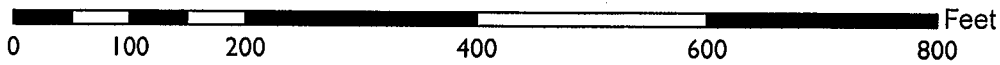


Location:	1314 Franklin Street (See map on reverse)
Assessors Parcel Number:	002-0055-001-00
Proposal:	Proposal to demolish the existing auto fee parking garage and construct a new mixed use development with approximately 16,500 square feet of ground floor retail and 634 dwelling units. The proposal includes application of density bonus provisions of Section 17.107 of the Planning Code for the inclusion of low income housing for a density bonus of 20% and requesting one development concession for maximum height. The proposed tower on the project site would be approximately 400 feet in height.
Applicant:	Carmel Partners / Greg Pasquali – (415) 231-0221
Owner:	CP VI Franklin, LLC
Planning Permits Required:	Regular Design Review for new construction, Major Conditional Use Permits for a large project in the D-LM Zone in excess of 200,000 square feet and Height Exception to allow the D-LM 275 Height Zone regulations, Minor Conditional use Permit to allow a base height of up to 85 feet and increase in the minimum tower dimensions by 30%, and Vesting Tentative Parcel Map for new condominiums.
General Plan:	Central Business District
Zoning:	D-LM-2 Zone/ D-LM-3 / D-LM-4 Zone Height Area D-LM 175
Environmental Determination:	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions: 15183 - Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for in-fill projects; and/or 15164 – Addendum to the 2014 certified Lake Merritt Station Area Plan EIR; Each of which provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 nd Floor or on-line at http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157
Historic Status:	Not a historic property
City Council District:	3
Action to be Taken:	Decision on Application
Staff Recommendation:	Approve with the attached conditions.
Finality of Decision:	Appealable to City Council within 10 days
For Further Information:	Contact case planner Peterson Z. Vollmann at 510-238-6167 or by e-mail at pvollmann@oaklandnet.com .

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN16295
Applicant: Carmel Partners
Address: 1314 Franklin Street
Zone: D-LM-2, D-LM-3, D-LM-4

SUMMARY

Greg Pasquali on behalf of Carmel Partners has filed an application with the Bureau of Planning to develop a mixed use building that would include 634 dwelling units and approximately 16,500 square feet of ground floor retail. The proposal would be built on a site that consists of an entire city block and is currently being used as an auto fee parking garage.

This item appeared before the full Planning Commission on April 5, 2017 and was voted to be continued to a date certain of April 19, 2017 and placed on the consent calendar to allow additional time for discussion between the applicant and concerned neighborhood groups.

The proposal appeared before the Design Review Committee (DRC) on November 30, 2016 and again on January 25, 2017 to provide a presentation on the design changes resulting from the prior DRC meeting. At the January 25, 2017 meeting the item was recommended to proceed forward to the full Planning Commission.

Staff recommends approval, subject to the attached findings and conditions of approval.

PROPERTY DESCRIPTION

The subject property consists of the entire City block in Downtown Oakland bounded by 14th, 13th, Franklin and Webster Streets. The site is approximately 60,000 square feet in size and currently contains a multi-level auto fee parking garage known as the Downtown Merchant's Garage.

The project site is located within the Lake Merritt Station Area Plan (LMSAP) and is surrounded primarily by high density office buildings with ground floor retail uses along with other buildings that contain high density residential uses. The site is one block east of the 12th Street/City Center BART Station.

PROJECT DESCRIPTION

The proposed project would demolish the existing two story above basement parking garage containing 520 parking stalls in order to construct a new mixed use development containing 634 residential dwelling units and approximately 16,500 square feet of ground floor retail. The proposal would be split into two major building components with a seven story building base occupying the majority of the site and a 40 story tower on the western portion of the property. The seven story portion of the building would form a courtyard apartment building above the podium with a large open space in the middle of the site adjacent to a large residential amenity space. The lower podium would contain the 16,500 square feet of retail focused on 14th and Franklin Streets with a smaller retail space at 13th and Webster Streets. The podium portion of the building also contains the parking for the building, including two basement levels of parking. The auto access would be from Webster and 13th Streets with a loading dock also on the south side of the site on 13th Street. 13th Street would also contain a secondary residential lobby entrance and amenity space. The primary lobby entrance would be on 14th Street so to share a common lobby entry for the seven story portion of the building as well as the 40 story tower. Additional residential amenity space would be located on the 40th floor of the building with adjacent decks as well as additional rooftop open space on the roof above.

The applicant is requesting a Major Conditional Use Permit as set forth in the D-LM Zone to allow one of three exceptions permitted to jump from the D-LM-175 height area up to the D-LM-275 height area to allow a maximum building height of 275 feet. The applicant is also taking advantage of State Law and the City Planning Code Section 17.107 to allow for a density bonus and allowed concession by incorporating affordable housing into the development program, which allows the density and height of the proposal.

GENERAL PLAN ANALYSIS

The General Plan's Land Use and Transportation Element (LUTE) classifies the project site as being located in the Central Business District (CBD) General Plan area. This land use classification is intended to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, community facilities, and visitor uses. The CBD classification includes a mix of large-scale offices, commercial, urban high rise residential, institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses.

Among the General Plan Land Use and Transportation policies and objectives applicable to the proposed Project, and which the Project conforms with, are the following:

Policy T2.1 - Encouraging Transit-Oriented Development - Transit-oriented development should be encouraged at existing or proposed transit nodes, defined by the convergence of two or more modes of public transit such as BART, bus, shuttle service, light rail or electric trolley, ferry, and intercity or commuter rail.

Policy D2.1 - Enhancing the Downtown - Downtown development should be visually interesting, harmonize with its surroundings, respect and enhance important views in and of the downtown, respect the character, history, and pedestrian-orientation of the downtown, and contribute to an attractive skyline.

Policy D10.1 – Encouraging Housing – Housing in the downtown should be encouraged as a vital component of a 24-hour community.

Policy D10.2 – Locating Housing – Housing in the downtown should be encouraged in identifiable districts, within walking distance of the 12th Street, 19th Street, City Center, and Lake Merritt BART stations to encourage transit use, and in other locations where compatible with surrounding uses.

Policy 11.1 - Promoting Mixed-Use Development - Mixed use developments should be encouraged in the downtown for such purposes as to promote its diverse character, provide for needed goods and services, support local art and culture, and give incentive to reuse existing vacant or underutilized structures.

Policy 11.2 - Locating Mixed-Use Development - Mixed use development should be allowed in commercial areas, where the residential component is compatible with the desired commercial function of the area.

Policy N3.1 – Facilitating Housing Construction – Facilitating the construction of housing units should be considered a high priority for the City of Oakland.

Policy N3.2 – Encourage In-fill Development – In order to facilitate the construction of needed housing units, in-fill development that is consistent with the General Plan should take place throughout the City of Oakland.

The proposed Project is consistent/conforms with the above referenced policies and objectives and the general intent of the Central Business District land use designation by constructing a new high density residential building above a commercial ground floor on a major commercial street within the downtown core within walking distance to the 12th Street, 19th Street and Lake Merritt BART stations.

Lake Merritt Station Area Plan

The Lake Merritt Station Area Plan (LMSAP) provides planning framework for future growth and development in the area surrounding the Lake Merritt BART Station. The Planning Area encompasses 315 acres in the heart of Oakland, a major urban center within the San Francisco Bay Area. Adjacent neighborhoods and destinations include Downtown Oakland, Lake Merritt, the Jack London District, Old Oakland, and Uptown.

The project site was identified as a development opportunity site within the 14th Street Corridor portion of the LMSAP.

Among the Specific Plan goals and policies applicable to the proposed Project, and which the Project conforms with, are the following:

LMSAP Policy LU-2 - High intensity development potential. Support transit-oriented development and accommodate regional growth projections by promoting high intensity and high density development in the Planning Area.

LMSAP Policy LU-4 - Active ground floor uses. Encourage active uses in new buildings on key streets in neighborhood hubs in order to transform key streets into activated pedestrian connections over time and expand the vibrancy and activity that already exists in some areas, as shown in Figure 4.2. These active ground floor uses should be located at the street edge, or at the edge of parks, plazas, or other public spaces. Activated neighborhood hubs include the 14th Street Corridor.

LMSAP Policy LU-11 - Ceremonial street. Establish 14th Street as a ceremonial street linking Frank Ogawa Plaza at the City Center to Lake Merritt, by promoting active uses along the corridor and implementing special pedestrian-oriented streetscape improvements.

LMSAP Policy LU-13 - Complementary uses. Complement existing government and institutional uses – including the Oakland Museum of California, Kaiser Auditorium, County Courthouse, Main Public Library – with new residential uses and by promoting active ground floor commercial uses in new development.

The Project is consistent/conforms with the above mentioned goals and policies by creating a new, mixed use development with high density housing and an active commercial ground floor located on the 14th Street Corridor in close proximity to three BART Stations.

ZONING ANALYSIS

The subject property is located within the D-LM-2, D-LM-3, and D-LM-4 Zones. The site is also located within the D-LM Height Area 175. The intent of the D-LM-2 Zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of Office and Residential Activities. The intent of the D-LM-3 Zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District appropriate for a wide range of ground-floor Commercial Activities. Upper-story spaces are intended to be available for a wide range of Residential, Office, or other Commercial Activities. The intent of the D-LM-4 Zone is to designate areas of the Lake Merritt Station Area Plan District appropriate for a wide range of Residential, Commercial, and compatible Light Industrial Activities.

Conditional Use Permits

The D-LM Zones requires that any development that exceeds 200,000 square feet be required to obtain approval of a Major Conditional Use Permit.

The D-LM Zones also dictate allowed height and density based upon the height area in which the property is located. The subject property is located within a D-LM height area 175, which allows for one dwelling unit per 110 square feet of lot area. For the subject 60,032 square foot site a total of 545 dwelling units would be permitted. The D-LM Zone allows for three exceptions west of the Lake Merritt Channel to jump to the D-LM height area 275 by the granting of a Major Conditional Use Permit, which for this site would allow the height to increase from a maximum of 175 feet to 275 feet. The D-LM Zone also requires a Conditional Use permit to allow for an increase in the base height from 45 feet to 85 feet, which the applicant is also requesting as part of the application.

The D-LM Zone prescribes a limitation on tower length of 150 feet and a diagonal of 180 feet. The proposal would exceed these by approximately 15 feet or 10%, which is allowed upon the granting of a Conditional Use Permit. The Conditional Use Permit allows an increase by up to 30%.

Staff feels that the requested conditional use permits for size and height exception are warranted given that the proposed development is located on a site identified as an opportunity site within the LMSAP. Of the many opportunity sites within the LMSAP it is located closest to the densest parts of the plan area being one block off of the Broadway spine and the 12th Street/City Center BART Station.

The granting of the base height exception from 45 to 85 feet is also warranted since many of the surrounding buildings exceed 45 feet in height and the design allows for a nice transition from the podium building to the proposed tower.

The granting of the waiver for tower dimensions is also warranted since the intent is to provide for slender towers and with the additional height concession being requested from the applicant for affordable housing the resulting tower will appear very slender in the skyline as it would extend up to approximately 400 feet in height making it a signature building amongst the Oakland skyline as one of the tallest buildings in Oakland.

Density Bonus and Concessions for Affordable Housing

The applicant has proposed as part of their development proposal to include affordable units within the project in order to take advantage of a density bonus and concessions pursuant to Planning Code Section

17.107. The applicant proposes to include either 5% of the 545 baseline allowed dwelling units at Very Low Income (less than 50% of Median Income) resulting in 27 affordable units or 10% of the baseline 545 units at Low Income (50-80% Median income) resulting in 54 affordable units. This allows for a Density Bonus of 20% above the baseline number of 545 units resulting in a maximum density of 654 dwelling units on the site, in which the proposed 634 dwelling units falls well within.

In addition to the bonus in density allowed on-site the applicant is also able to take advantage of one density bonus concession/incentive that would relax other Zoning Regulations. The applicant has requested that the Bureau of Planning waive the maximum height limit of 275 feet to allow the proposed 40 story tower that would result in a building height of approximately 400 feet in height (approximately 420 feet to the top of the mechanical penthouse).

Staff feels that the concession request is reasonable since it would result in a superior design by creating a slender tower versus that of if they were to request a waiver to the dimensional requirements that could result in a very tall and bulky building that could negatively impact the Oakland skyline.

Parking

The proposed project is located within the D-LM Zone which does not require new parking for residential or commercial uses. However, the proposal would include a multi-level structured garage that would include off-street parking for approximately 600 vehicles. Pursuant to Section 17.116.105 the development will also be required to provide two car share spaces as well as provide transit benefits for the units within the project.

Pursuant to Section 17.117 of the Planning Code bicycle parking is required and proposed as set forth in the following tables:

Bike Parking Long Term			
Use	Amount	Required Bike Parking	Provided
Residential	634 units	1: 4 units = 159	
Commercial	16,810 sq.ft.	1:12,000 sq.ft. = 2	
TOTAL		161	

Bike Parking Short Term			
Use	Amount	Required Bike Parking	Provided
Residential	634 units	1:20 units = 32	
Commercial	16,810 sq.ft.	1:2,000 sq.ft. = 8	
TOTAL		40	68

Design Review

The proposed design occupies an entire City block and includes four block face frontages. In order to try to reduce the visual bulkiness of the building the architect has split the building into two distinctly different building forms. One building form is of a seven story “podium” type building that would sit on the eastern side of the site encompassing much of the city block while the second building mass would be to the western portion of the site in a 40 story tower.

The seven story podium building will consist of five stories above the double height ground floor base (including a level of parking tucked behind the facade) for a seven story mass. The building will be broken down with material changes and recesses with a dark bronze hardie panel facade backdrop with projecting elements that will be a mix of champagne and white stucco through the 3rd to 6th floors of the building.

The tower element of the project will be a combination of a glass tower with an intersecting solid form made up of aluminum paneling crating a rectilinear form over three story segments that will visually be compatible with the form of older masonry clad buildings in the area. The tower also steps back from the south of the site to provide additional spatial separation from it and the historic Oakland Tribune Building to allow it to continue to stand out visually in the skyline.

The proposal provides for an active retail frontage along both 14th and Franklin Streets with continuous retail and a large lobby entrance at the joining point of the two building types. The 13th Street frontage would contain a small retail space located at the corner of 13th and Webster with a residential amenity space located along the mid-block section of 13th Street to still provide eyes on the street. A garage entry and loading berth access would also be proposed along 13th Street, which is appropriate since it is not designated as a commercial street in the D-LM Zoning. Webster Street is also not designated as a commercial street and would contain a second garage entry with decorative screening to conceal the ground level parking garage. Portions of Webster will still contain active space as the retail portions will wrap around the block at the corners.

Design Review Committee

As previously mentioned, this item appeared before the Design Review Committee (DRC) on November 30, 2016 as well as on January 25, 2017. The main items raised at the first meeting were largely about the general design direction on the podium building and the ground floor design of the buildings. Comments were also included about the treatment of the building top to the residential tower. When the item returned to the DRC for the second time the meeting was mainly a presentation by the applicant on their responses to the comments from the prior meeting and the incorporated design changes. At the conclusion of the second DRC meeting the item was forwarded to the full Planning Commission with the feeling that the applicant had satisfactorily responded to the previous comments. One additional comment was provided to request that the applicant look at an additional option for the tower top by aligning the mechanical penthouse with the tower exterior which the applicant has stated would be financially infeasible due to added structural costs.

Staff believes the proposed design is consistent with the Lake Merritt Station Area Plan Design Guidelines by creating a mixed use development that establishes a strong pedestrian oriented commercial ground floor along 14th and Franklin Streets, while still providing attractive ground floors on the other two "non-commercial" streets of Webster and 13th Streets by providing retail wrapping the corners and adding amenity space. The applicant has also done a good job of breaking down the site into two visually different buildings and is proposing a well-designed tower that will be a signature building amongst the Oakland skyline as one of the tallest building in Oakland.

KEY ISSUES

Affordable Housing

One issue that has often come up on projects that have been proposed within the LMSAP as well as citywide is the provision for including affordable housing. The LMSAP identifies as goal of including

15% of new units to be available to low and moderate income households within the plan area. The adopted D-LM Zoning regulations following the adoption of the LMSAP did not place a direct requirement on development projects to provide on-site affordable housing. However, the City did pass a Citywide ordinance requiring impact fees, some of which would go into a fund to build affordable housing. If a development includes affordable housing built on-site then they are not subject to the impact fees related to affordable housing. The proposed development project will take advantage of the Density Bonus ordinance and provide either 5% very low income or 10% low income units that would be included on site as part of the development.

Community Benefits

Another issue that has often come up on recent projects proposed within the LMSAP is that of “community benefits” in addition to the benefits of the project. The LMSAP does discuss looking into the feasibility of creating a developer incentive program in which a developer could receive density bonuses for providing affordable units, public open space, or other identified community benefits as part of the development proposal. This developer incentive program was never specifically adopted for the D-LM Zones since the idea would have been to reduce the allowable development in the area and allow a jump up in density with a community benefits package and was seen as being somewhat contrary to the idea of the plan area to provide high densities adjacent to BART Stations. What the adopted D-LM Zoning did include was a provision in which an applicant could request an increase in the allowed density and height by requesting a Major Conditional Use Permit to move up to a higher height/intensity zone which would be only be for a limited number of projects and was meant to keep individuals from gaining entitlements and land banking on properties with those entitlements rather than immediately constructing them.

Nonetheless, most large projects that have gone through the entitlement process within the LMSAP have been approached by community groups seeking community benefits which have been responded to in a number of different ways. While this is not a Planning Code requirement, staff understands that the applicant is going to propose a community benefits package that they will develop with the City Council members that represent the two districts in the LMSAP. However, staff has not required nor reviewed for comment any such community benefits package as it is outside the Planning submittal requirements.

ENVIRONMENTAL DETERMINATION

The *Lake Merritt Station Area Plan* (EIR) analyzed the environmental impacts of adoption and implementation of the LMSAP and, where the level of detail available was sufficient to adequately analyze the potential environmental effects, provided a project-level CEQA review for reasonably foreseeable development. This project-level analysis allows the use of CEQA streamlining and/or tiering provisions for projects developed under the LMSAP.

Applicable CEQA streamlining and/or tiering code sections are described below, each of which, separately and independently, provide a basis for CEQA compliance.

- 1. Community Plan Exemption.** Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allow streamlined environmental review for projects that are “consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” Section 15183(c) specifies that “if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly

applied development policies or standards..., then an EIR need not be prepared for the project solely on the basis of that impact.”

2. Qualified Infill Exemption. Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 allow streamlining for certain qualified infill projects by limiting the topics subject to review at the project level, if the effects of infill development have been addressed in a planning level decision, or by uniformly applying development policies or standards. Infill projects are eligible if they are located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site’s perimeter; satisfy the performance standards provided in CEQA Guidelines Appendix M; and are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.

3. Addendum. Public Resources Code Section 21166 and CEQA Guidelines Section 15164 state that an addendum to a certified EIR is allowed when minor changes or additions are necessary and none of the conditions for preparation of a subsequent EIR or Negative Declaration pursuant to Section 15162 are satisfied.

Note:

A detailed CEQA Analysis was prepared for the project and was provided under separate cover for review and consideration by the Planning Commission, and is available to the public at the Planning Department office at 250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612 and on the City’s website at: <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>

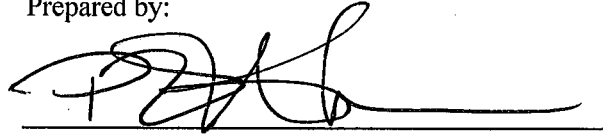
CONCLUSION

Staff believes that the proposed project is appropriate and helps to implement the vision of the LMSAP by providing a well-designed high density residential development with active ground floor retail on 14th Street. The building is within walking distance of three BART Stations. It is critical that the City develop densely around our valuable BART Stations to maximize the benefits of this regional transportation system. The proposed design is also consistent with the required Conditional Use Permit (CUP) criteria, Design Review criteria and LMSAP Design Guidelines.

RECOMMENDATIONS:

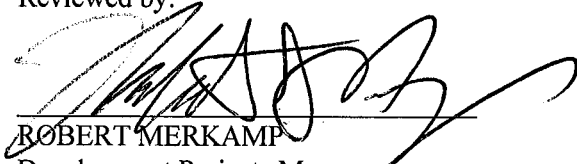
1. Affirm staff's environmental determination and adopt the attached CEQA Findings.
2. Approve the Conditional Use Permits, Design Review, and Vesting Tentative Parcel Map subject to the attached findings and conditions.

Prepared by:



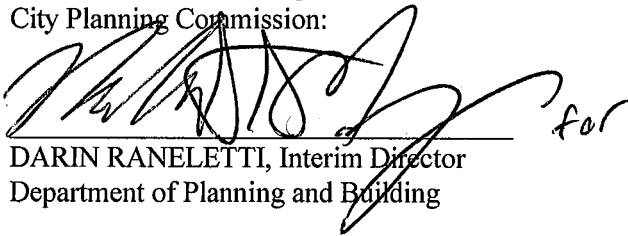
PETERSON Z. VOLLMANN
Planner IV

Reviewed by:



ROBERT MERKAMP
Development Projects Manager
Bureau of Planning

Approved for Forwarding to the
City Planning Commission:



DARIN RANELETTI, Interim Director
Department of Planning and Building

ATTACHMENTS:

- A. Findings for Approval
- B. Conditions of Approval
- C. SCA/MMRP from the 1314 Franklin Street CEQA Analysis Checklist
- D. Plans of the Project Site

ATTACHMENT A

FINDINGS FOR APPROVAL

This proposal meets all the required Conditional Use Permit Criteria (Section 17.134.050, & 17.101.G.050B.2 & 5), and Design Review Criteria (Section 17.136.050) as set forth below and which are required to approve your application. This proposal does not contain characteristics that require denial pursuant to the Tentative Map Findings (Section 16.08.030) and is consistent with the Lot Design Standards (Section 16.24.040) of the Oakland Subdivision Regulations. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type. (Note: the Project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record).

SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

1. **That the location, size, design, and operating characteristics of the proposed development will be compatible with, and will not adversely affect, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.**

The proposed residential building and ground floor commercial is appropriate for the site location. The proposed project will provide for a high density development in close proximity to jobs within the downtown core as well as numerous local and regional mass transit options. The project will contain a development that covers an entire city block and will break down the massing by dividing the development into two distinct buildings with the lower seven story building to the eastern portion of the site and the 40 story tower on the western portion of the site which is in closer relation to other towers within the downtown area including those directly across Franklin Street. The development will be consistent with the density envisioned in the LMSAP EIR and will pay traffic impacts fees to cover the development's fair share of traffic mitigations identified in the specific plan.

2. **That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.**

The proposal will provide a functional living environment with ample open space, and close proximity for residents to jobs downtown and multiple mass transit options for transportation. The new ground floor retail will improve the setting of the block by replacing a large parking garage that has largely blank non-active facades.

- 3. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.**

The development will help to enhance the area as a high density residential neighborhood and important shopping street along 14th Street by developing new high density housing in close proximity to downtown and regional and local mass transit and by providing new ground floor commercial along 14th Street to replace the existing parking garage that is void of active uses at the ground floor.

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

See Design Review findings below.

- 5. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable plan or development control map which has been adopted by the City Council.**

As detailed earlier in the report, and hereby incorporated by reference, the General Plan's Land Use and Transportation Element (LUTE) classifies the project site as being located in the Central Business District (CBD) General Plan area. This land use classification is intended encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, community facilities, and visitor uses. The CBD classification includes a mix of large-scale offices, commercial, urban high rise residential, institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses. The site is also within the Lake Merritt Station Area Plan (LMSAP), which was established to guide development for the large area surrounding the Lake Merritt BART station.

The proposed Project meets the referenced policies and objectives and the general intent of the Central Business District land use designation and the LMSAP by constructing a new high density residential building above a commercial ground floor on a major commercial street within the downtown core and within walking distance to three BART stations.

17.101.G.050.B.2 – D-LM HEIGHT CRITERIA:

- a. The proposal is consistent with the intent and desired land use character identified in the Lake Merritt Station Area Plan and its associated policies;**

The proposal is consistent with the intent and desired land use character of the site within the LMSAP by developing a high density residential development within close proximity to

downtown jobs and local and regional mass transit options as well as providing new pedestrian oriented ground floor commercial to enhance the 14th Street corridor.

b. The proposal will promote implementation of the Lake Merritt Station Area Plan;

The proposal will promote the implementation of the LMSAP by developing a high density residential development within close proximity to downtown jobs and local and regional mass transit options as well as providing new pedestrian oriented ground floor commercial to enhance the 14th Street corridor.

c. The proposal is consistent with the desired visual character described in the Lake Merritt Station Area Plan and Lake Merritt Station Area Design Guidelines, with consideration given to the existing character of the site and surrounding area; and

The proposed project is consistent with the required Design Review Findings below, and is consistent with the LMSAP Design Guidelines.

17.101.G.050.B.2 – D-LM TOWER DIMENSION EXCEPTION:

a. The proposal will result in a signature building within the neighborhood, City, or region based on qualities, including but not limited to, exterior visual quality, craftsmanship, detailing, and high quality and durable materials.

The proposed 40 story tower component of the project will include a design that incorporates a glass tower design intersected by an exterior cladding of metal paneling that will create a rectilinear pattern more reminiscent of the older masonry clad historic high rises in the district. The building will be a signature building within the Oakland skyline by being one of the tallest buildings in the City and will create a tall slender tower as intended by the dimensional limitations. The tower will contain a simplified rooftop component that will light up in the skyline in the evening while still stepping back from the Tribune Building and being a simplified design as to not compete with the ornate top of the Tribune Building.

17.136.050(A) - RESIDENTIAL DESIGN REVIEW CRITERIA:

1. The proposed design will create a building or set of buildings that are well related to the surrounding area in their setting, scale, bulk, height, materials, and textures.

The proposed project will construct a mixed use building with 634 units above ground floor commercial fronting on 14th Street. The proposed design occupies an entire City block and includes four block face frontages. In order to reduce the visual massiveness of the building the architect has split the building into two building masses. One will be a seven story podium building situated on the eastern portion of the site while a 40 story tower would occupy the western portion of the site. The eastern podium building would be of a similar

height and scale of other buildings in close proximity to the east. The exterior would contain a dark bronze hardie paneling contrasted by a lighter champagne and white cements plaster that would relate to other cement plaster and brick veneer exterior in the area. The 40 story tower would contain a mix of a glass façade intersecting with a façade made up of metal paneling that would create a rectilinear pattern that would relate to the composition of older masonry clad high rises. The ground floor of the building would create new active retail store fronts along the majority of 14th and Franklin Streets to activate the streetscape in the area.

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

The proposed design will enhance the desirable neighborhood characteristics by developing an existing auto fee parking garage that is void of active space at the ground floor with new active ground floor commercial spaces, as well as provide for a dense residential environment in close proximity to downtown jobs, local and regional transit and open space.

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

The project site is flat and void of any existing landscaping.

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

The project site is flat.

5. The proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.

The project site is consistent with the City's Corridor Design Guidelines and the LMSAP Design Guidelines. The Project is consistent with the goals and policies of the LUTE and LMSAP as indicated in Findings in Sections 17.134.050 above and the City Planning Commission Report, hereby incorporated by reference.

16.08.030 - TENTATIVE MAP FINDINGS (Pursuant also to California Government Code §66474 (Chapter 4, Subdivision Map Act))

The Advisory Agency shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

A. That the proposed map is not consistent with applicable general and specific plans as specified in the State Government Code Section 65451.

The proposal is consistent with the Central Business District General Plan designation and with the

FINDINGS

LMSAP by creating a mixed use development with viable street fronting retail along 14th Street. See additional General Plan Conformity findings above.

B. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

The proposal is consistent with the Central Business District General Plan designation and with the LMSAP by creating a mixed use development with viable street fronting retail along 14th Street. See additional General Plan Conformity findings above.

C. That the site is not physically suitable for the type of development.

The site is suitable for the proposed development as it is located close to public utilities, transit, and other civic facilities, and fulfills the vision for the area as set forth in the LMSAP.

D. That the site is not physically suitable for the proposed density of development.

The proposed density is consistent with the General Plan and Specific Plan density envisioned for the area.

E. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

This site has been previously developed and does not contain any wildlife habitat or waterways.

F. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

There should be no adverse health effects. This is in a mixed use development containing residential and retail uses located in the downtown area and it will introduce no new use classifications that are incompatible with the surrounding neighborhood.

G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. (This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.)

There are no easements on this property at present to allow the public access to anything.

H. That the design of the subdivision does not provide to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision

The project could to be set up for solar panels on the rooftop.

SECTION 16.24.040 – LOT DESIGN STANDARDS

As a one lot subdivision for condominium purposes these standards are not applicable.

CEQA COMPLIANCE FINDINGS

I. Introduction These findings are made pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et seq.; “CEQA”) and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.; “CEQA Guidelines”) by the City Planning Commission in connection with the environmental analysis of the effects of implementation of the 1314 Franklin Street project, as more fully described elsewhere in this Staff Report and City Of Oakland (“City”)-prepared CEQA Analysis document entitled “1314 Franklin Street CEQA Analysis” dated March 16, 2016 (“CEQA Analysis”) (the “Project”). The City is the lead agency for purposes of compliance with the requirements of CEQA. These CEQA findings are attached and incorporated by reference into each and every decision associated with approval of the Project and are based on substantial evidence in the entire administrative record.

II. Adoption of LMSAP and Certification of LMSAP EIR: The City finds and determines that (a) the Oakland City Council on November 18, 2014 adopted Resolution No. 85276 C.M.S. which adopted the Lake Merritt Station Area Plan (“LMSAP”), made appropriate CEQA findings, including certification of the LMSAP Environmental Impact Report (“EIR”); and (b) the LMSAP satisfies the description of “Community Plan” set out in Public Resources Code section 21083.3(e) and in CEQA Guidelines section 15183 as well the description of “Planning Level Document” set out in Public Resources Code section 21094.5 and in CEQA Guidelines section 15183.3. The City Council, in adopting the LMSAP following a public hearing, approved as a part thereof Standard Conditions of Approval (“SCAs”) which constitute uniformly applied development policies or standards (together with other City development regulations) and determined that the uniformly applicable development policies or standards, together with the mitigation measures set out in the LMSAP EIR, would substantially mitigate the impacts of the LMSAP and future projects thereunder.

III. CEQA Analysis Document: The CEQA Analysis and all of its findings, determinations and information is hereby incorporated by reference as if fully set forth herein. The CEQA Analysis concluded that the Project satisfies each of the following CEQA provisions, qualifying the Project for two separate CEQA statutory exemptions and that the CEQA Analysis constitutes an addendum to the LMSAP EIR, as summarized below and provides substantial evidence to support the following findings.

The City hereby finds that, as set forth below and in the checklist attached as part of the CEQA Analysis, the Project is exempt from any additional CEQA Analysis under the “Community Plan Exemption” of Public Resources Code section 21083.3 (CEQA Guidelines §15183) and/or the “Qualified Infill Exemption” under Public Resources section 21094.5 (CEQA Guidelines §15183.3) and that the CEQA Analysis also constitutes an Addendum to the LMSAP EIR pursuant to Public Resources Code section 21166 (CEQA Guidelines §15162) and that such Addendum determines that none of the three events requiring subsequent or supplemental environmental analysis as stipulated in Public Resources Code section 21166 have occurred, thus no additional environmental analysis beyond the LMSAP EIR and the CEQA Analysis is

necessary. The specific statutory exemptions and the status of the CEQA Analysis as an Addendum are discussed below in more detail.

A. Community Plan Exemption; Public Resources Code Section 21083.3 (CEQA Guidelines §15183): The City finds and determines that, for the reasons set out below and in the CEQA Analysis, the Community Plan Exemption applies to the Project. Therefore, no further environmental analysis is required because all of the Project's effects on the environment were adequately analyzed and mitigation measures provided in the LMSAP EIR; there are no significant effects on the environment which are peculiar to the Project or to the parcel upon which it is located not addressed and mitigated in the LMSAP EIR; and there is no new information showing that any of the effects shall be more significant than described in the LMSAP EIR.

As set out in detail in Attachment C to the CEQA Analysis, the City finds that, pursuant to CEQA Guidelines section 15183 and Public Resources Code section 21083.3, the Project is consistent with the development density established by the LMSAP and analyzed in the LMSAP EIR and that there are no environmental effects of the Project peculiar to the Project or the Project Site which were not analyzed as significant effects in the LMSAP EIR; nor are there potentially significant off-site impacts and cumulative impacts not discussed in the LMSAP EIR; nor are any of the previously identified significant effects which, as a result of substantial information not known at the time of certification of the LMSAP EIR, are now determined to present a more severe adverse impact than discussed in the LMSAP EIR. As such, no further analysis of the environmental effects of the Project is required.

B. Qualified Infill Exemption; Public Resources Code Section 21094.5 (CEQA Guidelines §15183.3): The City finds and determines that, for the reasons set forth below and in the CEQA Analysis, a Qualified Infill Exemption applies to the Project and no further environmental analysis is required since all the Project's effects on the environment were adequately analyzed and mitigation measures provided in the LMSAP EIR; the Project will cause no new specific effects not addressed in the LMSAP EIR that are specific to the Project or the Project Site; and there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the LMSAP EIR.

The City finds that, pursuant to CEQA Guidelines section 15183.3, the CEQA Analysis contains in Attachment D a written analysis consistent with Appendix M to the CEQA Guidelines examining whether the Project will cause any effects that require additional review under CEQA. The contents of Attachment D documents that the Project is located in an urban area satisfying the requirements of CEQA Guidelines section 15183.3 and satisfies the applicable performance standards set forth in Appendix M to the CEQA Guidelines. It also explains how the effects of the Project were analyzed in the LMSAP EIR; and indicates that the Project incorporates all applicable mitigation measures and SCAs from the LMSAP EIR. Attachment D also determines that the Project will cause no new specific effects not analyzed in the LMSAP EIR; determines that there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the LMSAP EIR, determines that the Project will not cause new specific effects or more significant effects, and documents how uniformly applicable development policies or standards (including, without

limitation, the SCAs) will mitigate environmental effects of the Project. Based upon the CEQA Analysis and other substantial evidence in the record, the City finds and determines that no further environmental analysis of the effects of the Project is required.

C. CEQA Analysis Constitutes an Addendum; Public Resources Code Section 21166 (CEQA Guidelines §15164): The City finds and determines that the CEQA Analysis constitutes an Addendum to the LMSAP EIR and that no additional environmental analysis of the Project beyond that contained in the LMSAP EIR is necessary. The City further finds that no substantial changes are proposed in the Project that would require major revisions to the LMSAP EIR because of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes occur with respect to the circumstances under which the Project will be undertaken which will require major revisions of the LMSAP EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and there is no new information of substantial importance not known and which could not have been known with the exercise of reasonable diligence as of the time of certification of the LMSAP EIR showing that the Project will have one or more significant effects not discussed in the LMSAP EIR; significant effects previously examined will be substantially more severe than shown in the LMSAP EIR, mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project; or mitigation measures or alternatives which are considerably different from those analyzed in the LMSAP EIR would substantially reduce one or more significant effects on the environment.

Based on these findings and determinations, the City further finds that no Subsequent or Supplemental EIR or additional environmental analysis shall be required because of the Project. The City has considered the CEQA Analysis along with the LMSAP EIR prior to making its decision on the Project and a discussion is set out in the CEQA Analysis explaining the City's decision not to prepare a Subsequent or Supplemental EIR pursuant to Guidelines sections 15162 and/or 15163.

IV. Severability: The City finds that all three CEQA provisions discussed and determined to be applicable in Section III above are separately and independently applicable to the consideration of the Project and should any of the three be determined not to be so applicable, such determinations shall have no effect on the validity of these findings and the approval of the Project on any of the other grounds.

V. Incorporation by Reference of Statement of Overriding Considerations: The LMSAP EIR identified three areas of environmental effects of the LMSAP that presented significant and unavoidable impacts. Because the Project may contribute to some significant and unavoidable impacts identified in the LMSAP EIR, but a Subsequent and/or Supplemental EIR is not required in accordance with CEQA Guidelines sections 15162, 15163, 15164, 15183 and 15183.3, a Statement of Overriding Considerations is not legally required. Nevertheless, in the interest of being conservative, the Statement of Overriding Consideration for the LMSAP EIR, approved as Section XII of the CEQA Findings adopted by the City Council on November 18, 2014, via Resolution No. 85276 C.M.S., is hereby incorporated by reference as if fully set forth herein.

ATTACHMENT B

CONDITIONS OF APPROVAL

STANDARD ADMINISTRATIVE CONDITIONS:

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 March 15, 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 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

CONDITIONS OF APPROVAL

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,

CONDITIONS OF APPROVAL

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 serving of any Action as specified in subsection (a) above on the City, 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. Standard Conditions of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP)

- a. All mitigation measures identified in the 1314 Franklin Street 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 1314 Franklin Street 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 the 1314 Franklin Street CEQA Analysis Document has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the 1314 Franklin Street 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.

PROJECT SPECIFIC CONDITIONS:

15. Exterior Finishes/ Final Design Details

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

When Required: Prior to issuance of a Building Permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

16. 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.

When Required: Prior to issuance of Final Certificate of Occupancy and Ongoing

Initial Approval: Bureau of Planning

17. Covenants, Conditions and Restrictions & Homeowner's Association

Requirement: When the condominium units created are offered for sale, the Covenants, Conditions and Restrictions (CC&Rs) for the approved units shall be submitted to the Planning and Zoning Division for review. The CC&Rs shall provide for the establishment of a non-profit homeowners association to maintenance and operation of all common landscaping, driveways, and other facilities, in accordance with approved plans. Membership in the association shall be made a condition of ownership. The developer shall be a member of such association until all units are sold.

When Required: If the condominium units are offered for immediate sale, within one year after issuance of the first certificate of occupancy. If not, prior to the first sale of a condominium unit.

18. Miscellaneous Transportation Improvement Measures

Requirement #1: Ensure that the project driveway on 13th Street would provide adequate sight distance between motorists exiting the driveway and pedestrians on the adjacent sidewalks. This may require redesigning and/or widening the driveway. If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveway.

Requirement #2: Ensure that the project driveway on Webster Street would provide adequate sight distance between motorists exiting the driveway and passing bicyclists on Webster Street. Potential improvements may include implementing a raised crossing, parking-protected bikeway, or other high-visibility treatment at the driveway entrance.

Requirement #3: Implement a continuation of the existing Class 2 bicycle lanes on Webster Street and Franklin Street along the project frontage between 13th and 14th Streets.

Requirement #4: Ensure that long-term bicycle parking includes adequate space for cargo bicycles or bicycle trailer storage.

Requirement #5: Explore the feasibility of installing directional curb ramps at all four corners of the four intersections adjacent to the site. Considering that fire hydrants, signal poles, and/or light poles are provided at all the corners, construction of curb extensions (bulbouts) may also be required to provide directional curb ramps.

Requirement #6: Final p-job plans shall include improvements consistent with the City of Oakland Improvement Plans for 14th Street subject to review and approval by the Department of Public Works.

When Required: Prior to issuance of a building permit

Initial Approval: Bureau of Planning

19. Minimum Required Number of Affordable Units

Requirement: Pursuant to Section 17.107 of the Oakland Planning Code, the proposed project shall provide target dwelling units as follows for receiving a density bonus and concession:

- a) At least 54 dwelling units for low income households; or
- b) At least 27 dwelling units for very low income households; or

- c) At least 119 dwelling units for moderate income households in the case of a residential condominium development.

When Required: Ongoing

20. Affordable Housing Agreement

Requirement: The applicant shall submit an agreement for review and approval by the City Attorney, the Bureau of Planning, and any other relevant City departments, identifying which of the options for providing the target dwelling units described above in Condition #41 will be implemented. The agreement must also ensure the continued affordability of the target dwelling units for a period of not less than 30 years or a longer period of time if required by the construction or mortgage financing assistance program mortgage insurance program, or rental subsidy program, and to restrict occupancy only to residents who satisfy the affordability requirement for the specified unit(s). Rents for the lower income density bonus units shall be set at an affordable rent as defined in Section 50053 of the Health and Safety Code. Owner-occupied units shall be available at an affordable housing cost as defined in Section 50052.5 of the Health and Safety Code. Prior to issuance of a building permit for the affordable housing project, the applicant shall record as a deed restriction in the Alameda County Recorder's Office, notice of this requirement, in a form prescribed by the Director of City Planning.

When Required: Prior to issuance of a building permit

21. Affordability Monitoring

Requirement #1: The applicant shall submit for review and approval by the City Attorney, the Community and Economic Development Agency, and any other relevant City departments, proof that all buyers of for-sale target dwelling units have entered into a density bonus resale agreement with the City prior to purchasing the unit or property. The resale agreement shall specify that the title to the subject property or unit may not be transferred without prior approval of the City. The applicant shall record the above agreement with the Alameda County Recorder and shall provide a copy of recorded agreement to the City.

When Required: Prior to any sale of a unit

Requirement #2: Rental target dwelling units shall be managed/operated by the developer, developer's agent, or the developer's successor. The developer shall submit for review and approval by the City Attorney, the Community and Economic Development Agency, and any other relevant City departments, an annual report identifying which units are target dwelling units, the monthly rent, vacancy information, monthly income for tenants of each target rental dwelling unit throughout the prior year, and other information required by the City. Said agreement shall maintain the tenant privacy.

When Required: Ongoing annually

Requirement #3: The applicant shall pay an administrative monitoring fee to in accordance with the City's Master Fee Schedule (currently \$250 per unit per year for rental units or \$250 per homebuyer for condominiums) for City monitoring of the target dwelling units.

When Required: Prior to issuance of a building permit

Attachment C

Standard Conditions of Approval and Mitigation Monitoring and Reporting Program

This Standard Conditions of Approval ("SCAs") and Mitigation Monitoring and Reporting Program ("SCAMMRP") is based on the CEQA Analysis prepared for the 1314 Franklin Street Mixed-Use Project.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The SCAMMRP lists mitigation measures recommended in the 2014 LMSAP EIR that apply to the proposed project. The SCAMMRP also lists other SCAs that apply to the proposed project, most of which were identified in the LMSAP EIR and some of which have been subsequently updated or otherwise modified by the City. Specifically, on July 22, 2015, the City of Oakland released a revised set of all City of Oakland SCAs, which largely still include SCAs adopted by the City in 2008, along with supplemental, modified, and new SCAs. SCAs are measures that would minimize potential adverse effects that could result from implementation of the proposed project, to ensure the conditions are implemented and monitored. The revised set of the City of Oakland SCAs includes new, modified, and reorganized SCAs; however, none of the revisions diminish or negate the ability of the SCAs considered "environmental protection measures" to minimize potential adverse environmental effects. As such, the SCAs identified in the SCAMMRP reflect the current SCAs only. Although the SCA numbers listed below may not correspond to the SCA numbers in the 2014 LMSAP EIR, all of the environmental topics and potential effects addressed by the SCAs in the LMSAP EIR are included in this SCAMMRP (as applicable to the proposed project). This SCAMMRP also identifies the mitigation monitoring requirements for each mitigation measure and SCA.

This CEQA Analysis is also based on the analysis in the following Prior EIRs that apply to the proposed project: Oakland's 1998 General Plan Land Use and Transportation Element ("LUTE") EIR ("1998 LUTE EIR"), the 2010 General Plan Housing Element Update EIR and its 2014 Addendum, and the 2011 Central District Urban Renewal Plan Amendments EIR (or "Redevelopment Plan Amendments EIR"). None of the mitigation measures or SCAs from these EIRs are included in this SCAMMRP because they, or an updated or equally effective mitigation measure or SCA, is identified in the 2014 LMSAP EIR, its addenda, or in this CEQA Analysis for the proposed project.

To the extent that there is any inconsistency between any mitigation measures and/or SCAs, the more restrictive conditions shall govern; to the extent any mitigation measure and/or SCA identified in the CEQA Analysis were inadvertently omitted, they are automatically incorporated herein by reference.

- The first column of the SCAMMRP table identifies the mitigation measure or SCA applicable to that topic in the CEQA Analysis. While a mitigation measure or SCA can apply to more than one topic, it is listed in its entirety only under its primary topic (as indicated in the mitigation or SCA designator). The SCAs are numbered to specifically apply to the proposed project and this CEQA Analysis; however, the SCAs as presented in the City's *Standard Conditions of Approval and Uniformly Applied Development Standards* document³¹ are included in parenthesis for cross-reference purposes.
- 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.

The Project Sponsor is responsible for compliance with any recommendations identified in City-approved technical reports, all applicable mitigation measures adopted, and with all SCAs set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or condition of approval, and subject to the review and approval of the City of Oakland. Overall monitoring and compliance with the mitigation measures will be the responsibility of the Bureau or Planning, Zoning Inspections 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.

³¹ Dated July 22, 2015, as amended.

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	Responsibility
General		Schedule	
<p>SCA GEN-1 (Standard Condition Approval 15) 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.</p>		<p>Prior to activity requiring permit/authorization from regulatory agency.</p>	<p>City of Oakland Bureau of Planning and Building</p>
<p>Aesthetics, Shadow, and Wind</p>			
<p>SCA AES-1 (Standard Condition of Approval 16) Graffiti Control</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). 		<p>Ongoing.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p>SCA AES-2 (Standard Condition of Approval 17) Landscape Plan</p> <p>a. Landscape Plan Required</p> <p>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</p> <p>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 cost of implementing the Landscape Plan based on a licensed contractor's bid.</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 Building Services Division, Zoning Inspections c. City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
		Schedule	Responsibility
Aesthetics, Shadow, and Wind (cont.)			
<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): Lighting</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>		<p>Prior to building permit final.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
Also SCA UTIL-2, Underground Utilities. See Utilities and Service Systems, below.			
Air Quality			
<p>SCA AIR-1 (Standard Condition of Approval 19) Construction-Related Air Pollution Controls (Dust and Equipment Emissions)</p> <p>The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <ol style="list-style-type: none"> a. Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). 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 possible. 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). 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. 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. e. Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). f. Limit vehicle speeds on unpaved roads to 15 miles per hour. 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. 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>During construction.</p>	<p>City of Oakland Bureau of Planning and Building</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Air Quality (cont.)	Schedule	Responsibility
<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> <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>		

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Air Quality (cont.)	Schedule	Responsibility
<p>SCA AIR-2 (Standard Condition of Approval 20) Exposure to Air Pollution (Toxic Air Contaminants)</p> <p>a. Health Risk Reduction Measures</p> <p><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>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 style="text-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 distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods. • 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 deltoides 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. 	<p>a. Prior to approval of construction-related permit</p> <p>b. ongoing</p>	<p>a. City of Oakland Bureau of Planning and Building; City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring
Air Quality (cont.)	Schedule	Responsibility
<ul style="list-style-type: none"> • 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 maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>	<p>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Planning and Building</p>
<p>SCA AIR-3 (Standard Condition of Approval 21) Stationary Sources of Air Pollution (Toxic Air Contaminants)</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> <ol style="list-style-type: none"> 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. <ul style="list-style-type: none"> - or - 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: <ol style="list-style-type: none"> i. Installation of non-diesel fueled generators, if feasible, or; 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>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Planning and Building</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
		Schedule	Responsibility
Biological Resources			
SCA BIO-1 (Standard Condition of Approval 26): Tree Removal During Bird Nesting Season			
<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 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>		<p>Prior to removal of trees.</p>	
<p>SCA BIO-2 (Standard Condition of Approval 27): Tree Permit</p> <p>a. Tree Permit Required</p> <p>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</p> <p><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> <ol style="list-style-type: none"> 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. 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. 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 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>a. Prior to approval of construction-related permit</p> <p>b. During construction.</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; Bureau of Buildings</p>	

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
		Schedule
		Responsibility
Biological Resources (cont.)		
<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. 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>		
Cultural Resources		
<p>SCA CUL-1 (Standard Condition of Approval 29): Archaeological and Paleontological Resources - Discovery During Construction Requirement: 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 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>During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Cultural Resources (cont.)		Schedule
		Responsibility
<p>SCA CUL-2 (Standard Condition of Approval 30): Archaeologically Sensitive Areas – Pre-Construction Measures Requirement: 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 archaeological resources on the project site. At a minimum, the study shall include:</p> <ol style="list-style-type: none"> 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. A report disseminating the results of this research. 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, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (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 a visible location at the project site.</p>	<p>Prior to approval of construction-related permit during construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
Cultural Resources (cont.)			
<p>SCA CUL-3 (Standard Condition of Approval SCA 31): <i>Human Remains – Discovery During Construction</i> <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.	City of Oakland Bureau of Building Services Division, Zoning Inspections
Geology, Soils, and Geohazards			
<p>SCA GEO-1 (Standard Condition of Approval 33): <i>Construction-Related Permits</i> <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
<p>SCA GEO-2 (Standard Condition of Approval 34): <i>Soils Report</i> <u>Requirement:</u> The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils 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.</p>		Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
See SCA HYD-1, Erosion and Sedimentation Control Plan for Construction, See <i>Hydrology and Water Quality</i> , below.			
Greenhouse Gases and Climate Change			
<p>SCA GHG-1 (Standard Condition of Approval SCA 38): <i>Greenhouse Gas (GHG) Reduction Plan</i> 4. <i>Greenhouse Gas (GHG) Reduction Plan Required</i> <u>Requirement:</u> The project applicant shall retain a qualified air quality consultant to develop a Greenhouse Gas (GHG) Reduction Plan for City review and approval and shall implement the approved GHG Reduction Plan. The goal of the GHG Reduction Plan shall be to increase energy efficiency and reduce GHG emissions to below at least one of the Bay Area Quality Management District's (BAAQMD's) CEQA Thresholds of Significance (1,100 metric tons of CO₂e per year or 4.6 metric tons of CO₂e per year per service population) AND to reduce GHG emissions by 36 percent below the project's 2005 "business-as-usual" baseline GHG emissions (as explained below) to help implement the City's Energy and Climate Action Plan (adopted in 2012) which calls for reducing GHG emissions by 36 percent below 2005 levels. The GHG Reduction Plan shall include, at a minimum, (a) a detailed GHG emissions inventory for the project under a "business-as-usual" scenario with no consideration of project design features, or other energy efficiencies, (b) an "adjusted" baseline GHG emissions inventory for the project, taking into consideration energy efficiencies included as part of the project (including the City's Standard Conditions of Approval, proposed mitigation measures, project design features, and other City requirements)</p>		a. Prior to approval of construction-related permit b. During construction c. Ongoing	a. City of Oakland Bureau of Planning b. City of Oakland Bureau of Planning and Bureau of Building c. City of Oakland Bureau of Planning

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Greenhouse Gases and Climate Change (cont.)		Responsibility
Schedule	Responsibility	Responsibility
<p>and additional GHG reduction measures available to further reduce GHG emissions, and (c) requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. If the project is to be constructed in phases, the GHG Reduction Plan shall provide GHG emission scenarios by phase.</p> <p>Potential GHG reduction measures to be considered include, but are not be limited to, measures recommended in BAAQMD's latest CEQA Air Quality Guidelines, the California Air Resources Board Scoping Plan (December 2008, as may be revised), the California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures (August 2010, as may be revised), the California Attorney General's website, and Reference Guides on Leadership in Energy and Environmental Design (LEED) published by the U.S. Green Building Council.</p> <p>The types of allowable GHG reduction measures include the following (listed in order of City preference): (1) physical design features; (2) operational features; and (3) the payment of fees to fund GHG-reducing programs (i.e., the purchase of "carbon credits") as explained below.</p> <p>The allowable locations of the GHG reduction measures include the following (listed in order of City preference): (1) the project site; (2) off-site within the City of Oakland; (3) off-site within the San Francisco Bay Area Air Basin; (4) off-site within the State of California; then (5) elsewhere in the United States.</p> <p>As with preferred locations for the implementation of all GHG reductions measures, the preference for carbon credit purchases include those that can be achieved as follows (listed in order of City preference): (1) within the City of Oakland; (2) within the San Francisco Bay Area Air Basin; (3) within the State of California; then (4) elsewhere in the United States. The cost of carbon credit purchases shall be based on current market value at the time purchased and shall be based on the project's operational emissions estimated in the GHG Reduction Plan or subsequent approved emissions inventory, which may result in emissions that are higher or lower than those estimated in the GHG Reduction Plan.</p> <p>For physical GHG reduction measures to be incorporated into the design of the project, the measures shall be included on the drawings submitted for construction-related permits.</p>	<p>b. GHG Reduction Plan Implementation During Construction</p> <p><u>Requirement:</u> The project applicant shall implement the GHG Reduction Plan during construction of the project. For physical GHG reduction measures to be incorporated into the design of the project, the measures shall be implemented during construction. For physical GHG reduction measures to be incorporated into off-site projects, the project applicant shall obtain all necessary permits/approvals and the measures shall be included on drawings and submitted to the City Planning Director or his/her designee for review and approval. These off-site improvements shall be installed prior to completion of the subject project (or prior to completion of the project phase for phased projects). For GHG reduction measures involving the purchase of carbon credits, evidence of the payment/purchase shall be submitted to the City for review and approval prior to completion of the project (or prior to completion of the project phase, for phased projects).</p> <p>c. GHG Reduction Plan Implementation After Construction</p> <p><u>Requirement:</u> The project applicant shall implement the GHG Reduction Plan after construction of the project (or at the completion of the project phase for phased projects). For operational GHG reduction measures to be incorporated into the project or off-site projects, the measures shall be implemented on an indefinite and ongoing basis.</p>	<p></p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Greenhouse Gases and Climate Change (cont.)	Schedule	Responsibility
<p>The project applicant shall satisfy the following requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. The GHG Reduction Plan requires regular periodic evaluation over the life of the project (generally estimated to be at least 40 years) to determine how the Plan is achieving required GHG emissions reductions over time, as well as the efficacy of the specific additional GHG reduction measures identified in the Plan.</p> <p>Annual Report. Implementation of the GHG reduction measures and related requirements shall be ensured through compliance with Conditions of Approval adopted for the project. Generally, starting two years after the City issues the first Certificate of Occupancy for the project, the project applicant shall prepare each year of the useful life of the project an Annual GHG Emissions Reduction Report ("Annual Report"), for review and approval by the City Planning Director or his/her designee. The Annual Report shall be submitted to an independent reviewer of the City's choosing, to be paid for by the project applicant.</p> <p>The Annual Report shall summarize the project's implementation of GHG reduction measures over the preceding year, intended upcoming changes, compliance with the conditions of the Plan, and include a brief summary of the previous year's Annual Report results (starting the second year). The Annual Report shall include a comparison of annual project emissions to the baseline emissions reported in the GHG Plan.</p> <p>The GHG Reduction Plan shall be considered fully attained when project emissions are less than either applicable numeric BAAQMD CEQA Thresholds AND GHG emissions are 36 percent below the project's "adjusted" baseline GHG emissions, as confirmed by the City through an established monitoring program. Monitoring and reporting activities will continue at the City's discretion, as discussed below.</p> <p>Corrective Procedure. If the third Annual Report, or any report thereafter, indicates that, in spite of the implementation of the GHG Reduction Plan, the project is not achieving the GHG reduction goal, the project applicant shall prepare a report for City review and approval, which proposes additional or revised GHG measures to better achieve the GHG emissions reduction goals, including without limitation, a discussion on the feasibility and effectiveness of the menu of other additional measures ("Corrective GHG Action Plan"). The project applicant shall then implement the approved Corrective GHG Action Plan.</p> <p>If, one year after the Corrective GHG Action Plan is implemented, the required GHG emissions reduction target is still not being achieved, or if the project applicant fails to submit a report at the times described above, or if the reports do not meet City requirements outlined above, the City may, in addition to its other remedies, (a) assess the project applicant a financial penalty based upon actual percentage reduction in GHG emissions as compared to the percent reduction in GHG emissions established in the GHG Reduction Plan; or (b) refer the matter to the City Planning Commission for scheduling of a compliance hearing to determine whether the project's approvals should be revoked, altered or additional conditions of approval imposed.</p> <p>The penalty as described in (a) above shall be determined by the City Planning Director or his/her designee and be commensurate with the percentage GHG emissions reduction not achieved (compared to the applicable numeric significance thresholds) or required percentage reduction from the "adjusted" baseline.</p>		

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
Greenhouse Gases and Climate Change (cont.)			
<p>In determining whether a financial penalty or other remedy is appropriate, the City shall not impose a penalty if the project applicant has made a good faith effort to comply with the GHG Reduction Plan.</p> <p>The City would only have the ability to impose a monetary penalty after a reasonable cure period and in accordance with the enforcement process outlined in Planning Code Chapter 17.152. If a financial penalty is imposed, such penalty sums shall be used by the City solely toward the implementation of the GHG Reduction Plan.</p> <p>Timeline Discretion and Summary. The City shall have the discretion to reasonably modify the timing of reporting, with reasonable notice and opportunity to comment by the applicant, to coincide with other related monitoring and reporting required for the project.</p>			
<p>See SCA AES-2, <i>Landscape Plan</i>. See <i>Aesthetics, Wind, and Shadow</i>, above.</p>			
<p>See SCA AIR-1, <i>Construction-Related Air Pollution Controls (Dust and Equipment Emissions)</i>. See <i>Air Quality</i>, above.</p>			
<p>See SCA UTIL-1, <i>Construction and Demolition Waste Reduction and Recycling</i>. See <i>Utilities and Service Systems</i>, below.</p>			
<p>See SCA UTIL-4, <i>Green Building Requirements</i>. See <i>Utilities and Service Systems</i>, below.</p>			
Hazards and Hazardous Materials			
<p>SCA HAZ-1 (Standard Condition of Approval 39): Hazardous Materials Related to Construction Requirement: 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>		<p>During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<ol style="list-style-type: none"> a. Follow manufacturer's recommendations for use, storage, and disposal of chemical products used in construction; b. Avoid overtopping construction equipment fuel gas tanks; c. During routine maintenance of construction equipment, properly contain and remove grease and oils; d. Properly dispose of discarded containers of fuels and other chemicals; e. 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 f. 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 measures have been implemented under the oversight of the City or regulatory agency, as appropriate. 			

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
		Schedule
		Responsibility
<p>Hazards and Hazardous Materials (cont.)</p>		
<p>SCA HAZ-2 (Standard Condition of Approval 40): Site Contamination</p>		
<p>a. 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>a. Prior to approval of construction-related permit b. Prior to approval of construction-related permit c. During Construction</p>	<p>a. Oakland Fire Department b. City of Oakland Bureau of Building Services Division, Zoning Inspections c. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p>b. 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>c. Best Management Practices (BMPs) Required for Contaminated Sites <u>Requirement:</u> 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> <p>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.</p> <p>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.</p>		
<p>See SCA TRA-1, Construction Activity in the Public Right-of-Way. See <i>Transportation and Traffic</i>, below.</p>		
<p>Hydrology and Water Quality</p>		
<p>SCA HYD-1 (Standard Condition of Approval 45): Erosion and Sedimentation Control Plan for Construction</p>		
<p>a. Erosion and Sedimentation Control Plan Required <u>Requirement:</u> 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, 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 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,</p>	<p>a. Prior to approval of construction-related permit b. During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
Hydrology and Water Quality (cont.)		Schedule	Responsibility
<p>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><i>Erosion and Sedimentation Control During Construction</i></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>			
<p>b. <i>Erosion and Sedimentation Control During Construction</i></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>			
<p>SCA HYD-2 (Standard Condition of Approval 46): State Construction General Permit</p> <p>a. Requirement: The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.</p>		Prior to approval of construction-related permit.	State Water Resources Control Board
<p>SCA HYD-3 (Standard Condition of Approval 50): NPDES C.3 Stormwater Requirements for Regulated Projects</p> <p>a. Post-Construction Stormwater Management Plan Required</p> <p><u>Requirement:</u> The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:</p> <ol style="list-style-type: none"> i. Location and size of new and replaced impervious surface; ii. Directional surface flow of stormwater runoff; iii. Location of proposed on-site storm drain lines; iv. Site design measures to reduce the amount of impervious surface area; v. Source control measures to limit stormwater pollution; vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff. <p>b. Maintenance Agreement Required</p> <p><u>Requirement:</u> The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:</p>		<p>a. Prior to approval of construction-related permit.</p> <p>b. Prior to building permit final.</p>	<p>a. City of Oakland Bureau of Building Services Division, Zoning Inspections; City of Oakland Bureau of Planning and Building</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
Hydrology and Water Quality (cont.)			
<p>i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and</p> <p>ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary.</p> <p>The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p>			
<p>Also SCA GEO-1, Construction-Related Permit(s). See <i>Geology, Soils, and Geohazards</i>, above.</p>			
<p>Also SCA GEO-2, Soils Report. See <i>Geology, Soils, and Geohazards</i>, above.</p>			
<p>Also SCA UTIL-6, Storm Drain System. See <i>Utilities and Service Systems</i>, below.</p>			
Noise			
<p>SCA NOI-1 (Standard Condition of Approval 58) Construction Days/Hours Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours:</p>		<p>During construction.</p> <p>City of Oakland Bureau of Building Services Division, Zoning Inspections</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 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>			

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
		Schedule
Noise (cont.)		Responsibility
<p>SCA NOI-2 (Standard Condition of Approval 59) Construction Noise Requirement: 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> <ol 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. 	<p>During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p>SCA NOI-3 (Standard Condition of Approval 60) Extreme Construction Noise Construction Noise Management Plan Required Requirement: 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> <ol 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. 	<ol style="list-style-type: none"> a. Prior to approval of construction-related permit. b. During construction. 	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
		Schedule	Responsibility
Noise (cont.)			
<p>b. Public Notification Required <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>			
<p>SCA NOI-4 (Standard Condition of Approval 62) Construction Noise Complaints <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> <ul style="list-style-type: none"> a. Designation of an on-site construction complaint and enforcement manager for the project; b. 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; c. Protocols for receiving, responding to, and tracking received complaints; and d. 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. 		<p>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p>SCA NOI-5 (Standard Condition of Approval 63) Exposure to Community Noise <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> <ul style="list-style-type: none"> a. 45 dBA: Residential activities, civic activities, hotels b. 50 dBA: Administrative offices; group assembly activities c. 55 dBA: Commercial activities d. 65 dBA: Industrial activities 		<p>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p>SCA NOI-6 (Standard Condition of Approval 64) Operational Noise <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 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.</p>		<p>Ongoing.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
		Schedule	Responsibility
Transportation and Circulation			
SCA TRA-1 (Standard Condition of Approval 68) Construction Activity in the Public Right-of-Way			
<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 sidewalks or 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, Zoning Inspections</p> <p>b. Public Works Department, Transportation Services Division</p> <p>c. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>	
SCA TRA-2 (Standard Condition of Approval 69) Bicycle Parking			
<p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p>	<p>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>	
SCA TRA-3 (Standard Condition of Approval 70): Transportation Improvements.			
<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> <p>a. 2070L Type Controller with cabinet accessory</p> <p>b. GPS communication (clock)</p> <p>c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)</p>	<p>Prior to building permit final or as otherwise specified</p>	<p>Bureau of Building, Public Works Department, Transportation Services Division</p>	

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Transportation and Circulation (cont.)		Schedule
		Responsibility
<p>d. Countdown pedestrian head module switch out</p> <p>e. City Standard ADA wheelchair ramps</p> <p>f. Video detection on existing (or new, if required)</p> <p>g. Mast arm poles, full activation (where applicable)</p> <p>h. Polara Push buttons (full activation)</p> <p>i. Bicycle detection (full activation)</p> <p>j. Pull boxes</p> <p>k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum</p> <p>l. Conduit replacement contingency</p> <p>m. Fiber switch</p> <p>n. PTZ camera (where applicable)</p> <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) Transportation and Parking Demand Management</p> <p>4. Transportation and Parking Demand Management (TDM) Plan Required</p> <p>Requirement: 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 - Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR • 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. 	<p>a. Prior to building permit final.</p> <p>b. Prior to building permit final</p> <p>c. Ongoing</p>
		<p>a. City of Oakland Bureau of Planning and Building</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>c. City of Oakland Bureau of Planning and Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring Schedule	Responsibility
<p>Transportation and Circulation (cont.)</p> <ul style="list-style-type: none"> • Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project. • 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). • 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. • 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 or transit pass alternative to a free parking space in commercial properties. • 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>		

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Transportation and Circulation (cont.)	Schedule	Responsibility
<p>b. TDM Implementation – Physical Improvements Requirement: 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 Requirement: 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 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>		
<p>LMSAP TRA Mitigation Measures All the mitigation measures identified in the LMSAP EIR are included in the citywide Transportation Impact Fee (TIF). Therefore, the project applicant shall mitigate the project impacts by paying the required TIF.</p>		
Utilities and Service Systems		
<p>SCA UTIL-1 (Standard Condition of Approval 74) Construction and Demolition Waste Reduction and Recycling Requirement: 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>	<p>Prior to approval of construction-related permit</p>	<p>City of Oakland Public Works Department, Environmental Services Division</p>
<p>SCA UTIL-2 (Standard Condition of Approval 75) Underground Utilities Requirement: The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p>	<p>During construction.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	
Utilities and Service Systems (cont.)		Schedule	Responsibility
<p>SCA UTIL-3 (Standard Condition of Approval 76) Recycling Collection and Storage Space Requirement: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.</p>	<p>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>	
<p>SCA UTIL-4 (Standard Condition of Approval 77) Green Building Requirements</p> <p>a. Compliance with Green Building Requirements During Plan-Check</p> <p>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).</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. • [INSERT: Green building point level/certification requirement: (See Green Building Summary Table; for New Construction of Residential or Non- residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 53 points for residential and LEED Gold for non-residential)] per the appropriate checklist approved during the Planning entitlement process. 	<p>a. Prior to approval of construction-related permit.</p> <p>b. During construction.</p> <p>c. After project completion as specified.</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 Planning and Building</p>	

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring
Utilities and Service Systems (cont.)		Schedule
		Responsibility
<p>a. 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.</p> <p>b. The required green building point minimums in the appropriate credit categories.</p> <p>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"> 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. <p>c. Compliance with Green Building Requirements After Construction</p> <p><u>Requirement:</u> 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 Build It Green or 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.</p>	<p>Prior to approval of construction-related permit.</p>	<p>City of Oakland Public Works Department, Department of Engineering and Construction</p>
<p>SCA UTIL-5 (Standard Condition of Approval 79) Sanitary Sewer System</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 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.</p>	<p>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p>SCA UTIL-6 (Standard Condition of Approval 80) Storm Drain System</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>	<p>Prior to approval of construction-related permit.</p>	<p>City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
Utilities and Service Systems (cont)			
SCA UTIL-7 (Standard Condition of Approval 81) Recycled Water			
<p>Requirement: Pursuant to section 16.08.030 of the Oakland Municipal Code, the project applicant shall provide for the use of recycled water in the project for landscape irrigation purposes unless the City determines that there is a higher and better use for the recycled water, the use of recycled water is not economically justified for the project, or the use of recycled water is not financially or technically feasible for the project. The project applicant shall contact the New Business Office of the East Bay Municipal Utility District (EBMUD) for a recycled water feasibility assessment by the Office of Water Recycling. If recycled water is to be provided in the project, the project drawings submitted for construction-related permits shall include the proposed recycled water system and the project applicant shall install the recycled water system during construction.</p>		<p>Prior to approval of construction-related permit.</p>	
<p>Also SCA HYD-1, Erosion and Sedimentation Control Plan for Construction. See <i>Hydrology and Water Quality</i>, above.</p>			
<p>Also SCA HYD-2, Site Design Measures to Reduce Stormwater Runoff. See <i>Hydrology and Water Quality</i>, above.</p>			
		<p>City of Oakland Bureau of Planning and Building ; City of Oakland Bureau of Building Services Division, Zoning Inspections</p>	

Attachment D

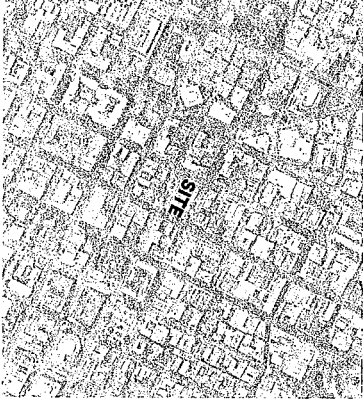
PROJECT DIRECTORY

OWNER
 CP V FRANKLIN, LLC
 1001 Sansome St. #11
 San Francisco, CA 94111
 (P) 415-216-2900

ARCHITECT
 Solomon Cordwell Buenz
 255 California St. # 3
 San Francisco, CA 94111
 (P) 415-216-2450

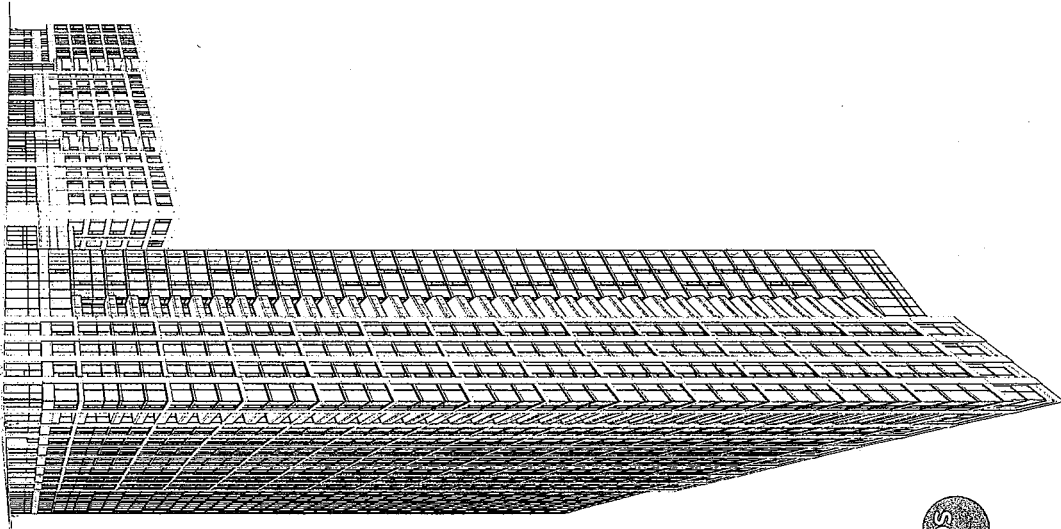
SUBMIT / CIVIL ENGINEER
 LANDCAN
 501 Franklin Street # 1
 Oakland, CA 94612
 (P) 415-955-5240

LANDSCAPE ARCHITECT
 Surface Design, Inc.
 Pier 33, The Embarcadero #200
 San Francisco, CA 94111
 (P) 415-681-5222

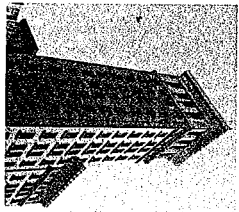
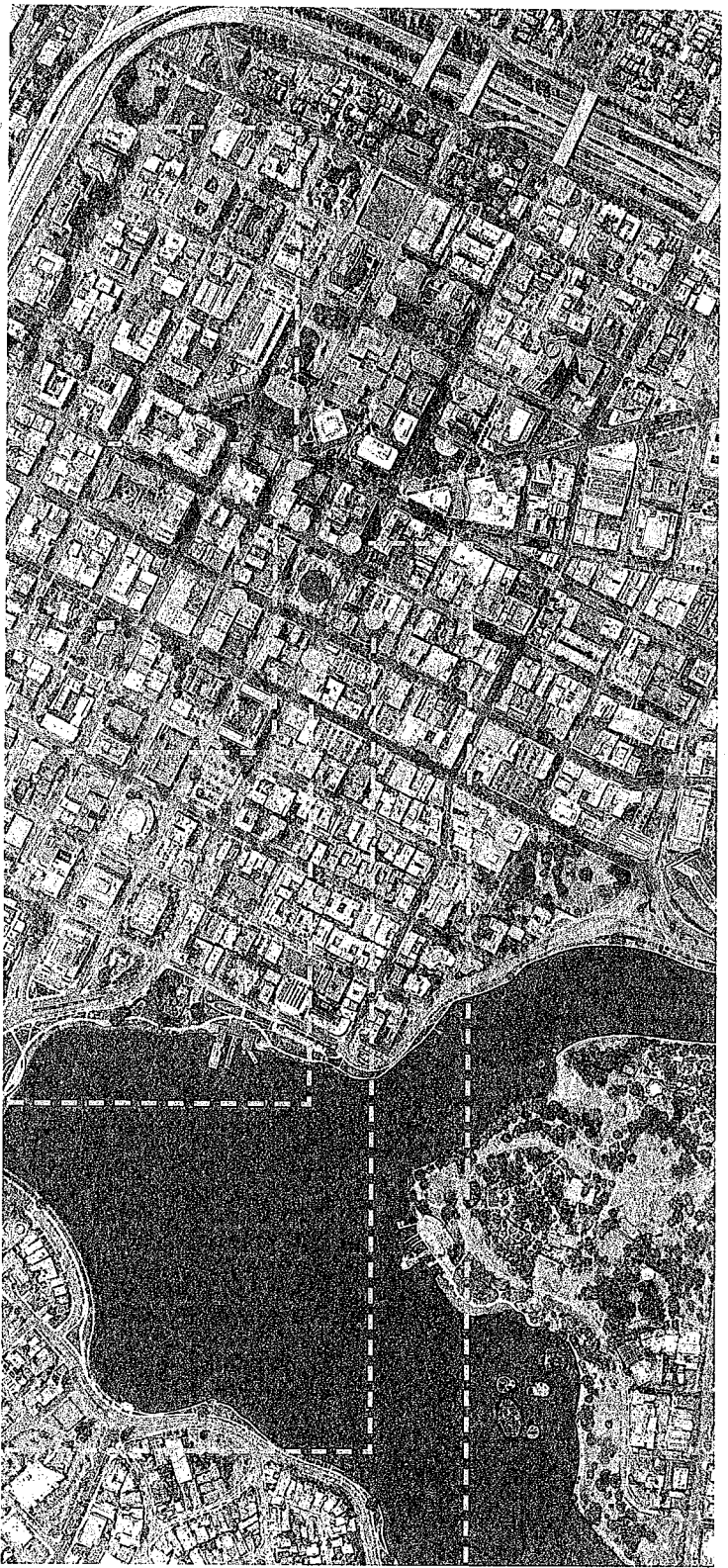


DRAWING INDEX

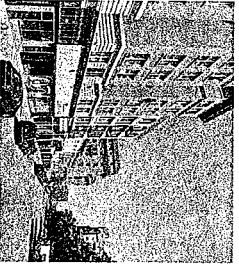
GENERAL	<ul style="list-style-type: none"> A0.00 COVER SHEET A0.01 CONTENT MAP A0.11 AERIAL NEIGHBORHOOD MAP A0.12 SITE / ADJACENT LOT PHOTOGRAPH KEY MAP A0.13 SITE / ADJACENT LOT PHOTOGRAPHS A0.14 SITE / ADJACENT LOT PHOTOGRAPHS A0.15 ADJACENT LOT PHOTOGRAPHS A0.16 ADJACENT LOT PHOTOGRAPHS A0.17 ADJACENT LOT PHOTOGRAPHS A0.20 14TH STREET FACING SE A0.21 14TH STREET FACING NW A0.22 13TH STREET FACING SE A0.23 13TH STREET FACING NW A0.24 AERIAL VIEW FACING SW A0.25 14TH STREET FACING SE AT DUSK A0.26 VIEW FROM HIGHWAY 880 A0.27 VIEW FROM HIGHWAY 880 A0.30 EXTERIOR MATERIALS
SITE INFORMATION	<ul style="list-style-type: none"> A1.00 ZONING SUMMARY & DIAGRAM A1.01 VESTING TENTATIVE PARCEL MAP A1.02 SITE PLAN A1.03 BUILDING AREA SUMMARY A1.04 OPEN SPACE DIAGRAMS & SUMMARY
CIVIL	<ul style="list-style-type: none"> C1.00 SITE SURVEY C1.01 EXISTING CONDITIONS PLAN C2.01 SITE PLAN C3.01 GRADING PLAN C4.01 EROSION CONTROL PLAN C4.01 EROSION AND SEDIMENTATION CONTROL PLAN C6.01 PRELIMINARY POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN
LANDSCAPE	<ul style="list-style-type: none"> L1.01 LANDSCAPE PLAN - SITE L1.02 LANDSCAPE PLAN - LEVEL & AMENITY L1.03 LANDSCAPE PLAN - ROOF
ARCHITECTURAL	<ul style="list-style-type: none"> A2.02 FLOOR PLAN - LEVEL 02 A2.03 FLOOR PLAN - LEVEL 03 A2.04 FLOOR PLAN - LEVEL 04 AMENITY A2.05 FLOOR PLAN - LEVEL 05 17TH TOWER / PODIUM A2.06 FLOOR PLAN - LEVEL 10 AMENITY A2.07 FLOOR PLAN - ROOF A3.01 NORTH & SOUTH ELEVATIONS A3.02 EAST & WEST ELEVATIONS A3.03 BUILDING SECTIONS



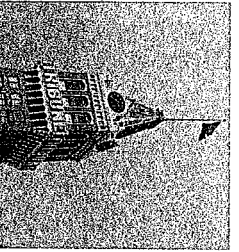
1314 FRANKLIN STREET
 Planning Commission Approval Package
 Solomon Cordwell Buenz / CP V FRANKLIN, LLC / San Francisco, California



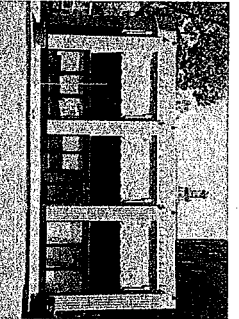
Oakland Bank of Savings Building



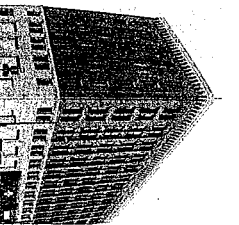
Historic King Block



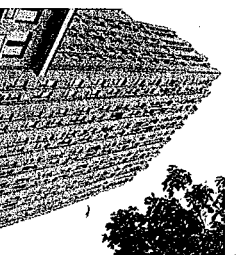
Tribune Tower



347 14th Street



Alameda County Title Insurance C. Building



Financial Center Building

CP VI Franklin, LLC



2017 SOLOMON CORDWELL BUENZ

HISTORICAL CONTEXT MAP

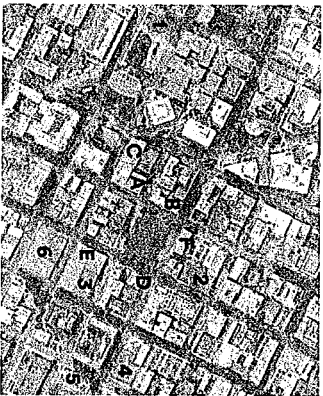
Planning Commission Approval Package

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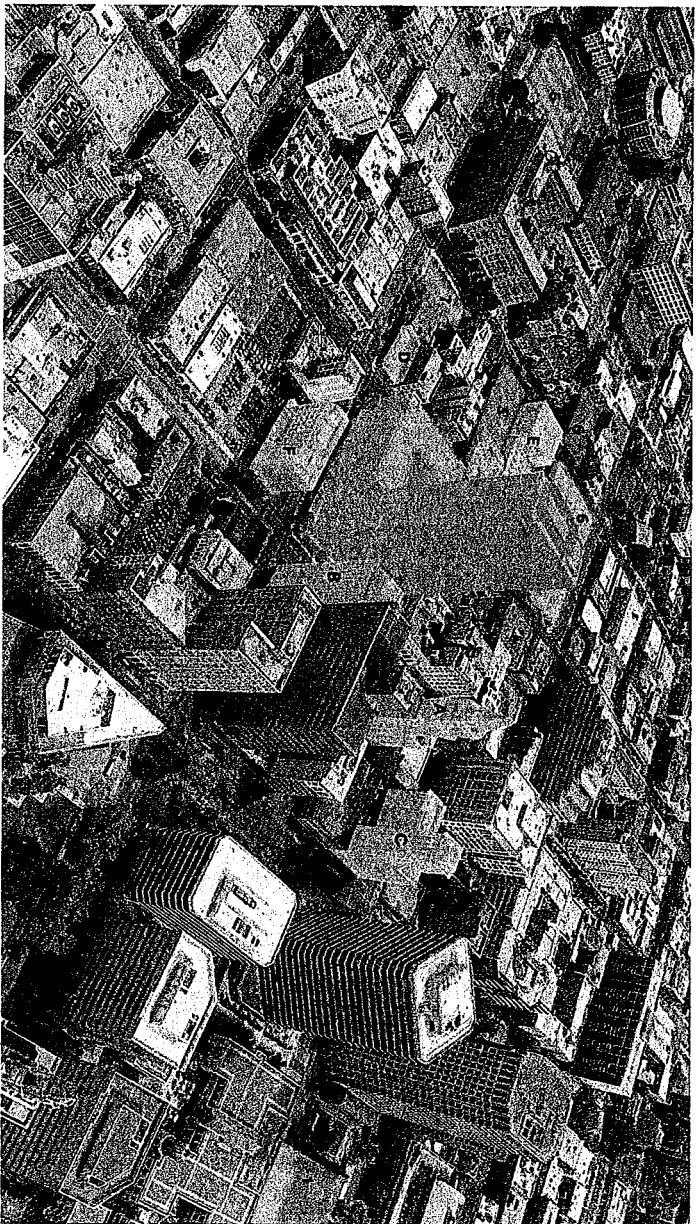
1314 Franklin Site

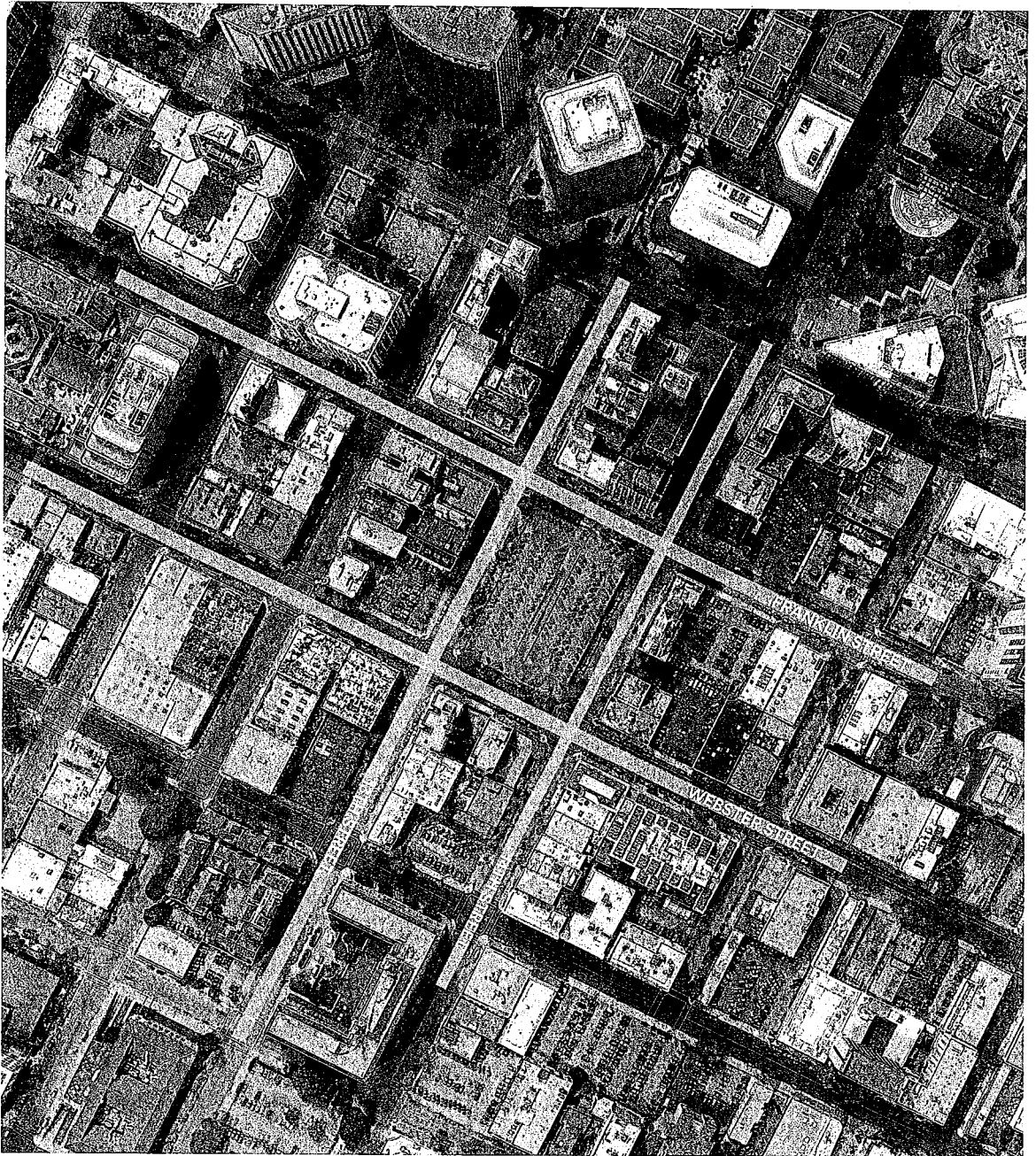
Proposed Projects

- 1. 1100 Clay Street
- 2. 1433 Webster Street
- 3. 1261 Harrison Street
- 4. 14th and Alice
- 5. 226 13th Street
- 6. W12

Historic Buildings

- A. Tribune Tower
- B. Financial Center Building
- C. Oakland Bank of Savings Building
- D. 347 14th Street
- E. Historic King Block
- F. Alameda County Title Insurance Co.





 SITE
 NEIGHBORHOOD
 PHOTOS

CP VI Franklin, LLC



SITE / ADJACENT LOT PHOTOGRAPH KEY MAP

Planning Commission Approval Package

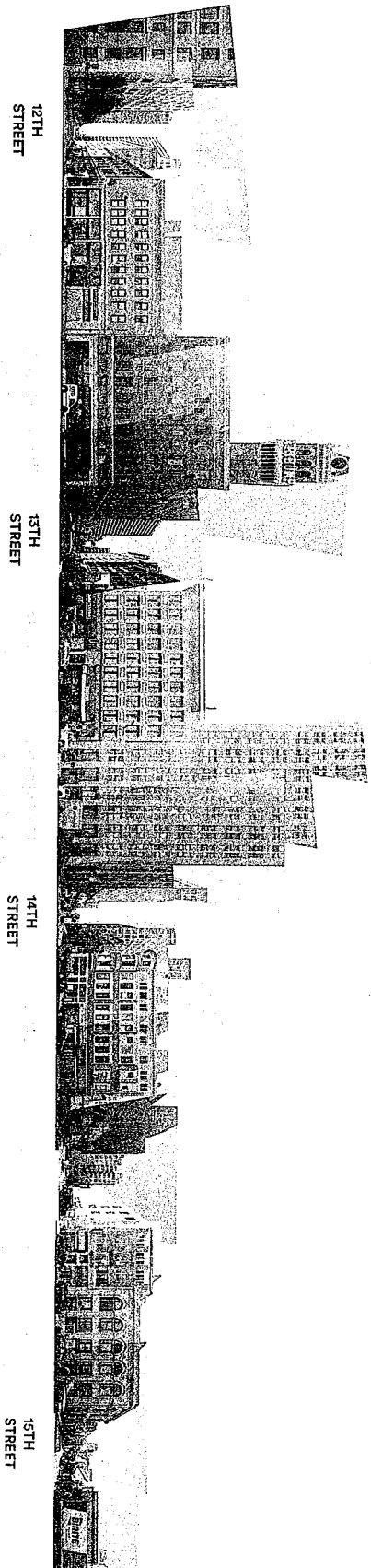
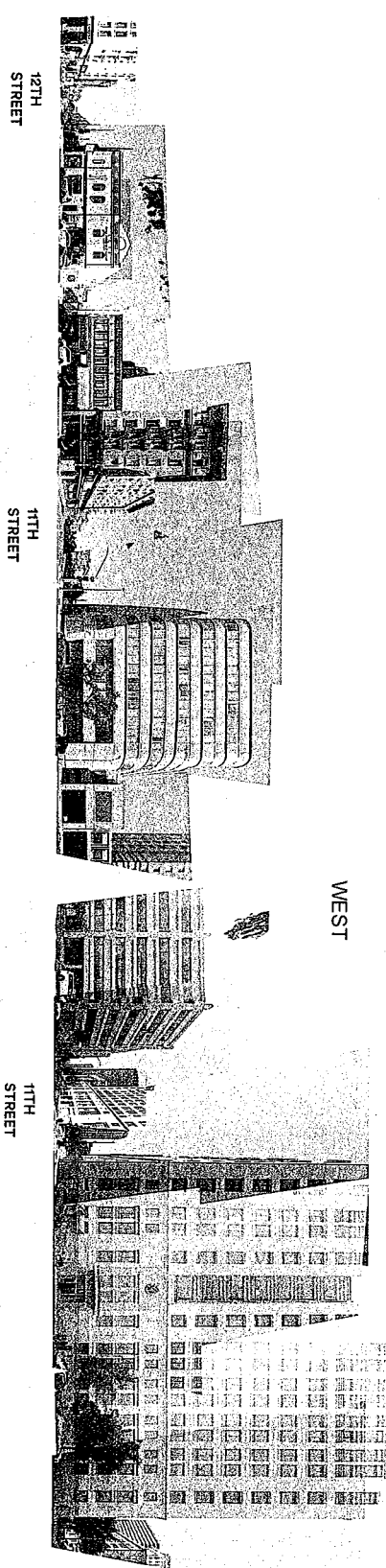
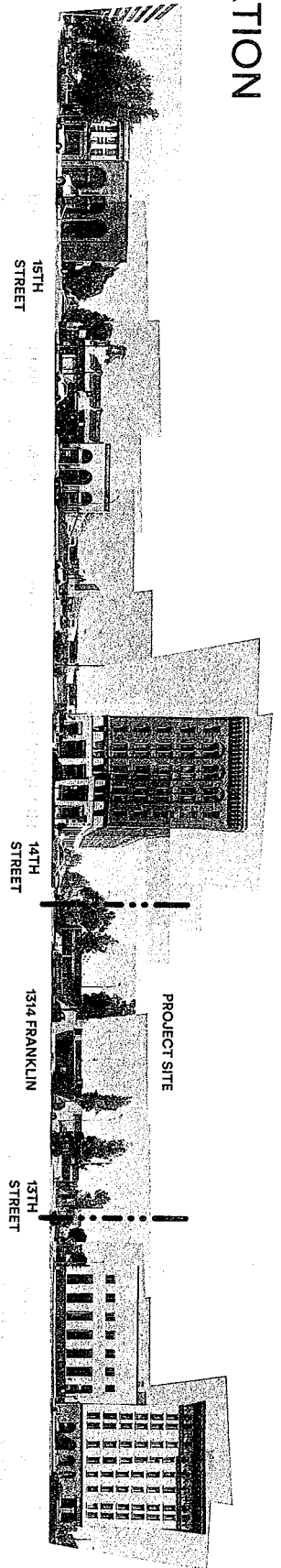
1314 FRANKLIN STREET

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03 15 2017

ZM0503

FRANKLIN STREET ELEVATION EAST



CP VI Franklin, LLC



207 SOLOMON CORDWELL BUENZ

SITE / ADJACENT LOT PHOTOGRAPHS

Planting Commission Approval Package

1314 FRANKLIN STREET

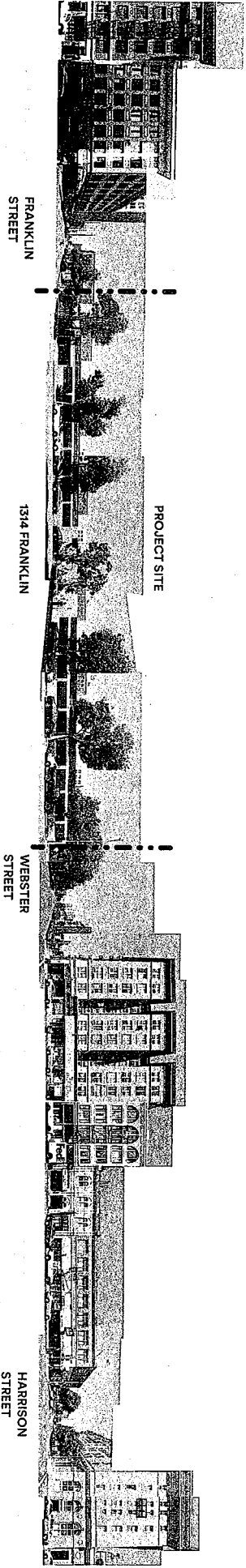
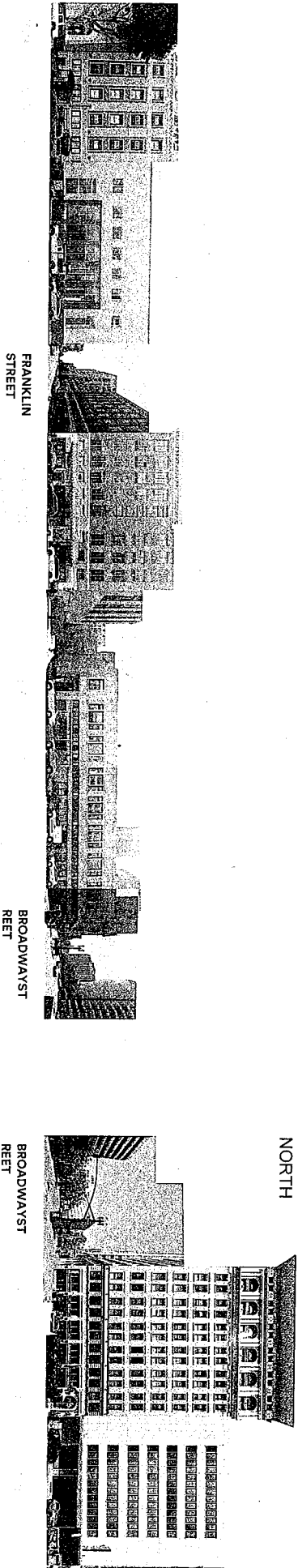
Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

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13TH STREET ELEVATION SOUTH



CP VI Franklin, LLC



SOLOMON CORDWELL BUENZ

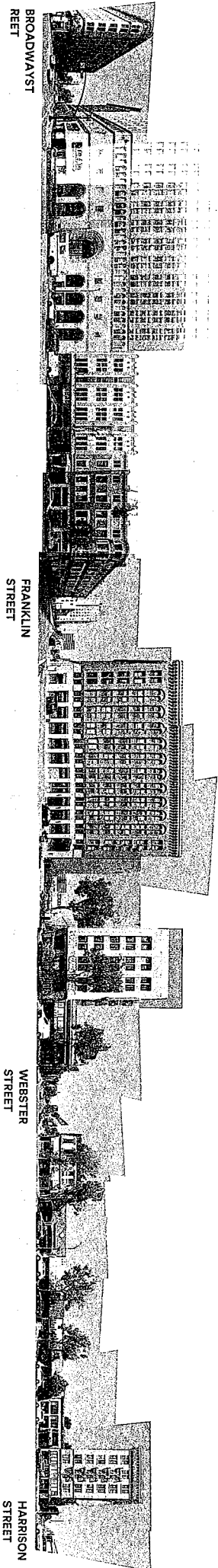
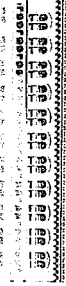
SITE / ADJACENT LOT PHOTOGRAPHS
Planning Commission Approval Package
1314 FRANKLIN STREET
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03 15 2017

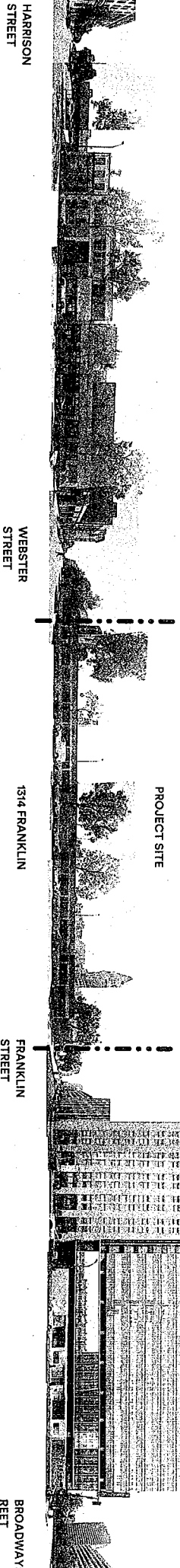
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14TH STREET ELEVATION

NORTH



SOUTH



CP VI Franklin, LLC



2877 SOLOMON CORDWELL BUENZ

ADJACENT LOT PHOTOGRAPHS

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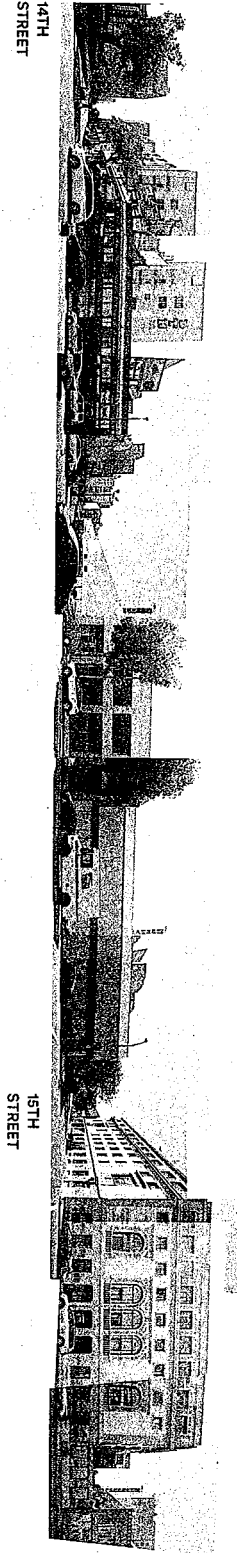
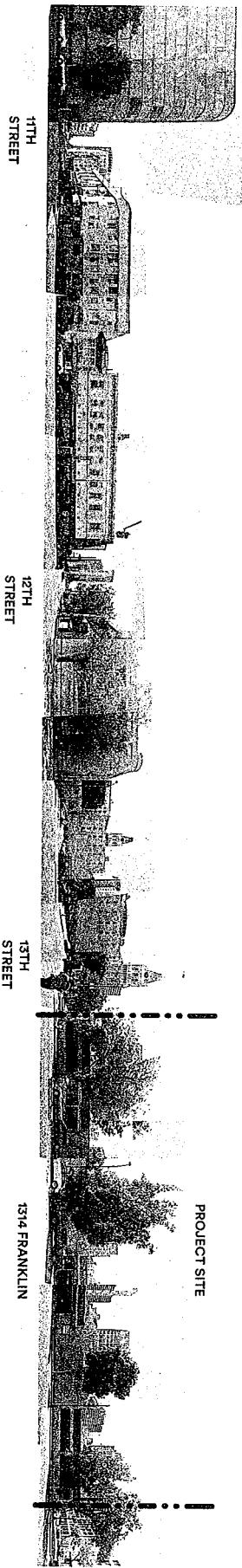
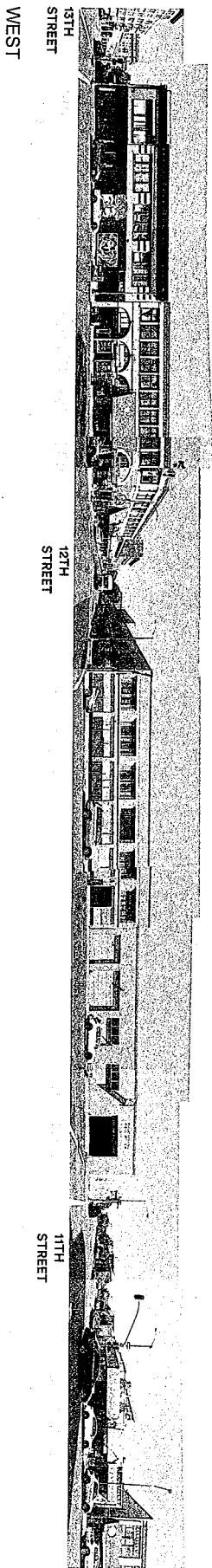
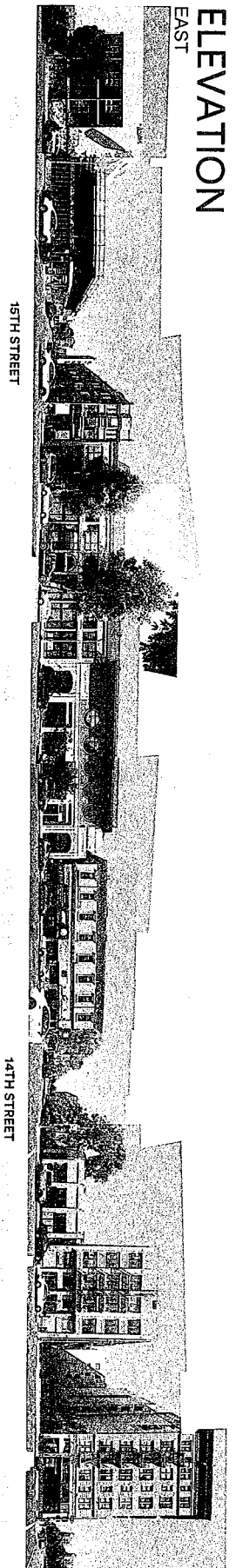
Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

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20160028

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WEBSTER STREET ELEVATION EAST



CP VI Franklin, LLC



28TH SOLOMON CORDWELL BUENZ

ADJACENT LOT PHOTOGRAPHS

Planning Commission Approval Package

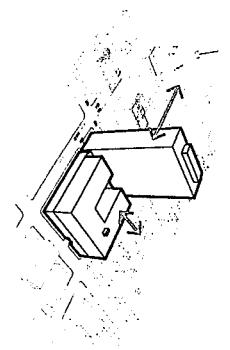
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03 15 2017

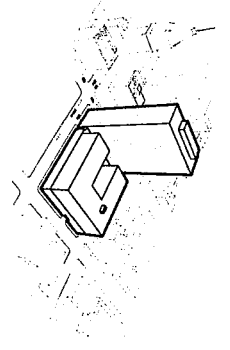
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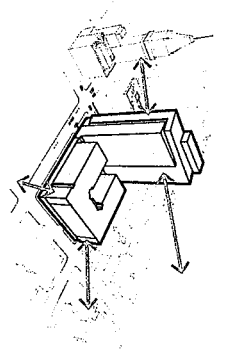
MASSING

The high rise is biased towards the downtown core, while the podium relates to its low-rise surroundings.



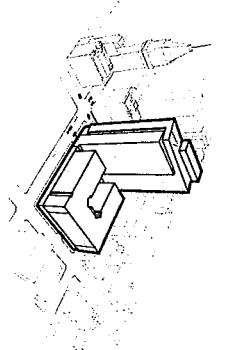
CONTEXT

The tower gets wrapped with a punched-masonry skin to relate with the existing historical urban fabric. The podium body has a playful grid expression that relates to the tower and the neighborhood.



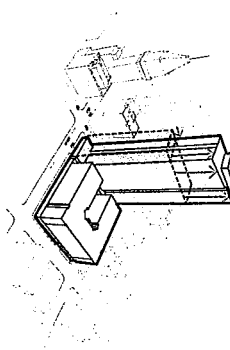
EXPRESSION

A glass volume breaks the tower punched-masonry skin, opening the views toward the Tribune tower and Lake Merritt. The podium corners become glassy elements that activate street intersections. A bronze color is suggested at the window frames and metal elements to blend with the surrounding brick buildings.



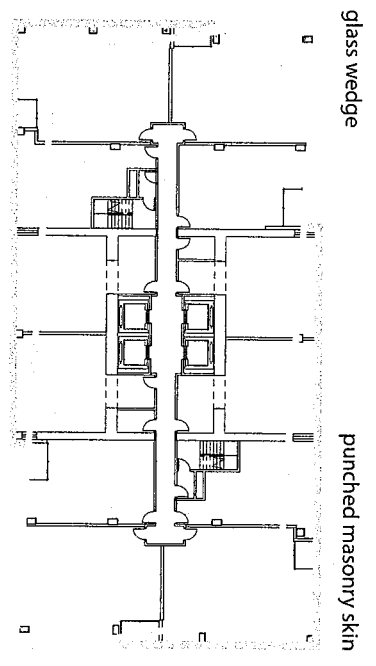
CHARACTER

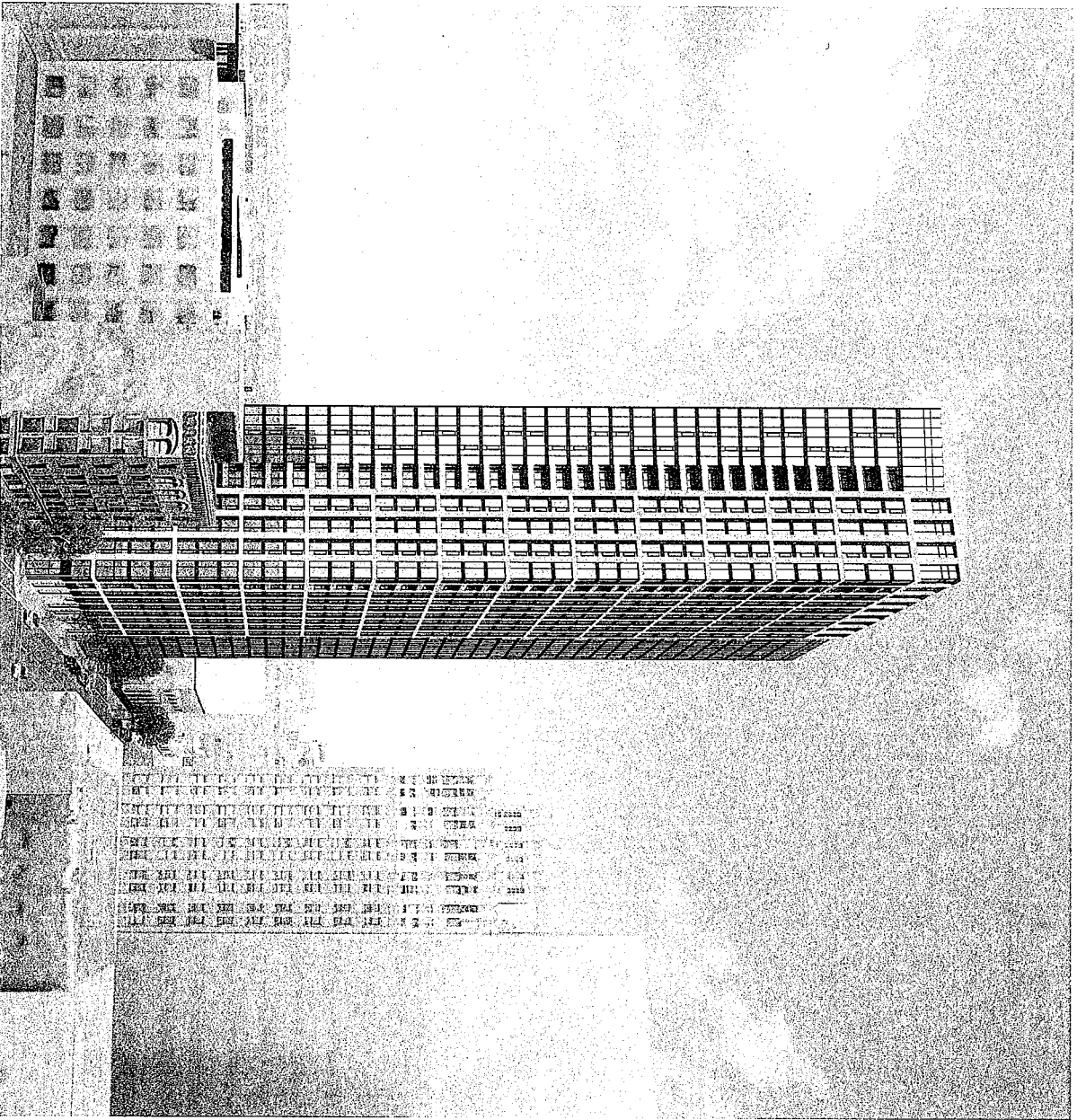
The rooftop steps back, creating a loggia and outdoor terrace expressing the interlocking geometries. This "beacon" initiates a dialogue with the Tribune tower and other surrounding landmarks.



TOWER SHIFT

The tower steps back and reaches upward to increase separation from the Tribune Tower.





CP VI Franklin, LLC

207 SOLOMON CORDWELL BUENZ

14TH STREET FACING SE

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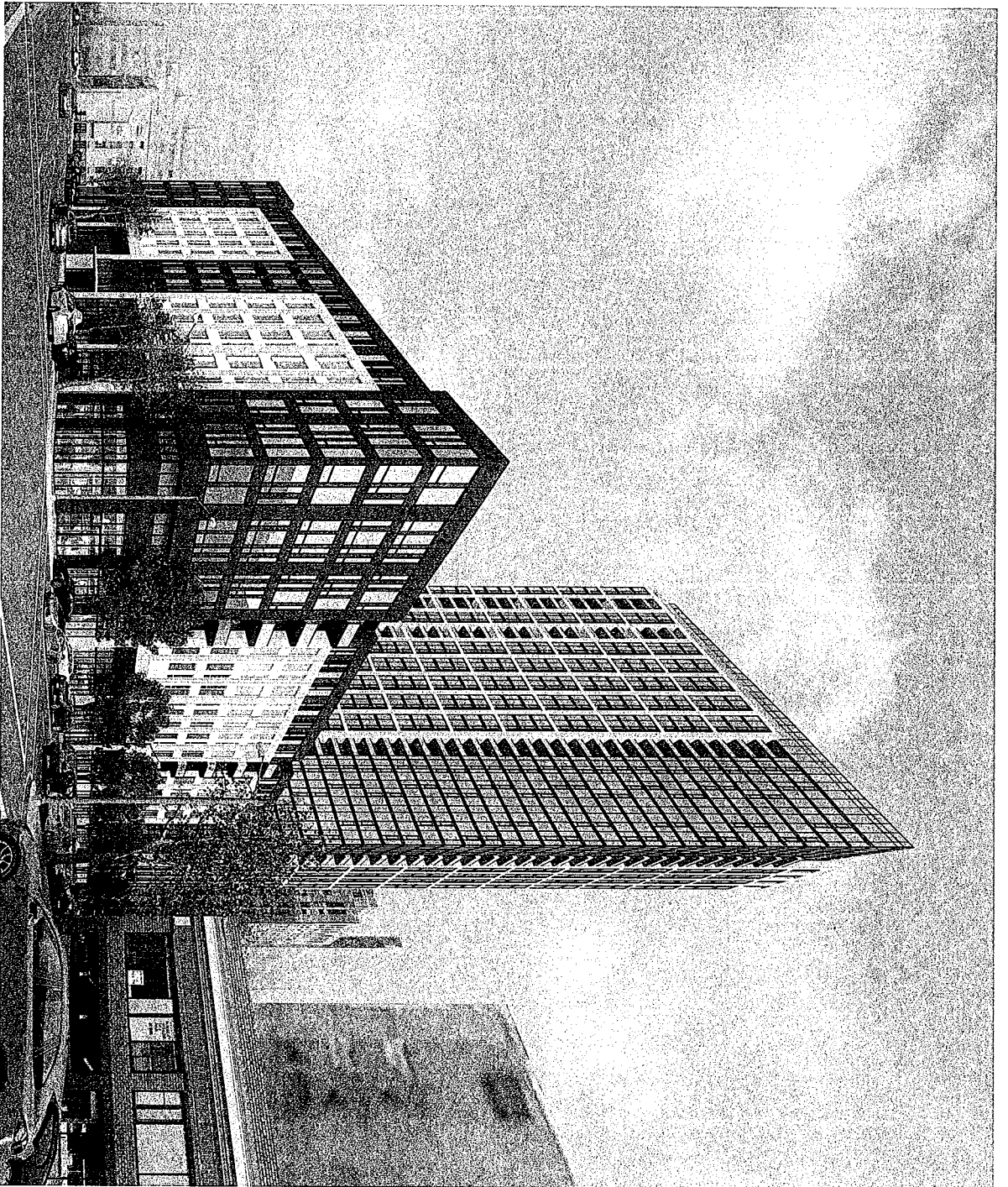
1314 FRANKLIN STREET

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CP VI Franklin, LLC

2017 SOLOMON CORDWELL BUENZ

14TH STREET FACING NW

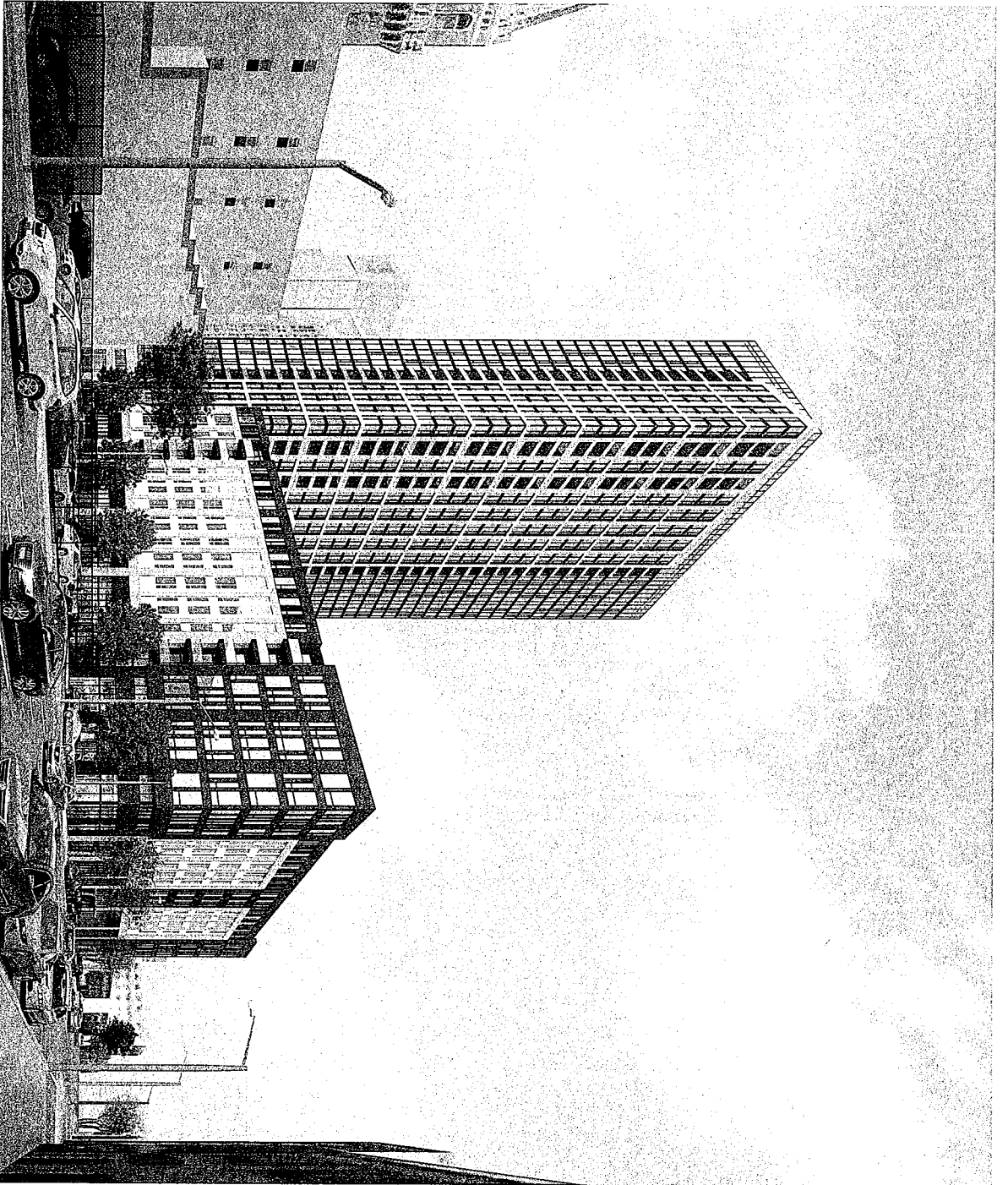
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2016024



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287 SOLOMON CORDWELL BUENZ

13TH STREET FACING N

Planning Commission Approval Package

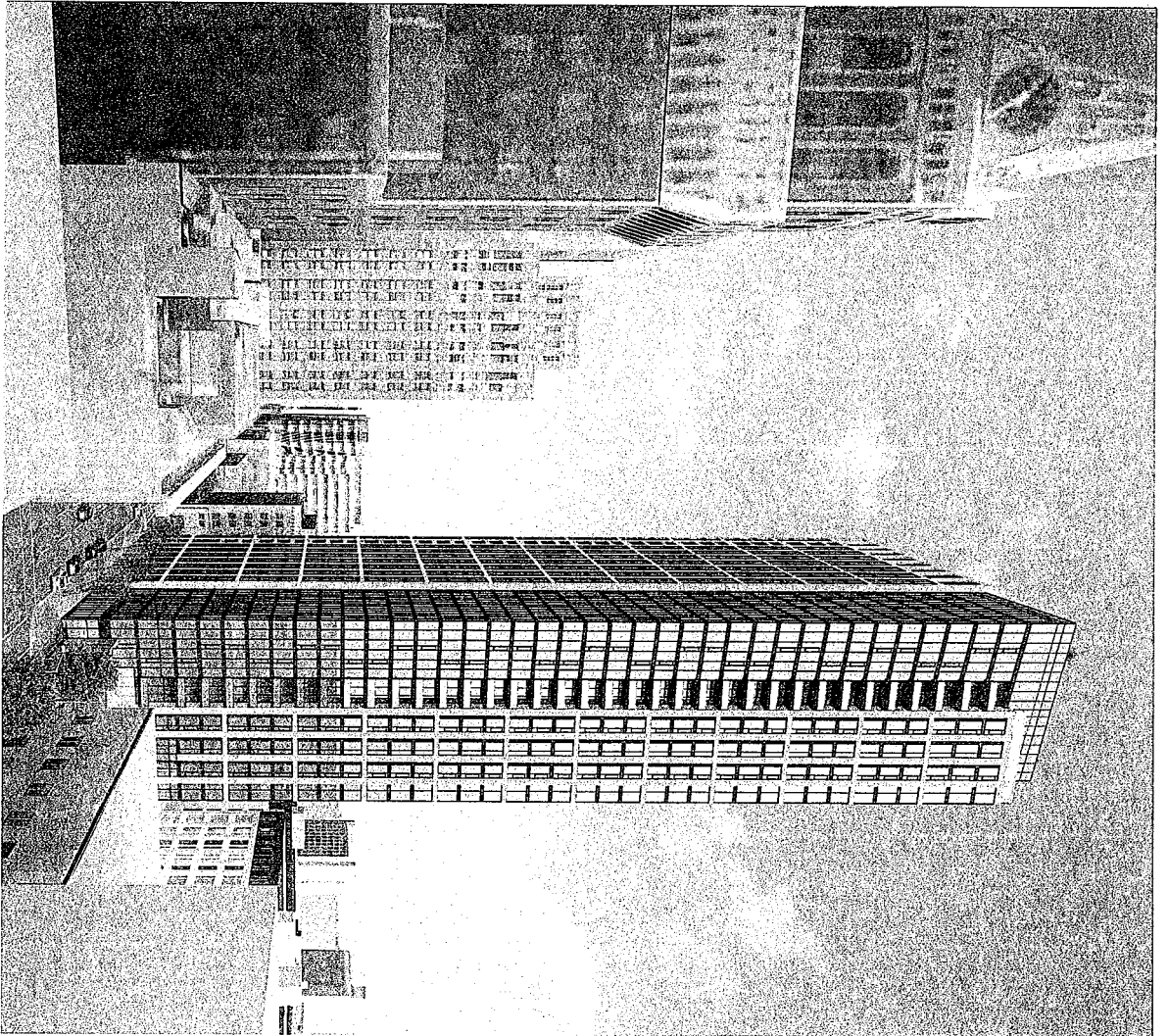
1314 FRANKLIN STREET

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03 - 15 2017

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CP VI Franklin, LLC

207 SOLOMON CORDWELL BUENZ

13TH STREET FACING SE

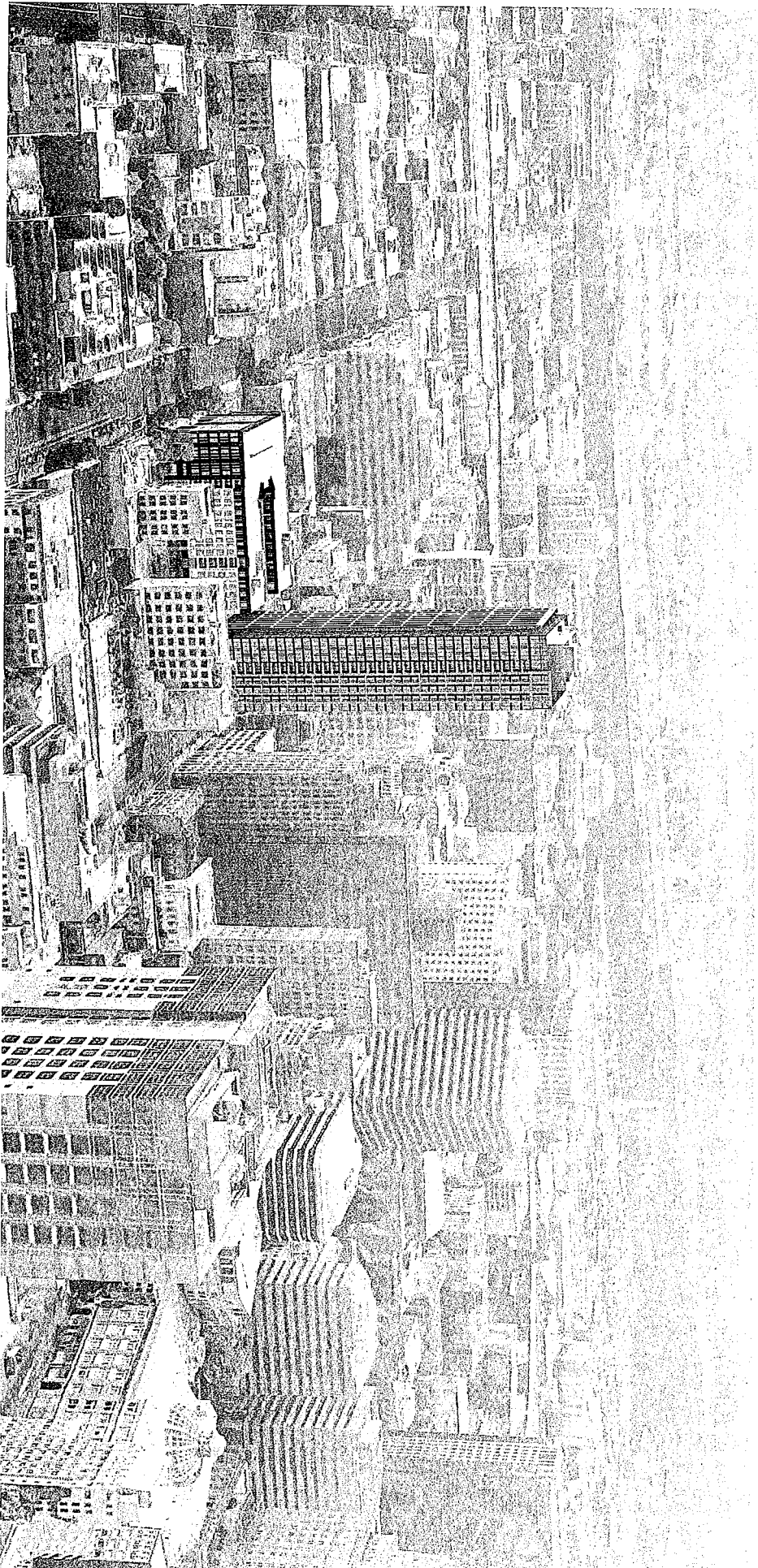
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207 SOLOMON CORDWELL BLVD

AERIAL VIEW FACING SW

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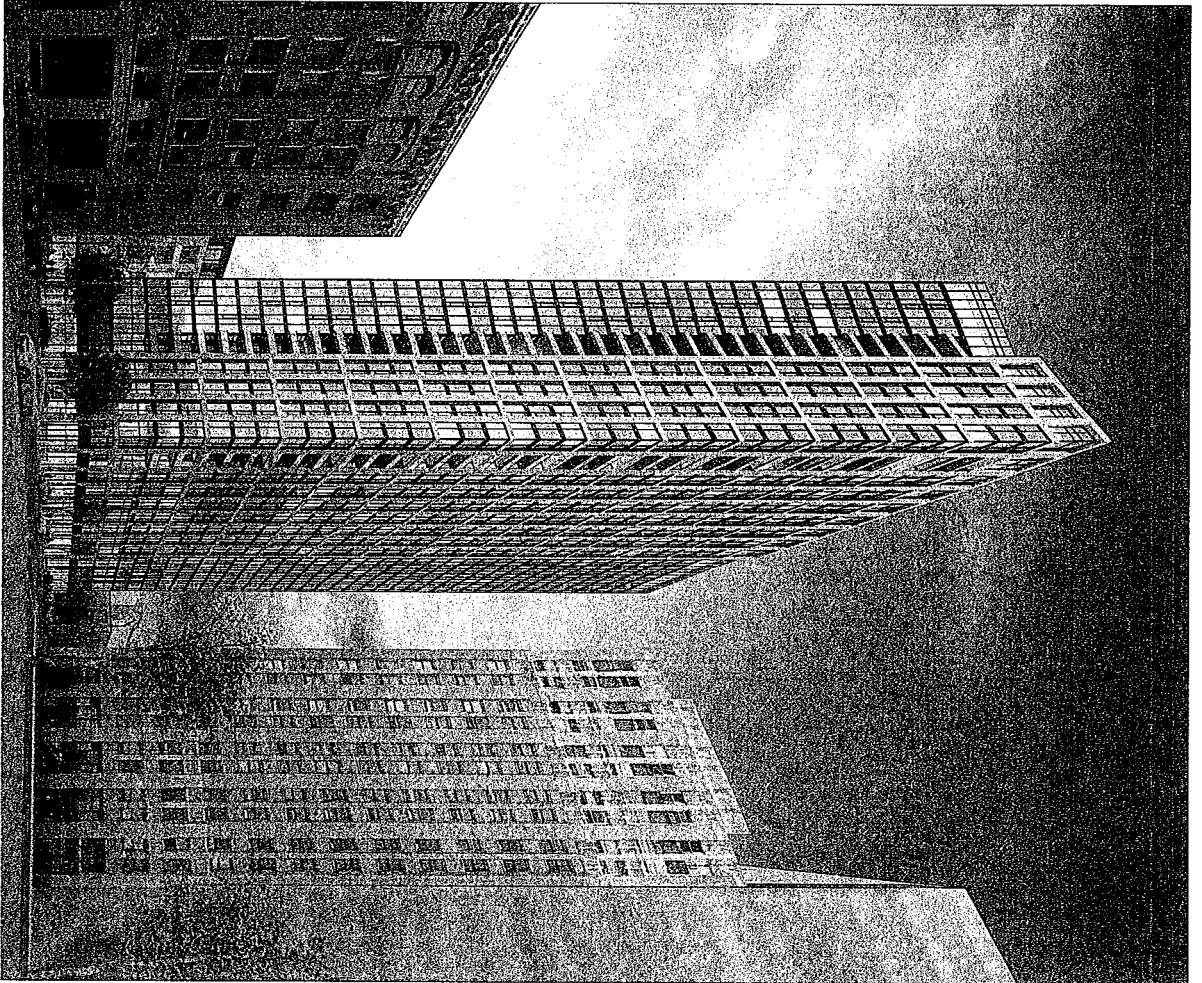
1314 FRANKLIN STREET

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 2017 SOLOMON CORDWELL BUENZ

14TH STREET FACING SE AT DUSK

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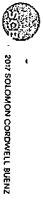
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287 SOLOMON CORDWELL BUENZ

VIEW FROM HIGHWAY 880

Planning Commission Approval Package

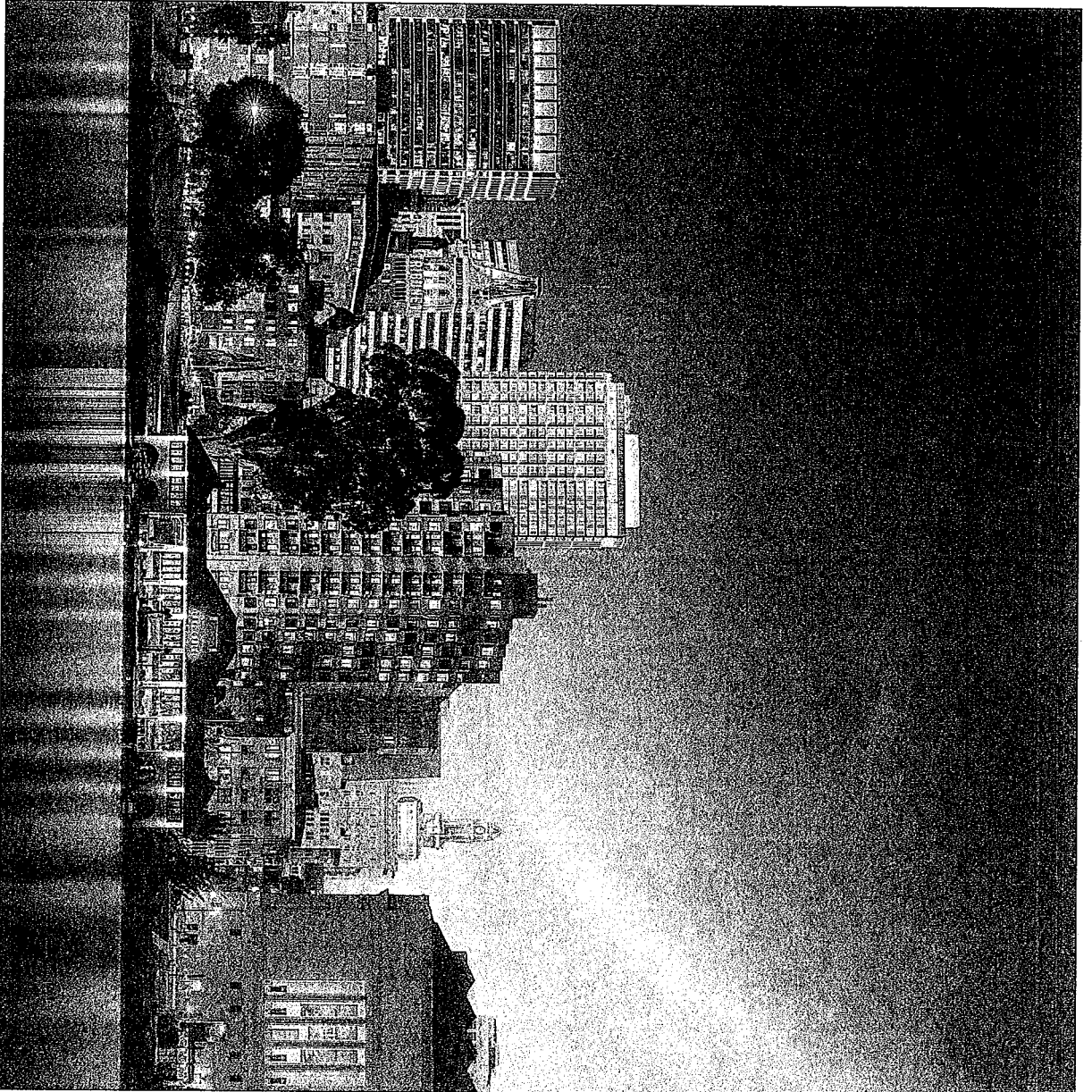
1314 FRANKLIN STREET

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CP VI Franklin, LLC



VIEW FROM 187TH STREET PIER

Planning Commission Approval Package

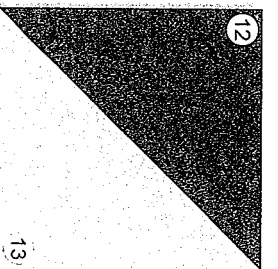
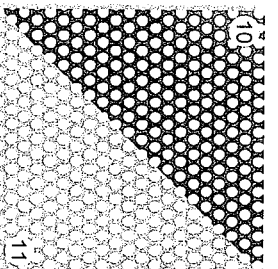
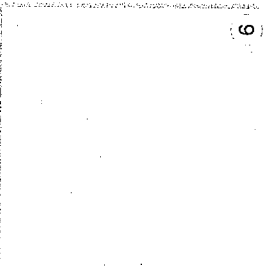
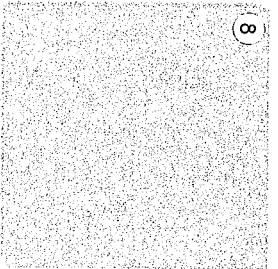
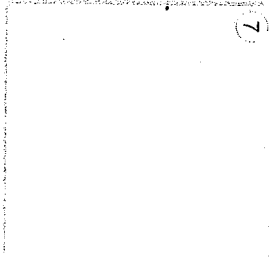
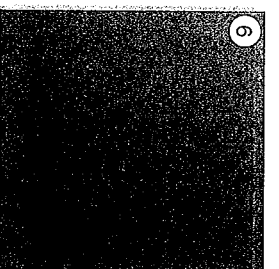
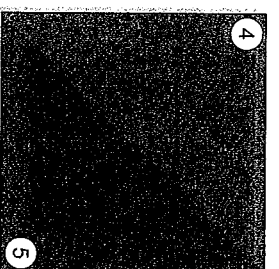
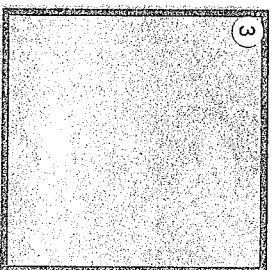
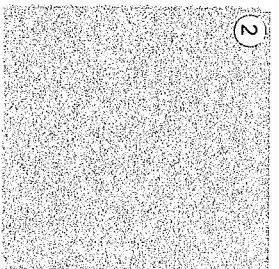
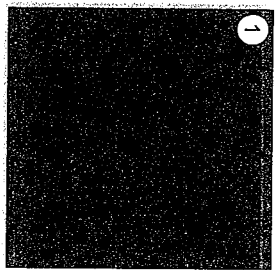
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1 Metal Panel / Mullion - Dark Brown

2 Metal Panel - Champagne

3 Insulated Glazing Unit

4 Hardie Board - Dark Bronze 5 Dark Brown

6 Aluminum Window - Bronze

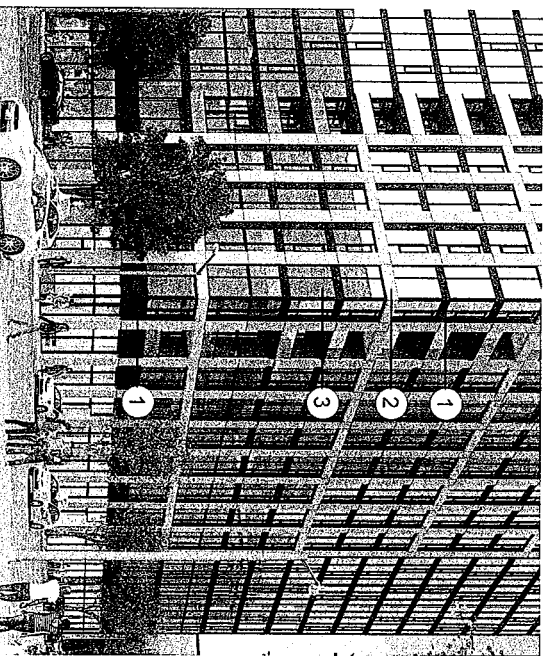
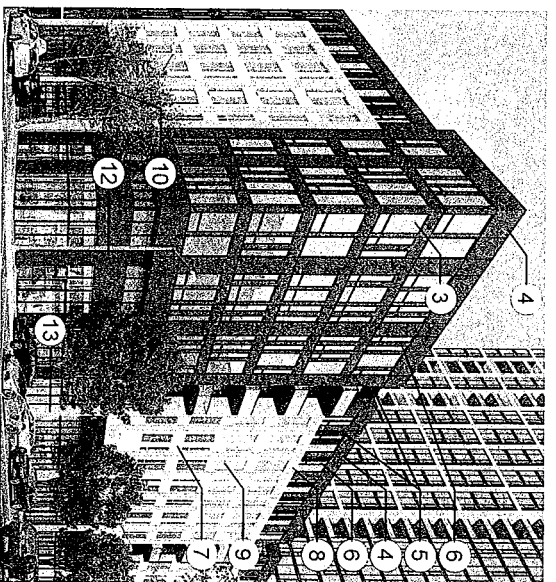
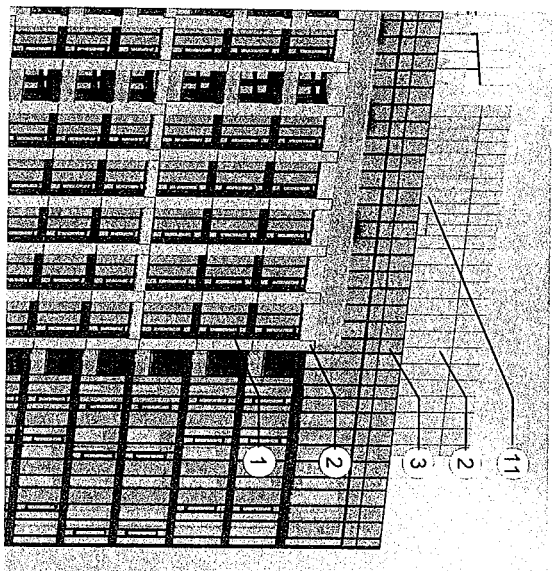
7 Stucco - White

8 Stucco - Champagne

9 Vinyl Window - White

10 Perforated Metal - Dark Bronze 11 Champagne

12 Tile - Dark Bronze 13 Champagne



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EXTERIOR MATERIALS

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 1314 FRANKLIN STREET
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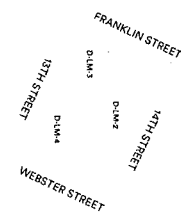
03 15 2017

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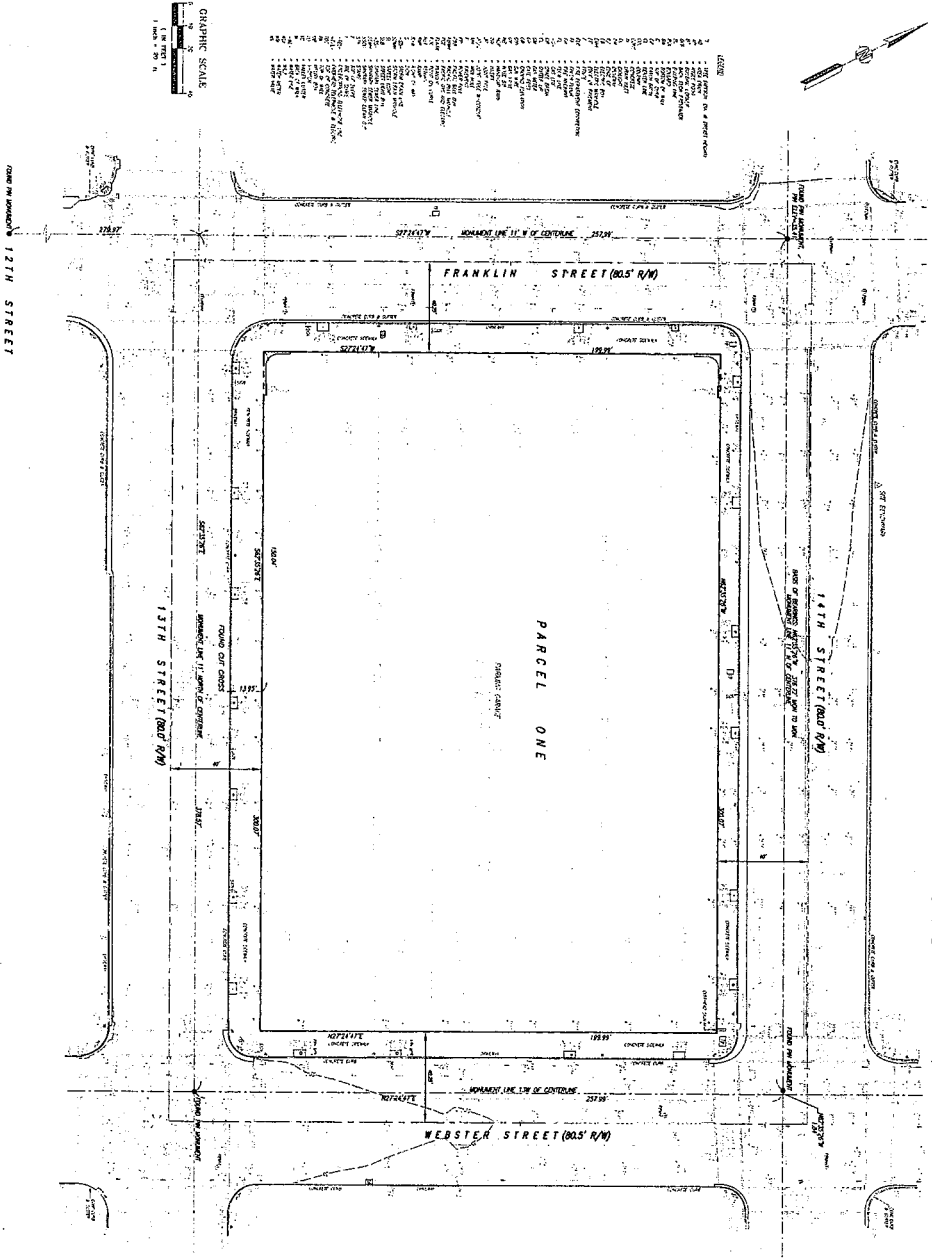
ZONING SUMMARY

GENERAL ZONING INFORMATION	REFERENCE	DETAIL	DEVIATIONS
ZONING DISTRICT	Survey	Block 192, Kellersteger's Map of Oakland Block 7, Page 3	N/A
PERMITTED AND/OR CONDITIONAL USES	17-101G-01	Western Hill D-LM-2 Residential Commercial, Southwest Quarter D-LM-3 General Commercial, Residential, Community Assembly, General Retail, Full + Limited Service Restaurant, Consumer Service, N/A	N/A
GENERAL PLANNING ESTIMARY POLICY PLAN	OAK-GIS	Central Business District	N/A
HOUSING POLICY PLAN	OAK-GIS	Severely 2	N/A
CONDO CONVERSION IMPACT AREA	OAK-GIS	No	N/A
HEIGHT AND BULK CONTROLS	REFERENCE	DETAIL	DEVIATIONS
SITE AREA	Survey	60,022 sqft	N/A
FLOOR AREA RATIO (FAR) - NON-RESIDENTIAL	17-101G-04	45%	85% Pursuant to CUP
HEIGHT LIMIT - TOWER	17-101G-04	81' Subject to 3 buildings - LM-215 standards apply	Unlimited per Concession Pursuant to (Government Code §§ 65915 et seq.)
MAXIMUM AVERAGE PER STORY ABOVE BUILDING BASE BULK LIMITS	17-101G-04	65% of site area or 10,000 sq. feet, whichever is greater. 50,950 sq. max. Proposed: 13,020 sq. ft.	30% increase pursuant to CUP - Elevation length allowed: 195ft. Diagonal length allowed: 252ft. Proposed: 189ft Tower Diagonal
REQUIRED SETBACKS	17-101G-04	Proposed: 15ft. D-LM-3, 50' max. D-LM-4, 10ft max. at ground floor only; Tower: 20ft. at least 50ft. of perimeter length	N/A
TOWER SEPARATION REQUIREMENTS	17-101G-04	50ft. minimum between towers on same lot. N/A	N/A
REAR YARDS / COURTS	17-108-080	8ft. minimum at living room windows *2ft. for each floor above - maximum 10% of lot width	N/A
UNIT SEPARATION / EXPOSURE REQUIREMENTS	17-108-080	8ft. minimum at living room windows *2ft. for each floor above - maximum 10% of lot width	N/A
DETAILED CONTROLS & REQUIREMENTS	REFERENCE	DETAIL	DEVIATIONS
RESIDENTIAL DENSITY LIMITS	17-101G-04	110 sqft. of lot area per unit, 35% density increase for very low income, senior citizens, or child care facilities * 546 dwelling units.	20% increase pursuant to Density Bonus Law (Government Code §§ 65915 et seq.) Density allowed: 650 dwelling units. Proposed: 624 dwelling units
OPEN SPACE REQUIREMENTS	17-126-020	None, Public Ground Floor P 15ft. OR Site Open Space: 10ft. Community Room: 250 sqft.	N/A
GROUND FLOOR MINIMUM FLOOR HEIGHT	17-101G-03	15' 3/4" Provided	N/A
STOERFRONT WIDTH MINIMUM	17-101G-03	15ft. 36ft. (min.) Provided	N/A
OFF-STREET PARKING - RESIDENTIAL	17-116-080	None required for D-LM-4, 554 Provided	N/A
OFF-STREET PARKING - RETAIL	17-116-080	None required for D-LM-4, 36 Provided	N/A
OFF-STREET PARKING - COMMERCIAL	17-116-080	None required for D-LM-4, 4 Provided	N/A
OFF-STREET DRIVE ASLE DIMENSIONS	17-116-100	11ft. parallel to street, 7' 6" perpendicular * 12.5% compact	N/A
LOADING BERTH REQUIREMENTS (COMMERCIAL)	17-116-140	50,000 sqft. or more. One (1) berth.	N/A
LOADING BERTH REQUIREMENTS (RESIDENTIAL)	17-116-220	Less than 25,000 sqft. No berth required.	N/A
BICYCLE REQUIREMENTS - RESTAURANT	17-117-090	10ft x 23ft, 12ft high	N/A
BICYCLE REQUIREMENTS - RETAIL	17-117-110	17' 0.25 spaces per dwelling unit, ST: 0.05 per dwelling units	N/A
BICYCLE REQUIREMENTS - COMMERCIAL	17-117-110	LT: 1 per 18k (2 min), ST: 1 per 5k (2 min)	N/A
	17-117-110	LT: 1 per 10k (2 min), ST: 1 per 20k (2 min)	N/A

ZONING DIAGRAM



**VESTING TENTATIVE PARCEL MAP 10645
FOR CONDOMINIUM PURPOSES
UP TO 650 RESIDENTIAL CONDOMINIUMS
AND 3 COMMERCIAL CONDOMINIUMS**



CP VI Franklin, LLC



2017 SOLOMON CORDELL BUENZ

VESTING TENTATIVE PARCEL MAP

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1314 FRANKLIN STREET

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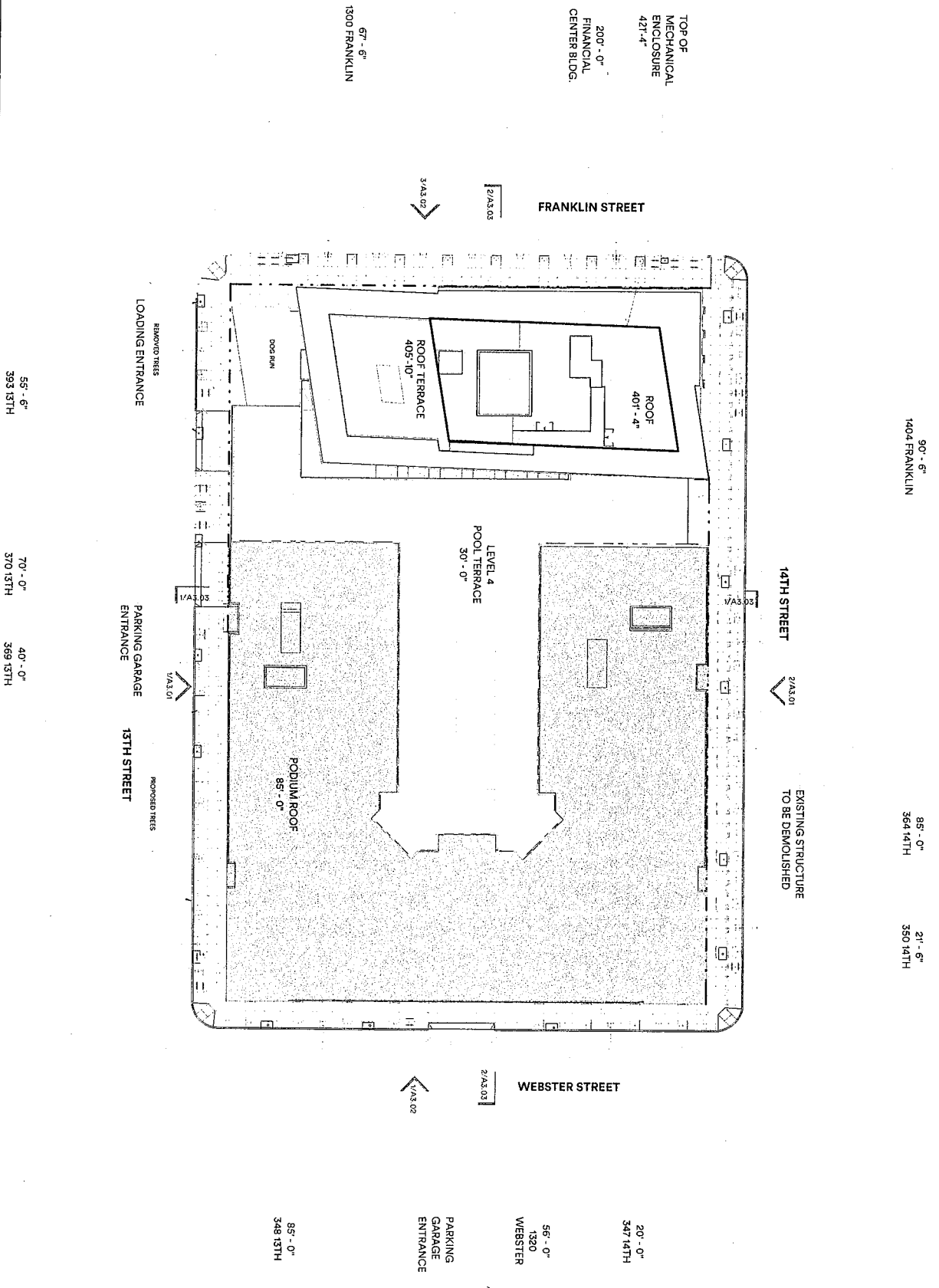
03 15 2017

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GENERAL NOTES:

1. THIS PARCEL MAP IS A TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES.
2. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE PLANNING COMMISSION AND THE CITY OF OAKLAND.
3. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF SUPERVISORS.
4. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF EQUALIZATION.
5. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF EDUCATION.
6. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF PROFESSIONAL ACCOUNTANTS.
7. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF REALTORS.
8. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF CONTRACTORS.
9. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF ENGINEERS.
10. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF ARCHITECTS.
11. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF LAND SURVEYORS.
12. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF CIVIL ENGINEERS.
13. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF ELECTRICAL ENGINEERS.
14. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF MECHANICAL ENGINEERS.
15. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF CHEMICAL ENGINEERS.
16. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF AERONAUTICAL ENGINEERS.
17. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF METALLURGICAL ENGINEERS.
18. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF INDUSTRIAL ENGINEERS.
19. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF AGRICULTURAL ENGINEERS.
20. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF MARINE ENGINEERS.
21. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF MINING ENGINEERS.
22. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF FISH AND GAME ENGINEERS.
23. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF FORESTRY ENGINEERS.
24. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF AERONAUTICAL ENGINEERS.
25. THE PARCEL MAP IS SUBJECT TO THE APPROVAL OF THE CALIFORNIA STATE BOARD OF METALLURGICAL ENGINEERS.

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SITE PLAN

Planning Commission Approval Package
 1314 FRANKLIN STREET
 Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

03 15 2017

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OPEN SPACE SUMMARY

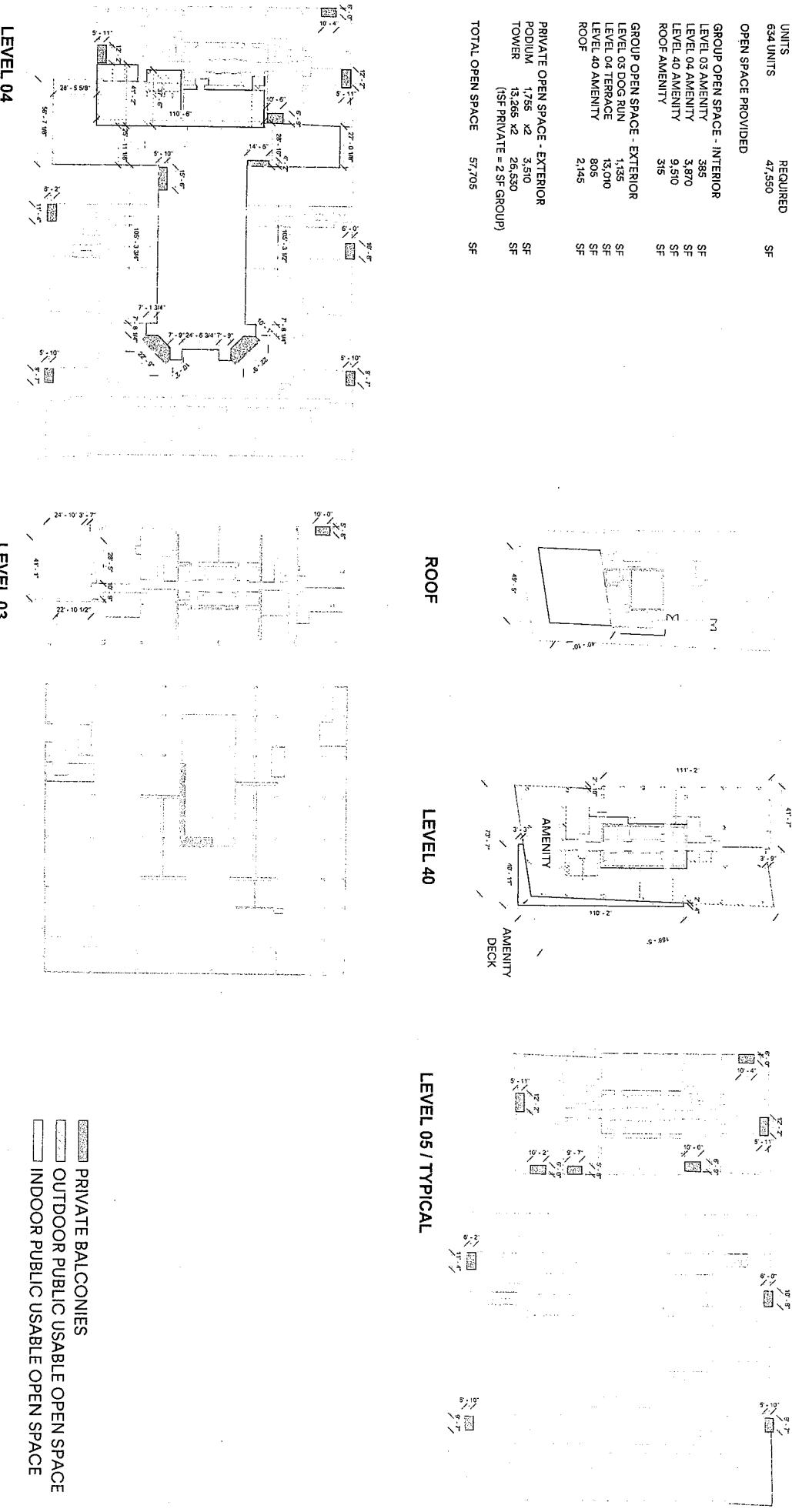
OPEN SPACE REQUIRED UNITS	REQUIRED	SF
634 UNITS	47,550	SF

OPEN SPACE PROVIDED

GROUP	AREA	SF
GROUP OPEN SPACE - INTERIOR		
LEVEL 03 AMENITY	385	SF
LEVEL 04 AMENITY	3,870	SF
LEVEL 40 AMENITY	9,510	SF
ROOF AMENITY	315	SF
GROUP OPEN SPACE - EXTERIOR		
LEVEL 03 DOG RUN	1,135	SF
LEVEL 04 TERRACE	13,010	SF
LEVEL 40 AMENITY	805	SF
ROOF	2,145	SF

PRIVATE OPEN SPACE - EXTERIOR	SF
PODIUM	1,755 X2 = 3,510
TOWER	13,265 X2 = 26,530
(SF PRIVATE = 2 SF GROUP)	

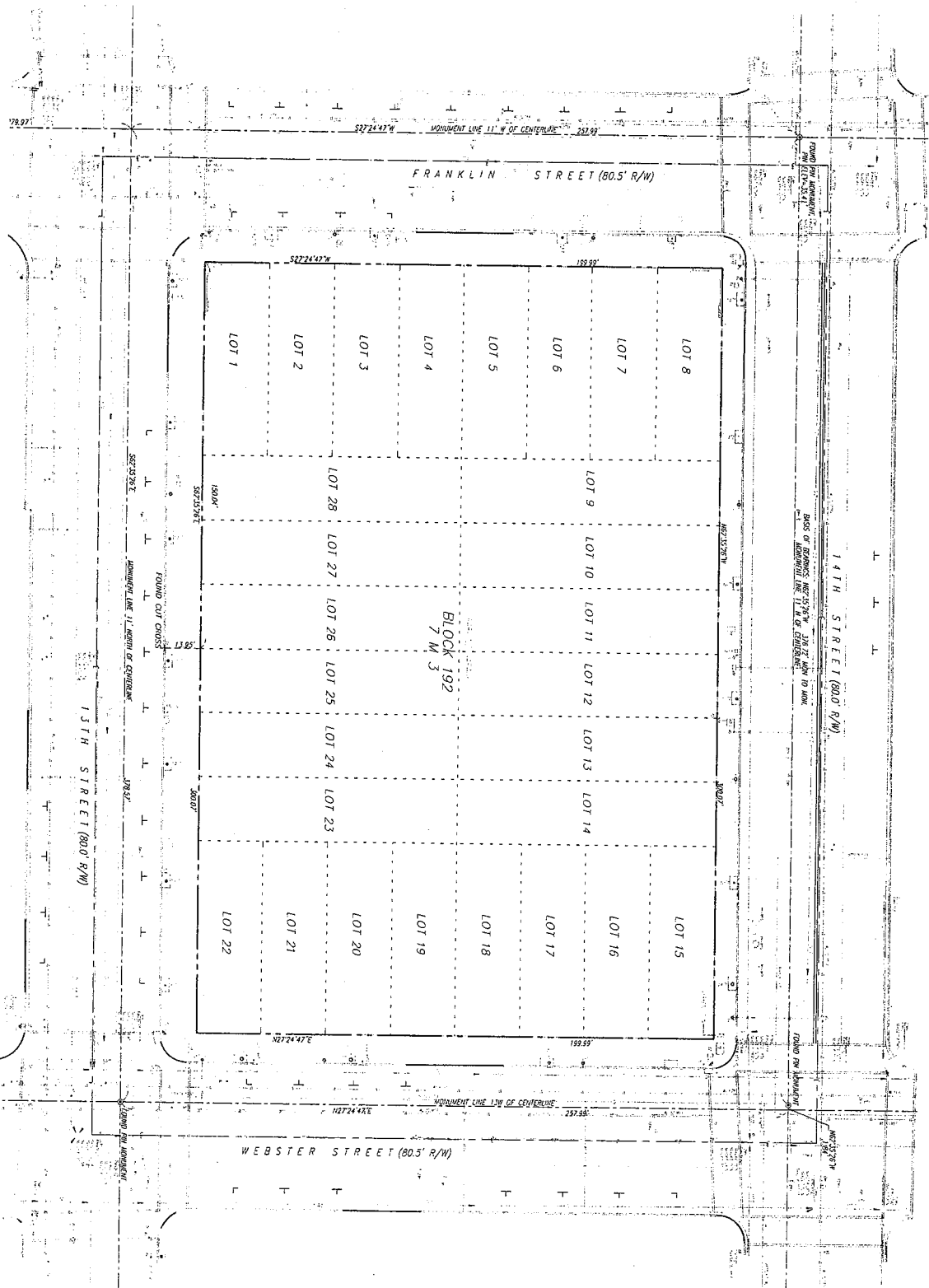
TOTAL OPEN SPACE 57,705 SF



- PRIVATE BALCONIES
- OUTDOOR PUBLIC USABLE OPEN SPACE
- INDOOR PUBLIC USABLE OPEN SPACE



2015 SOLOMON CORDEWELL BLERZ



EXISTING CONDITIONS PLAN

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1314 FRANKLIN STREET

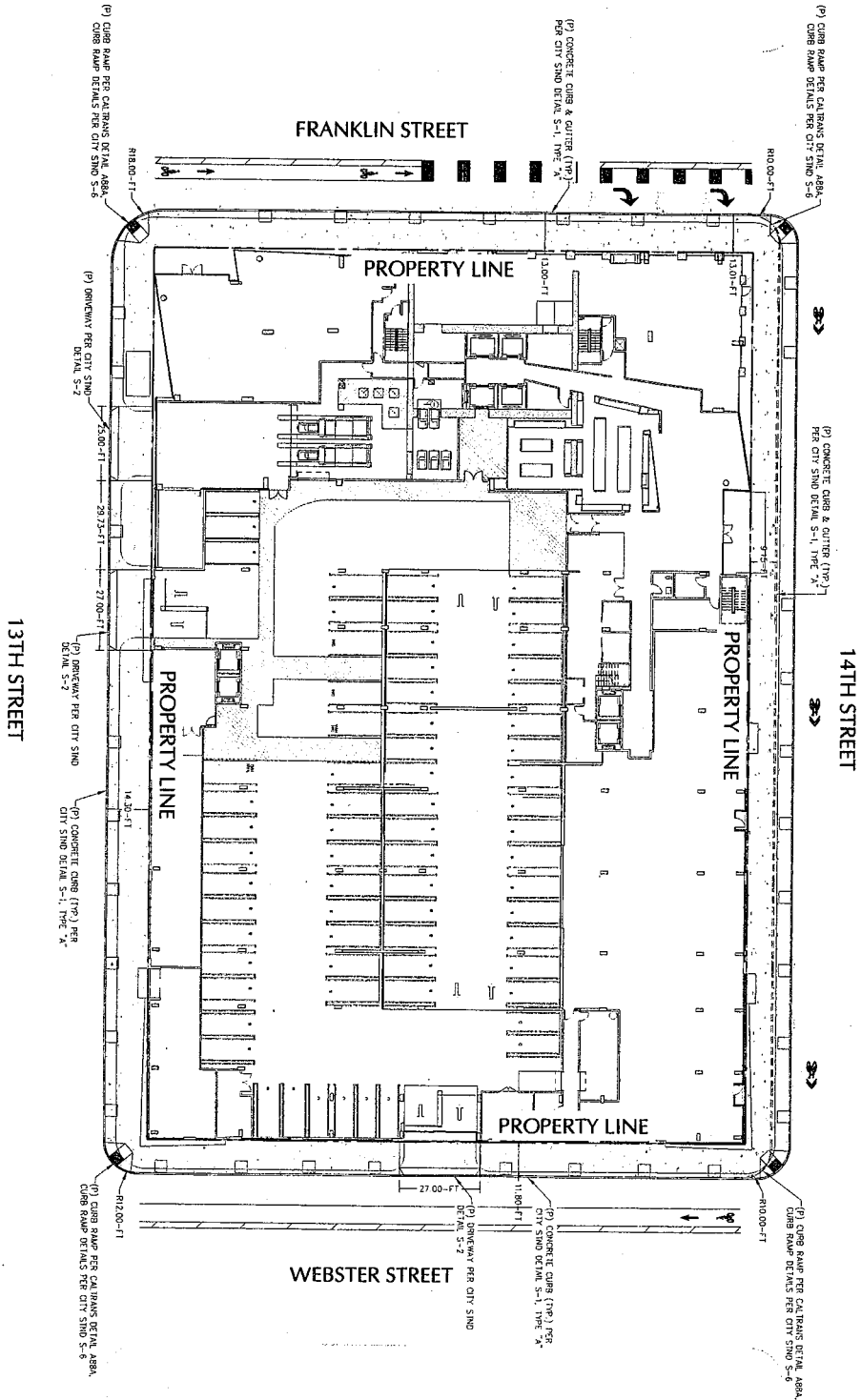
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SITE PLAN

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1314 FRANKLIN STREET

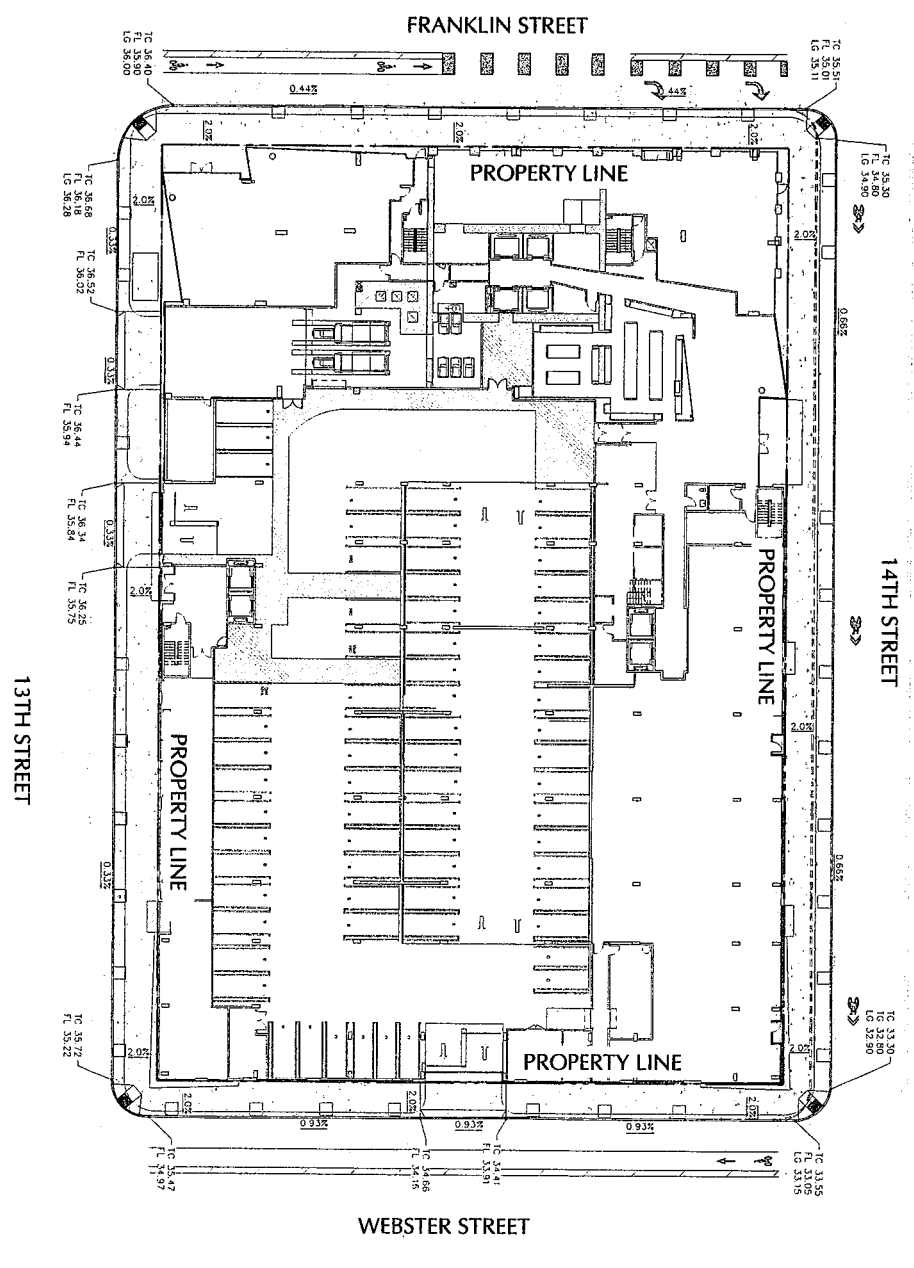
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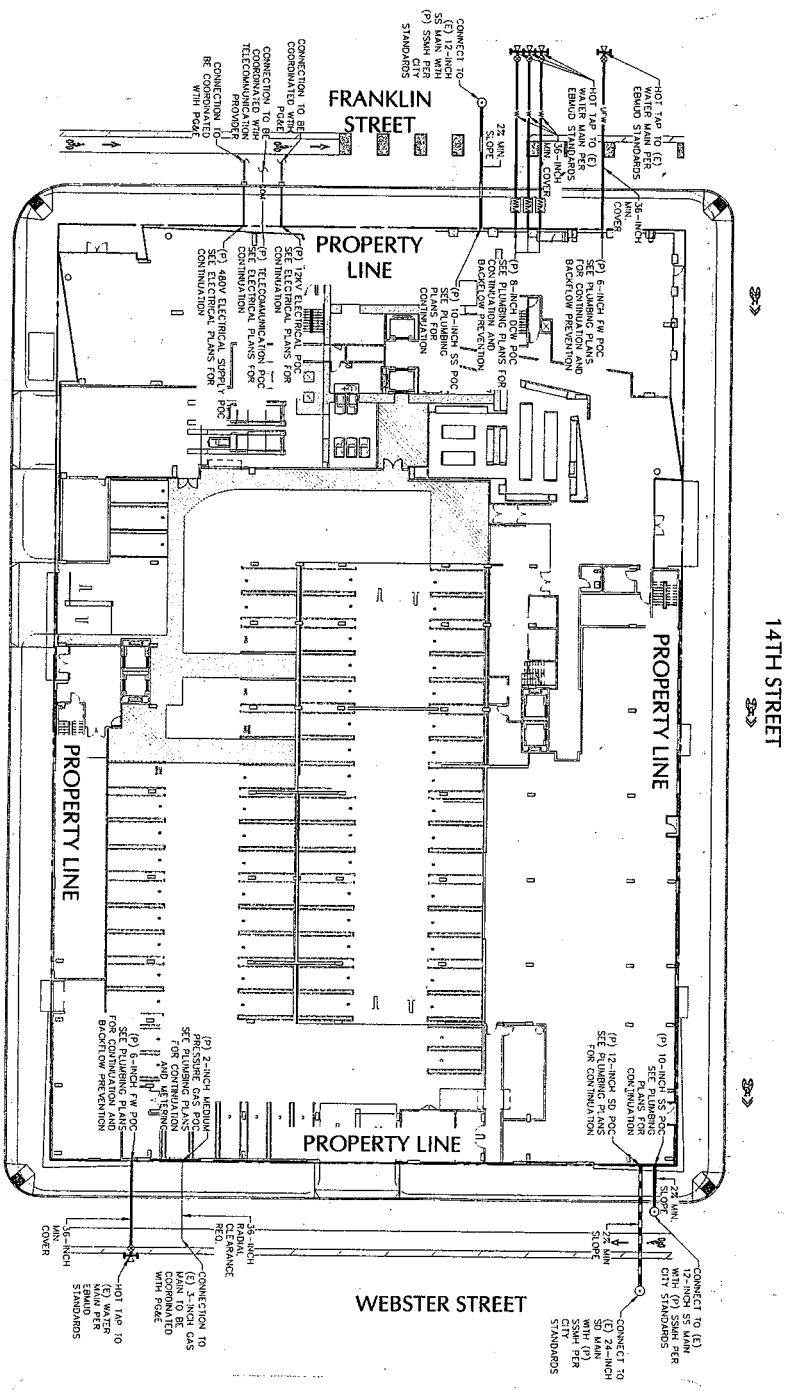
GRADING PLAN

Planning Commission Approval Package
1314 FRANKLIN STREET
Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

03 - 16 - 2017

2/10/2017





13TH STREET

14TH STREET

WEBSTER STREET

UTILITY PLAN
 Planning Commission Approval Package
 1314 FRANKLIN STREET
 Solomon Cordwell Bunz / CP VI Franklin, LLC / Oakland, CA

LEGEND:

ROOF



HARDSCAPE



STORMWATER
RETENTION ROOM



PLANNING AREA



PROPERTY LINE



SCHEMATIC ONLY
SHOWS BRUSH FINISH

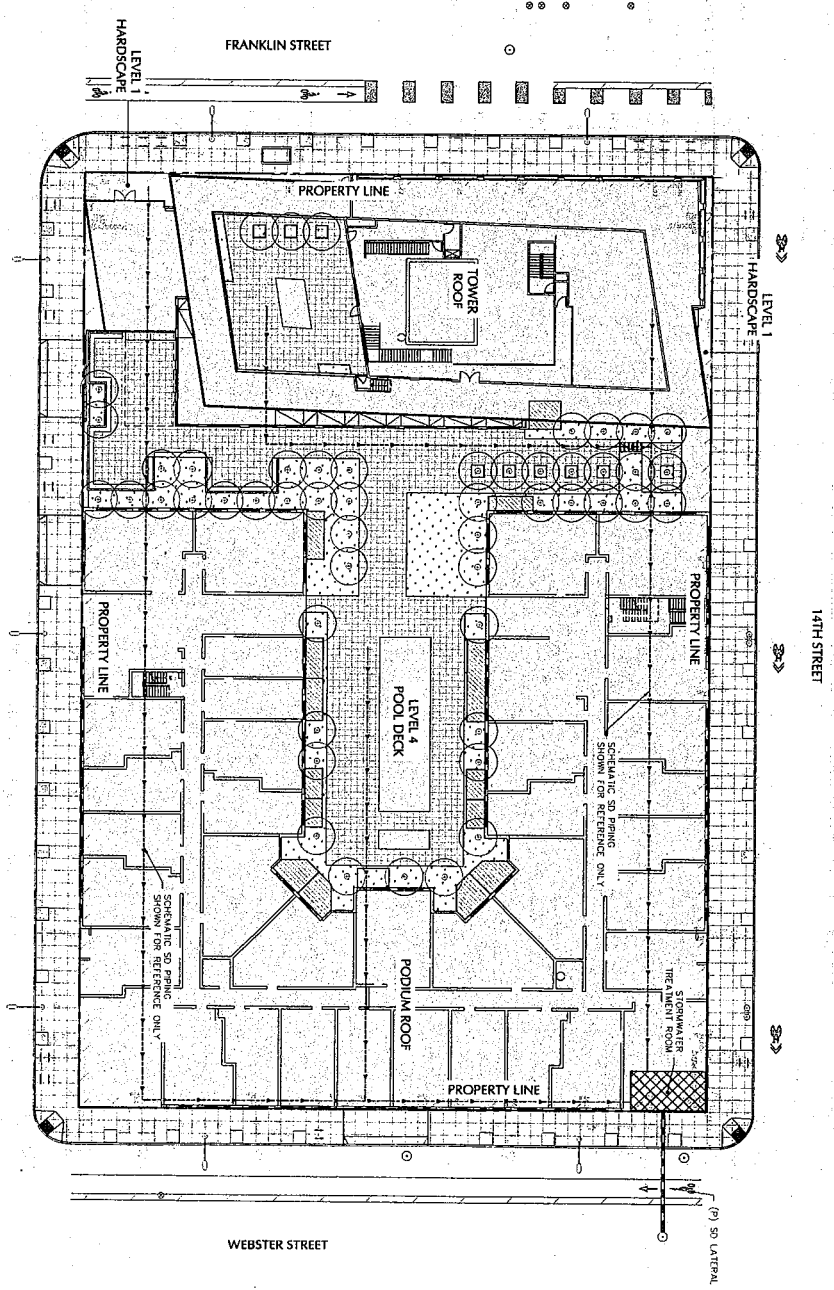


INTERVIOUS/PREVIOUS SUMMARY TABLE

EXISTING CONDITIONS	PROPOSED CONDITIONS
PERVIOUS AREA (SF)	53,889
PERVIOUS AREA (SF)	4,143
TOTAL AREZ. (SF)	60,032

NPDES C-3 COMPLIANCE:

THE PROPOSED DEVELOPMENT IS LOCATED IN AN URBAN ENVIRONMENT AND IS SUBJECT TO THE NPDES C-3 COMPLIANCE REQUIREMENTS. THE DEVELOPMENT IS DESIGNED TO MAINTAIN THE EXISTING PERVIOUS COVER AND TO PROVIDE ADDITIONAL PERVIOUS COVER TO COMPENSATE FOR THE IMPERVIOUS AREAS. THE PROPOSED PERVIOUS COVER IS 53,889 SF, WHICH IS GREATER THAN THE EXISTING PERVIOUS COVER OF 41,443 SF. THE TOTAL PERVIOUS COVER IS 60,032 SF, WHICH IS GREATER THAN THE REQUIRED PERVIOUS COVER OF 50,000 SF. THE DEVELOPMENT IS DESIGNED TO MAINTAIN THE EXISTING PERVIOUS COVER AND TO PROVIDE ADDITIONAL PERVIOUS COVER TO COMPENSATE FOR THE IMPERVIOUS AREAS.



CP VI Franklin, LLC



2016 SOLOMON CORDWELL BUENZ

PRELIMINARY POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN

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1314 FRANKLIN STREET

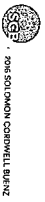
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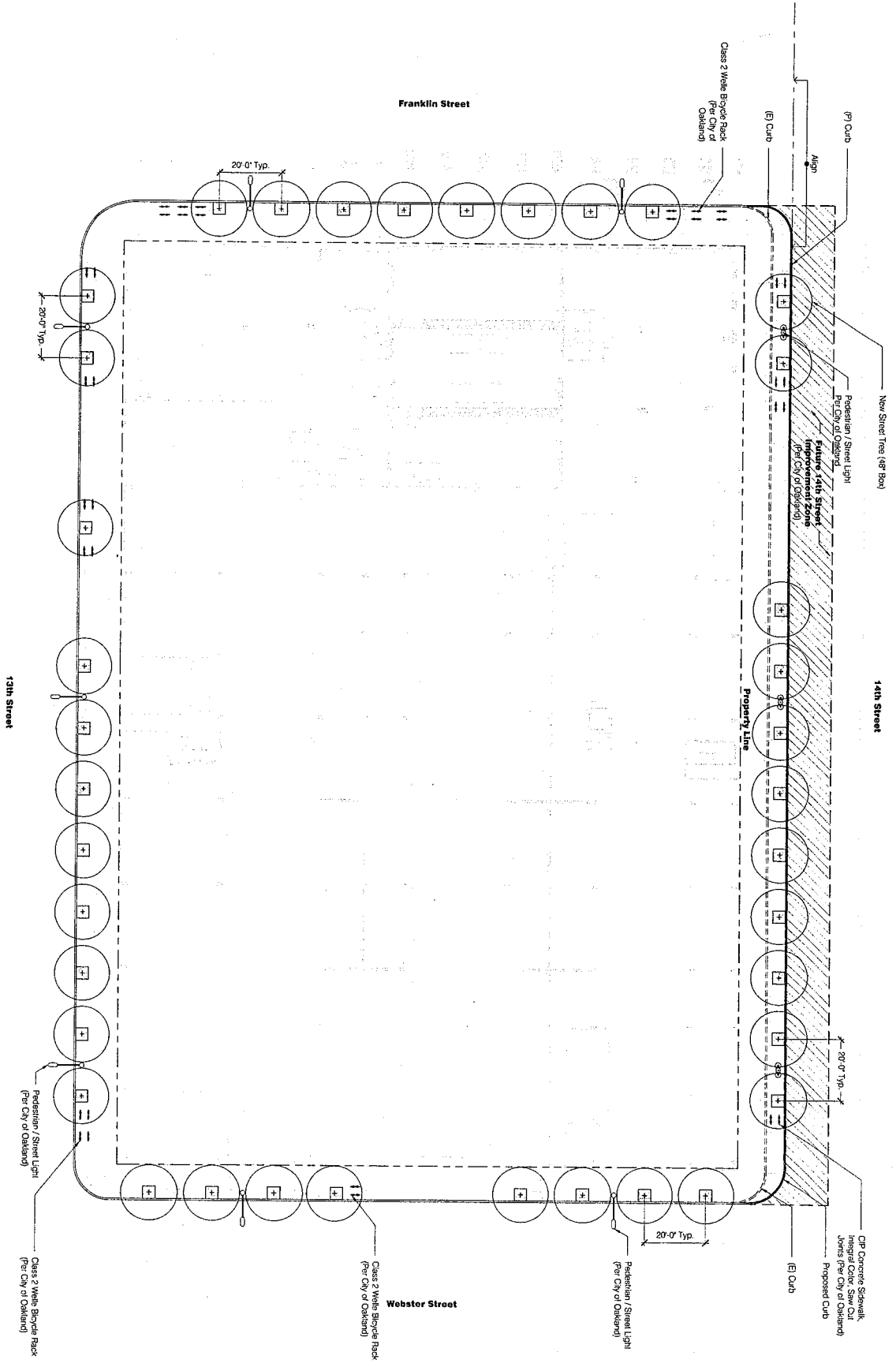
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CP VI Franklin, LLC



705 SOLUTION DR CORWELL BURNZ



LANDSCAPE PLAN - SITE

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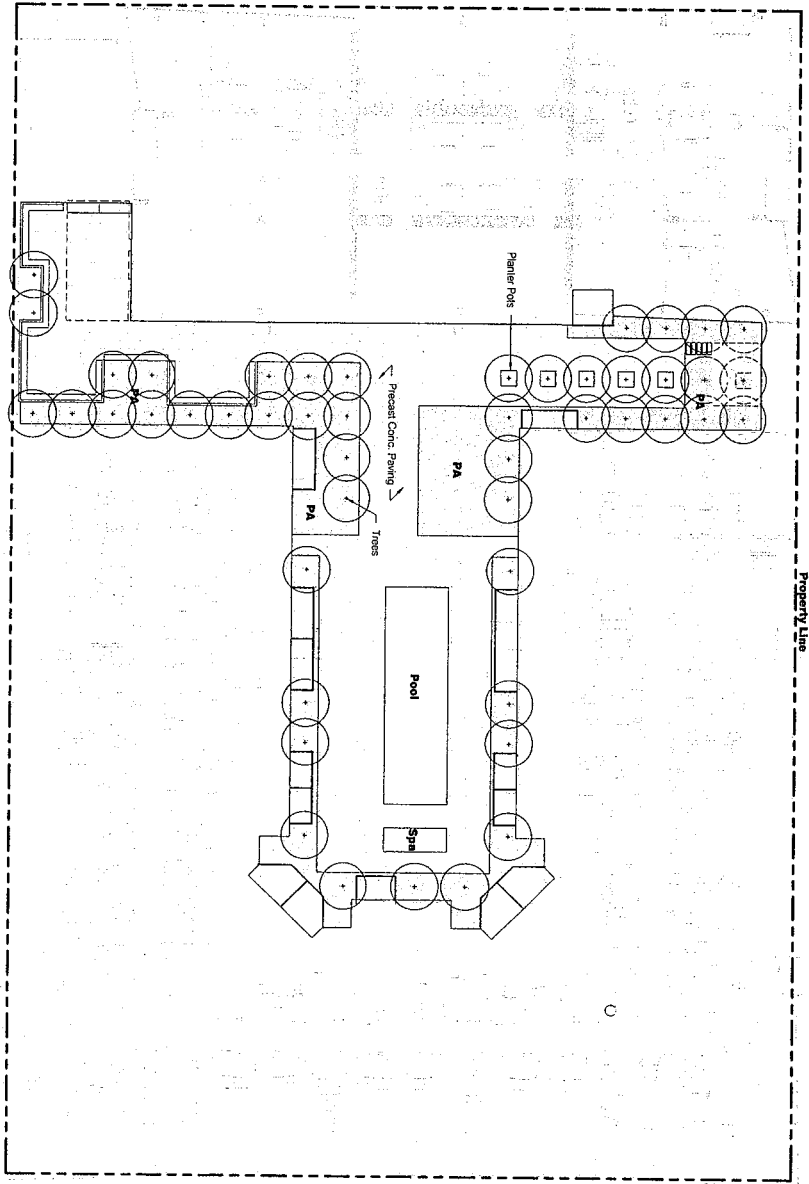
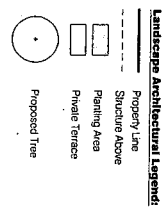
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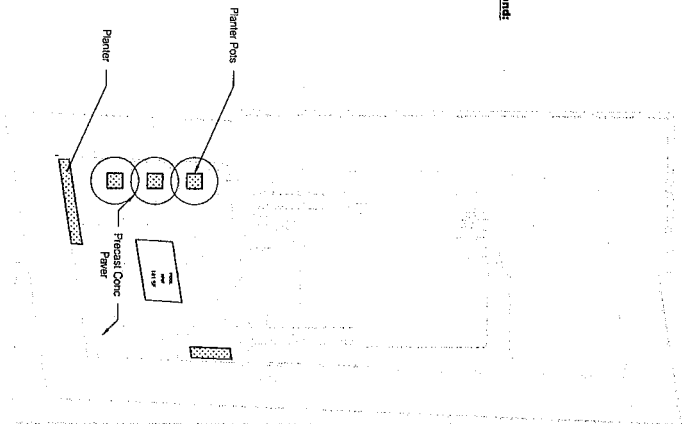
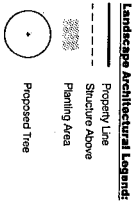
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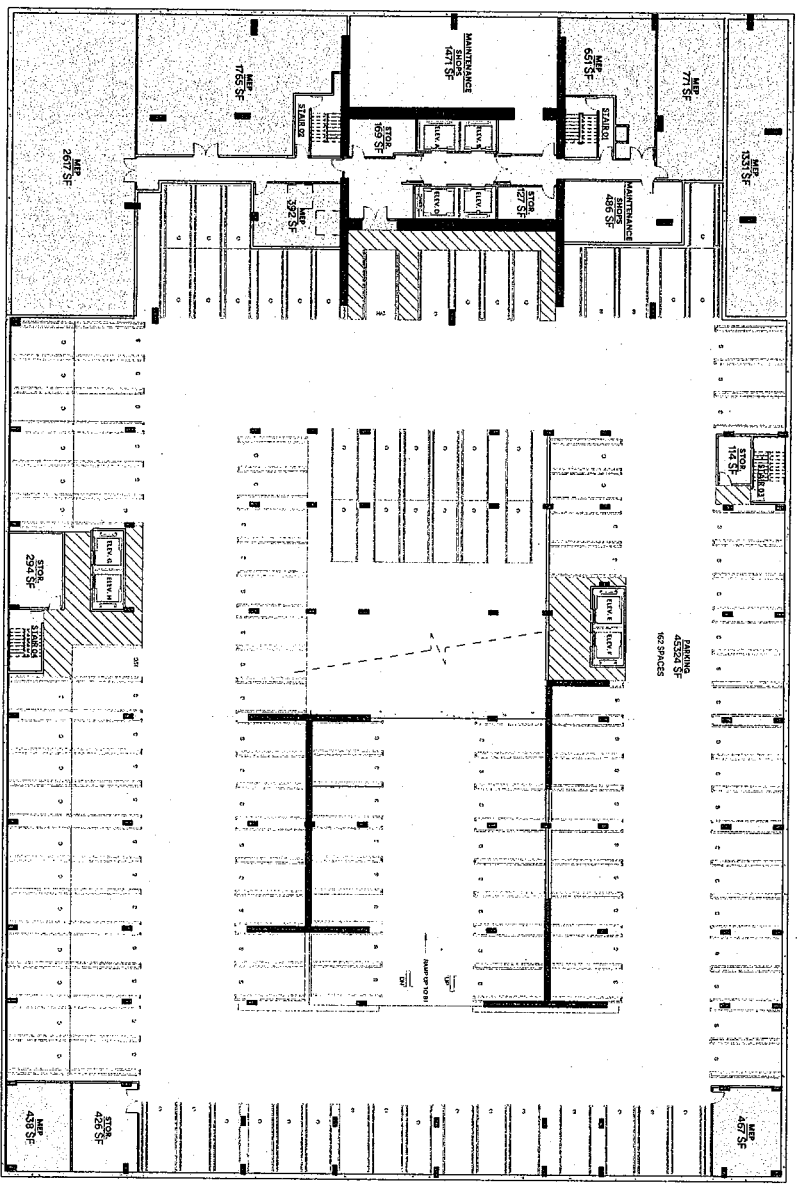
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(A) (B) (C) (D) (E) (F) (G) (H) (I) (J) (K) (L) (M) (N) (O) (P) (Q) (R) (S) (T) (U) (V) (W) (X) (Y) (Z)



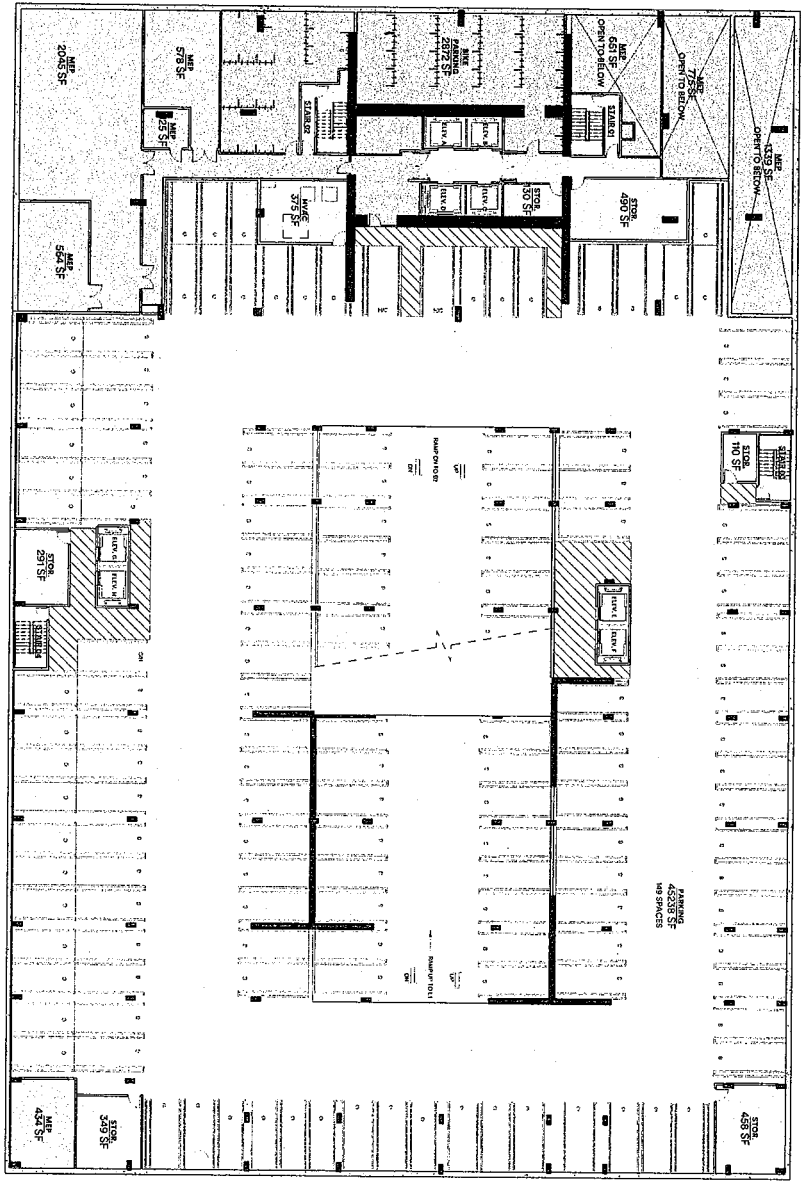
FLOOR PLAN - LEVEL B2
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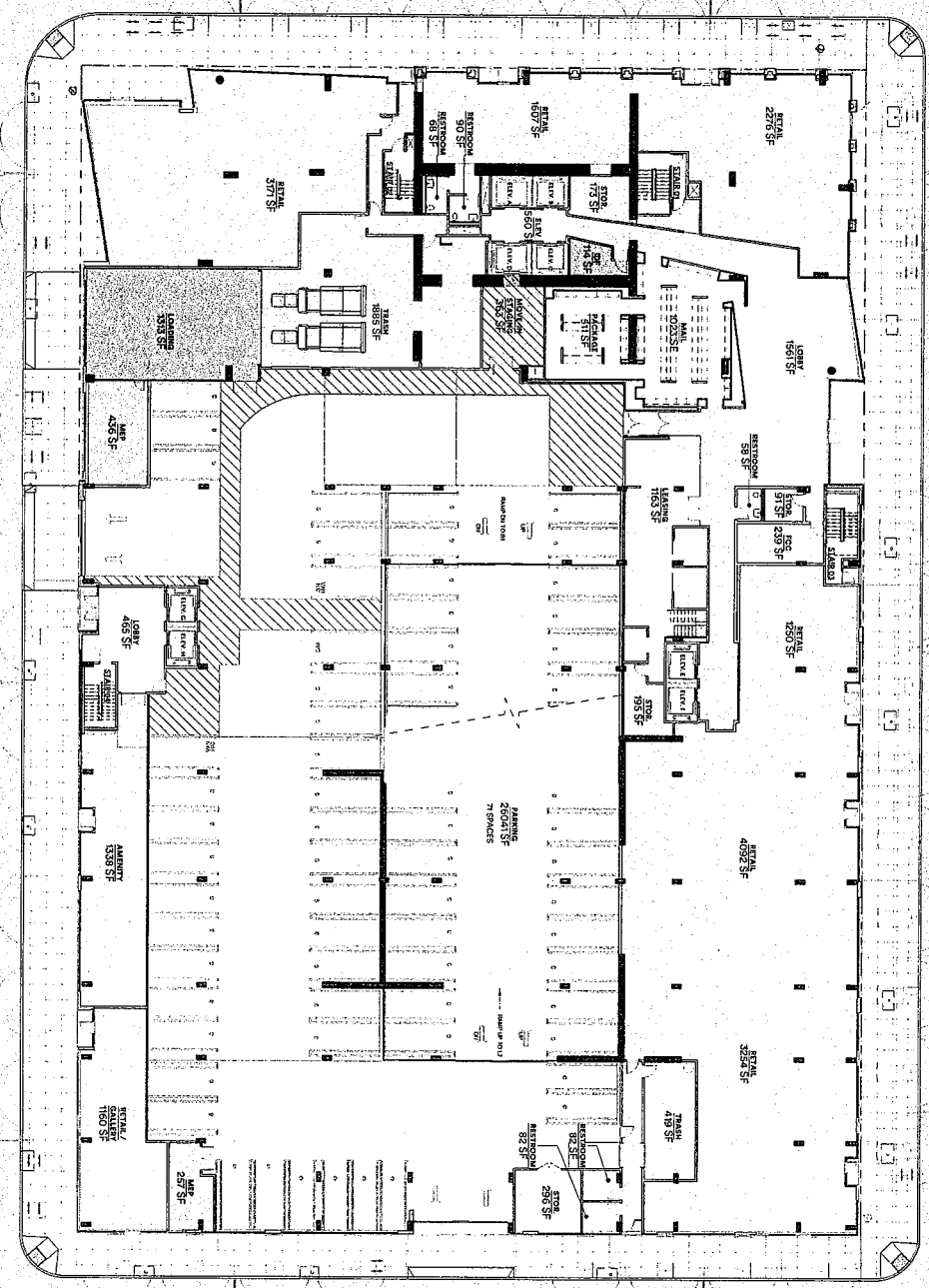
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CP VI Franklin, LLC

3915 50.0'x20.0' COMMON COMMERCIAL BLDG

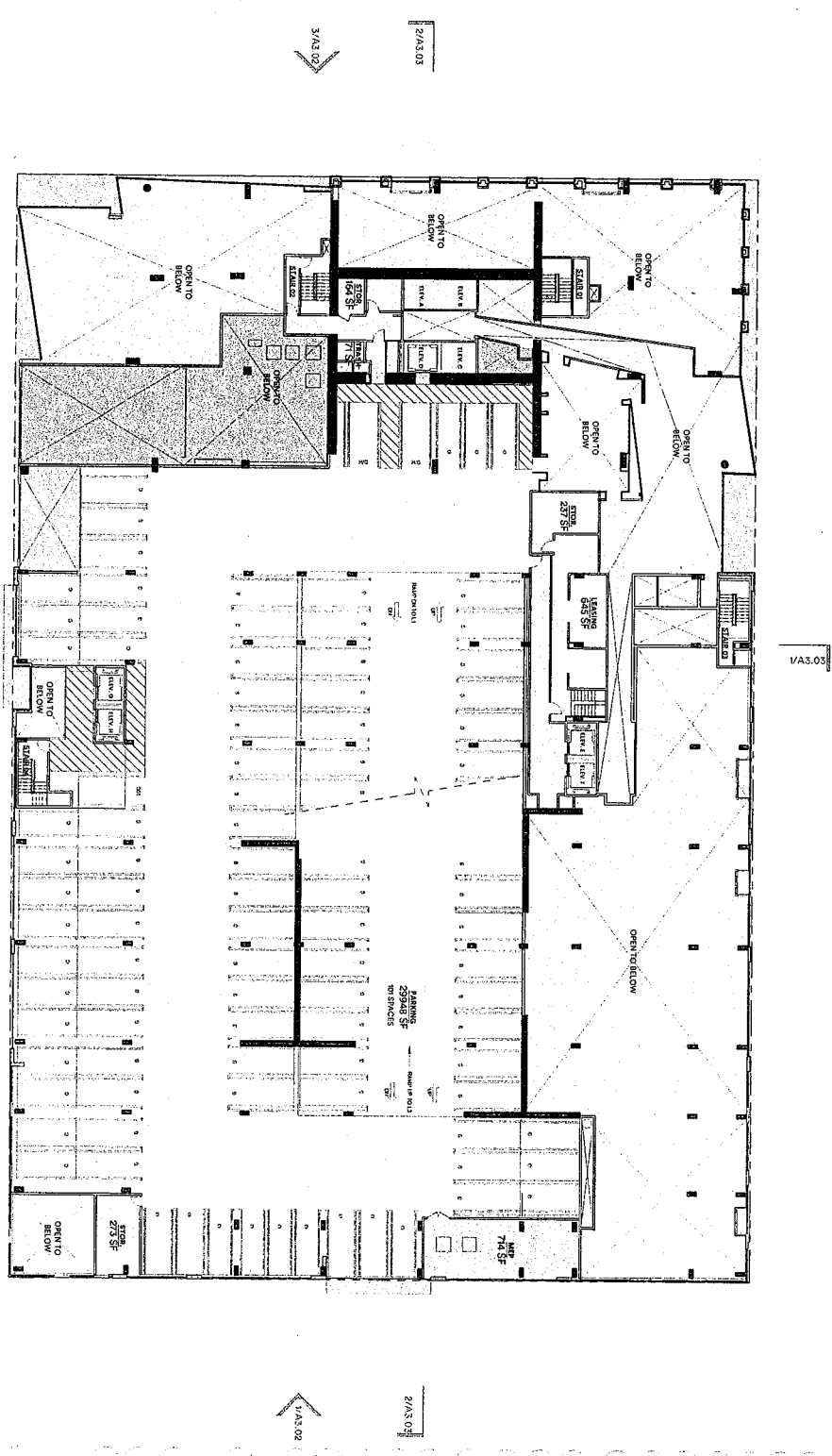


Grid lines and markers along the right edge of the plan, labeled with letters and numbers for reference.

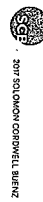
FLOOR PLAN - LEVEL 01
 Planning Commission Approval Package
 1314 FRANKLIN STREET
 Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA
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SECTION 1 1 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



CP VI Franklin, LLC



2017 SOLOMON/CORDELL BUENZ

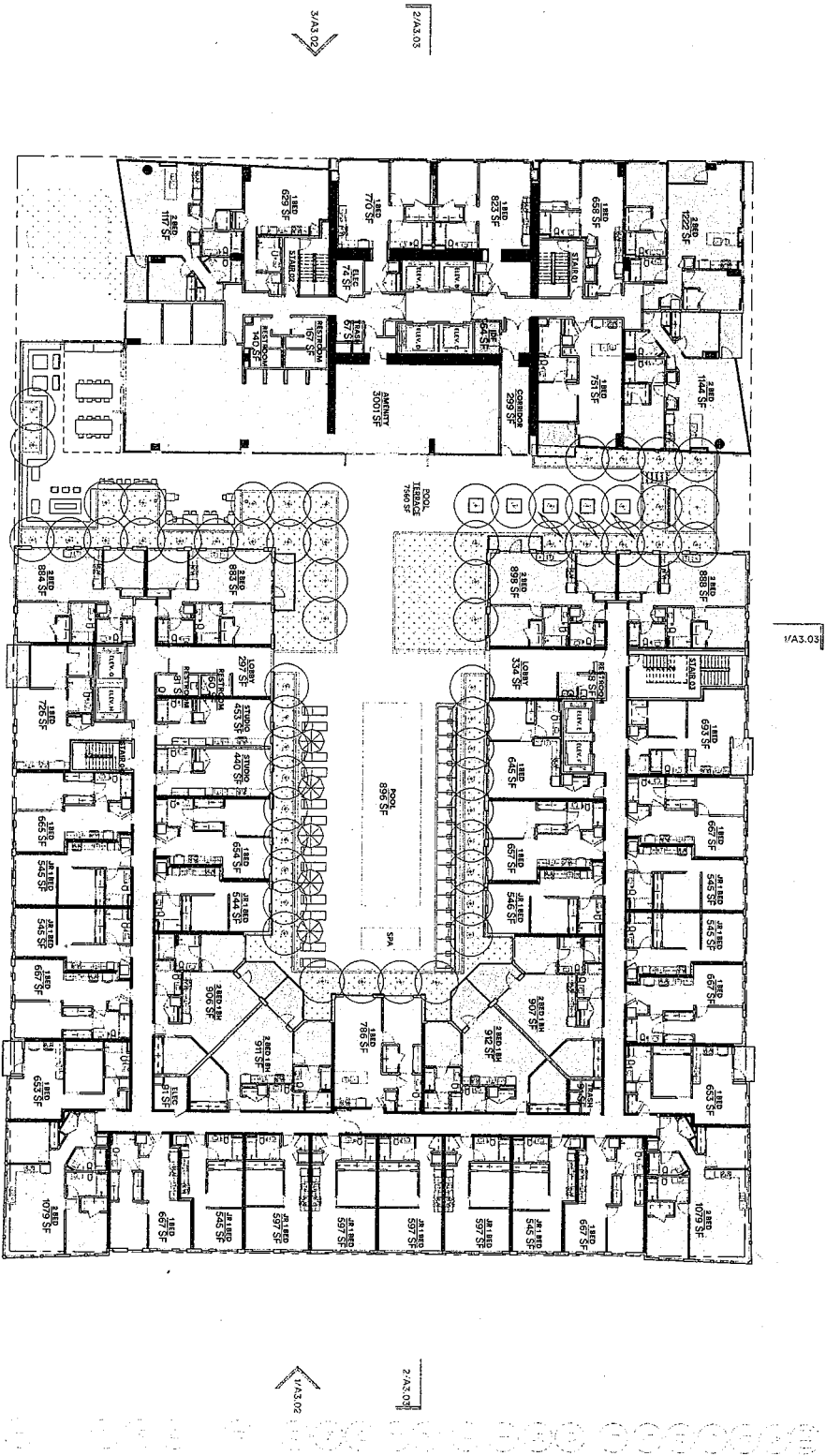
FLOOR PLAN - LEVEL 02
 Planning Commission Approval Package

1314 FRANKLIN STREET
 Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

03 15 2017

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LEVEL 04 AMENITY PLAN

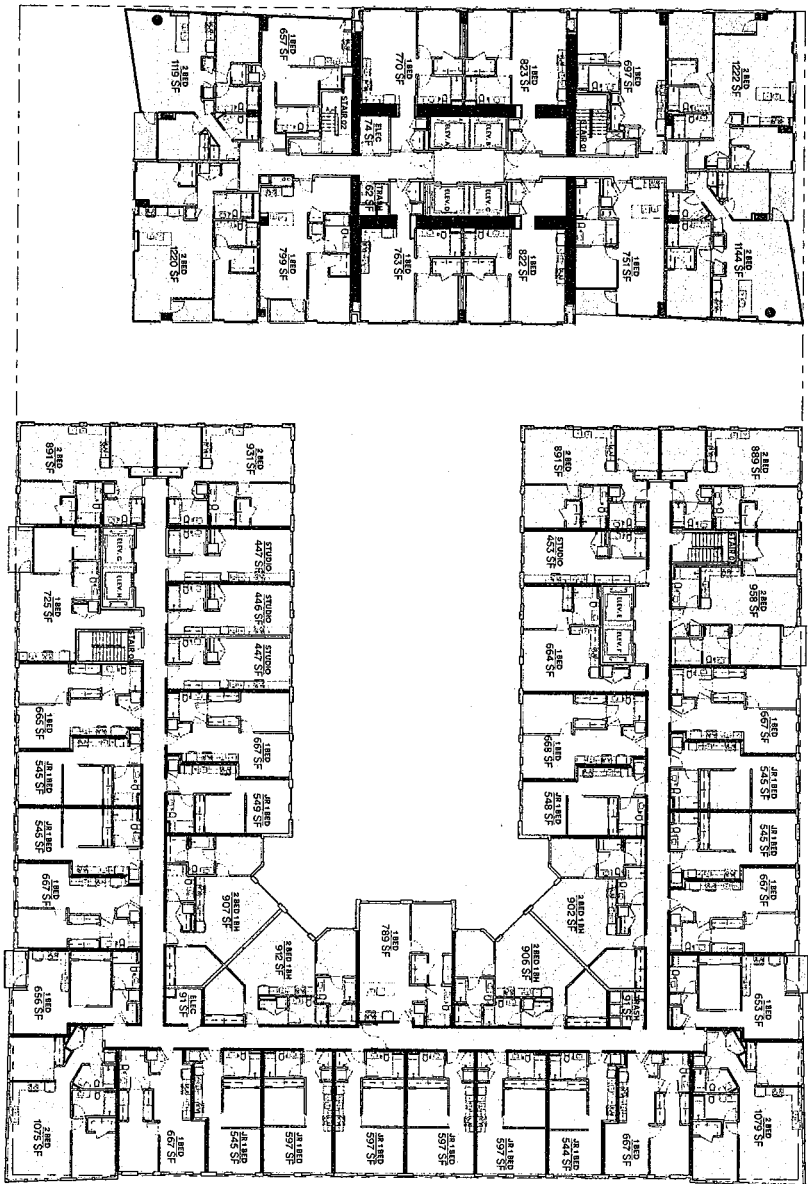
Planning Commission Approval Package

1314 FRANKLIN STREET

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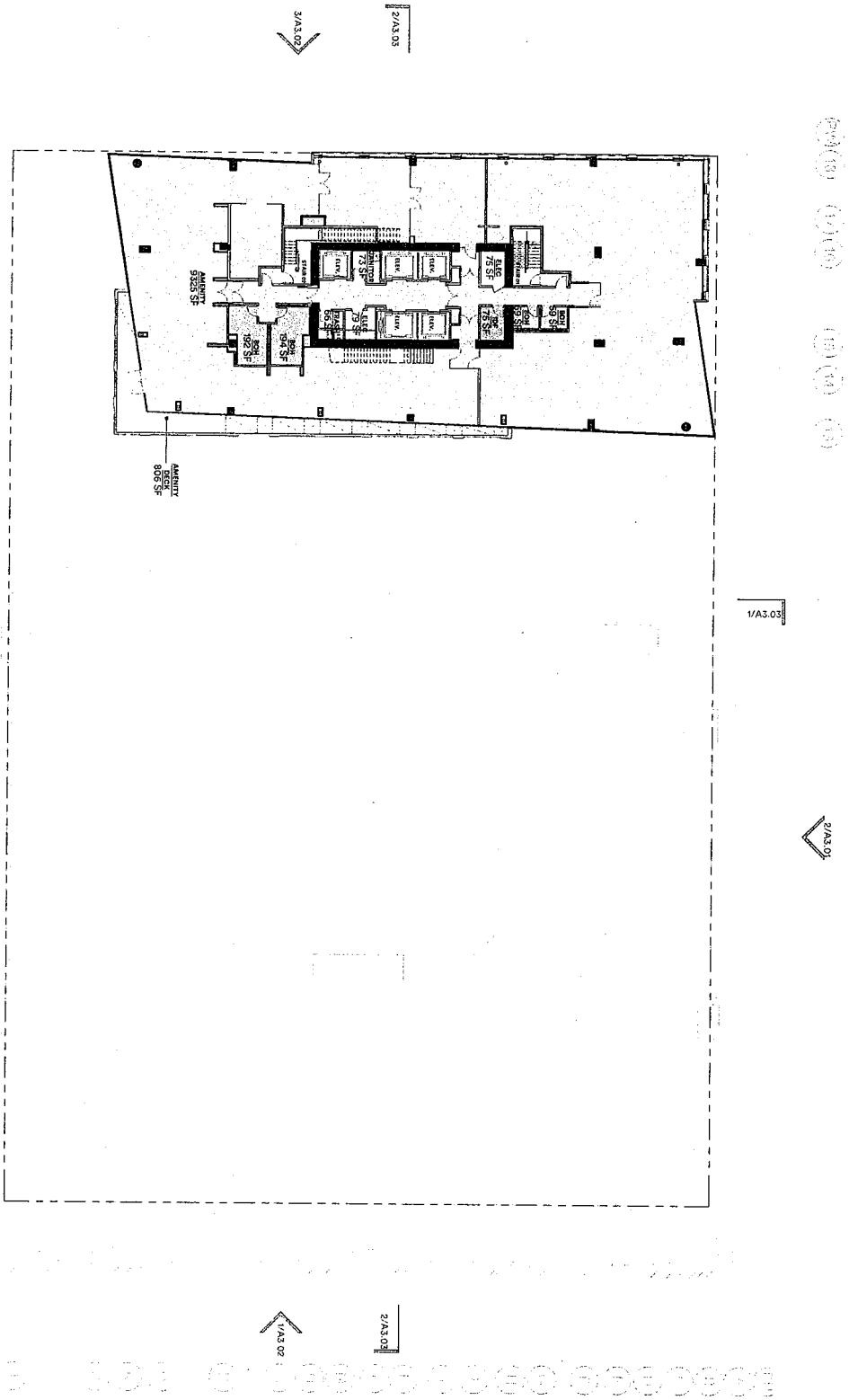
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 Planning Commission Approval Package
 1314 FRANKLIN STREET
 Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

03 15 2017

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CP VI Franklin, LLC



LEVEL 40 AMENITY FLOOR PLAN

Planning Commission Approval Package

1314 FRANKLIN STREET

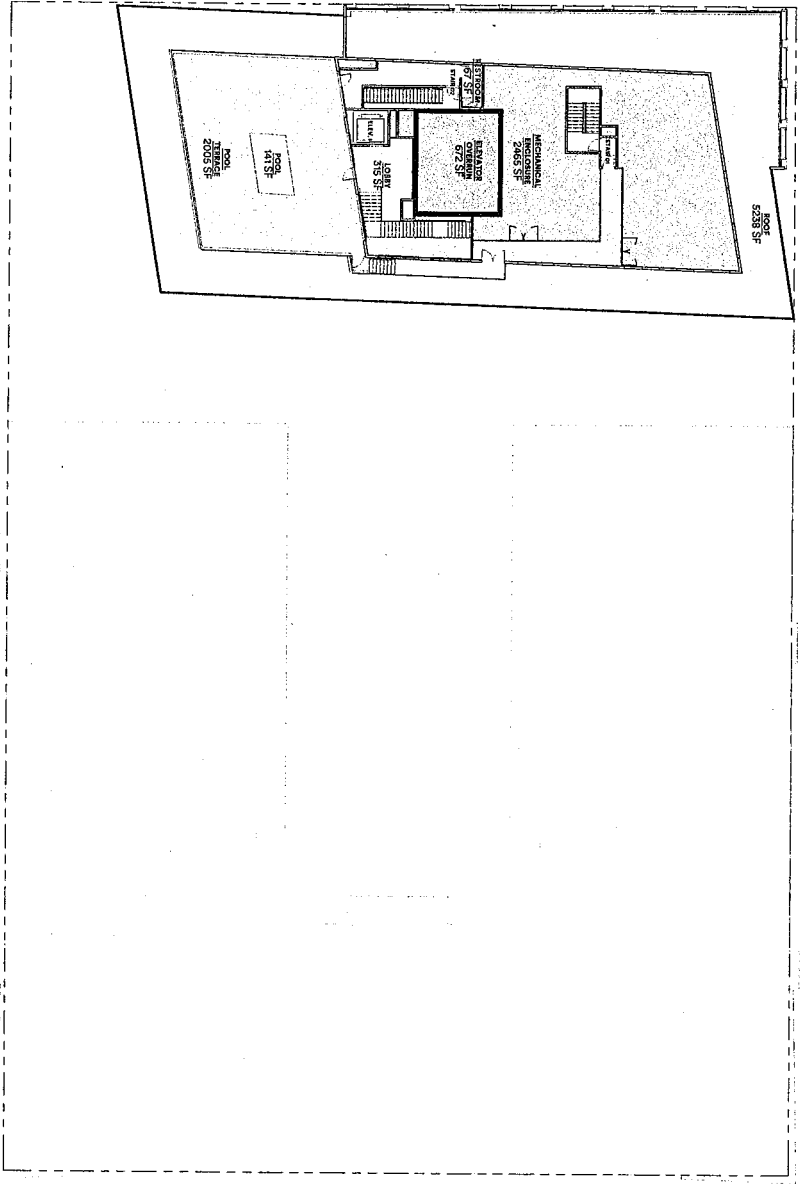
Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

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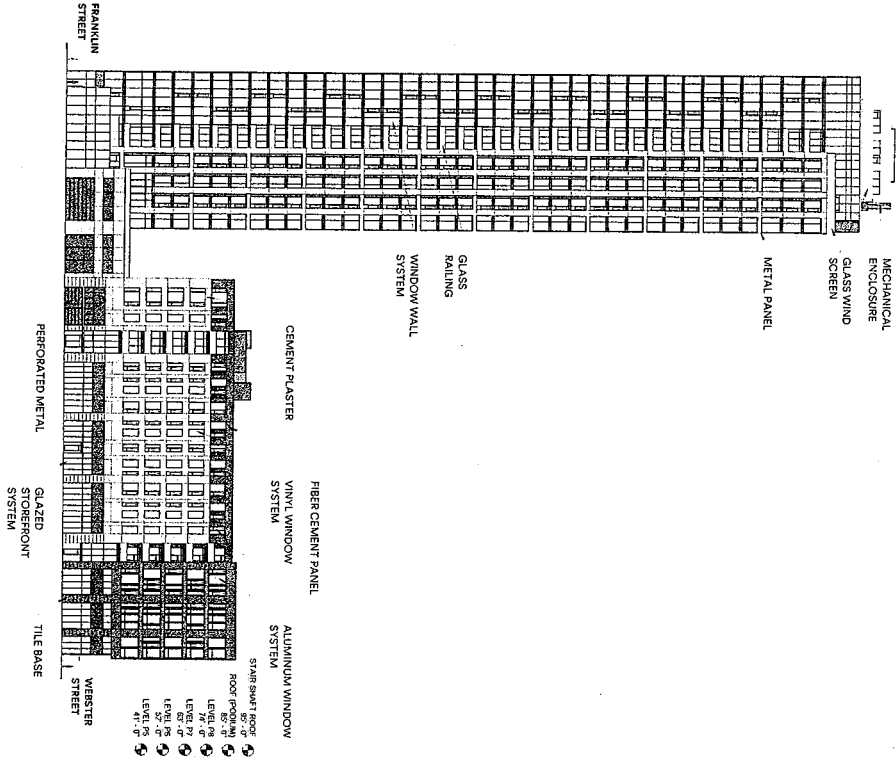
ROOF PLAN

Planning Commission Approval Package
 1314 FRANKLIN STREET
 Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

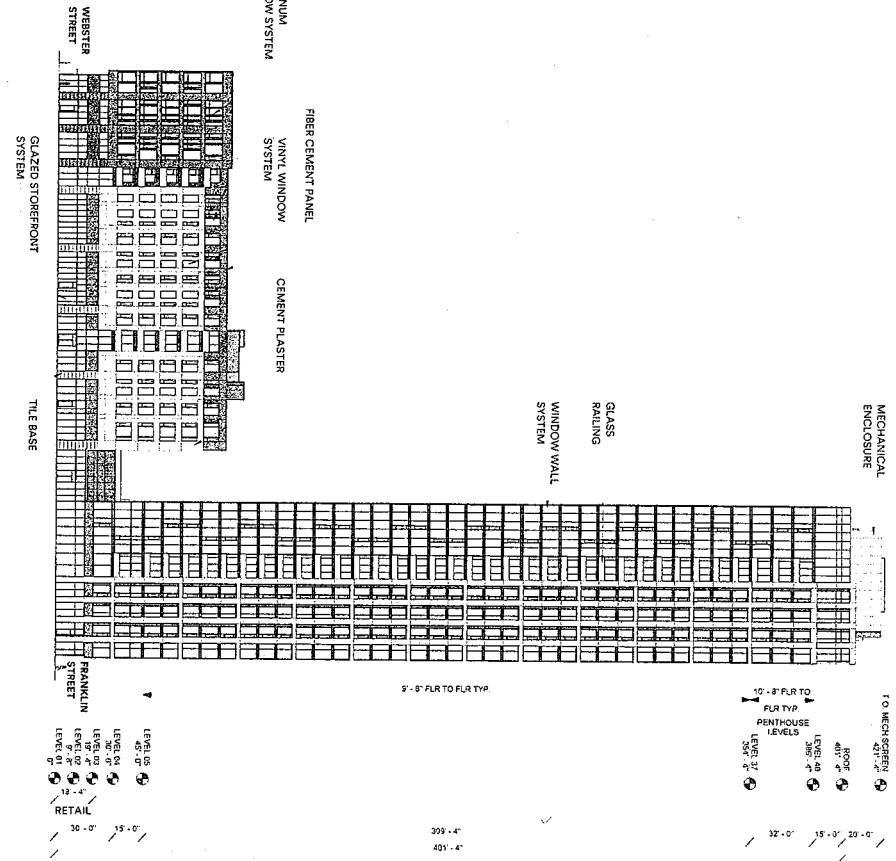
03 15 2017

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SOUTH ELEVATION / 13TH STREET



NORTH ELEVATION / 14TH STREET



NORTH & SOUTH ELEVATIONS

Planning Commission Approval Package

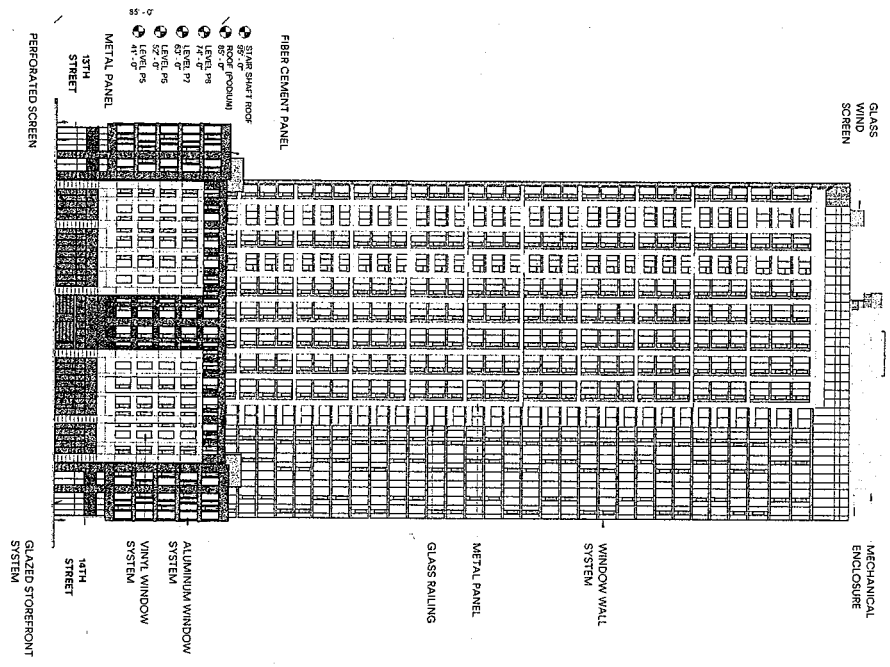
1314 FRANKLIN STREET

Solomon Cardwell Buenz / CP VI Franklin, LLC / Oakland, CA

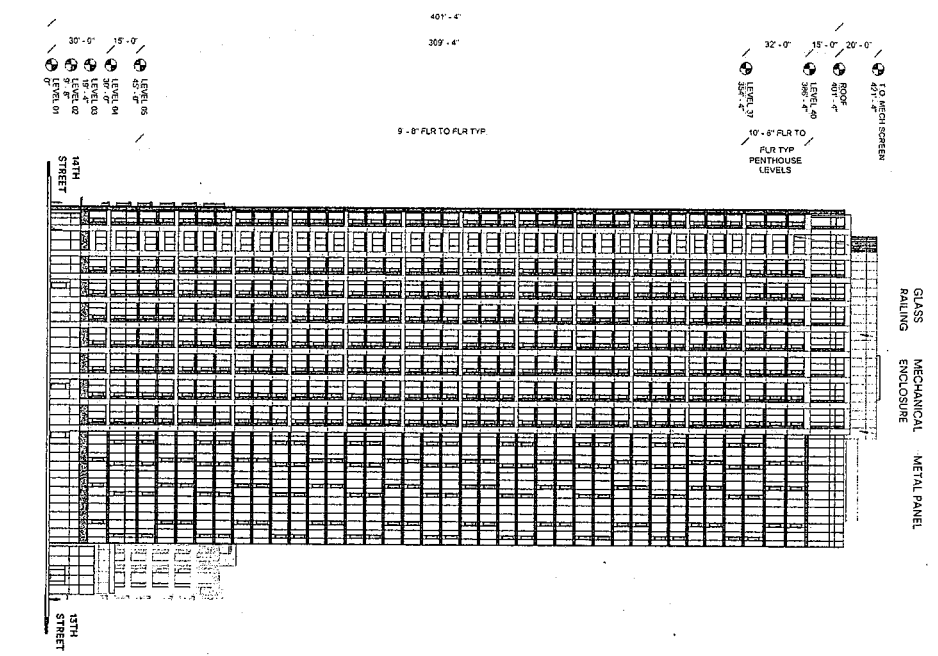
03 15 2017

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EAST ELEVATION / WEBSTER STREET



WEST ELEVATION / FRANKLIN STREET



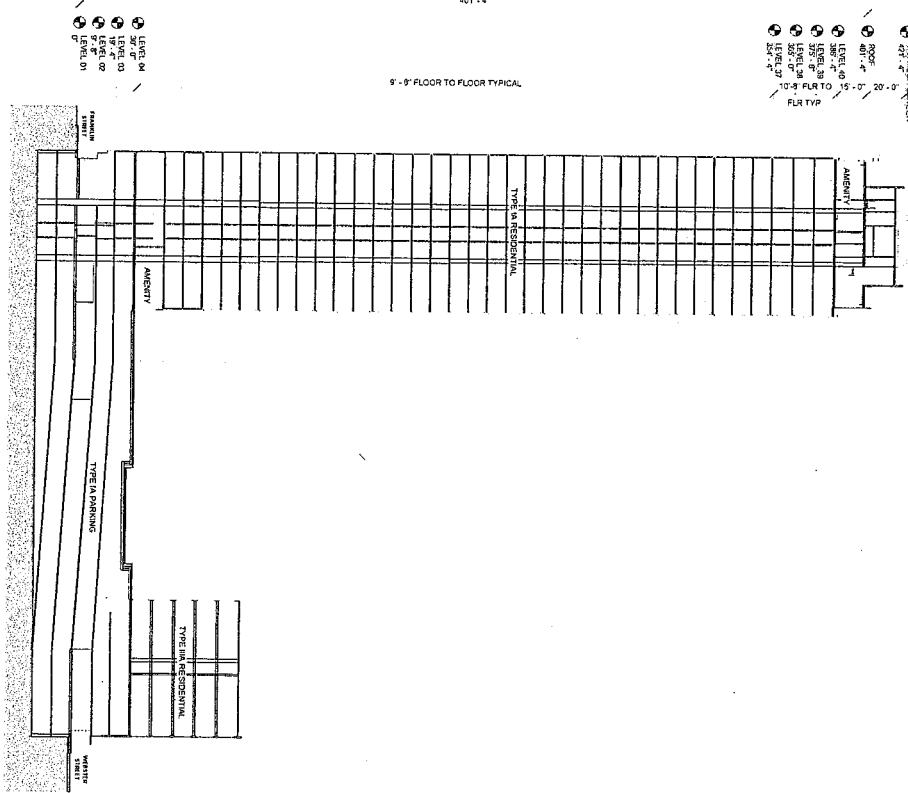
EAST & WEST ELEVATIONS

Planning Commission Approval Package
 1314 FRANKLIN STREET
 Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

03 15 2017

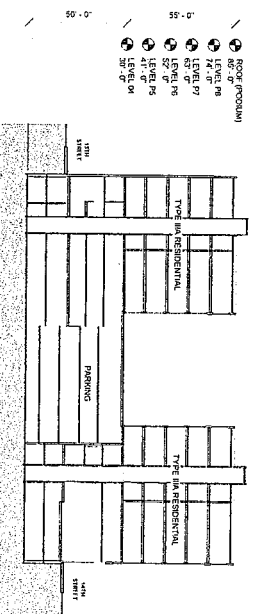
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- 9. 2nd
- 8. 3rd
- 7. 4th
- 6. 5th
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9' - 0" FLOOR TO FLOOR TYPICAL



- LEVEL 04
- LEVEL 03
- LEVEL 02
- LEVEL 01

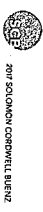
- ROOF FLOOR(S)
- LEVEL 08
- LEVEL 07
- LEVEL 06
- LEVEL 05
- LEVEL 04
- LEVEL 03
- LEVEL 02
- LEVEL 01



EAST / WEST BUILDING SECTION

NORTH / SOUTH BUILDING SECTION

CP VI Franklin, LLC



3000 SOLOMON CORDWELL BUENZ

BUILDING SECTIONS

Planning Commission Approval Package

1314 FRANKLIN STREET

Solomon Cordwell Buenz / CP VI Franklin, LLC / Oakland, CA

03 - 15 - 2017

2010024

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0 16 32

***Public Correspondence
for 1314 Franklin
Street***

Vollmann, Peterson

From: Vollmann, Peterson
Sent: Friday, March 17, 2017 10:18 AM
To: 'Melanie Wofford'; 'Ener Chiu'; 'PJ McGahan'; 'Janet M. Laurain'; 'Fred Smith'; 'Colin Dentel-Post'
Subject: 1314 Franklin Street development project

You are receiving this e-mail because you had previously expressed interest in the proposed development project at 1314 Franklin Street. This e-mail is to inform you that the project will be appearing before the Planning Commission on April 5, 2017. Please see below for a link to the Planning Commission Agenda for April 5, 2017 as well as a link to the CEQA document prepared for the project.

Planning Commission Agenda:

<http://www2.oaklandnet.com/oakca1/groups/ceda/documents/agenda/oak063214.pdf>

CEQA Analysis Document page (the project is item #54 on the list):

<http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009157>

Peterson Z. Vollmann, Planner IV | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 | Phone: (510)238-6167 | Fax: (510) 238-4730 | Email: pvollmann@oaklandnet.com | Website: www.oaklandnet.com/planning

Peterson Vollmann
Planner IV, Bureau of Planning,
City of Oakland
pvollmann@oaklandnet.com
(510) 238-6167

CC: Oakland Planning Commission
cmanusopc@gmail.com; patillo@pgadesign.com; nagraiplanning@gmail.com;
EW.Oakland@gmail.com; tlimon.opc@gmail.com; amandamonchamp@gmail.com;
jmyres.oakplanningcommission@gmail.com

RE: Proposal for 1314 Franklin Street, PLN16-295

Mr. Vollman and Members of the Planning Commission,

We are glad to see the proposal by Carmel Partners for redevelopment of the Merchants Parking Garage at 1314 Franklin Street in the Lake Merritt Station Area Plan area and in the heart of Downtown Oakland.

In 2008, we were visitors to Oakland. Initially, our weeklong visit was to see our adult daughter, who resided and worked in Oakland/ East Bay Area. We toured Oakland's great buildings, took history walks, and dined in great eateries. We interacted with welcoming civic minded population. So many were proud of their city and told us how much they loved it here. In 2009 Essex on Lake Merritt condominium became our second home. We are patrons of the arts and attend many gallery openings and performances at theaters like the Flight Deck on Broadway. We volunteer at community events like the Latham Square Third Thursdays. We are excited to be part of an increasingly vibrant downtown.

We are the forward edge of "Baby Boom" generation. Now, the youngest of our generation are doing that active travel and exploring options for places to retire. Oakland should be in the running for that travel and apartment marketplace. Downtown Oakland is a great place for those not requiring the big homes of suburbs and car dominated life. Transportation made easy by BART, Broadway B, AC Transit, and short walks appeal to this generation. Living in area that provides culturally fulfilling, civic minded volunteer opportunities enhances the diversity and fabric of the city.

We encourage the City to encourage developers providing the opportunity to live in, work in, and invest in Downtown Oakland. Downtown Oakland needs more housing for older generations like us looking to move back to the City and for young people like our daughter and her husband, so that we can volunteer and participate in downtown, and be close to our children who choose to work and live in downtowns like Oakland, and so all of us can patronize the arts, support community organizations, and build a stronger and safer downtown.

Myra and Bob Redman
One Lakeside Drive, Apt. 502
Oakland, CA 94612
510 470 1502

Vollmann, Peterson

From: Daniel Weisfield <daniel.weisfield@gmail.com>
Sent: Thursday, March 30, 2017 6:48 PM
To: Vollmann, Peterson; Merkamp, Robert; cmanusopc@gmail.com;
patillo@pgadesign.com; nagrajplanning@gmail.com; EW.Oakland@gmail.com;
tlimon.opc@gmail.com; amandamonchamp@gmail.com;
jmyres.oakplanningcommission@gmail.com
Cc: greg pasquali
Subject: 1314 Franklin Street

Dear Oakland Planning Commissioners and Planning Staff,

I am a West Oakland resident and I'm proud to be a Chinese speaker. I spend a lot of time in Chinatown where I can find people and products that don't exist anywhere else in Oakland. **I recently learned about the project at 1314 Franklin Street and I'm writing to express my strong support for the project.**

My wife, daughter, and I do our grocery shopping in Chinatown. We have a Saturday morning ritual of buying jian bing (Chinese omelettes) at Tian Jin Dumplings on Franklin. I take my daughter to read Chinese books at the Asian Library. My wife likes to get bubble tea at iTea. We love Chinatown and we rely on Chinatown for goods and services and cultural intangibles that we can't find anywhere else.

We are in the middle of a housing crisis in Oakland. People are living on the streets. People are living and dying in crowded warehouses.

We urgently need to build more housing. Lots of housing. And 1314 Franklin is exactly the kind of housing we need to build. It's downtown. It's close to jobs. It's right next to 12th Street BART. It includes affordable units. It will create millions of dollars in construction jobs here in Oakland.

This project will add to the cultural richness of Chinatown, bring new customers to Chinatown, and house low-income people in Chinatown.

I am an Oaklander who cares about Chinatown and looks forward to seeing this project built.

Sincerely,

Wei Danni / Daniel Weisfield

--

Daniel Weisfield
daniel.weisfield@gmail.com
(650) 743-0637

Vollmann, Peterson

From: Ming Thompson <ming.thompson@gmail.com>
Sent: Saturday, April 01, 2017 12:10 AM
To: Vollmann, Peterson; Merkamp, Robert; cmanusopc@gmail.com;
patillo@pgadesign.com; nagrajplanning@gmail.com; EW.Oakland@gmail.com;
tlimon.opc@gmail.com; amandamonchamp@gmail.com;
jmyres.oakplanningcommission@gmail.com
Cc: Greg Pasquali
Subject: Letter in support of 1314 Franklin

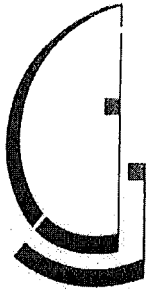
Dear Planning Commissioners,

I'm unable to attend the planning commission hearing on Wednesday, so I wanted to send a letter of support ahead of time for 1314 Franklin.

I'm an Oakland resident, a mother, and a proud Chinese American. Our family hopes to one day move closer to Oakland's Chinatown, and a project like this would go a long way to providing high quality and much-needed housing in that neighborhood. This is exactly the type of housing Oakland needs-- dense, close to transit, and located in a neighborhood that will benefit from its construction. I have often walked around in Chinatown after a late meal, and the streets are deserted; with new residents on the street, businesses will benefit and the neighborhood will be safer for my family. Oakland's downtown is on the rise, and this project will be another step to get us to a better city center.

Thank you for taking the time to hear a citizen's voice, and I am so hopeful to see this project come to life!

Best,
Ming Thompson



Joyce Gordon
Gallery

March 30, 2017

City of Oakland Planning Committee
Frank Ogawa Plaza
Oakland, CA

Attention: City of Oakland Planning Committee:

I have been on 14th street and Franklin for 14 years and have seen the community change significantly over the years. I am excited about the establishment of a black arts and business district and look forward to the change and opportunities it represents. This level of community and economic development will be a tremendous improvement for all of Oakland.

I have had the pleasure of participating in several presentations from Carmel Partners and had the opportunity to get further acquainted with its representatives. From what I have observed the plans and contributions of the proposed Carmel Partners project will not only bring revenue and jobs, but has committed to support the inclusion of affordable housing which helps preserve opportunities for low income and long time residents of Oakland.

We formally support a favorable decision by the Planning Commission to provide a favorable vote for moving forward with the Carmel Partners and their plan for the 1314 Franklin Street building project.

Sincerely,

Joyce Gordon
Owner/Director Joyce Gordon Gallery
Cc: Carmel Partners – Greg Pasquali

Oakland, CA
San Jose, CA
Los Angeles, CA
Seattle, WA
Austin, TX
Atlanta, GA
Washington, DC
Richmond, VA
Vancouver, BC
Victoria, BC
Calgary, AB
Toronto, ON
London, UK
Oxford, UK

427 13th Street
Oakland, CA 94612

P: 510.663.2070



April 3, 2017

Mayor Libby Schaaf
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, CA 94612

RE: In Support of the 1314 Franklin Street Project

Dear Mayor Schaaf,

Integral Group has operated in its Oakland location for the past seven years, and in that time we have seen amazing growth and progress in the development of our neighborhood and the City of Oakland at large. We are also keenly aware of ongoing issues concerning public safety, blight, and areas ripe for improvement.

The proposed development at 1314 Franklin Street is literally close to home for us, as it is located one block west from our 13th Street office where we have a staff of 90 employees. This project site has been plagued with a lack of positive growth for decades. It was where the tragic shooting of 16-year old Regina Jeffries took place last year. Graffiti, illegal dice games, drug deals, car break ins, and myriad other illegal activities are seen there regularly, despite earnest attempts by business owners in the area to improve safety with better lighting, security guards, cameras, and help from Oakland Police and the Community Benefit District.

The time for revitalization in this block is long overdue, which is why we write to you in enthusiastic support of the Carmel Partners' project at 1314 Franklin.

Since Carmel Partners has taken over the garage currently occupying the site, we have already seen a tremendous improvement in its stewardship. Greg Pasquali, Carmel Partners Development Director, has also regularly attended the 13th Street Merchant Watch Group meetings we host in conjunction with Economic Development and Oakland Police Departments. Mr. Pasquali has listened to us, his neighbors, by making sincere and tangible efforts to improve lighting and better maintain and operate the existing garage at this site.

Mr. Pasquali has expressed a deep commitment both to the development of this city block and also to the improvement of our neighborhood. He is not only invested in this project as a developer, but also as a citizen of our City whose wife works just around the corner from our office.

We believe that Carmel Partners will deliver this project with integrity and create a new vibrancy in our neighborhood that will have a positive effect on this City for years to come.

Sincerely,

Andrea Traber, Senior Principal
INTEGRAL GROUP INC.

cc: Oakland City Council
Kevin Hydes, Integral Group, Founder & CEO

Vollmann, Peterson

From: Joseph A. Hernon <joehernon@gmail.com>
Sent: Monday, April 03, 2017 4:51 PM
To: Vollmann, Peterson; Merkamp, Robert; Merkamp, Robert; cmanusopc@gmail.com; patillo@pgadesign.com; nagrajplanning@gmail.com; EW.Oakland@gmail.com; tlimon.opc@gmail.com; amandamonchamp@gmail.com; jmyres.oaklandplanningcommission@gmail.com
Subject: 1314 Franklin. Merchants Garage... Please accept this Letter of support.

Dear Commissioners and Planners.

I want to write to you to offer my full support to this project, and to encourage you to facilitate and support its approval. I am a fan of this neighbourhood and hope this moves through quickly so we can maintain and hopefully bring increased businesses from the neighbourhood.

As a reminder of how difficult business can be in this neighbourhood, recently the Longitude Bar on corner of 14th closed. I own the building at opposite corner, at "352 14th St - 1415 Webster". Although I have upgraded 4 of my 6 retail spaces, the business owners/tenants still struggle due to lack of foot traffic, and lack of customers and perceived crime. Many neighbourhood buildings and businesses are in a similar position. It can be a vicious cycle without some new investment and new businesses to support the area.

I have met the project sponsor, and really like the building and especially their retail along 14th and Franklin. Likewise, building a high-quality high-rise residential development with a tower, seems ideally suitable for this location.

The larger benefits to the City and its neighbours are substantial in my opinion. These include:

- More residential downtown, that will support the neighbourhood retail and businesses.
- Long-term Property Taxes to the City, and taxes from the spending of newer residents.
- Better chance of survival of the existing businesses and retail, and support of newer businesses & services.

I cannot emphasize enough, how (in my opinion) it is critical to get a critical mass of good quality developments in the downtown, so that the area gets established with some new residential and commercial activity....Before this cycle ends. It is easy to take for granted that all this development will get built, but most won't, unless the good quality and financed projects make it through the process swiftly. A few of these larger projects are key. Potential development, do not pay the bills or bring customers. We need actual development and customers and I hope you can help convert this potential into reality. Thank you for your time, and feel free to contact me with any questions.

Joe Hernon.

Joseph A. Hernon

E: joehernon@gmail.com

PH: 415-705 9922

337 17th Street, Suite 203
Oakland, CA 94612.

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April 4, 2017

Planning Commission – City of Oakland
250 Frank H Ogawa Plaza
Oakland, CA 94612

Re: 1314 Franklin - Proposed 634 unit multi-family development by Carmel Partners

Dear Planning Commissioners and Planning Staff,

I am writing to you today in full support of Carmel Partners' proposed development at 1314 Franklin Street. By way of introduction, Harvest Properties is a local operator and owner of office and industrial properties totaling more than ten million square feet of office, industrial and R&D in the Bay Area. Harvest has been an active investor in the City of Oakland for the past four years and we currently manage 555 12th (City Center), which we had owned prior to its June 2016 sale, 1814 Franklin (The Leamington), and 409 13th Street (The Tribune Tower). We are also an Oakland employer, with a regional office located at 555 12th Street.

Most recently, we acquired The Tribune Tower in December 2016, which is located just across the street from the Carmel Partners' proposed project at 1314 Franklin. Our business plan at Tribune is to invest millions of dollars into the project to address years of deferred maintenance, improve safety, and ultimately lease the currently 25% leased project to a wide range of tenants who share our vision the project and Oakland. We view Carmel Partners' development as a welcome improvement to the surrounding neighborhood area and to the City of Oakland. As you likely know, crime in the immediate two block radius surround 1314 Franklin currently is a major problem, and one that as local owners and investors, we are very concerned about. We hear from our retail tenants Tribune Tavern and Modern Coffee that crime is a major issue that they face, and is hindering their business. As we work to improve Tribune Tower through major investment in the property with the goal of creating a high-quality work environment for today's office tenants that will bring jobs to Oakland, we need to be able to demonstrate to companies that they will be able to get their employees to and from work safely, which is frankly questionable in the immediate area surrounding the building at present. As any city planner or law enforcement agent would tell you, there is no better way to divert crime than to active a streetscape through high-quality programming and activity, both of which 1314 Franklin would bring to the neighborhood. The combination of the Project's street-level retail as well as the number of new residents that the project will bring to the area would act as a significant deterrent to the crime and vagrancy that we current experience in the neighborhood today, that will benefit all nearby owners, residents, and tenants alike.

Further, as the Bay Area housing crisis continues, 1314 Franklin will provide the urban workforce housing that today's employers demand. The tenants and employers that we seek to attract at any our Oakland office buildings focus heavily on housing options for their employees when making their location decisions. As an Oakland employer and investor, we strongly believe that housing is a critical issue facing Bay Area companies today, and the addition of the units being delivered by Carmel Partners at 1314



HARVEST
P R O P E R T I E S

Franklin will continue to add to Oakland's developing housing stock that will benefit the City for generations to come.

In closing, we strongly support Carmel Partners' development at 1314 Franklin as an Oakland employer and investor. We feel that this Project will reduce crime in the immediate neighborhood area through its activation of the streetscape and by bringing new residents into the area, and will contribute to the Oakland's housing stock so that today's Oakland employers can ensure that their employees live in the community in which they work.

Please do not hesitate to reach out if you have any questions at (510) 808-5216 or at kcollins@harvestproperties.net.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kathryn Collins".

Kathryn Collins
Partner
Harvest Properties



CENTER FOR CREATIVE
LAND RECYCLING

RECLAIM. CONNECT. TRANSFORM.

Board of Directors April 4, 2017

Bill Witte
President
Related California

Oakland Planning Commission
250 Frank Ogawa Plaza
Oakland, CA 94612

Susan Smartt
Treasurer
Related California

RE: Carmel Partners' 1314 Franklin Project

Dear Members of the Planning Commission:

Zachery Clayton
City and County of
Denver, CO

On behalf of the Center for Creative Land Recycling ("CCLR"), a nonprofit organization founded on the belief that intelligent, innovative land use is the key to ensuring a healthy future for both communities and our environment, I am writing to express our support for Carmel Partners' 1314 Franklin Project.

Michael Covarrubias
TMO Partners

CCLR's mission is to enable communities to develop sustainably and equitably by restoring underutilized properties to productive reuse. Our work is accomplished through training and technical assistance for communities working to turn around vacant or contaminated properties.

Mary Hashem
RF | Solutions

Carmel Partners' commitment to infill development and investment in existing neighborhoods is consistent with our mission. Thoughtful infill development can produce a cascade of public benefits, which this project demonstrates. By providing housing close to transit, the project addresses one of the central problems in the regional housing crisis: that of supply in the right location. The project's \$3.2 million in annual tax revenues will support Oakland's ability to fund public services. Additionally, the projected \$13.2 million in annual retail spending from 1314 Franklin's residents represents a significant boost to downtown businesses. If Oakland were to start a Community Benefits District containing 1314 Franklin, the building could contribute an estimated \$77,000 annually to the endeavor, a significant benefit to the larger Oakland community.

Kevin McCarty
Integral Consulting, Inc.

Cynthia Parker
BRIDGE Housing

Deborah Schmall
Paul Hastings, LLP

Nicholas Targ
Holland and Knight

Carmel Partners' thoughtful approach to sustainable infill development and its engagement of the community throughout the pre-development process are all laudable. The firm participated in 80 meetings with community leaders and has made a credible attempt to respond to community requests. The benefits this project provides will support the entire Oakland community over the lifetime of 1314 Franklin, and will be much greater and more impactful than any one-time payment to a small number of organizations within the project's immediate vicinity ever could be. I urge the Commission to support 1314 Franklin and move the project forward. Oakland needs sustainable infill and all the benefits that stem from it.

Please contact me with any questions at sarah.sieloff@cclr.org or 415.398.1080.

Sincerely,

Sarah Sieloff, Executive Director
Center for Creative Land Recycling

200 Frank Ogawa Plaza #5, Oakland, CA 94612 | T: 415.398.1080 | F: 415.398.5738 | www.cclr.org

April 4, 2017

City of Oakland Planning Commission
250 Frank H Ogawa Plaza, Oakland, CA 94612

Sent via email to:

Mr. Tom Limon
Mr. Clark Manus
Ms. Amanda Monchamp
Ms. Jahmese Myres
Mr. Adhi Nagraj
Ms. Chris Pattillo
Ms. Emily Weinstein

Dear City of Oakland Planning Commissioners:

I am writing in support of Carmel Partners mixed-use project now proposed at the Merchants Garage site at 14th Street and Franklin Street. The project is exactly what we need in our downtown; it's the right project in the right place.

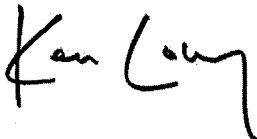
Unfortunately, Carmel Partners is caught in the crosshairs of community groups who are short sighted and are imperiling the economic viability of the project.

Please see SPUR Oakland Executive Director, Robert Ogilvie's blog from March 27th below.

Robert's blog posting succinctly summarizes why certain community groups are wrongheaded in their approach. First, community benefits should be established in advance at the policy level rather than on a case by case basis. This is the purpose of Oakland's impact fees; it helps project sponsors understand their costs up-front. Second, the long term economic benefits of a project actually getting built far exceed the short term asks of individual community groups, as the Hausrath Economic Group's analysis indicates below.

Please support Carmel Partners in supporting the continued success of our great city.

Sincerely,



Ken A. Lowney

SPUR, Board Member
Lowney Architecture, President

Who Benefits from Oakland's "Community Benefits" Negotiations?

Robert Ogilvie, March 27, 2017

If you've walked around downtown Oakland recently and read about downtown in the media, you'd be excused if you've gotten mixed signals about what's going on there. At last, construction is visibly underway downtown. I'm not talking just about renovation of old buildings, but honest-to-god new construction. Big holes are being dug. Dump trucks are hauling away dirt. Cement trucks are lining up to pour foundations. Over 3,500 housing units are under construction, and there are cranes in the air.

To the casual observer, it looks like the development boom has finally begun and those who were worried Oakland was going to miss yet another development cycle were wrong. Just last week, however, came the sobering news that Uber isn't going to move 3,000 employees to the old Sears Building at 20th and Broadway after all. Instead the company is only going to bring 200 or so and will expand in San Francisco instead. This is not good news — especially for those of us who have looked forward to the vitality that all of those people would have injected into street life and commerce on Broadway. Don't get me wrong, Broadway is much more alive than it was 20 years ago, but there are still far too many empty storefronts. When Uber was planning to move in next year, it seemed like we wouldn't have long to wait. But now? Uber will lease the space to other tenants, but how long will it take to fill? Without thousands of people working in the building right away, will the planned market hall on the ground floor of the building be viable? Will the just-announced plans for many residential buildings in the immediate neighborhood be shelved?

In our 2015 report *A Downtown for Everyone*, SPUR advocated that the City of Oakland should try to attract lots of new development downtown, and that the rules governing new construction should take into consideration the needs of the community as well as the financial realities of development. We recommended that Oakland institute an impact fee, for example, but set it at a financially feasible level. In 2016 the Oakland City Council adopted impact fees that start small and increase over a three-year period, with the highest fee rising to \$28,000 in 2020 for a single-family home.

These one-time payments that developers make to the city can go to things like child care or affordable housing. Getting the level of the fee right is crucial: Set it too low, and cities lose out on an opportunity to invest in the public good. But set it too high, and projects become impossible to finance.

Whether or not the impact fees were set at a financially feasible level is still a point of contention, and time will answer that. But many people feel that the fees are too low and, in response, various groups are negotiating ad hoc community benefits agreements on top of the city's impact fees. In Chinatown, Wood Partners has agreed to pay an extra \$1.8 million on its 262-unit project on 13th Street, and at MacArthur BART, McGrath Partners and Boston Properties agreed to an \$800,000 community benefits package for their 402-unit building, made up of:

- \$250,000 for a new recreation center at Mosswood Park
- \$350,000 for beautification of the West MacArthur Boulevard underpass
- \$15,000 for new trees in the neighborhood
- \$25,000 paid into the neighborhood's residential parking permit program
- \$110,000 for 10 years of subsidized transit passes for the building's low-income resident
- \$50,000 donation to an Oakland nonprofit organization

It may feel like a big win when activists are able to extract additional concessions from individual developments, but in the long run, project-by-project community benefit negotiations can be counterproductive. Proposed developments are more likely to actually get built when community benefit payments are known in advance and can be factored into project costs. When concessions are not known and are subject to ongoing negotiation, it increases the risk that the proposed project will not “pencil out” and the developer will walk away. For Oakland's sake, it's a good idea to avoid this scenario. In the long run, Oakland will get much more benefit if fees and exactions are predictable. Moreover, the real money for Oakland lies in the increased property tax payments that come as a result of new development and not in one-time fees and exactions. For as impressive as some of these figures may seem, they pale in comparison to the long-term benefits new development brings to the broader Oakland community.

Just how great the gulf is between the short-term and long-term benefit is illustrated by calculations the Hausrath Economic Group has done on 1314 Franklin Street, a planned 634-unit residential building with 17,000 square feet of retail that will replace a parking garage downtown:

***Annual Benefits of the 1314 Franklin Street Project
(at Stabilized Occupancy in 2017 Dollars)***

- **Additional Business Activity, Employment and Spending**
 - 610 new households with 975 residents
 - 75 jobs on site
 - \$13.2 million annual spending by project residents at retail stores in Oakland
 - \$3.7 million annual spending by project residents for health care, personal services, maintenance and repair, recreation and entertainment in Oakland
- **Higher Tax Revenues to City of Oakland**
 - \$3.4 million per year in annual tax revenues (up from \$260,000 per year for the current parking garage)
 - \$2.2 million per year in General Fund revenues
 - \$1.0 million per year in special taxes and assessments used to fund police, fire, parks and recreation, libraries, public works, general government and other expenditures

Compare \$3.4 million *a year, every year*, to the one-time payments of \$800,000 or \$1.8 million mentioned above and it's clear that, in a cash-starved city like Oakland, the greatest and longest-term benefit the community can realize is to attract new private sector development that will increase the tax rolls. In the long run, the benefits to the city and its residents from an increased property and sales tax base will be far

greater than any impact fee or community benefit check that can be collected upfront. As Uber scales back its plans in Uptown, we should keep this in mind.

It is by increasing the tax rolls that Oakland will one day be able to pave roads more frequently, fund its looming pension obligations, open libraries longer, hire more police officers, maintain parks better, hire more swimming instructors and provide all of the benefits that the entire Oakland community desperately needs. These are improvements that will help *all* of Oakland — not just one neighborhood or one nonprofit group.

Maybe all of the planned development will come to pass — lots of people are very confident that they will. But as Oakland restarts its Downtown Specific Plan process, is it important to not assume planned developments are going to happen until they do. Furthermore, it is even more important to not pin financial hopes for community

benefits on one-off, ad hoc negotiations with developers of individual projects — especially if those agreements might make the project less likely to happen. Adhocracy might seem expedient in the short term, but it can be ruinous in the long term. Oakland can't afford that.

OAKLAND

CHAMBER of COMMERCE

April 4, 2017

Commissioner Nagraj, Chair
Members of the Planning Commission
City of Oakland
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA94612

RE: 1314 Franklin Street, Item #11 April 5, 2017 Planning Commission Agenda

Dear Chair Nagraj and Members of the Commission,

On behalf of the Board of Directors of the Oakland Chamber of Commerce, I write today in strong support of Carmel Partners' proposed project at 1314 Franklin Street. The regional housing crisis is at a critical juncture. Over the last five years, the Bay Area has added about 476,000 people, yet built only 76,000 new units of housing. That's about 1 new unit of housing for every 6 new people since 2012, according to Cushman and Wakefield. Oakland has performed similarly, building only 1 new unit for every 5 new residents between 2005 and 2015, according to the Chamber's Annual Economic Analysis of Oakland.

The proposed project will add 634 much-needed new housing units, including on-site affordable housing. It will house approximately 975 residents who will activate the surrounding streets and patronize local small businesses. It will create an average of 240 construction jobs and 75 jobs on-site. The project will pay \$18.4 million in impact fees and other funding for OUSD and EBMUD. Not to mention the ongoing tax revenues that fund our city's important services.

This project is transit-oriented, high density, includes onsite affordable housing, and is being built over a parking lot. It's a truly well-rounded development that the Chamber supports wholeheartedly as one of the many pieces needed to stem the region's housing crisis.

Sincerely,



Barbara Leslie
President & CEO



CP VI Franklin, LLC
1000 Sansome St, First Floor
San Francisco, CA 94111

March 22, 2017

Councilmember Abel Guillen
Councilmember Lynette Gibson McElhaney
1 Frank H. Ogawa Plaza, 2nd Floor
Oakland, CA 94612

RE: Mixed Income Housing Proposal for 1314 Franklin Street

Honorable Councilmembers Guillen and McElhaney,

Thank you for your support of our efforts to date to plan for redevelopment of the Merchants Parking Garage at 1314 Franklin Street into a mixed-use and mixed-income part of downtown Oakland. The project is tentatively scheduled to go before Planning Commission for an approval hearing on April 5th, 2017. Below are the highlights of our extensive community process and the many anticipated benefits of our project to the City and community. Our ability to deliver these benefits is subject to project approval, permitting, and construction start. Our willingness to provide them is based on our relationship with the community groups and individuals who have requested them.

Project Sponsor

CP VI Franklin, LLC is an outstanding long-term partner and neighbor for the City and its residents.

- **A privately-owned, Bay Area-local company.**
- **A fiduciary for organizations working for public benefit.** Approximately 85% of investors in CP VI Franklin, LLC are not for profit institutions and foundations such as:
 - Pension funds working to provide a quality retirement for a variety of people including some California manufacturing employees and Bay Area public employees.
 - Foundations contributing to charitable causes, including two working in low income health care in Oakland.
 - Educational endowments supporting higher education and helping keep the cost of college affordable.
- **A responsible high-quality builder.** As our own general contractor, we are able to deliver a quality product we stand behind. Carmel, as owner, will then be responsible to maintain the property, so we build for long-term quality.
- **A long-term partner.** CP VI Franklin, LLC will develop, build, and own the project. We do not develop to flip entitled properties, we develop to be a neighbor and a member of the community.

The Project

The project is located at 1314 Franklin Street, 1 block from the intersection of 14th & Broadway. It is currently the Merchants Parking garage, which occupies the full block bounded by 14th Street, Franklin Street, 13th Street, and Webster Street. It was identified as one of the foremost opportunity sites for high density development in the Lake Merritt Station Area Plan.

The proposal is to construct 634 homes over nearly 17,000 SF of ground floor retail. The housing will include approximately 436 homes in a 40-story high rise tower, and 198 homes in a 5 story wood structure, on top of a shared retail and parking podium. The housing will be mixed income in accordance with State and City guidelines. The project includes appropriate amounts of open space and parking to meet City requirements, serve residents needs and support retail and a vibrant downtown.

The project achieves many of the core goals and policies of the Lake Merritt Station Area Plan.

Community Process

We have conducted an extensive community engagement process including:

- 2 broadly noticed community meetings, including a community design charrette in partnership with the Chinatown Coalition.
- Over 85 meetings with stakeholder organizations and individuals including:
 - More than 30 meetings with neighboring residents, property and business owners.
 - More than 40 with community and advocacy groups including:
 - Chinatown Coalition: 2 meetings with leadership, 1 with full board, 1 design charrette, numerous meetings with individual members (EBALDC, Family Bridges, etc.)
 - The Malonga Center: 2 leadership meetings and multiple individual meetings.
 - Black Arts Movement Business District: 2 meetings with leadership, 1 with broad community, and many with individual members. NOTE: Carmel has sponsored publication of the monthly newsletter in recent months.
 - Oakland Heritage Alliance: 2 meetings with Naomi Schiff and Chris Buckley.
 - Chinatown Chamber of Commerce: 3 meetings with leadership, many with individual members.
 - Oakland Municipal Chamber of Commerce: 1 meeting with leadership, 1 meeting with Board, 1 planned presentation to larger constituency.
 - East Bay Forward: 1 meeting with leadership, 1 planned with community.
 - Bike East Bay: 1 meeting with leadership.
 - Girls, Inc.: 2 meetings with leadership, plus sponsorship.
 - Downtown Merchants Watch Security Group: 5 meetings.
 - Flight Deck Theater: 3 meetings with leadership, plus sponsorship.
 - SPUR: 1 meeting with leadership, plus sponsorship.
 - Center for Creative Land Recycling: 2 meetings with leadership.
 - Resources for Community Development: 2 meetings.
 - Greenlining Institute: 1 meeting with leadership.
 - Roughly 10 with representatives of Labor and workforce development including union leadership, Laney College workforce training programs, West Oakland Job Resource Center.
- Follow up meetings and direct outreach to every individual who has provided public comment including speaking at or writing comments to Design Review Committee.

Project Benefits

The project will bring the following benefits to the City and community:

HOUSING

- 634 safe and high quality homes, equal to housing for roughly 1,000 residents, to help address the housing crisis in Oakland.
- Affordable housing will be provided on-site, in response to early community input from many stakeholders including the Chinatown Coalition, Malonga Center, and BAMBD.

RETAIL

- 17,000 SF (+/-) of ground floor retail in the downtown core.
- Retail at all corners and along frontages of 14th Street and Franklin Street, including approximately 1,000 SF of corner retail at the corner of 13th and Webster in response to community input from the Chinatown Coalition and Chinatown Chamber of Commerce.
- Retail spaces designed to succeed:
 - viable depths,
 - double height ceilings,
 - expansive storefront glass, and
 - mechanical electrical and plumbing systems to support a wide variety of business uses.
- We will work with a local retail broker and will provide a 2-month first look to small businesses within Chinatown and Black Arts Movement Business District. Initial outreach will be done in multiple languages.
- Retail is estimated to create 60 full-time jobs, and an estimated \$4.9 million in taxable annual sales activity.

PUBLIC REALM, PUBLIC SPACE, AND PUBLIC ART

- Surrounding the project, we will:
 - a. Widen 14th street sidewalk to create more space for enhanced streetscape improvements and public art, in response to community input from the BAMBD and Malonga Center.
 - b. Provide enhance streetscape improvements along 14th street and at corners of 13th street in response to community input from the Chinatown Coalition.
 - c. Streetscape improvements will include signage or art recognizing the cultural context of the BAMBD and Chinatown, in response to input from those organizations and direction from the Design Review Committee of the Planning Commission regarding how to reflect cultural context in project design.
- We will make an official request to the City Administrator to direct up to 50% of the infrastructure impact fee to Lincoln Square and other capital projects within ½ mile of the project site, in response to community input from the Chinatown Coalition.
- We will make a \$50,000 contribution to Lincoln Square Recreation Center, in response to a request from the Chinatown Coalition, through Friends of Oakland Parks to specific improvements to be decided upon by the City, Developer & Lincoln Square Director.
- We have committed \$25,000 seed money to a design team comprised of local Oakland businesses to design and coordinate a plan for outdoor public gathering space on 13th street that will include facilities for merchants and for public performances such as theater, poetry

reading, and other types of artistic expression, in response to community input from the BAMBD and Chinatown Coalition. This is contemplated to be a parklet or other type of partial roadway closure to capture auto-space for use by people. Department of transportation has identified the project as a "test case" for permitting new street design projects. We will advocate with the City to secure grants from the mayor's office, department of transportation, or others, as well as solicit from neighboring property and business owners support for allocation of funds to create this space.

- We will contribute \$200,000 of the project's Public Art Fee money to support capital improvements to qualified City-owned performance venues such as the Malonga Casquelord Center for the Arts (via Friends of Oakland Parks), in response to input from the Malonga Center, BAMBD, and Chinatown Coalition. In the event the Public Art Fee Ordinance is not amended to allow the fee to be directed in such a manner, we will work with the Councilmember's offices to support the Community's desire to see an equivalent amount of the Public Art requirement fulfilled by a local artist or artists in the BAMBD or Chinatown districts.
- We will locate the California Historic Landmark Plaque #45 in a permanent publically accessible location to be approved by the State of California Office of Historic Preservation. The plaque, currently located at the corner of 13th and Franklin, will be securely stored during construction and replaced prior to Final Certificate of Occupancy. We will hold a re-dedication ceremony when the plaque is replaced.

NOTE: The design, installation and maintenance of any streetscape improvements must be approved by the relevant City of Oakland Departments. Any use of art fee proceeds shall be subject to the City of Oakland ordinance governing such fees at the time such fees are required by the City of Oakland to be committed.

WORKFORCE DEVELOPMENT AND LOCAL PROCUREMENT

- The project will generate an estimated 7520 worker months (median 240 workers per month with a sustained peak of nearly 375 workers) of construction labor in Oakland, constituting approximately \$96 Million in construction labor payroll, and \$129 million for materials and supplies.
- Construction labor force will include union labor as agreed between the owner and union leadership.
- Our general contractor will meet with workforce training program staff from Peralta Community Colleges to interview qualified candidates for anticipated positions we will hire directly, from general laborers up to Project Engineers and Superintendents.
- We will work with local job training centers such as West Oakland Job Resource Center and/or Cypress Mandela to direct subcontractors to them for hiring needs. Our general contractor staff will direct unsolicited labor interest to training opportunities at WOJRC and/or Cypress Mandela. Our General Contractor will invite WOJRC and Cypress Mandela staff to meet with subcontractors supervisors to present about hiring and training opportunities.
- We will provide subcontractors with a list of local material suppliers from the City of Oakland to be used in the material sourcing process.
- We have sponsored a Made in Oakland expo connecting developers, builders, and companies and artisans making architectural materials in Oakland.
- We will make efforts to work with local artisans and fabricators to provide art and/or building products to the future property.

CITY IMPACT

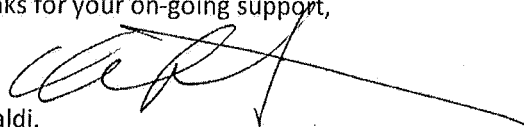
- The project is projected to generate significant benefit to the City of Oakland General Fund including:
 - \$3.2 million increase in annual tax revenues from project operations
 - \$7.5 million in one-time general fund revenues (over initial 10 years).
 - \$23.9 million (\$13.2 million in Oakland), in annual resident spending for retail goods, which will generate sales tax and gross receipts tax revenues to the General Fund.
 - \$6.2 million in annual resident spending for services, including \$3.7 million in Oakland.
 - \$4.9 million in additional taxable spending downtown (non-resident spending at project retail).
- The project is projected to generate one time fees including:
 - \$2+ Million in capital projects and transportation impact fees and public arts fee in effect in July 2017 (after June 2017 second increase).
 - Project will not pay affordable housing impact fees because affordable housing will be provided on site, in response to input from many stakeholders including the Chinatown Coalition, Malonga Center and BAMBD.
 - \$2.3 Million in school fees
 - \$7.5+ Million in utility fees for enhancements to water and wastewater infrastructure.
 - \$6.5+ Million in fees for planning, building and inspection staff and admin costs.

OTHER COMMUNITY BENEFITS

- We have funded a scholarship through Girls Inc. of Alameda County for low income women of color to be the first in their family to attend college. The scholarship is in memory of Reggina Jefferies, a teenager killed near the site in 2016, in response to many community stakeholders who encouraged the project to find ways to help lift Oakland's people.
- We have committed to sponsor the Flight Deck Theater as a Business Partner to help underwrite ongoing costs of this community performance and arts space that serves many organizations that are housed there or use the space, in response to community input from the BAMBD and Chinatown Coalition to support performing arts in addition to visual arts.
- We have committed to artists and community organizations in the 14th Street Corridor led by Joyce Gordon to support a Youth Arts Expo, including providing use of the parking structure, free of charge, for parking and event activities, so long as the expo timing does not conflict with construction-related activities. The event will include opportunities for youth to take art classes, see performances, connect with non-profit service providers such as Youth Radio and Girls Inc, and be exposed to futures and careers in the arts, design and engineering.

We believe this is a unique and extensive list of benefits to address the housing crisis in Oakland, improve City revenues, help create a more vibrant downtown, and benefit local neighbors and community in both broad and focused ways.

Many thanks for your on-going support,


Dan Garibaldi,
Managing Partner Development and Construction

Vollmann, Peterson

From: Carter Lavin <carter.lavin@gmail.com>
Sent: Wednesday, April 05, 2017 1:27 PM
To: Vollmann, Peterson; Guillen, Abel
Subject: D2 Resident in support of 1314 Franklin proposal

Councilmember Guillen and Mr. Vollmann,

As a resident of D2 in Oakland, I am writing to urge you to support the current 1315 Franklin building proposal. The project will provide critically needed housing and it is so close to the BART and major bus lines it will provide its residents with numerous options to get around and ditch their cars.

I bike pass this location every day on my way to work, and seeing such a prime, transit-oriented lot being misused as parking is such a waste. This new proposal will help maximize the space, and reduce pressure on rents that I and my neighbors feel. This building will help keep Oaklanders in Oakland while providing homes for new comers and current residents who want something different.

My one issue with the property is that the developer is wasting too much money and space on parking. No building that close to BART and buses should have any parking spots. I do not want that objection to slow down this project, but I hope future construction does not make the same mistake.

Kind regards,

--

Carter Lavin
(610) 772-6591

Vollmann, Peterson

From: Kristen Nelson <kristen@moderncoffeeoakland.com>
Sent: Wednesday, April 05, 2017 3:32 PM
To: Vollmann, Peterson; Merkamp, Robert; cmanusopc@gmail.com;
patillo@pgadesign.com; nagrajplanning@gmail.com; EW.Oakland@gmail.com;
tlimon.opc@gmail.com; amandamonchamp@gmail.com;
jmyres.oakplanningcommission@gmail.com
Subject: 1314 Franklin project

hello,

my name is kristen nelson and i am the owner of modern coffee located on 13th street in the tribune building. i opened my shop in october of 2009 when downtown oakland was in a rough place. many store fronts & offices were vacant, numerous blocks and street corners were desolate and, outside of traditional business hours, downtown felt vacant.

over the years we've seen a steady improvement - we've watched uptown become a destination and downtown become an increasingly more vibrant place to work. many more restaurants and retail shops have opened and new offices have moved into the neighborhood. our very own 13th street has even experienced a bit of a transformation - we're now home to a bike shop, a book store and an art gallery. we were optimistic that things were only going to continue to get better.

sadly, 13th street has actually become more crime-ridden, rather than less so, and there were five shootings on our block alone in the past year. there are always groups of unsavory people hanging out, causing many people who work in the area to feel uncomfortable and unsafe even in the middle of the day. our customers often tell us they don't feel safe walking past burger king to our shop in broad daylight. many of our customers' businesses have even moved away from downtown to safer, more inviting neighborhoods.

this unfortunate situation puts me as a business owner in a really uncomfortable position as i try to do two very important things: create a safe, welcoming space for customers to grab a cup of coffee and enjoy a bit of respite during their work day and create a safe work environment for my employees to whom i feel a personal responsibility for their safety and well-being while at work and also en route to and from work.

it's clear to me that 13th street needs more positive energy and more foot traffic and more people working for the good of the neighborhood. in order for that to happen, however, the street needs to be cleaned up. i'm confident that as the population of people working for good exceeds the population of detractors, we can make this happen, which is why i am writing today to voice my support for the 1314 franklin project. i think it will improve the safety and quality and vibrancy of downtown oakland and i hope that you will approve this project.

thanks for your time.
kristen

--
kristen nelson
www.moderncoffeeoakland.com

Vollmann, Peterson

From: SewCPA8@aol.com
Sent: Wednesday, April 05, 2017 4:23 PM
To: Vollmann, Peterson; Merkamp, Robert; cmanusopc@gmail.com; patillo@pgadesign.com; nagrajplanning@gmail.com; EW.Oakland@gmail.com; tlimon.opc@gmail.com; amandamonchamp@gmail.com; jmyres.oakplanningcommission@gmail.com
Subject: 1314 Franklin Project

To the Planning Commissioners

I am the property owner of the office building across the street from the proposed project at 1314 Franklin. I am also active with the Oakland Chinatown Chamber of Commerce.

The developer, Carmel Partners, presented this project at our Chinatown Chamber Board Meeting a few months ago. Our organization is in support of this mixed-use project to better utilize the existing property and increase patronage to the Chinatown businesses.

The Chinatown Chamber have considered this proposed project of 634 new housing and additional retail space to be an invaluable addition to our community. The Chinatown area will benefit greatly from this infusion of investment to revitalize the streetscape and strengthen the health of neighborhood businesses. We strongly believe the residents of this project will provide a much needed boost to some of the struggling Chinatown businesses. As such, we express our support for the 1314 Franklin St Project and also hope that this project will galvanize and encourage other developers to invest in our community.

Sincerely,

Sandra Wong
President,
Chinatown Chamber of Commerce

*Regards,
Sandra Wong*

*(510) 832-5334 office
(510) 834-7660 fax*

Vollmann, Peterson

From: Greg Pasquali <gpasquali@CarmelPartners.com>
Sent: Wednesday, April 05, 2017 4:50 PM
To: Vollmann, Peterson; Merkamp, Robert; EW.Oakland@gmail.com;
jmyres.oakplanningcommission@gmail.com; cmanusopc@gmail.com;
nagrajplanning@gmail.com; amandamonchamp@gmail.com; tlimon.opc@gmail.com
Subject: FW: 1314 Franklin Project

Commissioners, I was told by this resident and property owner that her email bounced back. Please see below.

From: SewCPA8@aol.com [mailto:SewCPA8@aol.com]
Sent: Wednesday, April 05, 2017 4:24 PM
To: Greg Pasquali <gpasquali@CarmelPartners.com>
Subject: Re: 1314 Franklin Project

To the Planning Commissioners

I am the property owner of the office building across the street from the proposed project at 1314 Franklin. I am also active with the Oakland Chinatown Chamber of Commerce.

The developer, Carmel Partners, presented this project at our Chinatown Chamber Board Meeting a few months ago. Our organization is in support of this mixed-use project to better utilize the existing property and increase patronage to the Chinatown businesses.

The Chinatown Chamber have considered this proposed project of 634 new housing and additional retail space to be an invaluable addition to our community. The Chinatown area will benefit greatly from this infusion of investment to revitalize the streetscape and strengthen the health of neighborhood businesses. We strongly believe the residents of this project will provide a much needed boost to some of the struggling Chinatown businesses. As such, we express our support for the 1314 Franklin St Project and also hope that this project will galvanize and encourage other developers to invest in our community.

Sincerely,

Sandra Wong
President,
Chinatown Chamber of Commerce

*Regards,
Sandra Wong*

*(510) 832-5334 office
(510) 834-7660 fax*

In a message dated 4/5/2017 11:40:17 A.M. Central Daylight Time, gpasquali@CarmelPartners.com writes:

Sandra – if Ted can't make it tonight, could either or both of you please send an email / letter of support to the planning commissioners? Attached is a summary of the benefits of the project. Please send your letter (before this afternoon) to:

'PVollmann@oaklandnet.com'; 'rmerkamp@oaklandnet.com'; 'cmanusopc@gmail.com';
'patillo@pgadesign.com'; 'nagrajplanning@gmail.com'; 'EW.Oakland@gmail.com'; 'tlimon.opc@gmail.com';
'amandamonchamp@gmail.com'; 'jmyres.oakplanningcommission@gmail.com'

From: Greg Pasquali
Sent: Tuesday, April 04, 2017 10:12 PM
To: 'SewCPA8@aol.com' <SewCPA8@aol.com>
Cc: twd113@aol.com
Subject: RE: office space

Hi Sandra

Yes, we are looking for about 2,000 SF, starting late this year, and through mid 2020, or earlier if you want a shorter lease for your purposes, but we are happy to take +/- 30 months.

I saw that you won't be able to attend tomorrow. Any chance Ted can?

From: SewCPA8@aol.com [<mailto:SewCPA8@aol.com>]
Sent: Tuesday, April 04, 2017 8:22 PM
To: Greg Pasquali <gpasquali@CarmelPartners.com>
Cc: twd113@aol.com
Subject: office space

Hi Greg

Are you still looking for office space? We may have some space coming up in our building.

Regards,
Sandra Wong

(510) 832-5334 office
(510) 834-7660 fax

Vollmann, Peterson

From: Greg Pasquali <gpasquali@CarmelPartners.com>
Sent: Wednesday, April 05, 2017 4:50 PM
To: Vollmann, Peterson; Merkamp, Robert; EW.Oakland@gmail.com;
jmyres.oakplanningcommission@gmail.com; cmanusopc@gmail.com;
nagrajplanning@gmail.com; amandamonchamp@gmail.com; tlimon.opc@gmail.com;
patillo@pgadesign.com
Subject: FW: 1314 Franklin St

Staff and commissioners, I was told by this resident and property owner that his email bounced back. Please see below.

From: TWD113@aol.com [mailto:TWD113@aol.com]
Sent: Wednesday, April 05, 2017 4:10 PM
To: Greg Pasquali <gpasquali@CarmelPartners.com>; momashoon@mashpetroleum.com
Cc: 'PVollmann@oaklandnet.com'; 'rmerkamp@oaklandnet.com'; 'cmanusopc@gmail.com'; 'patillo@pgadesign.com'; 'nagrajplanning@gmail.com'; 'EW.Oakland@gmail.com'; 'tlimon.opc@gmail.com'; 'amandamonchamp@gmail.com'
Subject: Re: 1314 Franklin St

Commonwealth Companies

- Real Estate-

Brokers License 0442390

1305 Franklin St #500, Oakland, Ca. 94612 * Office: (510)832-2628 Fax:(510)834-7660

April 5, 2017

To: Members of the Oakland Planning Commission
From: Ted Dang

I am the owner of the commercial building at 1305 Franklin St, across the street from the Merchants Garage which will be developed into a high rise mixed use project by Carmel Partners. I am a native of Oakland and have been active in the real estate business in this area for 44 years. I am delighted that Carmel Partners is committed to developing this quality project in my neighborhood.

Carmel Partners and Greg Pasquali has spent an extraordinary amount of time meeting with property owners, neighborhood groups, and other interested citizens to explain the project and objectives. They have been sensitive and responsive to our parking, density, height, and construction disruption concerns. I believe their current design is well thought out and appropriate for downtown Oakland.

For too long, Oakland has failed to attract institutional investors necessary to revitalize our downtown. The lack of quality developments have allowed transients, homeless, and thugs to take over our street. City government has received less tax revenue to support the public safety services that we desperately need.

Please do not allow a handful of nimby's to stop the momentum of redeveloping Oakland into a world class city.



TRUE NORTH
MANAGEMENT GROUP

April 5, 2017

Planning Staff and Commissioners

City of Oakland

Re: 1314 Franklin - Project Approval Hearing

Unfortunately, I will not be able to attend tonight's Project Approval Hearing for Carmel Partner's proposed mixed use development at 1314 Franklin St in Oakland but as a commercial landlord and investor in the Oakland market, I wanted to reach out and share my support the project. We currently own two properties in Oakland; one is Uptown located at 360 22nd Street and the other is Downtown located at 401 13th Street. While we have seen both neighborhoods continue to attract new vibrancy and dynamism, we firmly believe the infusion of ~1,000 new residents and 17,000 square feet of retail as called for in Carmel's proposed development will have a transformative positive impact on the Downtown market. In addition to offering new places to live and play for the residents and workers in the area, we anticipate that the proposed project will help invigorate the retail base in the neighborhood more broadly and will help make Downtown a more pedestrian, walkable community. We were extremely excited when we first learned of Carmel Partner's plans for this site and believe firmly that their planned development that will contribute to the Downtown / City Center submarket becoming a more attractive place for people to live, shop, eat and work.

Best Regards,

Brian Haber
True North Management Group
10 Bank St, 12th Floor
White Plains, NY 10606

Vollmann, Peterson

From: Merkamp, Robert
Sent: Wednesday, April 05, 2017 5:27 PM
To: Vollmann, Peterson
Subject: Fwd: Carmel 1314 Franklin- Community Coalition Request to Delay Approval of Project

Sent from my iPhone

Begin forwarded message:

From: Adhi Nagraj <nagrajplanning@gmail.com>
Date: April 5, 2017 at 5:25:06 PM PDT
To: tlimon.opc@gmail.com, Robert Merkamp <RMerkamp@oaklandnet.com>, JArnold@oaklandnet.com, jkmyres@gmail.com, ew.oakland@gmail.com, cmanusopc@gmail.com, pattillo@pgadesign.com, amanda.monchamp@hklaw.com
Subject: **Fwd: Carmel 1314 Franklin- Community Coalition Request to Delay Approval of Project**

FYI

Adhi Nagraj
Development Director
BRIDGE Housing Corporation

Begin forwarded message:

From: Karolyn Wong <karolynjlwong@gmail.com>
Date: April 5, 2017 at 5:17:48 PM PDT
To: nagrajplanning@gmail.com
Cc: Ener Chiu <echiu@ebaldc.org>, Alvina Wong 黃曉茵 <alvina@apen4ej.org>, Lailan Sandra Huen <lailan.huen@gmail.com>, Ayodele Nzinga <wordslanger@gmail.com>, Eric Arnold <escribe68@gmail.com>, Mike Lok <mlok@ahschc.org>, Vivian Huang <vivianh@apen4ej.org>, Joshua Fisher Lee <joshua@aypal.org>, MDrane@oaklandnet.com, r Raya@oaklandnet.com, AGuillen@oaklandnet.com
Subject: **Carmel 1314 Franklin- Community Coalition Request to Delay Approval of Project**

Dear Commissioner Nagraj,

We are writing on behalf of the Community Coalition of the Black Arts Movement and Business District and the Oakland Chinatown Coalition, which represents over 60 entities and thousands of residents, small businesses, direct service providers, and community-based organizations, to request additional time to reach a respectful and

enforceable agreement with Carmel Partners at the project at 1314 Franklin St.

We shared our requests in alignment with the Chinatown Coalition and BAMBD's platform between September through December, but did not hear from them for the next four months following, and so there has been little effort from Carmel Partners to reach an MOU agreement with us, similar to our signed agreements with W12, Wood Partners & Bay Development.

Carmel Partners sent a letter to the City of Oakland on March 22nd, cc City Councilmembers Lynette Gibson-McElhaney and Abel Guillen, with a list of what they were calling "community benefits" with our names attached to specific requests without our consent. We did not receive a copy of this from Carmel Partners until this Monday, April 3rd. We specifically asked for a legal document that would protect the community and bind the agreements in December. Carmel Partners reported to us this week that they had not made any progress on a draft MOU based on our shared requests.

Below are some of the most important outstanding issues:

- Affordable and Accessible Retail consistent with our dual cultural districts - Carmel Partners has not committed to firm affordable rents for retail spaces for local residents and small business owners to provide jobs for our community where the AMI is in the low \$30,000's.
- Affordable Housing - Carmel Partners has not committed to a firm number of affordable housing units.
- Open Space Mitigation - This site was identified as 1 of 3 opportunity sites for public open space contribution, and there is not secured mitigation for being the last project not to provide this benefit for the community.
- Anti-Displacement Mitigations - In a city that has lost 30% of our African American community, where many are being forced out of their long time homes, where we have a large homelessness issue, investors and development companies who are coming into Oakland to make profits need to mitigate development pressures. Carmel Partners has not committed to a firm commitment to the Anti-Displacement Mitigation Fund for local anti-displacement projects or the community, that will be distributed through a democratic advisory board process set up through District 2 Councilmember Abel Guillen's office

While we hope to build a long-term relationship with Carmel Partners based on mutual respect and shared interests, there are still many outstanding issues, including Carmel Partners needing time to research whether they can enter into an MOU as an SEC regulated entity, as well as the details of the community requests which we would have hoped they would have made more progress on, but have not. Again, Carmel Partners has told us many times on the same items that they

would research and get back to us, but they have failed to do so in the past 4 months. We are all community volunteers that do not get paid to do this work. We have had to draft an MOU for them in the past few days using our own volunteer labor.

We do not believe that the 10 days prior to the deadline for filing an appeal will give Carmel Partners and our coalition enough time to work out the many above named issues. We believe that more time would allow us enough time to come to a mutually shared agreement of community benefits. We believe this will help us to avoid filing an appeal, which we do not want to do, but are prepared to do if we do not reach a formal agreement of community benefits with Carmel Partners.

We ask that you support the Community Coalition's request to provide respectful time for us to reach a formal community benefits agreement with Carmel Partners.

Thank you,

Community Coalition of the Oakland Chinatown Coalition and the Black Arts Movement and Business District.

MASH PETROLEUM, INC.

428 13th Street

10th Floor

Oakland, California 94612

(510) 891-9988

(510) 891-9989 fax

(866)814-5234 e-fax

April 5th, 2017

Re: The project located at 1314 Franklin Street, Oakland, CA

Dear Oakland City Council members,

I am Mo Mashhoon, owner of Mash Petroleum, Inc., located at 428 13th Street, Oakland, CA 94612

I am writing to express our support in regard to the project as stated above. We are very enthusiastic about this. The project will bring more residents to the downtown. It will also create jobs and revenue for the City of Oakland. Most of all, it will improve the safety in the surrounding area. Such safety is currently lacking.

Please allow this project to move forward. We truly believe this project is a perfect fit for downtown Oakland.

**Mash Petroleum, Inc.
Mo Mashhoon, CEO**

April 4, 2017

RE: 1314 Franklin St. Oakland

Dear Planning Commission:

My partners Richard and Ben Weinstein and I are significant stakeholders in Downtown Oakland and have been doing business in this city for nearly 30 years. It is with this rich perspective that we would like to offer our full support of the Carmel Partners project at 1314 Franklin Street. As many of you on the Planning Commission remember, our city was once known primarily for its warts – crime, and a defunct downtown where more businesses and residents were leaving instead of coming. It is only in recent years that this trend has reversed. Retailers, restaurants, and professional firms alike are now viewing Oakland as not just an affordable alternative, but as a city that stands on its own merits and that in some cases, better fit the identity of their business or family. Projects like 1314 Franklin spur Oakland's momentum. More specifically, it brings the following benefits:

1. It is a step forward in addressing Oakland's housing crisis. This project offers not only on-site affordable units, but also several hundred "market-rate" units, which will provide a much-needed increase to our city's housing stock.
2. We need more and better retail, and this project will prove helpful in this regard. Good retail is only starting to come to our major thoroughfares of Broadway and Telegraph. However, most good downtowns also offer a good "off-Main Street" retail experience. Activating not only Franklin but also 14th street not only broaden Oakland's retail experience, but also keep the lights on and create added safety for pedestrians.
3. Speaking of safety, 1000 residents coming and going will only put more eyes and attention on our streets, thereby discouraging unwanted behavior.

It is for those reasons and many more that we whole-heartedly support Carmel Partners' project at 1314 Franklin Street. Please do not hesitate to reach out to me with any questions.

Best,



Jerry Smith
President, Citrine Advisors



Vollmann, Peterson

From: Mike Hester <mhester@mcguireandhester.com>
Sent: Monday, April 10, 2017 8:00 AM
To: nagrajplanning@gmail.com; Pattillo, Chris; jmyres.oakplanningcommission@gmail.com; amandamonchamp@gmail.com; cmanusopc@gmail.com; tlimon.opc@gmail.com; EW.Oakland@gmail.com
Cc: Merkamp, Robert; Vollmann, Peterson
Subject: 1314 Franklin Project

Dear Members of the Planning Commission,

As a member of the Board of the Oakland Chamber of Commerce and concerned Oakland community leader, I am deeply disappointed by the commission's vote to delay the Carmel Partners project in what can only be construed as an attempt to coerce additional monetary concessions from the project. Monetary negotiations seem far beyond the purview of the commission, will embolden those who seek to delay these important projects, and will worsen the housing crisis. Thank you to Chair Nagraj and Commissioner Manus for voting against setting this precedent.

This project will house almost a thousand people. It will create density near transit, it has onsite affordable, it's being built over a parking lot, and it's included months of community outreach. It will activate the 14th street corridor by bringing more pedestrian traffic, which will help small businesses and improve public safety. *This is exactly the type of project Oakland needs to welcome, not delay.*

The lack of fortitude from those that continue to allow this all to happen to almost every high-profile project brought before the commission is really disappointing. This is another example of Oakland not being able to get out of its own way.

I was born and raised in Oakland and have spent the past 30 years representing the third generation of our Oakland based construction company. I have seen Oakland struggle way too long and be strangled by special interests. Do the right thing and get this project approved.

Thank you,

Mike Hester | President
McGuire and Hester
office 510-632-7676 fax 510-562-5210
9009 Railroad Ave, Oakland CA 94603
Celebrating 90 years of Construction

Vollmann, Peterson

From: Harrison, Benjamin (OAK) <Benjamin.Harrison@colliers.com>
Sent: Monday, April 10, 2017 9:32 AM
To: Pattillo, Chris; jmyres.oakplanningcommission@gmail.com;
amandamonchamp@gmail.com; cmanusopc@gmail.com; tlimon.opc@gmail.com;
EW.Oakland@gmail.com
Cc: Merkamp, Robert; Vollmann, Peterson
Subject: Please approve 1314 Franklin Street without further community benefits

Dear Members of the Planning Commission,

As a member of the Oakland Land Use Committee of the Oakland Chamber of Commerce and concerned Oakland community leader, I am deeply disappointed by the commission's vote to delay the Carmel Partners project in what can only be construed as an attempt to coerce additional monetary concessions from the project. Monetary negotiations seem far beyond the purview of the commission, will embolden those who seek to delay these important projects, and will worsen the housing crisis. Thank you to Chair Nagraj and Commissioner Manus for voting against setting this precedent.

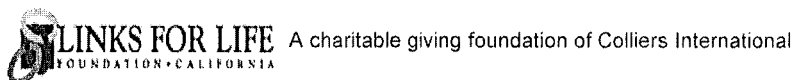
This project will house almost a thousand people. It will create density near transit, it has onsite affordable, it's being built over a parking lot, and it's included months of community outreach. It will activate the 14th street corridor by bringing more pedestrian traffic, which will help small businesses and improve public safety. *This is exactly the type of project Oakland needs to welcome, not delay.*

After months of community outreach and good faith negotiations, allowing this project to be delayed hurts our long term housing prospects.

Thank you,

Benjamin Harrison
Senior Vice President
CA License No. 01364981
Direct +1 510 433 5852
Main +1 510 986 6770 | Fax +1 510 986 6775
benjamin.harrison@colliers.com | Add as Contact

Colliers International
1999 Harrison Street, Suite 1750 | Oakland, CA 94612 | United States
www.colliers.com



Vollmann, Peterson

From: Ets-Hokin, Solomon (OAK) <Solomon.Etshokin@colliers.com>
Sent: Monday, April 10, 2017 11:09 AM
To: nagrajplanning@gmail.com; Pattillo, Chris; jmyres.oakplanningcommission@gmail.com; amandamonchamp@gmail.com; cmanusopc@gmail.com; tlimon.opc@gmail.com; EW.Oakland@gmail.com
Cc: Merkamp, Robert; Vollmann, Peterson; Aly Bonde; Ets-Hokin, Solomon (OAK); McClure, Mark (California Capital Investment Group); 'Barbara Leslie' (bleslie@oaklandchamber.com)
Subject: Dear Members of the Planning Commission,
Attachments: Planning 4.7.17.docx

Dear Members of the Planning Commission,

As a member of the Oakland Land Use Committee of the Oakland Chamber of Commerce, a Board Member of the Oakland Builders Alliance, and concerned Oakland community leader, I am deeply disappointed by the commission's vote to delay the Carmel Partners project in what can only be construed as an attempt to coerce additional monetary concessions from the project. Monetary negotiations seem far beyond the purview of the commission, will embolden those who seek to delay these important projects, and will worsen the housing crisis. Thank you to Chair Nagraj and Commissioner Manus for voting against setting this precedent.

This project will house almost a thousand people. It will create density near transit, it has onsite affordable, it's being built over a parking lot, and it's included months of community outreach. It will activate the 14th street corridor by bringing more pedestrian traffic, which will help small businesses and improve public safety. *This is exactly the type of project Oakland needs to welcome, not delay.*

After months of community outreach and good faith negotiations, allowing this project to be delayed fails to see the forest for the trees.

Thank you,

Solomon Ets-Hokin

Sr. Vice President
CA License No. 01248264
Direct +1 510 433 5840 | Mobile +1 510 427 0096
Main +1 510 986 6770 | Fax +1 510 986 6775
solomon.etsokin@colliers.com | Add as Contact

Colliers International

1999 Harrison Street, Suite 1750 | Oakland, CA 94612 | United States
www.colliers.com



To:
nagrajplanning@gmail.com
pattillo@pgadesign.com
jmyres.oakplanningcommission@gmail.com
amandamonchamp@gmail.com
cmanusopc@gmail.com

tlimon.opc@gmail.com
EW.Oakland@gmail.com

CC:

RMerkamp@oaklandnet.com
PVollmann@oaklandnet.com

- On behalf of our 3,000 members and affiliates, I'm speaking tonight in full, urgent support of this project's approval.
- The regional housing crisis is at a critical juncture. Over the last five years, the Bay Area has added about 476,000 people, yet built only 76,000 new units of housing. That's about 1 new unit for every 6-new people since 2012.
- Oakland has performed similarly, building only 1 new unit for every 5 new residents between 2005 and 2015, according to the Chamber's Annual Economic Analysis of Oakland.
- These numbers should paint a clear picture of urgency in everyone's mind.
- If we don't get serious about building dense and building now, our community will continue to suffer the effects of the housing shortage.
- This project will house almost a thousand people. It will create density near transit, it has onsite affordable, it's being built over a parking lot, and it's included months of community outreach.
- It will activate the 14th street corridor by bringing more pedestrian traffic which will help small businesses and improve public safety.
- This is exactly the type of project Oakland needs to welcome, not delay.
- After months of community outreach and good faith negotiations, those who seek to delay this project fail to see the forest for the trees.

Vollmann, Peterson

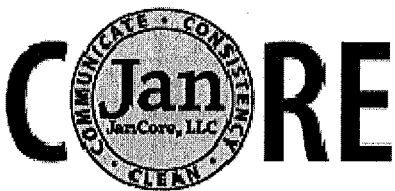
From: Todd Nelson <tnelson@jancorellc.com>
Sent: Monday, April 10, 2017 2:28 PM
To: Vollmann, Peterson; Merkamp, Robert; nagrajplanning@gmail.com;
jmyres.oakplanningcommission@gmail.com; EW.Oakland@gmail.com;
tlimon.opc@gmail.com; amandamonchamp@gmail.com; cmanusopc@gmail.com;
patillo@pgadesign.com
Subject: 1314 Franklin Project Support

Dear Oakland Staff and Planning Commissioners;

I understand that you are still in the process of considering the 1314 Franklin Project. We do business and office in Downtown Oakland and live in Oakland as well. This project will bring much needed tax revenue, housing options across all demographics, good jobs and a sense of progress in Oakland. Specifically relative to all the positive news we've been hearing concerning property values rising and companies and their employees moving to Oakland. Well, if things are really moving along, then prove it, support it – and approve this project. Everyone knows In Oakland we desperately need infrastructure improvement. So, help us secure the necessary maintenance, jobs, housing and beatification we need and would love to have – I urge you to strongly consider the needs of this community and approve the 1314 Franklin Project. Thanks much!

Regards,

Todd Nelson
JanCore
610 16th Street Ste. 512
Oakland, CA 94612
510.735.9675 – office
408.661.0904 – cell
510.336.6660 – fax



Vollmann, Peterson

From: Moore, Bielle <BMoore2@republicservices.com>
Sent: Monday, April 10, 2017 3:07 PM
To: nagrajplanning@gmail.com; Pattillo, Chris; jmyres.oakplanningcommission@gmail.com; amandamonchamp@gmail.com; cmanusopc@gmail.com; tlimon.opc@gmail.com; EW.Oakland@gmail.com
Cc: Merkamp, Robert; Vollmann, Peterson
Subject: Carmel Partners Project

Dear Members of the Planning Commission,

As a member of the Public Policy Committee of the Oakland Chamber of Commerce and concerned Oakland community leader, I am deeply disappointed by the commission's vote to delay the Carmel Partners project in what can only be construed as an attempt to coerce additional monetary concessions from the project. Monetary negotiations seem far beyond the purview of the commission, will embolden those who seek to delay these important projects, and will worsen the housing crisis. Thank you to Chair Nagraj and Commissioner Manus for voting against setting this precedent.

This project will house almost a thousand people. It will create density near transit, it has onsite affordable, it's being built over a parking lot, and it's included months of community outreach. It will activate the 14th street corridor by bringing more pedestrian traffic, which will help small businesses and improve public safety. This is exactly the type of project Oakland needs to welcome, not delay.

After months of community outreach and good faith negotiations, allowing this project to be delayed fails to see the forest for the trees.

Thank you,

Best Regards,

Bielle Moore
510-205-4908

Vollmann, Peterson

From: Daren Chan <daren.chan@gmail.com>
Sent: Tuesday, April 11, 2017 9:03 AM
To: nagrajplanning@gmail.com; Pattillo, Chris; jmyres.oakplanningcommission@gmail.com; amandamonchamp@gmail.com; cmanusopc@gmail.com; tlimon.opc@gmail.com; EW.Oakland@gmail.com
Cc: Merkamp, Robert; Vollmann, Peterson
Subject: 1314 Franklin St - Carmel Partners Project Proposal

Dear Members of the Planning Commission,

I am writing to you as a concerned Oakland resident and member of the Board of the Oakland Chamber of Commerce. As background, I was raised in Oakland and moved back to this wonderful city in 2014. I chose to purchase a home in Oakland because I saw the enormous economic, housing and growth potential for a city that has often been overlooked and forgotten. While Oakland has made significant strides since 2014, there has been an overwhelming sense that the City is letting a golden opportunity slip away by denying and delaying project after project; good projects that will bring much needed affordable housing and market rate housing to this City and create the foot traffic that is critical to making our streets and neighborhoods a safe and welcoming place.

I am deeply disappointed by the commission's vote to delay the Carmel Partners project in what can only be construed as an attempt to coerce additional monetary concessions from the project. Monetary negotiations seem far beyond the purview of the commission, will embolden those who seek to delay these important projects, and will worsen the housing crisis. Thank you to Chair Nagraj and Commissioner Manus for voting against setting this precedent.

This project will house almost a thousand people. It will create density near transit, it has onsite affordable housing, it's being built over a parking lot, and will create significant retail space. It will activate the 14th street corridor by bringing more pedestrian traffic, which will help small businesses and improve public safety. *This is exactly the type of project Oakland needs to welcome, not delay.*

After months of community outreach and good faith negotiations, allowing this project to be delayed fails to see the forest for the trees.

I urge you to support this project as presented at the 4/6 Planning Commission hearing so that the Oakland Renaissance can continue to move forward.

Thank you,

Daren Chan

6885 Thornhill Dr

Oakland CA