environmental impacts. As applicable, the SCAs are adopted as requirements of an individual Project when it is approved by the City, and are designed to, and will, avoid or substantially reduce a Project's environmental effects.

In reviewing Project applications, the City determines which SCAs apply based upon the zoning district, community plan, and the type of permits/approvals required for the Project. Depending on the specific characteristics of the Project type and/or Project site, the City will determine which SCAs apply to a specific Project. Because these SCAs are mandatory City requirements imposed on a city-wide basis, environmental analyses assume that these SCAs will be imposed and implemented by the Project, and are not imposed as mitigation measures under CEQA.

All SCAs identified in the CEQA Analysis—which are consistent with the measures and conditions presented in the City of Oakland General Plan, Land Use and Transportation EIR (LUTE EIR, 1998)—are included herein. To the extent that any SCA identified in the CEQA Analysis was inadvertently omitted, it is automatically incorporated herein by reference.

- The first column identifies the SCA applicable to that topic in the CEQA Analysis.
- The second column identifies the monitoring schedule or timing applicable to the Project.
- The third column names the party responsible for monitoring the required action for the Project.

ATTACHMENT A. STANDARD CONDITIONS OF APPROVAL

In addition to the SCAs identified and discussed in the CEQA Analysis, other SCAs that are applicable to the Project are included herein.

The Project sponsor is responsible for compliance with any recommendations in approved technical reports and with all SCAs set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific SCA, and subject to the review and approval of the City of Oakland. Overall monitoring and compliance with the SCAs will be the responsibility of the Planning and Zoning Division. Prior to the issuance of a demolition, grading, and/or construction permit, the Project sponsor shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule. Note that the SCAs included in this document are referred to using an abbreviation for the environmental topic area and are numbered sequentially for each topic area—i.e., SCA-AIR-1, SCA-AIR-2, etc. The SCA title and the SCA number that corresponds to the City's master SCA list are also provided in the Appendix listing—i.e., SCA-AIR-1: Construction-Related Air Pollution (Dust and Equipment Emissions) (#19).

ATTACHMENT A. STANDARD CONDITIONS OF APPROVAL

Standard Condition of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring Inspection
Aesthetics, Shadow, and Wind			
<p>SCA AES-1 (Standard Condition of Approval 16): <i>Graffiti Control</i></p> <p>a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:</p> <ul style="list-style-type: none"> i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces. ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces. iii. Use of paint with anti-graffiti coating. iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED). <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:</p> <ul style="list-style-type: none"> i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system. ii. Covering with new paint to match the color of the surrounding surface. iii. Replacing with new surfacing (with City permits if required). 	Ongoing.	N/A	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p>SCA AES-2 (Standard Condition of Approval 17): <i>Landscape Plan</i></p> <p>a. Landscape Plan Required The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.</p> <p>b. Landscape Installation The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated</p>	<ul style="list-style-type: none"> a. Prior to approval of construction-related permit. b. Prior to building permit final. c. Ongoing 	<ul style="list-style-type: none"> a. City of Oakland Bureau of Planning and Building b. City of Oakland Bureau of Planning and Building c. N/A 	<ul style="list-style-type: none"> a. N/A b. City of Oakland Bureau of Building Services Division, Zoning Inspections c. City of Oakland Bureau of Building Services Division, Zoning Inspections

ATTACHMENT A. STANDARD CONDITIONS OF APPROVAL

Standard Condition of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring Inspection
<p>cost of implementing the Landscape Plan based on a licensed contractor's bid.</p> <p>c. Landscape Maintenance</p> <p>All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.</p>			
<p>SCA AES-3 (Standard Condition of Approval 18): <i>Lighting</i></p> <p>Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.</p>	Prior to building permit final.	N/A	City of Oakland Bureau of Building Services Division, Zoning Inspections
Air Quality			
<p>SCA AIR-1 (Standard Condition of Approval 19): <i>Construction-Related Air Pollution Controls (Dust and Equipment Emissions)</i></p> <p>The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <p>a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.</p> <p>b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).</p> <p>c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>d. Pave all roadways, driveways, sidewalks, etc., as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>e. Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</p> <p>f. Limit vehicle speeds on unpaved roads to 15 miles per hour.</p>	During construction.	N/A	City of Oakland Bureau of Building Services Division, Zoning Inspections

ATTACHMENT A. STANDARD CONDITIONS OF APPROVAL

Standard Condition of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring Inspection
<p>g. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.</p> <p>h. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations").</p> <p>i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.</p> <p>k. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</p> <p>o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</p> <p>p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity.</p>			

ATTACHMENT A. STANDARD CONDITIONS OF APPROVAL

Standard Condition of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring Inspection
<p>q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.</p> <p>s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <p>t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met.</p> <p>v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).</p> <p>w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.</p> <p>x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard.</p> <p>y. Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.</p>			
<p>SCA AIR-2 (Standard Condition of Approval 20): <i>Exposure to Air Pollution (Toxic Air Contaminants)</i></p> <p>a. Health Risk Reduction Measures <u>Requirement:</u> The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose <u>one</u> of the following methods:</p>	<p>a. Prior to approval of construction-related permit.</p> <p>b. Ongoing</p>	<p>a. City of Oakland Bureau of Planning and Building;</p> <p>b. N/A</p>	<p>a. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. City of Oakland Bureau of Building</p>

ATTACHMENT A. STANDARD CONDITIONS OF APPROVAL

Standard Condition of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring Inspection
<p>i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p align="center">- or -</p> <p>ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ul style="list-style-type: none"> • Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required. • Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph). • Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible. • The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a 			<p>Services Division, Zoning Inspections</p>

ATTACHMENT A. STANDARD CONDITIONS OF APPROVAL

Standard Condition of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring Inspection
<p>distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.</p> <ul style="list-style-type: none"> • Sensitive receptors shall be located on the upper floors of buildings, if feasible. • Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (<i>Pinus nigra</i> var. <i>maritima</i>), Cypress (<i>X Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids X trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>). • Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. • Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible. • Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: <ul style="list-style-type: none"> - Installing electrical hook-ups for diesel trucks at loading docks. - Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards. - Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels. - Prohibiting trucks from idling for more than two minutes. - Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented. <p>b. Maintenance of Health Risk Reduction Measures</p> <p><u>Requirement:</u> The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and</p>			

ATTACHMENT A. STANDARD CONDITIONS OF APPROVAL

Standard Condition of Approval	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring Inspection
<p>maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>			
<p>SCA AIR-3 (Standard Condition of Approval 21) <i>Stationary Sources of Air Pollution (Toxic Air Contaminants)</i></p> <p>The Project applicant shall incorporate appropriate measures into the Project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose one of the following methods:</p> <p>a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p>or</p> <p>b The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <p>i. Installation of non-diesel fueled generators, if feasible, or;</p> <p>ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.</p>	<p>Prior to approval of Construction-related permit</p>	<p>City of Oakland Bureau of Building Services Division.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p>SCA AIR-4 (Standard Condition of Approval 23): <i>Asbestos in Structures</i></p> <p><u>Requirement:</u> The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and</p>	<p>Prior to approval of construction-related permit</p>	<p>City of Oakland Bureau of Building Services Division BAAQMD</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections BAAQMD</p>

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Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.			
<p>SCA GEN-1 (Standard Condition of Approval 13): <i>Construction Management Plan</i></p> <p>Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.</p>	Prior to issuance of construction related permit	City of Oakland Bureau of Building Services Division	City of Oakland Bureau of Building Services Division, Zoning Inspections
Biological Resources			
<p>SCA BIO-1 (Standard Condition of Approval 26): <i>Tree Removal During Bird Nesting Season</i></p> <p>To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and</p>	Prior to removal of trees.	City of Oakland Bureau of Building Services Division	City of Oakland Bureau of Building Services Division, Zoning Inspections

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Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest			
<p>SCA BIO-2 (Standard Condition of Approval 27): <i>Tree Permit</i></p> <p>a. Tree Permit Required Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.</p> <p>b. Tree Protection During Construction <u>Requirement:</u> Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <p>i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.</p> <p>ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter</p>	<p>a. Prior to approval of construction-related permit</p> <p>b. During construction.</p> <p>c. Prior to building permit final.</p>	<p>a. City of Oakland Public Works Department, Tree Division; Bureau of Buildings</p> <p>b. City of Oakland Public Works Department, Tree Division</p> <p>c. Public Works Department, Tree Division</p>	<p>a. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>c. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

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<p>the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p>			
<p>v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved.</p> <p>If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p> <p>vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p> <p>c. Tree Replacement Plantings</p> <p><u>Requirement:</u> Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:</p> <p>i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.</p> <p>ii. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus</p>			

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<p>menziesii (Madrone), Aesculus californica (California Buckeye), Umbellularia californica (California Bay Laurel), or other tree species acceptable to the Tree Division.</p> <p>iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.</p> <p>iv. Minimum planting areas must be available on site as follows:</p> <ul style="list-style-type: none"> • For Sequoia sempervirens, three hundred fifteen (315) square feet per tree; • For other species listed, seven hundred (700) square feet per tree. <p>v. In the event that replacement trees are required but cannot be planted due to site constraints, and in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.</p> <p>vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.</p>			
Cultural Resources			
<p>SCA CUL-1 (Standard Condition of Approval 29): <i>Archaeological and Paleontological Resources – Discovery During Construction</i></p> <p><u>Requirement:</u> Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of</p>	During construction.	N/A	City of Oakland Bureau of Building Services Division

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<p>factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.</p> <p>In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p>			
<p>SCA CUL-2 (Standard Condition of Approval SCA 30): Archaeologically Sensitive Areas – Pre-Construction Measures</p> <p><u>Requirement:</u> The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources.</p> <p>Provision A: Intensive Pre-Construction Study.</p> <p>The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period</p>	<p>Prior to approval of Construction-related permit; during construction</p>	<p>City of Oakland Bureau of Building Services Division</p>	<p>City of Oakland Bureau of Building Services Division</p>

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<p>archaeological resources on the project site. At a minimum, the study shall include:</p> <ul style="list-style-type: none"> a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources. b. A report disseminating the results of this research. c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources. <p>If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction.</p> <p>Provision B: Construction ALERT Sheet.</p> <p>The project applicant shall prepare a construction "ALERT" sheet developed by a qualified archaeologist for review and approval by the City prior to soil disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil-disturbing activities within the project site.</p> <p>The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, firecracked rocks); concentrations of bones; recognizable Native American artifacts</p>			

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(arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in visible location at the project site.			
<p>SCA CUL-3 (Standard Condition of Approval SCA 31): Human Remains – Discovery During Construction</p> <p><u>Requirement:</u> Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.</p>	During construction.	N/A	City of Oakland Bureau of Building Services Division, Zoning Inspections
Geology and Soils:			
<p>SCA GEO-1 (Standard Condition of Approval 33): Construction-Related Permit(s)</p> <p><u>Requirement:</u> The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p>SCA GEO-2 (Standard Condition of Approval 34): Soils Report</p> <p><u>Requirement:</u> The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections	City of Oakland Bureau of Building Services Division, Zoning Inspections

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report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.			
Greenhouse Gas Emissions/Global Climate Change			
Also refer to SCA-TRANS-1: Transportation and Parking Demand Management (#71) and SCA-UTIL-3: Construction and Demolition Waste Reduction and Recycling (#74) for additional Greenhouse Gas Conditions of Approval that apply to this project			
Hazards and Hazardous Materials			
<p>SCA HAZ-1 (Standard Condition of Approval 39): <i>Hazards Materials Related to Construction</i></p> <p><u>Requirement:</u> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:</p> <ol style="list-style-type: none"> Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction; Avoid overtopping construction equipment fuel gas tanks; During routine maintenance of construction equipment, properly contain and remove grease and oils; Properly dispose of discarded containers of fuels and other chemicals; Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the 	During construction.	N/A	City of Oakland Bureau of Building Services Division, Zoning Inspections

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measures have been implemented under the oversight of the City or regulatory agency, as appropriate.			
<p>SCA HAZ-2 (Standard Condition of Approval 40): <i>Hazardous Building Materials and Site Contamination</i></p> <p>a. Hazardous Building Materials Assessment <u>Requirement:</u> The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p>	<p>a. Prior to approval of demolition, grading or building permits</p> <p>b. Prior to approval of construction-related permit</p> <p>c. Prior to approval of construction-related permit</p> <p>d. During Construction</p>	<p>a. City of Oakland Bureau of Building Services Division</p> <p>b. Applicable regulatory agency with jurisdiction</p> <p>c. City of Oakland Bureau of Building Services Division</p> <p>d. N/A</p>	<p>a. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. Applicable regulatory agency with jurisdiction</p> <p>c. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>d. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p>b. Environmental Site Assessment Required <u>Requirement:</u> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p> <p>c. Health and Safety Plan Required <u>Requirement:</u> The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.</p> <p>d. Best Management Practices (BMPs) Required for Contaminated Sites</p>			

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<p>Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p> <ul style="list-style-type: none"> i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements. ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building. 			
See SCA AIR-4, Asbestos in Structures . See <i>Air Quality</i> , above for actions to address Hazardous Materials impacts.			
Hydrology and Water Quality			
<p>SCA HYD-1 (Standard Condition of Approval 45): <i>Erosion and Sedimentation Control Plan for Construction</i></p> <p>a. Erosion and Sedimentation Control Plan Required</p> <p>Requirement: The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains,</p>	<ul style="list-style-type: none"> a. Prior to approval of construction-related permit. b. During construction. 	<ul style="list-style-type: none"> a. City of Oakland Bureau of Building Services Division b. N/A 	<ul style="list-style-type: none"> a. N/A b. City of Oakland Bureau of Building Services Division, Zoning Inspections
dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project			

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<p>applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p> <p>b. Erosion and Sedimentation Control During Construction</p> <p><u>Requirement:</u> The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.</p>			
Noise			
<p>SCA NOI-1 (Standard Condition of Approval 58): <i>Construction Days/Hours</i></p> <p><u>Requirement:</u> The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <p>a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.</p> <p>b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.</p> <p>c. No construction is allowed on Sunday or federal holidays.</p> <p>Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non- enclosed area.</p> <p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property</p>	During construction.	N/A	City of Oakland Bureau of Building Services Division, Zoning Inspections

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owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.			
<p>SCA NOI-2 (Standard Condition of Approval 59): <i>Construction Noise</i></p> <p><u>Requirement:</u> The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible. b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c. Applicant shall use temporary power poles instead of generators where feasible. d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented. 	During construction.	N/As	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p>SCA NOI-3 (Standard Condition of Approval 60): <i>Extreme Construction Noise</i></p> <p>a. <i>Construction Noise Management Plan Required</i></p>	a. Prior to approval of construction-	City of Oakland Bureau of Building Services Division	City of Oakland Bureau of Building Services Division,

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<p><u>Requirement:</u> Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; ii. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and v. Monitor the effectiveness of noise attenuation measures by taking noise measurements. <p>b. Public Notification Required</p> <p><u>Requirement:</u> The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p>	<ul style="list-style-type: none"> related permit. b. During construction. 		<p>Zoning Inspections</p>
<p>SCA NOI-4 (Standard Condition of Approval 61): <i>Project-Specific Construction Noise Reduction Measures</i></p> <p><u>Requirement:</u> Requirement: The project applicant shall submit a Construction Noise Management Plan</p>	<p>Prior to approval of construction-related permit</p>	<p>City of Oakland Bureau of Building Services Division</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

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prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction noise impacts. The project applicant shall implement the approved Plan during construction.			
<p>SCA NOI-5 (Standard Condition of Approval 62): <i>Construction Noise Complaints</i></p> <p><u>Requirement:</u> The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ol style="list-style-type: none"> Designation of an on-site construction complaint and enforcement manager for the project; A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit; Protocols for receiving, responding to, and tracking received complaints; and Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request. 	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p>SCA NOI-6 (Standard Condition of Approval 63) <i>Exposure to Community Noise</i></p> <p><u>Requirement:</u> The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:</p> <ol style="list-style-type: none"> 45 dBA: Residential activities, civic activities, hotels 50 dBA: Administrative offices; group assembly activities 55 dBA: Commercial activities 65 dBA: Industrial activities 	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p>SCA NOI-7 (Standard Condition of Approval 64): <i>Operational Noise</i></p> <p><u>Requirement:</u> Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning</p>	Ongoing.	City of Oakland Bureau of Building Services Division,	City of Oakland Bureau of Building Services Division, Zoning Inspections

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Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.			
Recreation			
Refer to SCA HAZ-2 <i>Hazardous Materials Related to Construction (#39)</i> and SCA-HAZ-3 <i>Hazardous Building Materials and Site Contamination (#40)</i> to address potential recreation impacts			
Transportation and Circulation			
<p>SCA TRA-1 (Standard Condition of Approval 68): <i>Construction Activity in the Public Right-of-Way</i></p> <p>a. Obstruction Permit Required <u>Requirement:</u> The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.</p> <p>b. Traffic Control Plan Required <u>Requirement:</u> In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.</p> <p>c. Repair of City Streets <u>Requirement:</u> The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p>	<p>a. Prior to approval of construction-related permit.</p> <p>b. Prior to approval of construction-related permit.</p> <p>c. Prior to building permit final.</p>	<p>a. City of Oakland Bureau of Building Services Division</p> <p>b. Public Works Department, Transportation Services Division</p> <p>c. N/A</p>	<p>a. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>c. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p>SCA TRA-2 (Standard Condition of Approval 69): <i>Bicycle Parking</i></p> <p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Planning and Building	City of Oakland Bureau of Building Services Division, Zoning Inspections

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Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.			
<p>SCA TRA-3 (Standard Condition of Approval 70): <i>Transportation Improvements.</i></p> <p>The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Study for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, and pedestrian and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</p> <ul style="list-style-type: none"> a. 2070L Type Controller with cabinet accessory b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) d. Countdown pedestrian head module switch out e. City Standard ADA wheelchair ramps f. Video detection on existing (or new, if required) g. Mast arm poles, full activation (where applicable) h. Polara Push buttons (full activation) i. Bicycle detection (full activation) j. Pull boxes k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum l. Conduit replacement contingency m. Fiber switch n. PTZ camera (where applicable) 	Prior to building permit final or as otherwise specified	Bureau of Building; Public Works Department, Transportation Services Division	City of Oakland Bureau of Building Services Division, Zoning Inspections

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<p>o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor</p> <p>p. Signal timing plans for the signals in the coordination group</p>			
<p>SCA TRA-4 (Standard Condition of Approval 71): <i>Transportation and Parking Management Plan</i></p> <p>a. Transportation and Parking Demand Management (TDM) Plan Required</p> <p><u>Requirement:</u> The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p> <p>i. The goals of the TDM Plan shall be the following:</p> <ul style="list-style-type: none"> • Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project. • Achieve the following project vehicle trip reductions (VTR): <ul style="list-style-type: none"> – Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR <p>Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR</p> <ul style="list-style-type: none"> • Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. • Enhance the City's transportation system, consistent with City policies and programs. <p>ii. TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. • Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping. • Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to 	<p>Prior to building permit final or as otherwise specified</p>	<p>Bureau of Building; Public Works Department, Transportation Services Division</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

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<p>encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.</p> <ul style="list-style-type: none"> • Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. • Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. • Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency). <p>Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.</p> <ul style="list-style-type: none"> • Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3). • Guaranteed ride home program for employees, either through 511.org or through separate program. • Pre-tax commuter benefits (commuter checks) for employees. • Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants. • On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools. • Distribution of information concerning alternative transportation options. • Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive 			

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<p>or transit pass alternative to a free parking space in commercial properties.</p> <ul style="list-style-type: none"> • Parking management strategies including attendant/valet parking and shared parking spaces. • Requiring tenants to provide opportunities and the ability to work off-site. • Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week). • Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours. <p>The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.</p> <p>b. TDM Implementation – Physical Improvements <u>Requirement:</u> For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p> <p>c. TDM Implementation – Operational Strategies <u>Requirement:</u> For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports</p>			

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are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.			
<p>SCA TRA-5 (Standard Condition of Approval 73): <i>Railroad Crossings</i></p> <p><u>Requirement:</u> The project applicant shall submit for City review and approval a Diagnostic Review to evaluate potential impacts to at-grade railroad crossings resulting from project-related traffic. In general, the major types of impacts to consider are collisions between trains and vehicles, trains and pedestrians, and trains and bicyclists. The Diagnostic Review shall include specific traffic elements, such as roadway and rail description, accident history, traffic volumes (all modes, including pedestrian and bicyclist crossing movements), train volumes, vehicular speeds, train speeds, and existing rail and traffic control.</p> <p>Where the Diagnostic Review identifies potentially substantially dangerous crossing conditions at at-grade railroad crossings caused by the project, measures relative to the project's traffic contribution to the crossings shall be applied through project redesign and/or incorporation of the appropriate measures to reduce potential adverse impacts at the crossings. These measures may include, without limitation, the following:</p> <ol style="list-style-type: none"> a. Installation of grade separations at crossings, i.e., physically separating roads and railroad tracks by constructing overpasses or underpasses b. Improvements to warning devices at existing highway rail crossings that are impacted by project traffic c. Installation of additional warning signage d. Improvements to traffic signaling at intersections adjacent to crossings, e.g., signal preemption e. Installation of median separation to prevent vehicles from driving around railroad crossing gates f. Where sound walls, landscaping, buildings, etc. would be installed near crossings, maintaining the visibility of warning devices and approaching trains g. Prohibition of parking within 100 feet of the crossings to improve the visibility of warning devices and approaching trains h. Construction of pull-out lanes for buses and vehicles transporting hazardous materials 	Prior to approval of construction-related permit	Bureau of Building; Public Works Department, Transportation Services Division	City of Oakland Bureau of Building Services Division, Zoning Inspections

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<p>i. Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way</p> <p>j. Elimination of driveways near crossings</p> <p>k. Increased enforcement of traffic laws at crossings</p> <p>1. Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings</p> <p>Any proposed improvements must be coordinated with California Public Utility Commission (CPUC) and affected railroads and all necessary permits/approvals obtained, including a GO 88-B Request (Authorization to Alter Highway Rail Crossings). The project applicant shall implement the approved measures during construction of the project.</p>			
Tribal Cultural Resources			
Refer to SCA CUL-1 <i>Archaeological and Paleontological Resources – Discovery During Construction (#29)</i> ; SCA CUL-2 <i>Archaeologically Sensitive Areas – Pre-construction Measures (#30)</i> ; and SCA CUL-3, <i>Human Remains – Discovery During Construction (#31)</i> for actions to address potential impacts to Tribal Cultural Resources			
Utilities and Services			
<p>SCA UTL-1 (Standard Condition of Approval 74) <i>Construction and Demolition Waste Reduction and Recycling</i></p> <p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>	Prior to approval of construction-related permit	City of Oakland Public Works Department, Environmental Services Division	City of Oakland Public Works Department, Environmental Services Division
<p>SCA UTL-2 (Standard Condition of Approval 77) <i>Green Building Requirements</i></p> <p>a. <i>Compliance with Green Building Requirements During Plan-Check</i></p>	a. Prior to approval of construction-related permit.	a. City of Oakland Bureau of Building	a. N/A b. City of Oakland Bureau of Building

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<p><u>Requirement:</u> The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).</p> <p>i. The following information shall be submitted to the City for review and approval with the application for a building permit:</p> <ul style="list-style-type: none"> • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. • Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> • CALGreen mandatory measures. • All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit. 	<p>b. During construction.</p> <p>c. Prior to final approval.</p>	<p>Services Division</p> <p>b. N/A</p> <p>c. City of Oakland Bureau of Planning and Building</p>	<p>Services Division, Zoning Inspections</p> <p>c. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

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<ul style="list-style-type: none"> LEED Silver (minimum 50 points) (except the cool roof requirement) per the appropriate checklist approved during the Planning entitlement process. CALGreen mandatory measures for non-residential construction Green Building Certification (Green Building Certification Institution and City staff for CALGreen) 			
<ul style="list-style-type: none"> All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted. The required green building point minimums in the appropriate credit categories. <p>b. Compliance with Green Building Requirements During Construction</p> <p><u>Requirement:</u> The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ol style="list-style-type: none"> Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p>c. Compliance with Green Building Requirements After Construction</p> <p><u>Requirement:</u> Prior to the finaling of the building permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.</p>			
<p>SCA UTL-5 (Standard Condition of Approval 79) <i>Sanitary Sewer System</i></p> <p><u>Requirement:</u> The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City</p>	Prior to approval of construction-related permit.	City of Oakland Public Works Department, Department of	N/A

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of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.		Engineering and Construction	
<p>SCA UTL-6 (Standard Condition of Approval 80) <i>Storm Drain System</i></p> <p><u>Requirement:</u> The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division	City of Oakland Bureau of Building Services Division, Zoning Inspections



August 20, 2019

Annual Compliance Report: Lodestar 735 105th Ave

Dear Mr. Brenyah-Addow,

Lodestar: A Lighthouse Community Public School is submitting our annual Transportation Demand Management Plan compliance report as required as well as an update on our overall efforts regarding transportation and traffic . The report is broken down into three sections. Section one outlines Condition of Approval 26 in our Conditional Use Permit (CUP) which lists the required Transportation Improvement Measures. Section two discusses our most recent carpooling data and, section three discusses other actions we have taken outside the requirements of the CUP or TDM to address transportation and traffic.

Section one - Condition of Approval #26 – Transportation Improvement Measures

The CUP for Lighthouse required the school to implement various transportation improvement measures. The table below lists all the measures required and their status. As shown in the table all the measures have been completed except for bike parking which will be implemented following the completion of Phase 2 and carpooling, which is an ongoing item that is continuously monitored and implemented.

Table 1: Condition of Approval 26: Transportation Improvement Measures

Condition	Compliance Status
<p>Improvement Measure TR-1: Entering Queue Abatement For Phase 2 conditions. As an improvement measure to minimize the tendency for vehicles on Edes Avenue to queue across the railroad tracks, the project would work with City staff to identify appropriate street markings and signage, compliant with the MUTCD, to warn drivers where to wait in advance of the tracks when a downstream queue is present.</p>	<p>Per diagnostic review, 7/18/18, short term improvements address this item. Complete 8/9/18.</p>

8/21/19
Attachment B

<p>Improvement Measure TR-2: Spillback Queue Abatement For Phase 1 and Phase 2 conditions. As an improvement measure to minimize the tendency for vehicles in queue to drop off or pick up students to spillback onto the local street network, the project sponsor should designate staff members to help manage the flow of traffic during drop off and pick up periods to ensure the queue continues to flow.</p>	<p>Lighthouse assigns staff during drop off and pick up times to manage and ensure traffic continuously flows. School also has a crossing guard at 105th and Edes for pedestrians. Complete. Programming plan submitted to Maurice Brenyah-Addow 7/19/18.</p>
<p>Improvement Measure TR-3: Transit Subsidy.As an improvement measure to encourage use of transit, the project sponsor should provide subsidized transit passes or bike share memberships to all high school students and staff. The value of the student passes should be equivalent to the monthly pass value of an AC Transit local youth 31-day pass (currently \$26.50). The value of the staff passes should be equivalent to the monthly pass value of the adult local 31-day pass (currently \$81).</p>	<p>Lighthouse offers subsidized passes to students and staff. Complete. Programming plan submitted to Maurice Brenyah-Addow 7/19/18.</p>
<p>Improvement Measure TR-5: Signal Timing Modifications at 105th Avenue/Edes Avenue. For <i>Phase 1 and Phase 2</i> conditions, since the pedestrian crossings at the intersection are approximately 32 feet to 40 feet in length, the pedestrian clearance time should be increased to 10 to 12 seconds, relative to the crossing distance. The MUTCD standard assumption of 3.5 feet per second crossing speed should be used to compute the pedestrian clearance time for each crossing.</p>	<p>PX permit revision submitted to DOT 7/10/18. Complete, 8/15/18, per Ade Oluwasogo.</p>
<p>TR-5: Pedestrian-specific points of access to project site. As the site plan is refined for <i>Phase 1 and Phase 2</i>, pedestrian-specific access points should be incorporated into the site plan. For example, pedestrian-only gates should be installed in the existing perimeter fence along 105th Avenue and Edes Avenue so that pedestrians can enter and exit the project site via pathways other than the vehicle driveways.</p>	<p>Pedestrian access points provided on 105th and on Edes. Complete July 2018 during Phase 1 Construction.</p>
<p>TDM-1: TDM Program Coordinator. The TDM Program Coordinator is responsible for facilitating site inspections by City staff to verify that the standards specified as conditions of approval are met. This person(s) can be a school employee or a third party provider that runs the program.</p>	<p>Eleazar Madrid, Operation Manager Lighthouse is the TDM Program Coordinator. Complete. Programming documents submitted to Maurice Brenyah-Addow 7/19/18.</p>

<p>TDM-2: Bike Parking. The project would provide short-term and long-term bicycle parking facilities to meet maximum estimated demand. The maximum estimated demand is calculated as 200 percent of the highest peak hour demand based on the bike mode share and estimated travel demand and the increase in bike trips resulting from implementation of this TDM strategy. The project shall include at least 20 short-term and 20 long-term bicycle parking spaces. The number of bicycle parking spaces would be equitably adjusted (increased) based on observed demand.</p>	<p>Project will install 20 long term and 20 short-term racks during phase 2. On plans submitted to building department. Currently, we have 5 short-term bike parking facilities.</p>
<p>TDM-3: Transit and Bicycle Incentives. The project would provide subsidized/discounted daily or monthly public transit or bike share passes. The project would provide the equivalent of a \$1.50 per trip subsidy for these modes. See Improvement Measure TR-3.</p>	<p>Complete. See TR-3 above</p>
<p>TDM-4: School Pool Program. The project would develop and implement a ridesharing program for students. The ridesharing "School Pool" program will help to match parents to transport students to/from campus. The VMT reduction calculation assumes aggressive implementation with a 35 percent adoption rate.</p>	<p>Carpool app, Go Kid, which connects families that want to carpool, was launched in late spring of the 2018-19 school year. Carpooling compliance is an ongoing item. School is hosting match making events based on geographical location annually and promoting and strongly encouraging carpooling as part of 2019-20 enrollment. More information regarding carpooling in Section 2 below.</p>

<p>TDM-5: Pedestrian Network Improvements. The project would implement on-site and off site improvements to the pedestrian network and link areas of the project site and encourage people to walk instead of drive. The project would also minimize barriers to pedestrian access and interconnectivity. The project would implement the following improvements:</p> <p>1. Modify signal timing at 105th Avenue/Edes Avenue to increase pedestrian clearance time across 105th Avenue (Improvement Measure TR-4). The project sponsor will contract with a transportation-engineering consultant to prepare a modified signal timing plan. The City will implement the signal timing changes in the field. TR 3) 2. Install reconstructed sidewalks and roadway striping upgrades at the nearby railroad crossings at 105th Avenue and Edes Avenue. Full upgrades of the railroad crossings are estimated to cost \$1.63 million. The project sponsor would contribute 5.6% or \$92,000 toward the cost of these improvements. Construction cost estimates and the project's contribution and fair share calculations are included as appendix G in the Final TIA; 9- and, 3. Provide pedestrian access points to reduce out of direction travel and allow people to enter the campus from multiple directions (Improvement Measure TR-5) 4).</p>	<p>1. Signal timing will be submitted on revision to PX permit 8/14/18. 2. Diagnostic review 7/18/18. Short-term items complete. 105th Avenue crossing upgrades are covered by City of Oakland project, already in progress. 3. Two pedestrian access points have been provided, one on 105th and one on Edes. Complete. Paid fee to City of Oakland DOT for completion of this requirement 2/7/19.</p>
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Section Two. Carpool App

During the spring of the 2018-19 school year, Lighthouse rolled out Go Kid carpooling app. Lighthouse hosted multiple match-making events at the school to connect families. Two weeks after its launch, 120 families had registered, and 18 carpools were started. As we approach the 2019-20 school year, Lighthouse has seen continued growth in carpooling. As of August 2, 2019, two weeks before the start of school, there are now 132 users registered and 21 carpools started or a registration rate of 35%. These figures are reflected in Table 2 below.

Lighthouse is strongly promoting and encouraging carpooling to school. Attached to this report are copies of information regarding carpooling that has been provided to every family enrolled at the school. To promote carpooling, Lighthouse intends to host eight carpool match-making events in the fall and over the first month of school will have staff on campus to help families enroll in the Go Kid app. Carpooling is the highest transportation priority for the school, and we will be implementing several incentives to get families carpooling to school.

Table 2: Carpool App

Date	Number of Families	Registered Users	Carpools Started	Opt Out (of app)
8/20/2019	443	136	24	46

Section 3. Additional Traffic Measures

Lighthouse has taken the following additional steps in response to traffic and transportation concerns around the school. These measures were recommended and reviewed by Kittelson & Associates, our traffic engineer, and implemented in coordination with the Department of Transportation (DOT) staff. They are intended to minimize spillback onto 105th and remove vehicles from the 105th and Edes Intersection. They were not required as part of our CUP or TDM but were recommended following site visits and on the ground observations by transportation experts.

Table 3: Additional Traffic Measures Implemented

Traffic Measure Recommended	Status
<p>Offsite drop off. It was recommended to see if an offsite location for drop off might be feasible to keep vehicles away from the 105th and Edes intersection.</p>	<p>After exploring several locations, an area north of the school has been identified. The site is currently used as staff parking for Aaron Metals. Working with City Attorney and Real Estate group at City of Oakland to authorize use.</p>
<p>Pull through drop off. To minimize spillback queue onto 105th from vehicles seeking to access Lighthouse campus along Edes, access to the campus from 105th was requested by the City of Oakland.</p>	<p>Lighthouse worked with DOT and Planning Department to allow drop off to occur onsite via an on campus pull through on 105th Ave. To create a longer queuing area, 'no parking' signs were installed by DOT on 105th Ave to make space for vehicle queue and keep Lighthouse traffic out of 105th and Edes intersection. Pull through was implemented in April 2019 and signs were installed May 2019. By the end of the 2018-19 school year, 145 cars were using the pull through and avoiding the 105th and Edes intersection.</p>
<p>Increased green signal timing at 105th and Edes Intersection. Based on review by Kittelson & Associates the timing of the 105th and Edes intersection was too short to allow enough cars to get through on each cycle and signal timing adjustment was recommended.</p>	<p>Worked with Kittelson & Associates and DOT to adjust signal timing. Changes were implemented in February 2019.</p>
<p>Conduct transportation survey. At the recommendation of Kittelson & Associates and DOT staff, a transportation survey was prepared and provided to all families to understand commute patterns to school and learn more about</p>	<p>Results of survey were shared with DOT and serve as the basis for the 2019-20 TDM plan and carpooling strategy.</p>

potential non-vehicular options for access.	
Adjust school drop off/pick up schedules. At the recommendation of Kittelson & Associated and DOT staff, adjustments to the school drop-off and pick-up hours occurred during the 2018-19 school year to stagger peak time periods where vehicles were accessing the site.	Access to the site was changed from 8AM to 7:30AM and school gates were opened 10 minutes prior to end of school to allow vehicles to queue onsite in advance of dismissal. Gates along 105th remained open until 8:40 to allow continued use of the pull through noted above.

Community Engagement

While not required as part of our TDM, we believe that it is critical to engage with our neighbors on any number of neighborhood issues including transportation and traffic. It is of utmost importance to us. During the 2018-19 school year, we attended RAC meetings, engaged church, political, business, and community leaders and hosted several meetings and one-to-ones to listen and engage with community members about our TDM measures. We will continue with these efforts in the new school year and plan on hosting several community events to support our collective efforts. We believe there will be much to discuss with Planning Department staff and City officials as we work with our neighbors and the community to identify ways to improve Sobrante Park and the existing traffic and transportation concerns.

Respectfully,

Jenna Stauffer

Jenna Stauffer
Co-Founder & CEO

Brenyah-Addow, Maurice,

From: Anna Olsen <annaolsen@pacificcharter.org>
Sent: Friday, November 22, 2019 4:21 PM
To: Brenyah-Addow, Maurice,
Cc: alexis@pelosilawgroup.com; Arlene Aldrette; jenna.stauffer@lighthousecharter.org; Merkamp, Robert; Mulry, Brian; Gilchrist, William; Alaoui, B. Mohamed
Subject: RE: Pull-Through

[EXTERNAL] This email originated outside of the City of Oakland. Please do not click links or open attachments unless you recognize the sender and expect the message.

Hi Maurice,

Here a few updates from the Lighthouse team. We will likely have more updates once we see the director's report next week and will respond to those items separately.

Carpool/Vans

- Rate is relatively stable. In efforts to increase this % Lodestar has implemented a van program and will launch that 12/2. Anticipating to serve 20-30 families daily.
- Pull Through in Afternoon, started 11/21/19. Lodestar is hopeful this will improve afternoon traffic. 11/21- 38 cars pulled through and 11/22 - 50 cars pulled through.

Recent Public Records Requests of Emergency calls near Lodestar

- 8/26/19- call placed at 8:26AM, emergency responders arrived on scene at 8:34AM
- 11/1/19- call placed at 8:08AM and OFD arrived on scene at 8:16AM

Community Outreach

- Lodestar met with "Stop the Traffic" group to find solutions
- Lodestar hosted community wide Fall Festival open to all families in Sobrante Park

Thank you,

Anna Olsen

Pacific Charter School Development
T 510.288.3646 M 562.335.9638

From: Brenyah-Addow, Maurice, <Brenyah-Addow@oaklandca.gov>
Sent: Friday, November 01, 2019 1:35 PM
To: Anna Olsen <annaolsen@pacificcharter.org>
Cc: alexis@pelosilawgroup.com; Arlene Aldrette <arlene.aldrette@lighthousecharter.org>; jenna.stauffer@lighthousecharter.org; Merkamp, Robert <RMerkamp@oaklandca.gov>; Mulry, Brian <BMulry@oaklandcityattorney.org>; Gilchrist, William <WGilchrist@oaklandca.gov>; Alaoui, B. Mohamed <BAlaoui@oaklandca.gov>
Subject: RE: Pull-Through

Hi Anna,

I got your voice message on Wednesday about talking to the school see if they can use the pull-through for pick up as well.

As you are already aware, the pull-through was required for both drop off and pick up from the onset.